

Leicester City Council Scrutiny Review

The impact of gambling on vulnerable communities

A Review Report of the Neighbourhood Services and Community Involvement Scrutiny Commission

April 2016

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Neighbourhood Services and Community Involvement Scrutiny Commission task group

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Chair's Foreword

I am delighted to have chaired this review of the impact of gambling on local communities, particularly vulnerable communities and individuals. There is surprisingly little information about this impact but the members of the Task Group saw enough evidence at first hand of how damaging that impact can be.

We are grateful for evidence provided by the gambling industry which co-operated fully with our review; one complete session was taken up with evidence from the Association of British Bookmakers (ABB).

They indicated they were providing a social environment for customers. However the other side of the coin was seen in the impact of, in particular, Fixed Odds Betting Terminals (FOBTs) on customers in the city. These machines have been described as the crack cocaine of the betting industry.

Four are allowed in every betting establishment and income from these terminals accounts for more than half of betting shop profits. The betting limit is, we believe, too high for such accessible machines and we believe it is not in the industry's interests to either control gamblers' spending habits or increase regulatory protection of customers.

In this report we are highlighting the issues relating to gambling, which in some people appears to have gone out of control. As a result of the evidence we have received we are making a wide-ranging series of proposals involving council departments, partner agencies and voluntary organisations.

If there is an underlying message it is that we need to talk to people about gambling problems, and they need to tell us what those problems are so that we can set about solving them. Too many people feel ashamed of their gambling habit and this is a taboo which should be broken as soon as possible.

We had information, guidance and assistance from a wide number of witnesses and information sources. They are listed in the report and we are very grateful for their insights and knowledge. Finally I would like to thank the Task Group members and officers for their hard work in preparing this report.

Councillor Inderjit Gugnani

Chair, Impact of Gambling Scrutiny Task Group



1 Executive Summary

1.1 Background to the Review and Key Findings

1.1.1. The review was instigated by members concerned about the impact of gambling, and in particular that of B2 machines in Licensed Betting Offices, commonly known as Fixed Odds Betting Terminals (FOBTs), on vulnerable individuals and vulnerable communities.

1.1.2. Members found there was a lack of detailed local evidence about the impact of gambling on individuals and communities. However a sample survey conducted for this review found there were sometimes devastating consequences of gambling for individuals.

1.1.3. For some the spending of comparatively small sums of money appeared to have had a disruptive effect on household finances. In other cases losses for some people ran into tens of thousands of pounds.

1.1.4. The gambling industry at national level provided important evidence to the Commission's Task Group and made a number of constructive proposals for joint future working.

1.1.5. There is, however, a significant difference between the industry's view of an area *impact* assessment of the effects of gambling, and the *risk* assessment approach to providing a local profile as proposed by the Task Group. The risk-based approach identifies a range of vulnerable individuals and communities, and is in line with the approach being promoted by the Gambling Commission. The ABB position was regarded problem gambling as a behavioural issue but members did not accept this analysis. Problem gambling is technically described as behavioural addiction, and members found there was significant evidence of a risk of gambling-related harm.

1.1.6. In post-review evidence, it would appear that a three-yearly review of FOBT stake limits due in 2016 by the Department of Culture, Media and Sport (DCMS) has been delayed indefinitely and there is no certainty that it will go ahead this year as ministers consider their options.

1.1.7. This could be construed as continuing government obstruction to proposals to lower the stake limits on FOBTs. However the Task Group recommends that the campaign to lower these limits continues through a range of local and national agencies, and that the DCMS is urged to undertake the review.

1.1.8. The Task Group also recommends a risk-based area assessment framework for considering licensing applications (and the reviewing of existing licences where appropriate), that the Local Plan addresses the issue of location and density of licensed gambling establishments, that local agencies, including advice agencies within and outside the council, gather and assess information about the impact on

gambling on individuals; and that the council accepts the offer of the ABB to set up a local joint working initiative to promote the protection of potentially vulnerable and damaged individuals.

1.2 Recommendations

1.1.9. Recommendations are grouped into areas of potential influence and responsibility as follows:

(A) The gambling industry

(B) Leicester City Council and partners

- The local Plan
- Licensing arrangements; policy and funding options
- Data collection, internally and with outside partners
- Working with outside agencies
- Towards a Local Area Risk Assessment

(C) The national context

The Assistant Mayor for Jobs and Skills and the Executive are asked to consider the following recommendations:

The gambling industry

It is recommended that:

1.1.10. Association of British Bookmakers (ABB) members, Leicester City Council licensing representatives, police and other interested parties should set up a local forum (on the lines of the Medway Voluntary Partnership Agreement) with the aim of reducing the risk of impact of gambling on vulnerable individuals and communities. Terms of reference to be agreed by the members should include provision for identifying specific local risks and preparing action plans to mitigate against these risks, including:

- regular reports from police and other agencies on antisocial or criminal behaviour associated with, or suspected of being associated with, licensed gambling establishments
- Industry reports on interventions against or self-interventions by clients affected by or concerned about gambling behaviour
- a clear structure for the referral of concerned or affected individuals to agencies or groups who support people with gambling (or associated) issues
- Regular reviews of the operation and development of local area risk assessments
- Gambling establishment staff to be clearly trained to deal with vulnerable individuals and groups as identified in the area risk assessments

Leicester City Council

The Local Plan

1.2.3. The commission welcomes the development of a more strategic approach to the control of betting establishments through the use of the Local Plan. It is recommended that applications for planning consent assessed against:

- Policies which mitigate the risk of harm and protect the licensing objectives
- A wider socio-economic context as set out by Nottingham City Council (see pars 2.2.9 and 2.2.10 below)
- Local indicators of vulnerable communities; and that
- Payday loan premises applications be subject to the same policy objectives and planning framework as set out for gambling establishments

It is recommended that:

1.2.4 Fees from licence applications and renewals may with community advantage be used to:

- Fund the creation and maintenance of a local area risk profile for the city of Leicester
- Fund if necessary the creation and maintenance of a partnership with the ABB and other relevant groups within the city of Leicester. This could be a shared cost with the ABB and other bodies
- Fund or part-fund the organisation of a seminar for all relevant agencies within the city to raise the awareness of the issue, co-ordinate future action and involve a range of agencies

Furthermore, it is recommended that the council should investigate ways in which it can:

- Establish common databases tracking gambling issues across city council, police and fire service data, working with third sector and other voluntary bodies where appropriate
- signpost vulnerable individuals to appropriate voluntary or other advice and support agencies (enforcement action issue)
- Procure specialist gambling advice and support for problem gamblers and their families.(enforcement action issue)

1.1.5. In response to evidence from the chair of the licensing and public safety committee, consideration should be given to:

- enhanced and systematic training for committee members (based at least in part on the LGA members' guide to gambling licensing issues)

- the possibility that membership of the committee extends for more than one year to allow members' experience and knowledge to improve over time.

Data gathering and use of data

It is recommended that:

1.1.6. Supporting Tenants and Residents (STAR) and Citizens Advice Leicestershire (CAL), as front line agencies dealing with vulnerable individuals and communities, are recognised as appropriate lead agencies to gather information about the impact of gambling on individuals and within communities.

1.1.7. Other agencies be also asked to collect and co-ordinate data, including Leicestershire Police and Leicestershire Fire and Rescue Service (which are mapping data on vulnerable individuals and households), the Public Health department and NHS, and members of the Social Welfare Advice Partnership (SWAP).

1.1.8. A common methodology¹ should be adopted for data gathering be established which can also link into national database systems.

1.1.9. All interested parties and agencies, including the Gambling Commission be invited to a seminar to agree a strategy and methodology for the collection of data on gambling issues and that funding for the seminar could come from gambling charities, licensing fees and local gambling interests.

1.1.10. STAR be asked to conduct at least one more survey to augment the local information available to the council and local communities.

Education and advice

It is recommended that:

1.1.11. An advice and information campaign² on problems associated with gambling and the impact of the issue on individuals, their families and the communities in which they live be devised and delivered within the city.

1.1.12. Secondary school students in particular are identified as a potentially vulnerable group in the advice and information campaign.

1.1.13. Support and advice agencies such as GamCare and Gamblers' Anonymous be invited to support and take part in any agreed campaign.

¹ Inquiries about an appropriate methodology are currently being made with consultants and the Gambling Commission

² The Link might be used to highlight and promote the campaign, including signposting and links to support and advice services

A risk assessment framework for Leicester

It is recommended that:

1.1.14. Leicester City Council (LCC) adopts a local area risk assessment which takes into account the location of the licensed operation in relation to:

- Other betting establishments
- Food banks
- Schools and educational establishments catering for youngsters between the ages of 13 and 24 and this should include play areas
- Job Centres
- Establishments which provide services for vulnerable groups such as hostels, substance misuse and related clinics and recovery centres
- This project be funded from income from gambling licence fees.

1.1.15. Other factors to be used in the preparation of an area profile may also include:

- vulnerable people (particularly those with vulnerable mental health issues - an analysis of GP and other health data, and data referenced in pars 1.2.6-1.2.10
- economic resilience (levels of unemployment and low wage or part-time/ zero hours employment).

THE NATIONAL CONTEXT

It is recommended that:

1.1.16. LCC continues to support the LGA campaign to reduce FOBT limits to £2 per bet.

1.1.17. Councils be given powers to limit the number of FOBTs per licensed premise

1.1.18. LCC calls on Leicester MPs to support or promote legislation to curb the limits on FOBT betting and the clustering of gambling establishments.

1.1.19. The council encourages further third party (not the government or the gambling industry) research into to the impact of FOBTs on gamblers, their families and the communities within which they live.

1.1.20. LCC and MPs make representations to the Department of Culture Media and Sport in relation to FOBT limits at the next triennial review of stakes and prizes.³

³ This is scheduled to take place in 2016 but is delayed: See pars 2.6.3 and 2.6.4.

1.1.21. LCC calls on MPs and the LGA to “remind” the Department of Culture, Media and Sport (DCMS) to undertake the triennial review of stakes prizes, and that the review terms of reference include FOBT betting limits.

1.1.22. LCC informs the LGA, Gambling Commission, Newham Council and regional Scrutiny network of the findings of this review.

1.1.23. LCC informs the Commons CMS Select Committee of the review and the failure of the department to implement a triennial review of stakes and prizes and requests that it investigates the issue with particular regard to the failure to review FOBT stake limits.

2 REPORT

1.3 The gambling industry

1.1.24. When Leicester City Council considers an application for a gambling licence, or reviews an existing licence, the relevant committee or sub-committee has to consider the application against a range of criteria⁴, including:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

1.1.25. The Gambling Commission sets out three criteria⁵ under what it calls the social responsibility provisions of its Licence Conditions and Codes of Practice: (LCCP).

- (a) ensuring gambling is conducted in a fair and open way;
- (b) protecting children and other vulnerable persons from being harmed or exploited by gambling; and
- (c) making assistance available to persons who are or may be affected by problems related to gambling.

1.1.26. This report studies the implications in particular for the third category set out in 2.1.1 – namely the protection of vulnerable people, while justification for spending of funds raised from licence fees can be found within points (b) and (c) in par 2.1.2.

1.1.27. Within Leicester there are 63 licensed gambling premises, many of them in the city centre. Their locations and functions are set out in a report presented to the Task Group on 11th February 2016 (Appendix D). Their social and economic context is set out in further detail in that document, which forms a separate appendix F for this report. An application for a gambling licence or consideration of the operation of an existing licence needs to be assessed against the criteria set out in 2.1.1 above.

⁴ Taken from the [LCC Licensing and Public Safety Committee: 27th October 2015](#)

⁵ [Gambling Commission Gambling Codes of Practice: May 2015](#)

1.1.28. The distribution and location of licensed gambling establishments suggests many are within communities which might be regarded as vulnerable or impoverished. However it is far from clear, as some suggest happens, that gambling businesses seek out such communities and exploit them. Betting shops are legitimate businesses which often operate close to other shops and business outlets.

1.1.29. The Task Group devoted a complete session to evidence from the Association of British Bookmakers (ABB), which had indicated from an early stage that it wanted to provide evidence to the review.

1.1.30. The notes from that session, on 14th January 2016, are in Appendix B. The ABB paper said: “Leicester’s 63 betting shops enable operators to meet legitimate local demand for their services, and in turn shops play an important role in the local economy. Leicester’s betting shops employ close to 290 staff and contribute over £6.5m a year in taxes, including local business rates⁶.”

1.1.31. “Providing a leisure product, betting shops are highly sociable environments with interaction between customers as well as with staff. Many shops operate as community hubs, where staff know their customers well, and the customers know each other. For some customers, particularly the more elderly, the interaction they get in the betting shop may be the only interaction they have that day.

“We would see over-gambling as a behavioural issue rather than an addiction issue....”
The Association of British Bookmakers

1.1.32. “The location of betting shops is directly related to the density of population in an area. Recent research commissioned by the Responsible Gambling Trust shows that areas in which betting shops are located have a greater population density than average.

1.1.33. “The siting of shops is based on commercial reasoning and betting shop operators do not in any way target areas of deprivation, with shops found in a variety of socio-economic areas. We also strongly dispute any suggestion of a relationship between betting shops and licensed alcohol premises. Betting shops cannot serve alcohol, and staff cannot serve intoxicated customers.

⁶ The economic impact of FOBTs in terms of job creation and retention is disputed in a [report by Landman Economics](#) for the Campaign for Fairer Betting. Figures within that report suggest, it says, that consumer expenditure on FOBTs supports very little employment compared with an average basket of consumer spending on goods and services. If one pound of consumer spending is diverted from other goods and services to FOBTs, it is likely to support only one-fifth as much employment as it would have done, on average, if that pound had been used to buy other goods and services. The corollary of this finding is that FOBTs deliver particularly high profits for bookmaking firms because wage costs required to support FOBTs are so low relative to the amount of revenue that they generate.

1.1.34. “Given that the scrutiny review aims to “establish the relationship between gambling and alcohol establishments and their location within communities” we would encourage a broader consideration of other establishments where both gambling and alcohol consumption takes place, e.g. casinos.

1.1.35. “We do not see evidence of any association between betting shops and crime. All operators have strict policies and procedures in place to ensure their premises remain free of crime and that staff and customers are protected.

1.1.36. “We would highlight in particular comments from various councils across the UK noting, for example, the low level of disorder, crime and nuisance associated with bookmakers (West Dunbartonshire) and that there is no evidence to support the assertion that any part of the authority’s area is experiencing problems from gambling activities (North Lincolnshire).”

1.1.37. On the issue of FOBTs the ABB said: “Betting shops are permitted up to four gaming machines with a maximum stake of up to £100 per shop. Gaming machines are an important part of the product mix in betting shops, making up to 50 per cent of all profits.

1.1.38. “Their popularity reflects the continued preference for digital products, and in allowing customers to stake at different levels they provide enjoyment for a range of customers. In Leicester the average gaming machine session length is 10.28 minutes and the average player loss per session is £7.12.

1.1.39. “Only a very small percentage of players stake at the maximum level of £100 (1-3%)⁷ and a new government regulation which came into force in April 2015 has further restricted gaming machine play. The measure, which is designed to increase oversight of customer behaviour, requires anyone wishing to stake over £50 at once to register for a customer account, where their play can be monitored, or return to the counter to load money, where they can interact with staff.”

1.1.40. The ABB evidence also highlighted the willingness of its members to work with local authorities in partnership, and set out measures by the industry to protect vulnerable people from harm.

