

NOTICE OF MEETING

LICENSING COMMITTEE

Monday, 21st June, 2021, 7.00 pm - George Meehan House, 294 High Road, London, N22 8JZ. This meeting is due to be live streamed (watch it [here](#)).

Members: Councillors Gina Adamou (Chair), Sheila Peacock (Vice-Chair), Barbara Blake, Luke Cawley-Harrison, Liz Morris, Reg Rice, Viv Ross, Yvonne Say, Daniel Stone, Noah Tucker, and Sarah Williams.

Quorum: 3

1. FILMING AT MEETINGS

Please note this meeting may be filmed or recorded by the Council for live or subsequent broadcast via the Council's internet site or by anyone attending the meeting using any communication method. Members of the public participating in the meeting (e.g. making deputations, asking questions, making oral protests) should be aware that they are likely to be filmed, recorded or reported on. By entering the 'meeting room', you are consenting to being filmed and to the possible use of those images and sound recordings.

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

To receive any apologies for absence.

3. URGENT BUSINESS

The Chair will consider the admission of any late items of Urgent Business. (Late items will be considered under the agenda item where they appear. New items will be dealt with under item 9 below).

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 / PRESENTATIONS / QUESTIONS

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

6. MINUTES (PAGES 1 - 32)

To confirm and sign the minutes of the Licensing Committee meeting held on 27 May 2021 as a correct record.

To note the Special Licensing Sub-Committee decisions from May 2021.

7. CONSULTATION ON THE DRAFT STATEMENT OF GAMBLING POLICY (PAGES 33 - 108)

To consider the draft Statement of Gambling Policy.

8. NEW ITEMS OF URGENT BUSINESS

To consider any items of urgent business as identified at item 3.

Fiona Rae, Principal Committee Co-ordinator
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Fiona Alderman
Head of Legal & Governance (Monitoring Officer)
River Park House, 225 High Road, Wood Green, N22 8HQ

Friday, 11 June 2021

MINUTES OF THE LICENSING COMMITTEE MEETING HELD ON THURSDAY, 27TH MAY, 2021, 8.55 - 9.00 PM

PRESENT: Councillor Sheila Peacock (in the Chair), Councillor Barbara Blake, Councillor Luke Cawley-Harrison, Councillor Reg Rice, Councillor Yvonne Say, and Councillor Sarah Williams.

1. FILMING AT MEETINGS

The Chair referred to the notice of filming at meetings and this information was noted.

2. APOLOGIES

Apologies for absence were received from:

Cllr Gina Adamou
Cllr Liz Morris
Cllr Viv Ross
Cllr Daniel Stone
Cllr Noah Tucker

3. URGENT BUSINESS

There was no urgent business.

4. DECLARATIONS OF INTEREST

There were no declarations of interest.

5. DEPUTATIONS / PETITIONS / PRESENTATIONS / QUESTIONS

There were no deputations, petitions, presentations, or questions.

6. ESTABLISHMENT OF THE LICENSING SUB-COMMITTEE

The Committee was asked to note the establishment of the Licensing Committee, including its terms of reference, to confirm the terms of reference of the Licensing Sub-Committee, and to establish a Licensing Sub-Committee for the 2021/22 Municipal Year.

RESOLVED

1. To note the terms of reference of the Licensing Committee as set out within the Council's constitution, attached as Appendix 1 to the report.
2. To confirm the terms of reference of the Licensing Sub-committee as set out within the Council's constitution, attached as Appendix 2 to the report.
3. To agree the establishment of a Licensing Sub-Committee with the same membership as the Licensing Committee.
4. To note the Licensing Committee Protocol as set out within the Council's constitution, attached as Appendix 3 to the report.

7. NEW ITEMS OF URGENT BUSINESS

There were no new items of urgent business.

CHAIR: Cllr Gina Adamou

Signed by Chair

Date

MINUTES OF THE SPECIAL LICENSING SUB COMMITTEE MEETING HELD ON WEDNESDAY, 5TH MAY, 2021, 7.00 PM - 8.55 PM

PRESENT: Councillor Gina Adamou (Chair), Councillor Viv Ross, and Councillor Yvonne Say.

1. FILMING AT MEETINGS

The Chair referred to the notice of filming at meetings and this information was noted.

2. APOLOGIES FOR ABSENCE

There were no apologies for absence.

3. URGENT BUSINESS

It was noted that, it being a special meeting of the Sub-Committee, under Part Four, Section B, Paragraph 17 of the Council's Constitution, no other business would be considered at the meeting.

4. DECLARATIONS OF INTEREST

There were no declarations of interest.

5. APPLICATION FOR A NEW PREMISES LICENCE FOR GREENSIDE HOUSE, 50 STATION ROAD, LONDON N22

Daliah Barrett, Licensing Officer, introduced the report which presented an application for a new premises licence for Greenside House, 50 Station Road, London, N22. It was explained that the application requested a licence for the sale of alcohol on and off the premises from 1000 to 2300 hours on Monday-Saturday and 1100 to 2230 hours on Sunday. The premises would be open from 0000 to 0000 hours Monday-Sunday; the site was an office building with 24 hour access for office workers but would not be open to general members of the public except for the ground floor. It was noted that the applicant had submitted additional supporting documents which included a brochure and a letter outlining some additional information and amendments to the application.

The amendments to the application for a new premises licence put forward were:

- The application, as amended, would only allow the sale of alcohol on the ground floor. There would be no licensable activities in the rest of the building and both terraces were excluded from off sales.

- Off sales would be restricted to consumption within the premises at 50 Station Road, London, N22 7TP and would not be permitted to be taken outside of the premises, including the terraces or any external areas.
- The fifth floor terraces were no longer part of the application. There would be no alcohol sold or consumed on the fifth floor terraces which was purchased on the premises. There would be no regulated entertainment and there were no loudspeakers on the terraces.
- The applicant had agreed a condition proposed by the Environmental Health Officer that the terraces would only be open until 2100 hours Sunday-Thursday and until 2200 hours Friday-Saturday.
- A full CCTV system would be installed, including an additional camera covering the area at the front of the building. The applicant had agreed conditions proposed by the Police and Trading Standards.
- Prominent, clear notices would be displayed at all exits requesting customers to respect the needs of local residents and leave the premises and the area quietly.

The Licensing Officer explained that representations had been received from a number of residents and a ward councillor, Councillor Peter Mitchell, and these were set out in full in the report. It was also noted that the relevant laws and guidance were listed in the report, from section 3 onwards. It was explained that the Committee could grant the licence subject to mandatory and other conditions, exclude from the scope of the licence any of the licensable activities to which the licence related, refuse to specify a person in the licence as the premises supervisor, or reject the application. It was added that the licensing authority's determination of the application was subject to a 21 day appeal period.

In response to questions from the Committee, it was noted that:

- The building had been in existence for a number of years but had been subject to a change of management. It was also noted that the building design had not changed but that there had been some alterations to the terrace under the planning regime.
- The application now proposed that the sale of alcohol would only be permitted on the ground floor. It was acknowledged that licences could not seek to manage customer behaviour outside the premises but that customers who remained within the building would still be under management control.
- It was confirmed that alcohol would only be sold to office tenants, co-working members, office members, virtual office members, persons attending a private pre-booked event or function, directors and employees of the licence holder and its affiliated companies, persons who have pre-booked a meeting room, day-pass visitors, and guests of the aforementioned.

In response to questions from objectors, it was noted that:

- A platform had been installed on the fifth floor patio and residents expressed concerns that they had not been consulted. The Licensing Officer explained that the Committee could not consider planning issues as part of its decision

The representatives for the applicant, Alun Thomas (Solicitor), Christina Ronsyn (nominated Designated Premises Supervisor), and Rhiannon Heseltine (Food and Beverage Manager), addressed the Committee. Alun Thomas explained that Clockwise provided offices and their ethos was to bring like-minded people together to

work and collaborate. He stated that the purpose of the application was to allow the sale of alcohol on the ground floor only, through the café. It was explained that the primary income source for the business was membership fees and that the turnover from the café was minimal, with the average takings from alcohol sales being about 5-8% of the café's takings. It was noted that anyone entering the building was required to go past the reception desk.

Alun Thomas stated that the café was mainly used by people who worked in the building but it was envisaged that the café could be used by the public and local residents. It was explained that food and drink could be taken from the café to workspaces in the rest of the building and that, if this related to the sale of alcohol, this was technically an off sale. It was stated that alcohol would not be permitted on the terraces or external spaces and that, except for the ground floor, there was no public access to the building, terraces, or external spaces. It was commented that the management would undertake best endeavours to prevent alcohol being taken onto terraces or external areas and that the applicant would agree a condition to this effect. In addition, it was explained that it would be a condition of membership that members could not take alcohol onto the terraces or external areas.

Rhiannon Heseltine explained that she was in charge of food and beverage. It was noted that the café provided food and drink options, was open from 7.30am-5pm on Monday-Friday, and accommodated 50 seats. It was commented that the café could provide hospitality options for lunches but that the majority of sales were coffee.

Alun Thomas clarified that the terraces were not a part of the licensing application and that the applicant was not seeking any entertainment or regulated activity in this area. It was noted that the terraces had been used by a previous business on site but that, as they had not sold alcohol, this was not covered by the licensing regime. It was commented that the applicant did not wish to cause any nuisance to residents and had agreed a number of conditions proposed by responsible authorities, including restricted use times for the terraces.

Alun Thomas stated that a number of the representations were not relevant to the licensing objectives, such as parking, traffic, and the protection of wildlife. It was noted that the applicant had heard the representations from local residents, the majority of which related to the prevention of public nuisance licensing objective, and had amended the application accordingly.

In response to questions from the Committee, it was noted that:

- Other Clockwise offices had alcohol licences as it was a convenient amenity to provide to members. It was stated that Clockwise aimed to provide a professional environment and so the management monitored this and stringently addressed any anti-social behaviour.
- Alun Thomas confirmed that the applicant agreed to a Challenge 25 policy.
- It was noted that the building was not open to the public except for the ground floor. It was explained that the café was not advertised but that the applicant did not want to preclude public access, for example where it would encourage people to take up memberships. It was highlighted that any members of the public would have to come through reception.

- Christina Ronsyn noted that she was a countrywide manager but was on this site whilst the café was being fitted. It was explained that she was currently listed as the Designated Premises Supervisor (DPS) until a site manager was appointed and added as a DPS in due course.
- Alun Thomas stated that he was not aware of a planning application in relation to the terrace. It was clarified that events in the building would not involve alcohol on the terraces. Christina Ronsyn explained that there would likely be a couple of events per month and that these events would primarily provide wellbeing and networking opportunities for members. It was added that the majority of members were young entrepreneurs who wanted professional exposure.

In response to questions from objectors, it was noted that:

- The proposals stated that there would be no alcohol sold or consumed on the terraces that was 'purchased on the premises'. Alun Thomas confirmed that the licence holder would also agree to undertake best endeavours to prevent the consumption of alcohol on the terraces or any external areas. It was noted that the consumption of alcohol alone was not a licensable activity and could not be conditioned but that it was in the interest of the business to prevent alcohol consumption in these areas. It was added that anyone booking the space would not be permitted to have alcohol on the terrace and this would be addressed as part of a contractual agreement.
- In relation to the opening hours of the terrace area, it was noted that the applicant had met with the Environmental Health Officer who had proposed that the terrace should not be open after 2100 hours on Sunday-Thursday or after 2200 hours on Friday-Saturday. It was explained that the offices were open 24 hours a day and that, increasingly, people worked at different times; the terrace was used by members for fresh air or for cigarette breaks. It was clarified that the applicant had not specifically chosen to have a later closing time on Friday and Saturday but these were the times suggested by the Environmental Health Officer.

The Committee received representations from objectors who either presented their objections or supported the objections of others.

- Frank Hanley, Railway Cottages Residents' Association, stated that, if alcohol was sold in the building and the roof terraces were available, inebriated people would gravitate towards the roof terraces. There were concerns that the applicants would not be able to guarantee that there would not be inebriated people on the terraces at 10pm. Alun Thomas stated that members generally did not use the offices in this way. It was noted that the café did not have a large selection of alcohol and nearby pubs were better suited for this. It was added that there were staff on the premises and that memberships could be revoked if members were engaged in anti-social behaviour.
- A written statement from Nigel Scott, local resident, was read by Frank Hanley. It was noted that Nigel Scott had lived in the area for over 30 years and had worked in a serviced office, similar to Greenside House, for over 20 years. He felt that the application had inconsistencies and should not have been made. He stated that the provision of alcohol fostered a culture that it was acceptable to drink in the workplace and that this was unhelpful for anyone with an alcohol addiction and was at odds with the provision of a caring, creative environment. It was noted that the previous business on the site had held one summer event each year on the roof terrace and that the noise could be heard by all residents. There were concerns

that the applicant was proposing to use the terraces every day as this would negatively impact residents, including children who were trying to sleep and elderly care home residents. It was stated that the terraces should not be open beyond normal working hours. There were also concerns that the fridge for alcohol could be increased in size and that loudspeakers could be installed on the terraces. It was stated that customers would be allowed to move around the building and it was queried who would police the building. It was felt that the application would result in significant nuisance to local residents and the Committee was asked to reject the application.

- Mary Battley, local resident, explained that she wanted to be able to open the windows in her house and for her children to be able to sleep in peace. She stated that the front of the building was in a commercial area but that the rear of the building, including the terrace, was in a residential area. It was also requested that the organisation contacted local residents if any variations to the proposed conditions were made, whether these were minor or major. The Licensing Officer noted that, under the licensing regime, notices were placed on the premises rather than sent to local residents and that minor changes had a shorter consultation period.
- Kyla Bowen-la Grange, local resident, commented that she was a freelance creative and, in her experience, shared office spaces had a culture of drinking and socialising and she believed that the terrace would be used noisily.
- Betty Wang, local resident, stated that she strongly opposed the proposed use of the terrace. She noted that this was a residential area and that she did not understand why the terrace should be open until 10pm.
- Cornelius, local resident, commented that the applicant could apply for exemptions for special events on the premises.
- David Metcalfe, local resident, enquired what local residents could do if the licence was considered to be unacceptable. The Licensing Officer explained that the licence review process was open to local residents and responsible authorities but that suitable evidence would be required.
- Lisa Sharp, local resident, enquired whether parts of the building would be rented out. Alun Thomas stated that events would relate to office and member use.
- Mark Bracegirdle, local resident, stated that the air conditioning system affected Bradley Road gardens and detracted from the peace and quiet in the area.
- Sadie Bell, local resident, enquired about the capacity of the terraces. Alun Thomas explained that the terraces were not part of the application and could not be restricted by condition.
- Roslyn Byfield, local resident, felt that the removal of the terraces from the application was suspicious. She stated that the process had a lack of transparency, that she had not seen any publicity in the local media, and that local residents only knew about the licensing application as a resident saw a notice on the building. The Licensing Officer noted that posting a notice at the premises was the notification requirement of the licensing process.
- Wendy Shooter, local resident, expressed concern that the applicant had not shared the capacity of the terrace and that there may be plans to use it for more intrusive activities. The Licensing Officer noted that safe capacity limits were only imposed where they were appropriate for public safety. It was noted that this was not always a necessity and that this was often progressed under fire safety rather than through licensing arrangements.

- Other local residents, Eleiz Elmekiess, Julia Wise, Michelle Brister, and Susan Tully, were in attendance and supported the representations.

In summary, the representatives of the applicant stated that the primary use of the building was to provide offices and that the sale of alcohol would constitute a small, ancillary use within the café on the ground floor. It was noted that the terraces would not be used for any licensable activities and, therefore, it was not possible to restrict the use of the terraces. It was stated that the applicant had no intentions to undertake licensable activities on the terraces and had agreed a number of conditions in response to concerns raised. It was added that no issues were anticipated in relation to the terraces but that residents would be able to submit any complaints to the Planning Team or Noise Team.

In response to an earlier request for the applicant to inform local residents if any changes were proposed to conditions in the future, Alun Thomas stated that this could not be done. It was explained that there were existing, formal procedures for licensing applications. It was noted that a contact email address would be provided to local residents and this could be used to communicate any concerns.

In summary, the objectors noted that they had made all of the points within their representations. On behalf of the objectors, Frank Hanley, Railway Cottages Residents' Association, noted that the objections made were clear and that the recent amendments proposed by the applicant were felt to be cosmetic changes.

At 8.30pm, the Committee adjourned to consider the application.

RESOLVED

The Sub-Committee carefully considered the application for a new premises licence at Greenside House, 50 Station Road, London, N22. In considering the application, the Committee took account of the London Borough of Haringey's Statement of Licensing Policy, the Licensing Act 2003, the Licensing Act 2003 section 182 Guidance, the report pack, and representations made verbally at the hearing by the applicant and their representatives and by objectors.

Having considered the application and heard from all the parties, the Committee decided to grant the application for a new premises licence with the following conditions:

Operating times:

Supply of Alcohol:

Monday to Saturday	1000 to 2300 hours
Sunday	1100 to 2200 hours

For consumption **ON** and **OFF** the premises

Hours open to the public:

Monday to Sunday

0000 to 0000 hours

Not open to general members of the public except for the ground floor; the premises are an office building with 24-hour access to office workers.

The Committee imposed the following conditions:

1. Save for the ground floor, the premises shall operate as an office and alcohol may only be sold to:
 - (a) Office tenants - those persons with a minimum one month contract to occupy office space at these or other Clockwise premises;
 - (b) Co-working members;
 - (c) Office members;
 - (d) Virtual office members;
 - (e) Persons attending a private pre-booked event or function, a list of functions to be kept at reception for inspection by the relevant authorities;
 - (f) Directors and employees of the licence holder and its affiliated companies;
 - (g) Persons who have pre-booked a meeting room;
 - (h) Day-pass visitors;
 - (i) Any guests of the above.
2. A list of the names of members of the office shall be kept on the premises at all times showing the names and dates of attendance of any guests introduced by members. The list shall be produced on demand for inspection by the police or an authorised officer of the Council.
3. A Challenge 25 scheme shall be in place. All staff to be trained prior to serving any age restricted products. Training records to be kept for inspection by an authorised officer of the local authority. Refusals system in place (till prompt or book) to be monitored by the DPS and to be made available to an authorised officer of the local authority on request.
4. The Premises Licence Holder will ensure that a CCTV system is fully compliant with the guidance contained in the Information Commissioner's Office (ICO) guidance document (www.informationcommissioner.gov.uk) regarding installation of CCTV provided at the premises.
5. A digital CCTV system to be installed in the premises. Cameras must be sited to observe the entrance doors from the inside. Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises (i.e. capable of identification). A member of staff trained in operating CCTV must be at the venue during times that it is open to the public. Digital images must be kept for 31 days. The equipment must have a suitable export method (e.g. CD/DVD writer) so that the Police can make an evidential copy of the data they require. Copies must be available within a reasonable time to Police on request. Cameras must:
 - (a) Be sited to cover all areas to which the public have access including any smoking area.

