



Wales Safer Communities Network response to: Department for Culture, Media & Sport, Measures relating to the land-based gambling sector Closed 04 October 2023

Chapter 1: Casino measures

Q1.a. Do you agree with the proposed gaming machine entitlements based on the sliding scale for (i) gambling space; (ii) table gaming space (iii) non-gambling area; and (iv) machine-to-table ratio? (Mandatory response)

I don't know

Q1.b. Please explain your answer. If you selected 'No', please provide an alternative proposal for gaming machine entitlements if you have one. (Optional response)

The sliding scale appears to be a potential solution but without more direct understanding we are unable to comment further. We understand that increasing the number of machines may reduce the wait times, improve flow of gamers on machines including taking breaks and reduce some behaviour caused by waiting to be able to play. However, if there is less floor space and more machines this could have an impact on security or law enforcement to move around and between machines if there is an incident and more potential for injury if falling against extra machines. It could also mean that whilst at the current time someone staying on a machine for longer is visible by the increased queue of people waiting, individuals may be able to stay on a machine for longer without being noticed.

Q2.a. If you are an operator, do you intend to take up these new entitlements? (Mandatory response)

Not applicable

Q2.b. [Shown if Yes is selected] Do you intend to site the maximum number of machines available to you? (Mandatory response)

Not applicable

Q2.c. Please explain your answer. (Optional response)

Not applicable

Q3.a. If you are an operator with more than one premises licence at the same location, do you intend to take up these new entitlements for each licence? (Mandatory response)

Not applicable

Q3.b. Please explain your answer. (Optional response)

Not applicable

Q4.a Do you perceive there to be any issue with allowing multiple casino licences in the same physical location if gaming machine entitlements are increased as proposed? (Mandatory response)

No

Q4.b. Please explain your answer, including any suggested changes to the regulatory framework where applicable. (Optional response)

It is a system that is already taking place with multiple casino licences in the same physical location and therefore is nothing particular new. Our concern is that the larger they are the harder it potentially will be to identify those who have a gambling issue or are getting themselves into debt. In addition, the enforcement is likely to be more intensive and require much more time and there may be elements around health and safety, including fire safety that require additional thought, consideration and resourcing.

Q5.a. How do you expect the measures allowing more gaming machines in 1968 Act casinos that meet certain size requirements to affect the demand for gaming machines in casinos? (Mandatory response)

No change in demand

Q5.b. Please explain your answer. (Optional response)

As mentioned in the consultation there is an expectation that it will meet more of the demand in some casinos

Q5.b. Please explain your answer. (Optional response)

As mentioned in the consultation there is an expectation that it will meet more of the demand in some casinos, however it is difficult to know if numbers are kept under control by the current system and that with more machines will be more people potentially bringing higher debt and issues with problem gambling.

Q6.a. How do you expect the measures allowing more gaming machines in 1968 Act casinos to impact the provision of other product offerings within casinos e.g. table gaming? (Mandatory response)

Small decrease in the provision of other product offerings

Q6.b. Please explain your answer. (Optional response)

Whilst we have mentioned a small decrease it could be larger, but as included in the consultation document the tables take up more space and are less in demand, in addition they can be more resource dependent. Therefore, it may be a way for casino's to reduce costs however from a community safety perspective this could mean that possible issues are missed before they develop and problem gambling or

those getting into debt may not be noticed with body language and proximity possibly leading to poorer protections for gamers.

Q7.a. The government is proposing to operate two regimes for 1968 Act casinos whereby they can either operate under the existing rules with no increase to their gaming machine allowance or they can take up their new gaming machine entitlements under the new rules. Do you agree with this proposal? (Mandatory response)

No

Q7.b. Please explain your answer. (Optional response)

This would add complexity to the licencing process especially with some premises carrying more than one licence, it may also leave some unexpected consequence in a loophole within the legislation that could be exploited. Clear and transparent legislation should enable compliance and enforcement costs to be limited.

Q8. Please provide any views or any other information on the adequacy of player protections for those using gaming machines in casinos. Please include any examples of best practice if possible. (Optional response)

We have no examples of best practice as such. Our concern is with the current anecdotal evidence of increased problem gambling and community safety issues associated with it, which may be partially due to the cost of living or the cost of living may just be bringing more of the gambling problems forward due to individuals and families having less surplus funds for activities such as gambling.

