

Gambling Inquiry Day – AM session, 8th March 2022

Present:

Councillors - **Cllr Khaled Moyeed** (Chair), **Cllr Pippa Connor** (Vice-Chair), **Cllr Dana Carlin**, **Cllr Makbule Gunes**, **Cllr Matt White**, **Cllr Viv Ross**.

Officers - **Maria Ahmad** (Public Health Officer – Health Improvement), **Daliah Barrett** (Licensing Team Leader), **Marlene D’Aguiar** (Health in All Policies Officer), **Susan Otiti** (Assistant Director of Public Health), **Gavin Douglas** (Regulatory Services Manager)

Introduction

Cllr Khaled Moyeed, Chair of the Overview & Scrutiny Committee (OSC), introduced the morning session of the Gambling Inquiry Day. He noted that, in July 2021, the OSC had considered the Council’s draft statement of Gambling Policy and heard a deputation from a group of Tottenham residents raising concerns about the large number of gambling establishments on Tottenham High Road. This included a former Barclays Bank building which had recently been converted to a gaming centre called Game Nation. Cllr Moyeed explained that the Gambling Act had been described as permissive legislation and that this left Councillors and residents, who were concerned about gambling harms, feeling helpless to prevent more gambling establishments from opening in their communities. He noted that gambling establishments were typically more frequently located in higher levels of deprivation.

Cllr Moyeed explained that Westminster City Council had commissioned its own local research and that evidence gathered from this was later successfully used as grounds to refuse a gambling licensing application. The Gambling Inquiry Day aimed to establish whether similar research could be conducted in Haringey for this purpose.

Officer presentation – Gambling Prevalence

Maria Ahmad (Public Health Officer – Health Improvement) provided details about the prevalence of gambling in Haringey:

- The Gambling Act defined gambling as “gaming, betting and participating in a lottery”.
- Approximately 40% of people in England gambled in 2018. In Haringey, 57% of men and 51% of women gambled in 2021. This equated to an estimated total of 115,452 residents. An estimated 12,187 gambled on slots and 4,704 on FOBTs in betting shops.
- An estimated 10,218 young people aged 16-24 in Haringey gambled, out of a total population in that age range of 26,200. An estimated 2,175 gambled on slots and 1,153 on FOBTs in betting shops.
- ‘Problem gamblers’ are defined as gamblers who gamble to a degree that compromises, disrupts or damages family, personal or recreational pursuits. 0.7% of people in England are problem gamblers.
- The 2005 Gambling Act set up the Gambling Commission, an independent non - departmental public body to regulate commercial gambling in Great Britain.
- In April 2019, the Gambling Commission launched a 3-year National Strategy to Reduce Gambling Harms, aiming to coordinate work between health bodies, charities, regulators and businesses to deliver of two strategic areas: 1 - prevention & education and 2 –

treatment and support. A progress report two years later recommended the promotion of co-production with people with lived experience. Haringey Council was currently working on a local Gambling Addiction Campaign.

- The Council's public health team have estimated annual gambling harms in the borough to be between £1.34m and £1.65m. This was based on costs to primary health care, homelessness, unemployment and criminal justice.
- As of 2020 there were 64 gambling establishments in Haringey Borough. This comprised of 50 betting shops, 10 adult gaming centres, 2 bingo premises and 2 track betting premises. There was a higher concentration of gambling establishments in the centre/east of the borough compared to the west.

Officer presentation – Gambling Policy

Daliah Barrett (Licensing Team Leader), provided details about the legislative framework for gambling:

- The Gambling Act has an “aim to permit” requirement within it. The Gambling Commission carries out all the pre-checks on the betting operators and issues an Operating Licences. The Council, as the Licensing Authority, has responsibility for the granting and regulating of Premises Licences for the conduct of gambling under the Gambling Act 2005.
- The Council must prepare and publish a Gambling Policy Statement every 3 years in accordance with guidance issued by the Gambling Commission. Haringey latest Policy Statement was published in January 2022.
- The Council is required under the legislation to promote the three licensing objectives. These licensing objectives were the criteria used to determine a premises licence application:
 1. **“Preventing gambling from being a source of crime and disorder, being associated with crime or disorder or being used to support crime”.**
 2. **“Ensuring that gambling is conducted in a fair and open way”.**
 3. **“Protecting children and vulnerable persons from being harmed or exploited by gambling”**

It was difficult for a local authority to gather evidence on the first two objectives, the main way being joint operations between the Council and the Gambling Commission to go into betting premises to detect any issues. With the third objective, there was usually more scope for the Licensing Authority to provide evidence on this.

- In previous years, residents had provided evidence about anti-social behaviour outside betting shops and Haringey Council had been willing to push this. After refusing an application on these grounds, the magistrates had said very firmly that this was not sufficient evidence to refuse a betting shop licence.
- While residents often complained that they don't want another bookies in their area, Section 153 (2) of the Gambling Act states that *“Licensing Authorities must not have regard to the expected demand for the facilities which it is proposed to provide”* and so this was not a relevant factor that the Council can use in determining applications.
- A new approach began in 2016 when the Gambling Commission enabled Local Area Profiles which local authorities could develop to provide information about the wards most likely to

be affected by gambling harms. All gambling operators must now assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises and have policies, procedures and control measures to mitigate those risks. This includes issues such as proximity of schools, community centres, gambling care providers, high crime areas and high unemployment areas. This information is provided in the Local Area Profile.

