

Report for: Cabinet, 15 October 2024

Title: Approval in principle of draft Statement of Gambling Policy 2025-28

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

Lead Officer: Daliah Barrett,

Ward(s) affected: All

Report for Key / Non-Key Decision: Key Decision

1. Describe the issue under consideration

- 1.1 Under Section 349 of the Gambling Act 2005, a Licensing Policy statement must be produced and published every three years. The Licensing Authority is required to consult various specified authorities in revising its Gambling Policy Statement.
- 1.2 The Council's Statement of Gambling Policy for the Gambling Act 2005 for the years 2025-2028 needs to be adopted by Full Council. This report advises of the outcome of the consultation and seeks Cabinet's approval for the revised policy in order that it can be recommended to Full Council for adoption.
- 1.3 The response to the consultation can be found in Table 1 and 2 of the report with most responders expressing their dislike of gambling in general terms.
- 1.4 The review builds on information for the Local Area Profiles. These profiles will provide a good evidence base of gambling in the local area and help identify any future risks, which will inform the decision-making process.

2. Cabinet Member Introduction

- 2.1 The Gambling Policy is part of the Council's policy framework and is required to be revised, consulted and adopted every three years. Section 349 of the Gambling Act 2005 requires all Licensing Authorities to prepare and publish a statement of policy that they propose to apply in exercising their functions under the Act during the term to which the policy applies Working together with partners, Haringey has developed this document with due regard to all available regulations, conditions, codes of practise, statutory guidance, practical experience of legislation and any consultee responses.
- 2.2 Haringey Council takes its responsibilities as a licencing authority seriously and has concerns about the proliferation of betting shops, particularly on the boroughs High Streets. We welcome the positive effects of considering local area profiles. We

consider this to be a valuable tool to enable Haringey to better assess the impact of betting within our communities.

3. Recommendations

3.1 It is recommended that Cabinet:

- a. **Approve the Statement of Gambling Policy 2025 – 2028 at Appendix 1 and recommend to Full Council that it be adopted with effect from 31st January 2025, taking into consideration:**
 - i) **the outcome of the consultation set out in paragraph 8.3 of the report and**
 - ii) **the equality impact assessment in Appendix 3.**

- b. **agrees that Full Council should resolve that, in respect of new casinos, no premises licences shall be granted after the date that this resolution comes into effect and that this resolution shall come into effect on 31st January 2025.**

- c. **note the supplementary guidance containing the local area profile information at Appendix 2.**

4. Reasons for decision

4.1 The council is obliged to review and adopt A Statement of Licencing Policy for Gambling every three years. The current policy is due to expire in January 2025. Therefore, a new policy must be adopted.

5. Alternative options considered

No alternatives were considered. It is a legislative requirement that the policy be reviewed at least every three years, and that a public consultation is carried out. Failure to review and adopt the statement of gambling policy would result in the council failing to comply with legislation.

6. Background information

6.1 The revised policy statement 2025 to 2028 has been updated to reflect practical changes that have arisen since its publication including statutory guidance.

6.2 Although changes have been made to the Licence Conditions and Codes of Practice (LCCP) there have been no changes to the enabling Gambling Act 2005 with respect to the three licencing objectives remaining the same. They are:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime,
- Ensuring 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 As a Licencing Authority, we are required by the Act to aim to permit the use of premises for gambling insofar as the authority thinks it is:
- a. In accordance with the Licensing Conditions Code of Practice
 - b. In accordance with the guidance issued by the Gambling Commission
 - c. Reasonably consistent with the licencing objectives and
 - d. In accordance with the statement published by the authority under section 349 of the Gambling Act 2005
- 6.4 Whilst there is an aim to permit there are safeguards to ensure that Licenced premises uphold the Licensing objective in 7.2. This means Responsible Authorities such as the Police or services responsible for the protecting children and vulnerable residents have a duty to ensure compliance. The Licensing Policy reflects the expected partnership work to tackle ASB, Crime and protecting those vulnerable in the community. The Licensing Authority consults on all applications and ensures that any concerns raised are highlighted and actioned by Responsible Authorities within the remit of the law.
- 6.5 As part of the statutory requirements, the policy reflects the need for all applicants for gambling premises licences to submit an accompanying risk assessment. This enables the council to better capture equalities considerations and mitigating actions, e.g. the risk assessment should consider whether the premises are located near to areas with high numbers of children and young people, including measures to reduce access for known vulnerable groups and consider local crime statistics, demography and deprivation levels.
- 6.6 The revised policy and the local area profile supplementary document at Appendix 2 establish that the council has serious concerns of the impact from gambling premises particularly those in the most vulnerable and at-risk areas of the borough. The Council has challenges controlling the number of facilities for gambling whilst balancing and considering its duty to aim to permit gambling insofar as it is reasonably consistent with the pursuit of the licencing objectives.
- 6.7 All areas shown within the local area profile which are at a higher overall risk of gambling related harm, are generally considered to have communities at greater risk or harm to the vulnerable people living in those areas from gambling facilities. 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 licencing objectives and the local risks identified.
- 6.8 The local area profile should be given careful consideration when making an application. Applicants may be asked to attend a meeting with licensing officers to