- (b) Provide a linked record of the date, time of any image.
 - (c) Provide good quality images - colour during opening times.
 - (d) Have a monitor to review images and recorded quality.
 - (e) Be regularly maintained to ensure continuous quality of image capture and retention.
6. An incident log shall be kept at the premises, it will be in a hardback durable format handwritten at the time of the incident or as near to as is reasonable and made available on request to the Police, which will record the following:
- (a) All crimes reported to the venue.
 - (b) All ejections of patrons.
 - (c) Any complaints received.
 - (d) Any incidents of disorder.
 - (e) Seizures of drugs or offensive weapons.
 - (f) Any faults in the CCTV system.
 - (g) Any visit by a relevant authority or emergency service.
7. If the CCTV equipment (Including any mobile units in use at the premises) breaks down the Premises Licence Holder shall ensure the Designated Premises Supervisor, or in his/her absence other responsible person, verbally informs the Licensing Authority as soon as is reasonably practicable. This information shall be contemporaneously recorded in the incident report register and shall include the time, date and means this was done and to whom the information was reported. Equipment failures shall be repaired or replaced as soon as is reasonably practicable and without undue delay. The Licensing Authority shall be informed when faults are rectified.
8. The responsible person for the licensed premises will ensure that a suitable and sufficient fire risk assessment is completed for the premises, this must focus on the safety in case of fire of all "relevant persons". Any significant findings must be recorded and acted upon.
9. Under 18s shall be accompanied by an adult at all times.
10. The Premises Licence Holder or nominated person shall erect and maintain, in a prominent position at every exit a clear, conspicuous and legible notice requesting patrons to avoid causing noise, nuisance or disturbance to any local residents.
11. Save for those in sealed containers, off sales shall be restricted to consumption within the premises at 50 Station Rd, London, N22 7TP, and shall not be permitted to be taken outside of this premises, including the terraces or any external areas. The license holder will undertake best endeavours to prevent the consumption of alcohol on the terraces or any external areas.
12. The external terraces on the 5th floor shall not be used after 2100 hours Sunday-Thursday or after 2200 hours Friday-Saturday.
13. There should be no amplified music in the open spaces at the premises at any time.

14. All staff responsible for selling alcohol shall receive regular training in the requirements of the Licensing Act 2003 and all other age restricted products stocked on the premises. Written records of this training signed and dated by the person receiving the training and the trainer shall be retained and made available to Police and authorised council officers on request.

In order to ensure the prevention of public nuisance licensing objective, the licence holder is asked to consider locking the terraces and external areas when they are not in use.

It was noted that there would be staff monitoring the site to prevent the consumption of alcohol on the terraces and external areas and that there would be CCTV on the premises. In order to ensure the prevention of public nuisance licensing objective, the licence holder is also asked to consider reviewing the CCTV footage to ensure that alcohol is not being taken onto and consumed on the terraces and external areas.

Reasons

The Committee gave serious consideration to the concerns raised by the objectors. The Committee did not wish to diminish these concerns but could not in all fairness ascribe the behaviour of previous occupants of the premises to applicants. In addition, it was noted that some of the concerns raised did not relate to licensing issues; this included some planning matters and concerns about the nature reserve adjacent to the site. The Committee could only consider matters that fell within its responsibility, which was for licensing matters.

The Committee welcomed clarifications from the applicant that:

- Alcohol would not be permitted on the terraces or external areas;
- Members of the public would not be able to access these areas; and
- Events in these areas would not include alcohol.

These points of clarification would be set out as terms and conditions in contractual agreements for the venue hire. The Committee also welcomed the fact that staff on site would monitor the entire premises to prevent the consumption of alcohol in areas where alcohol consumption was not permitted.

The Committee noted that there was a sanction available to the applicants, namely ending the memberships of any members of Greenside House who refused and/ or failed to comply with the rules relating to alcohol and anti-social behaviour.

It was also noted that the primary use of the building was an office space, that alcohol sales would amount to approximately 5-8% of the overall café sales, and that anyone entering the building would be required to pass through reception which provided for a greater degree of control.

The Committee acknowledged that the applicant had voluntarily accepted a number of conditions suggested by the responsible authorities. In particular, the Committee noted that the applicant had agreed to limit the hours of use for the terraces and external areas.

The Committee noted that the applicant had offered to provide a contact email address to residents and wished to encourage communication between the applicants and local residents if any issues arose. Residents asked about what steps could be taken if issues did arise and were informed about the existence of a review process under the licensing regime and that other issues could be raised with Council departments in response to any complaints that might arise in the future.

It was also noted that some residents had indicated that they were not aware of this licensing application. It was confirmed that there was a statutory process for licensing applications, including notification on the website and a notice at the premises, which had been followed by the licensing authority in this application.

Appeal Rights

This decision is open to appeal to the Magistrates Court within the period of 21 days beginning on the day upon which the appellant is notified of the decision. This decision does not take effect until the end of the appeal period or, in the event that an appeal has been lodged, until the appeal is dispensed with.

Date: 12 May 2021

CHAIR: Councillor Gina Adamou

Signed by Chair

Date

MINUTES OF THE MEETING OF THE SPECIAL LICENSING SUB COMMITTEE HELD ON TUESDAY, 18TH MAY, 2021, 19.00 – 20.04

PRESENT:

Councillors: Sarah Williams (Chair), Luke Cawley-Harrison and Peter Mitchell

1. FILMING AT MEETINGS

The Chair advised that the meeting would be live streamed on the Council's website.

2. APOLOGIES FOR ABSENCE

There were no apologies for absence.

3. URGENT BUSINESS

It was noted that, it being a special meeting of the Sub-Committee, under Part Four, Section B, Paragraph 17 of the Council's Constitution, no other business would be considered at the meeting.

4. DECLARATIONS OF INTEREST

There were no declarations of interest.

5. APPLICATION FOR A NEW APPLICATION OF A PREMISES LICENCE AT TACO BELL, 1 & 2 GLADSTONE HOUSE, HIGH ROAD, WOOD GREEN, LONDON N15

Daliah Barrett, Licensing Officer, introduced the report, as set out on pages 1-4 of the agenda. Ms Barrett stated that the representations received from the Police and Licensing Authority had since been withdrawn and representations remained from residents. Ms Barrett also referred to the information submitted surrounding the crime profile of the area and confirmed that this related to Noel Park ward as a whole.

The applicant had submitted a number of additional conditions to help address concerns raised, which had been previously circulated to all parties, as follows:

1. Litter bins shall be available for customers use outside the premises at all times the premises are trading, these bins shall be emptied at regular intervals throughout every trading day.
2. The licence holder will undertake litter picks in the area surrounding the premises including Gladstone Avenue and within the store's outside seating area. The litter picks will take place 3 times per day and a log will be kept recording the time of each litter pick and the initials of the litter picker.

3. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent business waste arising or accumulating in the area immediately outside the premises (except at allocated collection times agreed with the Waste Management provider).
4. Members of the public will be prevented from accessing hot food preparation areas to prevent risk of scald or burns.
5. The toilets will be available to customers at all times the premises is open to the public.
6. The licence holder will ensure patrons use the external area in a manner which does not cause disturbance to nearby residents and businesses in the vicinity. Patrons will not use such areas after 23.00 hrs.
7. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.

It was noted that the applicants had invited residents to a mediation meeting the previous week to discuss the application and try to address the concerns raised.

Reference was made to page 20 of the agenda and the non-standard timings and it was questioned whether at the start of British Summer Time (BST) the terminal hour for all licensable activities would be extended by one hour, beyond 3am. It was confirmed that the terminal hour would be extended for the duration of BST, however this would remain at 3am.

In response to a question regarding other nearby late night establishments, Ms Barrett stated that each application was considered on its own merits. She added that there were a couple of nearby Turkish restaurants that had a licence until 5am and the McDonalds at the Hollywood Green location had a licence for late night refreshment between 11pm – 5am.

In response to a question asking whether there were any planning or licensing designations in the location, it was confirmed that there were none to be considered in the local area. Ms Barrett added that there were also no cumulative impact zones in the borough.

Rachella Sinclair outlined her representation in objection to the application, as follows:

- The concerns that were being expressed were already being experienced in the area, with cars idling in the area until 5am, people eating in their cars, playing loud music and alarms going off.
- There was already a large amount of anti-social behaviour and criminal activity being experienced in the area and it was feared that granting another late licence would only add to this problem.
- There was also a problem with delivery drivers collecting food and people leaving litter in the area after visiting the late night take away food establishments.
- She was having to clear up broken glass outside her property on a daily basis.

- It was felt that granting a late night licence would only encourage people to stay and drink later in the area.
- The premises was located within a conservation area.

Shamima Hossain outlined her representation in objection to the application, as follows:

- Her property was directly adjacent to the premises and she had already raised a number of her concerns at the residents meeting held last week.
- Ms Hossain wanted reassurance that the applicant's would have a complaints procedure in place for any residents to raise any concerns that they had, if necessary.
- It was felt that there was not a need for a late night licence until 3am, due to the residential nature of the surrounding area.
- Ms Hossain wished to know how the applicants would manage the noise nuisance at the premises.
- It was requested that mopeds and delivery drivers not be permitted to park in Gladstone Avenue, due to the noise nuisance it would cause to local residents.

Ozlem Yenidunya outlined her representation in objection to the application, as follows:

- Ms Yenidunya also lived in close proximity to the premises and agreed with the concerns that had already been raised. She did not feel safe in the area at night, due to the high level of anti-social behaviour and crime and felt that granting a licence until 3am would only add to the existing problems in the area.
- It was felt that the applicants had a lack of respect for local residents and the fact that the premises was located within a conservation area.
- Ms Yenidunya was not against the location of Taco Bell at the premises but felt that the hours being applied for were too late and was also concerned about noise from delivery drivers and the amount of litter generated.

Christopher Rees-Gay, Applicant's Representative, alongside the applicant team; Grant Roderickson, Paul Welford and Stephen O'Connell, outlined the application, as follows:

- As previously raised, the applicants had submitted a number of additional conditions to help mitigate some of the concerns raised.
- Mr Rees-Gay gave an overview of Taco Bell as a company and stated that the premises would be the 15th franchise Taco Bell restaurant in the UK.
- A virtual residents meeting had been held on the 10 May with the applicants to discuss the application and try to address any of the concerns raised by local residents.
- The Manager's contact details had been submitted and asked to be circulated to residents, for them to raise any concerns if necessary.
- Training of staff was paramount and all staff on induction would be provided the necessary training on how to promote the licensing objectives.

- The premises was currently unoccupied and the applicants had invested a large amount of money to fully refurbish the property. The applicants would be the landlord for the property and therefore had a vested interest in the operation of it.
- The applicant had 7 years experience of operating within the industry.
- It was confirmed that no alcohol would be served at the premises.
- The late night hours being applied for would cater to the needs of the customer base in the area and the modern day workforce.
- It was noted that the representations from both Responsible Authorities had now been withdrawn.
- It was acknowledged that the premises was located in a residential area, however it was also located in close proximity to Wood Green underground station and a busy junction, with a large number of nearby premises with late night licences.
- Reference was made to the Licensing Authority representation detailed on page 45 of the agenda. This stated that the premises was located within an inner city London borough and therefore was susceptible to high levels of crime and anti-social behaviour. It was also noted that from Police records, it did not appear that there were any offences that were specific to Gladstone House.
- It was confirmed that litter bins would be available at all times and would be emptied regularly.
- It was suggested that some of the concerns regarding litter and waste related to the previous operator and the applicants had provided reassurance that a commercial waste management plan would be put in place.
- With regard to food smells from the premises, as raised with the previous operator, it was confirmed that all of the equipment would be replaced and relevant maintenance contracts put in place.

Although it was recognised that there would be no supply of alcohol at the premises, Members wished to know whether staff would be trained on how to deal with intoxicated customers visiting the premises after drinking at nearby late night licensed premises. In response, Mr Roderickson stated that all staff would be trained to not serve intoxicated customers and to call the Police if required.

Following a request for clarification about the operation of the business, it was confirmed that the business would be run as a franchise, with a store manager and area manager. The head office was located in Wembley.

In response to a question regarding the outdoor seating area and hatch for deliveries, it was explained that the premises would provide takeaway only after 23.00 hours and therefore the outdoor area would not be in operation after this time. It was also stated that the delivery serving hatch would only be used during busy periods and there would be a strategy put in place to ensure that this was effectively managed, in order to prevent noise nuisance to neighbouring residents.

Discussion took place surrounding the use of mopeds and where it was proposed that they would park for delivery pick-ups, as the Committee raised concern regarding noise nuisance and potential use of the pavement space outside the premises. In response, the applicants stated that they considered Bules Road to be the most appropriate location for short stay parking and recognised that the use of Gladstone

Avenue for deliveries would cause noise nuisance to neighbouring residents. The applicants added that it was the responsibility of the manager to ensure that the delivery drivers were not parking on the pavement outside the premises.

Ms Yenidunya raised the issue of litter in neighbouring resident's front gardens and questioned how the applicants would manage this issue. In response, the applicants stated that they had proposed a condition regarding litter picking, which would take place in the surrounding area, 3 times a day. The applicants stated that they would not be permitted to access private gardens to litter pick. The applicants added that the operators had owned the premises since 2008 and were developing 9 flats above the licenced premises and therefore had made a big investment in the property which they wanted to be managed properly.

In response to a request for clarification on the litter picking issue in resident's front gardens, Michelle Williams, Principal Lawyer, confirmed that the applicants would only be permitted to litter pick in surrounding streets, as any access to private front gardens would be classed as trespassing.

Dick Gamble also outlined his representation in objection to the application, as follows:

- It was questioned whether parking could be provided.
- Reference was made to the permitted planning use of the premises and whether a change of use was required.
- Mr Gamble welcomed the outdoor seating area not being used after 23.00 hours, however he questioned whether the furniture would be brought in after this time.
- He would like to see no smoking permitted near neighbouring residential properties.

In response to the objections raised, the Principal Lawyer confirmed that the parking and planning matters raised were not matters that could be considered by the licensing regime.

Mr Roderickson stated that the outdoor furniture was not fixed and therefore would be brought in after 23.00 hours. He also stated that an additional condition had been submitted covering the smoking area, requesting patrons to respect the needs of local residents and use the area quietly.

In response to a question regarding the capacity of the outside seating area, Ms Barrett explained that the previous operator had used the outside pavement area for seating for many years and therefore a separate licence was not required for this area. Ms Barrett confirmed that there would still be sufficient space for pedestrians to use the pavement.

In summing up, Mr Rees-Gay stated that the applicants were a premium operator and that there were no outstanding representations from Responsible Authorities. The applicants had also submitted a number of additional conditions in order to help mitigate some of the concerns raised by residents.

RESOLVED

The Licensing Sub Committee carefully considered the application for a new premises licence for Taco Bell, 1 & 2 Gladstone House, High Road, Wood Green, London, N22. In considering the application, the Committee took account of the London Borough of Haringey's Statement of Licensing Policy, the Licensing Act 2003, the Licensing Act 2003 section 182 Guidance, the report pack and the applicants and objectors written and oral representations.

Having considered the application and heard from all the parties, the Committee decided to grant the application for a new premises licence with the following conditions and amendments:

Operating times:

Late Night Refreshment:

Monday to Sunday 2300 to 0000 hours

Hours open to the public:

Monday to Sunday 1030 to 0000 hours

The following conditions are imposed as proposed by the Police:

1. A digital CCTV system must be installed in the premises complying with the following criteria:
 - (a) Cameras must be sited to observe the entrance doors from both inside and outside.
 - (b) Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification.
 - (c) Provide a linked record of the date, time of any image.
 - (d) Provide good quality images - colour during opening times.
 - (e) Have a monitor to review images and recorded quality.
 - (f) Be regularly maintained to ensure continuous quality of image capture and retention.
 - (g) Member of staff trained in operating CCTV at venue during times open to the public.
 - (h) Digital images must be kept for 31 days. The equipment must have a suitable export method, e.g. CD/DVD writer so that Police can make an evidential copy of the data they require. Copies must be available within a reasonable time to Police on request.
2. An incident log shall be kept at the premises, it will be in a hardback durable format handwritten at the time of the incident or as near to as is reasonable and made available on request to the Police, which will record the following:
 - (a) all crimes reported to the venue

- (b) All ejections of patrons
- (c) Any complaints received
- (d) Any incidents of disorder
- (e) Seizures of drugs or offensive weapons
- (f) Any faults in the CCTV system or searching equipment or scanning equipment
- (g) Any visit by a relevant authority or emergency service.

The following conditions are imposed as proposed by the Applicants:

- 3. Litter bins shall be available for customers use outside the premises at all times the premises are trading, these bins shall be emptied at regular intervals throughout every trading day.
- 4. The licence holder will undertake litter picks in the area surrounding the premises including Gladstone Avenue and within the store's outside seating area. The litter picks will take place 3 times per day and a log will be kept recording the time of each litter pick and the initials of the litter picker.
- 5. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent business waste arising or accumulating in the area immediately outside the premises (except at allocated collection times agreed with the Waste Management provider).
- 6. Members of the public will be prevented from accessing hot food preparation areas to prevent risk of scald or burns.
- 7. The toilets will be available to customers at all times the premises is open to the public.
- 8. The licence holder will ensure patrons use the external area in a manner which does not cause disturbance to nearby residents and businesses in the vicinity. Patrons will not use such areas after 23.00 hrs.
- 9. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.

The following conditions are imposed as proposed by the Committee:

- 10. Signage to be clearly displayed notifying customers that it is a residential area and for them to leave the premises quietly and to not idle engines or loiter in the surrounding area.
- 11. Delivery drivers are not permitted to congregate on Gladstone Avenue, near to residential properties.
- 12. There shall be no emission from the premises of any offensive smells, which are likely to cause a nuisance.
- 13. The service hatch for deliveries is not to be used after 23.00 hrs.

Reasons

The Committee gave serious consideration to the submissions by the applicant and to the concerns raised by the objectors. The Committee was satisfied from the representations that the noise from customers and delivery drivers, noise from cars and from within them and noise from motorbikes was likely to cause a public nuisance to residents.

The Committee felt that given that the premises are located on a residential road, and in close proximity with residential houses, including one with which it shares a party wall, the licensing objective of the prevention of public nuisance would be undermined if a licence for late night refreshment was granted until 3am, Monday to Sunday. As set out in paragraph 5.10 of the Statement of Licensing Policy, premises trading beyond midnight pose the greatest risk of undermining the licensing objectives.

The Committee imposed the above conditions which were appropriate and proportionate and would go some way to promoting the licensing objectives but the Committee decided that the terminal hour should be midnight, to reduce the nuisance caused to local residents and to promote the licensing objectives of the prevention of public nuisance.

The Committee acknowledged that the applicant was very professional and had voluntarily accepted a number of conditions suggested by the Police and had also proposed a number of conditions themselves to address some of the resident's concerns. In particular, the Committee noted that the applicant had offered conditions to address the concerns regarding litter and waste.

The Committee also noted that the applicant had offered to provide a contact email address to residents and wished to encourage communication between the applicants and local residents if any issues arose.

Appeal Rights

This decision is open to appeal to the Magistrates Court within the period of 21 days beginning on the day upon which the appellant is notified of the decision. This decision does not take effect until the end of the appeal period or, in the event that an appeal has been lodged, until the appeal is dispensed with.

CHAIR:

Signed by Chair

Date

MINUTES OF THE SPECIAL LICENSING SUB COMMITTEE MEETING HELD ON THURSDAY, 20TH MAY, 2021, 7.00 - 9.00 PM

PRESENT: Councillor Gina Adamou (Chair), Councillor Viv Ross, and Councillor Yvonne Say.

1. FILMING AT MEETINGS

The Chair referred to the notice of filming at meetings and this information was noted.

2. APOLOGIES FOR ABSENCE

There were no apologies for absence.