Q9.a Should the government introduce a 5:1 machine to table ratio for all casinos except those 1968 Act casinos that remain on the existing licensing regime? (Mandatory response)

I don't know

Q9.b. Please explain your answer. (Optional response)

We are not sure if this would add to the complexity and potentially increase the amount of resource that is required to enforce and the impact on the individuals or groups who are accessing or may access the premises in the future. If the proposal resulted in the same ratio's across all types then this could make the rules simpler and easier to follow and enforce.

Q10. Please share any evidence or information that is relevant to the proposed amendment to the definition of gaming tables since the government stated its intention to make this change in 2018. (Optional response)

Not applicable

Q11.a. Do you agree with the proposed (i) minimum gambling area; (ii) table gaming area; and (iii) non-gambling area requirements for 1968 Act casinos under the new regime? (Mandatory response)

I don't know

Q11.b. Please explain your answer. (Optional response)

Please see our response to question 1b.

Q11.c. Should the minimum table gaming area for Small 2005 Act casinos be reduced to 250sqm? (Mandatory response)

No

Q11.d. Please explain your answer. (Optional response)

We are concerned that this may lead to more individuals and businesses taking up the opportunity making enforcement and licensing regimes harder and more resource intensive. Enabling more small operators who may not have the best interests of their customers and may not have the ability to identify and manage those with gambling issues or problem debt.

Q12.a. Should access to a greater number of gaming machines require compliance with each of the three size requirements outlined above? (Mandatory response)

Yes

Q12.b. Please explain your answer. (Optional response)

Compliance should be a requirement so as to reduce and limit any possible loopholes or grey areas that can be exploited and make the licencing and enforcement more difficult.

Q13.a. Which approach do you think should be taken in relation to the maximum gambling area for 1968 Act casinos? (Mandatory response)

I don't know

Q13.b. Please explain your answer. (Optional response)

There should be limits on the maximum size but given the use of multiple licences we are not sure that it would be enforceable.

Q14.a. Should separate table gaming areas of 12.5% or more only be allowed to count towards the total table gaming area for 1968 Act casinos under the new regime? (Mandatory response)

I don't know

Q14.b. Please explain your answer. (Optional response)

No comment

Q15.a. Under current regulations, the following areas can be used to calculate the non-gambling area in a 2005 Act and 1968 Act casino:

- Facilities for gambling cannot be provided in the non-gambling area.

- **Lobby areas and toilet facilities may be taken into account but the non-gambling area shall not consist exclusively of lobby areas and toilet facilities.**
- **Each separate area comprising the non-gambling area, other than the lobby areas and toilet facilities, must contain recreational facilities that are available for use by customers on the premises.**
- **Any non-gambling area may consist of one or more areas within the premises**

Do you agree that this should remain the same under the new regime? (Mandatory response)

No

Q15.b. Please explain your answer, including an alternative solution for how to calculate non-gambling areas where applicable. (Optional response)

We do not think that the toilet area should be counted in as part of the non-gambling area, as that should be a basic human right and if there are only toilets, lobby or gambling it may encourage more problem gambling.

Q16.a. Should all 1968 Act casinos be permitted to offer sports betting, regardless of size? (Mandatory response)

Yes

Q16.b. Please explain your answer. (Optional response)

Whilst this will enable more gambling opportunities in one space it may allow problem gamblers to be more easily identified and potential debt managed quicker. This will depend on the casino managing the possible total spend and utilising debt or gambling identification across all the different elements tables, slots and sports betting.

Q17.a. Do you agree with the proposed entitlements for Self-Service Betting Terminals (SSBTs) based on the sliding scale? (Mandatory response)

I don't know

Q17.b. Please explain your answer, including an alternative proposal for SSBT entitlements where applicable. (Optional response)

A sliding scale may be appropriate but the numbers being suggested may be too high especially as the current largest casino is quoted as having 12 but the sliding scale has 16 as the lowest number of SSBT in the smallest gambling size. We think it may be more appropriate to start with 12 or 15 at the top of the scale sliding down to 1 or 2 for the smallest.

