

## NOTICE OF MEETING

# CABINET MEMBER SIGNING

**Tuesday, 2nd July, 2024, 10.30 am - 2nd Floor, George Meehan House, 294 High Road, London N22 8JZ (watch the live meeting [here](#))**

**Members:** Councillor Ajda Ovat

**Quorum:** 3

### **1. FILMING AT MEETINGS NOTICE**

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The Chair of the meeting has the discretion to terminate or suspend filming or recording, if in his or her opinion continuation of the filming, recording or reporting would disrupt or prejudice the proceedings, infringe the rights of any individual or may lead to the breach of a legal obligation by the Council.

### **2. APOLOGIES FOR ABSENCE**

To receive any apologies for absence.

### **3. URGENT BUSINESS**

The Chair will consider the admission of any late items of Urgent Business. (Late items of Urgent Business will be considered under the agenda item where they appear. New items of Urgent Business will be dealt with under agenda item 7 ).

### **4. DECLARATIONS OF INTEREST**

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

- (i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and
- (ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct

## **5. DEPUTATIONS/ PETITIONS/ QUESTIONS**

To consider any requests received in accordance with Part 4, Section B, paragraph 29 of the Council's Constitution.

## **6. CONSULTATION ON DRAFT STATEMENT OF GAMBLING POLICY (PAGES 1 - 82)**

## **7. NEW ITEMS OF URGENT BUSINESS**

As per item 3.

Nazyer Choudhury, Committee Officer  
Tel – 020 8489 2929  
Fax – 020 8881 5218  
Email: ayshe.simsek@haringey.gov.uk

Fiona Alderman  
Head of Legal & Governance (Monitoring Officer)  
George Meehan House, 294 High Road, Wood Green, N22 8JZ

Monday, 24 June 2024

**Report for:** Cabinet Member Signing - 2 July 2024

**Item number:** 6

**Title:** Consultation on draft Statement of Gambling Policy

**Report authorised by :** Barry Francis, Director of Environment and Residents Experience

**Lead Officer:** Daliah Barrett, 0208489 8232,  
[daliah.barrett@haringey.gov.uk](mailto:daliah.barrett@haringey.gov.uk)

**Ward(s) affected:** All

**Report for Key/  
Non Key Decision:** Key decision

## 1 Describe the issue under consideration

- 1.1 It is a requirement to regularly review the Council's Statement of Gambling Policy. The current policy was adopted in January 2021 and is therefore due for review this year, to be published in January 2025. The Gambling Commission has advised Local Authorities to extend their existing policies so as to have a lawful policy in place come January 2025. There are changes expected from Central Government and the Gambling Commission. During December 2020 the Department for Digital, Culture, Media & Sport (DCMS) launched a major and wide-ranging review of gambling laws to ensure that they are fit for the digital age. There was a 'Call for evidence' and a new Gambling Bill was expected to be presented to Parliament. The Department for Culture, Media & Sport has published a white paper on gambling reform in April 2023 but there has yet to be any changes to the legislation which will not be in place, so a further review may be required in late 2025 to take account of these changes.
- 1.2 This report seeks authorisation to take the attached draft policy to public consultation.
- 1.3 There are changes to the proposed policy at this time. The draft revised policy contains more information about the socio-economic make up of the borough and the impacts of gambling harm in the communities. The Local Area Profile Supplementary document highlights the impact high street gambling premises has on the most vulnerable and 'at risk' areas of the borough. The Council considers that it is necessary to manage the impact that facilities for gambling have in areas where its most vulnerable residents may be placed at increasing risk from gambling harm.

1.4 All areas shown within the local area profile as being at high overall risk of Gambling related harm, are generally considered inappropriate for further gambling establishments, which could potentially raise the risk of gambling related harm to vulnerable people living in those areas. Operators are therefore asked to consider very carefully whether seeking to locate new premises or relocating existing premises within these areas would be consistent with the licensing objectives and the local risks identified. However, the Gambling Act 2005 still requires the Council to 'aim to permit' applications.

## **2. Cabinet Member Introduction**

2.1 The Council has a duty to consult on the proposed policy and officers are seeking approval to conduct the consultation. Following consultation a further report will be presented to the Cabinet in October 2024 to consider the results of the consultation and, in light of the consultation, to recommend approval of the Statement of Gambling Policy for Full Council in December 2024.

2.2 Gambling has the potential to cause harm to both individuals and wider society, resulting in unemployment, debt, crime, relationship problems and physical or mental health conditions. This presents a challenge as it involves a range of services such as licensing, community safety, children and families and housing/homelessness and therefore cannot be tackled by interventions aimed solely at individuals.

2.3 Problem gambling disproportionately affects certain groups, including ethnic minorities, young people, those in the criminal justice system and homeless people. Research estimates that the social cost of gambling to the UK economy could be up to £1.2 billion.

2.4 Whilst Local Area Profiles have been in use for some years, it is clear that they do not give Councils sufficient power to declare areas of saturation of betting premises. To this end Haringey has presented a response on the government's review of the Gambling Act 2005 – 'Call for Evidence', in which we are asked for a stronger commitment to empower Councils to listen to the concerns of the local community by removing the 'aim to permit' requirement. We also asked for a 'Cumulative Impact' consideration to be inserted in the Act. The Government has stated that it will change the Act to allow for this but as yet no timeframe has been provided for this.

## **3. Recommendations**

3.1 That the Cabinet

- a) Approves the 6-week consultation on the draft Gambling Policy 2025-2028 (Appendix 1) and the local area profile (Appendix 2).
- b) Notes that following consultation a further report will be presented for decision to recommend approval to Full Council for final adoption.

## **4. Reasons for decision**

- 4.1 To comply with the requirements of the Gambling Act 2005 the Council must prepare and consult on a statement of gambling policy for the period 2025-2028.
- 4.2 The Council will be renewing its resolution, first made in 2007, to not issue any casino licences in the next three years.
- 4.3 To obtain the views of interested parties on the proposed statement of gambling policy and use these views to formulate any changes to the policy.

## **5. Alternative options considered**

- 5.1 No alternatives were considered. It is a statutory requirement that the policy be reviewed at least every three years, and that a public consultation is carried out. If the Council did not have a policy, it would be acting ultra vires with regards to any decisions it makes when determining gambling premises licences.
- 5.2 The Gambling Commission has laid down requirements which the Council must follow with regards to the Gambling Policy. If they are not followed the Council could face risk of judicial challenge. The Gambling Commission guidance has been followed in drafting this policy.

## **6. Background information**

- 6.1 The Council is the Licensing Authority for the purposes of the Gambling Act 2005 and is required to prepare a Statement of Gambling Policy that it proposes to apply in exercising its function under the Act.
- 6.2 The policy sets out the general approach the Council will take when carrying out its regulatory role under the Act and promoting the three licensing objectives:
  - 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, and
  - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 6.3 The aim of Statement of Gambling Policy is:
  - To set expectations on how gambling will be regulated in the local area.
  - To set out how the Authority intends to support responsible operators and take effective actions against irresponsible operators by granting, refusing and attaching conditions to premises licences.
  - To support licensing decisions that may be challenged in a court of law.
  - To provide guidance to elected members on the licensing Committee, the powers available to the local authority as the licensing authority
- 6.4 When preparing a Statement of Gambling Policy, Licensing Authorities are

required to adhere to regulations and have regard to the Gambling Commission's Guidance. Any Licensing Authority departing from the guidance should have strong and defensible reasons for doing so as to avoid the potential risks and costs that would arise from any Judicial Review.

6.5 However, Licensing Authorities cannot consider matters relating to:

- moral objections to gambling. Gambling is a lawful activity and objections cannot be considered on these grounds alone;
- planning status of premises. A gambling licence application must be considered independently of any requirement for planning consent; and
- demand. The fact that there may already be sufficient gambling premises within an area to meet existing demand cannot of itself be considered when considering a new licence application.

6.6 Local Licensing Authorities have had ongoing concerns that, due to the "aim to permit" direction, insufficient consideration has been given to local context and circumstance within licensing decisions. This had, led to: -

- concerns within local Licensing Authorities over lack of discretion;
- an increase in betting shops in high street locations in the most deprived areas, there has been a slight decline since the changes to the stakes permitted on fixed odds betting terminals FOBTs;
- concerns that vulnerable people could be targeted or and exploited; and
- concerns that children could be exposed to gambling and becoming normalised to gambling.

6.7 The Act was designed to be 'light touch' legislation covering a wide range of licensable activities such as betting premises, track betting and adult gaming centres as well as casinos. The issues of betting shop clustering and concern over fixed odd betting terminals (FOBT) have shown that gambling generates extremely strong feelings. Whilst licensing authorities do not have the powers to refuse new applications or limit FOBT machines, the requirement for operators to prepare local risk assessments in relation to their premises since April 2016.

This means that licensing authorities should reflect matters from the Local Area profile within their statements of Gambling Policy.

6.8 The Gambling Commission made some key changes to the standard Licence Conditions and Codes of Practice (LCCP) which all licensed Operators must comply with under their Operators' Licence. The Social Responsibility Code, which forms part of the LCCP, requires prospective and current operators to have regard within their business operations to risk-assessments, including any set out in the Local Authority Statement of Gambling policy. This has provided an opportunity for local issues to be considered within licence application determinations.

6.9 The Local Area Profile, acts as a guide which gambling operators can use when undertaking and preparing their local premises risk assessments. The benefits are:

- it enables licensing authorities to better serve their local community, by reflecting the community and the risks within it

- greater clarity for operators as to the relevant factors in licensing authority decision making, will lead to improved premises licence applications, with the operator already incorporating controls and measures to mitigate risk in their application
- it enables licensing authorities to make robust but fair decisions, based on a clear, published set of factors and risks, which are therefore less susceptible to challenge
- it encourages a proactive approach to risk by the operator that is likely to result in increased compliance and reduced enforcement action.

6.10 The Local Area Profile looks at the objective of the protection of children and other vulnerable persons from being harmed or exploited by gambling. Within the Haringey Gambling Policy, we state that the East of the borough carries higher deprivation and social economic imbalances and therefore should have special consideration given to it in relation to the proximity of gambling premises to

- an educational establishment, including colleges and universities, youth clubs, recreational establishments;
- close to a centre dealing with vulnerable people, including housing, clinics, recovery centre, food banks;
- situated in an area of high crime;
- situated in an area of deprivation;
- close to the location of services for children such as libraries and leisure centres;
- Places of worship, community facilities or public buildings
- Areas where there is considered to be an over concentration of similar existing licensed operations.
- close to the location of businesses providing instant access to cash such as payday loans, pawn shops.

6.11 The Act specifies that Local Authorities should 'aim to permit' gambling, provided it is in accordance with the code of practice and guidance issued by the Gambling Commission (GC), reasonably consistent with the licensing objectives and in accordance with the Statement of Gambling Policy. The effect of this duty is that Licensing Authorities must approach their functions in a way that seeks to regulate gambling by using powers to promote the licensing objectives rather than attempting to restrict them from the outset.

## **7. DCMS REVIEW - Call for Evidence 2020**

7.1 The Government undertook a consultation exercise in 2020 with the following aims:

- Examine whether changes are needed to the system of gambling regulation in Great Britain to reflect changes to the gambling landscape since 2005, particularly due to technological advances
- Ensure there is an appropriate balance between consumers freedoms and choice on the one hand, and prevention of harm to vulnerable groups and wider communities on the other

- Make sure customers are suitably protected whenever and wherever they are gambling, and that there is an equitable approach to the regulation of the online and the land based industries.

7.2 The outcome of this review is set out in The White Paper, led by Ministers at the Department for Digital, Culture, Media & Sport sets out the plans for reform.

7.3 The outcomes from The White paper are slowly coming into effect, the main changes that will require Authorities to reconsider policy are due later in 2025 and beyond. The White Paper changes expected to 'Land based' gambling are as follows:

7.4 The white paper recognises that the focus on the land-based sector should not be on the characteristics of land-based products and quality of monitoring, and sets out a number of areas that are intended to relax the regulation of land based gambling.

7.5 Any unused 2005 Act casino licences where there is no prospect of redevelopment will be reallocated to other local authorities, and the white paper proposes increasing machine allowances in casinos by:

- Allowing 1968 Gaming Act ("**1968 Act**") casinos which meet the requirements of a 2005 Act Small casino to be eligible for the same gaming machine allowances;
- Equalising the machine to table ratio at 5:1 for Large and Small 2005 Act and larger 1968 Act casinos; and
- Allowing smaller 1968 Act casinos to benefit from extra machines on a pro rata basis commensurate with their size and non-gambling space.

Other measures which will benefit land-based casinos and other gaming venues include:

- Casinos of all sizes will be allowed to offer sports betting in addition to other gambling activities.
- Casinos catering to high-end customers will be able to offer credit to international visitors who have undergone stringent checks.
- Consultation options for cashless payments on gaming machines will be developed.
- The Gambling Commission will undertake a review of gaming machine technical standards, including the role of session limits across Category B and C machines.
- To improve customer choice and flexibility, the 80/20 ratio that restricts the balance of Category B and C/D machines in bingo and arcade venues will be adjusted to 50/50.
- Licensed bingo premises may be permitted to offer side bets following further review.

- The white paper supports proposals for new machine games to be tested, and trials of linked gaming machines may be allowed in venues other than casinos, subject to further work to assess the conditions and how to limit gambling harm.
- Cumulative impact assessments will be introduced to align the regimes for alcohol and gambling licensing, and the maximum fees that licensing authorities can charge for premises licenses and permits may be increased.

7.6 It's clear from the scope of the proposals that change is coming, but almost all of the proposed changes are subject to further consultation, so it is unclear when the changes will come.

## **8. Changes to the Haringey Policy.**

**8.1** The direction or intent of the policy, which sets out how the Council seeks to regulate gambling activities under its control and provide a framework for consistent decision-making remains largely the same .

**8.2** Officers have taken the opportunity to revise the policy statement to reflect the latest guidance issued to licensing authorities by the Gambling Commission.

In particular:

- a) It is recognised nationally that there is a greater need to focus on understanding and mitigating gambling related harm more broadly, rather than focussing on problem gambling alone. In this respect, the revised policy statement emphasises the Council's focus on protecting children and young people, particularly in relation to child exploitation, and also young people and adults with care and support needs.
- b) The Gambling Commission has emphasised the need to incorporate the work of Public Health colleagues to further support the greater need to identify areas of concern and focus on gambling related harm. The Overview and Scrutiny Committee looked at the possibility of commissioning research into gambling harm following the last revision of the Gambling Policy in 2021. The work was taken forward by Public Health who have held Gambling Harm Summits and engaged with residents groups across the borough to enable a better picture of gambling harms to be understood so as to provide outreach services. An initial informal consultation has been undertaken with Public Health Team and there is commitment from Public Health colleagues to provide their findings during the formal consultation period.
- c) Nationally, gambling policy and the regulatory environment overall has an increasing focus on risk. Whilst not compulsory, it is recommended that the Council creates a 'local area profile', this is included as part of the policy statement, to inform its understanding of risk and to allow appropriate decisions to be made and steps taken to mitigate these risks. Since April 2016, gambling establishment operators have been required to undertake 'local area risk assessments' before submitting a premises

licence application or variation and will be expected to give due consideration to the information available in the Council's 'local area profile'. The Council's 'local area profile' will naturally develop over time and will be influenced by information and intelligence from key partners and other stakeholders.

8.4 The Gambling Act singles out children, young persons and adults with care and support needs for special regulatory attention and the proposed policy statement does focus on protecting these particular groups. However, in relation to gambling activities, the question as to who is vulnerable, why and under what circumstances, has been subject to further research and investigation. We have sought to capture some of that research at the start of the Policy. Together with other emerging information, trends and risks, the Council will have to consider the implications for both its 'local area profile' and policy statement accordingly.

## 9. Consultation

9.1 The policy will be subject to consultation with stakeholders, with any comments received on the draft presented to Cabinet later in the year. Consultation required to ensure any changes to the Statement of Gambling Policy is clear and transparent for businesses, responsible authorities and the public.

9.2 The Gambling Act 2005 contains details of the consultees that must be consulted as part of the review of the policy. These are:

- The Chief Officer of Police for the authority's area;
- One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area;
- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Act.
- General Public
- All the Responsible Authorities

9.3 Additionally the following will be included in the consultation:

- Holders of licences issued under the Gambling Act 2005;
- Trade Associations representing the gambling industry;
- Haringey Social Services;
- Haringey Public Health Directorate;
- Residents Associations.
- The Citizen Panel

9.4 Future comments provided will be analysed, and any changes considered appropriate to the draft policy will be submitted for final approval and a further report presented to Cabinet in October 2024 for recommendation to adopt to Full Council in November 2024.

### 9.5 Timeline and adoption route:

Report taken to Cllr Ovat (Lead Member) to seek approval to start consultation/	01 <sup>st</sup> July 2024
Consultation started	July 2024
Report taken to Regulatory Services/Cabinet and Overview and Scrutiny for noting and making comments that will be taken to Cabinet.	Licensing Committee - 25 <sup>th</sup> July O&S - 30th July
Consultation ends	September 2024
Report to Cabinet with outcome of consultation and final version to ask for recommendation to Full Council to adopt	15 October 2024
Report to Full Council for adoption	18 November 2024
4 weeks public notice period.	31 <sup>st</sup> January 2024

## 10. Contribution to the Corporate Delivery Plan 2022-2024 High level Strategic outcomes'

**10.1** The Statement of Gambling Act policy 2025-2028 will contribute to our fundamental themes and priorities **in The Corporate Delivery Plan 2023-24** which sets out a two-year vision to make Haringey one of London's greatest boroughs where families can thrive and succeed. The plan is organised around the following themes:

- a. Resident experience, participation and collaboration
- b. Responding to the climate emergency
- c. Children and young people
- d. Adults, health and welfare
- e. Homes for the future
- f. Safer borough
- g. Culturally Rich Borough
- h. Place and economy

**10.2** Theme-2 Young People – *'Our vision is a Haringey where strong families, strong networks and strong communities nurture all residents to live well and achieve their potential.'* The protection of children and the vulnerable from harm within the licensing objective will contribute to this priority.

**10.3** Theme 4– Adults Health & Welfare- *Our vision is for a place with strong, resilient and connected communities where people can lead active and healthy lives in an environment that is safe, clean and green. As the borough continues*

*to grow, becomes better connected and continues to be a destination for many Londoners, we will need to ensure Haringey remains a safe and pleasant environment for all. We want to work with partners and the local community to achieve this and to define and shape how the borough looks and feels, both now and in the future.* Residents engaging in the licensing process will contribute to this priority and allow them to have a say in how premises operate. The expectations set out in the Policy will inform applicants for licences of the kind of best practice and responsible management expected for well-run premises in the borough.

- 10.4 Health & wellbeing Strategy- Poor mental health has been shown to play a significant part in peoples gambling habits People with gambling problems often experience a range of negative effects, including health issues, relationship breakdown, and difficulties with debt. In more severe cases gambling problems can lead to crime, thoughts of suicide or suicide itself. Haringey has the sixth highest rate of domestic abuse with injury in London, money problems within the home may be a contributing factor to this. Because of this, there are increasing calls for gambling to be recognised as a public health issue, where the enjoyment of the many should be balanced against the protection of the few. The gambling industry is increasingly being called upon to do more to protect participants and prevent problem gambling from occurring, and the National Responsible Gambling Strategy emphasises the need for joint action between industry, government, healthcare providers and other public bodies to tackle gambling-related harm.
- 10.5 Community Safety Strategy - The Community Safety Strategy presents Haringey's approach and priorities to achieving a reduction in crime and anti-social behaviors in Haringey up to 2027. The strategy is supported by a comprehensive strategic assessment that draws on data from across the partnership to identify trends, patterns, and drivers relating to crime and anti-social behaviors. The Local Area Profile within the Gambling policy will draw on data from this Strategy. Crime data in relation to betting shops and the operation of Betwatch will feed into the Strategy.
- 10.6 The above priorities and objectives are underpinned by a number of cross – cutting principles namely:
- Prevention and early intervention – preventing poor outcomes for young people and intervening early when help and support is needed.
  - A fair and equal borough – tackling the barriers facing the most disadvantaged and enabling them to reach their potential;
  - Working together with our communities – building resilient communities where people are able to help themselves and support each other.
  - Customer focus – placing our customers' needs at the centre of what we do.
- 10.7 Licensing is about regulating the carrying on of licensable activities within the terms of the Act. The Statement of Gambling Policy should make it clear that licensing law is not the primary mechanism for the general control of nuisance

and anti-social behaviour by individuals at these locations. The operators risk assessment and management of the Licensing Codes of Practice will be a key aspect of such control and should always be part of a holistic approach to the management of the premises. It is therefore desirable that the SGP is in line with the Council's wider objectives and consistent with other policies.

## **11. Carbon and Climate Change**

11.1 There are no negative environmental impacts arising from the adoption of a Gambling Policy and the 'no casino' resolution.

## **12. Statutory Officers comments (Director of Finance ( procurement), Head of Legal and Governance, Equalities)**

### **12.1 Head of Legal & Governance**

12.2 The Head of Legal and Governance has been consulted in the preparation of his report and comments as follows.

12.3 In accordance with section 349 (1) of the Gambling Act 2005 the Council, as licensing authority, is required at least every 3 years to prepare and publish its Statement of Gambling Policy.

12.4 In preparing its statement the Council is required under section 349(3) of the Act to consult with the consultees listed .

12.5 Members will be aware that in carrying out its consultations, the Council must adhere to the so called 'Sedley principles'. These are:

- (1) That consultation must be at a time when proposals are still at a formative stage;
- (2) That the proposer must give sufficient reasons for any proposal to permit intelligent consideration and response;
- (3) That adequate time must be given for consideration and response; and
- (4) That the product of consultation must be conscientiously taken into account in finalising the policy.

The proposed consultation complies with the first three principles.

## **13 Finance**

13.1 The cost of the public consultation on the draft new Statement of Gambling Policy will be met from existing budgets. There are no other financial implications.

## **14 Procurement**

14.1 There are no procurement related issues in relation to the content of this report.

## 15 Equality

- 15.1 The Council has a Public Sector Equality Duty under the Equality Act (2010) to have due regard to the need to:
- Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act
  - Advance equality of opportunity between people who share protected characteristics and people who do not
  - Foster good relations between people who share those characteristics and people who do not.

- 15.2 The three parts of the duty apply to the following protected characteristics: age, disability, gender reassignment, pregnancy/maternity, race, religion/faith, sex and sexual orientation. Marriage and civil partnership status applies to the first part of the duty.

Although it is not enforced in legislation as a protected characteristic, Haringey Council treats socioeconomic status as a local protected characteristic.

- 15.3 When framing its policy on the licensing of gambling premises, the Council must work within the statutory parameters of the Gambling Act, which includes a general 'aim to permit'.
- 15.4 The Council is required to review its gambling policy every three years and as part of that review it consults with the public. An Equalities screening tool has been completed and further data will be collected as part of the public consultation with a view to completing a full Equality Impact Assessment.
- 15.5 The Council will include the draft Local Area Profile in the package of documents available to the public to assist the consultation. The Local Area Profile will sit alongside the policy and will strengthen the risk assessments completed by betting operators. Any feedback from consultees, will feed into the final report taken to the Council post-consultation

## 16 Use of Appendices

**Appendix 1 - Haringey Draft Statement of Licensing Policy for the Gambling Act 2025-2028.**

**Appendix 2 – Draft Local Area Profile**

## 17 Background papers

- a. Gambling Act 2005
- b. Gambling Commission Guidance to Licensing Authority
- c. State of The Borough
- d. The Corporate Delivery Plan

**HARINGEY STATEMENT  
OF GAMBLING POLICY  
2025-2028**



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## Foreword – Cllr Ovat (Cabinet Member)

Last year's Haringey Gambling Summit and subsequent engagement workshops with residents highlighted that gambling harms affects the health and the lives of thousands of people in Haringey. Gambling harms impact family homes, workplace, our communities and wider society. With our most vulnerable communities being affected i.e. low-income families, children and young people, elderly, ethnic minorities and those who are unhoused, to name a few.