1.1.41. The ABB also discussed the introduction of area risk assessments. Chief executive Malcolm George told the review levels of addiction had not been shown to increase in the last ten years and there was

⁷ “Overall, 3% of all B2 sessions involved a maximum stake of £100 during play. 1% of all sessions where B2 games were played started with the maximum £100 stake and a further 2% did not start with the maximum stake, but reached it before the end of the session.” ***Patterns of play: analysis of data from machines in bookmakers***, Responsible Gambling Trust research carried out by NatCen, December 2014
http://www.responsiblegamblingtrust.org.uk/user_uploads/pdfs/patterns%20of%20play%20-%20analysis%20of%20data%20from%20machines%20in%20bookmakers.pdf

a changing view on the issue of gambling as an addiction. “We would see over-gambling as a behavioural issue rather than an addiction issue.

1.1.42. “Overall I believe high street bookmaking industry is one of the safest environments for gambling. We have a licensed regulated environment. History has shown that without controls there is illegal gambling – an area prone to loan sharks and crime.”

1.1.43. Mr George felt that:

- Criminal activity
- Armed robbery
- Attempted thefts
- Incidents involving younger people without ID

would be considered in an area profile, but also said the ABB was likely to update this thinking. He felt that any profile should be evidence-based. From April 2016 ABB members will attach council area profiles to licence applications⁸.

Site visits

1.1.44. The ABB offered members the facility of a visit to bookmakers within the city and it was agreed visits should be made to a city centre venue and one which might be considered to be in an outer suburb.

1.1.45. Those visits took place on 3rd February and details are set out in the meeting notes for the 4th February (Appendix C). Members are grateful for the co-operation and assistance provided by the ABB and local management.

1.1.46. Members noted the staffing levels (at least two were on duty at each shop) and the comfortable environment provided within the shops, and were shown a range of security measures which allowed staff to track customer behaviour, including potential antisocial behaviour and the tracking of client betting behaviour.

1.1.47. They were also provided with ready and open access to the records within the shops of files which recorded self-exclusion by clients or interventions by staff to moderate client betting behaviour.

1.1.48. The early afternoon visit times may not have been the busiest for the shops but provided an opportunity to talk with clients. One reported a profit of £3,000 in a few days’ betting. However others said they had lost significant sums of money, in a comparatively short time. A flavour of their evidence can be found in Appendix C.

⁸ The ABB was asked to update its thinking on what should be in an area profile but this has so far not been provided.

1.1.49. The ABB position as set out in 2.1.20 and the council's probable risk assessment framework will provide a significant difference in emphasis and approach to assessing the community impact of a gambling licence application. It is not clear how differences between the two approaches might be resolved and who might resolve them, but it is a matter of urgency that a council framework is in place to provide a robust test for both new applications and for consideration of amendments to the conditions of existing licences.

1.1.50. A further point of difference between the ABB and members of the Task Group is with the ABB's view, set out in evidence on 14th January, that problem gambling is an issue of behaviour rather than addiction.

LEICESTER CITY COUNCIL

1.4 The Local Plan

1.1.51. The planning framework governing the conversion of existing buildings and businesses to betting (and payday loan) shops changed in April 2015, effectively tightening up previous rules which had provided a right to develop without applying for planning permission.

1.1.52. Proposals for betting shop and payday loan conversions now require planning permission. However members of the task group felt that for a variety of reasons betting shops were in some parts of the city concentrated in significant numbers.

1.1.53. Under the old framework councils had found it difficult to put in place what they considered effective controls against the development and over-concentration of betting shops.

1.1.54. One example (Appendix E) was that of the London Borough (LB) of Barking and Dagenham, who after three years of trying abandoned attempts to create a special planning document (SPD). The narrative of this attempt is set in some detail to provide an understanding of how pressure from the gambling industry can be brought to bear on local efforts to control its development.

1.1.55. LB Islington has also sought to introduce a Location and concentration of uses SPD and has been consulting on the issue since July 2015. Results of the concentration are [still being analysed](#).

1.1.56. While important and useful tools, SPDs are less influential in policy terms to a policy framework which is embedded in the full Local Plan. Leicester City Council is at the second stage of producing the New Local Plan and we will consult on this draft document in the next 2-3 months. The

new Local Plan will include draft development management policies which when adopted will help to determine planning applications. The department is currently considering ways in which we can manage the concentration of betting shops.

1.1.57. New planning policies will need to be backed up by solid evidence which demonstrates that there is a detrimental impact on issues such as health, noise, disturbance, residential amenity and anti-social behaviour etc. It is important that we have the evidence at an examination with a planning inspector. We hope to adopt the local Plan towards the end of 2017. There will be opportunities to refine policies during the process.

1.1.58. An evidence note said: “An outright ban on betting shops is unlikely to be well received by a Planning Inspector as I do not consider this to be the intention behind the recent changes. **Instead the focus of new planning policies should be based on managing concentrations of betting shops.**”

1.1.59. The report cited approaches taken by Islington, Barking and Nottingham. Nottingham had incorporated betting shop policy into their Local Plan policy. Its approach was to “resist (pay day loan and betting shop) proposals which do not assist in reducing inequality and which may further harm the economic and social well-being of residents.

1.1.60. “In considering proposals the council will review the social and economic characteristic of the local area including reference to the Government’s Indices of Deprivation and where appropriate information from other agencies on the nature of inequality and deprivation in the area.”

1.1.61. The task group was told in evidence from the planning policy department: “Our preferred approach would be to address the issue of betting shops in the Local Plan and avoid the need to produce an SPD.”

1.1.62. A mix of approaches was also being considered and the task group was told in evidence that “the important thing is to make sure any new policy...is evidenced through appropriate local research and address the...issues that are identified in Leicester.”

Data collection

1.1.63. In conversations with individuals and agencies officers and members were repeatedly told that data was not being collected to analyse why people were in financial difficulties.

1.1.64. However there were some indicators that gambling losses and behaviour were at least part of the picture in some of the cases dealt with by Citizens Advice Leicestershire, Dawn Mason told the Task Group.

1.1.65. One agency within the council, Supporting Tenants and Residents (STAR), deals almost exclusively with residents in extreme difficulties, often facing the loss of their home because of debt.

1.1.66. STAR manager Cath Lewis agreed to undertake a sample survey in which over the period of a week up to 50 clients would be asked specifically whether they were affected by gambling problems.

1.1.67. Members are extremely grateful for efforts of STAR officers who were able to collect information on 46 clients in early February 2016. The information was reported to the meeting on 11th February and the key findings were:

- 20 out of the 46 questioned said they had a gambling issue; one who said he did not clearly did have a significant problem
- 11 out of 20 who said they had issues said they used betting shops
- 16 out of 20 who said they had issues said they bought scratch cards or lottery tickets
- 11 of those who went to STAR said they gambled (mainly using scratchcards/lottery cards) but that it was not a problem for them.

1.1.68. Overwhelming the sample was white British (35) and most were single aged 25-54. The overall sample was made up of 27 males and 19 females. However around 70% of those who said they had problems with gambling were male, while 85% of those who said they had problems were white British and a high proportion were single households.

1.1.69. Set out in Table 1 below is an extract of the information provided by the STAR survey. Of particular note are comments made by clients, all of whom had been referred to STAR because of tenancy or other financial issues.

1.1.70. More than half of those polled by STAR officers (26 out of 46) stated that they did not have any issues with gambling. Eleven of those who said they did not have an issue with gambling said they bought lottery and/or scratchcards.

1.1.71. Just 14 out of 46 clients interviewed said they did not gamble in any way, which implies that almost 70% of those questioned identified themselves as having a gambling habit, or at least identified that they did gamble. Inset (right) are some of the comments which clients made.

1.1.72. These comments indicate a high level of self-awareness about the economic, social and emotional damage of gambling. What is significant is not the high levels of gambling spend, distressing and damaging as these might be – it is the fact that comparatively low levels of spending (at least for many people) can cause deep damage to individuals and their families.

1.1.73. In many cases the council is a victim in that it is losing money – rent or council tax – which should be going to the housing revenue account.

1.1.74. Further, the authority may have to deal with the consequences of debt – through making a family or individual homeless then providing resources to ensure they continue to have some form of shelter rather than being on the street.

1.1.75. At least one response also identifies the criminal outcomes caused by gambling debt. However the instability with households caused by gambling is also clearly set out.

1.1.76. Of those who said they had a gambling problem, twelve said they used a betting shop. Most of the others in this section said they used scratchcards / lottery tickets.

“I shoplift and sell goods to fund my gambling habit. I have lost money and an inheritance...”

“£250 per week. This was the entire household income, leaving us without food and the ability to pay bills...”

“Spends £100 per week leaves no money for food...”

“£10 a week on gambling which affect my financial situation...”

TABLE 1: SUMMARY OF CLIENT RESPONSES IN STAR SURVEY

Pro b- lem?	Nature of problem – client comments	Ethnicity	Ge n- der	Famil y type	Ag e
Y	£50 - £100 Impacts on paying bills, tenancy at risk	WHITE BRITISH	M	single	25- 64
y	Affected my general well being	OTHER	M	single	25- 64
Y	Spends £100 per week leaves no money for food	WHITE BRITISH	F	Couple	25- 64
Y	£10 per week Scratch cards/Lottery	WHITE BRITISH	F	Couple	25- 64
Y	Spend more than they can afford and go without meals	WHITE BRITISH	F	single	25- 64
Y	I think I may in lots of money	WHITE BRITISH	M	single	25- 64

Y	I shoplift and sell goods to fund my gambling habit. I have lost money and an inheritance.	WHITE BRITISH	M	single	25-64
Y	Spend most of my money gambling	WHITE BRITISH	M	single	25-64
Y	£20 - £30 per week	WHITE BRITISH	M	single	25-64
Y	Uses wife's pension money at the bookies	WHITE BRITISH	M	Couple	89
Y	Gambles regularly	WHITE BRITISH	M	single	25-64
Y	£250 per week. This was the entire household income, leaving us without food and the ability to pay bills.	WHITE BRITISH	F	single	25-64
Y	Work in a betting shop	WHITE BRITISH	M	single	65-PLUS
Y	Would go without food and get into debt	WHITE BRITISH	M	single	25-64
Y	Not paying bills	WHITE BRITISH	F	single	25-64
Y	Spends over £10 per week	WHITE BRITISH	M	single	25-64
Y	£20 a week impact on the family as less income, causing arguments, less food for the family	WHITE BRITISH	M	Couple	25-64

Problem?	Nature of problem – client comments	Ethnicity	Gender	Family type	Age
Y	£10 a week on gambling which affect my financial situation	ASIAN/BRITISH ASIAN	M	single	25-64
Y	YES	WHITE BRITISH	M	single	25-64
Y	£4 a week	WHITE BRITISH	F	Couple	25-64
N	Spend everything in my pocket and borrowed money	WHITE BRITISH	M	single	25-64
N	Scratch Cards/Lottery	ASIAN/BRITISH ASIAN	F	single	18-24
N	Scratch Cards/Lottery	WHITE BRITISH	M		65-PLUS
N	Casino	WHITE BRITISH	F	single	25-64
N	Scratch Cards/Lottery	WHITE BRITISH	F	single	25-64

N	Scratch Cards/Lottery	WHITE BRITISH	F	single	25- 64
N	Scratch Cards/Lottery	WHITE BRITISH	F	single	25- 64
N	Scratch Cards/Lottery	WHIT BRITISH			
N	Online	WHIT BRITISH			
N	Scratch Cards/Lottery	WHIT BRITISH			
N	Online	WHIT BRITISH			
N	Scratch Cards/Lottery	WHIT BRITISH			

“Risk is not necessarily related to an event that has happened. Risk is related to the probability of an event happening and the likely impact of that event – in this case on licensing objectives” (Gambling Commission: 2015)

1.5 Spatial data – James Rattenberry and his team

1.5.1 The location and identities of gambling establishments throughout the city was set out in a paper provided to the Task Group on 11th February 2016. The Task Group is grateful to James Rattenberry and his graduate placement colleagues for the work they did to assemble the information and report contained in Appendix F.

1.5.2 The report set out the various gambling establishments within the city, their operators and locations. **This information of itself will provide a useful information source for officers, councillors and the wider public.**

1.5.3 The report plotted licensed premises against:

- Indices of multiple deprivation (IMD)
- Potential gambling risk (ward population divided by the number of gambling establishments for that ward)
- population

1.5.4 It also plotted potential vulnerability issues by plotting location against IMD and:

- location of foodbanks (including a detailed map of the city centre),
- hostels,
- alcohol/drug rehabilitation points,
- secondary schools,
- Jobcentre Plus Offices,
- employment rates, income,
- employment skills and training rates; and

- payday loan points

2.3.5 This dataset could in future be used to consider both new applications for gambling license applications or the performance of existing licence-holders against a local risk assessment containing some or all of these criteria.

2.3.6 The analysis of the data suggests that many betting establishments are in areas where there are multiple issues of deprivation, including where there are foodbanks and there are high unemployment and low employment and household income levels.

2.3.7 While one may conclude betting shops are in areas of high community vulnerability, it would not be safe to argue that betting shops deliberately target such communities⁹. The industry insists it goes to areas with high community densities and shopping footfall and that targeting deprivation is not a business objective.

2.3.8 The evidence from the STAR survey suggests that many users of the industry's services know very well where their local betting shop is and that in many cases it is less than half a mile from where they live.

Citizens Advice Leicestershire

2.3.9 Assistant supervisor Dawn Mason gave evidence to two meetings on the experience of CAL in dealing with gambling issues. At the meeting on 4th February she said: "People often conceal gambling debt and when analysing people's financial problems you find hidden pockets of debt.

2.3.10 "We do a lot of training on gambling/payday loans. It is relatively common for gambling to be an issue... We often find people looking for cash to spend on scratch cards rather than food...people on low income and limited capability cannot see beyond the immediate picture to reach a long term solution to their problems."

1.5.11 "We have seen cases where family members threaten suicide. It is hard to get specific help for gambling problems...In a lot of cases we do work on financial viability... we refer clients to Clockwise for Jamjar accounts. We run a lot of budget planning, work with the illegal money team; trying to find where the money is going. But for all that we see people paying their last £50 into a machine rather than pay a priority debt like council tax".

1.5.12 She was also concerned that the introduction of Universal Credit (UC) would give rise to further serious difficulties for vulnerable individuals and households. We are working with vulnerable clients..It will make things more difficult... where someone gets £2k and has sometimes undiagnosed issues – they will see the UC as a magic wand".

⁹ However, see Pars 2.6.5-2.6.8

1.5.13 Asked how clients were profiled for gambling problems she said: “We don’t necessarily have a mechanism to measure impact of gambling addiction... it is a hard issue to track. I would like to see the self-exclusion schemes referred to agencies within the city.”

1.5.14 Additionally she said it was also difficult to signpost people to support groups and advice. In summary, she said: “We saw 18,500 people in the city last year. Most of those would be associated with debt issues”.

Other witness evidence

1.5.15 Inspector Siobhan Barber said Leicestershire police was one of the few forces in the country collecting data about vulnerability. She had looked at five cases in which gambling was flagged up, and said that three of these cases had involved a contemplation of suicide. She also recommended that any database tracking vulnerability should involve the Fire Service which also had a strong set of data which included signifiers of vulnerability¹⁰.

1.5.16 A gamblers’ support group provided background information from one of its Leicester meetings to members of the Task Group, including the results of a sample survey of eight members who attended a support meeting.

1.5.17 They were asked how long they would spend on FOBT machines. The lowest time was 40 minutes while the average for the others was almost three hours (ranging from two to four hours).