discuss the profiles, appropriate measures to mitigate risk in the area and how they might be relevant to their application. The local area profiles will be presented to any subsequent licensing subcommittee when they determine an application that has received representations.

6.9 The Council recognises that it cannot insist on applicants using the local area profile when completing their risk assessments. However, an applicant who decides to disregard the profile may face additional representations and the expense of a hearing as a result

7. Proposed Changes

7.1 . Changes to the policy relate to:

- changes to ward boundaries and their profile shifting the areas of concerns that were previously listed as being vulnerable area. We are however maintaining these locations as we need to carry out further monitoring to see how the changes in boundary lines impact on this issue. All maps and datasets have been updated in the policy. The local area plan is a live document and can be amended at any time to provide further background context.
- amendments that reflect the requirements of new codes issued by the Gambling Commission: Licensing Conditions and Code of Practice (LCCP)
- the Social Responsibility Code. The policy now reflects the requirement for these codes to be followed by the betting industry.

7.2 Over the life of the policy, the effectiveness of the policy will be monitored to ensure that the licensing objectives are being promoted. This will be achieved by monitoring whether any issues are identified which affects these licensing objectives.

7.3 The new policy will be published on the council website and has already been consulted on, so people are already aware of the proposed changes.

7.4 Consultation

7.5 The gambling Act 2005 contains details of the consultees that have been consulted as part of the review of the policy. These were:

- the chief officer of police for the authority's area.
- one or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area.
- one or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the act.

7.6 In addition, the following were also 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
- faith groups.

7.7 The consultation was shared with the citizens panel, placed on the council website and a members' forum was offered for further discussion.

7.8 Responses

7.8.1 The consultation process took place between the 9th of July to the 3rd of September 2024 and yielded 20 responses in total.

- a) Overall responses were from residents, and these are summarised in Table 1.
- b) The majority of responses were not in favour of gambling in general.
- c) Residents who responded to the questionnaire appear to have concentrated their views from the summary information for the consultation.

8.8.2 Many of the consultation responses relate to the proliferation of gambling establishments in the Borough and would like to see a reduction. The Gambling Act 2005 does not enable the Council to have a cumulative impact policy for gambling premises, that would allow for restrictions regarding the number of licenses granted.

7.9 Feedback was received from the Climate and Environment Scrutiny Panel and is shown in Table 2 together with a summary of the response received from the Licencing Committee.