We have listened to our local people whose lives have been deeply affected by gambling, and they have made it clear to us that we must tackle this on a number of levels. It has become a growing public health concern and our vision for Haringey is a borough where residents are protected against the impact of gambling harms.

Haringey acknowledges that the impact of gambling requires a whole borough approach and the importance to ensure that health is considered in all policies, this is including our young people at risk strategy right through to our workforce strategy. Gambling addiction and its impact has far reaching implications across all stages of life.

We have developed Haringey's Gambling Harm Strategy outlining the preventative measures through partnership working with stakeholders to ensure residents receive the necessary information and support services to address their needs. However, this is not enough, and Haringey Council have been a strong advocate urging the Government to recognise and address the significant harms caused by gambling at a national level and grant local authorities with more licensing powers. This Gambling policy and Local Area Profile lays out the risks we are concerned about and associated with the licensing objectives of the Gambling Act 2005; Crime and disorder, and the harm/exploitation of children and other vulnerable persons. Haringey's Local Area Profile identifies the area's most vulnerable to gambling, with the highest concentration of gambling premises found in the most deprived areas of Haringey. These areas are already experiencing higher incidence of crime, mental health conditions and demand for debt advice. Haringey is particularly concerned about the health impacts of problem gambling, especially the significantly higher risks associated with gaming machines and gambling addictions. We expect the gambling operators to respond to those risks through in the way they propose to operate, exercise social responsibility and governance.

We will continue to monitor the impact of gambling on our communities in detail and listen to the views of our residents, public sector partners and voluntary sector.

As a borough we have concerns regarding some of the changes coming out of The White Paper. The recent announcement of cashless payments on gaming machines will have serious implications on gambling harms in our communities. For this reason, Haringey is not supportive of the overall idea to move to cashless payments in betting premises. Communities need to be protected.

We welcome the requirement of the Gambling Commission's Licence Conditions and Codes of Practice for licensees to assess and respond to the local risks to the licensing objectives posed by the provision of gambling facilities at their premises. We will ensure that the local risks assessments produced by gambling operators are meaningful and reflective of the real risks in Haringey. This policy lays out the evidence for what those local risks are, identifies the particular wards in which risks are most manifest, and crucially, clearly defines what sorts of policies, procedures or control measures we expect gambling operators to put in place to mitigate the risks.

Considering local risks is only part of the overall approach needed to control gambling we are still reliant on gambling operators demonstrating genuine social responsibility and responding to the spirit, not just the letter, of their responsibilities around local risk assessments. We work with operators to strive to meet expectations in full and put in place policies, procedures and control measures that make a genuine difference in reducing the risk of gambling related harms. In particular, we call on operators to respond to our concerns about the addictive nature of gaming machines through policies that promote verified accounts and enable problem gambling to be identified early in a way that triggers effective interventions.

For these reasons, this Authority has set out to establish a gambling licensing policy which recognises good industry practice from responsible operators but sets out to ensure that there are adequate protections to our local community including the ability to refuse applications if risks cannot be mitigated.

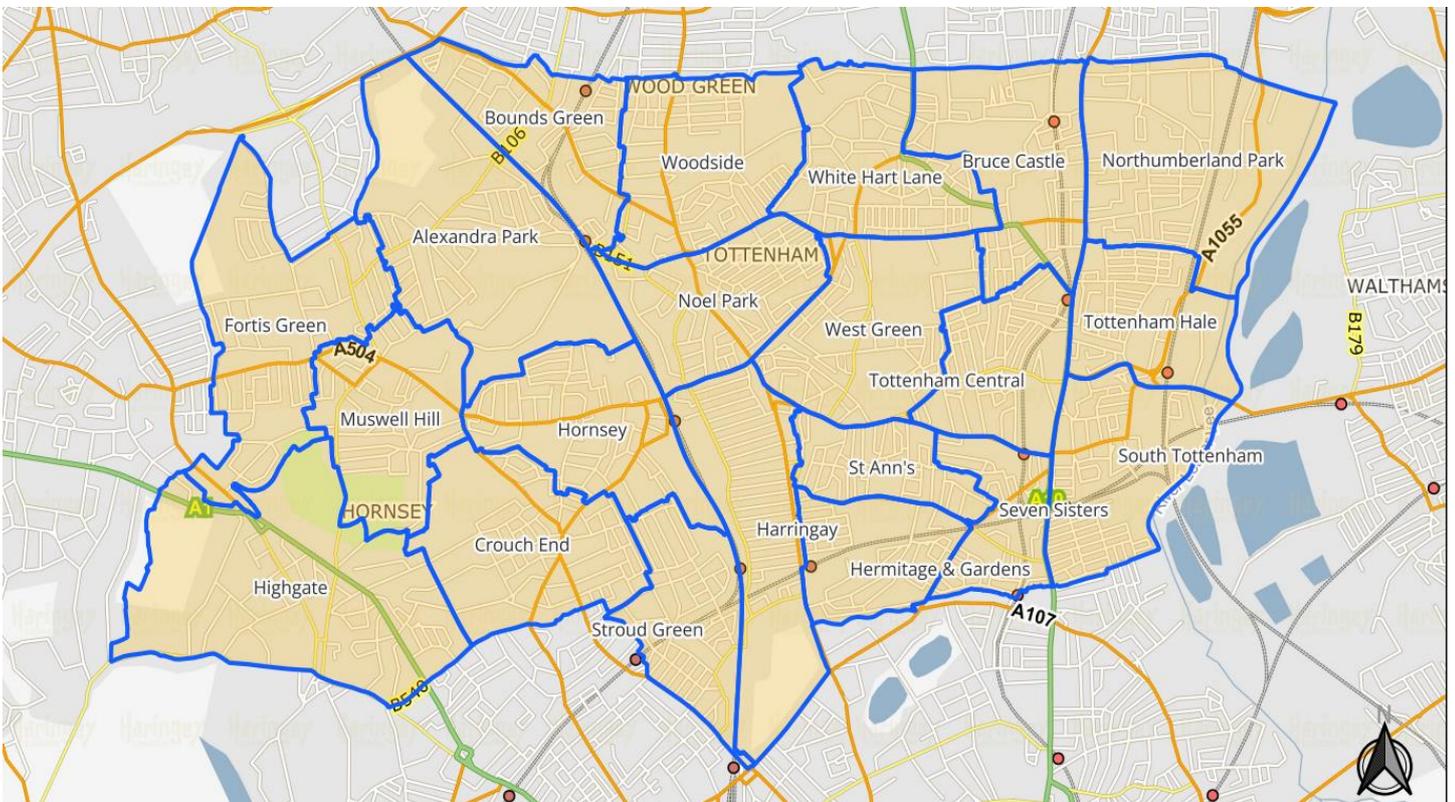
## Chapter 1 – The Gambling Act

- 1 Gambling Act 2005 obtained Royal Assent in 2005 and came into effect in 2007. Under Section 349 of the Gambling Act 2005 the Licensing Authority is required to prepare a statement of principles that they propose to apply in exercising their functions under this Act. This process is to be repeated every three years from 31 January 2007. The consultation process is laid out clearly in the Gambling Act 2005, the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006 and the Guidance to Licensing Authorities issued by the Gambling Commission ([www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)).
- 1.1 The purpose of the Statement of Gambling Licensing Policy is to set out the principles that the Council propose to apply when determining licences, permits and registrations under the Gambling Act 2005. Any decision taken by the Council in regard to the determination of licences, permits and registrations should aim to permit the use of premises for gambling in so far as it is reasonably consistent with the licensing objectives, which are:
  - 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
- 1.2 The principles to be applied specifically to the determination of premises licence applications include definition of premises, location, duplication with other regulatory regimes, conditions, door supervision, layout of the premises and supervision of gaming facilities. The policy also specifically mentions adult gaming centres, family entertainment centres, casinos, bingo premises, betting premises, tracks and travelling fairs.
- 1.3 The council can issue permits for prize gaming and unlicensed family entertainment centres. The council can specify the information it requires as part of the application process which will aid determination and this information is described in this Policy. Club gaming and club machine permits are also issued by the council. The process for this is described, along with other processes specified in the legislation for example temporary use notices, occasional use notices and small society lotteries.
- 1.4 Enforcement of the legislation is a requirement of the Act that is undertaken by the council in conjunction with the Gambling Commission. The policy describes the council's enforcement principles and the principles underpinning the right of review. The policy has three appendices, describing the stakes and prizes which determine the category of a gaming machine, a glossary of terms and exempt gaming in pubs and clubs.
- 1.5 The policy opens with a more general introduction to Haringey (Chapter 1), followed by detail on the objectives this Authority will rely on in fulfilling its licensing responsibilities (Chapter 2). Chapter 3 of this Policy sets out the principles and considerations this Authority will go through in determining gambling premises licences. All new and current operators must have regard to this section when compiling local risk assessments and should make this section their starting point when absorbing the content of this policy alongside the Local Area Profile supplementary guidance. The steps that this and other responsible authorities would wish to see given appropriate consideration within risk assessments and operating schedules. It is intended to reflect and enhance industry good practice. This section is also intended to make clear certain aspects of the applications process for the benefit of all. This includes information on consultation, responsible authorities, interested parties and relevant objections. Chapter 4 (permits etc) sets out in some detail the various permits, Chapter 5 deals with enforcement matters, establishing how this Authority and partner service and external agencies intend to work collaboratively together, in a fair, transparent, open and consistent manner, to provide intelligent directed regulation.

## 2 The licensing objectives

- 2.1 Under the Gambling Act 2005 (the Act) Haringey London Council is the licensing authority for the area and licences premises for gambling activities as well as granting various other gambling permits. In this document, unless otherwise stated, any references to the council are to the Haringey Licensing Authority.
- 2.2 The council will carry out its functions under the Act with a view to aiming to permit the use of premises for gambling, in so far as it is reasonably consistent with the three licensing objectives set out at Section 1 of the Act. The licensing objectives are;
- 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.
- 2.3 The council will follow any regulations and statutory guidance issued in accordance with the Act and will have regard to any codes of practice issued by the national gambling regulator, the Gambling Commission.
- 2.4 The council is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it is;
- in accordance with any relevant code of practice issued by the Gambling Commission
  - in accordance with any relevant guidance issued by the Gambling Commission
  - reasonably consistent with the licensing objectives and
  - in accordance with this document.
- 2.5 The Gambling Commission's Licence Conditions and Code of Practice (LCCP) require gambling premises to undertake a risk assessment taking into consideration their local information. Specific information about risk assessments is provided in this policy at Chapter 3.

## 3 Haringey London Borough



- 3.1 Haringey was created in 1965 by the amalgamation of three former boroughs. It shares borders with six other London boroughs they are Enfield, Waltham Forest, Hackney, Islington, Camden and Barnet. From 1750 until the second half of the twentieth century Haringey gained fame as an entertainment centre with its many parks and open spaces. Haringey covers an area of more than 11 square miles. Some of the more familiar local landmarks include Alexandra Palace, Bruce Castle and Tottenham Hotspur Football Club. The borough has extreme contrasts: areas in the west, such as Highgate, Muswell Hill and Crouch End are among the most prosperous in London, in the east of the borough, such as in Tottenham or Wood Green, some wards are classified as being among the most deprived in London. Haringey is also a borough of contrasts geographically. The borough includes large areas of green space, which make up more than 25% of its total area. Haringey has a range of cultural events and good transport links. We also have 25 Green Flag Parks Haringey, the population has increased by 3.6%, from around 254,900 in 2011 to 264,200 in 2021. It is Ranked 18 (out of 33 London boroughs) for total population and 12<sup>th</sup> in London for population density. Haringey's population is older overall, compared to 2011 there has been an 8% decrease in children aged under 15, a 4% increase in adults aged 15 to 64 and a 24% increase in those aged 65 and over. The borough still has a lower proportion of people aged 65+ than London overall, but we're catching up fast.
- 3.2 Deprivation is strongly linked with many health outcomes and there are inequalities in life expectancy across Haringey. There are groups in our communities are more at risk of disadvantage or exploitation. Particular issues include county lines, child sexual exploitation and practices such as Cuckooing. The rate of knife crime in Haringey with injury is the 13th highest in London. We are ranked as the 4th most deprived borough in London as measured by the Index of Multiple Deprivation. Haringey is ranked 49 out of 317 local authorities. This has improved over time with Haringey no longer in the top 10% most deprived authorities.
- 3.3 Haringey has the second highest proportion of working-age people claiming out-of-work benefits (8%) out of all the London boroughs. It is significantly higher than the London average of 5.7%.
- [View Haringey deprivation on an interactive map on the ONS website.](#)
- 3.4 The Borough has one of the highest rates of serious mental illness across London (1.37%). This is above the London and England averages of 0.96% and 1.11%, respectively. The economic picture in terms of jobs density in Haringey is relatively low, but there has been significant improvement, and the unemployment rate has improved significantly also. Wages in Haringey now match the London average, but there are a larger number of JSA and ESA claimants than the London average. There are 6.4% of residents that have no qualifications lower than the London average. Haringey has the fourth largest proportion of residents earning below the London Living Wage of all London boroughs.

- 3.5 Each ward in the borough has its own character and challenges. The council has provided general advice in this policy to assist applicants in preparing applications. Applicants are also expected to demonstrate knowledge of their local area when describing the steps they propose to take to promote the licensing objectives. To assist them the council has provided links to data sources where information specific to localities in Haringey in which there is concern relating to impact of licensed premises on the three licensing objectives can be found. Applicants may also consult with the Licensing Team to ensure they have as much information as possible before making their application.
- 3.6 A worrying trend of an increasing number of suicides among men has been identified across the UK, with problem gamblers up to 15 times more likely to take their own life. Although we are unable to establish to what extent gambling addiction has contributed to the actual numbers of suicides in Haringey, there is evidence that the majority of problem gamblers have contemplated suicide. People with poor mental health are at significantly high risk of problem gambling. [Problem gamblers at 15 times higher risk of suicide.](#) There is debate ongoing around the actual link that exists and limited data to support either argument: [Samaritans challenges gambling chiefs use of suicide guidance.](#) Problem gambling appears to be associated with suicide attempts in both young men and young women. This association persisted after adjusting for anxiety, impulsivity, life satisfaction, and other factors, which suggests that other mechanisms, such as the severity and complexity of harms experienced, or gambling to cope with life stressors, might underpin this relationship. Young people with problem-gambling behaviours should be considered at risk for suicidality. Citation: Suicidality and gambling among young adults in Great Britain: results from a cross-sectional online survey Wardle, Heather et al. The Lancet Public Health, Volume 6, Issue 1, e39 - e49 . For further health and deprivation information about the local area visit [mental health and wellbeing framework document pdf\\_2803kb\\_0.pdf \(haringey.gov.uk\)](#)

## 4 Haringey the Borough of Culture

- 4.1 Haringey has strong artistic and sporting traditions throughout the year and has some of the highest attended outdoor events in the country. The borough plays host to many community-led events and boasts a wealth of community-based sports heritage and recreational facilities. The Council itself is a provider of sporting facilities across the borough.
- 4.2 The Council has a tradition of promoting a wide range of cultural activity for the benefit of resident's visitors alike. Commercially promoted events take place in a variety of locations throughout the borough from Finsbury Park to Alexandra Place and the Tottenham Hotspur Stadium to name a few locations. Local communities, groups and associations use church halls and community centres for social and fund-raising activities. Haringey has enduring established reputation for the encouragement of community and diverse cultural events and public entertainment, as an essential aid to community involvement and an increasing sense of common identity.
- 4.3 The council operates schemes that are designed to encourage and promote well run premises and venues across the borough such as the Responsible Retailer Scheme. We acknowledge the benefits that a well-run leisure economy can bring to an area in terms of economic, cultural and community benefits. We have experienced significant levels of growth in entertainment use within the borough coupled with a significant increase in residential development. The proximity of a range of land uses and the creation of mixed-use schemes has many benefits including the creation of a vibrant entertainment economy area in the South Tottenham Area for example. The Council promotes and encourages good business that bring about well-being and a sense of place and commitment in the community.

## 5. Integration with other guidance, policies, objectives and strategies

- 5.1 In preparing this gambling statement of licensing policy the council has had regard to, and sought to the gambling policy with the following strategies:
- Haringey Corporate Delivery Plan
  - Haringey Health and Wellbeing Plan
  - Haringey Community Safety Plan

- Young People at Risk Strategy
- Haringey Local Plan
- Haringey Economic Growth Strategy
- Haringey Enforcement Policy
- Homelessness Strategy
- Workforce Development Strategy

5.2 The council (through its Regulatory Committee) may, from time to time, receive reports on other policies, strategies and initiatives that may impact on licensing activity within the remit of the committee. Subject to the general principles set out in this policy and the overriding need to promote the three licensing objectives it may have regard to them when making licensing decisions. The Committee may, after receiving such reports, make recommendations to the council or other bodies about the impact of the gambling licensing policy on such policies, strategies and initiatives. Equally the Committee may make recommendations relating to the impact of such policies, strategies and initiatives on the gambling licensing policy. This may include recommendations to amend the gambling licensing policy itself.

### 5.3 The Haringey Vision /Plan

The Haringey Council's Delivery Plan sets out 8 overarching priorities

- i. Resident experience, participation and collaboration
- ii. Responding to the climate emergency
- iii. Children and young people
- iv. Adults, health and welfare
- v. Homes for the future
- vi. Safer borough
- vii. Culturally Rich Borough
- viii. Place and economy

5.4 In the commitment to becoming a more responsive, customer focused council , Haringey faces a number of key challenges, the economy is still recovering from the effects of global recession and the consequences of a changing climate have become apparent., Our future ambition envisions a borough where we tackle complex challenges and address inequalities by working together. The determination to do things differently is reflected in our commitment to a 'Haringey Deal' published in November 2022. The Deal sets out a series of commitments that the council has made to working differently and building a different kind of relationship with residents and communities. In addressing these challenges, Haringey must be forward-looking and have a clear plan for the future. This gambling licensing policy seeks to promote the licensing objectives within the overall context of the priorities and aims set out in the Corporate Delivery Plan.

### 5.5 Haringey's Health and Wellbeing Strategy

Health and Wellbeing Strategy focuses on key priorities:

- Creating a healthy place
- Start well
- Live well
- Age well
- Violence prevention

5.7 This strategy sets out initial priority areas of focus within each of these themes. It is now accepted that gambling harm should be managed as a 'whole borough approach'. There is a growing consensus that gambling-related harm should be viewed as a public health issue and therefore, It is important to adopt a 'health in all policies' approach to effectively tackle the negative consequences of gambling. This involves assessing the impact such harm and determining the necessary measures to mitigate impact. In carrying out our regulatory duties we will take into account the effects of gambling on young and vulnerable residents, individuals who are struggling with gambling addiction, their family members and associates, as well as the community as a whole Public Health play an important role through the work they do on the impact of gambling harm in the community puts them in a

position to make representation on the objective of preventing vulnerable people from being harmed or exploited by gambling. A paper submitted by Johnstone sets out the desired approach [Gambling harm is everybody's business: A public health approach and call to action - PMC \(nih.gov\)](#)

## 5.8 A Plan for Growth Jobs & Prosperity

5.9 Haringey's plans for economic Growth Strategy seeks to enhance as a place to do business and attract inward investment and sets out the Council's priorities for the area. Our long-term aim for the borough is to ensure that, by 2030, we are:

- A Fully Employed Borough, by which we mean:
- 75% of Haringey's working age population is in work
- Residents' full-time earnings are in line with London averages for bottom quartile and median earners
- The proportion of working age residents qualified to NVQ Levels 3 and 4 is increased from 65% (2013 figures) to 70%
- A More Dynamic Borough, by which we mean:
- The number of jobs in Haringey has increased by 20,000 from the 2011 London Plan baseline position
- The profile of Haringey-based jobs changes so that retail and public sector employment are less dominant, and there is a better range of jobs, including a greater proportion of jobs in more highly skilled sectors, such as sustainable technology, digital design and skilled/craft manufacturing
- The number of jobs per square metre of employment land has increased by 20%, reflecting a shift to more intensive and productive employment.

5.10 Through business support services, attracting inward investment, delivering 'business friendly' services, in collaboration with partners. The council will encourage investment and growth within the leisure and retail industry within the borough and will seek to minimise any potentially negative impacts from existing and new licensed premises operating in the area. We will ensure that gambling establishments do not carry out any promotional activity on the public highway that encourages or entices the community to bet or take part in gambling.

## 5.11 Young people at risk strategy

5.12 Haringey and its' partners aim to create a bright future for our children. We will work together with families and communities to ensure that Haringey becomes a place where every child thrives. Empowering families and communities is the key to unlocking potential and aspirations. The Young People at Risk Strategy is our 10-year plan to address the complex root causes of this issue. It adopts a public health approach, with public sector agencies, voluntary sector groups, communities, and young people themselves working collectively to reduce young people's vulnerabilities and build their resilience.

5.13 This strategy focuses on achieving 5 outcomes, based on a comprehensive analysis of the factors that can keep young people safe or increase their vulnerability to involvement in violent crime:

- I. Safe communities with positive things for young people to do, where there are strong role models and trust in institutions.
- II. Supportive and positive family environments, with low levels of family stress, good parenting; and young people able to develop strong, healthy relationships with peers and trusted adults.
- III. Confident, happy and resilient young people able to cope with negative experiences, setbacks, and stress.
- IV. Young people thriving in school, with positive aspirations for the future and access to employment and training opportunities to get there.
- V. Young people protected from exploitation and from experience of serious youth violence.

5.14 This policy contributes to all these outcomes and also ensuring that the most vulnerable are protected as well as improving social, emotional, and mental health and wellbeing as well as supporting young people to make good choices and minimise risk-taking behaviours.

## 6. The purpose of the Gambling Act 2005 – Statement of Gambling Licensing Policy

- 6.1 Licensing authorities are required by the Gambling Act 2005 to publish a statement of gambling policy which they propose to apply when exercising their functions under the Act. This document fulfils this requirement. Such statement must be published at least every three years. The statement can also be reviewed from “time to time” and any amendments must be consulted upon. The statement must then be re-published. Where updates are required due to changes in national legislation, statutory guidance or contact details the council reserves the right to amend this policy without consultation where it is necessary to ensure policy reflects national legislation or statutory guidance.
- 6.2 The main function of the Council as a Licensing Authority, through its licensing committee, will be to licence premises where gambling is to take place and issue a range of licences, permits and authorisations for gambling in its area. The Licensing Authority will also have power to impose conditions and review licences.
- 6.3 The Council will be empowered by the Act to take enforcement action when an offence under the legislation has been committed. Offences include when premises or activities are unlicensed, or licence conditions are not complied with; to support this enforcement there are powers of entry and inspection.
- 6.4 This policy refers to the Gambling Commission, which has wider functions under the Act and with whom the Council will work alongside as a dual regulator. However, it does not discuss the role and responsibilities of the Commission and any references in this policy will only be insofar as it impacts on, or clarifies, this Authority’s functions. For example, the Commission is exclusively responsible for issuing operator and personal licences, which is a necessity before the Council can consider an application for a premises licence.
- 6.5 The Gambling Commission is also mentioned in this policy as being responsible for issuing Codes of Practice and Guidance to licensing authorities regarding the manner in which they are to exercise their functions. This policy endorses the principles set out in the Gambling Commission Guidance and key licensing objectives and confirms that the Council will take account of all such guidance.
- 6.6 Throughout the policy document the use of the term betting establishments means all the land-based facilities that the Council issues Gambling Premises Licences for.
- 6.7 The policy opens with a more general introduction to Haringey (Chapter 1), followed by detail on the objectives this Authority will rely on in fulfilling its licensing responsibilities (Chapter 2). Chapter 3 of this policy sets out the principles and considerations this Authority will go through in determining gambling premises licences. All new and current operators must have regard to this section when compiling local risk assessments and should make this section their starting point when considering the content of this policy alongside the Local Area Profile supplementary guidance. The steps that this and other responsible authorities would wish to see given appropriate consideration within risk assessments and operating schedules. It is intended to reflect and enhance industry good practice. This section is also intended to make clear certain aspects of the applications process for the benefit of all. This includes information on consultation, responsible authorities, interested parties and relevant objections. Chapter 4 (permits etc) sets out in some detail the various permits, Chapter 5 deals with enforcement matters, establishing how this Authority and partner service and external agencies intend to work collaboratively together, in a fair, transparent, open and consistent manner, to provide intelligent directed regulation.