3. URGENT BUSINESS

It was noted that, it being a special meeting of the Sub-Committee, under Part Four, Section B, Paragraph 17 of the Council's Constitution, no other business would be considered at the meeting.

4. DECLARATIONS OF INTEREST

There were no declarations of interest.

5. SUMMARY OF PROCEDURE

The Chair provided a summary of the procedure for the meeting.

6. APPLICATION FOR A NEW PREMISES LICENCE AT GETIR UK LTD, UNIT 5, 2 OVERBURY ROAD, TOTTENHAM, LONDON N15

At the outset of the item, Chris Knight (Licensing Agent) stated that he had not received a copy of the representation from Public Health and from two of the residents. The Licensing Officer noted that all of the representations had been included in the agenda pack. It was confirmed that the representations had been received within the required time limits and so were valid for consideration.

Daliah Barrett, Licensing Officer, introduced the report which presented an application for a new premises licence for GETIR UK LTD, Unit 5, 2 Overbury Road, Tottenham, London, N15. It was explained that the application requested a licence for the sale of alcohol off the premises through online sales only from 0000 to 0000 hours on Monday-Sunday; the site would not be open to the public but deliveries could be made at any time and there would be 24 hour access for staff and delivery couriers.

The Licensing Officer explained that the applicant had accepted the conditions proposed by the Licensing Authority, Police, and Trading Standards and that these were set out in full in the report. It was stated that other representations had been received from Public Health and four other persons, including Councillor Barbara Blake, and these were set out in full in the report. It was also noted that the relevant laws and guidance were listed in the report, from section 3 onwards.

It was noted that the premises were located in an industrial, mixed use unit. The Licensing Officer was satisfied that the application process had been followed, including all the necessary advertisement requirements.

It was explained that the Committee could grant the licence subject to mandatory and other conditions, exclude from the scope of the licence any of the licensable activities to which the licence related, refuse to specify a person in the licence as the premises supervisor, or reject the application. It was added that the licensing authority's determination of the application was subject to a 21 day appeal period.

In response to questions from the Committee, it was noted that:

- The representations from the Licensing Authority, Police, and Trading Standards had been withdrawn following the agreement of proposed conditions. The remaining representations were from Public Health and four other persons, including one from Cllr Barbara Blake.

There were no questions from objectors.

The Committee received representations from objectors:

- Councillor Barbara Blake noted that she would not read out the submissions in full but that she would like to highlight the key concerns of local residents. She explained that there was anti-social behaviour in the area which included street drinking. She stated that there had been an increase in traffic in the area, along Hermitage Road and Vale Road in particular, and vehicles often went through the traffic barrier which was a safety concern. Councillor Barbara Blake noted that the applicant had a comprehensive training programme but it was not clear that this training informed motorcyclists not to drive through the barriers.
- She stated that the applicant would 'endeavour' to use electric or non-motorised vehicles for deliveries but that, due to the speed of expansion, this may not be possible. Councillor Barbara Blake noted that the lack of timescales or guarantees was concerning and that, although she wanted to support businesses, the applicant had not contacted her to discuss the local issues for residents. She highlighted that she did not want the concerns about the sale of alcohol, street drinking, and underage drinking to be dismissed as these were significant issues in Haringey. She stated that the applicant had not explained when the increased deliveries would happen or when alcohol was more likely to be sold. She added that there were concerns that the sale of alcohol between 11pm-6am would cause nuisance to residents as there would be additional bikes and alcohol sales at any time.
- It was noted that there would be a Challenge 25 condition but it was felt that this was very difficult in practice and there were concerns about how this would be enforced. Councillor Barbara Blake stated that local residents were concerned

about this application and that the proposals did not go far enough in providing reassurance and protection; she asked the Committee to oppose the application.

- Peter Simon, Hermitage New River Residents' Association Chair, noted that residents lived amongst a warehouse district and encouraged business in the area but they did not feel that a 24 hour licence for the sale of alcohol was appropriate in a highly residential area. It was explained that the access to the site was through the residential areas and that the delivery drivers did not avoid the barriers in these areas. It was stated that the scooters used for deliveries were noisy and that this noise was amplified in residential streets.
- It was commented that residents frequently raised issues relating to drinking, drugs, and anti-social behaviour on the street. It was added that warehouse parties were an issue locally and that the area currently had a blanket anti-social behaviour order.
- Maria Ahmad, Public Health, explained that they had concerns in relation to three of the licensing objectives as set out in the report. It was noted that Haringey had 356 adults in the alcohol treatment service and that there had been 79 alcohol-specific hospital admissions in 2019-20, with approximately 25% of ambulance callouts between 11pm-5am. It was explained that there had been an increase in drinking during the Covid-19 pandemic and that online delivery services were a convenient way for problem drinkers and young people to access alcohol easily.
- It was stated that the applicant's business would be able to deliver alcohol quickly and without any limit and it was considered that this would have a negative impact on the most vulnerable in the area. It was added that there had been an increase in alcohol delivery sales and that a number of drinking issues were linked to this.
- It was noted that there was no 24 hour online delivery service for the sale of alcohol in the area and that Public Health did not support the application for a 24 hour licence. It was explained that Public Health would like to see the hours restricted to 12am (midnight). It was also requested the delivery drivers received additional training, particularly in relation to public nuisance. It was accepted that the business model was that of an online supermarket but that Public Health felt that a reduction of hours and additional training for delivery drivers was required in order to promote the licensing objectives.

In response to questions from the Committee, the following responses were provided:

- It was understood that the company was currently trading and that the sale of alcohol might not lead to a significant increase in moped movements. Peter Simon was not sure if the applicant had already started trading from the site but noted that Getir scooter traffic had increased significantly in the last six weeks.
- It was noted that, in accordance with the proposed conditions, the applicant would only be permitted to deliver to an address and it was enquired how this would lead to increased street drinking. Peter Simon acknowledged that he did not know the full details of the processes but stated that it was often easy to get around those sorts of restrictions; it was suggested that it might be possible to have something delivered to a doorstep or front garden.
- It was confirmed that residents did not have any issues with the applicant in particular and would not oppose the licence application for the sale of alcohol if it was reduced to 6am-11pm.

- Public Health stated that they did not want to prevent businesses operating but that they were concerned about the level of alcohol consumption and noise, particularly as Haringey sold the most litres of alcohol per adult in London. They confirmed that their representations would be withdrawn if the hours for the sale of alcohol were reduced.
- In relation to the warehouse parties mentioned, Peter Simon stated that there were a number of warehouses in the area that provided six to eight bedroom dwellings. They were likely house parties but they were loud and disturbed residents and there were concerns that the easy delivery of alcohol at any time would increase these issues.
- It was confirmed that there were proposed conditions which would require all deliveries to be made to a residential or business address. It was added that the verification process took place at the point of sale and also upon delivery.
- It was not believed that there were any other premises in the area with a licence for 24 hour off sales.

The representatives for the applicant, Chris Knight (Licensing Agent), Anna Cosgrave (Head of UK Counsel for Getir), Sofia Koleva (Regional Manager for Getir), Ali Al-Mehdar (Site Manager for Getir). Chris Knight explained that the Getir business and operating model was quite established in the marketplace and in London and it involved selling convenience items from a number of small delivery hubs. It was commented that the hubs were small and belonged to Getir, the staff and drivers were provided by Getir, and everything was managed by senior Getir staff; the process was controlled from beginning to end and third party contractors were not used. It was noted that customers needed to create an account with the Getir app, which involved verification of address and age, and orders were made through that account.

Chris Nixon noted that some questions had been raised in relation to training. It was explained that every member of staff went through a comprehensive training regimen; this included road safety where drivers' suitability to represent the company was tested by a team of trainers whose sole job was to provide training and refresher training. It was noted that drivers undertook rigorous training and testing using Getir vehicles before they were permitted to undertake deliveries. It was stated that this went above and beyond the training programmes of other delivery companies.

Chris Nixon noted that the applicant would be adopting a Challenge 25 policy and that the training provided for staff included testing with refresher training at intervals. Staff were trained on the proper handing over of alcohol to an adult at the designated address and, if it could not be ascertained that the recipient was over 18 or if the recipient was drunk, the alcohol sale would be refused and the products would be returned to the store.

It was noted that the applicant was a convenience item seller and that alcohol was a small but important part of their business model. The concerns raised were acknowledged but Chris Nixon stated that the busiest hours for the business were typically 5pm-9pm and the biggest product line in the later evenings was milk; as such, there was not a significant flow of traffic overnight. It was added that the applicant was an experienced operator and that, in previous applications, the concerns of late night nuisance relating to the business had not materialised. It was explained that the alcohol product lines were a small fraction of the business and the

main items were food, seasoning, small electronics, and toiletries; the applicant wanted to be able to deliver all products at all times to suit their customer base.

In relation to public safety, Chris Nixon argued that, where these sorts of business models were operated well, they helped to keep people safe. It was noted that the applicant had a verification process and did not deliver to parties, streets, or public locations. Chris Nixon stated that the application was for the sale of alcohol and licensing law required that the end customer was not underage or drunk; it was commented that, otherwise, the delivery of products was outside of the Licensing Sub-Committee decision. The concerns raised by Public Health were noted but it was highlighted that the applicant was an alcohol delivery company and there would be no sale of alcohol on the premises. It was noted that deliveries were made to customers' homes where they were permitted to do as they liked.

Chris Nixon explained that the applicant already delivered groceries and that the sale of alcohol within these deliveries would not change the business model or undermine the licensing objectives. It was stated that this was a new application and there was no evidential basis that there would be any issues. It was noted that the licensing regime was permissive and that the applicant had put measures in place to minimise the impact on the licensing objectives. It was added that there was training for delivery drivers and that each driver was monitored through a Getir app. The driving of delivery drivers was monitored centrally and individuals were inspected when any issues were raised. It was also noted that the licensable activity of the sale of alcohol did not relate to traffic and this was not a consideration in licensing law.

Chris Nixon stated that the applicant had only recently found out that there was a representation from Public Health but, following some discussions, a reduced list of conditions had been agreed as follows:

1. No super strength beer, lager or ciders above 6.5% ABV (alcohol by volume) or above shall be stocked or sold at the premises (except for premium specialist beers).
2. Alcohol shall be stored securely, when on premises, at all times.
3. If the recipient of a delivery of alcohol appears under 25 years of age, recognised photographic identification will be requested before any intoxicating liquor is handed over. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport. *Chris Nixon noted that this was a replication of the Challenge 25 condition.*
4. No spirits shall be sold with an ABV (alcohol by volume) greater than 65%.
5. All staff engaged in the sale or supply of alcohol on the premises shall have received training in relation to the protection of children from harm (including under-age sales), how to recognise drunkenness and the duty not to serve drunk persons. Refresher training shall be carried out at least every six months. *It was noted that this condition was set out in the application but there had been an amendment from 12 months to six months.*
6. The company website/app will request confirmation of age on order booking, when an order for alcohol is made.

In response to questions from the Committee, the following responses were provided:

- It was noted that alcohol would not be delivered to any customers who were drunk or underage but it was enquired how this would be ascertained and whether the refusal record would include the name and address of the customer. Chris Nixon stated that the refusal log would include these details.
- It was noted that the Getir website currently stated that deliveries were from 8am-12am (midnight) and that objectors had suggested that they would accept the application if the hours were reduced. It was enquired whether the applicant would consider reducing the hours requested for the sale of alcohol to 8am-12am (midnight). Chris Nixon explained that the website times were specific to a customer's location and that the opening times for specific sites were sometimes subject to change. It was stated that the applicant would not agree to a reduction and did not consider that there was a justified reason to do so because the objections related to the operating hours rather than the sale of alcohol.
- It was enquired whether the applicant would use a testing regime in relation to underage customers. Chris Nixon explained that only the Police were permitted to conduct test purchasing with young people. It was noted that the applicant had an internal testing regime and monitoring measures.
- In response to a question about why the applicant had applied for 24 hour sales of alcohol, Chris Nixon explained that this was the applicant's market. It was noted that the applicant supplied small convenience packages at any time, primarily for late night workers, and they wanted to be able to cater for all sales. It was added that overnight deliveries and alcohol sales were a small but important market for the applicant. Chris Nixon also stated that there were measures in place to ensure responsible retailing, including volunteered and agreed conditions, and he believed that no other company in the local area had the same degree of training and control as the applicant.

In response to questions from objectors, the following responses were provided:

- It was suggested that the applicant was experienced as an operator and it was enquired how long they had been operating in the UK. Anna Cosgrave explained that Getir had been operating globally for about five years and in the UK since November 2020.
- It was stated that the applicant would not deliver to parties and it was enquired whether a delivery would be made to a resident of a warehouse whilst they were having a party. Chris Nixon explained that this was a difficult question as it was the retailer's role to ensure a responsible sale but not to decide whether a party was appropriate. It was noted that a sale of alcohol could be refused if a customer was drunk.
- There were some reports from residents that Getir delivery drivers were not abiding by traffic laws, including a recent incident where a driver had ignored a no entry sign, and confirmation was sought that the training programme included road traffic signage. Chris Nixon stated that no evidence of this was provided in the papers and that this should not be considered. He noted that drivers received extensive training and that he would be able to discuss any issues with residents after the hearing.
- In relation to a question about the delivery of alcohol, Chris Nixon stated that the transportation of the alcohol was not covered in licensing law. The licence to sell alcohol related to the premises and the retailer was required to ensure a responsible sale of alcohol but the delivery was incidental.

- It was noted that the applicant would 'endeavour' to use quieter bikes but there were concerns that this would be secondary to the expansion of the business. Chris Nixon noted that the applicant aimed to operate with only non-motorised vehicles but that there was often insufficient supply to meet demand. He explained that 'endeavour' meant that the applicant would use non-motorised vehicles in the first instance but that it may not be possible to use these exclusively. It was added that, if motorised vehicles were used, they would be used during the day and e-scooters would be reserved for late night trading.
- It was confirmed that, when drivers were not making deliveries, they would be located inside the premises, as shown on the plan in the agenda pack.
- It was enquired how long the training programme was and Chris Nixon explained that drivers were shadowed by a trainer and were put through, effectively, another driving test. It was noted that the drivers did not always use motorised vehicles but that all drivers undertook the same training regimen. It was stated that there was a very high standard of training and that a failure to meet the required standards could result in dismissal. It was added that compliance with the traffic rules was monitored through the app by a dedicated team who would take action if there were any issues. It was confirmed that drivers were trained and tested over a two week period.
- It was noted that, at this site, the maximum capacity of drivers would not likely exceed 13. It was added that this would be during peak hours, typically 5pm-9pm, and that there would normally be one or two drivers.
- It was noted that Sofia Koleva, Regional Manager, would be appointed as the Designated Premises Supervisor (DPS) initially. However, once the store was operational, the DPS would be transferred to the site manager who would have control of the site and would not be responsible for multiple sites.
- The Licensing Officer clarified that, following an earlier question about the refusals record, the conditions required the date and time of the refusal and the member of staff refusing a sale but did not require the name and address of the customer to be noted. It was enquired whether the applicant would agree to include the name and address of the customer. Chris Nixon stated that the applicant did not want this condition to be amended.
- The Licensing Officer noted the written materials suggested that third party deliveries may be used but that the applicant's representatives had stated that no third party deliveries would be used. Chris Nixon noted that, if a driver was not directly employed, they would still be trained and tested to the same level as a fully employed driver. It was clarified that third party deliveries would be sourced from a pool of approved and trained drivers and this was not similar to other delivery companies.

The objectors were invited to summarise. Councillor Barbara Blake noted that the application would extend the possible drinking hours in the area. She stated that heavy drinkers were attracted to the night time economy and the Institute of Alcohol Studies found that night time economy drinkers consumed more alcohol in general and drank above average for their age group. It was commented that a significant number of people in the borough had alcohol dependency issues and that this should be taken into consideration when an organisation proposed to sell alcohol that could be easily delivered to people's homes. It was stated that, although no photo evidence was submitted, delivery drivers were ignoring safety barriers in residential areas and there were concerns that the applicant's extensive training programme was not

effective. Councillor Barbara Blake considered that granting the proposed licence to sell alcohol overnight, despite the conditions, would result in problems for residents living in the area and the Committee was asked to oppose the application.

Maria Ahmad, Public Health, noted that there were concerns that the application would make it very convenient for the most vulnerable communities to access alcohol quickly and in unlimited amounts. It was considered that this would have a negative impact and Public Health was proposing two additional conditions relating to the reduction in hours for the sale of alcohol and additional training for delivery drivers to uphold the licensing objectives.

In summary, the representatives of the applicant stated that the concerns discussed were often raised by local residents whenever a new operation was started and that the applicant took reasonable and proportionate measures which meant that none of these concerns had materialised so far. Chris Nixon stated that a reduction of hours had been suggested but that the applicant did not agree that this was justified or evidenced as appropriate. It was commented that delivery was incidental and that alcohol would only be delivered to homes. The difficulties faced by residents were appreciated and it was acknowledged that there may be issues but it was stated that the responsibility for retailers was for the sale, rather than the consumption, of alcohol. The applicant's representatives stated that the application should be judged on its own merits and the applicant considered that it was proportionate and fair with the proposed conditions.

At 8.35pm, the Committee adjourned to consider the application.

RESOLVED

The Special Licensing Sub-Committee carefully considered the application for a new premises licence at GETIR UK LTD, Unit 5, 2 Overbury Road, Tottenham, London, N15. In considering the application, the Committee took account of the London Borough of Haringey's Statement of Licensing Policy, the Licensing Act 2003, the Licensing Act 2003 section 182 Guidance, the report pack, and the written and verbal representations made at the hearing by the applicant and their representatives and by objectors.

Having considered the application and heard from all the parties, the Committee decided to grant the application for a new premises licence with the following conditions:

Operating times:

Supply of Alcohol for delivery only:

Monday to Sunday 0000 to 0000 hours **online sales only**

Supply of alcohol **OFF** the premises

Hours open to the public:

No public access

The Committee imposed the following conditions:

1. No members of the public will be allowed on the premises.
2. Drivers will await deliveries by waiting in an internal section of the premises until such time as a delivery is ordered. Staff on site will ensure that no excessive noise is created by the drivers when leaving, entering or smoking outside the Premises.
3. A digital CCTV system must be installed in the premises complying with the following criteria:
 - (a) Cameras must be sited to observe the entrance doors from both inside and outside.
 - (b) Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification.
 - (c) Provide a linked record of the date, time of any image.
 - (d) Provide good quality images - colour during opening times.
 - (e) Have a monitor to review images and recorded quality.
 - (f) Be regularly maintained to ensure continuous quality of image capture and retention.
 - (g) Member of staff trained in operating CCTV at venue.
 - (h) Digital images must be kept for 31 days. The equipment must have a suitable export method, e.g. CD/DVD writer so that Police can make an evidential copy of the data they require. Copies must be available within a reasonable time to Police on request.
4. An incident log shall be kept at the premises, it will be in a hardback durable format handwritten at the time of the incident or as near to as is reasonable and made available on request to the Police, which will record the following:
 - (a) All crimes reported to the venue.
 - (b) Any complaints received.
 - (c) Any incidents of disorder.
 - (d) Any faults in the CCTV system.
 - (e) Any visit by a relevant authority or emergency service.
5. The premises will be maintained in a safe manner at all times.
6. All exits will be kept unobstructed, easy to open and clearly signed.
7. Notices will be displayed asking staff to leave the premises quietly and to have respect for local residents.
8. Delivery of alcohol will be refused whereby the driver considers the person receiving the delivery to be under the influence of alcohol or drugs.
9. No alcohol will be supplied to the public at the premises.