Q18.a. If you are a casino licence operator, what impact is permitting sports betting expected to have on the Gross Gambling Yield (GGY) of your casino(s)? (Mandatory response)

Not applicable

Q18.b. Please explain your answer. (Optional response)

Not applicable

Q19. If your casino already offers sports betting, what is the GGY from this activity? Please provide an estimate if you do not have an exact figure. (Optional response)

Not applicable

Q20.a. What impact is permitting sports betting expected to have on revenue from non-gambling activities e.g. increased income from sports bars which allow customers to place a bet? (Mandatory response)

I don't know

Q20.b. Please explain your answer. (Optional response)

No comment

Q21. What player protections could be adopted in casinos for those customers participating in sports betting? (Optional response)

We have no examples of best practice as such. Our concern is with the current anecdotal evidence of increased problem gambling and community safety issues associated with it, which may be partially due to the cost of living or the cost of living may just be bringing more of the gambling problems forward due to individuals and families having less surplus funds for activities such as gambling. However, it may allow the practices undertaken in other areas of casino's to be expanded to sports betting and to limiting overall spend.

Q22.a. Do you agree with the proposal that casino operators will be required to notify licensing authorities and the Gambling Commission if they decide to take-up their entitlement to additional gaming machines under the new regime? (Mandatory response)

Yes

Q22.b. Please explain your answer. (Optional response)

It should be a requirement to provide the number of machines that are part of the licencing agreement, as additional machines may result in a change in the floor layout and a need for additional health and safety or fire checks as well as enforcement of the licence requirements.

Q23.a. Should the operating and premises licence fees that apply to 2005 Act casinos also apply to 1968 Act casinos that increase their gaming machine entitlements? (Mandatory response)

Yes

Q23.b. Please explain your answer. (Optional response)

There should be consistency across the system for clarity and transparency as well as to assist in enforcement and compliance.

Q24. Please upload any further evidence or any other information that should be considered as part of this consultation relating to casino measures. (Optional response)

No comment

Chapter 2: Machine allowance for arcades and bingo halls

Q25.a. There are 3 options the government is considering related to gaming machine allowance for arcades and bingo halls:

- **Option 1:** Introduce the 50/50 rule while maintaining current requirements for 'available for use'.
- **Option 2:** Introduce the 50/50 rule with an additional requirement that any gaming machine device types offered in individual premises (whether cabinets, tablets (fixed or hand-held) or in-fill) comprise a minimum of 50 percent Category C and D machines. Also, Category C and D gaming machine device types made available for use must be of similar size and scale to Category B.
- **Option 3:** Remove the 80/20 rule completely, applying no requirements on set gaming machine ratios.

How, if at all, would the approaches taken in Options 1, 2 and 3 impact the ability of business to meet customer demand for gaming machines? Please answer in comparison to the current 80/20 rule. (Mandatory response)

I don't know

Q25.b. Please explain your answer. (Optional response)

The risk of increasing to a 50/50 may result in additional problem gambling and increased debt levels, but the issue raised by the Gambling Commission that machines not in use were being counted in ratios may also have an impact, as were those machines in use they could be meeting demand at a more cost effective level for the individual using the machine.

Q26.a. What impact would options 1, 2 and 3 have on Gross Gambling Yield (GGY) for businesses? (Mandatory response)

I don't know

Q26.b. If available, please provide evidence of the potential impact of Options 1, 2 and 3 on the GGY of operators and on the wider gambling sector. (Optional response)

Not applicable

Q27.a. There are 3 options the government is considering related to gaming machine allowance for arcades and bingo halls:

- **Option 1:** Introduce the 50/50 rule while maintaining current requirements for 'available for use'.
- **Option 2:** Introduce the 50/50 rule with an additional requirement that any gaming machine device types offered in individual premises (whether cabinets, tablets (fixed or hand-held) or in-fill) comprise a minimum of 50 percent Category C and D machines. Also, Category C and D gaming machine device types made available for use must be of similar size and scale to Category B.
- **Option 3:** Remove the 80/20 rule completely, applying no requirements on set gaming machine ratios.