## 7. Consultation

- 7.1 Haringey Council consulted widely upon this Policy statement before finalising and publishing. A list of those persons consulted is provided below, in line with the Act and the Gambling Commission’s Guidance.
- The Chief Officer of Police;
  - The Fire Authority
  - One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority’s area;
  - One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority’s functions under the Gambling Act 2005.
  - Services within the Council with an interest in the gambling process (Responsible Authorities)
  - Local Safeguarding Children Board

- Councillors
- H.M Revenue and Customs
- Other organisations that appear to be affected by licensing matters covered in the Policy.
- Neighbouring boroughs.
- Local resident's association/General public

- 7.2 Our consultation took place between TBC and TBC and we followed the HM Government Code of Practice on Consultation (published July 2012).
- 7.3 The full list of comments made and the consideration by the Council of those comments is available/will be available by request to: [Licensing@haringey.gov.uk](mailto:Licensing@haringey.gov.uk) / via the Council's website at: [www.haringey.gov.uk/licensing](http://www.haringey.gov.uk/licensing)
- 7.4 The policy was approved at a meeting of the Full Council on (TBC) and was published via our website on. Copies were placed in the public libraries of the area as well as being available in local libraries.
- 7.5 Should you have any comments as regards this policy statement please send them via e-mail or letter to the following contact:

**Licensing Team**  
**Level 4 Alexandra House**  
**10 Station Road**  
**Wood Green**  
**London**  
**N22 8RA**  
**[licensing.licensing@haringey.gov.uk](mailto:licensing.licensing@haringey.gov.uk)**

- 7.6 It should be noted that this statement of licensing policy will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005. The council acknowledges that it may need to depart from this policy and from the guidance issued under the Act in individual and exceptional circumstances, and where the case merits such a decision in the interest of the promotion of the licensing objectives.  
Any such decision will be taken in consultation with the appropriate legal advisors for the Licensing Authority, and the reasons for any such departure will be fully recorded.

## 8 Objectives

- 8.1 In exercising most of its functions under the Gambling Act 2005 the Council as the Licensing Authority must have regard to the following licensing objectives:
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or 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.
- 8.2 It should be noted that the Gambling Commission has stated: "The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling."
- 8.3 The Council is aware that, as per Section 153, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling insofar as it thinks it is:
- **In accordance with any relevant code of practice issued by the Gambling Commission;**
  - **In accordance with any relevant guidance issued by the Gambling Commission;**
  - **Reasonably consistent with the licensing objectives;**
  - **In accordance with the Council's Statement of Licensing Policy. In particular, the Council requires operators to take account of the local area profile of the borough contained within this policy.**
- 8.4 The Council is required under the Act to:
- Be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences;

- Issue Provisional Statements;
- Regulate members' clubs who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits; Issue Club Machine Permits to Commercial Clubs;
- Grant permits for the use of certain lower stake gaming machines at unlicensed family entertainment centres;
- Receive notification from alcohol licensed premises (under the Licensing Act 2003) of the use of two or fewer gaming machines;
- Issue Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines;
- Register small society lotteries below prescribed thresholds;
- Issue Prize Gaming Permits; Receive and endorse Temporary Use Notices;
- Receive Occasional Use Notices;
- Provide information to the Gambling Commission regarding details of licences issued (see section below on information exchange);
- Maintain registers of the permits and licences that are issued under these functions.

8.5 It should be noted that local licensing authorities are not involved in licensing remote gambling at all, which is regulated by the Gambling Commission via Operator Licences.

8.6 The Council recognises that the licensing function is only one means of promoting delivery of the three objectives and should not therefore be seen as a means for solving all problems within the community. The Council will therefore work in partnership with neighbouring authorities, Metropolitan Police Service, the Community Safety Partnership, local businesses, local people and those involved in child protection to promote the licensing objectives as outlined. In addition, the Council recognises its duty under Section 17 of the Crime and Disorder Act 1998, with regard to ensuring it is taking steps to prevention of crime and disorder in the borough.

## 9. Declaration.

9.1 This statement of licensing policy will not override the right of any person to make an application, make representations about an application, or apply for a review of a **licence**, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

9.2 In producing this document, the council declares that it has had regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission, and any responses from those consulted on the policy statement.

## 10. Responsible Authorities

10.1 The Act empowers certain agencies to act as responsible authorities so that they can employ their particular area of expertise to help promote the licensing objectives. Responsible authorities are able to make representations about licence applications, or apply for a review of an existing licence. Responsible authorities will also offer advice and guidance to applicants.

10.2 The council is required by regulations to state the principles it will apply to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:

- The need for the body to be responsible for an area covering the whole of the licensing authority's area and the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group etc.
- Answerable to democratically elected Councillors and not to any particular interest group.

10.3 In accordance with the regulations the Council designates the Director of Children Services for this purpose.

10.4 The following are Responsible Authorities:

- The Gambling Commission
- Her Majesty's Commissioners of Customs and Excise (now known as Her Majesty's Revenue & Customs)
- The Metropolitan Police Service
- The London Fire and Emergency Planning Authority

- The Council, as Licensing Authority
- The Council, as Planning Authority
- The Council's Director of Children's Services
- The Council's Environmental Health Service
- Any other person or body who may be prescribed by regulations made by the Secretary of State for Culture, Media and Sport ('The Secretary of State')

10.5 Contact details of all the Responsible Authorities under the Gambling Act 2005 are available on the Council's web site. Contact details of all the responsible authorities under the Gambling Act 2005 are available on the council's website.

## 11 Interested parties

11.1 Interested parties are certain types of people or organisations that have the right to make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

"For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the applications is made, the person-

- lives sufficiently close to the premises to be likely to be affected by the authorised activities,
- has business interests that might be affected by the authorised activities, or
- represents persons who satisfy paragraph (a) or (b)"

11.2 The Council is required by regulations to state the principles it will apply to determine whether a person is an interested party. The principles are:

- Each case will be decided upon its merits. The council will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission's Guidance to local authorities.
- Within this framework the Council will accept representations made on behalf of residents and tenants associations.
- In order to determine if an interested party lives or has business interests, sufficiently close to the premises to be likely to be affected by the gambling activities, the council will consider factors such as the size of the premises and the nature of the activities taking place.

11.3 The following are not valid reasons to reject applications for premises licences:

- a. Moral objections to gambling
- b. The 'saturation' of gambling premises unless there is evidence that the premises pose a risk to the licensing objectives in that locality
- c. A lack of 'demand'
- d. Whether the proposal is likely to receive planning or building regulations consent

11.4 The council will provide more detailed information on the making of representations in a separate guidance note. The guidance note has been prepared in accordance with relevant Statutory Instruments and Gambling Commission guidance.

## 12. Exchange of information

12.1 Licensing authorities are required to include in their policy statement the principles to be applied by the authority with regards to the exchange of information between it and the Gambling Commission, as well as other persons listed in Schedule 6 to the Act.

13.2 The principle that the council applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 2018 will not be contravened. The council will also have regard to any guidance issued by the Gambling Commission to local authorities on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

## 13 Gambling Prevalence and Problem Gambling

- 13.1 In 2016 the Gambling Commission commissioned research by Nat Cen to study gambling behaviour in the UK. The research was published in 2018 and its aim was to:
- Describe the prevalence of gambling participation, at-risk gambling and problem gambling and;
  - Explore characteristics associated with gambling participation, at-risk gambling, and problem gambling.
- 13.2 It found overall, 57% of adults aged 16 and over in Great Britain had gambled in the past year. Men were more likely to have gambled (62%) than women (52%). The most popular gambling activity was the National Lottery draws with 41% of adults (46% of men and 37% of women) buying a ticket in the past year. Four in 10 adults (42%) had gambled activities other than the National Lottery draws; 46% of men and 38% of women.
- 13.3 The highest rates of low-risk gambling were found among people who had participated in betting exchanges (28.5%), machines in a bookmakers (25.7%), spread betting (22.8%), online gambling on slots, casino or bingo games (21.9%), any other gambling (21.8%) and betting on any other events that are not online (21.7%).
- 13.4 The highest rates of moderate risk gambling were found among people who had participated in spread betting (28.8%), poker in pubs or clubs (16.1%), betting on other events that are not online (15.0%), online gambling on slots, casino or bingo machines (13.7%) and machines in bookmakers (13.5%).
- 13.5 Problem gamblers from ethnic minority groups observed in the survey samples. When combining data collected in 2012, 2015 and 2016, problem gambling is associated with ethnicity. Across all three survey years, the proportion of problem gamblers tends to be higher among people from Black ethnic groups and among other minority groups (not covered by White, Black or Asian) than among those from Asian and White backgrounds.

## 14. Gambling in Haringey

- 14.1 In April 2011 a Haringey scrutiny report noted that betting shops were located disproportionately within the east of the borough (85%), and that there was a correlation between the location of betting shops and social deprivation with 43% of betting shops are located in the most deprived super output areas 10%) of the borough.
- 14.2 Although gambling is a legal entertainment activity it can, in some locations have a negative impact on individuals and the wider community. The Council has worked to understand how gambling can affect its Residents and visitors.
- The Council has also sought to identify individuals who live in the local area who are potentially vulnerable to gambling related harm. Haringey has considered the evidence gathered on the health/social impacts of gambling through our partners such as Public Health and information gathered through the Joint Strategic Needs Assessment as well as the State of Borough to bring together the local area profile. We expect license applicants/holders to take account of that information to mitigate those impacts effectively through their risk assessments and thereby have meaningful dialogue with the Council, Police and other partners in addressing the concerns identified.

## Chapter 2 Promotion of the licensing objectives

- 2 Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- 2.1 This licensing authority is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime, and that regulatory issues arising from the prevention of disorder are Likely to focus almost exclusively on premises licensing, which is the remit of the Licensing Authority. The Gambling Commission's guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Where an area is known to have high levels of crime this authority will consider carefully whether gambling premises are suitable to be located there, taking into account such factors as,
- levels of recorded crime,
  - the type of that crime,

- levels of ASB related complaints.
- 2.2 Applicants are advised to examine crime and ASB statistics that relate to the vicinity of their application. This will allow for the application to be tailored to the specific locality and to include any additional measures potentially required to support the objective to be set out in the application. This may also reduce the likelihood of objections being made to the application. Advice about accessing such data can be provided by the Licensing Authority.
- 2.3 This Licensing Authority accepts that issues of nuisance cannot be addressed via the Gambling Act provisions, although preventing gambling from being a source of disorder is a licensing objective. The Licensing Authority is also mindful that what starts as nuisance may subsequently escalate to disorder, and that such disorder can have a serious effect on the lives of local residents. If an application for licence review were to be made on the basis of disorder the authority will then distinguish between disorder and nuisance, considering factors such as:
- whether police assistance was required;
  - how threatening the behaviour was to those who could see it;
  - how frequently it is reported;
  - prevalence of persons loitering outside;
  - the times of day when disorder is reported;
  - the impact on residents.
- 2.4 Issues of nuisance cannot be addressed by the Gambling Act provisions however problems of this nature can be addressed through other legislation as appropriate.

## Ensuring that gambling is conducted in a fair and open way

- 2.5 The council is aware that except in the case of tracks generally the Gambling Commission does not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences.
- 2.7 However, the council will familiarise itself with operator licence conditions and will communicate any concerns to the Gambling Commission about misleading advertising or any absence of required game rules or other matters as set out in the Gambling Commission's Licence Conditions and Code of Practice. Examples of the specific steps the council may take to address this area can be found in the various sections covering specific premises types in Chapter 3 of this document and also in Chapter 4 which covers permits and notices

## Protecting children and other vulnerable persons from being harmed or exploited by gambling.

- 2.9 Protection of children and vulnerable from being exploited by gambling this licensing objective means preventing children from taking part in most types of gambling. The council will therefore consider whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.
- 2.10 In premises that may attract children this Authority expects licence holders to train staff to recognise child sexual exploitation, and for staff to be able to demonstrate an understanding of the steps they should take if their suspicions are aroused. The Act provides the following definition for child and young adult in Section 45: Meaning of "child" and "young person"
1. In this Act "child" means an individual who is less than 16 years old.
  2. In this Act "young person" means an individual who is not a child but who is less than 18 years old.

For the purpose of this section protection of children will encompass both child and young person as defined by the Act.

- 2.11 The council will pay particular attention to any codes of practice which the Gambling Commission issues as regards this licensing objective in relation to specific premises. Examples of the specific steps the council may take to address this area can be found in the various sections covering specific premises types in Chapter 3 of this document and also in Chapter 4t D which covers permits and notices.

## 2.12 Protection of vulnerable people

- 2.13 The council is aware of the difficulty in defining the term “vulnerable person” The Gambling Commission have identified five main factors that can contribute to an individual's vulnerability. These include personal and demographic factors such as poor physical or mental health, physical or cognitive impairment, side effects from a brain injury or medication, or addiction. Situational factors such as financial difficulties, homelessness, domestic or financial abuse, caring responsibilities, life changes, or sudden change in circumstances can also make a person vulnerable. Behavioural factors such as high levels of trust or a high appetite for risk can also contribute to vulnerability. Market- related factors such as engaging in complex activities with a lack of knowledge and experience of the market can increase vulnerability. Lastly, access factors such as poor literacy or numeracy skills, lack of knowledge, or dyslexia can make it difficult for individuals to access information. The Care Act 2014 imposes a requirement on a local authority to “make enquiries if it has reasonable cause to suspect that an adult in its area, whether or not ordinarily resident there, has needs for care and support, is experiencing, or is at risk of, abuse or neglect, and as a result of those needs is unable to protect himself or herself against the abuse or neglect or the risk of it.”
- 2.14 The local authority must make whatever enquiries it thinks necessary to enable it to decide whether any action should be taken in the adult's case (whether under this Part or otherwise) and, if so, what and by whom. “Abuse” includes financial abuse; and for that purpose, “financial abuse” includes having money or other property stolen being defrauded, being put under pressure in relation to money or other property and having money or other property misused.
- 2.15 Department of Health document “No Secrets” from 2000 offers a definition of a vulnerable adult as a person “who’ is or may be in need of community care services by reason of mental or other disability, age or illness; And who is or may be unable to take care of him or herself, or unable to protect him or herself against significant harm or exploitation.”
- 2.16 Beckett University published research into Problem Gambling (Kenyon, Ormerod, Parsons and Wardle, 2016). This research looked specifically at identifying groups of the society that could be considered vulnerable to problem gambling:
- 2.17 **Young people** – rates of problem gambling among young people who gamble are higher than older adults and youth gambling behaviours are consistent with the harm paradox, whereby these age groups are less likely to gamble generally but those that do are more likely to experience difficulties with their behaviour (Wardle, 2015).
- 2.18 **Minority ethnic groups** – There is consistent evidence that those from Asian or Black backgrounds are more vulnerable to gambling problems and there is clear evidence of the harm paradox (Wardle, 2015).
- 2.19 **Unemployed and constrained economic circumstance** – generally those of lower income are less likely to gamble but those that do spend a higher proportion of their income on gambling. This is highlighted as a concern given the lesser ability of lower income households to protect themselves from financial instability (Brown et al, 2011).
- 2.20 There is evidence that those in debt and those using money lenders and/or pawnbrokers are more likely to be problem or at-risk gamblers (Meltzer et al, 2012). The relationship between constrained economic circumstances and gambling problems is likely to be complex and multi-faceted. It may be mediated by other economic opportunities and personal feelings about how well off you are compared with others. Despite this complexity, there is a consistent body of evidence showing that, for whatever reason, those who are unemployed and who gamble are more likely to experience adverse outcomes from their gambling than those in paid employment.
- 2.21 **Area deprivation** – There are several national surveys that have consistently shown that those living in more deprived areas are more likely to experience problems with their gambling behaviour. This was despite having roughly the similar levels of past year gambling participation to those who live in less deprived areas.
- 2.22 Wardle (2015) looked at the distribution of machines and licensed betting offices and argues that there was clear and consistent evidence of a spatial skew, whereby high-density machine zones or areas with licensed betting offices are located in more deprived area. Recent research has shown that among gamblers who held loyalty cards, rates of problem gambling (28%) were higher among those who lived within 400 metres of a concentration of betting offices than those who did not (22%) (Astbury & Wardle, 2016).
- 2.23 **Homeless** – Homeless people in the UK are more vulnerable to gambling problems than the general population. According to a study by Sharman et al (2014), 11.6% of the homeless population in London had a gambling problem compared to only 0.7% in the general population. The study found that engagement with gambling tends

to be problematic among the homeless population, and more research is needed to understand the complex relationship between gambling and homelessness. Sharman, S., Dreyer, J., Aitken, M., Clark, L., & Bowden-Jones, H. (2014). Rates of problematic gambling in a British homeless study: A preliminary study. *Journal of Gambling Studies*, 31,(2), pp. 525-532.

- 2.24 **Mental ill health** – There is a strong association between mental ill health and problem gambling. Associations were found between problem gambling and general anxiety disorder, phobia, obsessive compulsive disorder, panic disorders, eating disorders, probably psychosis, attention deficit hyperactivity disorder, post-traumatic stress disorder, harmful and hazardous levels of alcohol consumption and drug addiction.
- 2.25 Being a problem or at-risk gambler is associated with latter onset of major depressive disorder, alcohol use and dependence, drug use and experience of any mental disorder. Illegal drug use and experience of any mental disorder is also associated with the subsequent onset of at risk and problem gambling. These findings seem to confirm the conclusion that the relationship between problem gambling and mental ill health may be cyclical.
- 2.26 **Substance abuse/misuse** – The evidence base relating to the relationship between substance abuse/misuse and experience of problem gambling broadly measures that of mental ill health. Evidence from British based surveys has shown that rates of problem gambling were higher among those with alcohol dependence (3.4%) or drug dependence (4.4%) than the general population (0.74%) (Wardle, 2015). A systemic review of those seeking treatment for gambling problems showed that 15% also experience alcohol dependence and 7% have other substance abuse disorders (Dowling et al, 2015). There is strong evidence that alcohol and substance misuse are associated with problem gambling. As with other mental health conditions, these conditions can occur at the same time.
- 2.27 Personality traits/cognitive distortions – There is a strong body of evidence highlighting the relationship between various personality traits, such as cognitive distortions or impulsivity, with problem gambling. Cognitive distortions, such as erroneous perceptions of gambling and illusion of control are well established risk factors for problem gambling (Johansson et al, 2009). However little research has been conducted to explore the complex interaction of personality traits with other factors and their combined influence on the experience of broader gambling harms. Certain personality traits and/or cognitive distortions are just one potential aspect of vulnerability which is likely to be affected by a range of other factors.
- 2.28 Problem gamblers seeking treatment – Because this group is in the process of attempting to recover from gambling problems they should be treated as a vulnerable group in their own right (Wardle, 2015).
- 2.29 Problem gambling can affect anyone at any time. Whilst rates of problem gambling among all adults in Britain tend to be less than 1% (1.4% in large metropolitan areas), there are some groups that are more likely to experience problems. These groups could all be considered vulnerable to gambling problems. Haringey Council already works with many of these groups however operators should consider these groups in their Local Risk Assessments, especially in relation to identifying the people in these groups, and mitigating harm experienced by them.
- 2.30 In the case of premises licences the council is aware of the extensive requirements set out for operators in the Gambling Commission’s Code of Practice regarding social responsibility. In this document the Gambling Commission clearly describe the policies and procedures that operators should put in place regarding:
- Combating problem gambling
  - Access to gambling by children and young people
  - Information on how to gamble responsibly and help for problem gamblers
  - Customer interaction
  - Self-exclusion
  - Employment of children and young people
- 2.31 All applicants should familiarise themselves with the operator licence conditions and codes of practice relating to this objective and determine if these policies and procedures are appropriate in their circumstances. The council will communicate any concerns to the Gambling Commission about any absence of this required information.
- 2.32 Applicants may also like to make reference to documentation published by Haringey Safeguarding Adults Board which provides extensive guidance on identifying vulnerable people and what can be done to reduce risk for this group. This guidance can be accessed via [Safeguarding Adults Policies and Procedures | Haringey Council](#)
- 2.33 Applicants should consider the following proposed measures for protecting and supporting vulnerable people, for example:

- leaflets offering assistance to problem gamblers should be available on gambling premises in a location that is both prominent and discreet, such as toilets
- training for staff members which focuses on building an employee's ability to maintain a sense of awareness of how much (e.g. how long) customers are gambling, as part of measures to detect people who may be vulnerable
- Ensuring that all customer facing staff interact with customers in a way which minimises the risk of customers experiencing harms associated with gambling. This includes identifying and interacting those who may be at risk of gambling harm.
- Gaining an understanding of the impact and effectiveness of customer interactions undertaken.
- Training personnel to identify potential gambling related harm and provide support to those who are potentially vulnerable such training could also include awareness of the potential impact of parental gambling on children, including financial, emotional or abusive harms as well as young persons with special educational needs and/or mental health vulnerabilities.
- self-exclusion schemes and procedures for ensuring that self-excluded individuals are not sent marketing materials and cannot access gambling for the duration of their exclusion.
- Participation in multi-operator self-exclusion schemes
- operators should demonstrate their understanding of best practice issued by organisations that represent the interests of vulnerable people
- posters with GamCare Helpline and website in prominent locations
- windows, entrances and advertisements not to be positioned or designed to entice children or vulnerable people. No promotional activity on the public highway to encourage gambling participation.

2.34 It should be noted that many of these measures are regulatory requirements for non-remote operators, as set out within the Social Responsibility Codes issues by the Gambling Commission.

2.35 The council may consider any of the above or similar measures as licence conditions should these not be adequately addressed by any mandatory conditions, default conditions or proposed conditions by the applicant.

## **Chapter 3 - Types of Gambling Premises licences**

3.1 Premises licences are subject to the requirements set-out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

3.2 The Council is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it is :

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of licensing policy.

3.3 It is appreciated that as per the Gambling Commission's Guidance for local authorities "moral objections to gambling are not a valid reason to reject applications for premises licences" (except as regards any 'no casino resolution') and also that unmet demand is not a criterion for a licensing authority.

3.4 The council will issue premises licences to allow those premises to be used for certain types of gambling. For example, premises licences will be issued to amusement arcades, bingo halls, bookmakers and casinos.

3.5 Applicants should also be aware that the Gambling Commission has issued Codes of Practice for each interest area for which they must have regard. The council will also have regard to these Codes of Practice.

### **3.6 Definition of "premises"**

Premises are defined in the Act as "any place." Different premises licences cannot apply in respect of a single premises at different times. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact in the circumstances.

- 3.7 The council will take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular, the council will assess entrances and exits from parts of a building covered by one or more licences to satisfy itself that they are separate and identifiable so that the separation of different premises is not compromised and that people do not 'drift' into a gambling area.
- 3.8 The council will pay particular attention to applications where access to the licensed premises are through other premises (which themselves may be licensed or unlicensed). Issues that the council will consider before granting such applications include whether children can gain access, compatibility of the two establishments; and the ability to comply with the requirements of the Act. In addition, an overriding consideration will be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would, or should, be prohibited under the Act.
- 3.9 An applicant cannot obtain a full premises licence until they have the right to occupy the premises to which the application relates.