10. All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.
11. When a delivery is to be carried out by an employed driver:
 - (a) A Challenge 25 scheme shall be operated, whereby if supply of alcohol is to any person who appears to be under the age of 25 years of age, they will be required to produce on request an item which meets the mandatory age verification requirement and is either a:
 - (i) Proof of age card bearing the PASS Hologram;
 - (ii) Photocard driving licence;
 - (iii) Passport; or
 - (iv) Ministry of Defence Identity Card
 - (b) All staff engaged in the sale or supply of alcohol on the premises shall have received training in relation to the protection of children from harm (including under-age sales), how to recognise drunkenness and the duty not to serve drunk persons. Refresher training shall be carried out at least every six months.
 - (c) Training records shall be kept on the premises (or otherwise be accessible on the premises) for a minimum of 12 months and made immediately available to police, trading standards or licensing authority staff upon reasonable request.
 - (d) A refusals record shall be maintained at the premises which details all refusals to supply alcohol. Each entry shall, as a minimum, record the date and time of the refusal and the name of the staff member refusing the supply.
12. Notwithstanding Conditions above; where third party couriers are employed for deliveries these third parties shall maintain their own Challenge 25 Policies & age verification training.
13. When using third party couriers, all consignments of alcohol will be dispatched through reputable couriers only who have robust age verification systems in place.
14. In order that residents are not caused nuisance or disturbed by any delivery service providers:
 - (a) Drivers do not congregate on residential roads.
 - (b) Toilet facilities are provided for drivers at the premises.
 - (c) All delivery services are provided in a courteous, safe and respectful manner.
 - (d) All deliveries are provided in accordance with the law on road use, parking and licensing.
15. A record of orders shall be kept which shall include the customer's name & address. In accordance with data protection regulations, this log shall be made available to Police and local authority officers on request.
16. The delivery of alcohol shall be made only to a residential or business address, which the customer uses in a residential or official capacity. The delivery of alcohol

shall not be made or completed to a person in a public place (street corner, park, bus stop, etc).

17. All customers shall be contacted in writing (e.g. e-mail or text) to notify them that an order has been placed, with the date, and if possible approximate time, of the expected delivery.
18. Couriers delivering orders shall keep record require a signature from the recipient upon delivery in a form that can be captured and fed back to the licence holder. The only exception to this requirement is due to social distancing measures.
19. If the recipient of a delivery of alcohol appears under 25 years of age, recognised photographic identification will be requested before any intoxicating liquor is handed over. Acceptable proof of age shall include identification bearing the customers photograph, date of birth and integral holographic mark or security measure. Suitable means of identification would include PASS approved proof of age card, photo-card driving licence and passport.
20. No super-strength beer, lagers or ciders over 6.5% ABV (alcohol by volume) or above shall be stocked or sold at the Premises (except for premium specialist beers).
21. Alcohol shall be stored securely, when on premises, at all times.
22. No spirits shall be sold with ABV (alcohol by volume) greater than 65%.
23. The company website/ app will request confirmation of age on order booking, when an order for alcohol is made.

Reasons

The Committee gave serious consideration to the concerns raised by the objectors. The Committee sympathised with the objectors but considered that there was insufficient evidence to demonstrate that the new premises licence application would undermine the promotion of the licensing objectives. It was noted that it would not be fair to attribute existing issues in the area to this application and there was no compelling evidence that this application in particular would result in public nuisance or public health issues.

The Committee acknowledged the concerns raised by Public Health. It was noted that the issues raised, although serious, related to the wider area and local issues in general. It was considered that the concerns were not directly linked to the applicant or the application in question and there was no evidence that the licensable activities applied for would undermine the licensing objectives. The Committee also noted that the issues raised in the representation from Public Health might be given more weight when the premises were the point of sale to the public and/ or the point of consumption of alcohol but that, in this case, there would be no public access to the premises and deliveries would only be made to residential or business addresses.

The Committee considered whether it would be appropriate and proportionate to reduce the hours for the sale of alcohol within the application, which had been suggested by a number of the objectors. The Committee acknowledged that the applicant had agreed to a number of conditions, including no public access to the premises, arrangements for delivery drivers when not making deliveries, a requirement that deliveries were made to home or business addresses only, and verification requirements for age and address at the point of registration and delivery. It was also noted that the business supplied groceries online with the option to purchase alcohol and that, although the business could operate 24 hours a day, the primary period of operation was normally between 5pm and 9pm and there were generally few deliveries throughout the night. It was also commented that issues raised in relation to deliveries were not specific to the sale of alcohol as they would also apply to the sale of groceries which was not a licensable activity. The Committee was satisfied that the application and the proposed conditions would promote the licensing objectives and considered that there were insufficient grounds which demonstrated that it would be appropriate and proportionate to seek a reduction in the hours for the sale of alcohol.

Appeal Rights

This decision is open to appeal to the Magistrates Court within the period of 21 days beginning on the day upon which the appellant is notified of the decision. This decision does not take effect until the end of the appeal period or, in the event that an appeal has been lodged, until the appeal is dispensed with.

CHAIR: Councillor Gina Adamou

Signed by Chair

Date

Report for: Licensing Committee – 21 June 2021

Title: Consultation on Draft Statement of Gambling Policy

Report authorised by: Stephen McDonnell, Director of Environment and Neighbourhoods

Lead Officer: Daliah Barrett, 020 8489 8232, 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 review the Council's Statement of Gambling Policy every three years. The current policy was adopted in January 2019 and is therefore due for review this year, to be published in January 2022.
- 1.2 The purpose of this report is to consult the Licensing Committee on the draft Statement of Gambling Policy 2022-2025 and the draft Local Area Profile.

2. Cabinet Member Introduction

- 2.1 The Council has a duty to consult on the proposed policy and officers have sought approval from cabinet to conduct the consultation, which is underway. Following consultation, a further report will be presented to the Cabinet in November 2021 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 2021.
- 2.2 Whilst gambling is legal it 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 gambling 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 asking for a stronger commitment to empower Councils to listen to the concerns of the

local community by removing the 'aim to permit' requirement. A copy of the response is attached at Appendix 3.

3. Recommendations

3.1 The Licensing Committee is asked:

- (a) To consider the draft Statement of Gambling Policy 2022-2025, set out in Appendix 1 to the report, and the draft Local Area Profile, set out in Appendix 2 to the report, and make any comments or recommendations to Cabinet.
- (b) To note that, following consultation, a further report will be presented to Cabinet to recommend the Statement of Gambling Policy 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 2022-2025.
- 4.2 To obtain the views of the Licensing Committee on the proposed Statement of Gambling 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 a constitutional requirement that the Licensing Committee be consulted. 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.

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 Local Licensing Authorities have had ongoing concerns that, due to the "aim to permit" direction, insufficient consideration has been given to local context and circumstances 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.

6.4 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 been slightly mitigated with the change in the stakes now reduced to £2. As a result of this there has been a reduction in betting shops in general in the borough but we are seeing these vacated premises being replaced by Adult Gaming Centres. The requirement for local risk assessments in relation to gambling premises licences since April 2016 means that local authorities can set out their expectations within their statements of Gambling Policy.

6.5 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.

6.6 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 better 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; and
- it encourages a proactive approach to risk that is likely to result in reduced compliance and enforcement action.

6.7 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 Statement of 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; and
- close to the location of businesses providing instant access to cash such as payday loans, pawn shops.

6.8 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.

6.9 Call for Evidence – The Government recently undertook a consultation exercise 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 consumer 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.

6.10 The Review was led by Ministers at the Department for Digital, Culture, Media & Sport, with engagement from across government, the Gambling Commission, the industry, health and charitable sector, those with lived experience of gambling harm, and other stakeholders. After this initial 16 week call for evidence, the government will assess the evidence presented, alongside other data, with the aim of setting out conclusions and any proposals for reform in a white paper later this year.

6.11 Haringey's response to the consultation is attached at Appendix 3 and summarised as follows:

We believe the legislation should be altered and the Act could be strengthened by the following changes:

- That Licensing Authorities should be permitted to determine saturation policies based on impact and have the ability to create cumulative impact policies written into the legislation.
- Inserting a 'need test' into the Gambling Act 2005, similar to the previous Gaming Act 1968 that is based on community need would also support and provide councils dealing with applications in deprived areas the powers to tackle problems and respond to their residents concerns and fears.
- That Licensing Authorities should have discretion to refuse where there is a proliferation of gambling premises and the "aim to permit" requirement should be repealed and the emphasis placed on the applicant as to both the need and any control measures that are required to be put in place.
- We need to ensure the concerns of residents are effectively considered when a new gambling premises arises in the area, especially highlighting how a new gambling premises may negatively impact their health and wellbeing. We recommend a future legislation around planning and licensing allows the voice of the residents to be considered including education and health establishments and community groups.

7. Proposed changes

- 7.1 The outcome of the Government consultation is not expected until after the 2022-2025 Gambling Policy is due to be adopted, however given the requirement to keep the policy under review, if any further changes to the policy are required these can be made after the new policy is adopted.
- 7.2 There are no major changes to the proposed policy at this time. The draft revised policy and the Local Area Profile Supplementary document highlights the impact street based 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. The Council seeks to regulate gambling activities under its control and provide a framework for consistent decision-making.
- 7.3 The Local Area Profile has been updated to include the 2011 Census data (the 2021 census data will not be available until after the policy is adopted). The latest data showing Indices of Deprivation 2019 has also been updated in the area profile.
- 7.4 Whilst we have some detail in the Local Area Profile, to demonstrate gambling related harm in a more meaningful way that could aid decision making would require specific detailed research into gambling harm in the borough. In order to undertake such an exercise we would need to commission an outside organisation or suitable body able to carry out the type of social research

required. This would require financial resources. It is important to note that the overriding aim to permit principle would still apply.

8. Consultation

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

8.2 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 of 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;
- The general public; and
- All the Responsible Authorities.

8.3 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; and
- The Citizen Panel.

8.4 Responses provided will be analysed, and any changes considered appropriate to the draft policy will be included in a further report presented to Cabinet in November 2021.

8.5 Timeline and adoption route:

Report taken to Cabinet to seek approval to start consultation/	15 June 2021
Consultation started	July 2021
Report taken to Licensing Committee and Overview and Scrutiny for noting and making comments that will be taken to Cabinet.	Licensing Committee – 21 June 2021 O&S - 6 July 2021
Consultation ends	September 2021
Report to Cabinet with outcome of consultation and final version to ask for recommendation to Full Council to adopt	9 November 2021
Report to Full Council for adoption	22 November 2021
4 weeks public notice period.	1 December 2021

9. Contribution to strategic outcomes

- 9.1 The Statement of Gambling Act policy 2022-2025 will contribute to our fundamental themes and priorities in **The Borough Plan 2019-23** which sets out a four-year vision to make Haringey one of London's greatest boroughs where families can thrive and succeed. The Haringey Council Community Wealth Building approach will create an economy that is rooted in the community.
- 9.2 Priority-2 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.
- 9.3 Priority-3 Place – *‘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 the Policy will inform applicants for licences of the kind of best practice and responsible management expected for well-run premises in the borough.
- 9.4 Heath & 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.
- 9.5 Community Safety Strategy – The Community Safety Strategy presents Haringey's approach and priorities to achieving a reduction in crime and anti-social behaviour in Haringey up to 2023. 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 behaviour. The Local Area Profile within the Gambling policy will draw on data from this Strategy. Crime data in relation to gambling premises and the operation of Betwatch will feed into the Strategy.
- 9.6 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.

9.7 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.

10. Statutory Officers comments Chief Finance Officer (including procurement), Head of Legal and Governance, Equalities)

10.1 The Head of Legal and Governance (Monitoring Officer) has been consulted in the preparation of this report and comments as follows.

10.2 There are no legal implications arising from this report.

10.3 In accordance with Part Three, Section B of the Council's Constitution the Licensing Committee is consulted on the Statement of Gambling Policy.

11. Finance

11.1 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.

12. Procurement

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

13. Equality

13.1 The Council has a public sector equality duty under the Equality Act (2010) to have due regard to:

- tackle discrimination and victimisation of persons that share the characteristics protected under S4 of the Act. These include the characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex (formerly gender) and sexual orientation;
- advance equality of opportunity between people who share those protected characteristics and people who do not;

- foster good relations between people who share those characteristics and people who do not.

- 13.2 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'.
- 13.3 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 (EqIA).
- 13.4 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, where appropriate, will feed into the final report taken to the Council post-consultation.

14. Planning Powers

- 14.1 Betting shops were removed from their previous A2 use class and made a 'sui generis' use. As such planning permission is now required to change the use from any other use to a betting shop. This has meant that there is slightly more control under planning legislation to control the growth of Betting Shops.
- 14.2 Planning powers cannot control existing betting shops if they have already opened up under a permitted change of use (i.e. before the recent changes to the use class order moving betting shops from A2 to 'sui generis'), however any further change of use applications for a betting shop would be subject to a planning application. As part of the determination of the application, issues such as the number of betting shops in the surrounding area could be a consideration if the area was becoming saturated with betting shops.

15. Use of Appendices

Appendix 1 – Haringey Draft Statement of Licensing Policy for the Gambling Act 2022-2025.

Appendix 2 – Draft Local Area Profile

Appendix 3 – Haringey Response to the Call for Evidence on Gambling

Appendix 4 – Equality Impact Assessment Screening Tool

16. Local Government (Access to Information) Act 1985

Gambling Commission Guidance for Licensing Authorities, 5th Edition.

Gambling Commission Licensing Conditions and Codes of Practice, October 2017.

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HARINGEY Statement of Gambling Policy 2022-2025

Gambling Policy and Local Area Profile on locations likely to be at risk from gambling harm



Foreword – Cllr Bevan (Cabinet Member)

The UK has one of the most accessible gambling markets, with opportunities to gamble available on most high streets and, with the increase in online gambling, in virtually every home. Most people in the UK have gambled at some point and most of those who gamble have no issues with keeping their gambling within sensible and manageable limits, but it is not the same for all.

Some gambling can be problematic, affecting a person's 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.

When the Gambling Act 2005 (the Act) came into force in late 2007, it brought in a new, comprehensive system for gambling regulation in Great Britain. The Act established a dedicated national regulator in the form of the Gambling Commission and recognised the potential local impact and importance of gambling. It thus created many local regulators in line with local circumstances. Those regulators are the 380 licensing authorities across the UK.

The regulatory environment in Great Britain is changing, becoming more focused on risk. Licensing authorities are expected to take the lead on local regulation of gambling. As such, policy is becoming more focused on understanding and mitigating gambling-related harm rather than focusing on problem gambling alone.

Haringey is an exciting, vibrant borough with a wide range of leisure and cultural opportunities. This includes gambling, a legal entertainment activity that brings enjoyment to many Haringey residents. The Council's policy is that residents should have the opportunity to enjoy gambling in a safe, controlled way, free from harm. Integral to this has been the analysis of gambling related harm which informs this policy. The analysis explores local area-based vulnerability to gambling related harm and, as such, provides context to both this policy and the 'local area profile'. This enables consideration to be given to local issues that must be addressed by local operators and to the extent to which any further development of a gambling offer within the borough may be appropriate. This is only possible if the specific risks associated with gambling in Haringey are understood by all, if the Council takes a strong approach to licensing and if gambling operators show genuine responsibility in the steps they take to respond to risks.

This Gambling Policy lays out the risks associated with gambling that we face in Haringey and what the Council expects of gambling operators in terms of their response to those risks. The risks we are concerned about include those covered by the licensing objectives of the Gambling Act 2005 – crime and disorder and the harm/exploitation of children and other vulnerable persons. There are also Haringey-specific risks – we are particularly concerned about the clustering of betting shops in Haringey's most deprived communities, where there is also a higher incidence of crime, mental health conditions and demand for debt advice. Haringey is particularly concerned about the health impacts of problem gambling. In particular, significantly higher risks are associated with gaming machines and gambling addictions and the associated harm to health and wellbeing.

We welcome the requirement 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 work to ensure that the local risk 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 sort 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. The borough has seen some betting shops close due to the new rules around Fixed Odds Betting Terminals. However, these locations are quickly re-occupied by Adult Gaming Centre type operations, which offer a variety of gaming machines and are accessible to the public 24 hours a day.

For these reasons, this Authority has set out to establish a gambling licensing policy which recognises good industry practice and intends to support responsible operators, but also sets out to offer adequate protections to our local community.

The clarity of our expectations and our commitment to working in a constructive partnership with operators means there is no excuse for inadequate risk assessments or policy proposals from operators. 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 the voluntary sector. Whilst self-regulation is important, if operators consistently fail to respond to Haringey's specific risks and exercise social responsibility and governance, we will not hesitate to lead the call for greater licensing powers to be granted to Local Authorities.

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5 Legislation, Policies and strategies

6 Decision making

1 Introduction

- 1.1 This document is the Statement of Gambling Policy, for the London Borough of Haringey. Under section 349 of the Gambling Act 2005 (the Act), the Council is required to publish a Statement of Principles which it proposes to apply when exercising its functions under the Act. The form of the Statement of Gambling Policy is set out in The Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006. The Gambling Commission's Guidance to licensing authorities (5th Edition) (Commission's Guidance) contains further detail on the form of the council's Statement of Principles.

In producing this Statement of Gambling Policy, the Licensing Authority has had regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission, and any responses received from those consulted upon the policy.

- 1.2 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.
- 1.3 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.
- 1.4 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.
- 1.5 The Gambling Commission is 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. This statement must be published at least every three years. The statement must also be reviewed from "time to time" and any amended parts re-consulted upon. The policy must then be re-published.

1.6 Consultation

- 1.7 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

1.8 Our consultation took place between TBC and TBC and we followed the HM Government Code of Practice on Consultation (published July 2012).

1.9 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 / via the Council's website at: www.haringey.gov.uk/licensing

1.10 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 the Civic Centre.

1.11 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 1 River Park House
225 High Road, Wood Green
London
N22 8GH
licensing@haringey.gov.uk

1.12 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.

1.13 Local Area Profile

- 1.14 The national body for regulating gambling in the UK, the Gambling Commission, advises that local authorities, acting as licensing authorities under the Gambling Act 2005, complete a Local Area Profile. Haringey has produced a Local Area Profile (LAP). The Haringey LAP assesses locations' vulnerability to gambling-related harm, by taking into account the latest data on deprivation, public health risks and current locations of gambling establishments.

Effective LAPs enable the Gambling Commission, licensing authorities and applicants to have a better awareness of the local area and any risks. Applicants are required to take into account the information in the LAP in their risk assessments and set out how they will address these in any new licence application or in an application to vary a licence. Although not a statutory requirement, the benefits of the inclusion of the Local Area Profile within the Policy include:

- Greater clarity on the relevant factors the Council, acting as the Licensing Authority under the Gambling Act 2005, will take into account when making decisions;
- Applicants are aware of the factors and risks that they will need to address within any applications and are required to set out controls and measures to address these;
- The Licensing Authority can make robust and fair decisions with reference to the published, clear LAP (therefore decisions are less likely to be challenged); and
- It encourages a proactive approach to risk that is less likely to result in reduced compliance.

The Local Area Profile is attached at Appendix 1 within this Statement of Gambling Policy.

