

## Cabinet

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**Date of Meeting:** 09 July 2019

**Report Title:** Notice of Motion – Online Betting Advertisements

**Portfolio Holder:** Cllr Jill Rhodes – Public Health and Corporate

**Senior Officer:** Mark Palethorpe- Acting Executive Director People

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### 1. Report Summary

- 1.1. The purpose of this report is to consider and respond to the following motion which had been moved by Cllr Ainsley Arnold and seconded by Cllr Liz Wardlaw at the Council meeting on 21<sup>st</sup> February 2019:

*“Cessation of On Line Betting Adverts Before the Water Shed*

*The gambling industry has confirmed plans to press ahead with a voluntary ban on betting adverts during sport programmes from next summer, amid mounting pressure to protect children from excessive exposure to gambling. Sport programs only does not go far enough. We would like to see a total ban on all online gambling pre watershed and the notice of motion is to lobby the government to adopt this as a policy. As it is now possible through phones, tablets and PC s to place bets.”*

### 2. Recommendation

- 2.1. That Cabinet support the notice of motion and highlight that new guidance from the Advertising Standards Agency came into effect on the 1<sup>st</sup> April 2019 that restricts the placement and style of online gambling advertising to provide greater protection for children and young people.

### 3. Reasons for Recommendation

- 3.1. Since The Gambling Act 2005 gambling advertising has increased in visibility both on television and in online spaces.
- 3.2. As a result of a range of reviews undertaken in recent years the Committees of Advertising Practice (CAP) have produced updated guidance on protecting under-18s from exposure to gambling advertising and the risks associated with it.

### 3.3. The new guidance:

- 3.3.1. builds on existing guidance resources on targeting covering all media (including social networks and other online platforms);
- 3.3.2. requires that gambling ads are not placed in media for under-18s and that under-18s comprise no more than 25% of an audience in other media;
- 3.3.3. prohibits targeting of groups of individuals who are likely to be under 18 based on data about their online interests and browsing behaviour;
- 3.3.4. includes an extensive list of unacceptable types of content, including certain types of animated characters, licensed characters from movies or TV and sportspeople and celebrities that are likely to be of particular appeal to children and references to youth culture;
- 3.3.5. prohibits the use in gambling advertisements of sportspersons, celebrities or other characters who are or appear to be under 25.

3.4. This Guidance brings together the evidence base and Advertising Standards Agency rulings to strengthen the regulatory framework.

3.5. Regulation of online gambling is the remit of the Advertising Standards Agency and although our internal licensing team provide licenses for betting shops have no powers or controls over online gambling advertising

## 4. Other Options Considered

4.1. Reject the Notice of Motion.

## 5. Background

5.1. A report Children's Exposure to Age-Restricted TV Ads published 1st February 2019 by the Advertising Standards Agency highlights:

5.1.1. Children's exposure to all TV ads reduced by 29.7% from a peak of 229.3 ads per week in 2013 to a low of 161.2 ads in 2017. Over the same period, children's exposure to gambling ads decreased by 37.3%.

5.2. In terms of television advertising the Advertising Standards Agency makes the following statement:

5.2.1. The following products may not be advertised in or adjacent to programmes commissioned for, principally directed at or likely to appeal particularly to audiences below the age of 18: gambling except lotteries,

football pools, equal-chance gaming (under a prize gaming permit or at a licensed family entertainment centre), prize gaming (at a non-licensed family entertainment centre or at a travelling fair) or Category D gaming machines.

5.2.2. The following products may not be advertised in or adjacent to programmes commissioned for, principally directed at or likely to appeal particularly to persons below the age of 16: lotteries, football pools, equal-chance gaming (under a prize gaming permit or at a licensed family entertainment centre), prize gaming (at a non-licensed family entertainment centre or at a travelling fair) or Category D gaming machines.

5.3. The number of children engaged in any gambling activity has fallen since 2011 and those participating under the age of 18 are not participating in gambling activities that are advertised with the most common being scratch cards, fruit machines and most commonly playing and betting on card games with friends.

5.4. The new Advertising Standards Agency guidance on protecting children and young people from gambling advertising online came into effect from 1<sup>st</sup> April 2019. <https://www.asa.org.uk/resource/protecting-children-and-young-people-gambling-guidance.html>

5.5. The internet does not have a watershed or equivalent therefore the guideline explicitly covers the placement of ads to prevent children being exposed to gambling ads.

## **6. Implications of the Recommendations**

### **6.1. Legal Implications**

6.1.1. Whilst this does not impact directly on the Council, as we have no regulatory powers, if we become aware of issues affecting our residents we can escalate them to the Advertising Standards Agency if they are in violation of the newly published guidance.

### **6.2. Finance Implications**

6.2.1. We do not have either a regulatory or enforcement function around online gambling advertising locally therefore there will be no local financial impact for the council.

### **6.3. Policy Implications**

6.3.1. Policy exists for enforcement of breaches in the guidance on online betting advertising at the national level and is therefore not required locally.

### **6.4. Equality Implications**

6.4.1. It is unclear whether the reduction in exposure to advertising will reduce participation in gambling activities as the evidence is insufficient.

### **6.5. Human Resources Implications**

6.5.1. We do not have either a regulatory or enforcement function around online gambling advertising locally therefore there will be no local human resources impact.

### **6.6. Risk Management Implications**

6.6.1. We do not have either a regulatory or enforcement function around online gambling advertising locally therefore there will be no local risk management impact.

### **6.7. Rural Communities Implications**

6.7.1. There are no direct implications for rural communities.

### **6.8. Implications for Children & Young People/Cared for Children**

6.8.1. The new guidance is expected to reduce the exposure of children and young people to gambling advertisements online

6.8.2. There is insufficient evidence about the attributable harms of exposure to this type of gambling advertising to comment on any potential benefits or harms from the new guideline or on whether this will reduce gambling amongst children and young people as they move into adulthood

### **6.9. Public Health Implications**

6.9.1. The new guidance is expected to reduce the exposure of children and young people to gambling advertisements online and may reduce the exposure of adults by proxy

6.9.2. There is insufficient evidence about the attributable harms of exposure to this type of gambling advertising to comment on any potential benefits or harms from the new guideline or on whether this will reduce gambling overall at the population level

### **6.10. Climate Change Implications**

6.10.1. There are no direct implications for climate change

## **7. Ward Members Affected**

7.1. Borough wide

## **8. Consultation & Engagement**

8.1. Not applicable

## **9. Access to Information**

9.1. <https://www.asa.org.uk/resource/protecting-children-and-young-people-gambling-guidance.html>

## **10. Contact Information**

10.1. Any questions relating to this report should be directed to the following officer:

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