Consultation Question	Number of responses/ Totals	Response	Response/Impact on policy if any.
<p>Q – Please tell us your comments on the draft gambling policy</p>	<p>20</p>	<p>It looks good but still we have betting shops in our poorest wards. The shops are usually in high roads where lots of school kids go for food. We need a policy that prevents licensing of betting shops. There are too many. They lead to harm and need to be closed down. Betting shops need to provide facilities for their customers to prevent them using local streets and cafes.</p> <p>Does not go far enough ,living in Tottenham with the amount of poverty in the area really needs you to not provide any new licenses and to never replace the ones that are there</p> <hr/> <p>Policy should prevent any ward having a significant number of gambling outlets by averaging the total number of outlets across the borough and set this as a maximum for any ward. Over time areas with 'excess' outlets should reduce to the set average.</p> <p>On no account should more in total be allowed anywhere in the borough for all the reasons set forward in your report which addresses this issue.</p> <p>It's a long document to read fully, but I have read in part to get a gist of it. It does not appear to deal with the current situation of over licensing in certain areas where streets are filled with betting offices.</p> <hr/> <p>I agree with the draft policy.</p> <hr/> <p>Pointless unless there is a provision for checking that rules are being adhered to.</p> <p>It doesn't appear to address the issues in the east of the borough, particularly Tottenham High Road where there are 3 large gambling establishments just south of Bruce Grove station - a Bookies, a slot machine arcade and another large gambling establishment all within 100 metres of each other. These are in an area that suffers from groups dealing drugs & suffering substance abuse, people drinking in groups, homeless individuals and those suffering mental health issues and very little activity for young people. This is all happening in the vicinity of these 3 establishments. It's unpleasant walking through these individuals and we never see any support or action.</p> <hr/> <p>Unfortunately not doing enough. Green Lanes and Wood Green are drowning in gambling premises. All of them are a source of constant anti social behaviour including drugs consumption and disturbing public order. This puts vulnerable people and children at risk. There is zero benefit brought to the local area or community by any gambling shop.</p> <hr/> <p>Strengthen all provisions with penalties leading QUICKLY to fines and/or loss of license.</p>	<p>No change to policy. Context of the policy is compliant with the legislative requirements to aim to permit gambling Operators have mandatory conditions set by the legislation and Gambling Commission that they are required to comply with in this regard. LA has no powers to override these.</p> <p>Betting shop crime centres around damage to machines in the main. LAs are unable to impose any conditions to deter this from happening.</p> <p>Many of the consultation responses relate to the proliferation of gambling establishments in the Borough and would like to see a reduction.</p> <p>The Gambling Act 2005 does not enable the Council to have a cumulative impact policy for gambling premises, that would allow for restrictions regarding the number of licenses granted.</p> <p>The White Paper on gambling review published in 2023 mentions the intent to make changes to the Act to allow for Cumulative Impact to be considered in the future.</p>

		<p>The borough should ban the issue of new licenses for betting shops. i.e. whatever number exist right now should be the maximum, and no new premises should be permitted to be gambling establishments. These shops suck money out of the poorest parts of our community, and do no social good.</p> <p>It's not strong enough. Gambling ruins lives and shouldn't be encouraged on the high street.</p> <p>Ok</p> <p>Too many gambling place in Tottenham high road</p> <p>The gambling shop on the high road are very close to school within lower Tottenham high road nr to the police station and fire station, also upper Tottenham nr football ground too many and children are not safe from rural gamblers which frightening, the licensing needs to be tightened properly no gambling on Tottenham high road</p> <p>All the good intentions and detailed regulation depend on consistent and timely enforcement. So good administration of applications etc and sufficient officers to carry out inspections etc. is vital otherwise policy is merely wishful thinking.</p> <p>Why no summary? How many Haringey residents are expected to read and understand a 39 page proposal?</p>	
<p>Q -The policy is strong enough to protect children and vulnerable persons from harm</p>			<p>No changes required to policy. The Gambling Commission carries out checks to ensure that gambling processes are being operated in a fair and open way.</p>
<p>Yes</p>	<p>0</p>		
<p>No</p>	<p>20</p>		
<p>Not Stated</p>	<p>0</p>		

Q - The policy is strong enough to prevent gambling premises from being a source of crime			No changes required to policy. Betting premises are age restricted premises in the aim. The Codes of practice require operators to engage with customers and to intervene if they believe a customer to be vulnerable. The Licensing Authority discuss and check on the procedures in place during inspections at gambling premises.
Yes	0		
No	20		
Not Stated			
Q – Do you take part in gambling			No changes required to policy.
Yes	1		
No	19		
Not Stated	0		

Table 1 – Results of the consultation from residents

Table 2 – Comment from Climate, Community Safety & Environment Scrutiny Panel /Licensing Committee

Climate and Environment Committee	<p>Agreed to add into the report at Appendix 2 an overlay of the new ward boundaries agreed in 2022</p> <p>In response to queries about making gambling premises less attractive, it was noted restrictions, such as prohibiting</p>	New ward boundaries have been updated in the table.
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trinkets in shop windows was available and the Council could indicate what they would not want to see into the premises, but this was also covered in the gambling regulations.