## 3.10 Location

- 3.11 The council is aware that demand issues (for example, the likely demand or need for gambling facilities in an area) cannot be considered with regard to the location of premises but that considerations, in terms of the licensing objectives, can be. The council will pay particular attention to the protection of children and vulnerable people from being harmed or exploited by gambling, as well as issues of crime and disorder. With regards to these objectives, it is the council's policy, upon receipt of any relevant representations, to look at specific location issues including:
- the possible impact a gambling premises may have on any premises that provide services to children or young people, for example a school, or vulnerable adult centres in the area
  - the possible impact a gambling premises may have on residential areas where there may be a high concentration of families with children, the size of the premises and the nature of the activities taking place
  - levels of organised crime in the area.

In order for a specific location to be considered as inappropriate for a premises licence to be issued, the council will need to be satisfied that there is sufficient evidence that the granting of a premises licence at the proposed location would be detrimental to the licensing objectives. Although the council cannot consider if there is a need or demand for the gambling facilities applied for, applicants should consider the proximity of other gambling premises in the Local Risk Assessment and the cumulative impact this will have on residents, including children and other vulnerable groups.

## 3.12 Licence Conditions Code of Practice (LCCP) - Application of Social Responsibility codes

- 3.13 The Gambling Commission has issued 'Licence Conditions and Codes of Practice (LCCP) under the Gambling Act 2005 which came into effect on 6<sup>th</sup> May 2018. These were a significant update on previous LCCP and are in three parts:
- General Conditions attached to operating licences
  - Principal Code of Practice: Social Responsibility provisions and Ordinary provisions
  - General Conditions attached to Personal Licences.
- 3.14 Haringey will expect all applicants to have considered the LCCP and included relevant parts within their application.
- 3.15 In particular, all non-remote licensees 'must assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In making risk assessments, licensees must take into account relevant matters identified in the licensing authority's statement of licensing policy' (Social responsibility (SR) code 10.1.1); and 11.4 Local risk assessments must be reviewed when there are significant changes in local circumstances (including those identified in a licensing authority's statement of licensing policy) or at the premises, or when applying for a new licence or variation of a licence (SR code 10.1.2).
- 3.16 Haringey may, at its discretion, add conditions from the Gambling Commission LCCPs to any applicants' licence as it sees fit.

### 3.17 Local Area Risk Assessments

- 3.18 Haringey is an improving progressive borough, however, as can be seen from the analysis provided under the local area profile, the east of the borough compares poorly with the west and experiences significant levels of deprivation that potentially puts people in those areas at risk to gambling related harm. From 6 April 2016, it is a requirement of the Gambling Commission's Licence Conditions and Codes of Practice (LCCP), under section 10 for licensees to assess the local risks to the licensing objectives posed by the provision of gambling facilities at their premises and have policies, procedures and control measures to mitigate those risks. In making risk assessments, licensees must take into account relevant matters identified in this policy.
- 3.19 The LCCP goes on to say licensees must review (and update as necessary) their local risk assessments if the application meets the following criteria:
1. to take account of significant changes in local circumstance, including those identified in this policy;
  2. When there are significant changes at a licensee's premises that may affect their mitigation of local risks;
  3. When applying for a variation of a premises licence; and d. in any case, undertake a local risk assessment
  4. when applying for a new premises licence.
- 3.20 Guidance for operators on conducting the local area risk assessment
- 3.21 The council will expect the local risk assessment to consider the urban setting such as (but not limited to):
- The proximity of the premises to education establishment such as schools.
  - The commercial environment.
  - Factors affecting the footfall.
  - Whether the premises is in an area of deprivation.
  - Whether the premises is in an area subject to high levels of crime and/or disorder.
  - The ethnic profile of residents in the area.
  - The demographics of the area in relation to vulnerable groups.
  - The location of services for children such as schools, playgrounds, youth centres, toy shops, leisure centres and other areas where children will gather.
  - The range of facilities in the local area such as other gambling outlets, banks, payday loans, post offices, refreshment and entertainment type facilities.
  - Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activity, etc.
  - The proximity to places of worship.
- 3.22 The local risk assessment should show how vulnerable people, including people with gambling dependencies, are protected, measures include (but not limited to):
- The training of staff in intervention when customers show signs of excessive gambling, the ability of staff to offer intervention and how the manning of premises affects this.
  - Information held by the licensee regarding self-exclusion schemes and incidences of underage gambling.
  - Arrangements in place for local exchange of anonymised information and data regarding self-exclusion and gambling trends.
  - Gambling trends that may mirror financial payments such as pay days, pay day loans or benefit payments
- 3.23 Arrangements for monitoring and dealing with underage people and vulnerable people, which may include:
- dedicated and trained personnel,
  - leaflets and posters,
  - self-exclusion schemes,
  - window displays and advertisements designed to not entice children and vulnerable people.
  - The provision of signage and documents relating to game rules, gambling care providers and other relevant information be provided in both English and the other prominent first language for that locality.
  - The proximity of premises that may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor surgeries, pharmacies, community hubs, addiction clinics or help centres, places where alcohol or drug dependent people may congregate.
- 3.24 The local risk assessment should show how children are to be protected:
- The proximity of institutions, places or areas where children and young people frequent such as schools, youth clubs, parks, playgrounds and entertainment venues such as bowling alleys, cinemas, etc.
  - The proximity of place where children congregate such as bus stops, cafes, shops.
  - Areas that are prone to issues of youths participating in anti-social behaviour, including activities such as graffiti, tagging, underage drinking etc.
- 3.25 Other matters that the assessment may include:

Gambling premises Internal measures (but not limited to):

- Details as to the location and coverage of working CCTV cameras, and how the system will be monitored.
- The layout of the premises so that staff have an unobstructed view of people using the premises and in particular the gaming machines and fixed odds betting terminals.
- The number of staff that will be available on the premises at any one time. If at any time that number is one, confirm the supervisory and monitoring arrangements when that person is absent from the licensed area or distracted from supervising the premises and observing those people using the premises.
- Where the application is for a betting premises licence, other than in respect of a track, the location and extent of any part of the premises, which will be used to provide facilities for gambling in reliance on the licence.
- Provisions to ensure the health and welfare of staff engaged in lone working.

3.26 Such information may be used to inform the decision the council makes about whether to grant the licence, to the licence with special conditions or to refuse the application.

3.27 This policy does not preclude any application being made and each application will be decided on its own merits, with the onus being upon the applicant to show how the concerns can be mitigated

## 3.28 Local Area Profile

3.29 A given location that gives rise to serious concerns of the impact of any further increase in the number of gambling premises in those most vulnerable and 'at risk' areas of the borough. This Authority considers that it is necessary to seek to control the number of facilities for gambling in areas where its most vulnerable residents may be placed at increasing risk, and in line with the duty, to aim to permit gambling insofar as it is reasonably consistent with the pursuit of the licensing objectives. All areas shown within the local area profile as being at high overall risk of gambling related harm, are generally considered inappropriate for further gambling establishments, which would tend to raise the risk of gambling related harm to vulnerable people living in those areas. Operators are asked to consider very carefully whether seeking to locate new premises or relocating existing premises within these areas would be consistent with the licensing objectives. Wherever the facilities are proposed, operators should consider, having regard to the individual mapping provided, each of the specific characteristics of their local area. Each premises' specific risk-assessment should recognise these and provide appropriate proactive mitigation or control measures.

3.30 The council is aware that demand issues (e.g. the likely demand or need for gambling facilities in an area) cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. The council will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. With regards to these objectives, it is the council's policy, upon receipt of any relevant representations to look at specific location issues including:

- the possible impact a gambling premises may have on any premises that provide services to children or young people, i.e. a school, or vulnerable adult centres in the area;
- the possible impact a gambling premises may have on residential areas where there may be a high concentration of families with children;
- the size of the premises and the nature of the activities taking place;
- any levels of organised crime in the area.

3.31 Assessment of risk covers the following:

- a. Identify risk factors
- b. Who can be harmed and how
- c. Evaluate the risk
- d. Record and score findings
- e. Monitor and review

3.32 Other matters that the assessment may include:

- local area crime statistics;
- whether the premises is in an area of deprivation;
- whether the premises is in an area subject to high levels of crime and/or disorder;
- the demographics of the area in relation to vulnerable groups;
- the location of services for children such as schools, playgrounds, toy shops, leisure centres and other areas where children will gather;
- the training of staff to recognise child sexual exploitation and the steps to be taken if it is suspected;

- details as to the location and coverage of working CCTV cameras, and how the system will be monitored;
- the layout of the premises so that staff have an unobstructed view of persons using the premises;
- the number of staff that will be available on the premises at any one time. If at any time that number is one, confirm the supervisory and monitoring arrangements when that person is absent from the licensed area or distracted from supervising the premises and observing those persons using the premises;
- arrangements for monitoring and dealing with under age persons and vulnerable, which may include dedicated and trained personnel, leaflets, posters, self-exclusion schemes, window displays and advertisements not to entice passers-by etc.;
- the provision of signage and documents relating to games rules, gambling care providers and other relevant information be provided in both English and the other prominent first language for that locality;
- where the application is for a betting premises licence, other than in respect of a track, the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence;
- the training of staff in brief intervention when customers show signs of excessive gambling, the ability of staff to offer brief intervention and how the manning of premises affects this.

3.33 Such information may be used to inform the decision the council makes about whether to grant the licence, to grant the licence with special conditions or to refuse the 3.31 application.

3.34 A good risk assessment accompanying an application will:

- Enable the licensing authority to see that the applicant has considered the community and the risks within it;
- Provide greater clarity for operators leading to improved premises licence applications, with the operator already incorporating controls and measures to mitigate risk in their application;
- Enable the licensing authority to make robust but fair decisions, based on a clear, published set of factors and risks, which are therefore less susceptible to challenge;
- Encourage a proactive approach to risk that is likely to result in reduced compliance and enforcement action.

3.35 In any case the local risk assessment should show how vulnerable people, including people with gambling dependencies, are protected.

3.36 There is evidence that some groups in the population may be more vulnerable to gambling related harm. This does not only apply to people on low incomes but also people who are less able to make reasoned decisions because of poor mental health or addiction. Children and young people may be particularly susceptible, as their youth and inexperience may make them more inclined to risk-taking behaviour and less able to manage the consequences of those decisions.

3.37 To help support applicants and licence holders to better understand their local environment, an analysis of gambling related harm has been prepared as a 'local area profile.' A copy of the document is provided at Appendix B. By drawing on relevant and reliable published socio-economic and public health data sets together with local police data concerning anti-social behaviour, the local area profile uses special analysis techniques to provide a model of area-based vulnerability to gambling related harm across the borough. Both current operators and potential new operators to the borough are asked to consider the detail provided carefully, and should have regard to both the overall summary map and the individual mapping provided in respect of each relevant data set.

3.38 This policy does not preclude any application being made and each application will be decided on its merits, with the onus being upon the applicant to show how the concerns can be overcome. Assessing local risk should therefore provide a means for licensees to address local concerns about gambling premises; and for licensing authorities and gambling licensees to work collaboratively with a view to minimising risks, within the framework of aiming to permit gambling where reasonably consistent with licensing objectives.

### 3.39 Duplication with other regulatory regimes

3.40 The council will seek to avoid any duplication with other statutory/regulatory systems where possible, including Planning. The council will not consider whether a licence application is likely to be awarded planning permission or building regulations approval in its consideration of it. It will though, listen to, and consider carefully, any concerns about proposed conditions which are not able to be met by the applicant due to planning restrictions, should such a situation arise, this may include consideration of the proposed hours of operation. The Council will

consider the hours proposed in accordance to the risk assessment and area profile.

### 3.41 Conditions

3.42 The Council is aware that the Secretary of State has set mandatory conditions and default conditions. The Gambling Commission has set Licence Conditions and Codes of Practice which are necessary for the general good conduct of gambling premises. The Council will not seek to impose further individual conditions in relation to matters that have already been dealt with, unless required due to matters within the risk assessment and or Local area profile.

3.43 Where there are specific risks or problems associated with a particular locality, or specific premises, or class of premises, the council will attach individual conditions to address this. Any conditions attached to a licence issued by the council will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for, and/or related to the area where the premises is based;
- fairly and reasonably related to the scale, type and location of premises;
- consistent with the licensing objectives, and
- reasonable in all other respects.

3.44 Decisions about individual conditions will be made on a case-by-case basis, although there will be a number of control measures the council will consider using, such as supervision of entrances, supervision of adult gaming machines, appropriate signage for adult only areas etc. There are specific comments made in this regard under each of the licence types in this policy. The council will also expect the applicant to offer his/her own suggestions as to the way in which the licensing objectives can be met effectively.

3.45 Where certain measures are not already addressed by the mandatory/default conditions or by the applicant, the council may consider licence conditions to cover issues such as:

- proof of age schemes;
- CCTV;
- supervision of entrances;
- supervision of machine areas;
- a reduction in the number of betting machines (betting premises);
- the staffing of premises;
- physical separation of areas;
- location of entrance points;
- notices / signage;
- specific opening hours;
- a requirement that children must be accompanied by an adult;
- enhanced CRB checks of the applicant and/or staff;
- support to persons with gambling addiction;
- policies to address seasonal periods where children may more frequently attempt to gain access to premises and gamble such as pre and post school hours, half terms and summer holidays;
- policies to address the problems associated with truant children who may attempt to gain access to premises and gamble;
- No on street promotional activity to encourage betting participation
- anyone or a combination of these measures.

3.46 This list is not mandatory or exhaustive and is merely indicative of examples of certain measures which may satisfy the requirements of the licensing authority and the responsible authorities, depending on the nature and location of the premises and the gambling facilities to be provided.

3.47 There are conditions which the council cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible for the applicant to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated) and

- conditions in relation to stakes, fees, winnings or prizes.

### 3.48 Door supervision

3.49 The council will consider whether there is a need for door supervision in terms of the licensing objectives of protection of children and vulnerable persons from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of crime. It is noted though that the Gambling Act 2005 has amended the Private Security Industry Act 2001 and that door supervisors at casinos or bingo premises are not required to be licensed by the Security Industry Authority. Where door supervisors are provided at these premises the operator should ensure that any persons employed in this capacity are fit and proper to carry out such duties. Possible ways to achieve this could be to carry out a criminal records (CRB) check on potential staff and for such personnel to have attended industry recognised training.

### 3.50 Adult gaming centres

3.51 Under the Act a premises holding an adult gaming centre licence will be able to make category B, C and D gaming machines available and no one under 18 will be permitted to enter such premises.

3.52 The council will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling in these premises. The council will expect applicants to satisfy the authority that there will be sufficient measures to ensure that under 18-year-olds do not have access to the premises.

3.53 The Government plans to relax the ratio of gaming machines that will be permitted in Adult Gaming Centres. The intention is to amend the current gaming machine ratio to allow operators to make 2 Category B gaming machines available to a minimum of one Category C and D gaming machine. This will apply on a device type basis. This means, for example, that operators will be able to site 2 Category B cabinet gaming machines to a minimum of one Category C or D gaming machine. This would also apply for in-fill and tablet gaming machines. The ability to have cashless play at these machines are also being brought into effect. Gambling machines provide a form of gambling which is attractive to children and AGC's will contain machines of a similar format to the category D machines on which children are allowed to play. The pending changes mark a greater freedom in machine availability and also a vulnerable customers ability to use debit cards in situ without necessarily taking a break from the machine. The Licensing Authority will expect the applicant to satisfy it that there will be sufficient measures to ensure that under 18-year-olds do not have access to the premises. Meaningful engagement from staff with customers to ensure they are not spending beyond their means will be essential. Measures and /licence conditions may cover issues such as:

- proof of age schemes
- CCTV
- Entry control system
- the numbers of staff on duty at any one time.
- door supervisors.
- supervision of entrances/machine areas.
- physical separation of areas.
- location of entry
- notices / signage/ no promotional activity in the public highway to encourage gambling
- specific opening hours
- self-barring schemes; or
- provision of information leaflets/helpline numbers for organisations such as GamCare

3.54 This list is not mandatory, nor exhaustive, and is merely indicative of the types of issues that measures/conditions should cover. Gaming machines provide opportunities for solitary play and immediate payouts and as such are likely to encourage repetitive and excessive play. Therefore, when considering premises licence applications which include gaming machines particular regard will be given to the licensing objective.

### 3.55 Licensed family entertainment centres (FECs)

3.56 Licensed family entertainment centres are those premises which usually provide a range of amusements such as computer games, penny pushers and may have a separate section set aside for adult only gaming machines with higher stakes and prizes. Licensed family entertainment centres will be able to make available unlimited category C and D machines where there is clear segregation in place so children do not access the areas where the category C machines are located.

- 3.57 Where category C or above machines are available in premises to which children are admitted then the council will ensure that:
- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance. For this purpose, a rope, floor markings or similar provision will not suffice and the council may insist on a permanent barrier of at least 1 meter high;
  - only adults are admitted to the area where the machines (category C) are located;
  - access to the area where the machines are located is supervised at all times;
  - the area where the machines are located is arranged so that it can be observed by staff; and
  - at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.
- 3.58 The council will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling in these premises. The council will expect applicants to satisfy the authority that there will be sufficient measures to ensure that under 18-year-olds do not have access to the adult only gaming machine areas.
- 3.59 The council will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.
- 3.60 The efficiency of such policies and procedures will each be considered on their merits, however, they may include:
- appropriate measures and training for staff as regards suspected truant children on the premises;
  - measures and training covering how staff would deal with unsupervised very young children being on the premises;
  - measures and training covering how staff would deal with children causing perceived problems on or around the premises;
  - the arrangements for supervision of premises either by staff or the use of CCTV.
- 3.61 Any CCTV system installed should both the interior and the entrance working to the latest Home Office and ACPO standards and to the satisfaction of Metropolitan Police and the local authority. The system must record images clearly and these recordings be retained for a minimum of 31 days. If the equipment is inoperative the police and local authority must be informed as soon as possible and immediate steps taken to make the system operative. Notices must be displayed at the entrances advising that CCTV is in operation.
- 3.62 Due to the nature of these premises, which are attractive to children, applicants who employ staff to supervise the premises should consult with the Independent Safeguarding Authority to determine if their staff need to be CRB checked.
- 3.63 The council will refer to the Commission's website to familiarise itself with any conditions apply to operating licences covering the way in which the area containing the category C machines should be delineated. The council will also make itself aware of the mandatory or default conditions and any Gambling Commission Codes of Practice on these premises licences.

### 3.64 Casinos

The London Borough of Haringey has passed a Nil resolution in relation to casinos, but it is noted that the Government has not awarded a casino licence to Haringey.

### 3.65 Bingo premises

There is no official definition for bingo in the Gambling Act 2005 however from a licensing point of view there is a category of premises licence specifically for bingo premises which is used by traditional commercial bingo halls for both cash and prize bingo. In addition, this premises licence will authorise the provision of a limited number of gaming machines in line with the provisions of the Act.

- 3.66 The council is aware that it is important that if children are allowed to enter premises licensed for bingo that they do not participate in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted then the council will ensure that:

- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance. For this purpose, a rope, floor markings or similar provision will not suffice and the council may insist on a permanent barrier of at least one meter high;
- only adults are admitted to the area where the machines are located;
- access to the area where the machines are located is supervised at all times;
- the area where the machines are located is arranged so that it can be observed by staff;
- at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18;
- children will not be admitted to bingo premises unless accompanied by an adult.

3.67 The Gambling Commission has provided Guidance for Licensing Authorities and Licence Conditions and Code of Practice which are applied to Operator's Licences. The council will take this into consideration when determining licence applications for bingo premises.

3.68 Where certain measures are not already addressed by the mandatory/default conditions, the Gambling Commission Code of Practice or the applicant, the council may consider licence conditions to address such issues.

### 3.69 Betting premises

3.70 Betting premises are premises such as bookmakers where various types of gambling are authorised to take place. The Act contains a single class of licence for betting premises however within this single class there are different types of premises which require licensing such as high street bookmakers, bookmakers located in self-contained facilities at race courses as well as the general betting premises licences that track operators will require. The council will specifically have regard to the need to protect children and vulnerable people from harm or being exploited by gambling in these premises. The council will expect applicants to satisfy the authority there will be sufficient measures in place to ensure that under 18-year-olds do not have access to the premises

3.71 Betting Premises Licence (In Respect of Premises Other Than a Track)

- a) This type of licence allows premises (i.e., betting offices) to provide 'off course' betting i.e., betting that takes place other than at a track. There are also betting offices at tracks that have a separate premises licence from the track licence.
- b) This section of the policy concentrates on 'off course' betting that takes place other than at a track and includes an entitlement to provide up to four gaming machines of category B2, B3, B4, C or D and any number of betting machines.

3.72 This Licensing Authority may, when appropriate, use its powers under Section 181 of the Act to restrict the number of betting machines (also known as bet receipt terminals), their nature and the circumstances in which they are made available at betting premises by imposing a licence condition.

When considering whether such a condition should be imposed, the Licensing Authority will take into account:

- the size of the premises.
  - the number and location of the machines.
  - the number of counter positions available for person-to-person transactions, and
  - the numbers of, and ability of staff to monitor the licensed premises and prevent persons under the age of 18 from entering the premises.
- c) The Licensing Authority will expect the applicant to satisfy it that there will be sufficient measures to ensure that under 18-year-olds do not have access to the premises.

3.73 Appropriate measures / licence conditions may cover issues such as:

- proof of age schemes.
- CCTV.
- the numbers of staff on duty at any one time.
- door supervisors.
- supervision of entrances/machine areas.
- physical separation of areas.
- location of entry.
- notices / signage.
- specific opening hours.
- self-barring schemes.
- provision of information leaflets/helpline numbers for organisations such as GamCare.

- 3.74 This list is not mandatory, nor exhaustive, and is merely indicative of example measures.
- d) There are particular concerns about the use of B2 Fixed Odds Betting Terminals (FOBTs).
- 3.75 We recognise that it is permissible for a betting operator to provide solely FOBTs as their allocation of gaming machines, the high prize, high stake gaming provided enables considerable sums of money to be spent in a very short period of time, 56 which increases the risk of gambling-related harm.
- 3.76 The applicant in each case will be expected to demonstrate that they can offer sufficient facilities for betting alongside any gaming machine provision.
- e) Where FOBTs are provided, these gaming machines shall be located within direct line sight of the supervised counter.
- 3.77 Information leaflets and posters shall be provided in close proximity to the location of any FOBTs. These should be aimed at customers/families/friends to provide information on how to identify signs of problem gambling and available pathways to advice and assistance (e.g., helpline numbers and online counselling services)
- f) Where the local area profile identifies any relevant local risk of gambling-related harm, operators may consider additional protections for the vulnerable.
- 3.78 This might include:
- Removing Automated Teller Machines (ATM's) from the betting office
  - Restricting FOBTs to account-based play
- g) Licensed betting premises are only permitted to offer gambling facilities between 0700 and 2200 hours unless the local authority has agreed an extension of operating hours.
- 3.79 We recognise that longer operating hours may attract more vulnerable people, such as those who may be intoxicated or have gambling addictions. Therefore, this Authority is unlikely to grant any extension of operating hours unless it is satisfied that robust measures will be undertaken to protect the vulnerable.
- h) Children and young persons are not permitted to enter licenced betting premises.
- 3.80 Social Responsibility (SR) Code 3.2.7(3) in the licence Conditions and Codes of Practice (LCCP) states that 'licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises' in order to prevent underage gambling.
- i) As per the Commission's Guidance we will consider restricting the number and location of betting machines in respect of applications for betting premises licences.
- 3.81 When considering the number, nature, and circumstances of betting machines an operator wants to offer, the Commission's Guidance will be followed and take into account the size of the premises, the number of counter positions available for person to-person transactions and the ability of the staff to monitor the use of machines.
- j) This Authority will have regard to the local area profile set out in Section 5 of this policy and to the risk assessment compiled in response to it.