1.15 Areas of Vulnerability

- 1.16 The Local Area Profile (LAP) identifies the areas in the borough which are the most vulnerable in terms of gambling-related harm. These areas are considered to be at risk for vulnerable in terms of the potential from gambling harm. Under the Gambling Act, each case (e.g. application) is determined on its own merits by the Licensing Authority, however operators are required to address the specific increased risks of harm posed from an existing or potential premises being located within one of these identified areas. Research shows that higher problem gambling risk prevalence rates exist where there are high concentrations of Gambling premises in the same locality.

- 1.17 The Local Area Profile (LAP) has identified several clusters of gambling premise (where three or more are located within 400m of each other) within Haringey. These are in:

- Noel Park Ward
- Woodside Ward
- Bruce Grove Ward
- Tottenham Hale Ward
- West Green Ward
- Tottenham Green Ward
- Tottenham Hale Ward
- Northumberland Park Ward
- White Hart Lane Ward

- 1.18 Existing and potential operators will be expected to bear these specific clusters in mind in setting out how they will mitigate risks, manage their gambling operation, design the layout of any new premises and how relevant appropriate control measure will be put in place.

1.19 No Casinos resolution

- 1.20 Section 166 of the Gambling Act 2005 enables the Council, as the Licensing Authority under the Act, to issue a resolution not to issue casino licences for the duration of the document, and to consult on this proposal via the public consultation exercise. There are currently no casinos within the borough. This resolution continues into the revised policy.

Part 1 – General Principles

- 1.1 The Licensing Authority in carrying out its functions under s153 of the Gambling Act 2005 ('the Act') will aim to permit the use of premises for gambling in so far as it thinks it:
- a) in accordance with any relevant code of practice issued by the Gambling Commission;
 - b) in accordance with any relevant guidance issued by the Gambling Commission;
 - c) reasonably consistent with the licensing objectives; and
 - d) in accordance with the Authority's Statement of Principles
- 1.2 It should be noted that this policy statement 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 in accordance with the statutory requirements of the Act. The sole exception to this rule is for Casino premises licences – as the borough has adopted a 'no- casino' resolution, the Authority will not consider any application for a new casino premises licence.

The Licensing Objectives

- 1.3 In exercising our functions under the Act, the Authority must have regard to the licensing objectives as set out in the Act. These 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
- 1.4 The objectives do not include considerations in relation to public safety or public nuisance, while the requirement in relation to children and vulnerable persons is explicitly to protect them from being harmed or exploited by gambling, rather than from more general forms of harm or exploitation. In its guidance to licensing authorities, the Commission advises that this will involve "preventing them from taking part in gambling and for there to be restrictions on advertising so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to children, excepting Category D gaming machines.

Responsible Authorities

1.5 Responsible authorities are bodies that must be notified of applications, and that are entitled to make representations in relation to applications for, and in relation to premises licences. The responsible authorities are:

- the Licensing Authority in whose area the premises is situated
- the Gambling Commission
- the Metropolitan Police
- the London Fire Brigade
- Planning Service
- HM Revenue and Customs.
- Children's Safeguarding Board

Interested Parties

1.6 Interested parties are people or businesses who can make representations about premises licence applications, or apply for a review of an existing licence. They are defined in s158 of the Act as:

- a) living sufficiently close to the premises to be likely to be affected by the authorised activities,
- b) having business interests that might be affected by the authorised activities
or
- c) representing persons who satisfy paragraph (a) or (b)

1.7 The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. Each case will be decided upon its merits, and the Licensing Authority will not apply a rigid rule to its decision making. It will consider the examples of relevant factors provided in the Gambling Commission's guidance to licensing authorities.

1.8 In considering whether a person lives 'sufficiently close to the premises', the following factors will be taken into account:

- the size of the premises;
- the nature of the premises;
- the distance of the premises from the location of the person making the representation;
- the potential impact of the premises (number of customers, routes likely to be taken by those visiting the establishment); and
- the circumstances of the person and nature of their interests, which may be relevant to the distance from the premises.

1.9 For example, it could be reasonable for an Authority to conclude that "sufficiently close to be likely to be affected" could have a different meaning for (a) a private resident (b) a residential school with children who have poor school attendance and (c) a residential hostel for vulnerable adults.

1.10 When determining whether a person has business interests that be may be affected the Commission suggest that factors that are likely to be relevant are:

- the size of the premises;
- the 'catchment' area of the premises (i.e. how far people travel to visit); and

- whether the person making the representation has business interests in that catchment area that might be affected.
- 1.11 It will also consider the Gambling Commission's guidance that "business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices. Trade associations, trade unions, residents and tenants' associations will normally only be viewed as interested parties if they have a member who can be classed as an interested party – i.e. who lives sufficiently close to the premises to be likely to be affected by activities being applied for.
- 1.12 Persons whose business interests are within the same gambling sector as the subject of their representation (or review application) will be expected to satisfy the Licensing Authority that their representation (or application) is not made with the intent of limiting competition to their own business, particularly given that the Act does not replicate the previous requirement for satisfaction of a 'demand test'. The Licensing Authority will disregard representations that are thought to be vexatious, frivolous, or that will not influence the determination of the application.
- 1.13 Interested parties can be persons who are democratically elected such as Councillors and Members of Parliament (MPs). No specific evidence of being asked to represent an interested person will be required as long as the Councillor / MP represents the ward likely to be affected. Other than these however, this Authority will generally require written evidence that a person/body (e.g. an advocate or relative) 'represents' someone who is an interested party. Members who are asked by an interested party to represent them should not sit on the Sub-Committee considering that application.

Licensing Authority Functions

1.14 Licensing authorities have responsibilities under the Act for:

- the licensing of premises where gambling activities are to take place, through the issuing of Premises Licences;
- the preliminary approval of proposed premises for gambling activities, through the issue of Provisional Statements;
- the regulation of members' clubs, commercial clubs and miners' welfare institutes who wish to undertake certain gaming activities, through Club Gaming Permits and/or Club Machine Permits;
- the receipt of notifications and the issue of permits for the provision of gaming machines at premises licensed to supply alcohol for consumption on the premises, under the Licensing Act 2003;
- the regulation of family entertainment centre premises providing gaming machines;
- the regulation of prize gaming through the issue of permits;
- the receipt and endorsement of Temporary Use Notices, for infrequent gaming activities;
- the receipt of Occasional Use Notices, for infrequent betting activities;
- the registration of non-commercial societies for the provision of small society lotteries;
- the exchange of information with the Gambling Commission regarding details of licences, permits and notices and enforcement issues (see section below on 'exchange of information'); and the maintenance of registers of the applications, licences, permits and notices received and issued by the Authority

- Maintain registers of the permits and licences that are issued under these functions

- 1.15 The Licensing Authority will not involve itself in any matters relating to the regulation of remote gambling (for example, telephone betting or internet casino gaming), the responsibility for which lies with the Gambling Commission.
- 1.16 Duplication of other regulatory regimes, such as health and safety or fire safety, will be avoided in so far as is possible. This Authority will not consider whether a premise that is the subject of a licensing application is likely to be awarded planning permission or building regulations approval, in its consideration of that application.

1.17 Delegation of Functions

1.18 The table shown below sets out the agreed delegation of decisions and functions to Licensing Committee, Sub-Committee and Officers in accordance with the Act. 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.

Matter to be dealt with	Council	Licensing (Sub-) Committee	Officers
Final approval of Statement of Principles		✓	
Resolution not to issue casino licences		✓	
Fee setting (where appropriate)		✓	
Application for a provisional statement	Where representations have been received and not withdrawn		Where representations were not received or have all been withdrawn
Application for a premises licence	Where representations have been received and not withdrawn		Where representations were not received or have all been withdrawn
Application for variation of a premises licence	Where representations have been received and not withdrawn		Where representations were not received or have all been withdrawn
Application for transfer of a premises licence	Where representations have been received from the relevant responsible authorities		Where representations were not received or have all been withdrawn
Application for reinstatement of a premises licence	Where representations have been received from the relevant responsible authorities		Where representations were not received or have all been withdrawn
Consideration of application for review of a premises licence		✓	
Initiation of review of a premises licence by Licensing Authority		✓	
Application for club gaming / club machine permits	Where objections have been made and not withdrawn		Where objections were not made or have all been withdrawn
Cancellation of club gaming / club machine permits		✓	
Applications for other permits		✓	
Cancellation of licensed premises gaming machine permits		✓	
Consideration of temporary use notice	Where objections have been made and not withdrawn		Where objections were not made or have all been withdrawn
Acknowledgement of occasional use notice		✓	
Registration of non-commercial societies for small society lotteries		✓	
Revocation or cancellation of small society lottery registrations		✓	

1.19 Exchange of Information

- 1.20 The Licensing Authority 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 Licensing Authority will also have regard to any guidance issued by the Gambling Commission on this matter when it is published, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.
- 1.21 Where required by law applicants will receive copies of any representations made in respect of their application, although sensitive or personal information not required to be disclosed will be redacted.

1.22 Enforcement

- 1.23 The Licensing Authority's enforcement principles will be guided by the Gambling Commission's guidance to licensing authorities in respect of the inspection of premises and the powers to institute criminal proceedings. The Licensing Authority 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;
 - Targeted: regulation should be focused on the problem, and minimise side effects
 - Within the principles of the Regulators Code issued by the Better Regulation Delivery Office of the Department for Business Innovation and Skills
- a. The Licensing Authority may arrange for the inspection of premises, both licensed or otherwise, in response to specific complaints about those premises and the provision of unauthorised gambling activities therein. Should officers witness offences or breaches of an authorisation, appropriate action will be taken in accordance with our enforcement policy.
- b. The main enforcement and compliance role for this Licensing Authority in terms of the Act will be to ensure compliance with the premises licences and the other permissions that it issues. The Gambling Commission will be the lead enforcement body for operating and personal licences. It is also noted that all issues relating to forms of remote gambling, as well as issues relating to the manufacture, supply or repair of gaming machines, will not be dealt with by the Licensing Authority but will be notified to the Gambling Commission.
- c. This Licensing Authority will also keep itself informed of developments regarding the work of the Better Regulation Delivery Office in its consideration of the regulatory functions of local authorities. 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.

- d. 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.
- e. 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.

1.24 Gaming Machines

- f. Throughout this document, references are made to gaming machines as being within categories A, B, C or D, or in some cases, sub-categories such as B1, B2, B3 or B4.
- g. Gaming machines are categorised according to the nature of their operation, the maximum charge to use and the maximum prize available, and the legislation sets out the categories and sub-categories of machines that may be made available under each type of licence or permit. The Secretary of State is responsible for establishing the applicable values of each category and sub- category by way of statutory instrument.
- h. The categories and values applicable to each category are subject to change and are therefore not included in this document. Current information is available from the Council's website at [gaming-machine-permits-guide link here](#).

1.25 Gambling Risk Assessments

- i. The Gambling Commission introduced a new licensing condition within the Licence Conditions and Codes of Practice (LCCP) which came into effect in April 2016. This resulted in the requirements for premises based gambling operators to undertake a local gambling risk assessment of their premises and the potential impact that the premises and its operation may have on the licensing objectives. This condition made it a requirement for all gambling operator to consider local area information provided by the Licensing Authority via their Statement of Gambling Policy.
- j. These provisions in the social responsibility code within the LCCP encourages local authorities, the Commission and the industry to work in partnership to address local issues and concerns. The risk based approach provides a better understanding of, and enables a proportionate response, to risk. This approach includes looking at future risks and thinking about risks in a probabilistic way. 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.
- k. The council has produced a Local Area Profile (LAP) to assist applicants to conduct, assess and complete a premises based gambling risk assessments. All gambling operators within the borough or new operators applying for a new licence must have regards to the LAP when completing or revising their risk assessments.
Appendix 1
- l. The council views these risks as an important component of the overall assessment and management of local risks. It will assist operators in this process by providing specific information on the concerns surrounding gambling within the borough and the impact on the licensing objectives. These local risk assessments are specific to the potential harm that gambling premises can have on one or more of the licensing objectives under the Act. They are specific to the premises, the local area and the local community.

Part 2 – Premises Licences

Licensing authorities determine applications with reference to the three licensing objectives under the Gambling Act 2005.

2.1. LICENSING OBJECTIVE 1:

Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime

- 2.2. This Licensing Authority will expect applicants to consider the measures necessary to be reasonably consistent with the licensing objective of preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
- 2.3 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 anti-social behaviour-related complaints.
- 2.4 Applicants are advised to examine crime and anti-social behaviour statistics that relate the vicinity of their application. They will be expected to have a good understanding of the local area in which they operate, or intend to operate, a gaming premises. The applicant must evidence that they meet the criteria set out in this policy. Operators must be aware of how their operation may impact this objective. Applicants will be expected to provide details of their crime prevention measures and any associated risk assessments carried out.
- 2.5 Applicants for premises licences must meet the requirements of the Commission to obtain and hold an operator's licence. Applicants will have to hold such licence (except occupiers of tracks who do not propose to offer gambling themselves). The Licensing Authority will not (unless evidence to the contrary comes to light) have to ascertain if the applicant is suitable to hold a premises licence. The Licensing Authority will have to be satisfied that the premises will not adversely affect the licensing objectives and is compliant with the Commission's Guidance, codes or practice and this Statement of Gambling Policy.
- 2.6 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

2.7. LICENSING OBJECTIVE 2

Ensuring that gambling is conducted in a fair and open way

- 2.8 This Licensing Authority will expect applicants to consider the measures necessary to be reasonably consistent with the licensing objective of ensuring that gambling is conducted in a fair and open way.
- 2.9 The Gambling Commission is the primary body concerned with ensuring that each operator conducts gambling in a fair and open way. This Licensing Authority will consider each application on its own merits and will look more closely at operator where an operator's licence is not required. Track owners do not require an operator's licence and any application for such a licence will be scrutinised to ensure this objective is met. In these circumstances, the applicant would be expected to address how they intend to ensure that gambling will be conducted fairly and openly. The Licensing Authority may consider imposing conditions to ensure that the environment in which betting takes place is suitable.

2.10 LICENSING OBJECTIVE 3

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

- 2.11 This Licensing Authority will expect applicants to consider the measures necessary to be reasonably consistent with the licensing objective of protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 2.12 The Gambling Commission's guidance for this objective means preventing children from taking part in gambling (as well as restrictions on advertising so that gambling products are not aimed at or are particularly attractive to children). The Licensing Authority will therefore consider, as suggested in the guidance, whether specific measures are required at particular premises, with regard to this licensing objective.
- 2.13 The Licensing Authority is also aware of the Codes of Practice that the Gambling Commission has issued in respect of this licensing objective, in relation to specific categories of premises.
- 2.14 It is noted that the Act and Commissions Guidance does not define the term "vulnerable persons". It is noted that the Gambling Commission states that "it will for regulatory purposes assume that this group includes 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 a mental impairment, alcohol or drugs". This Licensing Authority will consider the promotion of this licensing objective on a case by case basis.
- 2.15 In a borough with both high alcohol and drug dependency the Licensing Authority are particularly concerned about both the health and social the health and social wellbeing of residents. Applicants must be able to demonstrate within their application how they

will protect vulnerable persons, possibly by providing information on how they operate exclusion schemes, the way in which they identify those gambling beyond their means and the measures they take to stop those suffering from any impairment from participating in gambling, and also the training provided to staff to support these aims.

- 2.16 It is appreciated that, in accordance with the Gambling Commission's guidance, moral objections to gambling are not a valid reason to reject applications for premises licences, and also that unmet demand is not a criterion for a Licensing Authority to consider.
- 2.17 The Licensing Authority expects applicants to take appropriate measures to promote the licensing objectives, which may include such issues as proof of age schemes, supervision of entrances and gaming machine areas, CCTV, physical separation of areas, self-exclusion schemes, and provision of information leaflets / helpline numbers for organisations such as GamCare. This list is not mandatory, nor exhaustive, and is merely indicative of example measures.
- 2.18 The issue of a premises licence must be reasonably consistent with the promotion of the licensing objectives. With regard to these objectives, this Licensing Authority has considered the Gambling Commission's guidance to licensing authorities.

Conditions

- 2.19 Premises licences issued by the Licensing Authority will be subject to mandatory and/or default conditions and conditions imposed by the council. The council may also impose further conditions in response to specific issues, which will be decided on a case by case basis.
- 2.20 Any conditions attached to licences 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;
 - related to the scale and type of premises; and
 - reasonable in all respects.
- 2.21 An applicant can request that default conditions are excluded from a licence, and in these circumstances the Licensing Authority may instead impose an appropriate condition that addresses a similar matter to the excluded condition (for example, if a default condition relating to permitted trading times is excluded, the Licensing Authority may attach a condition permitting longer trading hours). The Licensing Authority will give a full explanation of the rationale behind the decision to attach any additional condition, although there will be a number of measures this Licensing Authority will consider utilising should there be a perceived need, such as the use of door supervisors, appropriate signage for adult only areas etc. This Licensing Authority will also expect the licence applicant to offer his/her own suggestions as to way in which the licensing objectives can be met effectively.
- 2.22 It is noted that there are conditions that the Licensing Authority cannot attach to premises licences. These are conditions:
- which make it impossible to comply with an operating licence.
 - as to gaming machines that contradict the provisions in the Act.
 - making activities, premises or parts of them operate as a membership club
 - on fees, winnings, stakes or prizes.

- 2.23. The Licensing Authority recognises that betting shop premises may only offer gambling facilities between the hours of 07.00 and 22.00, these being the default hours. The Licensing Authority will expect new applicants to consider if these hours are appropriate for the location subject to the application. The Authority is aware that in some areas early morning start times can cause anti-social behaviour problems, and the Authority is keen to ensure that newly granted licences do not exacerbate existing problems.

2.24 Location of Premises

- 2.25 Applicants for new or variation applications of premises licences within a gambling vulnerability ward must include detailed information as to how the proposals will be reasonably consistent with the gambling objectives and policies. Applicants are expected to establish whether there are any sensitive premises or locations within close proximity to the premises and what the risk level is for the area based on vulnerability. Where this is the case, applicants should submit information as to how they plan to be reasonably consistent with the strand of the licensing objectives concerned with the protection of children and other vulnerable persons from being harmed or exploited by gambling. The additional supporting information may contain the following:

How the premises operate will restrict access to children, young people or other vulnerable persons:

- whether a proof of age scheme is being used
- will the appropriate number of security staff be employed at appropriate times;
- will opening times be set so that the premises are not open during school start and finish times; and
- what procedures and staff training are in place to identify vulnerable persons such as problem gamblers, those who are inebriated through drink or drugs, etc.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

- 2.26 The applicant for a premises licence will have to specifically consider how the location of the premises will impact on the objectives. Applicants will have to clearly show that they have considered the potential impact of their proposed business on the licensing objectives and propose ways that will reduce or remove any likely adverse impact on them.
- 2.27 The council will consider proposals for new gambling premises that are in close proximity to hostels or other accommodation or centres catering for vulnerable people, including those with mental disabilities or learning difficulties, and those with problem gambling or with alcohol or drug abuse problems, as very likely to adversely affect the gambling objectives.
- 2.28 The council considers that 'sensitive locations' will include locations which have been identified as having a higher concentration of vulnerable groups and where there are concentrations of gambling premises in an area where children or other vulnerable persons are likely to be harmed or exploited.
- 2.29 It should be noted that this policy does not preclude any application being made and that every application will be decided on its individual merits, with the opportunity given for the applicant to show how potential concerns can be overcome.