1.5.18 One of those asked reported they had been asked to stop gambling because of the level of their losses – once in four years. The other seven said they had never been asked to stop by staff.

1.6 Geofutures Research

1.6.1 Dr Heather Wardle and colleagues at the consultancy Geofutures were commissioned by Westminster and Manchester councils to research the topic of area-based vulnerability to gambling-related harm.

1.6.2 Results were reported in [July 2015](#) and [February 2016](#). Dr Wardle, from the gambling and place research hub at Geofutures, presented the results of the second part of this research to the Task Group on 11th February 2016 (Appendix D).

1.6.3 The LGA is supporting this research project which aimed to assess and map area vulnerability to gambling-related harm. This is

¹⁰ Jerry Connolly contacted Steve Robinson-Day, Collaboration Manager of Leicestershire Fire and Rescue Service, who said the service was looking at a number of issues relating to vulnerability, and was keen to develop partnership working with a range of agencies.

intended to inform the councils' licensing policies, and findings will be made available via the LGA to all councils.

1.6.4 The July report looked at linkages between gambling and its impact on what might be termed vulnerable people. Children are singled out as being a particularly vulnerable group. But the report also refers to a range of characteristics which might make people vulnerable. They include:

- Young people (including students)
- People with mental health issues, (including personality/cognitive impairment)
- People prone to substance abuse (including alcohol abuse)
- Some migrant communities
- People living in deprived areas
- Unemployed people
- There was also an emerging view that ex-prisoners, young males with learning difficulties and homeless people may be considered to be vulnerable.

1.6.5 The report set gambling within a context of a range of issues which in combination can cause significant individual and community harm. For example, close friends and family also suffer from the impact of gambling on a single individual, it says.

1.6.6 “We should not think about groups of vulnerable people as silos. There are likely to be multiple and complex risk factors for harm, with some people having multiple characteristics of potential vulnerability. Other public health areas focus on multiple risk factors; gambling should do the same”.

1.6.7 However there is a significant lack of research data on the impact of gambling on communities and particular individuals. The Geofutures July 2015 report concluded that there was a broad consensus among stakeholders that **gambling-related harm included adverse consequences arising from someone’s gambling engagement that could affect the individual, their family, friends, broader social network or community. It was felt harm could be short-lived or experienced over a longer time frame and that you did not have to be a “problem gambler” to experience harm.**

1.6.8 However, the experience of harm was viewed as subjective, varying on the circumstances of the individual. This can make predicting who will experience harm challenging. As such, a probabilistic approach was recommended, thinking about who is more likely to experience harm given what we know about them.

1.6.9 The February 2016 report set the identified at-risk groups in a wider policy context. “To date, there has been very little examination of who is vulnerable to gambling-related harm, how these people can be identified and what might be done to protect them,” the report says.

1.6.10 Having identified at-risk groups (as set out in 2.4.3 and 2.4.4 though this may not be an exclusive list), the report “brings this information together to create local risk indices, showing areas with greater concentrations of people who are more likely to be vulnerable to harm” using data from Westminster and Manchester councils, who had commissioned the report.

Methodology

1.6.11 The report says: “For each characteristic of vulnerability identified, the availability of local level data was reviewed. For some characteristics, there were good data available (for example, unemployment rates from census records). For others there were no data available such as low IQ). Therefore, the final characteristics of vulnerability included in our models were those where there was a strong theoretical and empirical basis for inclusion and good local level data available.”

1.6.12 Information from all different characteristics was brought together and visually displayed. Data were grouped into two different indices based on whether they related to:

- the characteristics of people who live in a local area (the resident profile) and/or,
- the location of local services which are likely to attract potentially vulnerable people to a specific place.

1.6.13 Data from the two indices were combined to produce an overall gambling risk index for each area. These results were displayed visually on maps for Westminster and Manchester to highlight locations with relatively higher risk profiles.

Results

1.6.14 In Westminster, four broad areas of greater risk were identified. The heightened risk in each area is driven by a range of different factors. In Pimlico risk is higher because of the numbers of homelessness shelters and substance abuse treatment providers in this area. In the North West area, risk is driven by rates of unemployment, ethnic make-up and large numbers of resident young people.

1.6.15 In Manchester, there are many different areas of risk which include areas around the city centre and the south of the city. Risk in the city centre is driven primarily by the concentration of payday loans shops, education establishments, younger residents and support centres for problem gamblers. Relatively high levels of unemployment as well as ethnic mix are major driving factors in the other locations.

1.6.16 Comparisons of the areas identified by the risk models with data on deprivation shows some overlaps **but also some differences**. For example, the City of Manchester has a relatively low (IMD) score but was identified as higher risk of gambling harm in our models.

1.6.17 This is a range of services offered within the city may draw potentially vulnerable people into the city centre. “This is not represented in IMD scores which focus only on the profile of people living in an area. Because of this we believe IMD is not a sufficient proxy to represent risk to gambling-related harm at a local level” the report says.

Caveats by Geofutures

1.6.18 “Our models are probabilistic. Just because we have highlighted an area as being at greater risk, does not mean that all people in those areas will experience harm.

1.6.19 “Our models are based on current knowledge and available data. There were a number of potentially vulnerable groups (such as immigrants or those on probation) who were excluded from our models because of a lack of local level data. Our models are limited to areas where more research has been conducted and where good quality local level data are available.

1.6.20 “Finally, the evidence base used to develop the models shows those vulnerable to gambling problems rather than gambling-related harm. The models may be conservative as gambling-related harm is broader than problem gambling”.

Recommendations from the Geofutures report

1.6.21 The Gambling Commission’s introduction of Local Area Risk profiles represents a new opportunity for Local Authorities (LA) and industry alike to think more deeply about the protection of vulnerable people from gambling-related harm. This means extending understanding of local area risk beyond mapping deprivation and considering a more nuanced range of factors.

1.6.22 LAs interested in pursuing this approach should start to consider the different types of data they have available and how these can be used in local area profiles.

1.6.23 LAs should also start to consider what data and/or evidence is missing and how they could fill these gaps, working with different departments within the authority to capture relevant information.

1.6.24 The models developed are based on the best information currently available. An acknowledged limitation of gambling research is the paucity of evidence available. We recommend that the models developed for this project are periodically reviewed and updated to take into account growing knowledge, better data and changes in local areas.

Cllr Palmer evidence

1.6.25 Cllr Palmer in evidence to the Task Group said that he was a customer at betting shops and was therefore not per se against gambling. However, he had serious concerns about both the concentration of betting shops in particular areas and the proliferation of FOBTs, which he said had changed the atmosphere and culture within betting shops.

1.6.26 “People have been getting visibly angry with the machines... betting shops have become not pleasant places to be. There’s a fundamental change in the culture of betting shops which has caused me concern.”

1.6.27 He said there was growing evidence to show these machines appeared to be designed in a way so as to be addictive and to make users break the first rule of betting: never chase your losses.

1.6.28 He said this was the only country in the world where people can lose £100 a spin. “We will continue to support the campaign to lower the stake limit to £2.” His view was that an application for a gambling licence was mainly a mechanism for putting FOBTs into play.

1.6.29 Cllr Palmer had previously made representations to Communities and Local Government secretary Eric Pickles (August 2013) setting out the city council’s concerns about FOBTs and the concentration of licensed betting shops in parts of the city.

1.6.30 He thought councils should have the power to limit the number of gaming machines both within shops and within a locality. There should also be powers to consider licence applications in a wider social and economic context. There should be a proper localist approach to the concentration of betting machines. He said: “We are very constrained in our ability to manage and regulate that and that is absurd.”

Cllr Thomas

1.6.31 Cllr Thomas gave evidence as chair of the licensing and public safety committee. He said it was difficult to turn down applications for gambling licences on the grounds that they might have an impact on vulnerable communities. The only effective controls would be through the planning framework, he said.

1.6.32 He expressed concern that in some cases larger betting shops were being divided up and the new space got an additional licence and the right to put into place four more FOBTs without challenge.

1.6.33 He praised the licensing team's spot check regime which he said was one of the most effective in the council. But he said there was little interest from the police in following up possible cases of anti-social behaviour which might be associated with gambling premises.

1.6.34 He was sceptical of the gambling industry's self-regulation regime which he said "does not and would not work."

1.6.35 Looking at operational issues he said he could not recall an instance of the Committee reviewing the operation of an existing licence or amending its conditions. The committee never had information which linked incidents with the operation of a gambling licence, he said.

1.6.36 He also said that when the licensing act came in committee members had intense training "but committee membership changes over time and the pool of interested people reduces...training is largely on the job." He felt longer periods of service for members on the committee would help members develop a greater and more detailed knowledge of the licensing regimes across the city.

1.7 Post-review events

1.7.1 Members were provided with information from The Times on a series of articles about FOBTs. One referred to a triennial review carried out by the Department of Culture Media and Sport (DCMS) into stakes and prizes.

1.7.2 A review of stake limits on FOBTs - a key issue for the industry and campaigners concerned about the damage which might be caused by the £100 limit – would be contained, some say concealed, within this review.

1.7.3 The last review took place in 2013, which indicated that a further review of stakes and prizes will be held in 2016. However, as one observer said, triennial does not necessarily mean three years.

1.7.4 Advice from within both the DCMS and the Gambling Commission indicates there are no signs of, and no indication that ministers are currently looking to conduct, a new review of stakes and prizes, which would have provided a further opportunity to put pressure on the government to consider changing limits to FOBTs.

1.7.5 The Guardian on 6th March 2016 reported on research by the Gambling Commission which reinforced concerns that betting shops were being targeted on vulnerable communities.

1.7.6 The report said: “The bookmaker Paddy Power is targeting minority ethnic communities with controversial fixed-odds betting terminals (FOBTs), according to a new analysis.

1.7.7 “The study, which uses Gambling Commission data, reveals that 61% of Paddy Power’s 349 betting shops are located in areas with above average levels of non-UK born population.

1.7.8 “The mapping exercise shows Paddy Power’s shops are concentrated in places such as Newham and Brent in London, Luton and Leicester and parts of Birmingham”.

1.7.9 The Guardian also reported (29th February 2016) that Paddy Power encouraged a problem gambler to keep betting until he lost five jobs, his home and access to his children, according to a report by the Gambling Commission.

1.7.10 The company had also failed to perform sufficient checks to ensure customers were not using its betting machines to launder the proceeds of crime. The betting regulator said Paddy Power would make a voluntary payment of £280,000 to a “socially responsible” cause following its findings.

1.7.11 In a further development, an appeal against the council’s refusal to provide planning permission for a betting shop in Doncaster Road, Belgrave, as referenced in Appendix E par 2.6 page 46, was upheld on 7th March 2016.

1.7.12 In his finding the planning inspector said that “the Council has no adopted or emerging policies concerning either the acceptability or the preferred location of betting shop uses.”

1.8 Conclusions

1.8.1 There is little detailed and routinely collected evidence about the impact of gambling on vulnerable individuals and communities. However there is a growing body of circumstantial evidence of the impact of gambling on individuals and households and this report sets out some examples.

1.8.2 Sample survey work seems to indicate that when asked about the issue clients are willing to talk in detail about the problem. Raising the profile of the issue and educating victims and organisations which support them should be a key policy objective.

1.8.3 These should also include pressing the Government to curb the high limits on gambling on FOBTs. The business model on which betting shops is based is predicated heavily on the profits from FOBTs and these are used by people who may be vulnerable themselves or live in vulnerable communities.

1.8.4 Sample survey work also indicates that lottery/scratchcard use is outside the scope of this review and that much damage is caused by this type of gambling; online gambling is also outside the scope of this review and indeed the control and influence of the council.

1.8.5 The council should press ahead with devising an area RISK assessment against which to judge both new applications and whether to review of working of existing licences.

1.8.6 The council should also establish clear policies aimed at controlling the proliferation of licensed gambling establishments through a robust policy framework contained in the next Local Plan.

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3 Financial, Legal and Other Implications

1.9 Financial Implications

Not applicable

1.10 Legal Implications

As of 6th April 2016 those seeking to apply to the local authority for a new premises licence or a variation to a premises licence under the Gambling Act 2005 will be required to set out a Risk Assessment detailing how the operator intends to mitigate against specific risks (including where relevant the risk factors around vulnerable communities as addressed within this report); against the criteria set out in a Local Area Profile which Leicester City Council is seeking to develop and include within its Statement of Gambling Policy.

Nicki Agalamanyi
Solicitor-Advocate
Legal Services
0116 4541453

The Council's emerging Local Plan is still at a draft stage. Once finalised the Local Plan will need to be consulted upon, be subject to examination by an inspector.

The report makes recommendations in relation of planning policy and development of presumptions or reasons in favour of refusal for planning applications for betting establishments and payday loan premises. In relation to any reasons for planning refusal there must be a sound planning reason for refusal following an assessment of all the material considerations in relation to an application on a case specific basis. They will, where included in the Local Plan, be subject to scrutiny and approval of the Inspector. As such the proposed recommendations would, in the event they were able to be reflected in planning policy, need to be considered against all other material considerations and could not be an overriding consideration.

As identified in the report any development of planning policy or guidance must be properly supported and developed in light of a robust evidence base.

Emma Horton
Head of Law (Commercial, Property & Planning)
Legal Services
0116 4541426

1.11 Equality Implications

The aims of the PSED are to: eliminate unlawful discrimination; promote equality of opportunity, and foster good relations between different groups of people. The PSED requires us to give consideration to these protected characteristics: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

The purpose of this review and recommended actions are focused on protecting vulnerable groups and communities in the city by better understanding the impact of gambling on them and their families, in particular fixed odds betting; and to better monitor the impacts of gambling on vulnerable groups and communities identified through data gathered and shared. The recommendation that the council work in partnership with both the ABB and partners in the city will help to develop a cohesive approach to sharing knowledge and determining interventions; help to foster good relations and develop a shared understanding and commitment to reducing negative impacts experienced by individuals and communities.

The Council's draft Statement of Gambling Policy support a series of outcomes for local residents that are similar in nature to one of the equality outcomes cited in the Equality and Human Rights Commission's equality measurement framework – that of safety.

It is suggested the following equality considerations from the draft statement of gambling policy should inform the proposed actions of the report:

Protection of vulnerable people:

- That the licensing objective of protecting children from harm will be promoted.
- Action will be taken to ensure the safety of vulnerable people in licensed premises.

Promotion of good relations:

- Need to clarify Support to be offered to licence applicants, licence holders and potential objectors who are socially excluded.
- Account will be taken of the effect of specific applications on community cohesion, including the need to balance the benefits of cultural and community activities with limited local disturbance.
- Action will be taken to ensure that all applications, particularly those that affect disadvantaged groups, are dealt with fairly.

Access to information about licensing:

- The Licensing Policy and associated documents will be available on the internet, and in other formats upon request to promote transparency/understanding for all stakeholders.

Sonya King Equalities Officer (Children's)
Internal: 374132 External: 0116 4544132

4 Summary of Appendices

Appendix A:	Acknowledgements and thanks
Appendix B:	Minutes of task group meeting: 14th January 2016
Appendix C:	Minutes of task group meeting: 4th February 2016
Appendix D:	Minutes of task group meeting: 11th February 2016
Appendix E:	Minutes of task group meeting: 18 th February 2016
Appendix F:	Spatial data relating to gambling licence establishments and community vulnerability data

5 Officers to Contact

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22nd March 2016

APPENDIX A – Acknowledgements and thanks

The following provided evidence or assistance in the gathering of evidence and the preparation of this report. Members and officers are grateful for the assistance provided.