What impact would Options 1, 2 and 3 have on the overall number of Category B machines? (Mandatory response)

I don't know

Q27.b. What impact would Options 1, 2 and 3 have on the overall number of Category C machines? (Mandatory response)

I don't know

Q27.c. What impact would Options 1, 2 and 3 have on the overall number of Category D machines? (Mandatory response)

I don't know

Q27.d. If available, please provide estimates of the potential impact of Options 1, 2 and 3 on the overall number of machines. (Optional response)

Not applicable

Q27.e. What impact would Options 1, 2 and 3 have on the product mix of Category B, C and D machines? For example, cabinets and terminal devices. (Optional response)

The reason that we have stated don't know is that the impact of each of the three options is likely to be different, so the options did not provide the flexibility required. However, option 3 would appear to be the most potentially harmful for those with gambling or debt issues as the opportunity to access cheaper options may be reduced to increase the profits made, especially important in light of the increase in energy costs for running the machines themselves.

Q28. Please provide any evidence you have on the potential harm of implementing Options 1, 2 and 3 on customers. (Optional response)

Please see our answer to Q27e

Q29.a. There are 3 options the government is considering related to gaming machine allowance for arcades and bingo halls:

- **Option 1:** Introduce the 50/50 rule while maintaining current requirements for 'available for use'.
- **Option 2:** Introduce the 50/50 rule with an additional requirement that any gaming machine device types offered in individual premises (whether cabinets, tablets (fixed or hand-held) or in-fill) comprise a minimum of 50 percent Category C and D machines. Also, Category C and D gaming machine device types made available for use must be of similar size and scale to Category B.
- **Option 3:** Remove the 80/20 rule completely, applying no requirements on set gaming machine ratios.

What impact would Options 1, 2 and 3 have on the overall number of Category B, C and D gaming machines Please rank these options in order of preference, with 1 being your preferred option. (Optional response)

No response

Q29.b. Please explain why this is your preferred option. (Optional response)

No comment

Q30.a. Please outline any other proposals relating to machine allowances in arcades and bingo halls that you think that we should consider. (Optional response)

We are concerned that unlike casinos there may be less monitoring of the machines and the possible issues of problem gambling and debt through use being increased. Therefore, we would like a greater focus on this within the allowances.

Q30.b. What benefit would this proposal(s) offer in comparison to Options 1, 2 and 3? (Optional response)

No response

Q31. Please upload any further evidence or any other information that should be considered in this consultation relating to bingo and arcade gaming machine measures. (Optional response)

No response

Chapter 3: Cashless payments on gaming machines

Q32.a. Should card account verification (such as chip and PIN or Face ID on mobile payment systems) be required if direct cashless payments are permitted on gaming machines? (Mandatory response)

Yes

Q32.b. [Shown if Yes is selected] Should card account verification (such as chip and PIN or Face ID on mobile payment systems) be required on each

transaction? (Mandatory response)

Yes

Q32.c. How often should card account verification be required? For example, after a certain number of transactions or when a customer hits a spend threshold. (Optional response)

Card verification should be required for the first transaction and then depending on the spend the level of frequency. Having to stop for verification may allow time for those not yet with a problem the opportunity to think about if they really want to do it. For those with a gambling problem this is unlikely to have an impact. Verification may also prevent the use of stolen card or mobile technology gained through either organised or acquisitive crime.

Q33.a. What should the maximum transaction value be for direct cashless payments on gaming machines? (Mandatory response)

£20

Q33.b. [Shown if Other is selected] Please specify what you think the maximum transaction should be (£). (Optional response)

Not applicable

Q34.a. Should the maximum deposit limit for direct cashless payments be the same as those set by the Circumstances of Use Regulations 2007? (Mandatory response)

No

Q34.b. [Shown if No is selected] What do you think the maximum deposit limit should be for the following machine categories (£)? (Optional response)

- i) Category B1 machines
- ii) Category B2 machines?
- iii) Category B3 machines?
- iv) Category B3A machines?
- v) Category B4 machines?
- vi) Category C machines?
- vii) Category D machines?

see question 33a

Q35.a. Should the maximum committed payment limit for direct cashless payments be the same as those set by Circumstances of Use Regulations 2007? (Mandatory response)

No

Q35.b. [If No is selected] What do you think the maximum committed payment limit should be for the following machine categories (£)?