2.30 The Licensing Authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated
- from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

2.31 These considerations will apply to premises including buildings where multiple premises licences may have effect.

2.32 The council has produced a Local Area Profile (LAP) to assist operators. The profile outlines the possible risks to gambling-related harm. The LAP sets out the information that gambling operators need to consider for new applications or when updating their risk assessments for existing premises. The council considers that these local risk assessments are a key component of the overall assessment and management of the local risks. Applicants are able to refer to the Local Area Profile to establish the risks for the area and what vulnerable groups are present. This will inform the consideration and implementation of any control measures that would mitigate the risk to the vulnerable. The applicant must set out the risks, their consideration and adequate control measures within their premises risk assessments. The Licensing Authority will assess the risks presented and determine whether the proposed steps are suitable to mitigate the risks of harm within the area. The Licensing Authority will expect all applicants for a new licence to submit the completed assessment with their application.

2.33 Haringey's Local Area Profile has been produced based on the Gambling Commission's recommendations; in order to:

- Enable licensing authorities to better serve their local community, by improving Haringey's understanding of the community and the local risk profile
- Provide improved clarity for operators as to the relevant factors in Licensing Authority decision-making. This aims to lead to improved premises license applications, with the potential operator already incorporating controls and measures to mitigate risk in their application;
- Enable 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
- Encourage a proactive approach to risk that is likely to result in reduced compliance and enforcement action.

2.34 Division of Premises / Primary Usage

2.35 In the Act, 'premises' is defined as including 'any place'. Section 152 of the Act prevents more than one premises licence applying to any single place. But a single building could 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. This approach has been taken to allow large, multiple unit premises such as a pleasure park, tracks or shopping centres to obtain discrete premises licences, where appropriate safeguards are in place.

- 2.36 This Licensing Authority takes particular note of the Gambling Commission's guidance which states that licensing authorities should 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 they should be aware of the following:
- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.
 - Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not "drift" into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
 - Customers should be able to participate in the activities identified on the premises licence.
- 2.37 The Licensing Authority will also consider specific measures that may be required for buildings that are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's guidance.
- 2.38 This Licensing Authority is also aware that an issue has arisen in some parts of the country, where operators have sought to sub-divide existing single licensed premises, and obtain further premises licences in respect of each sub-division. It has been observed that this practice has been used predominantly in respect of categories of premises licences which allow the operation of a small, fixed number of high-value gaming machines – in effect, using multiple premises licences in respect of different areas of a single business to artificially increase the permitted number of category B machines that can be made available.

2.39 The Licensing Authority notes the Commission's guidance that in most cases the expectation is that a single building/plot will be the subject of an application for a licence. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. When assessing whether premises can be regarded as separate, the Licensing Authority proposes to apply the following criteria:

- Does each premises have its own external entrance, or is this accessed via another premises?
- Does each premise trade as a separate entity, or under a single banner?
- Are the premises subject to separate non-domestic rateable valuations?
- Is each premises operated by different persons, or by the same proprietor?
- What is the quality of separation (i.e. if dividing barriers are to be used, are they temporary or permanent, do they provide floor to ceiling division or are they of a fixed height, are they transparent or opaque, etc)?
- Is there a genuine need to establish a division between premises, or is the division aimed solely at artificially increasing the permitted number of high-value gaming machines?

2.40 If it is proposed to utilise sterile, non-gambling areas to create sub-divisions, then the Licensing Authority will apply the following criteria to those areas:

- Is the area proposed for non-gambling activities a token separation?
- Is it genuinely an area which the public would go to for purposes other than gambling?
- Is it in effect a device to introduce artificial separation or genuinely a functionally separate area?
- Is there in effect direct access between the divisions or is there a place from which access can be gained to two premises?

2.41 The Licensing Authority also notes that any premises subject to multiple discrete premises licences must be able to comply with the mandatory conditions restricting access to each licensed premises, as follows:

Premises type

Adult gaming centre

Access restrictions

No direct access from any other licensed gambling premises, or from premises with a family entertainment centre gaming machine permit, a club gaming/machine permit, or an alcohol licensed premises gaming machine permit

Betting (other)

Access from a street or another betting premises only. No direct access from any premises used for retail sale of goods or services

Betting (track)

No direct access from licensed casino or adult gaming centre premises

Bingo

No direct access from licensed casino, adult gaming centre or betting (other) premises

Family Entertainment Centre

No direct access from licensed casino, adult gaming centre or betting (other) premises

- 2.42 In the case of some divided premises, it appears that the intended primary use of a premises licence had not been offered, with operators solely making use of the additional machine entitlement (for example, holding a Bingo premises licence but not making any facilities for playing bingo available). The Gambling Commission consulted on this issue and subsequently issued a revision to the Licence Conditions and Codes of Practice affecting Bingo, Betting and Casino operating licences. Holders of these licences are now mandated to provide suitable and sufficient facilities for their primary gambling activity in any of their associated premises.

2.43 Door Supervisors

The Gambling Commission advises in its guidance that if a Licensing Authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then it may require that the entrances to those premises are supervised, and impose a condition to that effect. Consideration must also be given to whether that supervisor needs to be licensed or not, as the statutory requirements vary by premises type. This Licensing Authority notes the contents of Part 33 of the Commission's guidance, which outlines a limited relaxation of the licensing requirement for door supervisors at licensed bingo and casino premises – however, operators are encouraged to use door supervisors who are licensed by the Security Industry Authority at these venues. Any other venue using door supervisors must use qualified staff registered with the Security Industry Authority.

2.44 Provisional Statements

The Act provides for a person to make an application to the Licensing Authority for a provisional statement in respect of premises that he or she:

- expects to be constructed;
- expects to be altered; or
- expects to acquire a right to occupy.

- 2.45 Developers may wish to apply to this Authority for a provisional statement before entering into a contract to buy or lease property or land, to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement, nor do they need to have a right to occupy the premises in respect of which the application is made.

- 2.46 The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

- 2.47 The holder of a provisional statement may subsequently apply for a premises licence once the premises are constructed, altered or acquired. The Licensing Authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account 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.

2.48 In addition, the Authority may refuse the premises licence (or grant it on terms different from those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional statement stage;
- which in the Authority's opinion reflect a change in the operator's circumstances; or
- where the premise has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this Licensing Authority notes that it can discuss any concerns it has with the applicant before making a decision.

2.49 If a developer has already acquired a premise and has a right of occupation, and holds an appropriate operating licence, there is no requirement for them to obtain a provisional statement prior to making an application for a premises licence, this will be a matter of choice. However, where premises are likely to require construction or development work prior to being ready for use for gambling (and as such are not in a state where they can be inspected during the application process), the Licensing Authority may seek to attach the following additional conditions to any licence granted:

- The premises are to be constructed in accordance with the deposited plans and shall not trade until such time as they have been inspected and approved by officers of the Licensing Authority.
- The licence is to be offered for surrender should the premises not have been completed in accordance with the deposited plans within the period of 24 months starting on the day that the licence first takes effect.

2.50 Reviews

Applications for a review of a premises licence can be made at any time by interested parties or responsible authorities, including the Licensing Authority. The Licensing Authority must grant an application for review, unless it considers that the grounds on which the review is sought:

- Raise issues that are not relevant to Gambling Commission Guidance/codes of practice, the Licensing Authorities Statement of Policy or the licensing objectives.
- Are frivolous
- Are vexatious
- Will certainly not cause this Authority to wish to alter/revoke/suspend the licence
- Are substantially the same as grounds cited in a previous application relating to the same premises
- Are substantially the same as representations made at the time of the application for the premises licence was considered.

2.51 The Licensing Authority can also initiate a review of a licence on the basis of any reason that it thinks is appropriate. In particular, the Licensing Authority may initiate a review of a premises licence on the grounds that a premises licence holder has not provide facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.

2.52 Once a valid application for a review has been received by the Licensing Authority, representations can be made by responsible authorities and interested parties during a 28-day period, that will begin 7 days after receipt of the application. The Licensing Authority will publish notice of the application on the website within this initial 7-day period.

2.53 The Licensing Authority must carry out the review as soon as possible after the 28 day period for making representations has passed.

2.54 The purpose of the review will be to determine whether the Licensing Authority should take any action in relation to the licence. If action is justified, the options open to the Licensing Authority are:

- to add, remove or amend a licence condition imposed by the Licensing Authority;
- to exclude a default condition imposed by the Secretary of State (e.g. opening hours) or remove or amend such an exclusion;
- to suspend the premises licence for a period not exceeding three months; or
- to revoke the premises licence.

2.55 In determining what action, if any, should be taken following a review, the Licensing Authority will have regard to the principles set out in section 153 of the Act, as well as any relevant representations.

2.56 Following the completion of the review, the Licensing Authority will notify its decision in writing to the licence holder, the applicant for review (if any), any person who made representations in respect of the review, and the responsible authorities designated in regulations made under the Act.

2.57 Categories of Premises Licence

2.58 Casino Premises Licences

The London Borough of Haringey has resolved, under section 166 of the Act, not to issue any Casino premises licences. This resolution shall have effect from 31st January 2022 until 30th January 2025, unless revoked prior to this date.

2.59 At present, the Act only allows for a fixed number of 'regional', 'large' and 'small' casinos to be licensed nationally. Licensing authorities must be expressly authorised by the Secretary of State to issue new licences for any of these categories, to ensure that the national limits are not exceeded. Haringey is not amongst the authorities that have been so authorised.

2.60 Adult Gaming Centre Premises Licences

Adult gaming centres (AGCs) premises licences allow the holder of the licence to make gaming machines available for use on the premises. Persons operating an AGC must hold a gaming machines general operating licence from the Commission and must seek a premises licence from the Licensing Authority.

2.61 This Licensing Authority will specifically have regard to 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, for example, ensure that under 18 year olds do not have access to the premises.

2.62 Betting (Other) Premises Licences

The Authority notes the difference between betting terminals, which are designed to receive bets on real events, and gaming machines such as fixed odds betting terminals (FOBTs), which are reliant upon the outcome of a virtual event. It is further noted that betting premises are entitled to offer up to four gaming machines in total, which may include category B2 (FOBT) machines. There are no statutory limits on the number of betting terminals that may be made available in betting premises, although the Licensing

Authority notes that it may attach a condition to a licence limiting the number if concerns exist over the availability of machines to children or vulnerable persons which cannot be satisfied through alternative means.

- 2.63 This Licensing Authority will, as per the Commission's guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of betting terminals by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number, nature and circumstances of betting terminals an operator wants to offer.

2.64 Betting (Track) Premises Licences

The Licensing Authority is aware that tracks may be subject to one or more premises licences, provided each licence relates to a specified area of the track. As per the Gambling Commission's guidance, this Licensing Authority will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas which they are not permitted to enter.

- 2.65 The Authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult-only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when football matches/darts championship, dog-racing and/or horse-racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.
- 2.66 Parliament amended section 55 of the Act, to allow the employment of persons under the age of 18 years at track premises, in functions not associated with gambling (for example, as ticket checkers, concession kiosk staff, litter collectors, and so on). However, the offence under section 51, prohibiting the employment of children and young persons to provide facilities for gambling, is unaffected. Proprietors of track premises must ensure that any persons under the age of 18 employed at their premises are not called upon to assist with the operation of betting facilities.
- 2.67 The entitlement to make up to four gaming machines available for use at the track premises may only be utilised if the holder of the premises licence also holds a pool betting operating licence. In situations where this is the case and it is proposed to make gaming machines available for use, any gaming machines (other than category D machines) should be located in areas from which children are excluded. If the track premises is licensed for the sale of alcohol, a further two gaming machines may be made available by way of the automatic entitlement for alcohol-licensed premises, upon payment of the appropriate notification fee.
- 2.68 Betting terminals may also be made available for use at track premises, and this Licensing Authority proposes to apply the same principles as set out in the Betting (other) Premises Licence section above to track premises.
- 2.69 A condition to track premises licences is that the track operator is to ensure that the terms for placing bets 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.
- 2.70 Applicants are required to submit plans of the premises with their application, in order to ensure that the Licensing Authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the Licensing Authority to plan future premises inspection activity. Plans for tracks

do not need to be in a particular scale, but should be drawn to scale and should be sufficiently detailed to include the information required by regulations.

- 2.71 This Authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information that this Authority can satisfy itself that the plan indicates the main areas where betting might take place.

2.72 Bingo Premises Licences

This Licensing Authority notes the Gambling Commission's guidance, that licensing authorities will need to satisfy themselves that it is possible for bingo to be played in any premises for which they issue a bingo premises licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence and/or apply for new licences, as discussed in the Division of Premises and Primary Usage section above.

- 2.73 Should children be allowed to enter premises licensed for bingo, they are not permitted to participate in the bingo, nor may they make use of any category of gaming machine, other than those in category D. Where category B or C machines are made available in premises to which children are admitted it is expected that:

- all such machines will be located in an area of the premises separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults will be admitted to the area where the machines are located;
- access to the area where the machines are located will be supervised;
- the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; 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.

2.74 Family Entertainment Centre Premises Licences

The Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the Authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

- 2.75 This Licensing Authority will, as per the Gambling Commission's guidance, refer to the Commission's website and make itself aware of any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated.

Part 3 – Permits and Notices

- 3.1 While the proprietors of dedicated, high-value gambling outlets will generally be required to complete a comprehensive application process to obtain Premises and Operating Licences, the Act also makes provision for simpler processes for incidental and low-value gambling opportunities, such as gaming machines in pubs, bars and clubs, and small-stakes prize gaming. This part of the Statement outlines the Principles that we will apply to applications for gaming and gaming machine permits, and notifications of temporary or occasional gambling usage.

Alcohol Licensed Premises Gaming Machine Permits & Notifications

- 3.2 Since September 2007, a premises wishing to operate with category C or D gaming machines under section 282 of the Gambling Act 2005 must apply to its Licensing Authority for either a gaming permit or a gaming notification. Gaming permits and notifications have superseded section 34 permits.
- 3.3 Permits can only be used for premises licensed under the Licensing Act 2003 to sell alcohol for consumption on the premises. A premises licensed to sell alcohol under the Licensing Act 2003 is automatically entitled to two gaming machines of category C and/or D. The holder of the on-premises licence under the Licensing Act 2003 must notify the council (a 'notification') of their intention to make the gaming machines available for use and they must pay the prescribed fee.
- 3.4 Holders of licensed premises gaming machine permits will be required to pay an annual fee.
- 3.5 If the premises licence holder under the Licensing Act 2003 changes, the permission falls, therefore a new notification must be sent to the Licensing Authority.
- 3.6 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 Gambling 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 2005 has been committed on the premises.
- 3.7 Permit for 3 or more gaming machines**
If a licensed premises wishing to have 3 or more gaming machines of category C or D, they must apply to the council for a licensed premises gaming machine permit. When considering that application, the Licensing Authority must have regard to the licensing objectives and any guidance issued by the Gambling Commission. The Licensing Authority may also consider "such other matters as they think relevant."
- 3.8 This Licensing Authority will decide upon the interpretation of "such other matters" on a

case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling. The Licensing Authority will expect the applicant 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 machines (category C). Examples of measures to satisfy the Authority may include the gaming machines being positioned in 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 may also assist. Regarding the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.

- 3.9 It is recognised that some alcohol-licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be made for, and dealt with as, an Adult Gaming Centre premises licence. The Council when determining an application for an alcohol-licensed premises gaming machine permit will consider each application on its own merits.
- 3.10 It should be noted that the council may cancel a permit or may vary the number or category (or both) of gaming machines authorised by it if:
- (a) it would not be reasonably consistent with pursuit of the licensing objectives for the permit to continue to have effect;
 - (b) gaming has taken place on the premises in purported reliance on the permit but otherwise than in accordance with the permit or a condition of the permit;
 - (c) the premises are mainly used or are to be used for making gaming machines available; and/ or
 - (d) an offence under the Gambling Act 2005 has been committed on the premises.
- 3.11 Before the council cancels or varies a permit it will give the permit holder 21 days' notice of its intention and allow them the opportunity to make a representation. If the permit holder requests a hearing the council will arrange a Licensing Sub-Committee hearing to consider the permit holder's representation and any other evidence available before making its determination.

3.12 Club Gaming Permits and Club Machine Permits

Members' clubs and miners' welfare institutes may apply for a Club Gaming Permit or a Club Machine Permit, while commercial clubs may apply for a Club Machine Permit only. A 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 regulations. A Club Machine Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D) only.

- 3.13 A club must meet the following criteria to be considered a members' club

- It must have at least 25 members;
- It must be established and conducted wholly or mainly for purposes other than gaming (unless the gaming is permitted by separate regulations);
- It must be permanent in nature;
- It must not be established to make a commercial profit;
- It must be controlled by its members equally.

Examples of these include working men's clubs, branches of the Royal British Legion and clubs with political affiliations.

- 3.14 The council may only refuse an application on the grounds that:
- a) the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
 - b) the applicant's premises are used wholly or mainly by children and/or young persons;
 - c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
 - d) a permit held by the applicant has been cancelled in the previous ten years; and/
or
 - e) an objection has been lodged by the Commission or the police.
- 3.15 There are statutory conditions on club gaming permits that no child may use 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.

3.16 Unlicensed Family Entertainment Centre Gaming Machine Permits

Premises that are proposed to be used as Unlicensed Family Entertainment Centres (UFECs) are those that offer only category D machines and a permit allows any number of these machines to be made available at the premises (subject to other considerations such as health and safety and fire regulations). Given that category D machines have no age restrictions, these premises will particularly appeal to children and young persons. Therefore, the council will give particular weight to matters relating to child protection Issues. The council will grant an application for a permit only if it is satisfied that the premises will be used as an unlicensed FEC, and following consultation with the Chief of Police. Applicants must 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); and
- that staff are trained to have a full understanding of the maximum stakes and prizes (as referred to in the relevant Gambling Commission Guidance)

Any application for a permit will be considered with regard to the licensing objectives and to any relevant guidance issued by the Commission. Particular weight will be given to child protection

- 3.17 The applicant will be expected 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. The efficiency of such policies and procedures will each be considered on their merits; however, they may include appropriate measures / training for staff as regarding suspected truant school children on the premises, measures / training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises. This Licensing Authority will also expect, as per Gambling Commission guidance, that applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs; that the applicant (or company directors if the applicant is a limited company) has no relevant convictions and that staff are trained to have a full understanding of the maximum stakes and prizes.

- 3.18 Applicants will also be asked to supply a plan of the internal layout of the family entertainment centre, drawn to an appropriate scale, that shows the location of the area(s) where category D gaming machine will be made available for use.
- 3.19 It is noted that a Licensing Authority cannot attach conditions to this type of permit.
- 3.20 A licensed family entertainment centre is entitled to make both category C and D machines available. A full premises licence will be required from the Licensing Authority and an operating licence from the Gambling Commission.

Prize Gaming Permits

- 3.21. In any application for a prize gaming permit the applicant should set out the types of gaming that he or she is intending to offer, and should also be able to demonstrate:
- that they understand the limits on stakes and prizes that are set out in Regulations;
 - that the gaming offered is within the law; and
 - that appropriate measures will be taken to ensure that children are protected from being harmed or exploited by gambling – in particular, the measures that will be taken to ensure that children cannot participate in the gambling offered.
- 3.22 In making its decision on an application for this permit the Licensing Authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.
- 3.23 There are conditions in the Gambling Act 2005 with which the permit holder must comply, but the Licensing Authority cannot attach further 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; and 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 non-monetary prize); and
 - participation in the gaming must not entitle the player to take part in any other gambling.