Malcolm George:	Chief Executive: the Association of British Bookmakers
Nigel Chamberlain:	Regional Manager, Ladbrokes
Grainne Hurst,	Director of Public Affairs; Ladbrokes
Gary Follis:	Director of Communications and Government Relations; Association of British Bookmakers
Lauren Hilton	Public Affairs Manager; Association of British Bookmakers
Ursula Service	Public Affairs Manager; Association of British Bookmakers
Ellie Greenwood	Senior Adviser (Regulation); Local Government Association
Heather Wardle	Gambling & Place Research Hub; Geofutures
Dawn Mason	Assistant Supervisor, Citizens Advice Leicestershire
Sue Beasley	City Operations Manager, Citizens Advice Leicestershire
Cllr Rory Palmer	Deputy City Mayor; Leicester City Council
Cllr John Thomas	Chair Licensing and Public Safety Committee; Leicester City Council
Mike Broster:	Head of Regulatory Services; Leicester City Council
John Leach	Director of Local Services and Enforcement; Leicester City Council
Fabian D'Costa	Team Leader (generic planning); Leicester City Council
Elizabeth Logan	Senior Planner; Leicester City Council
James Rattenberry	Service Improvement Manager; Leicester City Council
David Russell	Graduate Placement Officer (Welfare reform); Leicester City Council
Saema Jaffer	Graduate Placement Officer (Welfare reform); Leicester City Council
Cath Lewis	Manager, Supporting Tenants and Residents (STAR) (and colleagues); Leicester City Council
Insp Siobhan Barber	Leicestershire Police-Leicester City Council Liaison Officer
Steve Robinson-Day	Collaboration Manager of Leicestershire Fire and Rescue Service
Marie Galton	Anti-poverty Initiative Project Manager; Leicester City Council
Julie OBoyle	Public Health consultant Leicester City Council
Kerry Simpkin	Licensing Team Manager; Westminster City Council

Fraser Swift	Principal Licensing Officer; Manchester City Council
Matilda Allen	Public Health Strategist; London Borough of Waltham Forest
Perry Holmes	Chief Legal Officer; Medway Council

Cllr Sue Waddington, assistant mayor with responsibility for this portfolio area, showed on-going interest in the issue and attended several task group meetings.

Guidance and advice was also provided by the Department of Culture, Media and Sport and by the Gambling Commission.

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APPENDIX B Records of task group meetings

Thursday 14th January 2016

1. In attendance

Cllr Gugnani (chair of the task group)

Cllr Dawood

Cllr Halford

Cllr Hunter

Cllr Khote

Cllr Corrall

Cllr Waddington (Assistant Mayor)

Malcolm George: chief executive: Association of British Bookmakers

Nigel Chamberlain: Regional Manager (Ladbrokes)

Grainne Hurst, Ladbrokes; ABB Director of Corporate Affairs

Gary Follis: ABB Director of Communications and Government Relations

Mike Broster: Heading of Licensing

Alex Sargeson: scrutiny policy officer

Jerry Connolly: scrutiny policy officer

2. Introductory paper: scrutiny policy officer

2.1 Jerry Connolly introduced a paper which set out the main issues which members of the Task Group asked officers to consider.

3. Association of British Bookmakers

3.1 Malcolm George, chief executive of the Association of British Bookmakers (ABB) introduced his colleagues and spoke to the paper prepared by the ABB for the Scrutiny Commission Task Group.

3.2 He said that in Leicester the number of shops has gone up slightly but not as much as the population. He said the industry felt that betting shops provided the safest environment in which to gamble. He said the industry believed the shops provided a community atmosphere which also empowered peers and friends to intervene if a problem with gambling was seen to be emerging.

3.3 He said levels of addiction had not been shown to increase in the last ten years and there was a changing view on the issue of gambling as an addiction. "We would see over-gambling as a **behavioural issue rather than an addiction issue**.

3.4 "Overall I believe the high street bookmaking industry is one of the safest environments for gambling. We have a licensed regulated environment. History has shown that without controls there is illegal gambling – an area prone to loan sharks and crime."

3.5 There were no specific costs to the local economy: in Leicester the industry employed 297 staff, mostly women, with a flexible working environment, contributing £6.6m in tax. As an industry we contribute to the economy.

3.6 In response to question, Mr George said he did not have figures for how much was taken out of the local economy in terms of revenue taken by licensed gambling establishments within the city.

3.7 Cllr Corrall raised the issue of Fixed Odds Betting Terminals (FOBTs). He told the task group that in Leicester the average player of FOBTs. Played for around 11

minutes a session and lost £7. Cumulatively players in Leicester lost £9m and put £230m, he said.

3.8 Mr George said FOBT use was regarded by customers as a leisure activity, and looking at the spending as a leisure spend; people would decide how much time and money they wanted to spend on that activity.

3.9 Every person is asked to set a time and spend limit and “we insist on a break after 30 minutes of spending. The break is backed up by an alert and customers can be contacted by staff.

3.10 Response to the suggestion that 30 seconds was not a long period for a break the ABB said the 30 second break was about breaking the cycle and that’s where the intervention (by staff with customers) reinforced the issue. In Leicester in 2015 Corals had 253 interactions with gamblers, Ladbrokes 266 and William Hill 290. A further 400 deciding to self-exclude.

3.11 FOBTs were part of a shop’s make-up...and important to the profitability of premises. There was no incentive to encourage customers to use FOBTs, the task group was told.

3.12 Cllr Waddington raised the issue of Area impact assessments (AIAs). She said that from April the authority can use area impact assessments when considering licence applications. She asked what the ABB’s views were on what should include or exclude from AIAs.

3.13 Mr George considered that:

- Criminal activity
- Armed robbery
- Attempted thefts
- Incidents involving younger people without ID

Would be considered in an area profile, but said the ABB was likely to update this. He felt that any profile should be evidence-based. From April ABB members will attach council area profiles to licence applications

3.14 Mike Broster asked what factors might be considered in terms of defining vulnerable communities. The ABB felt that vulnerability is a point in time as well as a condition...eg employment status at any point in time. “Our issue is that of identifying individual vulnerabilities.” Mike also asked what additional steps may be taken to protect vulnerable people by a betting premises which was located in an area identified as high risk in an local area profile.

3.15 Cllr Waddington said: we support a £2 limit (for FOBTs). You might like to give us your views on this matter? Mr George said the industry “would look at purpose of reduction...someone with a gambling problem has a range of routes... we think it best to intervene with individuals to moderate their behaviour”. There is no evidence that FOBT limit reductions would have an impact on those who bet responsibly on other forms of gambling.

3.16 Profit from terminals is around 50% per outlet. But profitability was not the sole factor. It is not good for business to not have a duty of care. Mr George said that if our sole industry objective was profitability we would comply with the minimum requirements. Ms Hurst said: From 2016 Ladbrokes will be linking executive remuneration to responsible gambling.

3.17 On the location of shops and their impact on local communities the task group was told that betting shops were not significant generators of crime or antisocial behaviour. The correlation of communities around shops relates to density...there was

no evidence of correlation between areas of high deprivation and betting shop locations, the ABB said.

3.18 Cllr Dawood said that low staffing levels might make it more difficult for staff to intervene in cases of problem gambling. Sometimes there's only one person on duty.in terms of interactions that can be a little limiting.. if someone's behind the counter they will find it hard to monitor behaviour on betting machines.." From this month there is a change of single-scheduling (one person staffing) approach... it's normally based on business over the previous four weeks.. most shops will be busy from noon onwards.

3.19The task group looked at the issue of self-exclusion and the ABB said: if someone wanted to self-exclude they had to go to each shop and self-exclude.."We're trialling multiple self-exclusion. From April it will apply to Leicester as well. Self-exclusion is an agreement to be banned from some or all shops... Exclusion could be city-wide, nationwide, or more normally the shops which the customer normally visits. But we can't self-exclude from online accounts..."

3.20 Cllr Dawood asked how thorough was staff training, quality checks? Was there mystery shopping, for example? Mr Chamberlain said that from Ladbrokes' view every colleague went through a training pro-forma...responsible gambling and ensuring it was taking place was part of that training.

3.21 New training will include new aspects of self-exclusion: For mystery shops we do have a programme with a video recording from start to finish.. we sit through videos going through the events..this is very powerful training tool...

3.22 The ABB suggested that a Medway-style community partnership would be advantageous for Leicester. Mr George said:

Partnerships with police to develop community safety programmes would be welcome. We would like to develop them in co-operation between the local authority and the police.

APPENDIX C

Meeting notes: 4th February 2016

Present: Cllr Gugnani; Dawood; Khote; Halford; Cllr Corral;
Witnesses: Marie Galton; Cllr Thomas; Dawn Mason (Citizens Advice)
Alex Sargeson Scrutiny Policy; Jerry Connolly: scrutiny policy

1. Apologies

Cllr Hunter; Mike Broster

2. **Witness evidence**

Cllr John Thomas: chair of LCC Licensing and Public Safety Committee and president of a Working Men's Club

3.1 My belief is that focus of betting establishments is the splitting of premises to have more than four slot (FOBT) machines; they are the biggest draw and take a lot of money. My focus as a club is to play over the bar rather than into machines.

3.2 As a licensing committee we have a problem in turning down applications on objections from vulnerable communities. It's something we can't do anything about. The only effective was is to look at the planning framework.

3.3 If the committee fights a gambling licence application it costs a lot. There needs to be a change of law. Another problem is off-licences are very loose in their controls. They allow people to drink cans outside the off licence who then go into a betting shop and have a bet. There then arises anti-social behaviour, which concerns me. We don't have enough police to intervene in situations like this.

3.4 Cllr Corral: you said some shops have more than four machines?

Cllr Thomas explained: they make more money out of the machines than ordinary betting...if it's a large betting shop they can section it off and double up the number of allowable machines. As a committee we are not allowed to ask where the nearest other branches are.

Responsible behaviour.

3.5 In respect of spot checks on licensed premises Cllr Thomas praised the licencing enforcement team. He said where gambling machines go into pubs the committee was keen on sight-lines, and on ensuring that juniors were not allowed to play the and that there was information about betting around the machines.

2.6 In respect of antisocial behaviour (ASB) he said there were many examples of anti-social behaviour...but that ...the police were not interested. But he added: If we don't have complaints we can't do anything about it... No-one has a structured way of going about making changes to what is a bad law...

2.7 As president of a WMC I would oppose the introduction of FOBTs in a working men's club. With these machines you'd lose in the end. My view is gambling should be confined to casinos...This should be a venue for rich people who can afford to lose on betting.

2.8 Cllr Thomas felt strongly that self-regulation does not and would not work. He said the leadership of the council should be contacting the police; they could keep records of ASB incidents associated with licensed betting premises.

2.9 Dawn Mason (CAL) suggested that incidents needed to be logged with community safety teams or a client could keep their own log. The onus was on the client to collect the evidence.

3.10 Cllr Thomas said that in his experience the Committee had never called in a licence; it never had the information which suggested that breach of licence has taken place. He said that outside the door of a licensed premises there was no jurisdiction.. If something happens like a stabbing which happens outside the premises it is not associated with the premises.

3.11 He was asked about member training. He said he was not happy with the training.. When the licensing act came in we had intense training but committee membership changes over time and the pool of interested people reduces...training is largely on the job he told the task group.

3.12 He was asked if a membership for licensing committee that ran for a number of years would be helpful. Would we benefit for having extended membership? His response was that I think that would be a very helpful.

3.13 In relation to gambling establishments I would like to see limits on how many betting shops are able to open in any particular area. They should not be in side streets from shopping parades. There should be no inducement to allow vulnerable people to access gambling establishments.

Dawn Mason: Citizens Advice Leicestershire

3.14 “We tend to see the impact of gambling on people. People often conceal gambling debt and when analysing people’s financial problems you find hidden pockets of debt. We do a lot of training on gambling/payday loans. It is relatively common for gambling to be an issue... We often find people looking for cash to spend on scratch cards rather than food...people on low income and limited capability cannot see beyond the immediate picture to reach a long term solution to their problems.

3.15 “We have seen cases where family members threaten suicide. It is hard to get specific help for gambling problems...In a lot of cases we do work on financial viability... we refer to Clockwise for Jamjar accounts. We run a lot budget planning, work with the illegal money team; trying to find where the money is going. But for all that we see people paying last £50 into a machine rather than pay a priority debt like council tax.”

3.16 She was asked whether Universal Credit would make things worse. She said that some clients would have never had so much money and on balance there were likely to be more rather than fewer issues. We are working with vulnerable clients.It will make things more difficult... where someone gets £2k and have sometimes undiagnosed issues – they will see the UC as a magic wand.

3.17 Cllr Corral asked about how profiles of people coming through the door were assessed.

Dawn said: We don't necessarily have a mechanism to measure impact of gambling addiction.

3.18 There isn't a gambling code for our information services to profile clients and issues. She also said it was not easy to signpost people to support groups and advice. There is little advice out there, she said. Figures-wise it is a hard issue to track. CALS: we work with them, legal firms, there are charities who deal with Eastern Europeans or other agencies. The only one is Gamblers Anonymous..

3.19 We saw 18,500 people in the city last year. Most of those would be associated with debt issues. I would like to see the self-exclusion schemes referred to agencies within the city.

Cllr Waddington said: you presented an interesting set of problems...poor people trying to get enough to get out of poverty but also people being impoverished by gambling. Area profiles will be needed. Do you think you could help us?

3.19 Dawn said: We collect info by postcode and would provide a great deal of information to inform any area profile. Cllr Thomas said he strongly disagreed with use of debit and credit ratings and the issuing of credit cards which could be used to fund a gambling habit. Dawn commented: People with poor credit records are targeted..

3.20 Where people present with financial problems she said she would like clients referred to CA...if there is an underlying problem we can help with financial stability. I would like with self-exclusion if there is a central register.

3.21 Self-exclusion is a first step and it could be something we could support. Self-exclusion might be accompanied by a referral to help before the self-exclusion ends.

Marie Galton: LCC anti-poverty initiative project manager

3.22 Marie introduced her evidence with a profile of the issues which are impacting on disadvantaged communities across the city. Her notes for the presentation are in Appendix A (of the meeting agenda).

3.23 Bank account exclusion was a big issue. When asked, 83% of people on benefits said they were not ready for UC: 22% did not have a bank account. Lots of zero or temp hours contracts jobs made it difficult to get a bank account. Educational attainment in Leicester is poor. In terms of housing, a lot of people are struggling to pay for food and utilities.

3.24 Seven per cent of households on HB accesses emergency funds. There were 27 food banks in Leicester – some have seen an increase of 10%..Lots of people have barriers to cooking..

My interest is in the cumulative impact. We have SWAP to standardise advice across the city but it is difficult to establish baselines. However there appears to be a connection between location of betting shops and deprived communities.

3.25 Links to gambling are hidden... people do not volunteer this information..

John Thomas: when we talk about gambling addiction, it's like tobacco addiction. You are asking people to go through purgatory to deal with the issue.

3.26 Cllr Corral asked: Could we do more to signpost for services?

Marie: there is positive messaging but think we need to get involved in schools..
Cllr Dawood... more education in schools might be one recommendation we can make

4 Site visit to betting shops

5.1 Members visited two betting shops on Wednesday 3rd February. The visits were facilitated by the ABB following their offer made at the meeting on 14th January. Those on the visits were Cllr Gugnani, Khote and Halford. Cllr Waddington visited one of the sites. Lauren Hilton (ABB) was also on the visit. Jerry Connolly and Alex Sargeson (scrutiny policy) were also on the visits.