- i) Category B1 machines?
- ii) Category B2 machines?
- iii) Category B3 machines?
- iv) Category B3A machines?
- v) Category B4 machines?
- vi) Category C machines?
- vii) Category D machines? (Optional response)

see question 33a

Q36.a. Should there be a minimum transaction time for customers making a cashless transaction on a gaming machine? (Mandatory response)

Yes

Q36.b. [If Yes is selected] What do you think this minimum transaction time should be? (Optional response)

This may depend on the machine as the cost for each game may mean more time naturally lapses for cheaper games than more expensive machines. There may be an added issue of more than one type of contactless payment being used meaning any transaction time limit can be easily circumnavigated by someone interested in doing so.

Q37.a. Should there be voluntary limits (the ability for customers to set time and monetary thresholds) on gaming machines accepting direct cashless payments? (Mandatory response)

Yes

Q37.b. How long do you think the cooling-off period should be if voluntary limits are hit? (Optional response)

At least 15 minutes, so they have time to step away and potentially partake in other social activities that limit gambling time.

Q38.a. Should there be mandatory limits (default limits for time and monetary thresholds) on machines accepting direct cashless payments? (Mandatory response)

I don't know

Q38.b. [Shown if Yes is selected] What should the mandatory limits be? (Optional response)

- i) Monetary thresholds
- ii) Time thresholds

No comment

Q38.c. [Shown if Yes is selected] How long do you think the cooling-off period should be once mandatory limits are hit? (Optional response)

No comment

Q39.a. When limits are hit, should that result in a staff alert as well as a customer alert? (Mandatory response)

Yes

Q39.b. Please explain your answer. (Optional response)

The reason we have answered we don't know to the question 38 is that we are not sure how it would stop someone from moving from one machine to another at the end of the limit. However, if a staff member were notified they may then be able to notice that the player has moved to another machine and potentially identify and intervene where there is a person with a gambling problem or who is getting into increased levels of debt.

Q40.a. In your view, is there any specific safer gambling messaging that should be considered within cashless gambling? (Mandatory response)

I don't know

Q40.b. [Shown if Yes is selected] What messaging would you suggest introducing? Please include any evidence of the potential impact of this messaging. (Optional response)

We think that as problem gambling is a potential public health issue leading to mental and sometimes physical harm that the current voluntary messaging should be made compulsory when cashless gambling is being used.

Q41.a. Should session time be visible at all times to the customer on machines accepting direct cashless payments? (Mandatory response)

Yes

Q41.b. Please explain your answer. (Optional response)

It may assist in bringing an issue of possible gambling problems or on the edge of and allow the person to either stop and walk away or to reach out for help and assistance before becoming addicted or getting into debt or worse debt.

Q42.a. Should net position be visible at all times to the customer on machines accepting direct cashless payments? (Mandatory response)

Yes

Q42.b. Please explain your answer. (Optional response)

They may not be aware the amount they have already spent and it may allow them to see and put the cashless money into context. The lack of tactile or physical signs of money in cashless payments is known and therefore quite often debt management advice is to have physical money to control it. Whilst the visibility of the

net position may not be the same as physical money it at least makes it more visible and provides a possibility of some form of recognition and tactility.

Q43. Please upload any further evidence or any other information that should be considered in this consultation relating to cashless payment measures. (Optional response)

No comment

Chapter 4: Introduction of an age limit on 'cash-out' slot-style Category D machines

Q44.a. Should the government introduce an age limit on 'cash-out' Category D slot-style machines to 18 and over? (Mandatory response)

Yes

Q44.b. Please explain your answer, providing any supporting evidence where available. (Optional response)

Young people are protected under law, potentially starting adult life in debt and with a gambling addiction should not be encouraged and enabled. Peer pressure or other forms of coercion could be more prevalent for those who are not yet adults. They are unable to apply for a credit card or a loan until they are 18 years old in the UK and this would therefore enable consistency across financial activities.

Q45.a. Should 'cash-out' Category D slot-style machines be required to move to age-restricted areas in venues? (Mandatory response)

Yes

Q45.b. Please explain your answer, providing any supporting evidence where available. (Optional response)

Machine's are not manned and therefore if they are not in age-restricted areas the possibility of them being misused may increase as a person under the age of 18 could have easy access to them and staff may be otherwise occupied.

Q46. What measures, if any, do you think venues should adopt to ensure that no under-18s play on 'cash-out' Category D slot-style machines if the age limit is introduced?(Optional response)

There should be some form of ID requirement before something is unlocked to enable the machine to be used. Rules similar to how alcohol sales are managed may be appropriate.