Temporary Use Notices

- 3.24 Temporary Use Notices allow a gambling operator the use of a premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for gambling would include hotels, conference centres and sporting venues.
- 3.25 The Licensing Authority can only accept a Temporary Use Notice from a person or company holding a relevant non-remote operating licence.
- 3.26 The types of gambling activities that may be authorised by a Temporary Use Notice are set out by the Secretary of State in regulations made under the Act. Currently, the only permitted activity is the provision of facilities for equal chance gaming, where the gaming is intended to produce a single overall winner. Possible examples of this could include

gaming tournaments with such games as backgammon, mah-jong, rummy, dominoes, cribbage, bingo and poker.

- 3.27 Temporary Use Notices are subject to a statutory limit that a set of premises may be used for no more than 21 days in any 12 month period. 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 considering whether a place falls within the definition of "a set of premises", the Licensing Authority will look at, amongst other things, the ownership/occupation and control of the premises.
- 3.28 This Licensing Authority 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 Gambling Commission's Guidance to Licensing Authorities.

Occasional Use Notices

- 3.29 Occasional Use Notices may be used to authorise infrequent betting at track premises, on no more than 8 days in any calendar year. They cannot be used to authorise any other form of gambling activity (e.g. gaming machines). Providing that the 8-day limit is not breached, there is no provision for correctly-served notices to be refused by a Licensing Authority.
- 3.30 The Licensing Authority notes that the definition of track premises is not restricted to permanent premises, but can include any premises or land on which a race or sporting event is to take place. Consideration will therefore be given to the nature of the premises specified in a notice, in addition to whether the person giving the notice is an occupier of the track, or is responsible for the administration of events at the track.
- 3.31 It is further noted that Occasional Use Notices do not relieve any person accepting bets at the track premises from the requirement to hold an appropriate Betting operating licence, nor from the requirements of any conditions imposed upon that licence.

Travelling Fairs

- 3.32 The Act defines a travelling fair as 'wholly or principally' providing amusements and they must be on a site that has been used for fairs for no more than 27 days per calendar year. Travelling fairs do not require a permit to provide gaming machines but must comply with legal requirements about the way the machines are operated. The Licensing Authority will also consider whether the applicant falls within the statutory definition of a travelling fair.
- 3.33 It is noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This Licensing Authority will work with its neighbouring authorities to ensure that land that crosses our boundaries is monitored so that the statutory limits are not exceeded.
- 3.34 It will fall to this Licensing Authority to decide whether, at travelling fairs where category D machines are to be made available for use and / or equal chance prize gaming without a permit is offered, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

Part 4 – Lotteries

- 4.1 The Gambling Act 2005 regulates all forms of fund-raising lotteries promoted in the UK. With the exception of the National Lottery, which is not regulated under this Act, it is illegal to promote a lottery for private or commercial gain.
- 4.2 While the term 'lottery' is used within the legislation, these provisions are also likely to apply to raffles, prize draws, tombola's, sweepstakes, scratch-card sales, and so on, any arrangement in which a ticket is sold for a random chance of winning a prize. For the sake of simplicity, 'lottery' is used to define all of these.
- 4.3 Broadly speaking, there are two categories of lottery established under the Act –
- **Licensed lotteries** include those run by societies that aim to raise more than £20,000 in a single draw, or £250,000 in a calendar year, as well as any lotteries promoted by a Local Authority. An operating licence must be held by the promoter(s) of these lotteries.
 - **Exempt lotteries** fall into one of four sub-categories, each with its own limits on the amounts that can be raised, the purposes for which it can be promoted, and the manner in which it must be run. These sub-categories comprise Incidental Non-Commercial Lotteries, Customer Lotteries, Private Lotteries, and Small Society Lotteries.
 - The administration and enforcement of licensed lotteries is carried out solely by the Gambling Commission, although local authorities may provide information and intelligence to assist in these processes. Of the four sub-categories of exempt lotteries, only Small Society Lotteries require registration with a Local Authority – no authorisation is required for the other three categories. Both the Commission and local authorities may carry out enforcement checks to ensure that any exempt lotteries are carried on in accordance with the relevant legal restrictions.
- 4.4 Should a society registered with a Licensing Authority for the promotion of small society lotteries promote a lottery which causes either on the statutory limits on proceeds to be exceeded, then any subsequent lotteries promoted by that society in the current calendar year or any of the following three calendar years will be deemed to be large society lotteries, and will require the society to obtain a relevant operating licence from the Gambling Commission. The registration with the Licensing Authority will remain in force, but will not serve to authorise any lottery schemes during this period – it is open to the society as to whether to cancel the registration.

Free Prize Draws & Skill Competitions

- 4.5 The Gambling Act 2005 does not include any measures to regulate prize draws where there is no charge to enter, nor any competition where the outcome relies significantly upon a participant's skill, judgement or knowledge. Generally, the Licensing Authority will be unable to become involved in any matters relating to these schemes.
- 4.6 However, on some occasions, schemes that are presented as skill competitions will actually fall under the definition of lotteries, or prize (chance) gaming, and would therefore need to comply with the statutory requirements. Alongside the Gambling Commission, licensing authorities are obliged to monitor the boundaries between lotteries and skill competitions, and will provide advice and assistance to ensure that any competitions are run in compliance with the relevant laws. This Licensing Authority

notes the criteria set out in section 14 of the Act relating to the characteristics of a skill competition, and, when called upon to assess a particular scheme, will seek to ensure that the competition includes a suitable challenge of skill, judgement or knowledge that will:

- prevent a significant proportion of people who wish to participate from doing so; or
- prevent a significant proportion of people who participate from receiving a prize.

5. Legislation, Policies and Strategies

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 2010

However, the policy is not intended to duplicate existing legislation and regulation regimes that already place obligations on employers and operators.

5.1 National Strategies

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.

5.2 Local Strategies and Policies

Where appropriate, the Council will consider applications with reference to other adopted local strategies and policies, including the following: -

1. Working Together with Communities
2. The Haringey Safer Communities Strategy
3. Enforcement Policies.

5.3 Integrating Strategies

There are many stakeholders involved in the Leisure industry and many are involved in the promotion of the licensing objectives. A number of stakeholders' plans and strategies deal with matters related to the licensing function. Where this is the case, the Council will aim, as far as possible, to co-ordinate them.

The Council considers that where appropriate and in so far as is consistent with the Gambling Act, Guidance and Codes of Practice issued under sections 24 and 25 of the Gambling Act 2005, it is desirable that this Policy complements other relevant plans and strategies aimed at the management of town centres and the night-time economy.

5.4 Relevant plans and strategies include: -

Crime and Disorder Strategy – The Council will fulfil its duty under section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in

the Borough. As far as possible, licensing decisions will aim to contribute to the targets set in the Crime and Disorder Strategy and conditions attached to licences and certificates will reflect local crime prevention strategies.

5.5 Community Safety Strategy

The Community Safety Strategy is committed to tackling the key areas of crime and building prevention initiatives into neighbourhoods. The licensing authority will support the work of the Community Safety Strategy within the scope of the licensing objectives under the Act.

- Haringey Council – A Community Plan – As far as possible, any licensing decisions will be in line with the aspirations of this community plan.
- Local Transport Plan – the Council aims to work with the local transport authority and will consider ways in which the public can be dispersed from licensed premises and events so as to avoid disturbance, crime and disorder. The Police will be encouraged to report on matters related to the swift and safe dispersal of people from licensed premises.
- Racial Equality – The Council is required under the Equality Act 2010 to have due regard to the need to;
 - Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.
 - Advance equality of opportunity between people who share a protected characteristic and those who do not.
 - Foster good relations between people who share a protected characteristic and those who do not.
 - ‘Protected characteristics’ are defined by the Act as: age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation
- Domestic Violence Strategy – The Council will ensure consultation to ensure that any correlation between gambling and domestic violence can be detected at the earliest opportunity.
- Children and Young Persons Strategy – The Council will have regard to the impact on this strategy and the criteria for safeguarding children from becoming addicted.
- Anti-Poverty Strategy – As far as possible, any licensing decisions will have regard to this strategy. It will support the work of the Anti-Poverty Strategy as they are developed within the scope of the licensing objectives under the Act.
- Proper integration will be assured by the Licensing Authority’s Licensing Committee providing reports, when appropriate, to its Planning Committee on the situation regarding licensed premises in the area, including the general impact of gambling related crime and disorder, to enable the Planning Committee to have regard to such matters when taking its decisions.
- The Council will ensure that the Licensing Committee receives reports, when appropriate, on the needs of the local tourist economy to ensure that these are reflected in their considerations.

- Economic Strategies – The Council will ensure that the Licensing Committee is appraised of the employment situation in the area and the need for new investment and employment where appropriate.
- Enforcement Policy – All licensing enforcement will be conducted in accordance with the Enforcement Concordat, and the Haringey Enforcement Policy.

These links to other corporate strategies will be formulated in detail as a result of the consultation process.

6 Decision Making

Committee Terms of Reference

A 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.

6.1 The Licensing Committee

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.

- 6.2 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.

- 6.3 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.

- 6.4 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.

6.5 Allocation of Decision Making Responsibilities

The Council will be involved in a wide range of licensing decisions and functions and has



**GAMBLING ACT 2005
GAMBLING LOCAL AREA PROFILE
JANUARY 2022**

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.
 - **Financial harms:** overdue utility bills; borrowing from family friends and loan sharks; debts; pawning or selling possessions; eviction or repossession; defaults; committing illegal acts like fraud, theft, embezzlement to finance gambling; bankruptcy; etc...
 - **Family harms:** preoccupied with gambling so normal family life becomes difficult; increased arguments over money and debts; emotional and physical abuse, neglect and violence towards spouse/partner and/or children; relationship problems and separation/divorce.
 - **Health harms:** low self-esteem; stress related disorders; anxious, worried or mood swings; poor sleep and appetite; substance misuse; depression, suicidal ideas and attempts; etc...
 - **School/college/work harms:** poor school, college or work performance; increased absenteeism; expulsion or dismissal¹
5. Data from Fingertips shows that an estimated 54% of Londoners aged 16+ have gambled, including the lottery², in the last year in 2012, and 35% have gambled in

¹ Royal College of Psychiatrists: <https://www.rcpsych.ac.uk/mental-health/problems-disorders/problem-gambling>

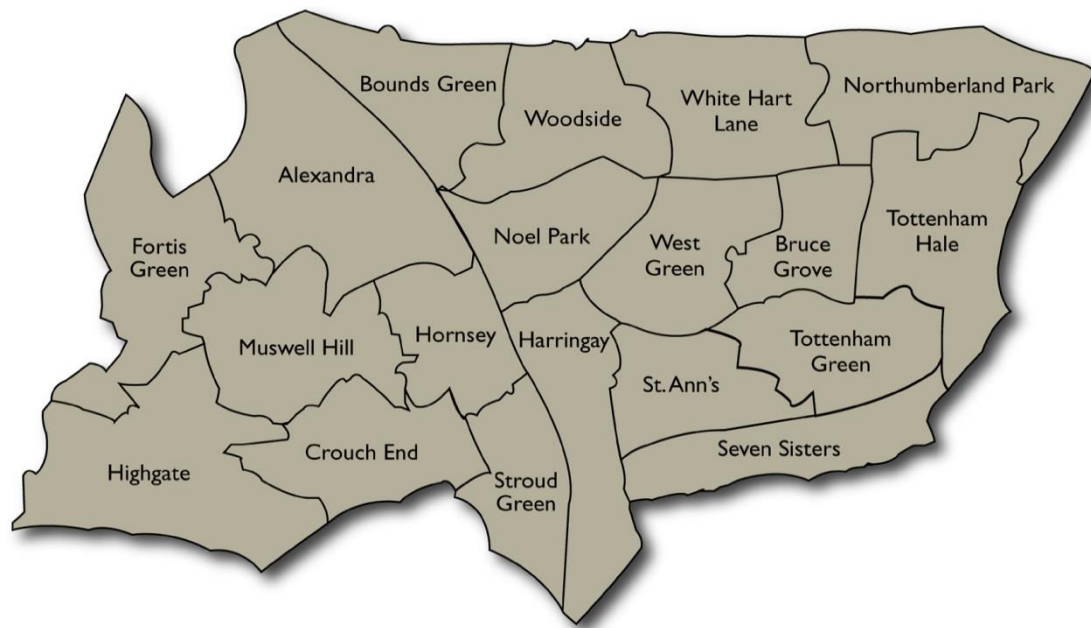
²

<https://fingertips.phe.org.uk/search/gambling#page/1/gid/1/pat/15/ati/6/are/E12000007/iid/92418/age/164/sex/4/cid/4/tbm/1>

some form other than the lottery. If these figures hold true, around 82,000 Haringey residents would have gambled in the past year, excluding playing the lottery.

6. Gambling characteristics - Problem gambling disproportionately affects certain groups such as ethnic minorities, young people, those in the criminal justice system and homelessness. The Adult Psychiatric Morbidity Survey (2007) found that problem gambling is most common among young men, and prevalence generally reduces with age. However, there is also a slight peak among 65–74-year-olds, of both sexes. Overall, over-gambling was found to be more frequent among men, people of white ethnic groups, and for women it is most common among those in the second-lowest level of household incomes.
7. 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.
8. The Borough of Haringey
 - 8.1 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 2011 Census nearly half of its 254,900 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, showing the 19 wards



- 8.2 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.
- 8.3 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 13th out of 326 authorities, and it is ranked 4th in London, yet it is also a borough of contrasts, with great prosperity and affluence in some communities.
- 8.4 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.
- 8.5 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.
- 8.6 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.

9. The Haringey Approach

- 9.1 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?
- 9.2 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"*
- 9.3 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
- 9.4 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)
- 9.5 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.
- 9.6 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

9.7 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.

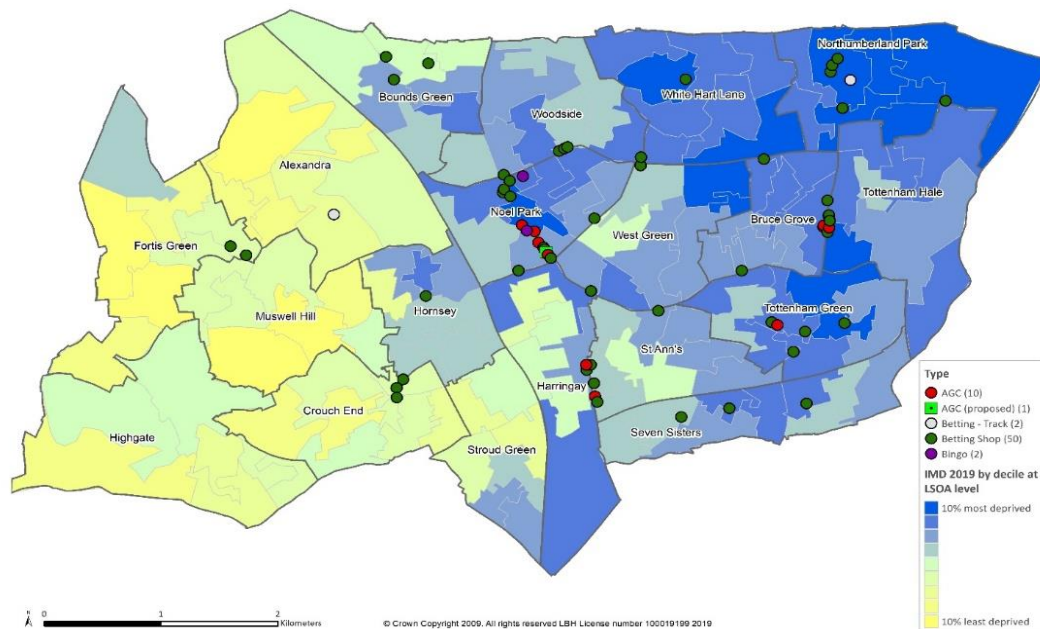
9.8 Problem gambling is defined as “to a degree that compromises, disrupts or damages family, personal or recreational pursuits” and there are many types of gambling activity which can become ‘problem gambling’. The most common gambling activities that become problematic are; spread betting, betting 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.

9.9 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.

10. The Haringey Picture

10.1 In Haringey, we currently have 50 betting shops, 10 Adult Gaming Centres, 2 Bingo premises and 2 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. The map below (Map 2) shows the areas of deprivation indices across the borough:



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 4th most 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. The risk factors associated with gambling-related harm in individuals such as a Ward with high deprivation indices, increased number of residents on Universal Credit, high numbers of people who are rough sleeping, high percentage of residents from minority ethnic background, families from very low median household income, high unemployment rates, high level of long-term health condition and disability (which may include mental health issues).

There is strong research which gives a clearer picture of those who are likely to be more vulnerable to gambling harm. Amongst the groups where the evidence base for vulnerability is strongest include those with a history of mental ill-health, substance abuse or gambling addiction; people with learning disabilities/difficulties; immigrants; homeless people; the unemployed or those on low income. This could include area-based vulnerability, such as demographics and areas of deprivation (London Council A 'whole council' approach to gambling, 2018)³.

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 30th in England), improvements have been seen across London meaning that Haringey still ranks among the most deprived boroughs in the capital (ranked 6th in London in 2015)

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 Grove Ward
- Tottenham Hale Ward
- West Green Ward
- Tottenham Green Ward
- Tottenham Hale Ward
- Northumberland Park ward
- White Hart Lane.

These areas have been chosen due to:

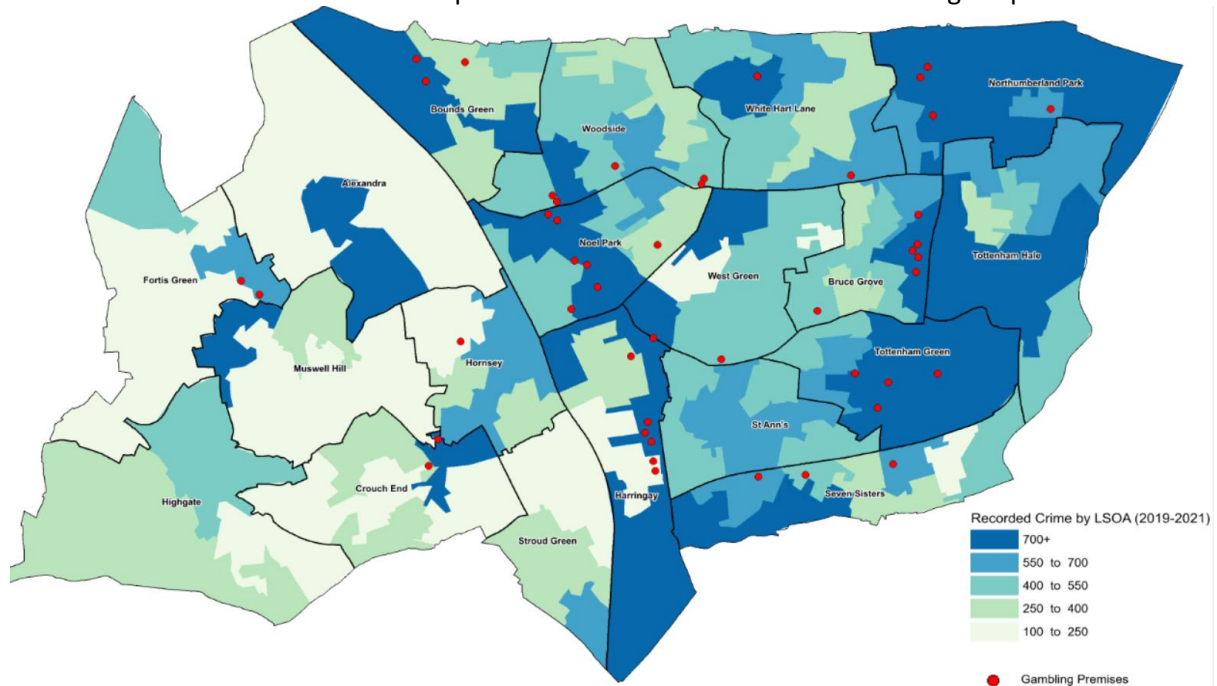
- Higher levels of crime
- Drug dealing and misuse
- Gang activity in the area
- Issues with street drinking and anti-social behaviour
- Issues with street begging
- Homelessness
- Mental health support accommodation

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

Map 3 LSOAs crime stats in relation to betting shops



9.9 The table (Table 1) 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 2. 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 2) which is almost double than the national average of 1.6 per 10,000³
- 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.