4.2 In each store two members of staff were on duty. Four FOBTs were at each venue, and these were being used in preference, it would seem to clients making bets on horses or other events. The shops, in Granby Street and Uppingham Road, were quiet with less than a dozen clients between them. It was noted that both stores were warm and comfortable.

4.3 One client at the Uppingham Road shop had won £3,000 the previous weekend, had been betting for the 50 years since he was 18, did not run up losses and found it a friendly environment. He lived locally to the shop.

4.4 In Granby Street several clients told the visit tour they had lost tens of thousands of pounds; one said he had lost more than £100k. They tended to be sitting, slumped, in front of the TV screens rather than playing. The chair said one man had lost everything including wife and family, but felt comfortable sitting there.

4.5 Staff showed members the systems which prompted alerts behind the counter; also cctv and other security equipment which mitigated against ASB within the shop itself. Shop records were available which showed staff interventions with clients were available to members. These seemed comparatively infrequent – around one a month.

4.6 Records of clients who had self-excluded from gambling activity were also available. Cllr Corral commented that warnings to clients flashing up on an FOBT screen were not effective. People can move to another machine or even play on several machines at the same time, he said.

4.7 Dawn Mason commented that suicides were often associated with gambling and debt issues.¹¹

APPENDIX 1

ANNOTATED EVIDENCE FROM MARIE GALTON

1. Challenges

- Limited research and data on the impact of gambling in relation to deprivation, particularly the cumulative impact
- Planning - licencing of betting premises in deprived areas
- Declining mix of shops on the High Street
- Hidden debt

2. Those most at risk

¹¹ See evidence from Siobhan Barber: 11th February meeting

Disadvantaged / deprived groups (higher rates of problem gambling than the general population)

- Poverty
- Unemployment
- Dependence on benefits
- Lower educational attainment
- Lower household income

More likely to develop a problem

- Male
- Single
- Under 35
- 16-24 most vulnerable
- Asian or Black British
- Child of parents who gambled / problem gamblers

Spending on gambling (Reid 1999)

- May not spend higher amounts than wealthier players but spend a higher proportion of their income
- £200 per week – 3.2% / £400 – 0.3%

Triad of behaviour

- Smoking / drinking / gambling

British Gambling Prevalence Survey (2007 and 2010)

- 4% of the male population use FOBT (2007) and 6% (2010)
- Young men 16-34 increase from 9% (2007) to 14% (2010)
- Increase in the % of low income / unemployed / full-time students
- Increase from 68% to 73% very regular gamblers
- Higher number of FOBTs in deprived areas – 50 most deprived LAs in England 0.9 FOBTs per head compared to 0.38 in the least deprived areas

Association of British Book Makers (ABB)

- Machine income increased from 39.9% in 2005 to 49.4% in 2011

Suggested actions to assist in identifying the impact of gambling on Leicester communities

- Monitoring - Correlation of the IMD and population density - mapping of IMD and the number of FOBT per 1,000
- Need to map local data linked to area profiles, including ASB
- Liaise with Community Safety Partnership to monitor and report on ASB and location / proximity to gambling establishments
- Development of a local risk framework to include social and health impacts
- Potential strategic action for the Health and Well Being Board and inclusion in JCNA assessments
- Advice Services could collect specific data on gambling debt – but this will be challenging as people will often not self-declare issues
- Raising awareness of gambling issues / impact similar to alcohol / smoking

APPENDIX D

1. Meeting notes: 11th February 2016

Present

Cllr Gugnani (Task Group chair); Cllr Dawood (Commission Chair); Cllr Khote; Cllr Corral; Cllr Waddington (Assistant Mayor with lead responsibility for the licensing issue).

2. Witnesses

Fabian D'costa: (generic planning team leader)

Cath Lewis: Service Manager: STAR (Supporting Tenants and Residents)

Heather Wardle : Geofutures)

James Rattenberry; David Russell; Saema Jaffer: Welfare Reform Service improvement programme
Siobhan Barber: Leicestershire Police Leicester City Council liaison officer

Also Present: Dawn Mason (Citizens Advice); Marie Galton

Alex Sargeson Scrutiny Policy; Jerry Connolly: scrutiny policy

3. Apologies

Cllr Hunter;

4. Notes of the meeting on 4th February 2016 were agreed

5. Issues arising not covered elsewhere

6. Witness evidence

Fabian D'costa

4.1 Fabian D'costa introduced his paper relating to the department's approach to the preparation of the local plan insofar as gambling establishments are concerned. "We are drafting new planning policy that will be used to determine planning applications. Given changes to the planning use class there is scope to strengthen policy around betting shops. Our current line of thought for new planning policy would be to manage clustering rather than their proliferation. At the moment the planning policy that we have drafted would:-

- Direct betting shops to shopping centres in the first instance.
- Within the central shopping core (primary and secondary shopping frontages) we would avoid concentrations of betting shops e.g. not permit a betting shop within 400m of another one.
- Within other Local centres (Beaumont Leys town centre, district centres and local centres) we would seek to avoid concentrations of betting shops again not permit a betting shop within 400m of another one.
- Betting shops outside shopping centres – If we were to receive a planning application for a betting shop and it was not possible to direct it towards a local centre then we would consider residential amenity and again avoid clustering by not permitting a betting shop within 400m of another one.

Definitions

- 400m = 5 min walk time.
- For policy purposes we differentiate between primary and secondary shopping fronts within the City centre's "central shopping core".
 - Primary shopping frontages = have a high proportion of retail uses which may include, food, drinks, clothing and household goods
 - Secondary shopping frontages = provide a greater opportunity for a diversity of uses such as restaurants and leisure use.

4.2 "We would welcome your views on the proposed content of the draft policy. It is important to remember that new planning policy must be justified and supported by

evidence. An outright ban on betting shops is unlikely to be well received by a Planning Inspector as I do not consider this to be the intention behind the recent changes. Instead the focus of new planning policies should be based on managing concentrations of betting.”

4.3 He said a key factor on planning guidance would be health indicators of vulnerability. This would strengthen any policy to control the proliferation and concentration of betting shops.

4.4 Asked about incorporating the possible impact of payday loan shops he said Nottingham city council had a policy of mapping social and economic characteristics of an area in relation to the location of betting and payday loan premises. But this would need to be accompanied by public health and other cumulative impacts.

4.5 Heather advised that simply relying on using anti-social behaviour and crime data to oppose a licence had not been particularly successful. It was difficult to establish a direct link between asb/crime and the presence of a betting shop.

4.6 Instead, focussing on the concept of risk to vulnerable people was a better approach to challenging applicants on the third objective of licensing – the protection of vulnerable individuals¹².

4.7 Mike Broster confirmed that a small number of gambling establishments had split their premises into two (with separate entrances) which allowed them to double the number of FOBTs which could put in place.

Cath Lewis: STAR

4.8 Cath introduced her paper which reflected a sample of cases – both walk-in short-term clients and others going through a longer, more complex, relationship with STAR case workers. The 46 cases (against a target of 50) probably reflected about a third of the agency’s workload for the week.

4.9 She said the agency was deliberately low key in terms of its relationship with the council. It worked with 22,000 tenants and when they were referred to STAR, many were in serious difficulties and often facing eviction and family break-up. Over the last year STAR had worked with around 3,500 clients.

4.10 She said the agency had not been collecting specific data on gambling issues but had agreed to run a pilot – and was surprised to find how significant the issue was.

4.11 Key findings were:

- 20 out of 46 clients questioned said they had some form of gambling problem.
- Scratch cards and lottery tickets were identified as the main source of gambling
- Betting shops featured in 12 of the 20 cases
- Thirty-five of the clients were white British.
- Twenty-two described themselves as single and aged between 25 and 55
- The gender split was 19 females and 27 males.¹³

4.12 The responses indicated that some clients used multiple gambling outlets (the total numbers involving betting shops and lottery/scratch card users was greater than the number of clients reporting gambling issues.

¹² A report due out in March 2016 will look at the relationship between gambling (including clusters of gambling establishments) and public health impact.

¹³ There was some surprise at the comparatively high number of women against expected figures; gambling is often seen as mainly a male issue.

4.13 In discussions she agreed it would be beneficial to continue to collect the data, but that other agencies should also be gathering the information and that a common template be used across all agencies involved in this project.

4.14 She also said it would be useful to be able to link this issue with other issues signalling vulnerability, including mental health, homelessness, domestic violence and risk of losing tenancy.

4.15 She also said there was little information available about signposting clients to help with the specific issue of gambling behaviour problems.

Heather Wardle: Geofutures

4.16 Heather introduced the paper she had presented in relation to the project assessing area-based gambling harm assessments involving Westminster and Manchester councils and the Local Government Association. That paper and a summary were provided to Task Group members.

4.17 She pointed out that community vulnerability had aspects – one was the impact on people living locally; the other related to facilities and attractions which draw people to the area. Vulnerable areas had the following characteristics:

- High unemployment
- High proportion of ethnic minorities
- Homelessness or hostel accommodation
- Alcohol and substance misuse.

4.18 She said IMD data did not necessarily highlight or reflect community vulnerability. It needed more subtle criteria, some of them weighted for relative impact.¹⁴

4.19 She also stressed that while Westminster relied significantly on Geofutures community impact modelling, there also needed to be significant evidence from local residents and communities to support the council's position.

4.20 Cllr Dawood asked how it would be possible for a council to defend its position against a well-funded legal challenge from a betting shop applicant or the industry in more general terms. Heather said these might end up in the magistrates' court. However, she felt that there had been too little emphasis on protection of vulnerable individuals and communities, and that shifting of emphasis onto community and individual protection was overdue.

James Rattenberry

4.21 He introduced a paper looking at the wider legal issues around gambling licensing, and also a series of slides which set out the location of betting establishments within the city against a variety of factors. These included:

- Ward-based estimates of gambling risk
- Location of hostels (and multiple deprivation)
- Location of drug/alcohol rehab centres
- Location of food banks (and multiple deprivation)
- Location of pay day loan shops/outlets
- Indices of Multiple Deprivation
- Crisis awards (and multiple deprivation)
- Secondary schools
- Population

¹⁴ For this reason, alcohol use and licence locations were omitted from the data because they were so dominant across whole areas.

- Jobcentre offices
- Employment
- Income
- Education Skills and Training
- crime

4.22 In discussion James said there appeared to be a strong correlation between multiple issues of deprivation and the location of betting shops.

4.23 It might be possible to track crime data against newly established licensed betting shops to see if there was any prima facie evidence that the shops had had an impact on crime or other ASB, and he agreed to do further work on this issue.

4.24 He noted that there was little correlation to suggest that gambling establishments were close to schools – which was in line with council policy.

4.25 Siobham Barber said Leicestershire police were one of the few in the country which was collecting data about vulnerability. She had looked at five cases in which gambling was flagged up, and said that three of these cases had involved a contemplation of suicide. She also recommended that any database tracking vulnerability should involve the Fire Service which also had a strong set of data which included signifiers of vulnerability.

4.26 Other evidence was received by members about the toll taken on individuals by FOBTs. In one meeting to help those with gambling problems a sample of eight answered a series of questions about their problems. Every one stated they extensively used FOBTs and had run up high debts. Only one said there had been an intervention by the shop to seek to moderate their play, spending or behaviour. This had been one time in four years.

APPENDIX E

Task group meeting on gambling impact: 18th February 2016

Present

Cllr Gugnani; Cllr Dawood; Cllr Khote; Cllr Corrall

Cllr Palmer

Jerry Connolly: Scrutiny Policy Officer

Alex Sargeson: Scrutiny Policy Officer

Apologies

Mike Broster

Notes from meeting of 11th February were agreed as a correct record.

Evidence from Cllr Palmer

He told the meeting he had been concerned about the community impact of the proliferation of shops and in particular FOBTs

He said he was not against gambling and betting shops." I am a customer..but I am concerned about the impact of FOBTs on the nature of betting..People have been getting visibly angry with the machines... betting shops have become not pleasant places to be. There's a fundamental change in the culture of betting shops which has caused me concern."

He said there was much evidence which showed these machines had been designed to be addictive and to make users break the first rule of betting: never chase your losses.

He said this was the only country in the world where people can lose £100 a spin. "We will continue to support the campaign to lower the stake limit to £2."

He had talked about a specific planning category for betting shops... but relaxation of planning rules has led to clustering. Why are these shops opening? They are to put gaming machines into place. At the moment councils have no ability to limit gaming machine numbers..

I think councils should have the power in particular parts of the city so that for new applicants there should be the power to limit the number of gaming machines both within shops and within a locality. There should also be powers to consider such applications in a wider social and economic context. There should be a proper localist approach to the concentration of betting machines. He said: "We are very constrained in our ability to manage and regulate that and that is absurd."

Cllr Corrall suggested that all planning applications for betting shops should be de-delegated. However, Cllr Palmer said that with the current planning framework it would make little difference for gambling shop applications to be referred to a planning committee because there were so few grounds to refuse such applications.

Draft recommendations.

Jerry tabled comments by Mike Broster and Heather Wardle about the early draft recommendations. As a result Jerry amended a number of draft proposals, substituting the term risk instead of impact in recommendations 1.1; 2.6.3; 2.6.4.

Under discussion members considered the following amendments

2.1.1 an additional clause

Where applications for gambling licences, or planning permissions for gambling establishments, are made then ward members and other interested members (for example in neighbouring wards) shall be advised of those applications.

2.4.4 That interested parties should include councillors

2.5.1 That The Link be used to help highlight the campaign within the city

2.5.2 That gambling risk awareness be included in the health and personal development curriculum.

2.6.1 to read: that the city council prepares a local area risk profile..... etc

That sub-clause relating to schools and educational establishments should additionally refer to play areas.

2.6.3 to be re-phrased to read: While much data is available locally a draft area risk assessment for Leicester be prepared.

Remove references to other authorities

2.6.4 – remove

3.6 – additional point: That councils should have the powers to limit the numbers of FOBT per outlet.

3.8: additional phrase..and/or the clustering of gambling establishments.

It was agreed that task members would consider further amendments and send them to Jerry by 5.30pm on Wednesday 24th February and that the chair would review progress on the full report with Jerry/Alex on Thursday 25th February.

Jerry also circulated copies of Times article on gambling issues from Wednesday 17th February edition.

The meeting ended at 12.45 pm

Appendix 3 – Introduction to the main issues: circulated to members

1. Introduction

1.1. The Neighbourhood Services and Community Involvement Scrutiny Commission (NSCI) agreed at its meeting of 17th November 2015 to set up a task group to assess the impact of gambling on vulnerable communities, and approved by the Overview Select Committee on 3rd December 2015.

1.2. The scoping document for this review forms part of this introductory agenda. It was agreed at the NSCI that Cllr Gugnani would lead the review as chair of the task group. Members were invited to express an interest in taking part in the review and the following members make up the task group conducting the inquiry:

Cllr Gugnani (chair of the task group)
Cllr Dawood (chair of NSCI)
Cllr Halford
Cllr Hunter
Cllr Khote

1.3 Scrutiny officers supporting this review have undertaken research into the general issue of gambling outlet licensing and conditions relating to gambling licensing. This review includes assessing the national legal framework, as monitored by the Gambling Commission, the position in Leicester, actions and policies by other local authorities and research into community stress analysis by consultants working with local authorities and the Local Government Association LGA).

1.4 In particular this references work done by and on behalf of Manchester and Westminster Councils and the Local Government Association (LGA). It includes research and publications by Georesearch, in particular Dr Heather Wardle of the Georesearch Gambling and Place Research Hub. Ms Wardle co-authored a report for Westminster and Manchester Councils: [Exploring area-based vulnerability to gambling-related harm \(July 2015\)](#). Members have been provided with hard copies of this report.