In response to the issue of compiling Haringey-specific data to strengthen, decision-making on premises permits the Licensing Team leader mentioned the high cost of such research, which had only been pursued by only two other larger authorities, Westminster and Manchester.

Continuing the discussion on funding research and lobbying neighbouring authorities or the LGA or collaborating with academic institutions for research a member queried the local Police Commanders' views on gambling shops' impact on resources

There was a request for clarity on the number of gambling premises in wards, and consistent figures throughout the report. The Licensing Team Leader agreed to edit the report for clarity.

The Panel noted the short consultation period due to minor policy updates.

The Public Health team were undertaking some further work on gambling harms and this issue could be raised with them

In response to the query on demographic changes in the take up of gambling with increasing numbers of younger people affected, the normalisation of gambling was a constant and continuing challenge, which the government were aware of.

Commissioning research into gambling harm is a separate area of discussion, does not impact on the policy currently.

Recommended that the best way was to lobby for implementation of the White paper and legislation implementation that cumulative impact considerations are brought into the legislation.

		<p>This was following advice from the Gambling Commission and when there was a full revision, there would be a full 12-week consultation period.</p>
<p>Licensing Committee</p>	<ul style="list-style-type: none"> • In relation to Paragraph 9.4 on page 65 of the agenda papers, some of the maps had been updated, whereas the deprivation indices ones were still the 2019 ones which had the old wards on it. • The Chair of the Licensing Committee (in liaison with the relevant Cabinet member) could write to the government expressing concerns regarding the need for a cumulative impact policy. The relevant Cabinet Member could write to the Government to raise the issues. • The comment referring to the Regulatory Committee on page 27 of the agenda papers needed to be replaced. • Page 47 of the agenda papers, paragraph 3.89 appeared to have an incomplete sentence. 	<p>Maps remain as taken from the State of the Borough. These maps are in the LAP document so will be updated once the information is made available. This does not impact the policy document.</p> <p>The word Regulatory replaced with Licensing.</p> <p>The word 'licence' now inserted</p>

8. Contribution to the Corporate Delivery Plan 2024-2026 High level Strategic outcomes

- 8.1 Statement of Gambling Act Policy 2025 to 2028 will contribute to our fundamental themes and priorities in the corporate delivery plan 2023 to 2024 which sets out a two-year vision to make Haringey one of London's greatest boroughs where families can thrive and succeed. The plan is organised around the following themes:
- a. Resident experience, participation and collaboration
 - b. Responding to the Climate Emergency
 - c. Children and Young People
 - d. Adults, Health and Welfare
 - e. Homes for the Future
 - f. A Safer Borough
 - g. A Culturally Rich borough
 - h. Place and Economy
- 9.2 Young People – ‘Our vision is a Haringey where strong families, strong networks and strong communities nurture all residents to live well and achieve their potential.’ The protection of children and the vulnerable from harm within the licensing objective will contribute to this priority.
- 9.3 Adults health and welfare - our vision is for a place with strong, resilient and connected communities where people can lead active and healthy lives in an environment that is safe, clean and green. How's the borough continues to grow, becomes better connected and continues to be a destination for many Londoners, we will need to ensure that Haringey remains a safe and pleasant environment for all. We want to work with partners in the local community to achieve this and define and shape how the bar and looks and feels, both now and in the future. Residents engaging in the licencing process will contribute to this priority and allow them to have a say in how premises operate. The expectations set out in the policy will inform applicants for licences of the kind of best practise and responsible management expected for well-run premises in the borough.
- 9.4 Health and well-being strategy. Poor mental health has been shown to play significant part in people's 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 money should be balanced again

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 the joint action between industry government health care providers and other public bodies to tackle gambling related harm.