### 3.82 Tracks

- 3.83 The potential space for betting machines at a track may be considerable, bringing with it significant problems in relation to:
- the proliferation of such machines.
  - the ability of track staff to supervise the machines if they are scattered around the track; and
  - preventing persons under the age of 18 from being able to use the machines.
- 3.84 This Licensing Authority will, when appropriate, use its powers under Section 181 of the Act to restrict the number of betting machines (also known as bet receipt terminals), their nature and the circumstances in which they are made available at a betting premises by attaching a licence condition to a betting premises licence. When considering whether such a condition should be imposed, the Licensing Authority will take into account the:
- size of the premises;
  - number and location of the machines.
  - number of counter positions available for person-to-person transactions; and
  - ability of staff to monitor the licensed premises and prevent persons under the age of 18 from using the machines.

## 3.85 Condition on rules being displayed at tracks.

- a) The Licensing Authority will attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office.

## 3.86 Applications and plans for tracks.

- a) Applicants must comply with any relevant regulations or guidance issued by the Gambling Commission in relation to applications for tracks. Applicants must ensure that the Licensing Authority is made completely aware of what it is being asked to licence.
- b) The information submitted with the application must include detailed plans for the racetrack itself and the area that will be used for temporary “on-course” betting facilities (often known as the “betting ring”). In the case of:
  - dog tracks and horse racecourses
  - fixed and mobile pool betting facilities operated by the Tote or track operator; and
  - other proposed gambling facilities.
- c) The plans should make clear what is being sought for authorisation under the track betting premises licence. It must also be made clear what, if any, other areas are to be subject to a separate application for a different type of premises licence.
- d) Unless there is a compelling reason to not do so, the Licensing Authority will require all self-contained premises operated by off-course betting operators on track to be the subject of separate premises licences.

3.87 This will ensure that there is clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.

## 3.88 Travelling fairs

3.89 Travelling fairs have traditionally been able to provide various types of low stake gambling without the need for Travelling fairs (as defined in the Act, and in respect of fairs which are ‘wholly or principally’ providing amusements) may provide an unlimited number of Category D gaming machines and equal chance prize gaming without the need for any authorisation from the Licensing Authority, provided that such facilities amount to no more than an ancillary amusement at the fair.

3.90 There is a 27-day per calendar year statutory limit for a piece of land being used as a fair, and this regardless of whether it is the same or different travelling fairs using the land. The Licensing Authority will work with its neighbouring authorities to ensure that land that crosses our boundaries are monitored so that the statutory limits are not exceeded.

## 3.91 Provisional statements

3.92 Application for a provisional statement can be made for premises that an applicant expects to be constructed or to be altered or expects to acquire the right to occupy. Representations can be made against an application for a provisional statement in the same manner as for a premises licence. The process for considering an application for a provisional statement is the same as that for premises licences (with the exception that an applicant need not have the right to occupy the premises and need not have an operating licence).

3.93 Once the premises have been constructed, altered, or acquired by the holder of a provisional statement, they can put in an application for the necessary premises licence. If a provisional statement has been granted, the Licensing Authority is constrained in the matters it can consider when an application for a premises licence is subsequently made in relation to the same premises.

3.94 No further representations from relevant authorities or interested parties. can be taken into account in relation to the premises licence application unless they concern matters which could not have been addressed at the provisional statement stage, or they reflect a change in the applicant’s circumstances. In addition, the Licensing Authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by way of representations at the provisional licence stage, or

- which, in the authority’s opinion, reflect a change in the operator’s circumstances, or
- where the premises has not been constructed in accordance with the plan and
- information submitted with the provisional statement application.

This must be a substantial change to the plan and the Licensing Authority will discuss any concerns they have with the applicant before making a decision. Section 210 of the Act (which applies to premises licences and provisional statements) makes it clear that a Licensing Authority must not have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with planning or building law.

### 3.95 Reviews

3.96 A premises licence may be reviewed by the licensing authority of its own volition or following the receipt of an application for a review from interested party or responsible authority. A formal review of a premises licence may result in the Licensing Authority imposing additional conditions or revoking the licence.

#### 3.97 Initiation of review by Licensing Authority

- The Licensing Authority may initiate a review in relation to a particular class of premises licence or in relation to particular premises. Whilst officers may be involved in the initial investigations of complaints leading to a review or may (at their discretion) try informal mediation or dispute resolution techniques prior to a review being initiated, the review itself must be heard and determined by Licensing Committee or one of its Sub-Committees.
- In relation to a class of premises, the Licensing Authority may review the use made of premises and, in particular, the arrangements that premises licence general reviews, the Licensing Authority will most likely
- be acting as a result of specific concerns or complaints about particular types of premises, which would cause them to want, for example, to look at the default conditions that apply to that category of licence
- In relation to particular premises, the Licensing Authority may review any matter connected with the use made of the premises if it has reason to suspect that premises licence conditions are not being observed,
- or for any other reason (such as a complaint from a third party) which gives them cause to believe that a
- review may be appropriate.

3.98 Application for review by responsible authorities and interested parties Whilst, requests for a review of a premises licence can be made by interested parties or responsible authorities, it is for the Licensing Authority to decide whether the review is to be carried out. However, the Licensing Authority recognises that its decision to carry out a review must not amount to prejudging the outcome of the review.

3.99 An application for a review may be rejected if the Licensing Authority thinks that the grounds on which the review is sought:

- are not relevant to the principles that must be applied by the Licensing Authority in accordance with section 153 of the Act. If the application raises issues that are not relevant to the current Commission guidance, current codes of practice, this Policy statement, or the licensing objectives, then the Licensing Authority may reject it. In addition, if the application raises general objections to gambling as an activity, that is likely to be irrelevant to the principles in section 153, given that the Authority is required to permit the use of premises for gambling in so far as we think that permission is in accordance with the matters set out in that section. Examples that are likely to be irrelevant include demand for gambling premises, issues relating to planning, public safety, and traffic congestion.
- that the grounds are frivolous.
- that the grounds are vexatious.
- that the grounds “will certainly not” cause the authority to revoke or suspend a licence or remove, amend, or attach conditions on the premises licence.
- are substantially the same as the grounds cited in a previous application for review relating to the same premises. In these circumstances we will take into account how much time has passed since the earlier application in reaching a judgement about whether it is reasonable to rely on this as a reason not to review the licence; or
- are substantially the same as representations made at the time the application for a premises licence was considered. In these circumstances the Licensing Authority will take into account the period of time that has passed since the representations were made, but the underlying requirement is that the Licensing Authority should not review the licence on the basis of the same arguments considered on the grant of the premises licence.

3.100 The matters which will generally be considered relevant for any review are:

- any relevant current code of practice issued by the Commission

- any relevant current guidance issued by the Commission.
- the licensing objectives.
- the Council's Statement of Gambling Principles, and
- The Gambling Act 2005 and the regulations made

3.101 Once the review has been completed, the licensing authority must, as soon as possible, notify its decision to:

- the licence holder.
- the applicant for review (if any).
- the Commission.
- any person who made representations.
- the Chief Officer of Police or Chief Constable; and
- Her Majesty's Commissioners for Revenue and Customs

3.102 There is a right of appeal against the Council's decision.

3.103 Rights of appeal and judicial review

3.104 The Council is required by law to give reasons for a rejection of an application, but it is also good practice for it to give reasons for all decisions. Failure to give reasons may result in an appeal of the decision or the suggestion that the Council did not have regard to all the relevant information when making its decision, in line with its obligation under s.153 of the Act. It is particularly important that reasons should reflect the extent to which the decision has been made with regard to the licensing authority's policy statement and this Guidance. Reasons for decisions should be made available to all of the parties of any process. The Council's decision may be subject to judicial review. Details relating to appeals against decisions by a licensing authority are set out in s.206 - 209 of the Act.

## Chapter 4 - Permits, notices and lottery registrations.

### 4.1 Temporary use notices (TUN)

4.2 A TUN allows the use of premises for gambling where there is no premises licence but where a licensed operator wishes to use the premises temporarily for providing facilities for gambling. The type of premises that might be suitable for a Temporary Use Notice could include hotels, conference centres and sporting venues. The Licensing Authority can only grant a Temporary Use Notice to a person or company holding a relevant operating licence, i.e., a non-remote casino operating licence. The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this Statement the relevant regulations (SI no 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that Temporary Use Notices can only be used to permit the provision of facilities of equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments, dominoes, backgammon, mah-jong or bingo. There are a number of statutory limits as regards temporary use notices. Gambling Commission Guidance is noted that "The meaning of "premises" in Part 8 of the Act is discussed in Part 7 of the Commission's guidance. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place". In considering whether a place falls within the definition of "a set of premises", the licensing authority will need to look at, amongst other things, the ownership/occupation and control of the premises.

4.3 The holder of an operating licence must give notice to the licensing authority in whose area the premises are situated. The Secretary of State has prescribed the form of the notice which must specify information including:

- the type of gaming to be carried on.
- the premises where it will take place.
- the dates and times the gaming will take place.
- any periods during the previous 12 months that a TUN has had effect for the same premises
- the date on which the notice is given.
- the nature of the event itself.

4.4 This Council expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises as recommended in the Commission's Guidance to Licensing Authorities.

## 4.5 Appeals

4.6 An appeal against the Licensing Authority's decision may be made by the applicant, or any person entitled to receive a copy of the TUN, to the Magistrates' court within 14 days of receiving notice of the authority's decision. There is a further right of appeal to the High Court or Court of Session on a point of law.

## 4.7 Occasional use notices

4.8 An occasional use notice permits licensed betting operators to use tracks for betting on eight days or fewer in a calendar year, where the event is of a temporary nature. Betting may therefore be permitted by an occasional use notice without the need for a full premises licence. The licensing authority has very little discretion regarding these notices besides ensuring that the statutory limit of eight days a year is not exceeded. This licensing authority will consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

4.9 Tracks are usually regarded as permanent racecourses, but the meaning of track not only covers horse racecourses or dog tracks, but also any other premises on any part of which a race or other sporting event takes place. Although the track need not be a permanent fixture, land used temporarily as a track providing races or sporting events may qualify.

## 4.10 Gaming machines

4.11 Gaming machines cover all types of machines on which people can gamble, subject to a few exemptions. The Act sets out the categories of gaming machine and the number of such machines that may be permitted in each type of gambling premises. There are four categories of gaming machine: categories A, B, C and D with category B divided into a further five subcategories.

4.12 There is a minimum age of 18 for all players for all category A, C and C machines. There is no minimum age for players of category D machines. The holder of any permit must comply with the codes of practice issued by the Commission on the location of and access to gaming machines by children and young persons, and the separation from category C and B machines where those are also located on the same premises.

## 4.13 Permits

4.14 Licensing Authorities may issue a range of permits for gambling which are designed as a light touch approach to low level ancillary gambling. They are used where stakes and prizes are subject to very low limits and/or gambling is not the main function of the premises. As a Licensing Authority, this Council may only grant or reject an application for a permit. It may not attach any conditions to the permit.

4.15 Holders of alcohol-licensed premises gaming machine permits, and club permits are required to comply with the Commission's codes of practice on the location and operation of machines. Licensing Authorities may issue the following permits:

- Family entertainment centre gaming machine permits
- Club gaming permits and club machine permits.
- Alcohol-licensed premises gaming machine permits.
- Prize gaming permits.

## 4.16 Unlicensed Family Entertainment Centre

4.17 Where a premise does not hold a premises licence but wishes to provide gaming machines, it may apply to the Licensing Authority for this permit. The applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (section 238 of the Act).

- 4.18 The Act enables a Licensing Authority to prepare a statement of principles which it proposes to consider when determining the suitability of an applicant for a permit. In preparing this statement and/or considering applications it may have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission. The Commission's guidance advises that given that the premises is likely to appeal particularly to children and young persons, licensing authorities may wish to give weight to child protection issues.
- 4.19 The council may only grant a permit if it is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application. The Council cannot attach conditions to this type of permit but may ask applicants to demonstrate:
- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs.
  - that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act).
  - that staff are trained to have a full understanding of the maximum stakes and prizes (24.7).
  - appropriate measures/training for staff regarding suspected truant school children on the premises; and
  - measures/training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on or around the premises.

## 4.20 Club Gaming and Club Machines Permits

- 4.21 Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set out in forthcoming regulations.
- 4.22 Members Clubs, Miner's welfare institutes and Commercial Clubs may apply for a Club Machine Permit. A Club Machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D). NB Commercial Clubs may not site category B3A gaming machines offering lottery games in their club.
- 4.23 The Commission's Guidance states: "Members clubs must have at least 25 members and be established and conducted wholly or mainly for purposes other than gaming, unless the gaming is permitted by separate regulations". The Secretary of State has made regulation and these cover bridge and whist clubs, which replicates the position under the Gambling Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations.
- 4.24 There is a fast-track procedure which prevents objections to be made by the Commission or the police and reduces the grounds on which an authority can refuse a permit. The grounds for refusal are:
- that the club is established primarily for gaming, other than gaming prescribed under schedule 12
  - that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
  - that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.
- 4.25 The Council may refuse an application on the grounds that:
- the applicant does not fulfil the requirements for a members' club or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied.
  - the applicant's premises are used wholly or mainly by children and/or young persons.
  - an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities.
  - a permit held by the applicant has been cancelled in the previous 10 years.
  - an objection has been lodged by the Commission or the Police.
- 4.26 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

## 4.27 Premises licensed to sell alcohol

- 4.28 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises to have 2 gaming machines of categories C and/or D. The premises merely need to notify the Licensing Authority. This local authority expects all licensees to adhere to the:
- Code of Practice for gaming machines in alcohol licenced premises

- Code of Practice for equal chance gaming in alcohol licensed premises.
- 4.29 The Licensing Authority can remove the automatic authorisation in respect of any particular premises if:
- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives.
  - gaming has taken place on the premises that breaches a condition of section 282 of the Act (i.e., that written notice has been provided to the Licensing Authority that a fee has been provided and that any relevant code of practice issued by the Commission about the location and operation of the machine has been complied with);
  - the premises are mainly used for gaming; or
  - an offence under the Gambling Act has been committed on the premises.
- 4.30 If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the Licensing Authority must consider that application based upon the licensing objectives and any guidance issued by the Commission under S.25 of the Gambling Act 2005 and any other relevant matters. This Licensing Authority considers that such matters will be decided on a case-by-case basis but will consider the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under-18s do not have access to the adult-only gaming machines. Measures which will satisfy the authority will include that the adult machines be in direct sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage shall be used with regards to age restriction. Applicants shall provide information leaflets/helpline numbers for organisations such as GamCare.
- 4.31 The council can decide to grant the permit with a smaller number of machines and/or a different category of machines than that applied for. Conditions other than these cannot be attached.

## 4.32 Prize gaming permits

Section 288 defines gaming as prize gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. The prizes will be determined by the operator before play commences. Prize gaming can often be seen at seaside resorts in amusement arcades where a form of bingo is offered and the prizes are displayed on the walls. A prize gaming permit is a permit issued by the licensing authority to authorise the provision of facilities for gaming with prizes on specified premises.

- 4.33 In making its decision on an application for this permit the Licensing Authority does not need to but may, have regard to the licensing objectives but must have regard to any guidance from the Commission. (Gambling Act 2005, Schedule 14 paragraph 8(3)). The permit holder must comply with the relevant conditions in the Act, but that the Licensing Authority cannot attach conditions. The conditions in the Act are:
- the limits on participation fees, as set out in regulations, must be complied with.
  - all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day.
  - the game must be played and completed on the day the chances are allocated; the result of the game must be made public in the premises on the day that it is played.
  - the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if nonmonetary prize); and
  - participation in the gaming must not entitle the player to take part in any other gambling

- 4.34 The permit will have effect for ten years, unless it ceases to have effect, lapses, or is renewed. There is no annual fee for prize gaming permits. 10.8.6 An application for renewal of a permit must be made during the period beginning six months before the permit expires and ending two months before it expires. A permit will be still valid pending renewal including an appeal against a decision not to renew. The permit must be kept on the premises, and it is an offence not to produce it when requested to do so by a constable, an enforcement officer, or an authorised local authority officer. There is a right of appeal against a decision not to grant or renew a permit.

## 4.35 Small society lottery registrations

- 4.36 A lottery generally refers to schemes under which prizes are distributed by chance among entrants who have given some form of value for their chance to take part.

- 4.37 The Act creates two principal classes of lotteries: Licensed lotteries and exempt lotteries. Licensed lotteries are large society lotteries and lotteries run for the benefit of local authorities. These will be regulated by the Gambling Commission. Within the class of exempt lotteries there are four sub classes, one of which is small society lotteries.
- 4.38 A small society lottery is a lottery promoted on behalf of a non-commercial society as defined in the Act which also meets specific financial requirements set out in the Act. These will be administered by the council for small societies who have a principal office in Haringey and want to run such lottery.
- 4.39 A lottery is small if the total value of tickets put on sale in a single lottery is £20,000 or less and the aggregate value of the tickets put on sale in a calendar year is £250,000 or less.
- 4.40 To be 'non-commercial' a society must be established and conducted:
- for charitable purposes;
  - for the purpose of enabling participation in, or supporting, sport, athletics or a cultural activity; or
  - for any other non-commercial purpose other than that of private gain.
- 4.41 The other types of exempt lotteries are 'incidental non-commercial lotteries', 'private lotteries' and 'customer lotteries'. If you require guidance on the different categories of lotteries please contact the council.
- 4.42 The National lottery is not licensed by the Gambling Act 2005 and continues to be regulated by the National Lottery Commission under the National Lottery Act 1993.

## Chapter 5 Compliance and Enforcement Matters

### 5.1 Enforcement

The council will work closely with the responsible authorities in accordance with a locally established joint enforcement protocol and will aim to promote the licensing objectives by targeting known high risk premises following government guidance around better regulation. Specifically the council is subject to the Regulators' Code which provides the following six provisions which the Council should follow in its enforcement activities, unless it concludes, because of material evidence, that a specific provision of the Code is either not applicable or outweighed by another relevant consideration

1. Regulators should carry out their activities in a way that supports those they regulate to comply and grow
2. Regulators should provide simple and straightforward ways to engage with those they regulate and hear their views
3. Regulators should base their regulatory activities on risk
4. Regulators should share information about compliance and risk
5. Regulators should ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply
6. Regulators should ensure that their approach to their regulatory activities is transparent

- 5.2 In carrying out its enforcement duties with regards to the inspection of premises; and the powers to institute criminal proceedings in respect of certain offences under the Act the council will endeavour to be:
- **proportionate:** regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
  - **accountable:** regulators must be able to justify decisions, and be subject to public scrutiny;
  - **consistent:** rules and standards must be joined up and implemented fairly;
  - **transparent:** regulators should be open, and keep regulations simple and user friendly; and
  - **targeted:** regulation should be focused on the problem, and minimise side effects

- 5.3 The council will endeavour to avoid duplication with other regulatory regimes so far as possible.
- 5.4 Where there is a Primary Authority scheme in place, the council will seek guidance from the Primary Authority before taking any action involving test purchasing operations, unless these arise as a result of a complaint.
- 5.5 Further information, including an index of all Primary Authority arrangements can be found at <https://primaryauthorityregister.info/par/index.php/home>

- 5.6 The council will also adopt a risk-based inspection programme in line with government recommendations around better regulation and the principles of the Hampton Review.
- 5.7 The main enforcement and compliance role for the council in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for the operator and personal licences. Concerns about the manufacture, supply or repair of gaming machines will not be dealt with by the council but will be notified to the Gambling Commission. In circumstances where the council believes a premises requires a premises licence for gambling activities and no such licence is in force, the council will alert the Gambling Commission.
- 5.8 The Gambling Commission have highlighted that local authorities in general are likely to receive very few, or no complaints about gambling. Unlike other regulated areas, such as alcohol, gambling is much less visible as a concern for residents. As a result, the Gambling Commission advises the Council to proactively conduct inspections, to build up the picture of whether a premises can establish true compliance, and can assess whether the necessary protections, especially for the young and vulnerable are in place and working effectively.
- 5.9 The Council's Inspection programme requires all new licensed premises to be inspected shortly after the licence has been issued, and every premises should expect at least one inspection per year. Inspections of premises are also undertaken if complaints are received, if variation applications are received or there is some other intelligence that suggests an inspection is appropriate. Compliance will be checked in a daytime or evening inspection. Where a one-off event takes place under a Temporary Use Notice or Occasional Use Notice, the Council may also carry out inspections to ensure the Licensing Objectives are being promoted.
- 5.10 High-risk premises are those premises that have a history of complaints, a history of non-compliance and require greater attention. The Council will operate a lighter touch in respect of low-risk premises so that resources are more effectively targeted to problem premises. We will also target enforcement towards illegal gambling as it is potentially higher risk/harm due to the lack of regulation. The council will also keep itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities. The council's enforcement/compliance protocols/written agreements will be available upon request.

## 5.11 Legislation, Policies and Strategies

- 5.12 In undertaking its licensing function under the Gambling Act 2005, the Council is also bound by other legislation including: -
1. Section 17 of the Crime and Disorder Act 1988;
  2. Human Rights Act 1998;
  3. Health and Safety at Work Act 1974;
  4. Environmental Protection Act 1990;
  5. The Anti-Social Behaviour Act 2014;
  6. The Equality Act
- 5.13 However, the policy is not intended to duplicate existing legislation and regulation regimes that already place obligations on employers and operators.

## 5.14 National Strategies

- 5.16 The Council will also seek to discharge its responsibilities identified by other Government Strategies, in so far as they impact on the objectives of the licensing function.

## 5.17 Decision Making

## 5.18 Committee Terms of Reference

- 5.19 Licensing Sub-Committee of Councillors will sit to hear applications where representations have been received from interested parties and responsible authorities. Ward Councillors will not sit on a Sub-Committee involving an application within their ward.

## 5.20 The Licensing Committee

- 5.21 The Licensing Committee will also sit to determine general licensing matters that have been delegated to it by the full Council that are not associated with the Gambling Act 2005. Where a Councillor who is a member of the Licensing Committee is making or has made representations regarding a licence on behalf of an interested party, in the interests of good governance they will disqualify themselves from any involvement in the decision making process affecting the licence in question.
- 5.22 The Licensing Sub-Committee will also refer to the Licensing Committee any matter it is unable to deal with because of the number of its members who are unable to take part in the consideration or discussion of any matter or vote on any question with respect to it. The Licensing Committee will refer to the Full Council any matter it is unable to deal with because of the number of its members who are unable to take part in the consideration or discussion of any matter or vote on any question with respect to it.
- 5.23 Every determination of a licensing decision by the Licensing Committee or a Licensing Sub-Committee shall be accompanied by clear, cogent reasons for the decision. The decision and the reasons for that decision will be sent to the applicant and those who have made relevant representations as soon as practicable. A summary of the decision shall also be posted on the Council's website as soon as possible after the decision has been confirmed, where it will form part of the statutory licensing register required to be kept by the Council.
- 5.24 The Council's Licensing Officers will deal with all other licensing applications where either no representations have been received, or where representations are irrelevant, frivolous or vexatious will be made by Council Officers, who will make the decisions on whether representations or applications for licence reviews should be referred to the Licensing Committee or Sub-Committee. Where representations are rejected, the person making that representation will be given written reasons as to why that is the case. There is no right of appeal against a determination that representations are not admissible.

## 5.25 Allocation of Decision-Making Responsibilities

- 5.26 The Council will be involved in a wide range of licensing decisions and functions and has established a Licensing Committee to administer them. Appreciating the need to provide a speedy, efficient and cost-effective service to all parties involved in the licensing process; the Committee has delegated certain decisions and functions and has established a Sub-Committee to deal with them. Many of the decisions and functions will be purely administrative in nature and the grant of non-contentious applications, including for example those licences and permits where no representations have been made, will be delegated to Council Officers.
- The table shown at Appendix A sets out the agreed delegation of decisions and functions to Licensing Committee, Sub-Committee and Officers. This form of delegation is without prejudice to Officers referring an application to a Sub-Committee or Full Committee if considered appropriate in the circumstances of any particular case.