1.5 The government has opposed a council campaign to reduce the limit of bets which can be made on Fixed Odds Betting Terminals (FOBTs). A number of councils (including Leicester) supported the reduced limit.

1.6 The Gambling Commission has issued guidelines to authorities about the issuing of and ensuring compliance with the Gambling Act.

1.7 The document sets out three licensing objectives as follows:

- preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- ensuring that gambling is conducted in a fair and open way
- protecting children and other vulnerable persons from being harmed or exploited by gambling.

1.8 The Gambling Commission, licensing authorities and the police are all involved with enforcement of gambling licences. The guidance warns that (the Commission and) licensing authorities will need, during compliance and enforcement activity, to ensure they act in a proportionate manner reflecting the impact of any breach and the consequences of the breach.

1.9 The LGA, in guidance on gambling licensing¹⁵, said: “Many councils have raised concern about betting shop clustering and / or the proliferation of B2 gaming machines (‘Fixed Odds Betting Terminals’). The LGA believes councils should have stronger powers to influence the amenities in their area as clustering of any type of business can be detrimental, and we therefore lobbied for and supported the proposal for a specific planning use class for betting shops. This was introduced in April 2015.

1.10 “We will continue to make the case for introducing a cumulative impact test in gambling that allows councils to take account of existing numbers of gambling premises when reaching licensing decisions.”

1.11 In 2014, the LGA convened a ‘Betting Commission’ bringing councillors together with representatives of the betting industry to discuss issues of concern. The work of the Commission identified that there is scope for closer working between councils and industry to try to address local issues, and led to the signing of a [joint framework](#) between the LGA and Association of British Bookmakers.

1.12 The LGA is also supporting a [piece of research](#) (as referenced in par 1.4 above) that aims to assess and map area vulnerability to gambling-related harm. This will help inform the councils’ licensing policies, and the findings will be made available via the LGA to all councils.

1.13 Consultants associated with the research are seeking to build on this work to develop [research methods](#) and toolkits for towns, cities and local authorities to assess the current and future impact of licensed gambling venues.

1.14 An interim report was published in July 2015 and a final report will be published in early 2016. The interim report looks to provide linkages between gambling and its impact what might be termed vulnerable people.

1.15 Children are singled out as being a particularly vulnerable group. But the report also refers to a range of characteristics which might make people vulnerable. They include:

- Young people (including students)
- People with mental health issues
- People prone to substance abuse (including alcohol abuse)
- Some migrant communities
- People living in deprived areas
- Unemployed people

1.16 There is also an emerging view that ex-prisoners, young males with learning difficulties and homeless people may be considered to be vulnerable.

1.17 The report sets gambling within a context of a range of issues which or in combination can cause significant individual and community

¹⁵ [Gambling and betting shops: Local Government Association: June 2015](#)

harm. For example, close friends and family also suffer from the impact of gambling on a single individual.

1.18 The part two report intends to set out guidelines for assessing individual applications for gambling licences in a wider area-based community risk assessment taking into account a more comprehensive impact of the activity within the community.

1.19 “We should not think about groups of vulnerable people as silos. There are likely to be multiple and complex risk factors for harm, with some people having multiple characteristics of potential vulnerability. Other public health areas focus on multiple risk factors; gambling should do the same” the report says.

1.20 However there is a significant lack of research data on the impact of gambling on communities and particular individuals. The Geofutures July 2015 report concluded that there was a broad consensus among stakeholders that gambling-related harm included adverse consequences arising from someone’s gambling engagement that could affect the individual, their family, friends, broader social network or community. It was felt harm could be short-lived or experienced over a longer time frame and that you did not have to be a “problem gambler” to experience harm.

1.21 However, the experience of harm was viewed as subjective, varying on the circumstances of the individual. This can makes predicting who will experience harm challenging. As such, a probabilistic approach was recommended, thinking about who is more likely to experience harm given what we know about them.

2. The position in Leicester

2.1 In November 2015 Leicester City Council approved a new five year strategy covering gambling, alcohol and cab licensing. A specific report relating to gambling licensing (6.4 on the meeting agenda) was presented to the council.

2.2 It included comments on gambling policy from the Licensing and Public Safety Committee ([27th October 2015 meeting](#)) as follows:

“It was also suggested that the Policy should have a Foreword which would provide an opportunity to set out the Council’s views on issues that would not normally be included in the policy, such as a vision, aspirations or a desired direction of travel for gambling premises in the City and the Council’s views on Fixed Odds Betting Terminals.

“The foreword would need to contain a clear statement that it did not form part of the licensing policy in order to prevent it being used as the basis for a potential challenge to a decision which had been taken in accordance with the gambling policy. The Committee also supported the development and publication of a local area profile. It resolved:

- 1) *That the Council be informed that the Committee supports the draft Statement of Gambling Policy and recommends it be adopted.*
- 2) *That the Committee supports the inclusion of a Foreword to set the vision, aspirations or a desired direction of travel for gambling premises in the City provided it contains a clear statement that it does not form part of the gambling policy to prevent it being used as the basis for a potential challenge.*
- 3) *That the Foreword should contain a specific reference to the Council's views on stakes for Fixed Odds Betting Terminals."*

6.3 The report to council said there had been "no significant problems with the (existing gambling policy) since its inception in 2007." However, it added that "concerns (existed) about certain aspects of gambling in Leicester."

6.4 These included comments from the Neighbourhood Services and Community Involvement Scrutiny Commission which called for:

- area profiles of the city (to) be prepared as soon as advice on what can be included is received from the Gambling Commission to allow gambling licence applications to be judged on their local and cumulative impact on the local communities, especially in terms of pre-existing deprivation within those communities and including the impact on local places of worship; and for
- the council to continue to support the campaign for a reduction in the maximum bet which can be made in fixed-odds betting machines to £2.

2.5 In discussing comments on the proposals the report referred to the issue of the geographical location of gambling premises. It said:

"There (was) concern from a number of respondents about where betting premises should be located. The Gambling Policy sets out locations that the City Council considers as suitable and unsuitable for locating gambling premises.

"The policy suggests that near to a place of worship would be an unsuitable location. The response from Coral Retail suggests there is no evidence to support the idea that locating a gambling premise close to a place of worship would compromise any of the three licensing objectives.

"The policy now includes an intention to develop a local area profile. A local area profile will identify local risks which a gambling operators should seek to address in their local risk assessments.

"Guidance from the Gambling Commission has been published which makes it apparent that the key aim of a local area profile is to enable measures to be taken to deal with risk rather than preventing gambling premises from being licensed.

“There is an issue to consider about whether betting premises in areas of deprivation present more of a risk. It would seem a reasonable assumption that they do and it is hoped that the above research will provide evidence to clarify this.

“The view expressed by William Hill is that if gambling premises are not allowed in areas of deprivation, then residents may take part in illegal gambling. The potential risks associated with areas of deprivation that gambling premises would be expected to address will be included in the area profile.”

2.6 Other aspects relating to the granting or otherwise of a gambling licence can invoke the use of planning powers. Paddy Power made a change of use application in Doncaster Road, Belgrave, from a ground floor shop to a betting shop (application 20151229).

2.7 The application invoked widespread community opposition and was [refused under delegated powers](#) on 24th August 2015. Grounds for refusal were set out as follows:

1. The proposal by reason of the intensification of the use in terms of increased noise from the flow of customers, increased duration of custom and associated changes required to facilitate the new use would have significant adverse impact on the character and amenity of the residential area contrary to policy PS10 of the City of Leicester Local Plan.
2. The application site lies outside a defined shopping centre, wherein the proposed use is preferred subject to considerations in respect of concentration and clustering of non-retail uses, in the interests of maintaining the variety and vitality of such centres whilst reducing the adverse effect on residential amenity elsewhere. There are vacant units available within the nearby Melton Road shopping centre, therefore the proposal is likely to have adverse impact on the vitality and viability of the local shopping area, contrary to policy CS11 of the Leicester Core Strategy.

2.8 The refusal grounds made no reference to community impact; an [appeal](#) against the refusal was received on 1st December 2015.¹⁶

2.9 The council is preparing a new Local Plan in which there may be specific policies relating to the impact of gambling (and possibly other) establishments, but these have yet to be finalised or sent out for consultation.

3 Geofutures research

3.1 Phase 1 findings of the included the following observations:

- Vulnerability to harm is not static: it is influenced by broader social processes and is likely to change
- New approaches to policy and risk require new ways of thinking about evidence and causal processes
- Evidence base is lacking but good evidence to support certain characteristics as useful in identifying potential “vulnerability”
- Harm and ‘vulnerable persons’ are subjective and but thinking about who may be more at risk, given what we currently know is useful.

3.2 The research identified a series of characteristics which could lead to issues relating to gambling. There was, it said, good evidence that a wide range of particular groups could be affected by problem gambling.

3.3 These included under broad demographic labels young people, older people, women and ethnic groups. Particular socio-economic groups considered to be potentially vulnerable included those on low income or unemployed, living in deprived areas, in financial difficulties or debt or were homeless, migrants or prisoners or on probation.

3.4 Under the general grouping of those with poor or impaired judgement were people with low IQ or educational attainment, suffering from learning disabilities, and/or with poor mental health.

3.5 As part of the on-going work by Dr Heather Wardle, a toolkit of suggested criteria to identify community vulnerability is likely to be established, along with suggested indicators or measures against which community sensitivity could be measured.

3.6 A suggested set of measures might, if considered appropriate, be:

Criteria	Indicator/measure
Problem gamblers seeking treatment	Gamblers addiction services, Gamblers Anonymous meetings,
Unemployment	Job centres
Poor mental health	Number of resident outpatient attendances to acute hospitals relating to mental health functions and specialities
Substance abuse/misuse	Drug and alcohol treatment and recovery centres/clinics and clinics within GP surgeries, needle exchanges, accommodation for persons who require treatment for substance misuse
Financial difficulties/debt	Payday loan shops; food banks

Homelessness	Supported housing projects/homeless hostels/temporary accommodation
<i>Open access datasets</i>	
Ethnic groups	Number of residents from Asian/Asian British, Black/African/Caribbean/Black British ethnic groups, Arab or other ethnic groups
Unemployment	Number of economically active unemployed residents
Youth	Emerging adults and younger children - number of residents aged 10-24 years Education institutions with students of 13-24 years
Poor mental health	Number of patients recorded on the GP register with schizophrenia, bipolar affective disorder and other psychoses, and other patients on lithium therapy or with depression (18 or over)

3.7 However the most recent data on multiple indices of deprivation, published in Autumn 2015 and available as locally as within individual Lower Super Output Areas (LSOAs), might also be used to evaluate community vulnerability across a range of measures.

4. Westminster City Council

4.1 Westminster City Council has been proactive in the use of profiling of local area vulnerability to assess the risks posed to local communities of the awarding of gambling licences.

4.2 Using tools provided by Georesearch, including measuring mental health, unemployment and crime and antisocial behaviour impacts, the council has been involved in two major hearings relating to gambling applications. The hearings showed how an evidence-based approach to licensing, and the conditions which might apply to such licenses, can influence and affect the way in which decisions are made and enforced.

4.3 There have been two key hearings, in both of which the council made significant reference to the framework of social impact set out by Dr Wardle's paper. One, in July 2015, related to an application for a gambling licence on Harrow Road.

4.4 The council set out its concerns as part of the [report to the sub-committee](#), while the applicant, Betfred, was at pains to spell out in detail the measures, both physical and in terms of staff training, which it would put in place to ensure a responsible regime to enforce and control gambling behaviour.

4.5 The minutes of the sub-committee said, however: "having regard to all the evidence put before them, Members did not accept that the Applicant could adequately guarantee the protection of vulnerable people from being harmed or exploited by gambling.

“The Sub-Committee concluded that the granting of this application for a new betting shop at such a highly sensitive location would be likely to result in an increase in crime and disorder that is associated with betting but was particularly concerned that it would also increase the risk that vulnerable people in the area would be harmed or exploited by gambling. As a result, the application was refused.”

4.6 Betfred appealed against the decision, but the appeal has been subsequently withdrawn.

4.7 A second hearing related to the introduction of new conditions on an existing licence took place in November 2015. The council’s case was supported by evidence from a private consultant who prepared a dossier on behaviour around the licenses premises.

4.8 The sub-committee made a ruling which set out 31 distinct conditions for the licence. They are set out in [this set of draft minutes](#).

4.9 Officers at Westminster stressed that key issues which helped determine the outcomes of these hearings were the involvement of local communities and the use of an area impact assessment.

5. Manchester City Council

5.1 Manchester City Council has co-operated with Westminster council to support the research by Geofutures. Manchester Council renews its gambling policy every three years. The 2016 policy refresh coincides with members’ concerns over the presence of betting shops.

5.2 Manchester Council intends to revise its gambling policy so that it aligns with the findings from the second stage of the research project led by Geofutures.

5.3 It is intended for existing licensing operators to take into account local risk and vulnerable groups. This will be highlighted in the research and the risk assessments that all current and prospective applicants will have to carry out in April 2016. Depending on the weight of the findings from research, this will in part determine the extent to which Manchester is able to revise its gambling policy.

5.4 Manchester has not had any incidences of licenses being refused and 2015 was a quiet year for new licence applications.

6 OTHER AUTHORITIES’ APPROACHES

6.1 London Borough of Barking and Dagenham (LBBB)

6.1.1 LBBB looked to introduce a special planning document (SPD) to control the numbers of licensed gambling outlets within the council area. It set about the exercise in December 2012 and a report came to Cabinet in

January 2014. Details of this report set out below include a useful exemplification of the wide range of arguments deployed by the gambling industry to oppose measures they feel might threaten their commercial interests and freedom to operate. (Par 6.1.10)

6.1.2 The LBBD Cabinet report summary said: Cabinet agreed to the making of a non-immediate Article 4 Direction, covering the whole Borough, withdrawing permitted development rights for changes of use from use class A5 (hot food takeaways), use class A4 (drinking establishments) and use class A3 (restaurants and cafes), to a betting office (use class A2) and to consult on a draft Supplementary Planning Document (SPD).

6.1.3 The Council consulted on the Article 4 Direction and draft SPD from 15 May 2013 to 26 June 2013. The consultation response was substantial. A number of the objections from the betting shop industry did raise a need for officers to reconsider the most effective approach to secure the Council's proposed course of action. This caused officers to review the evidence base for the Article 4 Direction and the consultation draft SPD.

6.1.4 In the light of this officers consider that the focus of the Article 4 Direction and SPD be directed at managing the clustering of betting offices rather than their proliferation and have revised the SPD accordingly.

6.1.5 Officers still consider that it is right to introduce an Article 4 Direction to remove the right to change use from an A5, A4 or A3 use to a betting office (A2) but that this should apply to the frontages that comprise the borough's major, district and neighbourhood centres rather than the whole borough.

6.1.6 Officers originally advised that it was possible to make a non-immediate direction to avoid compensation claims for the withdrawal of permitted development rights. However, this is not possible and therefore officers are recommending that the original non-immediate Article 4 Direction is not confirmed and that Cabinet agrees an immediate Article 4 Direction which would have immediate effect.

6.1.7 Officers have revised the SPD. Previously it stated that planning permission for a new betting office would not be granted within 400 metres of the boundary of an existing betting office. It is accepted that such a measure could have too severe an effect.