^{3 3} 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 ⁽¹⁵⁾

- 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.

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 Mental Health

- 11.2 Haringey has one of the highest levels of mental health illnesses in London. Such factors increase the risk to mental health, such as deprivation, unemployment and homelessness, all of which are more concentrated in the east of the borough. 29 per 1,000 living in Haringey are on Employment and Support Allowance (ESA) claimants for mental and behavioural disorders. This is higher than the London (22.5 per 1,000) and England (27.3 per 1,000) averages (PHE, 2019). The estimated prevalence of common mental disorders in Haringey for ages 16 and over is 22.3%, which is higher than London (19.3%) and England (16.9%)(PHE, 2017). 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.

11.3 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 Access to gambling venues increases gambling activity and problem gambling. Problem and pathological gambling is linked to poor health, low level and severe mental health problems and a co-dependence on alcohol.

11.8 People Rough Sleeping

11.9 Haringey has also seen an increase in the number of people who are rough sleeping with a range of overlapping and multiple disadvantages, such as addiction, poor physical and mental health, contact with institutions as children or adults and offending histories and experiences of trauma. In 2020, 280 Streetlink referrals (alerts raised by

members of the public) were made about people sleeping rough in the east of the borough and it was a key area of activity for the outreach team. Gambling problems are more prevalent in the population facing homelessness than the general population, 11.4% of the homeless population is found to have problem gambling. 61.5% of participants with some level of gambling risk had problems before homelessness, 15.4% reported experiencing problems after homelessness. Another research reinforces the assertion that problem gambling is a significant issue within the homeless population and is more commonly a cause than a consequence of homelessness (Sharman, Dreyer & Clark 2012).

11.10 Substance Abuse

11.11 There is frequently a link with alcohol or drugs as a way of coping with anxiety or depression caused by gambling problems (Griffiths, Parke & Wood, 2002). Availability of opportunities to gamble and the incidence of problem gambling within a community are known to be linked. As a result, the proposal use of the premise will attract a high level of residents who are highly dependent on alcohol and drugs. The vulnerable wards are key locations known to have an open drug market for a number of years. The hotspots for arrests for drug offences in Haringey are High Road Tottenham, West Green Road, Wood Green High Road, extending from Green Lanes / Bowes Road, southwards to Turnpike Lane.

12 ECONOMIC FACTORS

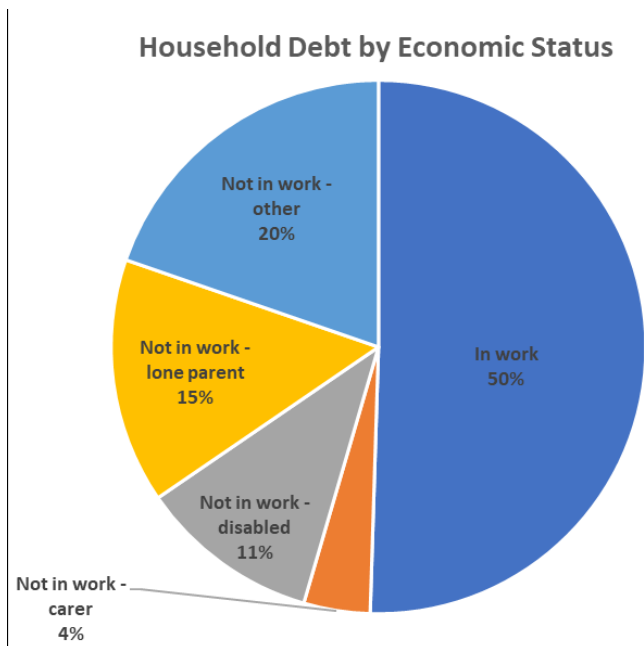
12.1 Haringey also currently has an estimated 5,000 5-16 year olds with an emotional or behavioural disorder. This indicates that hundreds of children will be transitioning to adult services in the coming years. It is estimated that there will be 378 new cases of **dementia** by 2028, as the population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

12.3 Unemployment or Low Income Groups

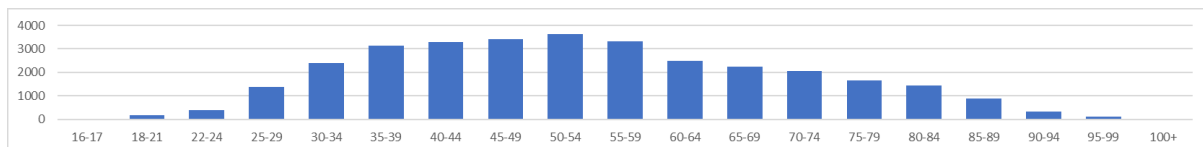
12.4 Increase gambling outlets densely populated in these wards may cause gambling addiction which is likely to fuel lack of money for families in these wards. The rate of claimants in Haringey is almost 25% higher than the London rate. During COVID, Haringey experienced the largest increase in unemployment claimant for benefits among the 11 Central London Boroughs and has now become the 6th highest in the UK. Of those who were in work in February 6% (660 households) had lost their job by May 2019. Tottenham Hale and Noel Park were particularly badly hit relative to the working age population of those Wards. This has become during worse during COVID.

- 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.

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.

Your ref:

Date:

31st March 21

Nigel Huddleston
Minister for Sport, Tourism and Heritage

Via email:
gamblingactreview@dcms.gov.uk

For a large print copy contact 020 8489 5639

Dear Mr Huddleston,

Re: DCMS Gambling Act Review – Call for Evidence

Haringey welcomes the opportunity to respond to this consultation on behalf of the Council and residents of Haringey.

We confirm that this response may be published in connection with this review.

Our experiences in Haringey demonstrate that the Act and associated guidance is failing to provide us as a Licensing Authority with sufficient powers to deal with the impact of gambling premises and the problems they bring. These problems include those we can see and record such as the increase in crime and disorder, and those problems where more study is required such as their impact on vulnerable communities in deprived areas.

In our experience the removal of the demand test that previously allowed magistrates to regulate clustering, and the introduction of the requirement that we must “aim to permit”, means that there is almost no restriction on how many gambling premises operate in an area.

Haringey has in recent months received a number of applications for Adult gaming Centres (AGC) and now for a Bingo premises in units that were previously betting shops. Once again, these applications are targeting the most deprived areas of the borough, West Green Road, High Road N22, High Road Tottenham and Green Lanes, all in the East of the borough.

From 1 April 2014 the maximum permitted number of B3 and B4 gaming machines (FOBTs) sited on an AGC or bingo premises licences granted after 13 July 2011 was limited to 20% of the total number of gaming machines made available for use. There is a risk that this 20% allowance maybe exploited by an operator to circumnavigate the restrictions introduced by Parliament on FOBTs in traditional gambling premises. For example, a recent application for a new bingo premises have advised that 11 B3 gaming machines will be onsite at the venue. This application is not about offering bingo in the traditional sense.

Environment and Neighbourhoods

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We therefore welcome this call for evidence and the opportunity to reiterate the same concerns that we have lobbied previous governments on in relation to the Gambling Act 2005.

Our response incorporates the Public Health perspective on gambling within Haringey also.

We have restricted our response to the questions we have experience on or have regulatory responsibility for, namely:

Advertising, sponsorship, and branding

Q11: What are the benefits or harms caused by allowing licensed gambling operators to advertise?

Restricting and regulating advertising is a part of prevention to reducing harms and it has worked in other areas of public health concerns such as obesity and smoking. Advertising is used to promote gambling in a population effectively and thus, this normalises gambling activity, particularly those groups at high risk.

According to the Annual Young People and Gambling Survey, conducted in 2020, 58% of 11–16-year-olds have seen or heard gambling adverts or sponsorship, of which 7% said this had prompted them to gamble when they had no intentions to gamble before. We suggest much stricter rules are applied around gambling advertising and eventually an end to all gambling advertising, sponsorship and promotion.

Age limits and verification

Q36: What, if any, is the evidence that extra protections are needed for the youngest adults (for instance those aged between 18 and 25)?

The public health approach to gambling strongly emphasises the need to protect children and young people from gambling-related harms to their health and wellbeing. This should not just be restricted to under 18s as we are seeing young adults aged between 18 and 25 experiencing the harms of gambling, through using their own money from student loan and full-time employment to take part in gambling activities. Many young adults struggle to find decent employment to make their means of living after they graduate as many job opportunities require extensive work experience and there is high competition in the job market. The presence of number of gambling outlets which is legally accessible for young adults is attractive albeit a misguided way to potentially earn income. Problem gambling being associated with suicidality in young men and women¹ and therefore, we recommend extra protection is given to this group from the harmful effects of gambling.

Q38: Is there any additional evidence in this area the government should consider?

There is a high visibility of gambling premises on young people's journey to school and online video games, Health Education curriculum should cover gambling harms which also includes gambling in video games, links between sports and gambling. According to the Annual Young People and Gambling Survey, conducted in 2020, 1.9% of 11-16 year olds in England and Scotland are classified as 'problem' gamblers and 2.7% are classified as 'at risk' according to the DSM-IV-MR-J screen.

Land based gambling

Q39: What, if any, changes in the rules on land based gambling would support the government's objectives as set out in the document? Please provide evidence to support this position, for instance how changes have worked in other countries.

Following the FOBT legislation changes, Haringey has seen an increase in number of adult gaming centres and a fall in the number of bookmakers. There needs to be more emphasis on adult gaming centres and any other gambling establishments in the current Gambling Act in relation to legislation, regulation and enforcement.

¹ [https://www.thelancet.com/journals/lanpub/article/PIIS2468-2667\(20\)30232-2/fulltext](https://www.thelancet.com/journals/lanpub/article/PIIS2468-2667(20)30232-2/fulltext)

Q43: Is there evidence on whether licensing and local authorities have enough powers to fulfil their responsibilities in respect of premises licenses?

The Gambling Act should also include the Public Health principle in the licensing objectives. Haringey has seen a rise in the number of new gambling premises, especially in the most deprived areas, where there is already saturated levels of gambling premises. A Public Health objective will give more weight to the evidence presented in relation to gambling related harm and the negative impact this has on our communities. A public health licensing objective would also mention the density of venues and its proximity to vulnerable groups. The new changes will give the local authorities more autonomy to protect our communities from new gambling premises arising in deprived areas where vulnerable communities are most affected. Further to this, it gives our communities the confidence that there is more being done to tackle gambling related harm.

Haringey adopted the Schools Superzones Pilot Project in 2018. This project from the GLA and PHE was designed to protect children and young people's health in the more deprived communities. Schools were selected based on the areas with the highest health concerns e.g., high levels of gambling premises within 400m radius of schools. Focus groups were carried out in the Superzones area with parents and all parents mentioned the abundance of gambling venues on the high road and wanted to see fewer gambling premises as they are aware of the issues, with regards, Parents felt not much is being done to prevent gambling related harms in the community.

"On Tottenham High Road, which we pass a lot there's like 10 betting shops, and there's 5 shops in between, so there are about 5 shops you get to a betting shop and another 5 you get to a betting shop" – Parent of Earlsmead Primary School.

Our main concerns regarding local authority powers is our ability through the Gambling Act to limit gambling premises and to support our residents in their concerns about clustering, proliferation and the impact of gambling premises, alongside limited powers to deal with illegal underage gambling in the community. This is of particular concern as the borough experiences some of the highest levels of deprivation and poverty in the UK.

The legislation does not address the underlying damage caused by problem gambling and in particular the disproportionate impact that gambling harm has on the most vulnerable in society and their families. Haringey carried out a Scrutiny review of gambling in 2011 to understand the scale of the problem in the borough. We work across all agencies to deal with matters that arise on gambling premises but the wider effects and impacts that these facilities offer and the normalisation of gambling in our everyday lives puts Councils at a real disadvantage in being able to effectively protect the vulnerable and children in our community.

There is very limited local data available as to how many problem or harmful gamblers there are in Haringey. However, it is clear from our Local Area Assessment and the recent spate of new applications for Adult gaming centres and bingo premises that our most deprived areas are being targeted for further betting facilities at every opportunity.

There appears to be a link between the deprivation and communities where addictive gambling behaviours can be cultivated. We hear from local residents and elected members that the installation of Fixed Odds Betting Terminals (FOBTs) in these locations is a specific approach taken to draw in and retain those customers likely to display addictive gambling behaviours. This is due to the fact that it appears to be the industry norm to cluster, the effect is that communities in these locations suffer disproportionately from associated crime or disorder.

Whilst a good local area profile can help increase awareness of local risks and improve information sharing, it does not help to support an authority to impose specific restrictions to new betting premises in a given area. The local area profile will help to inform specific risks that operators will need to address in their risk assessment.

It is accepted that there is difficulty in piecing together evidence of gambling harm, but this is also perpetuated by the Act that enables or places the onus of the individual to self exclude themselves from

accessing betting facilities and then leaves it up to the business themselves to keep these records and interact with the individual who is already at harm/risk from gambling.

Haringey has been vocal in the past of the shortcomings of the gambling legislation, particularly Section 153 of the Gambling Act 2005 which requires local authorities to “aim to permit” applications.

Aim to Permit

S153 of the Act states that in exercising its functions relating to premises licenses the Licensing Authority *must aim to permit* the use of premises for gambling in so far as it thinks it is in accordance with relevant code of practice, guidance and policy. In addition, a Licensing Authority may not have regard to the expected demand for the facilities and may not consider the likelihood of obtaining planning or building permission.

As the Act grants only a very narrow discretion, a policy which supports a wider discretion is likely to be held unlawful. Section 153 of the Gambling Act currently creates a presumption in favour of granting a licence unless one or more of the criteria under sub-section 1 is not met. Those conditions are:

- In accordance with any relevant code of practice issued by the Commission
- In accordance with any relevant guidance issued by the Commission
- Reasonably consistent with the licensing objectives; and
- In accordance with this Statement of Principles ("Policy").

The starting position therefore favours the applicant rather than starting from a neutral position.

Although the Act on the surface allows the licensing process to create a route for consulting with local communities, presumption in favour of the applicant hinders the Local Authority's ability to effectively listen to and act upon local concerns raised by residents and partner agencies alike.

Although 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.

The aim to permit presumption often prevents the local authority when faced with evidence of harm (in the third objective) from being able to refuse the application.

Haringey's Licensing Sub committees has had reason to refuse three applications in the Harringay Green Lanes area because of the proliferation of betting shops in this very deprived area. These applications received a substantial number of representations from local residents, as well as from the police, health practitioners and ward councilors. It was clearly evidenced that the area had high levels of crime and disorder.

They all appealed and on the first appeal the appellant argued that there is no evidence that one extra betting shop would in any way impact on the area in a way which is contrary to the licensing policy objectives. This position was supported by evidence of proposed management controls, socially responsible policies and expert evidence. As a consequence, the Magistrates ruled that the Licensing Authority had acted improperly and upheld the appeal. The other two appeals had to be compromised. The ability to devise cumulative impact policies would assist in protecting the most deprived areas being saturated with gambling premises.

Haringey has continued to lobby the Government for a change to the Act and guidance that will redress the balance in favor of the protection of areas which may be harmed by gambling.

What would help Authorities:

We believe the legislation should be altered and the Act could be strengthened by the following changes:

- That Licensing Authorities should be permitted to determine saturation policies based on impact and have the ability to create cumulative impact policies written into the legislation.
- Inserting a 'need test' into the Gambling Act 2005, similar to the previous Gaming Act 1968 that is based on community need would also support and provide councils dealing with applications in deprived areas the powers to tackle problems and respond to their residents concerns and fears.
- That Licensing Authorities should have discretion to refuse where there is a proliferation of gambling premises and the "aim to permit" requirement should be repealed and the emphasis placed on the applicant as to both the need and any control measures that are required to be put in place.

Q45: Is there any additional evidence in this area the government should consider?

We need to ensure the concerns of residents are effectively considered when a new gambling premises arises in the area, especially highlighting how a new gambling premises may negatively impact their health and wellbeing. We recommend a future legislation around planning and licensing allows the voice of the residents to be considered including education and health establishments and community groups.

Yours sincerely,

Eubert Malcolm
Assistant Director Stronger & Safer Communities

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2 <https://www.haringey.gov.uk/social-care-and-health/health/public-health/schools-superzones>

3 <https://www.rsph.org.uk/about-us/news/how-to-challenge-a-license-application.html>

Equality Impact Assessment Screening Tool	
1	Lead officer contact details: DALIAH BARRETT
2	Date: 23rd April 2021
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"> to take account of significant changes in local circumstance, including those identified in this policy; when there are significant changes at a licensee's premises that may affect their mitigation of local risks; when applying for a variation of a premises licence; and in any case, undertake a local risk assessment when applying for a new premises licence. <p>The council will expect the local risk assessment to consider the urban setting:</p> <ul style="list-style-type: none"> • The proximity of the premises to 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 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.</p> <p>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.</p> <p>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.</p> <p>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.
a) Type of proposal				
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.</p> <p>The purpose of this policy is:</p> <ul style="list-style-type: none"> 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; 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.
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"> • Policy improves transparency of decision making • Team shares application details with resident groups/ Citizen Panel members. <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 restructure EglAs .		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>NB- 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, (https://committees.parliament.uk/publications/1626/documents/19602/default/, https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6650787/pdf/S1463423619000549a.pdf), 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 https://www.gamblingcommission.gov.uk/for-licensing-authorities/GLA/Part-5-Principles-to-be-applied-by-licensing-authorities.aspx). 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) Known inequalities				
8.	Could the proposal disproportionately impact on any particular communities, disadvantaged or vulnerable residents?		X	<p>AGE – 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 behaviour 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. https://www.gamblingcommission.gov.uk/PDF/survey-data/Gambling-behaviour-in-Great-Britain-2016.pdf</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>Sex-gender – 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 behaviour 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. https://www.gamblingcommission.gov.uk/PDF/survey-data/Gambling-behaviour-in-Great-Britain-2016.pdf The revised SGP would have a neutral impact on the protected characteristic of Sex (gender).</p> <p>RACE- 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 behaviour 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. https://www.gamblingcommission.gov.uk/PDF/survey-data/Gambling-behaviour-in-Great-Britain-2016.pdf</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>DISABILITY – 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.</p> <p>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 carefully document 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"> • Responsible authorities, including Police, Fire and Safeguarding Children, • Neighbouring Boroughs • Ward Councillors • Licensees • Faith Organisations /Citizen Panel
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