- The Licensing Authority expects operators to consider how their gambling operation will affect those risks. This includes:
 - What gambling facilities are available in the premises;
 - What are the staffing levels in the premises;
 - Security and crime prevention arrangements;
 - Provision of information and signposting support for customers.
- Control measures to mitigate risks
 - Systems: staff training, age verification policies
 - Design: exterior design, supervision, and security (e.g. to prevent crime, drug dealing, etc)
 - Physical: e.g. magnetic door locks, ID scans
- Operators must comply with licence conditions, codes of practice, health and safety assessments and industry standard codes.
- The Local Area Profiles are a useful tool but they do not typically provide the means to reject applications outright. It may however, help to illustrate underlying issues in particular areas which would support additional licensing conditions or restrictions on operating hours. In practice, the 'aim to permit' remains a primary consideration.
- Other recent developments included:
 - The National Gambling Harm Strategy launched by the Government in 2018. A Government document on this had described dealing with gambling harms as an 'whole-Council approach'.
 - Changes to stake limits on FOBTs permitted in betting shops. This had come into effect in 2019 and had led to a closure of around 11 betting shops in the borough. Some vacant premises (about 3 or 4) had then been taken over by adult gaming centres.
 - Additional Social Responsibility Levy imposed on betting operators by the Gambling Commission.
 - Legislative changes to planning controls on betting shops. The planning process operated separately from the licensing process.
- The Government had recently held a 'call for evidence' review on gambling. Haringey Council had provided a response, arguing 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.
 - Insert a 'need test' into the Gambling Act 2005, similar to the previous Gaming Act 1968, that is based on community need would 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.
- The Association of Police and Crime Commissioners (APCC) and the Local Government Association (LGA) had recently proposed that Councils should be able to refuse applications for new outlets if they judge that area have too many. It had been reported that the Government was considering bringing in powers for local authorities to set quotas on the number of gambling establishments.

Officer presentation – Gambling Harms Campaign

Marlene D’Aguilar (Health in All Policies Officer), provided details about the work that the Council was doing to tackle gambling related harms in the Borough:

- A local Gambling Addiction Campaign had been developed and was approved at Cabinet in November 2021. The Campaign was expected to run from April to December 2022 and included the following five elements:
 - **Adult co-production work:** a literature review and focus groups with Haringey locals directly/indirectly affected by gambling aiming to identify specific needs and solutions.
 - **Youth engagement:** educational workshops on the potential harms of gambling operating in schools/youth clubs with Red Card, including in relation to online gaming.
 - **Raising awareness:** pan-borough raising awareness campaign with materials from national organisations like Gamcare and new localised resources.
 - **Councillor training:** Haringey council members will receive training about gambling related harms. This will delivered by the Young Gamers and Gamblers Education Trust (YGAM).
 - **Deliver gambling summit:** a borough professional conference covering all issues of gambling related harms.
- The Public Health team was closely involved with the Licensing team in responding to applications and to provide the best evidence possible, though the ‘aim to permit’ was always a difficulty.

Questions from the Committee

- Cllr Ross queried the figure of 0.7% of the population as problem gamblers as his understanding was that the correct figure was 0.4%. Maria Ahmad said that the 0.7% figure was from the national Gambling Strategy. Daliah Barrett said that the Government’s recent gambling-related harms evidence review estimated the figure as 0.5%. The review also estimated that 3.8% were gambling at “at risk levels” and 7% are affected negatively by any other person’s gambling.
- Cllr Moyeed noted that there were only 7 gambling establishment across the whole of the west of the borough compared to 57 establishments in the centre and east of the borough.
- Cllr Ross noted that the Gambling Commission had been cracking down on the industry on social responsibility issues and money laundering and asked if the Council could do more to make sure that the betting operators were actually intervening where they should be. Daliah Barratt said that her understanding was that the Gambling Commission was taking a harder

line but this was their area of expertise. Gambling establishments should provide training for their staff to spot the signs of problem gambling. However, it was difficult for licensing staff to establish this type of compliance in a short inspection and the team did not have the resources for lengthier, more detailed inspections.

- Cllr Connor asked about the co-production element of the Gambling Addiction Campaign and whether the cohort of people engaged in this process would be involved from the start and have oversight on the outcome. Susan Otit said that the aim would be to continue to work with the residents involved with the focus groups to benefit from their further insight and support throughout the campaign.
- Asked by Cllr Connor about how additional local research could assist the Council, Susan Otit said that she would need to understand from the Committee what the focus would be and whether it was only about stopping the proliferation of gambling establishments or also being about prevention and early intervention work. She felt it was important to be clear about the research question and then decide on the methodology. It would also be necessary to find the budget to commission the research. Daliah Barratt added that the Westminster research sought to identify vulnerable groups likely to experience gambling harms, identified the locations of these groups across Westminster and then to apply this information to licensing applications.
- Gavin Douglas added that the Westminster research effectively enhanced their Local Area Profile which was a tool to help regulate, potentially by restricting gambling premises due to a particular vulnerability in that area. He added that many local authorities don't want the proliferation of gambling establishments, but licensing officers are not there to facilitate restrictions but to facilitate the legal procedures and policies of the Council. Licensing officers must ensure that due process is carried out and must avoid doing anything that could be seen as pre-determination. Enhancing the Local Area Profile may help the discussion but, even with very good research, there was no guarantee that it would prevent the proliferation of gambling establishments. National legislation would have more of an impact on this.
- Gavin Douglas said that only around 20% of gambling spend was in high street gambling establishments, with the rest spent elsewhere and so the increase in online gambling was more of a growing concern.
- Susan Otit suggested that an elected Member could be identified as a gambling harms prevention champion, supported by officers, to carry out lobbying on policy at a national level because the local authority was considerably limited by what it could do at a local level.