6.1.8 It is the case that since 2007 the number of betting offices has remained at 40 but due to the pattern of closures and openings they have become more concentrated.... The clustering is most pronounced in Barking Town Centre and due to the problems this has caused ... the Council has decided action is needed to control clustering throughout the borough to prevent these problems occurring elsewhere.

6.1.9 It is important to note however that the Council cannot control changes of use from one A2 use to another such as from a bank or an estate agent to a betting office.

6.1.10 Below is a summary of the main points raised in the objections from ABB, Corals, Paddy Power, Power Leisure Bookmakers, Ladbrokes and William Hill.

- Thinly disguised ban on betting offices. Will stifle development and contrary to National Planning Policy Framework (NPPF).
- Inaccurate and misleading evidence base, no justification or exceptional circumstances demonstrated for Article 4 or SPD. Particularly strong justification needed for borough wide Article 4 Direction and there is no basis for this.
- No evidence whatsoever has been presented to show that clustering of betting offices in Barking and Dagenham increases likelihood of anti-social behaviour, impacts on the diversity of the high street and detrimentally affects vitality and viability.
- Betting offices generate as many linked trips and as much footfall as other town centre uses.
- Consultation can be legally challenged because it is biased.
- No evidence to suggest betting offices have resulted in loss of retail or that they are clustering.
- Borough has a high vacancy rate - betting offices help reduce vacancy rate
- The number of betting offices has only increased by two since 2007 despite borough's population growing by 14% since 2001.
- Borough does not have a disproportionately high number of betting offices.
- Borough has 17th highest concentration of betting offices in London and lower than London average.
- Customers will go elsewhere to bet and therefore local jobs will be lost and footfall reduced.
- No evidence that crime and anti-social behaviour is linked to the location of betting offices or their clustering.
- No reference made to economic contribution that bookmakers bring to the local economy.
- No evidence to link the location of betting offices within the borough to the presence of deprivation.
- No reference in Cabinet report to DCLG guidance on use of Article 4 Directions.
- Other boroughs have concluded that the use of an Article 4 Direction is unnecessary and unwarranted.
- No evidential link between number of betting shops on the high street and the health of the local population.
- Article 4 Direction would not affect the retail to non-retail ratio of shops on the high street as shops already require planning permission to convert to an A2 use such as a betting office.
- Council's borough wide neighbourhood health check does not identify an over concentration of betting shops neither do Barking Town

Centre studies and no mention made of betting offices in Barking Town Centre Area Action Plan.

- Allowing one betting shop every 400 metres does not preserve high street diversity and is contrary to the town centres first policy.
- Article 4 Direction can only be used to limit a change of use to an A2 use class from an A3, A4 or A5 use and cannot single out betting shops. It is therefore unlawful.
- Conflicts with the aims and intentions of the Gambling Act 2005 specifically with regard to the provision of greater consumer choice.
- Even when a planning application is not required a licence application must still be made to the local authority.
- There is no evidence to support the assertion that demand for betting shops may be result of an addiction or that they contribute to ill health and other social problems.
- The Council already has the power to refuse, revoke or amend licence applications, permissions and conditions if it can be shown that there is a real concern based upon evidence.
- No attempt has been made to analyse the prevalence or causes of problem gambling in Barking and Dagenham.
- The addition of new gambling facilities in already serviced environments does not causes an increase in problem gambling.
- Research by Gerald Eve LLP shows that nationally the number of betting offices is likely to remain stable in the future.

6.2 London Borough of Islington (LBI)

6.2.1 Islington council last July [set out proposals](#) for the introduction of a supplementary planning document aimed at dealing with concentrations of a number of activities and businesses across the borough.

6.2.2 Responses to consultations on the proposals are still being analysed. The 84-page report has specific references to local issues (Islington has the second-highest concentration of gambling establishments in the UK – Westminster was top).

6.2.3 However it contains references to research which has wider applications in terms of information and research into the impact of gambling on vulnerable communities. It also sets out broader issues relating to the cumulative impact of a range of activities (including gambling establishments, pay-day loan operations, nightclubs and food takeaways).

6.2.4 For example, it says (par 5.5 of the consultation report): “Over-concentration impacts are not limited to specific uses; certain separate uses can have similar adverse impacts, or can exacerbate adverse impacts due to close proximity of these different uses. Consideration of over-concentration impacts should therefore not just look at the specific use in question in isolation; cumulative impacts should be considered across all relevant uses. The similar potential adverse impacts of betting shops and payday loan shops are referenced (elsewhere), but there are numerous examples of different uses which could potentially have similar adverse impacts, e.g.

amusement arcades, casinos and betting shops (due to potential impact of gambling on vulnerable people); nightclubs and hot food takeaways (due to potential increase in anti-social behaviour)".

6.2.5 It also sets out the standard observation on the relationships between councils and the gambling industry. "The licensing regime also has a specific requirement, enshrined in the Gambling Act 2005, for local licensing authorities to 'aim to permit' gambling subject to certain considerations, the most important of which is consistency with the three licensing objectives of keeping crime out of gambling; making sure it's fair and open; and protecting children and vulnerable people. Issues such as clustering and health impacts currently cannot be taken into account as they are not specific licensing objectives as defined in the Gambling Act 2005" (Par 7.6).

6.2.6 With the high concentration of betting outlets within the borough, there is almost nowhere outside a notional buffer zone of 500m where a new application could not be considered to be a significant increase in concentration, the report suggests.

6.2.7 The report maps betting shop locations against the 2010 IMD data and concludes that "The largest concentration of betting shops in the borough coincides with some of the most deprived areas in the borough (based on IMD overall score). The IMD score is formulated in part by the level of income deprivation, which is measured by the proportion of people who are dependent on means-tested benefits (Par 7.30).

6.2.8 "There is evidence, particularly from the British Gambling Prevalence Surveys, that there is a higher prevalence of problem gambling in the most deprived areas (according to IMD score); amongst people who are unemployed; and those with very severe money problems. If Islington's most deprived areas feature the most significant clusters of betting shops, it stands to reason that the opportunities to gamble are increased and therefore that the incidences of problem gambling may be increased.

6.2.9 "This has significant knock-on effects for areas such as health, particularly mental health; problem gamblers are more likely to experience adverse financial, social and health impacts due to increased debts, anxiety and other harms." (Par 7.31).

6.2.9 The report looks at the issue of fixed odds betting terminals (FOBTs) in the context of betting shops. "The impact of betting shops can sometimes be construed as a 'double whammy'. First there is the physical location of a betting shop, which may have adverse impacts due to close proximity to a sensitive use and/or over-concentration of such uses; secondly, betting shops almost always feature Fixed Odds Betting Terminals (FOBTs).

6.2.10 "Betting shops are limited to four FOBTs per premises. This limit has been noted as a key reason behind the increasing number of betting

shops across the country, as operators open new shops to get around the four per premises limit. Figures from 2011 showed that FOBTs profits accounted for up to half of overall betting shop profits.

6.2.11 “FOBTs amplify the common perceived adverse impacts of betting shops, including exacerbating mental health problems and increasing anti-social behaviour. In planning terms, potential increases in anti-social behaviour, crime and disorder are valid material considerations, and have been upheld in planning appeals. The following quote encapsulates a planning inspector’s reasoning behind use of evidence of anti-social behaviour, crime and disorder:

“It seems to me that it is not possible to be categorical but that the weight of well-informed evidence suggests that this outcome is likely to materialise. Put another way, it would be foolish to ignore the convincing accounts given [in opposition to proposed betting shop] or to assume that they would not be repeated in association with the proposed betting office.” (Pars 7.10-7.12).

6.2.12 Further information on the potential implications of FOBTs is in appendix 3 of the consultation document. “The British Gambling Prevalence Survey 2007 shows stronger association between problem gambling and FOBTs, more so than any other activity bar spread betting.

6.2.13 “The British Gambling Prevalence Survey 2010 highlights a higher prevalence of problem gambling in the most deprived IMD areas; amongst people who are unemployed; and those with very severe money problems. Problem gamblers are also more likely to experience adverse financial, social and health impacts due to increased debts, anxiety and other harms.

6.2.14 “Other action has been announced to tackle the potential harmful impacts of betting shops, including greater player protection measures for FOBT users and advanced voluntary self-exclusion measures. The gambling industry has also introduced a code of conduct to tackle some of the main perceived impacts of betting shops, particularly FOBTs; however, this has been criticised by the Prime Minister, who stated that it needed to be “strengthened to minimise harm.

6.2.15 “A 2012 poll by the Local Government Association found that 37 per cent of the public said clustering puts them off visiting their local high street, with 50 per cent saying the clustering of betting shops has a negative effect on high streets. Betting shops are also often associated with incidences of anti-social behaviour, crime and disorder.

6.2.16 “In licensing, prevention of crime and disorder is one of the three licensing objectives which underpin assessment of licensing applications. In practice, it has been difficult to translate fear of increases in crime and disorder due to a proposed new betting shop – even where such fear is reinforced with statistics – into a refusal which will stand up to challenge.

6.2.17 “In ‘Responding to the cumulative impact of betting shops’, a discussion guide produced for the London Health Inequalities Network, a number of common themes emerged across London local authorities, including evidence of proliferation of betting shops since the Gambling Act 2005 came into force; clustering of betting shops in the most deprived areas, and the impact on vulnerable people; an increase in crime and anti-social behaviour in and around betting shops, nuisance caused by including street drinkers and smokers and littering outside the shops; and adverse impacts on the longer term sustainability of the high street.”

The Association of British Bookmakers. (ABB)

7.1 From an early point the ABB has taken an active interest in the progress of the Task Group. Association of British Bookmakers chief executive Malcolm George wrote to Cllr Dawood in November to say:

“I must raise very strong concerns that if the commission were to complete its inquiry without taking evidence from the betting industry, then the ABB would certainly be forced to question the validity of any findings.”

“The ABB is committed to working in partnership with local councils wherever problems are identified, as set out in the LGA-ABB Betting Partnership Framework which was published at the start of this year. I would hope that we can build on this commitment through constructive engagement as part of the commission’s inquiry.

“Leicester’s 63 betting shops serve to meet legitimate local demand, and make a positive contribution to the local community, employing close to 290 staff and contributing over £6.5m a year in taxes, including local business rates.

“In addition, the industry has taken significant action over the last two years, following the introduction of the ABB Responsible Gambling Code, to ensure social responsibility and responsible gambling is at the heart of all our businesses.”

7.2 Cllr Dawood welcomed the approach of the ABB. He said in a letter to Mr George: *“I would like to reassure you from the outset that evidence from the industry will form a vital part of the work of the Commission....*

7.3 *“In looking at evidence it would be very helpful if the ABB could provide information on:*

- *Where the industry has worked in partnership with local councils (or other agencies) in this context*
- *The nature of the problems identified*
- *Who identified the problems (and all examples of where the industry has identified issues and brought them to the attention of local agencies)*
- *Measures taken to address the issues identified.*

7.4 *“One aspect of the requirements for licensing is the issue of protecting vulnerable people from harm. The ABB’s definition of who might be vulnerable, and evidence of the local Leicester betting industry making interventions (numbers of people, locations where this occurred) would be extremely helpful to the Commission.*

7.5 *“In the local context of Leicester, any information about actions taken by your members in the context of the “significant action” taken over the last two years would be welcome – either through the ABB or through local representatives. For example, one key piece of information would be how many customers were the subject of intervention once spending limits had been reached.*

Local impact assessments

7.6 *“You will also be aware that applications for gambling licences now have to be accompanied by local impact assessments. It would be very helpful if the ABB could set out its framework for defining local area risk – and whether these parameters would constitute a national model or one based on different communities or local authorities.*

7.7 *“It may be that no framework has been yet established, but the thinking of the ABB on the framework, relevant correspondence, for example involving the Local Government Association, and the ABB views on what are the most important aspects of an impact assessment would be welcome.”*

7.8 The exchange of letters forms appendix A to this note.

Jerry Connolly
Scrutiny Policy Officer
Leicester City Council
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0116 454 6343
8th January 2016

APPENDIX 1 Exchange of letters between Cllr Dawood and Mr Malcolm George



Councillor Mohammed Dawood
Member and Civic Support
City Hall
115 Charles Street
Leicester
LE1 1FZ

24 November 2015

Dear Cllr Dawood,

I am writing to you in your capacity as Chair of the neighbourhood services scrutiny commission, which I understand has been established to investigate the number of betting shops in Leicester and their impact on the surrounding area. As chief executive of the Association of British Bookmakers, representing over 80% of the high street betting industry, I would be happy to provide information to the commission's inquiry.

The Leicester Mercury reports that the commission will seek evidence from various witnesses, including; police witnesses and probation staff, debt experts, housing officials and churches, but no-one from the betting industry. I must raise very strong concerns that if the commission were to complete its inquiry without taking evidence from the betting industry, then the ABB would certainly be forced to question the validity of any findings.

The ABB is committed to working in partnership with local councils wherever problems are identified, as set out in the LGA-ABB Betting Partnership Framework which was published at the start of this year. I would hope that we can build on this commitment through constructive engagement as part of the commission's inquiry.

Leicester's 63 betting shops serve to meet legitimate local demand, and make a positive contribution to the local community, employing close to 290 staff and contributing over £6.5m a year in taxes, including local business rates. In addition, the industry has taken significant action over the last two years, following the introduction of the ABB Responsible Gambling Code, to ensure social responsibility and responsible gambling is at the heart of all our businesses.

Through the Code, the ABB and our members have introduced a range of measures, underpinned by the unifying concept of informed choice. These measures are designed to help ensure customers can be supported to make responsible gambling choices and only spend what they can afford to lose. Measures introduced under the Code include; no gaming machines advertising in shop windows; mandatory training for staff so they can recognise and interact with customers who may be at risk; and a requirement for all machine players to decide whether to set a limit before they can start to play, with corresponding alerts behind the counter so that staff know when a limit has been reached. A copy of the recently updated Code is enclosed.

I note your concerns with regards poorer areas, but can assure you that bookmakers do not target deprived areas. Of course shops can be found in a variety of socio-economic areas, in

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30th November 2015



Malcolm George
Association of British Bookmakers
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SW1W 0PP

SCRUTINY OF THE IMPACT OF GAMBLING ON VULNERABLE COMMUNITIES

Dear Mr George,

Thank you very much for your letter of 24th November, which set out a number of important points as well as providing important information about the industry's code of conduct through the attached document. I would like to reassure you from the outset that evidence from the industry will form a vital part of the work of the Commission.

The project plan for the review specifically identifies commercial stakeholders as being witnesses from which the Commission would like to take evidence. Clearly the ABB at national level would provide valuable evidence, as would more local and regional representatives of the industry. We are in the process of working out a timetable for meetings and will consult you about suitable dates on which you might be able to attend.

Taking specific points of your letter: you refer to the willingness to work in partnership with councils "wherever problems are identified." In looking at evidence it would be very helpful if the ABB could provide information on:

- Where the industry has worked in partnership with local councils (or other agencies) in this context
- The nature of the problems identified
- Who identified the problems (and all examples of where the industry has identified issues and brought them to the attention of local agencies)
- Measures taken to address the issues identified.

One aspect of the requirements for licensing is the issue of protecting vulnerable people from harm. The ABB's definition of who might be vulnerable, and evidence of the local Leicester betting industry making interventions (numbers of people, locations where this occurred) would be extremely helpful to the Commission.

In the local context of Leicester, any information about actions taken by your members in the context of the “significant action” taken over the last two years would be welcome – either through the ABB or through local representatives. For example, one key piece of information would be on how many customers were the subject of intervention once spending limits had been reached.