- 9.5 A Safer Borough. The community safety strategy within this priority presents Haringey's approach and priorities to achieving a reduction in crime and anti-social behaviours in Haringey up to 2027. The strategy is supported by a comprehensive strategic assessment that draws on data from across the partnerships to identify trends, patterns, and drivers relating to crime and antisocial behaviours. The local area profile within the gambling policy will draw on data from the strategy. Crime data in relation to betting shops and the operation of Betwatch will feed into the strategy.
- 9.6 The above priorities and objectives are underpinned by several 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 can help themselves and support each other.
 - Customer focus – placing our customers' needs at the centre of what we do.
- 9.7 Licencing 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 licencing law is not the primary mechanism for the general control of nuisance and antisocial behaviour by individuals at these locations. The operators risk assessment and management of the licencing code of practise will be a key aspect of such control and should always be a part of holistic approach to the management of the premises. It is therefore desirable that the SGP is in line with councils' wider objectives on consistent with other policies.

9. Carbon and Climate Change

- 9.1 There are no negative environmental impacts arising from the adoption of a gambling policy and the no casino resolution.

10. Statutory Officers comments

Finance

- 10.1 This report seeks cabinet approval to accept the statement of gambling policy in appendix 1 and recommend to full council to approve and adopt policy.
- 10.2 The council is required to produce and publisher licencing policy statement every three years with the current policy expiring January 2022.

10.3 The council has completed a six-week consultation on the draught statement of gambling policy and the results are set out in paragraph 8.3.

10.4 The acceptance of the recommendation of this report does not give rise to any new financial commitment on the council and the revised policy will be operated within existing revenue budgets.

Procurement

10.5 N/A

Assistant Director for Legal & Governance

10.6 The Assistant Director for Legal and Governance has been consulted in the preparation of this report and comments as follows.

10.7 Section 349 of the Gambling Act 2005 requires the council, as licencing authority, to prepare and publish its Statement of Gambling Policy at least every three years. In preparing its policy statement the council is required to conduct statutory consultation and in accordance with the so-called Sedley principles, the outcome of any consultation must be conscientiously considered in arriving at a decision to recommend the policy for adoption.

10.8 The Gambling Policy Statement at Appendix 1 has been properly consulted upon. It complies with the Gambling Act 2005 and the Gambling Commission Guidance and there is no reason why it should not be adopted.

10.9 In accordance with regulation 4(2) of the Local Authority Functions and Responsibilities England Regulations 2000, Cabinet must be involved in the formulation/preparation of the Council's Gambling Policy. As this policy is part of the policy framework, it must then be adopted by Full Council. The Gambling Policy must therefore be reviewed by Cabinet first, before recommendation to Full Council for adoption.

Equality

10.10 The Council has a Public Sector Equality Duty (PSED) under the Equality Act (2010) to have due regard to the need to:

10.10.1 Eliminate discrimination, harassment and victimisation and any other conduct prohibited under the Act.

10.10.2 Advance equality of opportunity between people who share protected characteristics and people who do not.

10.10.3 Foster good relations between people who share those characteristics and people who do not.

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

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

10.12 An Equalities Impact Assessment (EQIA) has been undertaken to identify any areas that the service review that will have an impact on a protected group. This assessment is included in [Appendix 3]. A summary of the data gathered from the consultation is attached at Appendix 3A

10.13 The decision is to approve the council's draft statement of gambling policy for the years 2025 to 2028 in order that it can be recommended to full council for adoption. Whilst there is the potential for negative impacts of gambling harms on children, vulnerable adults and those who are socioeconomically disadvantaged, there are Mandatory Licensing Conditions. However, insofar as the Gambling Act 2005 does not provide powers to local authorities to restrict gambling outfits in particular areas, sufficient mitigations cannot be made to tackle the negative impacts on vulnerable people with protected characteristics.

10.14 This policy is compliant with the legislative requirements which is - to aim to permit gambling. Operators have mandatory conditions set by the legislation and the Gambling Commission.

11. Use of Appendices

- 11.1 Appendix 1 - Draft Statement of Licensing Policy.
- Appendix 2 - Local Area Plan
- Appendix 3 - EQIA
- Appendix 3A – Data from consultation survey.

12. Background papers

Gambling Commission Guidance to Local Authority.
State of The Borough