Q47.a. Do you think premises should adopt voluntary test purchasing as a way to monitor under-18s activity on Category D 'cash-out' slot-style machines? (Mandatory response)

I don't know

Q47.b. Please explain your answer, providing any supporting evidence where available. (Optional response)

We are not aware of the ethical implications as well as possible risks both health (addiction) and financial that this may lead to.

Q48.a. Should it be a criminal offence for a person to invite, cause or permit children or young persons to play on these machines? (Mandatory response)

Yes

Q48.b. Please explain your answer, providing any supporting evidence where available. (Optional response)

The same should apply as currently does for the supply of alcohol or cigarettes to ensure consistency and ease of understanding and enforcement.

Q49. Please upload any further evidence or any other information that should be considered as part of this consultation relating to an age limit on 'cash-out' Category D slot-style machines. (Optional response)

No comment

Chapter 5: Review of licensing authority fees

Q50.a. If you are a local authority/ licensing board, how much funding did you receive in licensed gambling premises fees in the 2022/23 financial year? Expressed in thousands of pounds. (Optional response)

Not applicable

Q50.b. If you are a local authority/ licensing board, how many premises licence applications did you receive in the 22/23 financial year? (Optional response)

Not applicable

Q50.c. If you are a local authority/ licensing board, how many premises licences were live in your licensing area in the 22/23 financial year? (Optional response)

Not applicable

Q51.a. If you are a local authority/ licensing board, do you currently charge the maximum fees as set out in the Gambling Act 2005? (Optional response)

Not applicable

Q51.b. [Shown if No is selected] Please explain why you do not currently charge the maximum fees as set out in the Gambling Act 2005. (Optional response)

Not applicable

Q52.a. How much funding do you estimate is needed for administration and the enforcement of licences annually? Expressed in thousands of pounds. (Optional response)

Not applicable

Q52.b. Please explain your answer, providing any supporting evidence where available. (Optional response)

Not applicable

Q53. Are there any functions that local authorities/ licensing boards do not exercise at present, but could if fees were increased (e.g. a more proactive enforcement policy)? (Optional response)

There is no one size across the local authorities but we think there should be funding at a level that enables all licence checks and enforcement to be able to take place not just at renewal but between as spot checks or where issues are raised by the public as well as by law enforcement.

Q54.a. The government is considering raising maximum licence fees for gambling premises. Should maximum fees be increased, how much should they be increased by? (Mandatory response)

I don't know

Q54.b. Please explain your answer. (Optional response)

We do not have a percentage or amount as it may change but it needs to enable the full resourcing of enforcement of the licence and its requirements not just at renewal but throughout the period of the licence.

Q55.a. What do you think are the potential impacts of raising licence fees on licensing authorities? (Optional response)

With all costs increasing due to the cost of living issues it may enable licensing authorities to continue or improvement enforcement and work with businesses to improve the experience for those who access their premises. Licence fees should fund the enforcement resources needed to keep people safe.

Q55.b. What do you think are the potential impacts of raising licence fees on gambling companies? (Optional response)

They may look at options for savings elsewhere which could cause concern from a community safety perspective.

Q55.c. What do you think are the potential impacts of raising licence fees on the local area? (Optional response)

It is unlikely to have an impact on the local area unless it improves enforcement or if it leads to a lowering of staffing and other resources that are to the benefit of the local vicinity.

Q56. Please provide any additional views or evidence on the potential impacts of raising licence fees here. (Optional response)

No comment

Q57. Please upload any further evidence or any other information that should be considered in this consultation relating to licensing authority fees. (Optional response)

No response

Q58. The Department for Culture, Media and Sport will have due regard to the public sector equality duty, including considering the impact of these proposals on those who share protected characteristics, as provided by the Equality Act 2010. These are age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

**Please indicate if you believe any of the proposals in this consultation are likely to impact persons who share such protected characteristics and, if so, please explain which group(s) of persons, what the impact on any such group might be and if you have any views. (Optional response)

In the case of Wales there is also the need to consider the use of the Welsh language and the characteristics around socio-economic, the later of which any changes for gambling is likely to have an impact on as those who are socio-economically deprived who have less money to spare.

Q59. Please upload any further supporting evidence that you wish to share. (Optional response)

Not applicable