Local impact assessments

You will also be aware that applications for gambling licences now have to be accompanied by local impact assessments. It would be very helpful if the ABB could set out its framework for defining local area risk – and whether these parameters would constitute a national model or one based on different communities or local authorities.

It may be that no framework has been yet established, but the thinking of the ABB on the framework, relevant correspondence, for example involving the Local Government Association, and the ABB views on what are the most important aspects of an impact assessment would be welcome.

I look forward to taking these issues forward. My officer colleagues would be willing to discuss these evidential points in greater detail.

Yours Sincerely

Cllr Mohammed Dawood
Chair: Leicester City Council Neighbourhood Services and Community
Involvement Scrutiny Commission

WRITTEN SUBMISSION BY THE ASSOCIATION OF BRITISH BOOKMAKERS



The impact of betting shops on local communities | ABB position paper, prepared for Leicester City Council

8 January 2016

Introduction

The Association of British Bookmakers (ABB) is the trade association for the high street betting industry, representing over 80% of the market. Our members include large national operators such as William Hill, Ladbrokes, Coral and Paddy Power, as well as almost 100 smaller independent bookmakers.

This position paper responds to the specific aims, objectives and lines of enquiry set out under the terms of the Leicester City Council scrutiny review into *'The impact of betting shops on local communities in Leicester'*.

The role of betting shops in local communities

Betting shops have been part of the British high street for over 50 years and have played a part in local communities for generations. The ABB and our members are committed to ensuring that betting shops are able to positively contribute to the local communities they serve.

Leicester's 63 betting shops enable operators to meet legitimate local demand for their services, and in turn shops play an important role in the local economy. Leicester's betting shops employ close to 290 staff and contribute over £6.5m a year in taxes, including local business rates.

Providing a leisure product, betting shops are highly sociable environments with interaction between customers as well as with staff. Many shops operate as community hubs, where staff know their customers well, and the customers know each other. For some customers, particularly the more elderly, the interaction they get in the betting shop may be the only interaction they have that day.

The location of betting shops is directly related to the density of population in an area. Indeed, recent research commissioned by the Responsible Gambling Trust shows that areas in which betting shops are located have a greater population density than average.

Average resident population density for whole of Great Britain (persons per hectare)	Average resident population density in urban areas (persons per hectare)	Average resident population density within 400m of an LBO open August 2014 (persons per hectare)
2.53	18.6	49.8

The siting of shops is based on commercial reasoning, and betting shop operators do not in any way target areas of deprivation, with shops found in a variety of socio-economic areas. We also strongly dispute any suggestion of a relationship between betting shops and licensed alcohol premises. Betting shops cannot serve alcohol, and staff cannot serve intoxicated customers.

Given that the scrutiny review aims to “establish the relationship between gambling and alcohol establishments and their location within communities” we would encourage a broader consideration of other establishments where both gambling and alcohol consumption takes place, e.g. casinos.

We do not see evidence of any association between betting shops and crime. All operators have strict policies and procedures in place to ensure their premises remain free of crime and that staff and customers are protected. We would highlight in particular comments from various councils across the UK noting, for example, the low level of disorder, crime and nuisance associated with bookmakers (West Dunbartonshire) and that there is no evidence to support the assertion that any part of the authority’s area is experiencing problems from gambling activities (North Lincolnshire).

The industry works closely with law enforcement and, in 2010 the ABB published the Safe Bet Alliance, a set of industry guidelines developed in conjunction with the Metropolitan Police and endorsed by the Association of Chief Police Officers. Since adoption of the SBA, adherence with which is a mandatory requirement under the ABB’s Responsible Gambling Code, the number of robberies carried out against betting shops has fallen by 46%.

Betting shops in Leicester

The number of betting shops in operation in the UK has remained relatively stable at around 9,000 in recent years. However, the sector has now entered a period seeing an overall decline in the number of shops. The latest Gambling Commission industry statistics show that numbers as at 31 September 2015 were 8,819 - a decline of 318 from the previous year, when there were 9,137 recorded as at 31 March 2014.

This decline can in large part be attributed to increased operating and regulatory costs, such as the changes to gaming machine regulation detailed below, as well as the rise in Machine Games Duty to 20 per cent and changes to planning law requiring all betting shops to apply for planning permission. Smaller, independent bookmakers, with a smaller costs base over which to spread such increases, are particularly vulnerable to closure and their numbers have declined by over 40% in the last five years.

Betting shops are permitted up to four gaming machines with a maximum stake of up to £100 per shop. Gaming machines are an important part of the product mix in betting shops, making up to 50 per cent of all profits. Their popularity reflects the continued preference for digital products, and in allowing customers to stake at different levels they provide enjoyment for a range of customers. In Leicester the average gaming machine session length is 10.28 minutes and the average player loss per session is £7.12.

Only a very small percentage of players' stake at the maximum level of £100 (1-3%)¹⁷, and a new government regulation which came into force in April 2015 has further restricted gaming machine play. The measure, which is designed to increase oversight of customer behaviour, requires anyone wishing to stake over £50 at once to register for a customer account, where their play can be monitored, or return to the counter to load money, where they can interact with staff.

Betting shop regulation

Bookmakers are responsible businesses, and all betting shops must comply with the law as set out in the Gambling Act 2005. Strict regulations are set by an independent regulator, the Gambling Commission, and local authorities also play an important role in licensing premises.

Operators have in place a wide framework of policies to ensure compliance with all regulatory requirements, which have successfully been developed over the course of the last 50 years. For instance, all the major operators, and independent bookmakers through the ABB, conduct regular third party age-verification testing to check that their Think 21 procedures to prevent under-age access to gambling are effective.

Incidents of regulatory enforcement action are rare, and we would reference recent statements to this effect from other local councils:

- Councillor Peters, East Staffordshire Borough Council (Burton Mail p.14, 29 December 2016): "All gambling establishments in East Staffordshire are very compliant with the law and have adequate posters up to warn people what can happen if they get addicted. They tend to be very perceptive to the needs of the community."
- Tamworth Council has noted that "there is no excessive use of FOBT machines and proper control and monitoring of the machines is in place".

Protecting vulnerable people from harm

Protecting vulnerable people from harm is one of the three licensing objectives which operators must uphold under the Gambling Act. The ABB has developed its

¹⁷ "Overall, 3% of all B2 sessions involved a maximum stake of £100 during play. 1% of all sessions where B2 games were played started with the maximum £100 stake and a further 2% did not start with the maximum stake, but reached it before the end of the session." **Patterns of play: analysis of data from machines in bookmakers**, Responsible Gambling Trust research carried out by NatCen, December 2014

http://www.responsiblegamblingtrust.org.uk/user_uploads/pdfs/patterns%20of%20play%20-%20analysis%20of%20data%20from%20machines%20in%20bookmakers.pdf

own Responsible Gambling Code which goes above and beyond current regulation and is mandatory for all our members.

The range of measures in the Code are underpinned by the unifying concept of informed choice. They are designed to help ensure customers can be supported to make responsible gambling choices and only spend what they can afford to lose.

The measures include that members have no gaming machines advertising in shop windows; mandatory training for staff so they can recognise and interact with customers who may be at risk; and a requirement for all machine players to decide whether to set a limit before they can start to play, with corresponding alerts behind the counter so that staff know when a limit has been reached. Staff interactions with customers may include signposting to support services, such as the National Gambling Helpline, or may highlight the tools available in shop to help customers stay in control, such as setting limits on machines or self-exclusion.

Additionally, operators have recently developed Player Awareness Systems, which apply to account based gaming machine customers. These systems apply data algorithms to players' machine play data and alert the operator if any 'markers of harm' have been triggered. Customers are then sent responsible gambling messages of varying intensity, depending on the level of harm identified, with those at most risk warranting a staff interaction facilitated in shop or by an area/regional manager.

We would be delighted to host the committee at a betting shop in Leicester to show the broad range of responsible gambling measures in place.

Working in partnership with local authorities

We believe that operators have generally established successful working relationship with local authority licensing teams and the ABB wishes to support this. Though licensing challenges do occur, they do so on a less frequent basis now than before, and they are on the whole resolved in a straight forward manner.

To build on this, and to address concerns where they do exist, in January 2015 the ABB signed a partnership agreement with the Local Government Association (LGA). This was developed over a period of months by a specially formed Betting Commission consisting of councilors and betting shop operators establishing a framework designed to encourage more joint working between councils and the industry.

The framework built on earlier examples of joint working between councils and the industry, for example the Ealing Southall Betwatch scheme and the Medway Responsible Gambling Partnership. In Ealing, the Southall Betwatch was set up to address concerns about crime and disorder linked to betting shops in the borough. As a result, crime within gambling premises reduced by 50 per cent alongside falls in public order and criminal damage offences.

In autumn 2014, the Medway Responsible Gambling Partnership was agreed by the ABB with Medway Council. Under the Partnership a reporting of crime protocol

was established with Kent Police and the first multi-operator self-exclusion scheme was established. The scheme allowed anyone concerned they are developing a problem with their gambling to exclude themselves from all betting shops in the area. At the end of the 12 month pilot scheme, 33 individuals had self-excluded and learnings from the scheme have been incorporated into the development of a national multi-operator self-exclusion scheme that will be live across the UK from April 2016.

All major operators, and the ABB on behalf of independent members, have also established Primary Authority Partnerships with local authorities. These Partnerships help provide a consistent approach to regulation by local authorities, within the areas covered by the Partnership; such as age-verification or health and safety. We believe this level of consistency is beneficial both for local authorities and for operators.

For instance, Primary Authority Partnerships between Milton Keynes Council and Reading Council and their respective partners, Ladbrokes and Paddy Power, led to the first Primary Authority inspection plans for gambling coming into effect in January 2015.

By creating largely uniform plans, and requiring enforcing officers to inform the relevant Primary Authority before conducting a proactive test-purchase, and provide feedback afterwards, the plans have been able to bring consistency to proactive test-purchasing whilst allowing the Primary Authorities to help the businesses prevent underage gambling on their premises.

Local area risk assessments

With effect from 6th April 2016, under new Gambling Commission LCCP provisions, operators are required to complete local area risk assessments identifying any risks posed to the licensing objectives and how these would be mitigated.

Licensees must take into account relevant matters identified in the licensing authority's statement of licensing policy and local area profile in their risk assessment, and these must be reviewed where there are significant local changes or changes to the premises, or when applying for a variation to or a new premises license.

It is important that any risks identified in the local area profile are supported by substantive evidence. Where risks are unsubstantiated there is a danger that the regulatory burden will be disproportionate. This may be the case where local authorities include perceived rather than evidenced risks in their local area profiles. For instance, the ABB is concerned where local authorities may seek through their local area profiles to create specific areas where gambling premises should not be located, purely on the basis of perceived risks.

An example might include consideration of a premises license in an area of deprivation or affluence which is irrelevant unless the Licensing Authority has predetermined that persons in such an area are automatically vulnerable or likely to commit crime or disorder. We are certain that this is not the case.

This would distort the “aim to permit” principle set out in the Gambling Act 2005 by moving the burden of proof onto operators. Under the Act, it is incumbent on licensing authorities to provide evidence as to any risks to the licensing objectives, and not on the operator to provide evidence as to how they may mitigate any potential risk.

A reversal of this would represent a significant increase in the resource required for operators to be compliant whilst failing to offer a clear route by which improvements in protections against gambling related harm can be made.

Moving away from an evidence based approach would lead to substantial variation between licensing authorities and increase regulatory compliance costs for our members. This is of particular concern for smaller operators, who do not have the same resources to be able to put into monitoring differences across all licensing authorities and whose businesses are less able to absorb increases in costs, putting them at risk of closure.

Such variation would in our opinion also weaken the overall standard of regulation at a local level by preventing the easy development of standard or best practice across different local authorities.

APPENDIX E: STAR DATA SUMMARY

Date	Office	Problem?	Nature of problem
02/02/16	Beaumont Leys	Yes	£50 - £100 Impacts on paying bills, tenancy at risk
02/02/16	Beaumont Leys	No	N/A
02/02/16	Beaumont Leys	No	N/A
02/02/16	Beaumont Leys	No	N/A
04/02/16	Beaumont Leys	No	N/A
04/02/16	Beaumont Leys	No	N/A
02/02/16	Beaumont Leys	No	N/A
02/02/16	Beaumont Leys	No	N/A
05/02/16	Beaumont Leys	No	N/A
05/02/16	Beaumont Leys	No	N/A
02/02/16	Braunstone and City	Yes	Affected my general well being
01/02/16	Braunstone	No	N/A

16	and City		
01/02/16	Braunstone and City	No	N/A
04/02/16	Braunstone and City	No	N/A
03/02/16	Braunstone and City	No	N/A
02/02/16	Braunstone and City	No	N/A
04/02/16	Braunstone and City	Yes	Spends £100 per week leaves no money for food
01/02/16	Braunstone and City	No	N/A
04/02/16	Braunstone and City	Yes	£10 per week Scratch cards/Lottery
02/02/16	Braunstone and City	No	N/A
03/02/16	New Parks	Yes	Spend more than they can afford and go without meals
02/02/16	New Parks	Yes	I think I may in lots of money
03/02/16	New Parks	No	N/A

Date	Office	Problem?	Nature of problem
02/02/16	New Parks	No	N/A
02/02/16	New Parks	No	N/A
03/02/16	New Parks	No	N/A
03/02/16	New Parks	No	N/A
02/02/16	New Parks	Yes	I shoplift and sell goods to fund my gambling habit. I have lost money and an inheritance.
02/02/16	New Parks	Yes	Spend most of my money gambling
02/02/16	New Parks	No	N/A
03/02/16	Saffron	Yes	£20 - £30 per week
03/02/16	Saffron	Yes	Uses wife's pension money at the bookies
03/02/16	Saffron	Yes	Gambles regularly
03/02/16	Saffron	No	Do not believe it has an impact on myself or my family. Spend £6 a week.
03/02/16	Saffron	Yes	£250 per week. This was the entire household income,

			leaving us without food and the ability to pay bills.
02/02/16	Saffron	Yes	Work in a betting shop
02/02/16	Saffron	Yes	Would go without food and get into debt
04/02/16	Saffron	Yes	Not paying bills
03/02/16	Saffron	Yes	Spends over £10 per week
03/02/16	Saffron	Yes	£20 a week impact on the family as less income, causing arguments, less food for the family
04/02/16	Saffron	Yes	Yes
02/02/16	Saffron	No	N/A
03/02/16	Saffron	Yes	£4 a week
04/02/16	St Matthews and Highfields	Yes	£10 a week on gambling which affect my financial situation
05/02/16	St Matthews and Highfields	No	N/A
05/02/16	St Matthews and Highfields	Yes	Spend everything in my pocket and borrowed money

Family type		Ethnicity		Gender	
Single 25 – 54	22	WHITE BRITISH	35	MALE	27
Pregnant Single 18 – 24	0	WHITE OTHER	1	FEMALE	19
Single Parent	6	ASIAN OR ASIAN BRITISH INDIAN	4	TRANSGENDER	0
Couple	6	ASIAN OR ASIAN BRITISH OTHER	2	PREFER NOT TO SAY	0
Couple with Children	3	BLACK OR BLACK BRITISH CARIBBEAN	1		
OAP 55+	7	OTHER	3		
Single 25 – 54	22				
Pregnant Single 18 – 24	0				

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Executive Response to Scrutiny

The executive will respond to the next scrutiny meeting after a review report has been presented with the table below updated as part of that response.

Introduction

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Scrutiny Recommendation	Executive Decision	Progress/Action	Timescales