## 5.27 Diversity and Equality

- 5.28 Subject to the general requirements of the Gambling Act, the Licensing Authority will Promote equality of opportunity between people who share a protected characteristic and those who do not. In such respects, nothing within this statement of licensing principles shall undermine the right of any individual to apply for any of the licences and/or authorisations provided under the terms of the Act. The Council is aware that some applications may have greater impact on groups, organisations or associations in respect of their race, gender, age, disability, sexuality or religious beliefs. With a view to eliminating unlawful discrimination, applicants will be expected (where appropriate) to address these concerns. Where applications made by these groups or organisations representing them highlight special needs or customs that may affect their application, the Council, in recognising its duty to promote good relations between persons of different groups, will give consideration to supporting those needs or customs whilst seeking to promote the three licensing objectives.

## 5.29 Human Rights

- 5.30 The Human Rights Act 1998 incorporates the European Convention on Human Rights and makes it unlawful for a local authority to act in a way that is incompatible with a Convention Right. The Council will have particular regard to its rights and responsibilities under the Human Rights Act 1998 when determining applications, considering enforcement and reviewing this policy.
- 5.31 The Council will have particular regard to:
- Article 6 – that in determination of civil rights everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law;

- Article 8 – that everyone has the right to respect for his home and private life (removal or restriction of a licence may effect a person’s private life); and
- Article 1 of the First Protocol – that every person is entitled to peaceful enjoyment of his or her possessions (a licence is considered a possession in law);

5.32 Contact

5.33 The Licensing Service  
 4<sup>th</sup> Floor Alexandra House  
 Station Road  
 Wood Green  
 London  
 N22 8HQ

**TABLE OF DELEGATIONS OF LICENSING FUNCTIONS APPENDIX 1**

<b>MATTER TO BE DEALT WITH</b>	<b>FULL COUNCIL</b>	<b>SUB-COMMITTEE</b>	<b>OFFICERS</b>
Three-year licensing policy	X		
Policy not to permit casinos	X		
Fee Setting - when appropriate		Can only be delegated to a sub-committee, not officers	
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Review of a premises licence			The initial grounds for review will be for officers to validate. Licensing Sub Committee will then hear the review if the grounds are valid under s.198
Application for club gaming /club machine permits		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Cancellation of club gaming/ club machine permits			Cancellation of club gaming /machine permits and other permits decisions would be appropriate for officers.

Applications for other permits			Dealt with by officers
Cancellation of licensed premises gaming machine permits			Dealt with by officers
Consideration of temporary use notice		X	
Decision to give a counter notice to a temporary use notice			

## Definitions

**NOTE:** In this Policy, the following definitions are included to provide an explanation to certain terms included in the Act and, therefore, in the Statement of Gambling Policy. In some cases, they are an abbreviation of what is stated in the Gambling Act 2005 or an interpretation of those terms. For a full definition of the terms used, the reader must refer to the Gambling Act 2005.

‘The Council’ means London Borough of Haringey, acting as the Licensing Authority as defined by the Gambling Act 2005.

‘The Act’ means the Gambling Act 2005.

‘The Licensing Authority’ the authority in whose area the premises is wholly/partly situated. The Licensing Authority (as in the issuing authority) is also a responsible authority.

‘The Gambling Commission’ a body set up by the Government as the unified regulator for gambling, replacing the Gaming Board.

‘Responsible Authority’ means a public body that must be notified of certain applications for premises licences and permits, and are entitled to make representations on any of the licensing objectives.

‘Children’ means individuals who are less than 16 years old.

‘Young person’ means individuals who are aged less than 18 years old and 16 years and over.

‘Mandatory Conditions’ means a specified condition provided by regulations to be attached to premises licences.

‘Default Conditions’ means a specified condition provided for by regulations to be attached to a licence unless excluded by the Council.

‘Premises’ means any place, including a vessel or moveable structure.

‘LCCP’ Licensing Conditions Code of Practice issued by the Gambling Commission

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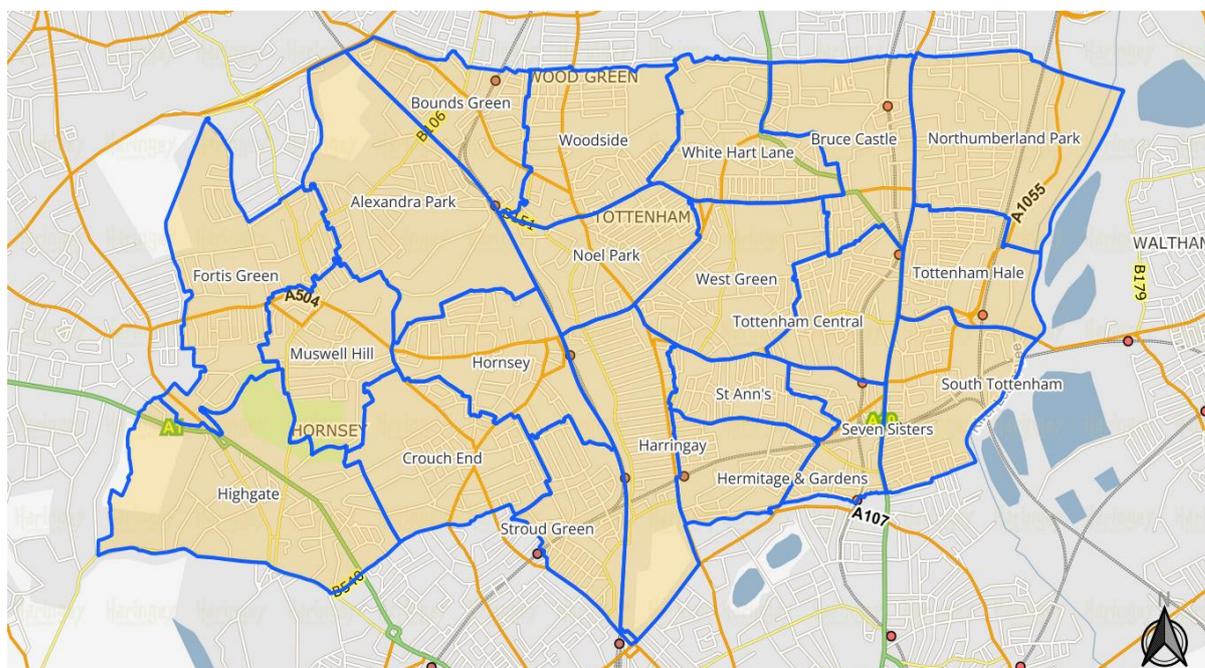
**GAMBLING ACT 2005  
GAMBLING LOCAL AREA PROFILE  
JANUARY 2025**

## Introduction

1. This profile is published by Haringey Council as part of its role under the Gambling Act 2005 to assist holders of premises licences produce their local risk assessments required under the Gambling Commission's Social Responsibility Code provisions of the its Licence Conditions and Codes of Practise.
2. Risk assessments are to help operators further the statutory licensing objectives of:
  - 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, and
  - protecting children and other vulnerable persons from being harmed or exploited by gambling
3. Our definition of vulnerable persons mirrors that of the Commission in that they are:
  - people who gamble more than they want to
  - people who gamble beyond their means; and/or
  - people who may not be able to make informed or balanced decisions about gambling, for example because of mental health problems, learning disabilities, or substance misuse relating to alcohol or drugs.
4. However, for some, gambling can be problematic, affecting their ability to live and work. People with gambling problems often experience a range of negative effects, including health issues, relationship breakdown, and difficulties with debt. In more severe cases gambling problems can lead to crime, thoughts of suicide or suicide itself.
5. The Gambling Commission recommend, that as part of any policy refresh, which licensing authorities are required to do every three years, that authorities also produce a Local Area Profile. This document is to highlight areas of the borough inhabited or frequented by people who might be at risk of being harmed or exploited by gambling. Betting operators have a specific responsibility to assess local risks to the licensing objectives that come about due to the provision of gambling facilities at each of their premises. Whilst it is not a requirement for licensing authorities to complete a risk assessment of the local area, it is encouraged by the Gambling Commission that such risk assessments, known as the local area profile are a significant benefit to both the licensing authority and the operators. The Commission explains that this will have a number benefits for policy making in the future, including:
  - Enabling licensing authorities to better serve their local community, by improving Haringey's understanding of the community and the local risk profile;
  - Improved clarity for operators as to the relevant factors in licensing authority decision making. This will lead to improved premises license applications, with the potential operator already incorporating controls and measures to mitigate risk in their application;
  - Enabling licensing authorities to make robust but fair decisions, based on a clear, published set of factors and risks, which are therefore less susceptible to challenge; and
  - Encouraging a proactive approach to risk that is likely to result in better compliance and reduced enforcement action.

6. The Borough of Haringey

6.1 Haringey is one of London's 32 Boroughs. It is located in the north of the capital and is more than 11 square miles in area. According to the 2021 Census nearly half of its 264,300 people come from ethnic minority backgrounds. It is often said that Haringey is an outer London Borough with inner London challenges.



Map of the London borough of Haringey

6.2 Haringey is a vibrant place to live, with many different cultures mixing, and a fantastic variety of characterful High Streets – from the metropolitan centre at Wood Green to the boutiques and restaurants of Muswell Hill and Crouch End – creating a strong sense of local pride.

6.3 There are approximately 100,000 dwellings and approximately 8,200 businesses employing 64,700 people. The most recent indices of multiple deprivation (IMD) (2019) show that Haringey is one of the most deprived authorities in the country, ranking 49th out of 326 authorities, and it is ranked 4<sup>th</sup> in London, yet it is also a borough of contrasts, with great prosperity and affluence in some communities.

6.4 Persistent inequalities are manifest in the health and wellbeing of our residents. The life expectancy gap between the most and least deprived wards is 7 years for men and 3 years for women. The borough is facing an obesity crisis with 1 in 4 reception aged children, and 1 in 3 10/11 year olds, measured as overweight or obese. The number of people with long term conditions like diabetes and heart disease is increasing and there are approximately 4,000 adults with severe mental illnesses – three times more than would be expected, even given Haringey's level of deprivation.

6.5 There are also inequalities in educational achievement, access to employment

and housing quality. The borough has seen twelve consecutive years of improvement in GCSE performance and A-levels scores, making Haringey one of the top 3 most improved areas. Yet too many of our young people still leave school without the skills needed to secure sustainable employment, blocking their access to one of the world's most dynamic economics at their doorstep.

- 6.6 The Council's response to these challenges is to meet them head on with ambition, innovation and a commitment to work ever more closely with residents, businesses and public sector partners. Nowhere is our ambition greater than in our most deprived communities in Tottenham. We are determined that regeneration will be shaped by the views of residents.

## 7. The Haringey Approach

- 7.1 The purpose of the Haringey Local Area Profile is to identify the areas' most vulnerable to gambling related harm. Therefore, the question that this profile attempts to better understand is – who is vulnerable to, or at risk of, gambling-related harm and where are such vulnerabilities likely to manifest in Haringey?
- 7.2 Gambling related harm was defined by the Gambling Commission in their 'Measuring Gambling Related Harms – A Framework for Action' report, published in July 2018: *"Gambling-related harms are the adverse impacts from gambling on the health and wellbeing of individuals, families, communities and society"*
- 7.3 The Gambling Commission in 2012, whilst stating that it would not explicitly define who exactly is vulnerable in relation to gambling, could identify types of people that it is likely to impact more than others. This focuses on people who gamble more than they would want to, some examples include:
- Young people and students
  - Those with Mental Health problems
  - Those afflicted with substance use/misuse issues
  - Those with learning disabilities / difficulties
  - Homeless people
  - Those living in constrained /difficult economic circumstances
  - Those living in deprived areas
  - Those with personality / cognitive impairments
- 7.4 In accordance with the Gambling Commissions recent gambling harms framework and previous publications, the types of harms that have been considered as part of this local area profile are as follows:
- Gambling associated crime (acquisitive and those at a gambling premises)
  - Relationship breakdown/problems (reported domestic incidents)
  - Unemployment, financial stress and income deprivation
  - Health issues
  - Homelessness
  - Children being exposed to gambling (accidental or otherwise)
- 7.5 Haringey has modelled where such risks might be more acute in certain areas in comparison to others. This has included an assessment of the key characteristics of the borough to identify areas of higher risk of vulnerability to gambling-related harm. The approach is based on the possible risk to gambling-related harm and does not

mean that just because an area is seen as being at higher risk, that all people in that area will suffer harm or be at risk of suffering harm.

7.6 Haringey will take specific note of whether an application relates to a premise that is:

- Close to an educational establishment, including colleges and universities;
- Close to a centre dealing with addictions;
- Close to general practitioners and supported housing that focuses on mental health;
- Situated in an area of high, gambling associated crime;
- Situated in an area of deprivation;
- Close to locations that are regularly visited by those who are unemployed such as job centres and food banks; or
- Close to the location of businesses providing instant access to cash such as payday loans, pawn shops

7.7 We would expect applicants for a new license to submit the completed assessment with their application. It must identify the risks and state what control mechanisms are to be employed at the premises to ensure that the licensing objectives are being met having regard to the local area profiles produced by this Authority. The assessment must consider at a minimum:

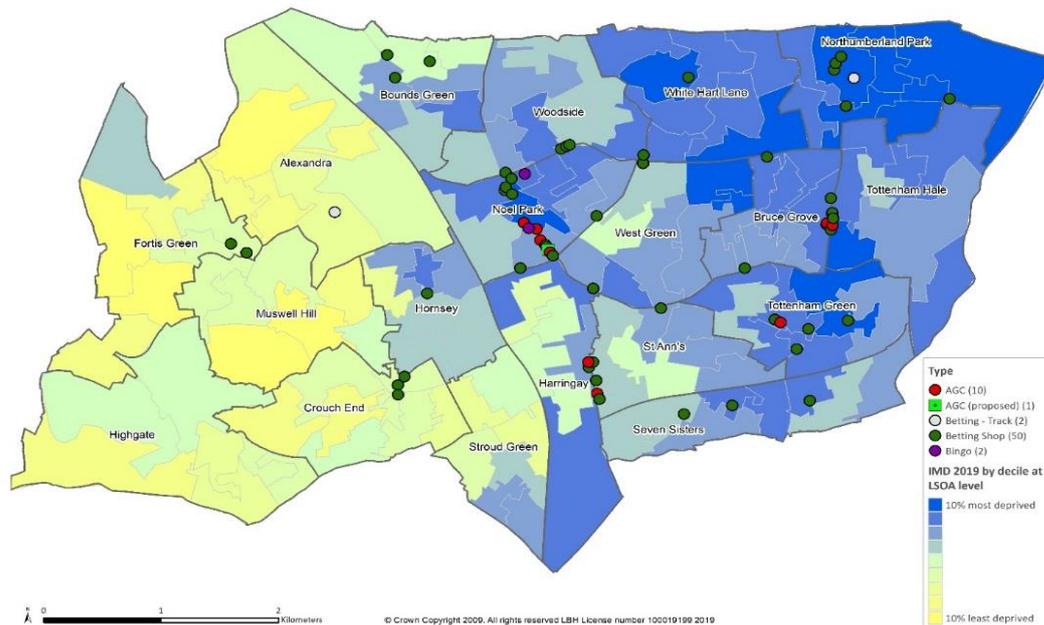
- **The local area**, including but not restricted to the types of premises and operation in the area surrounding the gambling premises; educational facilities; centres for vulnerable people; high crime area; high unemployment area; pawn broker/pay day loan businesses in the vicinity; other gambling premises in the vicinity
- **The gambling operation**, including but not restricted to what gambling products it provides in the premises; the staffing levels within the premises; the level and requirement for staff training; whether loyalty or account cards are used or not; the security and crime preventions arrangements it has in place; how it advertises locally and on the premises; the marketing material within the premises; the display and provision of information
- **The design and layout of the premises**, including but not restricted to whether the staff have obstructed views of gaming machines or entrances; whether the design is such that children can see gambling taking place;
- **The control mechanisms** to be put in place to mitigate the risks, for example; the use of CCTV cameras, the provision of magnetic door locks, employment of door supervisors, employing a challenge 25 scheme, increased number of trained staff.

7.8 Problem gambling is defined as “to a degree that compromises, disrupts or damages family, personal or recreational pursuits” and there are many types of gambling activity which can become ‘problem gambling’. The most common gambling activities that become problematic are; spread betting, betting with a betting exchange, playing poker in pubs or clubs, betting offline on events other than sports or horse or dog racing, and playing machines in bookmakers.

7.9 This evidence was produced using research conducted by Natcen Social Research (Gambling Behaviours in Great Britain 2015) and Geofutures in 2016 (now Gambleaware). The latter defined higher concentrations to be locations where three or more betting shops are located within 400 meters of one another.

## 8. The Haringey Picture

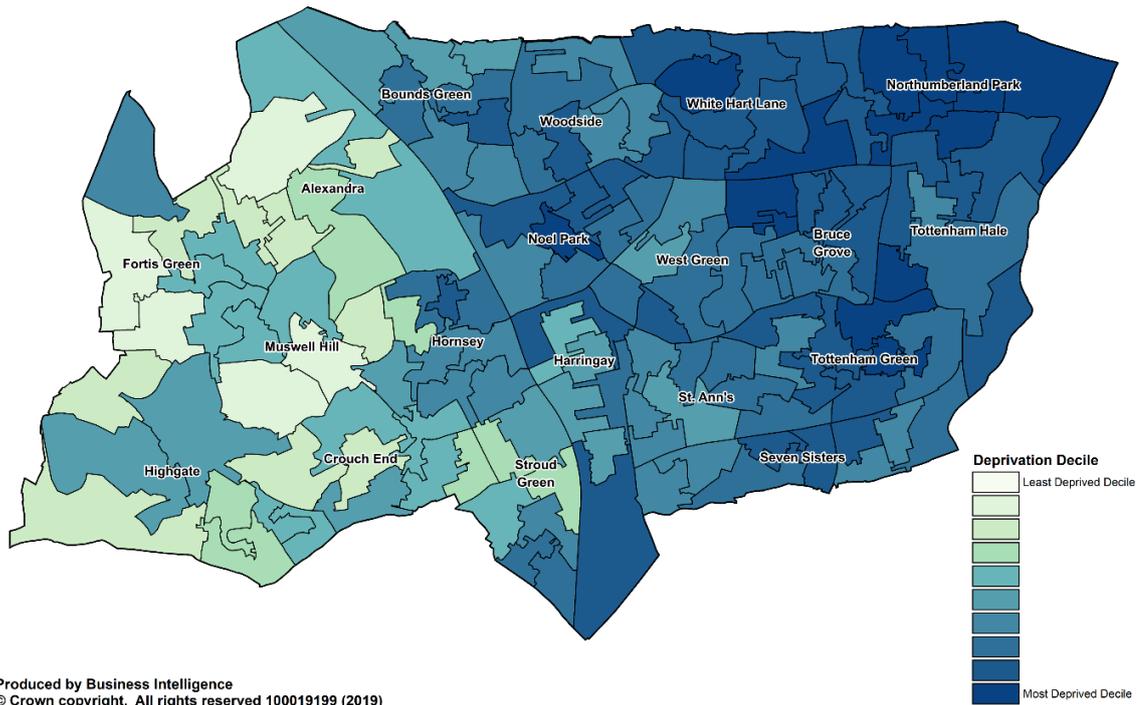
8.1 In Haringey, we currently have 50 betting shops, 10 Adult Gaming Centres, 2 Bingo premises and 1 track betting premises. Gambling is a pressing health inequalities issue. More deprived wards have higher number of betting shops, adult gaming centres and bingo and this is linked to deprivation levels.



## 9 Deprivation in Haringey

9.1 Haringey is the 4th most deprived borough in London, with deprivation more concentrated in the north east. Relative deprivation has reduced since 2015, though Haringey’s London ranking has not shifted significantly

9.2 Haringey is ranked 49 out of the 317 local authorities in England with respect to deprivation, and is the 4thmost deprived in London as measured by the IMD score 2019 (where 1 = most deprived). The Index takes into account a range of deprivation types, including income, employment, education, health, crime, barriers to housing and services and living environment.

**2019 IMD Decile Ranks**

9.3 The most deprived LSOAs (Lower Super Output Areas or small neighbourhood areas) are more heavily concentrated in the east of the borough, where more than half of the LSOAs fall into the 20% most deprived in the country. By comparison, in the west a very small proportion of LSOAs fall into that category, and in the westernmost wards – Highgate, Fortis Green, Muswell Hill, Alexandra and Crouch End –there are none. Although Haringey’s overall IMD score has improved since 2015 (where it was ranked 30<sup>th</sup> in England), improvements have been seen across London meaning that Haringey still ranks among the most deprived boroughs in the capital.

9.4 **Vulnerable areas at risk from gambling harm:**

The map above illustrates the wards with the highest betting facilities and the areas of deprivation in the East of the borough. crimes relating to betting shops within Haringey that will require additional consideration from operators wishing to operate in these areas:

- Noel Park Ward
- Woodside Ward
- Bruce Castle Ward
- Tottenham Central Ward
- Tottenham Hale Ward
- West Green Ward
- Hermitage & Gardens Ward
- Haringay Ward
- Northumberland Park ward
- White Hart Lane.
- South Tottenham Ward

- St Ann Ward

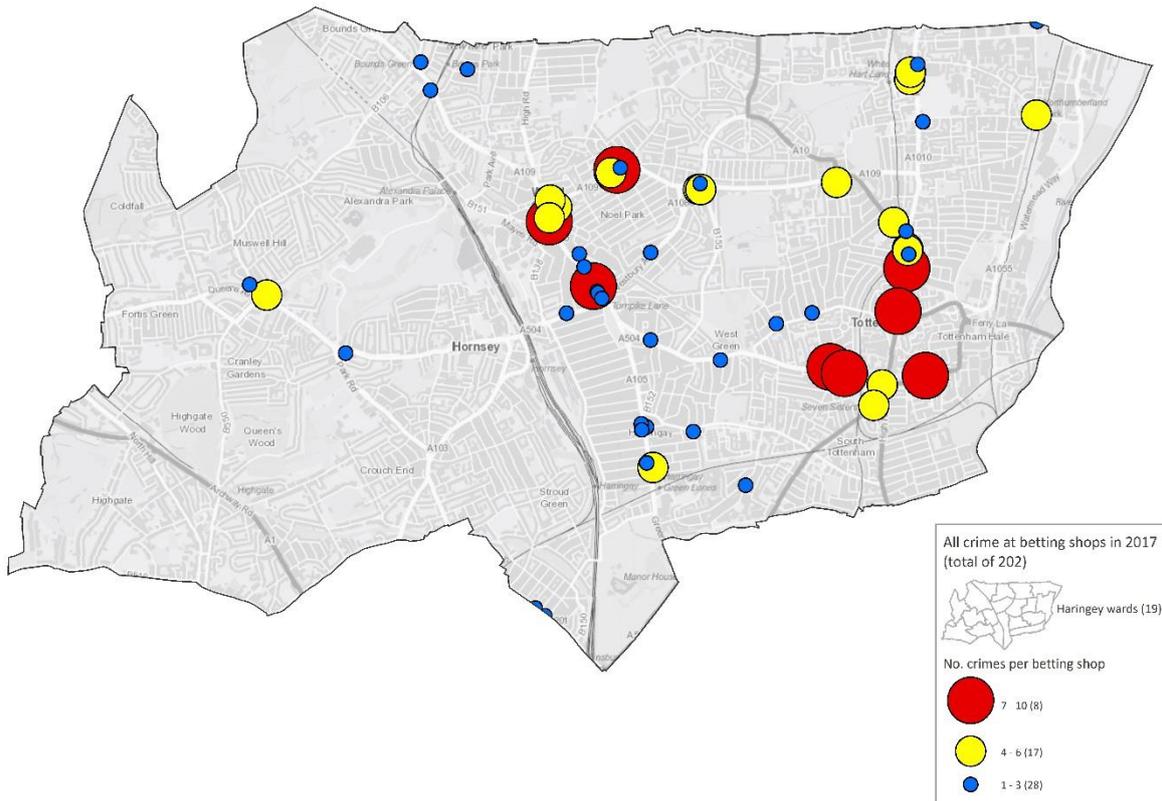
These areas have been chosen due to:

- Higher levels of crime
- Drug dealing and misuse
- Gang activity in the area
- Issues with street drinking and anti-social behaviour
- Issues with street begging
- Homelessness
- Mental health support accommodation

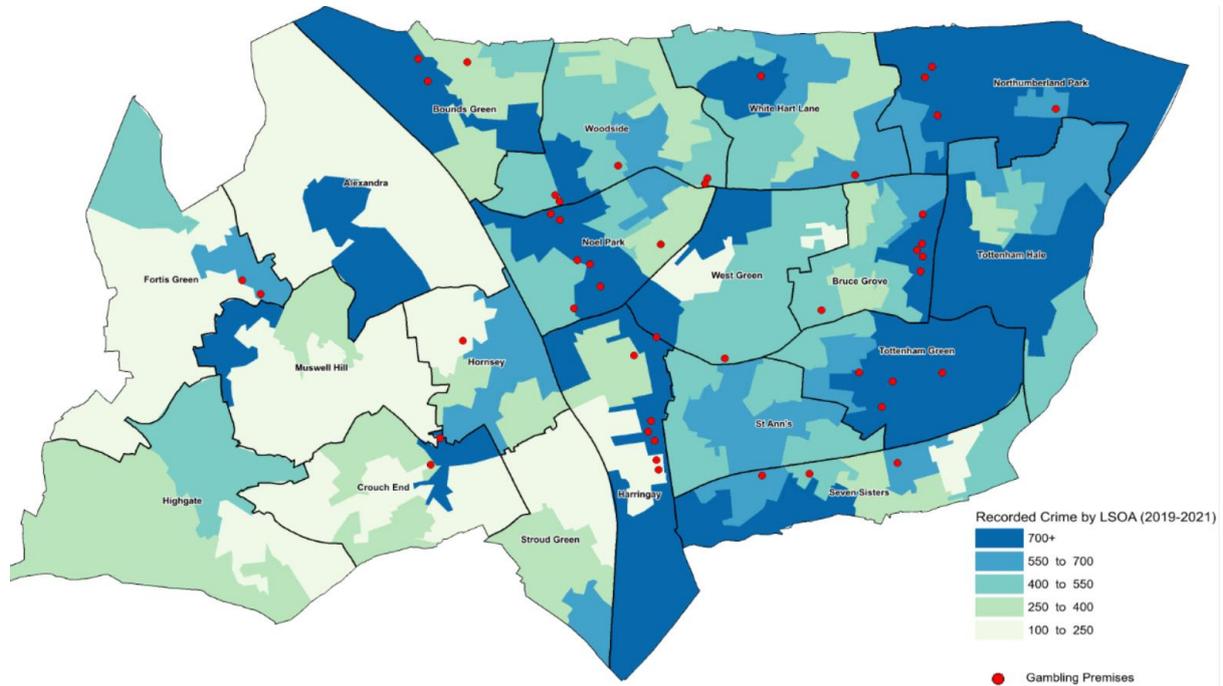
9.5 Based on these risks, gambling vulnerability and harm can be seen to be at risk in these particular areas. The purpose of highlighting these areas to current and future premises operators makes clear where gambling vulnerability is most acute.

9.6 The following maps demonstrate the levels of crime taking place across the borough and again the east of the borough is most affected. There is a further summary map below that shows areas within Haringey identified as being at risk from gambling harm.

9.7 Betting shop crime across the borough,



9.8 The map below has used the LSOA crime stats, which have been overlaid with the betting shop locations.



9.9 The table below shows crime levels in LSOAs which contain betting shops compared to those with no betting shops. The LSOAs with betting shops in them have experienced significantly more crime between 2019 and 2021 than those without.

Average Count of Total Recorded Crime per LSOA (2019-2021)	
LSOAs with no gambling premises	344
LSOAs with one or more gambling premises	572
LSOAs with three or more gambling premises	989

9.10 Table 1. Gambling premises (betting shops, adult gaming centres, bingo only) per 10,000 population in Haringey.

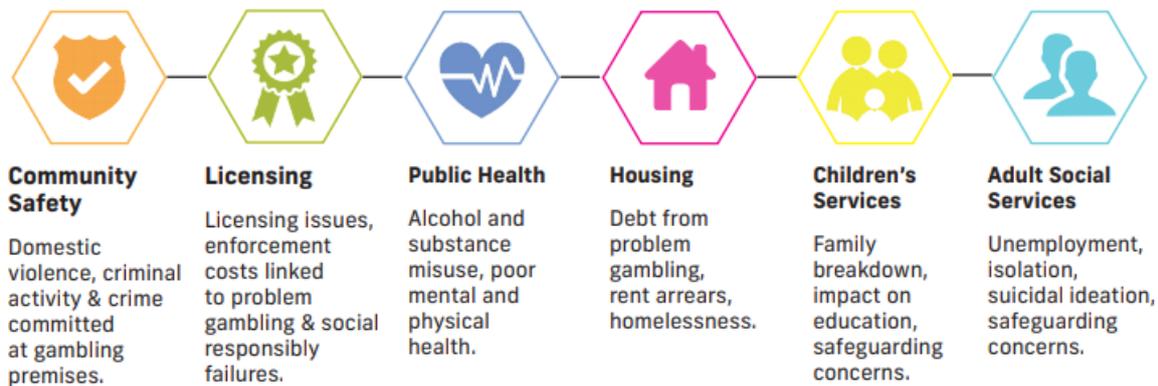
Ward	Ward Population	Number of Betting shops, Adult Gaming centres and Bingo	Premises per 10,000
Alexandra	11,758	1	0.9
Bounds Green	14,998	3	2
Bruce Grove	14,820	5	3.3
Crouch End	12,315	2	1.6
Fortis Green	6,341	2	3.1
Harringay	14,243	3	2.1
Highgate	10,713	0	0
Hornsey	13,003	2	1.5
Muswell Hill	10,636	0	0
Noel Park	12,787	14	10.9
Northumberland Park	9,224	6	6.5
Seven Sisters	17,744	3	1.6
St. Ann's	14,434	5	3.5
Stroud Green	11,568	0	0
Tottenham Green	16,516	4	2.4
Tottenham Hale	10,250	5	4.9
West Green	9,652	3	3.1
White Hart Lane	7,882	1	1.3
Woodside	10,724	5	4.7
	229,608	64	2.8

9.11 An analysis of the number of gambling premises in Haringey illustrates there are 2.8 betting shops, adult gaming centres and bingo per 10,000 of the population (Table 1) which is almost double than the national average of 1.6 per 10,000<sup>1</sup>

9.12 Gambling has the potential to cause harm to both individuals and to wider society (i.e., unemployment, debt, crime, relationship problems, physical and mental health conditions). This presents a challenge as it is linked to a range of services such as licensing, community safety, children and families and housing/homelessness and therefore it is an issue that cannot be tackled by interventions aimed solely at individuals.

<sup>1</sup> According to the gambling commission there were 10,590 betting shops and bingo halls in the UK in March 2018, and according to population estimates by ONS the UK population in 2017 was 66.05 million; this gives a betting shop/bingo hall per 10,000 people of 1.6<sup>(15)</sup>

9.13 It is also estimated that up to seven other people are impacted for every problem gambler. Problem gambling in the UK is now endemic and it should be treated as a public health crisis – reducing gambling related harm is linked to our priorities set in the **Borough Plan** for people and place.



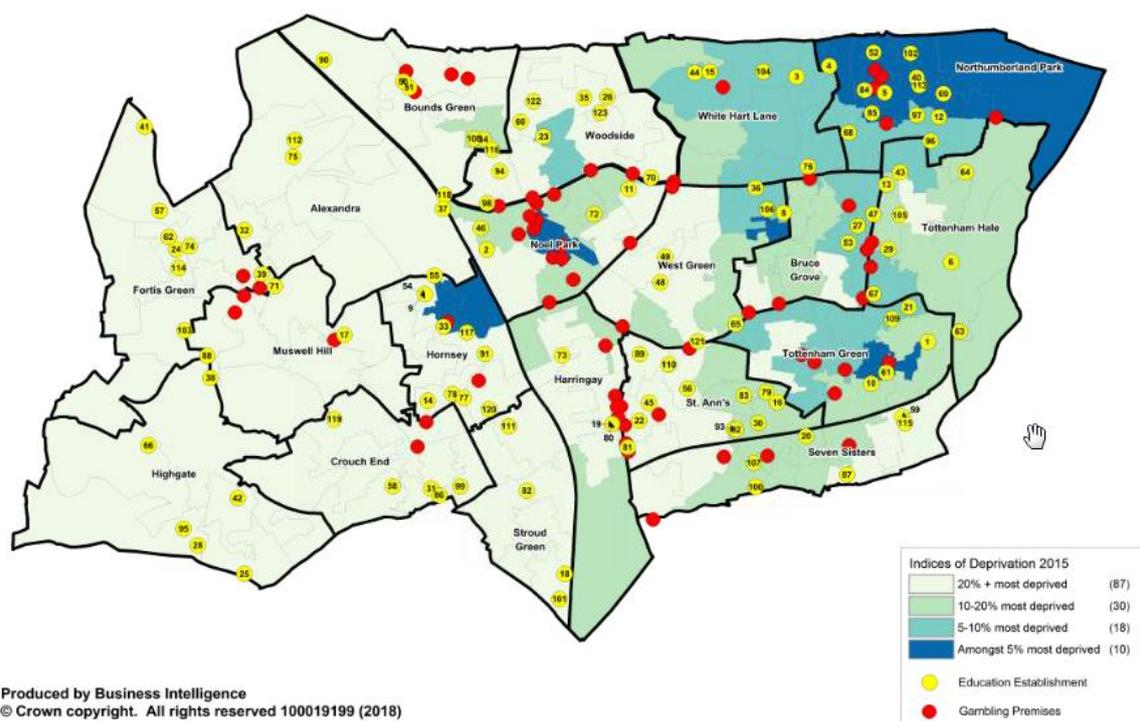
9.14 Within these areas we also have the highest number of betting premises within a 400metrs radius to nearest educational establishments

**9.15 Schools with the highest number of gambling premises within the 400m radius**

School Name	Number of Gambling Premises
(80,81) South Harringay Junior and Infant School	8
(53) Bruce Grove Primary School	7
(72) Noel Park Primary School	6

9.16 The map below illustrates the locations of the educational establishments overlay with the areas of deprivation data.

### Gambling Premises & All Educational Establishments with Indices of Multiple Deprivation (IMD 2015)



## 10 Risk factors in Haringey - Data

10.1 Although gambling is a legal entertainment activity it can, in some locations have a negative impact on individuals and the wider community. The Council has tried to understand how gambling can affect its residents and visitors.

10.2 All areas shown within the local area profile as being at high overall risk of Gambling related harm, are generally considered inappropriate for further gambling establishments, which could potentially raise the risk of gambling related harm to vulnerable people living in those areas. Operators are asked to consider very carefully whether seeking to locate new premises or relocating existing premises within these areas would be consistent with the licensing objectives and the local risks identified.

10.3 In order to protect its community's wellbeing and family life, the borough will require significant risk assessments and control methods to be available with any application for a premises licence. The east of the borough has particular heightened risk around anti social behaviour and deprivation, risk assessments for betting premises in these areas will need to show specific measures to deal with these issues that will not exacerbate existing problems. This does not mean that an assessment does not need to be made for the rest of the Borough only that assessments need to be relevant to the risks.

10.4 Haringey will take a robust and proportionate approach to licensing issues. Premises which will impact on the economy of this borough and its community will be expected to build into operational plans, sufficient measures to minimise the impact of the premise's operation on the residential, and other economic based activities. The local area profiles will enable us to better manage the expectations of the betting operator.

## 11 HEALTH

- 11.1 Haringey has high level of factors that increase the risk to mental health, such as deprivation, unemployment and homelessness, all of which are more concentrated in the east of the borough. The proportion of residents living alone (24%) locally is greater than in London and England (22% and 18% respectively). Five in every 1,000 residents in Haringey are homeless, a rate which is higher than the London average (Source: DCLG). Joblessness is higher in the east and 48% of people claiming allowance have mental health behavioral disorders. Increases in unemployment, debt, overcrowding and homelessness (driven by changes to the temporary accommodation subsidy system, combined with high rents) can potentially further increase the level of mental health problems in Haringey.
- 11.2 Mental health conditions are very common, affecting one in four people at some point in their life and one in six adults at any one time. Mental health conditions include depression, anxiety, psychosis, schizophrenia and dementia. Together, they account for the single largest source of disability and ill health in the UK. Although suicide is relatively rare, it is an important cause of preventable deaths with lasting, devastating impacts on those bereaved.
- 11.3 People with mental health conditions experience more physical ill health and earlier mortality than the rest of the population. Mental ill health, and the stigma and discrimination associated with it, can have negative impacts on every aspect of life, including social inclusion, employment and education, with economic hardship and physical ill-health leading to a significant risk of earlier death. Good mental health is also characterized by wellbeing, self-esteem and social inclusion.
- 11.4 There were 22,752 adults diagnosed with depression, anxiety or both registered with Haringey GP practices in 2018.
- Sixty-one per cent of people aged 18 and over diagnosed with depression and/or anxiety were women in 2013.
  - 4,103 adults with a serious mental illness were registered with a Haringey GP practice in 2018.
  - 64 suicide deaths were reported in Haringey between 2015-2017
- 11.5 In Haringey, 3% of people of Black or Black British ethnicity have a diagnosis of serious mental illness, higher than other ethnic groups.
- In Haringey, BME groups and LGBT people are more likely to be diagnosed with a psychotic disorder.
  - In Haringey, people living in deprived areas are more likely to be affected by depression.
- 11.6 Over the past few years there has been a growing recognition of the need to make dramatic improvements to mental health services for CYP. 50% of mental health problems are established by age 14 and 75% by age 24. A child with good mental health is much more likely to have good mental health as an adult, to be able to take on adult responsibilities and fulfil their potential. It is anticipated that the levels of mental ill-health will increase over the coming years as the current economic climate of long term austerity causes more financial hardship and unemployment and fears of destitution. Unfortunately, no models exist which can account for these changes. However, assuming no change in underlying prevalence of mental health

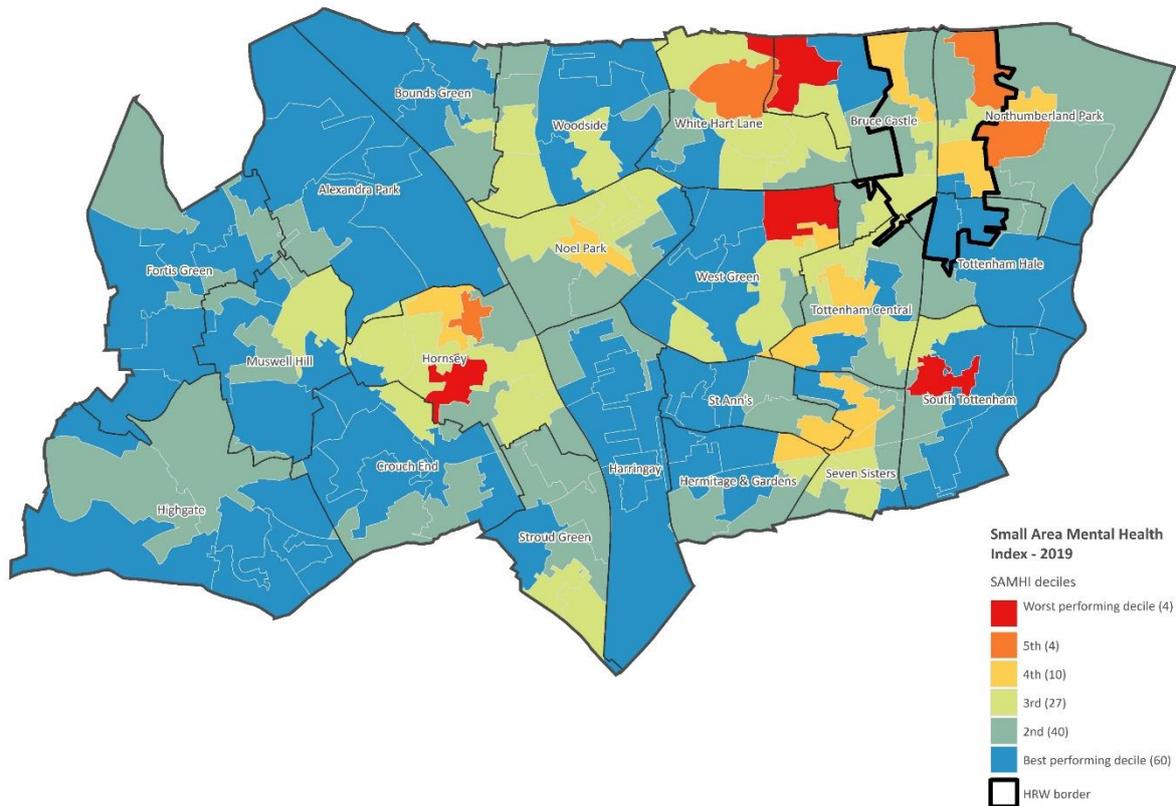
conditions, then we estimate that due to population structure changes alone:

- Approximately 300 additional cases of **serious mental illnesses**, rising to around 4,400 diagnosed cases overall.
- The number of adults with **depression and/or anxiety** will increase from 22,752 in 2018 to 30,900 by 2028. A part of this increase will come from the 5,500 16-24 year olds who are currently estimated to have depression or anxiety.

11.7 Around 19,900 people in Haringey or 7.7% of the GP registered population were diagnosed with depression (2018/19), not significantly different to London. This is estimated to be only a third of people living with common mental illness in Haringey. Latest data shows NCL with a rate of 10.5%, above London at 9.45% but below England (13.25%) – all three are rising. We have 4,400 people diagnosed with severe mental illness in Haringey (1.37%), significantly higher than the London average of 1.1% (2018/19). Latest NCL figure for 2022/23 is 1.28% with London at 1.14%, and England at 1% (all three increasing slightly since last year)

11.8 Suicide rates in Haringey have significantly decreased over the last ten years, with Haringey now in line with the London average • Central and East Haringey exhibit high levels of risk factors for poor mental health, such as deprivation, unemployment and homelessness, and many people have experienced trauma. These are more concentrated in the East of the borough

*The map shows LSOAs, grouped by decile across England. Haringey doesn't have any LSOAs in the England's worst performing decile (10), Haringey's worst performing LSOAs are in England's 6th decile - so areas shown shaded red are the worst performing LSOAs in Haringey (decile 6 for England), while areas shaded blue are the best performing 10% (decile 1 for England).*



11.9 The SAMHI is a composite measure of population mental health for LSOAs in England. It combines data on the following into a single index

1. Mental health related hospital attendances (rate per person)
2. Prescribed antidepressants (rate per person)
3. QOF: Depression diagnosis (patients %)
4. Mental health incapacity benefit/ESA (claimant rate)

The table below shows performance for the 9 LSOAs covering HRW, including the four contributing metrics as well as the overall SAMHI. HRW's average SAMHI score (-0.10) is higher (worse) than Haringey's (-0.35) and London's (-0.39) but lower (better) than England's (0.7) HRW also has higher scores than Haringey for mental health related ESA claimants and mental health attendances to hospital. Two HRW LSOAs, Haringey 002A and 037D, are found in Haringey's top 10 SAMHI LSOAs, ranked 7<sup>th</sup> and 9<sup>th</sup> respectively. Haringey 002A also ranks 4th and 5th highest in Haringey for Incapacity benefit/ESA mental illness claimants and Mental health related hospital attendances metrics, respectively.

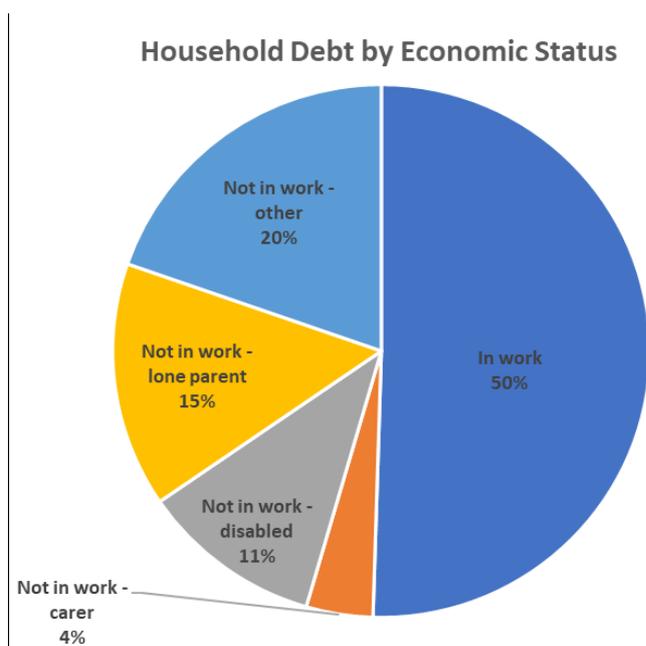
Source: <https://pldr.org/dataset/2noyv/small-area-mental-health-index-samhi>

## 12 ECONOMIC FACTORS

12.1 Haringey also currently has an estimated 5,000 5-16 year olds with an emotional or behavioural disorder. This indicates that hundreds of children will be transitioning to adult services in the coming years. It is estimated that there will be 378 new cases of **dementia** by 2028, as the population aged 65+ increases by 30%.

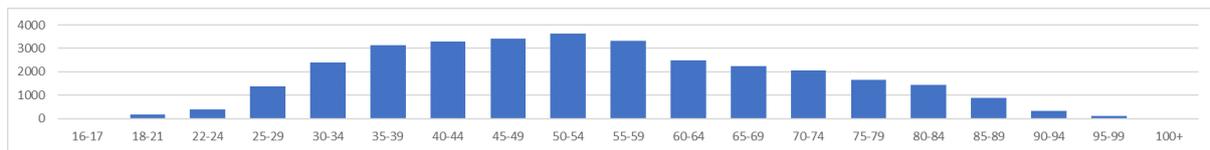
12.2 Haringey has a large independent supported housing provision for people with mental health issues. This provision is used by local authorities around London which places extensive pressures on Haringey services. Most of these services are placed in east of the borough.

- a. The Low Income Families Tracker (LIFT) draws information from a variety of datasets to enable LBH to examine poverty trends across Haringey's low income households and identify families in danger of crisis.



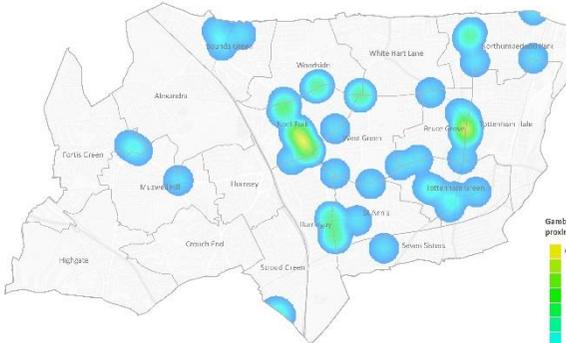
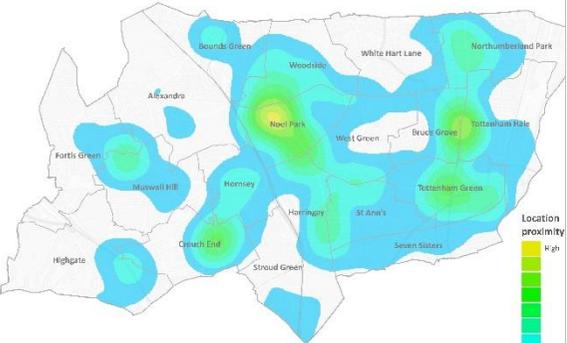
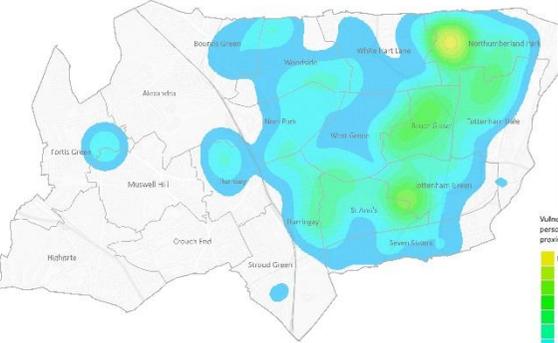
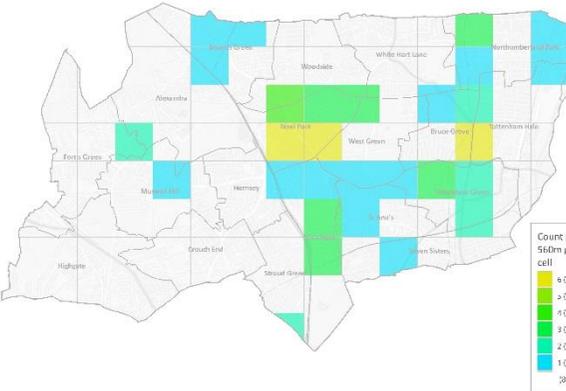
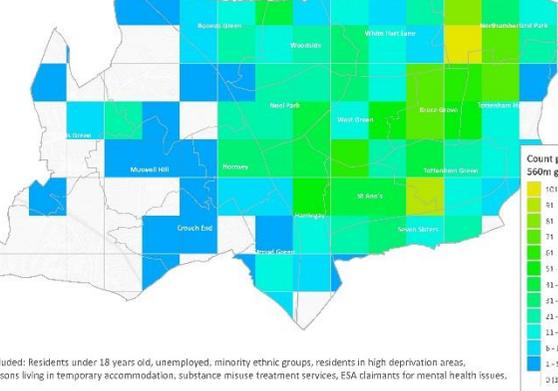
b. Approximately one third of Haringey households are in receipt of Housing Benefit; collectively these residents have accrued £6,300,000 of debt through rent and council tax arrears as of May 2020. 50% of the debt is owed by families where at least one person is in work, with a further 30% owed by either a lone parent, a carer or a disabled person.

### Housing benefit age of claimants



- c. Analysis shows that 19.5% of the Haringey residents who claim housing benefit have
- d. outgoings greater than the amount of money that comes to them each month. When added up this shortfall comes to approximately £2 million per month.



<b>Areas in Haringey identified as being at risk to gambling-related harm</b> Proximity or hotspot maps identify clusters of location and vulnerable persons incidents relative to each other compared to their overall dispersal throughout the borough (Maps 1, 2 & 3)		
<b>Map 1. Licensed gambling premises proximity</b>	<b>Map 2. Locations criteria proximity</b>	<b>Map 3. Vulnerable persons criteria proximity</b>
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">PROXIMITY MAPS</p> <p>Licensed gambling premises proximity</p>  <p>Data source: LBH Licensing</p>	<p>Locations criteria proximity</p>  <p>Including: Parks and open spaces, community centres, libraries, cinemas, clubs, licensed gambling premises, museums, skate-parks, schools and colleges, supermarkets, take-aways, places of worship, money lending/pawn shops, foodbanks, crime locations</p> <p>Data source: See Table 1</p>	<p>Vulnerable persons proximity</p>  <p>Including: Residents under 18 years old, unemployed, minority ethnic groups, residents in high deprivation areas, persons living in temporary accommodation, substance misuse treatment services, ESA claimants for mental health issues</p> <p>Data source: See Table 2</p>
<p>Count or thematic maps total the sum of location and vulnerable person's incidents by grid-cell. Each cell measures 560m x 560m and there are a total of 118 grids covering Haringey borough (Maps 4, 5, 6 &amp; 7)</p>		
<b>Map 4. Licensed gambling premises count</b>	<b>Map 5. Locations criteria count</b>	<b>Map 6. Vulnerable persons criteria count</b>
<p style="writing-mode: vertical-rl; transform: rotate(180deg);">COUNT MAPS</p> <p>Licensed gambling premises</p>  <p>Data source: LBH Licensing</p>	<p>Location criteria count</p>  <p>Including: Parks and open spaces, community centres, libraries, cinemas, clubs, licensed gambling premises, museums, skate-parks, schools and colleges, supermarkets, take-aways, places of worship, money-lending/pawn shops, foodbanks, crime locations</p> <p>Data source: See Table 1</p>	<p>Vulnerable persons criteria count</p>  <p>Including: Residents under 18 years old, unemployed, minority ethnic groups, residents in high deprivation areas, persons living in temporary accommodation, substance misuse treatment services, ESA claimants for mental health issues</p> <p>Data source: See Table 2</p>

The Gambling Act 2005 prescribes in its licensing objectives the “protection of children and other vulnerable persons from being harmed or exploited by gambling”. Data shown in Table 1 and Table 2 below was collated and used to determine risk areas vulnerable to gambling related harm

**Table 1. Location criteria data**

Description	Datasets	Geography	Source
Area with high levels of organised crime	Suspected & convicted Child Sexual Exploitation (CSE) incidents, human trafficking, modern day slavery & drug offences	Ward	Haringey police
Areas with an over-concentration of similar existing licensed operation	Licensed gambling establishments in Haringey i.e. betting shops & adult gaming centres (AGC)	Building	LBH , Licensing
Community facilities & public buildings	Community centres, tenant halls, libraries & other public buildings	Building	Valuations Office
Leisure & recreational establishments used by families	Leisure centres, cinemas, theatres, cultural events, museums, galleries & community organisations	Building	LBH, Licensing, Planning
Education	Secondary schools and further education establishments	Building	LBH, Environments & Neighbourhood
Recreational grounds	Parks, open spaces, play areas/adventure playgrounds	Polygon	LBH, Environments & Neighbourhood
Places of worship	Churches and faith based premises	Building	LBH, Environments & Neighbourhood
Shops used by families & children	Shopping centres, supermarkets and take-away/chicken shops	Building	LBH, Licensing, Planning
Youth clubs	Youth clubs	Building	LBH, YJS

**Table 2. Vulnerable persons criteria data**

Description	Datasets	Geography level	Source
Young people	No. residents under 18	LSOA	Census 2011
Financial difficulties / debt	Food banks, pawnbrokers & payday loan shops	Building	LBH, Licensing
Homeless	Temporary accommodation	Building	LBH, Housing
Living in deprived areas	Index of Multiple Deprivation (IMD) 2019	LSOA	Dept. Communities & Local Government
Minority ethnic groups	Non- white ethnic groups i.e. Asian / African / Caribbean / Black British & Arab or other ethnic groups	LSOA	Census 2011
Poor mental health	Employment Support Allowance (ESA) claimants for mental health conditions	LSOA	Nomis
Problem gamblers seeking treatment	No data found for Haringey	NA	NA
Substance abuse / misuse	Drug & alcohol treatment services & needle exchange pharmacies	Building	LBH, Public health
Unemployed	Job Seekers Allowance (JSA) claimants	LSOA	Nomis

Methodology: Datasets were mapped using their Easting and Northing co-ordinates. Address-point level co-ordinates were created from building address information in datasets where co-ordinates were not provided. Datasets relating to areas such as parks/open spaces and deprivation data aggregated to LSOA - used their polygon centroid as co-ordinates. The distance used for measuring proximity and grid-cell size is 560m. This distance is based on the average of distances measured between residents’ homes and local facilities (post office, primary school, general store or supermarket and GP surgery) in Haringey as published by the Department for Communities and Local Government

## Licensing Guidance

1. Haringey considers that local risk assessments are a key component of the overall assessment and management of the local risks. Each locality has its own challenges and applicants will be expected to address those local challenges in the undertaking of their own independent gambling risk assessments, and when submitting an application to the Local Authority.
2. Gambling operators will be required to undertake a risk assessment for all of their existing premises. Operators must also undertake a review of those assessments when certain triggers are met. These are:
  - New premises applications;
  - Significant changes in local circumstances; and
  - Variations of the premises license
3. If a gambling premises operator does not put forward measures to overcome the local risks, or the mitigate such risks, the council will consider what measures are needed. The Authority expects that each premises will have a copy of its own independent local area risk assessment onsite for authorised officers to view on request.
4. The risk based approach provides a better understanding of, and enables a proportionate response, to risk. Risk is related to the probability of an event happening and the likely impact of that event. In this case it is the risk of the impact on the licensing objectives. This guide will assist gambling operators in undertaking and preparing their local (premises) risk assessments.
5. The policy is reflective of local issues, local data, local risk and the expectations a licensing authority has of operators who either currently offer gambling facilities or wish to do so in the future.
6. The existence of a clear and robust statement of policy provides greater scope for Licensing authorities to work in partnership with operators, other local businesses, communities, and responsible authorities to identify and to proactively mitigate local risks to the licensing objectives.
7. This local risk assessment process, although similar requires a much broader range of considerations when identifying local risk. Operators must consider the local area in which the premises are situated, the gambling operation and the premises both internally and externally.
8. The final control measures relate to specific physical measure that will address an identified risk factor. These physical control measures may, for example, include alarms, CCTV cameras, doors, magnetic locks, time locks on safes, window shutters, UV lights in toilets.
9. The control measures identified to mitigate a perceived risk may involve a combination of systems, design and physical measures. For example to address the risk factors relating to children gaining access to an over 18 restricted gambling premises, the operator may identify the following control measures:
  - Systems: PASS card or age verification policies, challenge 21 scheme, staff training and door staff.
  - Design: Exterior design which will not attract children into the premises, the entrance layout will enable staff and security to watch those entering the premises and challenge them on the grounds of age.

- Physical: Magnetic door locks and ID scans.
10. If an application for a new licence or variation is submitted that is within 400 metres of premises/location where children, young persons and vulnerable persons are operators are encouraged to provide details of the measures to be implemented that would overcome the potential risks in the identified areas.
  11. If the operator does not put forward measures to overcome the risks, or the Council considers that the operator's proposed measures do not adequately mitigate the risk, the Council will consider what measures are needed which can include additional conditions or even refusal of the application if appropriate. The Authority expects that each shop will have a copy of its local area risk assessment onsite for authorised officers to view on request.

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Equality Impact Assessment Screening Tool

1	Lead officer contact details: DALIAH BARRETT
2	Date: 23 <sup>rd</sup> May 2024
3	<p>Summary of the proposal: GAMBLING POLICY REVIEW</p> <p>Partnership working and exchange of information is supported by the Statement of Gambling Policy. In this way we hope to promote understanding between those providing gambling opportunities and those potentially affected by them. As with applications under other laws such as the Licensing Act 2003, we will seek to mediate between applicants and objectors and reach negotiated settlements wherever possible.</p> <p>From April 2016 gambling operators must conduct local risk assessments for their premises to demonstrate that they understand local issues and to show what measures they propose to introduce to mitigate against the risk of harm to children and vulnerable persons. (Gambling Commission’s Licensing Conditions and Codes of Practice responsibility code provision 10.1.1)</p> <p>Vulnerable people should be protected from harm. Who ‘vulnerable people’ are or the ways in which they may be vulnerable is not defined by the 2005 Act, though the Gambling Commission states that for regulatory purposes this is likely to include: <i>“people who gamble more than they want to, people who gamble beyond their means and people who may not be able to make informed or balanced decisions about gambling due to, for example, mental health, a learning disability or substance misuse relating to alcohol or drugs.”</i> (Gambling Commission, 2012)</p> <p>The Gambling Commission’s Licence Conditions and Codes of Practice and Social Responsibility Code Provisions state that licensees must review (and update as necessary) their local risk assessments:</p> <ol style="list-style-type: none"> <li>a. to take account of significant changes in local circumstance, including those identified in this policy;</li> <li>b. when there are significant changes at a licensee’s premises that may affect their mitigation of local risks;</li> <li>c. when applying for a variation of a premises licence; and</li> <li>d. in any case, undertake a local risk assessment when applying for a new premises licence.</li> </ol> <p>The council will expect the local risk assessment to consider the urban setting:</p> <ul style="list-style-type: none"> <li>• The proximity of the premises to schools.</li> <li>• The commercial environment.</li> <li>• Factors affecting the footfall.</li> </ul>

- Whether the premises is in an area of deprivation.
  - Whether the premises is in an area subject to high levels of crime and/or disorder.
  - The demographics of the area in relation to vulnerable groups.
  - The location of services for children such as schools, playgrounds, toy shops, leisure centres and other areas where children will gather.
  - The range of facilities in the local area such as other gambling outlets, banks, post offices, refreshment and entertainment type facilities.
  - Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activity, etc.
  - The proximity of churches, mosques, temples or any other place of worship.
- The local risk assessment should show how vulnerable people, including people with gambling dependencies, are protected:
- The training of staff in brief intervention when customers show signs of excessive gambling, the ability of staff to offer brief intervention and how the manning of premises affects this.
  - Information held by the licensee regarding self-exclusions and incidences of underage gambling.
  - Arrangements in place for local exchange of information regarding self-exclusion and gaming trends.
  - Gaming trends that may mirror days for financial payments such as pay days or benefit payments.
  - Arrangements for monitoring and dealing with under age persons and vulnerable persons, which may include dedicated and trained personnel, leaflets, posters, self-exclusion schemes, window displays and advertisements not to entice passers-by etc.
  - The provision of signage and documents relating to games rules, gambling care providers and other relevant information,
  - The proximity of premises that may be frequented by vulnerable people such as hospitals, residential care homes, medical facilities, doctor surgeries, council one stop shops, addiction clinics or help centres, places where alcohol or drug dependent people may congregate etc.
- The local risk assessment should show how children are to be protected:
- The proximity of institutions, places or areas where children and young people frequent such as schools, youth clubs, parks, playgrounds and entertainment venues such as bowling allies, cinemas, etc.
  - The proximity of places where children congregate such as bus stops, cafes, shops etc.
  - Areas that are prone to issues of youths participating in anti-social behaviour, including activities such as graffiti, tagging, underage drinking etc.
- Other matters that the risk assessment may include:
- Details as to the location and coverage of working CCTV cameras, and how the system will be monitored.
  - The layout of the premises so that staff have an unobstructed view of persons using the premises.
  - The number of staff that will be available on the premises at any one time. If at any time that number is one, confirm the supervisory and monitoring arrangements when that person is absent from the licensed area or distracted from supervising the premises and observing those persons using the premises.

<p>• Where the application is for a betting premises licence, other than in respect of a track, the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence.</p> <p>Such information may be used to inform the decision the council makes about whether to grant the licence, to grant the licence with special conditions or to refuse the application. The policy does not preclude any application being made and each application will be decided on its merits, with the onus being upon the applicant to show how the concerns can be overcome.</p> <p>The Equalities Impact Screening tool attempts to assess the likely impact of the revised policy on persons living, visiting and working within the borough. In Haringey, we currently have 50 betting shops, 10 Adult Gaming Centres, 2 Bingo premises and 2 track betting premises. These are located across the Borough with concentrations in the East of the Borough. The Gambling Policy Statement has scope to advance equality by promoting good relations and reduce inequality/protect vulnerable persons. The Statement supports a culture of openness where appropriate information can be accessed by all parties, hearings are generally held in public and enforcement is in line with the principles promoted within the enforcement concordat.</p>				
Response to Screening Questions	Yes	No	Please explain your answer.	
<b>a) Type of proposal</b>				
4.	Is this a new proposal or a significant change to a policy or service, including commissioned service?		X	<p>The council has a statutory duty to prepare, publish and review its licensing policy under the Gambling Act 2005 every three years. The purpose of this policy is:</p> <ul style="list-style-type: none"> <li>• to inform licence applicants of the way in which the Licensing Authority will make licensing decisions and how licensed premises are likely to be permitted to operate;</li> <li>• to inform residents and businesses of the way in which the Licensing Authority will make licensing decisions and how their needs and concerns will be dealt with.</li> </ul>
5.	Does the proposal remove, reduce or alter a service or policy?	X		The guidance and information around local area profiles is a useful tool to assist the betting operator and Licensing Sub Committee when determining cases.

				<p>Underlying principle to treat all applications on their own merits</p> <ul style="list-style-type: none"> <li>• Policy improves transparency of decision making</li> <li>• Team shares application details with resident groups/ Citizen Panel members.</li> </ul> <p>At Committee hearings where applicants first language is not English and organises interpreters' where necessary</p>
6.	Will there be a restructure or significant changes in staffing arrangements? Please see the restructure pages for guidance for <a href="#">restructure EqlAs</a> .		X	
7.	If the service or policy is not changing, have there been any known equality issues or concerns with current provision. For example, cases of discrimination or failure to tackle inequalities in outcomes in the past?		X	<p>From April 2016 gambling operators must conduct local risk assessments for their premises to demonstrate that they understand local issues and to show what measures they propose to introduce to mitigate against the risk of harm to children and vulnerable persons. (Gambling Commission's Licensing Conditions and Codes of Practice responsibility code provision 10.1.1)</p> <p>Vulnerable people should be protected from harm. Who 'vulnerable people' are or the ways in which they may be vulnerable is not defined by the 2005 Act, though the Gambling Commission states that for regulatory purposes this is likely to include: <i>"people who gamble more than they want to, people who gamble beyond their means and people who may not be able to make informed or balanced decisions about gambling due to, for example, mental health, a learning disability or substance misuse relating to alcohol or drugs."</i> (GC, 2012)</p> <p><b>NB-</b> mental health, learning disability etc. have been defined as coming under the broader category of 'vulnerable' to gambling harm. However, all adults can be vulnerable to gambling harm, (<a href="https://committees.parliament.uk/publications/1626/documents/19602/default/">https://committees.parliament.uk/publications/1626/documents/19602/default/</a>, <a href="https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6650787/pdf/S1463423619000549a.pdf">https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6650787/pdf/S1463423619000549a.pdf</a>), and in addition, the Act does not seek to prohibit particular groups of adults from gambling in the way it does children (e.g. 5.17 <a href="https://www.gamblingcommission.gov.uk/for-licensing-authorities/GLA/Part-5-Principles-to-be-applied-by-licensing-authorities.aspx">https://www.gamblingcommission.gov.uk/for-licensing-authorities/GLA/Part-5-Principles-to-be-applied-by-licensing-authorities.aspx</a>). As such, the policy itself does</p>

				not seek to have a blanket protection for adults with disabilities for example, but rather risks to individuals should be mitigated through individual risk assessments for operators and safeguarding procedures for residents where necessary.
<b>b) Known inequalities</b>				
8.	Could the proposal disproportionately impact on any particular communities, disadvantaged or vulnerable residents?		X	<p><b>AGE</b> – There are 56,718 children in Haringey aged 0-17 years, representing 21% of the population.</p> <p>Statistics for the Gambling Commission contained within the NatCen “Gambling behavior in Great Britain” show overall, the highest participation rates in any form of gambling activity were among adults aged between 25 and 64 (between 60% and 62%), while the lowest rates were found among the youngest and oldest age groups; 46% of 16 to 24 year olds and 47% of those aged 75 and over had gambled in the past year. <a href="https://www.gamblingcommission.gov.uk/PDF/survey-data/Gambling-behaviour-in-Great-Britain-2016.pdf">https://www.gamblingcommission.gov.uk/PDF/survey-data/Gambling-behaviour-in-Great-Britain-2016.pdf</a></p> <p>Actions and objectives are stated in the policy that will help protect vulnerable and young people and it is proposed to consult with head teachers of all schools within the Borough on the draft SGP.</p> <p>It is not however anticipated that the proposed policy will have a negative effect on the grounds of age.</p> <p><b>Sex-gender</b> – In Haringey, men have greater inequality in life expectancy than women across the social gradient (8 vs 3.2 fewer years for those living in the most deprived areas than those living in the least deprived areas).</p> <p>Statistics for the Gambling Commission contained within the NatCen “Gambling behavior in Great Britain” show overall, men were more likely to participate in most forms of gambling than women. Offline bingo was the only activity where men were less likely to participate than women (3% and 7%, respectively). Men were significantly more likely than women to have used an online bookmaker (13% and 2%, respectively) and to have placed an offline bet on a horse (12% and 7%, respectively) in the past year. Slot machines were also more popular among men than women (8% and 4%, respectively). And men were also more likely to have bet on sports events</p>

			<p>offline than women, with 9% of men and 1% of women.  <a href="https://www.gamblingcommission.gov.uk/PDF/survey-data/Gambling-behaviour-in-Great-Britain-2016.pdf">https://www.gamblingcommission.gov.uk/PDF/survey-data/Gambling-behaviour-in-Great-Britain-2016.pdf</a>            The revised SGP would have a neutral impact on the protected characteristic of Sex (gender).</p> <p><b>RACE-</b> Haringey has a young, ethnically diverse population. The total resident population in Haringey is 271,222 and BME or Other White ethnic groups account for 67% of the resident population.</p> <p>Statistics for the Gambling Commission contained within the NatCen “Gambling behavior in Great Britain” show gambling participation was highest among White adults; six in ten (59%) White adults had gambled in the past 12 months, compared with 46% of Black adults, 45% of adults in other minority ethnic groups and 32% of Asian adults. A similar pattern was evident among those who gambled on activities other than the National Lottery draws only. For online gambling the pattern was slightly different; similar proportions of adults in the White group and other minority ethnic groups had gambled online (both 10%), compared with 5% of Black adults and just 2% of Asian adults. <a href="https://www.gamblingcommission.gov.uk/PDF/survey-data/Gambling-behaviour-in-Great-Britain-2016.pdf">https://www.gamblingcommission.gov.uk/PDF/survey-data/Gambling-behaviour-in-Great-Britain-2016.pdf</a></p> <p>The Local Authority has established procedures for engaging with the diverse range of businesses within the Council area. Consultation on the new SGP will be undertaken with statutory consultees, including representatives from the business community. It is not however anticipated that the proposed policy will have a negative effect on the grounds of race.</p>
9.	<p>Is the service targeted towards particular disadvantaged or vulnerable residents?</p> <p><i>This can be a service specifically for a group, such</i></p>	X	<p><b>DISABILITY</b> – More than 19,500 people in Haringey have a physical disability; this equates to approximately 10% of the population aged 16-64. In the policy applicants are requested to have regard to the type of people that are likely to visit their premises in their application when identifying the steps, they will take to promote the licensing objectives. Applicants will be expected to propose steps to ensure that the physical</p>

	<i>as services for people with Learning Disabilities. It can also be a universal service but has specific measures to tackle inequalities, such as encouraging men to take up substance misuse services.</i>			<p>layout of the premises does not present any risks to 'vulnerable' people, some of whom may be disabled.</p> <p>During inspections, officers will refer any relevant details to planning if it is suspected there may be accessibility issues or a lack of planning permission. It is not however anticipated that the proposed policy will have a negative effect on the grounds of disability.</p>
10.	Are there any known inequalities? For example, particular groups are not currently accessing services that they need or are more likely to suffer inequalities in outcomes, such as health outcomes.		X	
11	If you have answered yes to at least one question in both sections a) and b), Please complete an EqIA.			<p>If a decision is taken not to proceed with a full EqIA, please document carefully your reasons here:</p> <p>The Gambling Policy has scope to advance equality by promoting good relations. The Statement supports a culture of openness where appropriate information can be accessed by all parties, hearings are generally held in public and enforcement is in line with the principles promoted within the Enforcement Concordat. Partnership working and exchange of information (within legal constraints) is also supported by the Statement. In this way we hope to promote understanding between those providing gambling opportunities and those potentially affected by them. As with applications under other laws such as the Licensing Act 2003, we will seek to mediate between applicants and objectors and reach negotiated settlements wherever possible. The Statement will be reviewed at least every three years and the impact of the Statement will form part of that review. Customer feedback forms will be used to facilitate this process.</p> <p>Consultation:  Publicity and information campaign  • Consultation details on website</p> <p>Direct mail out to</p>

				<ul style="list-style-type: none"><li>• Responsible authorities, including Police, Fire and Safeguarding Children,</li><li>• Neighbouring Boroughs</li><li>• Ward Councillors</li><li>• Licensees</li><li>• Faith Organisations /Citizen Panel</li></ul>
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