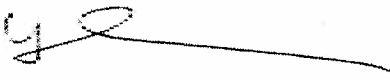




Haringey Council

Report for:	Overview and Scrutiny	Item Number:	
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Title:	Scrutiny Review Update: Response to the Scrutiny Review of the Clustering of Betting Shops.
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Report Authorised by:	Stephen McDonnell – Assistant Director of Single Frontline 
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Lead Officer:	Eubert Malcolm – Group Manager Regulatory Services Telephone: 0208 489 5520 eubert.malcolm@haringey.gov.uk
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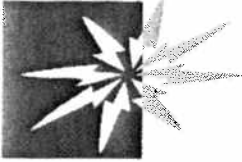
Ward(s) affected: All	Report for Key/Non Key Decisions: Non Key Decision
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1. Describe the issue under consideration

The Scrutiny Review of the Clustering of Betting Shops was agreed by Overview & Scrutiny Committee in June 2011, approved by Cabinet in December 2011. The Clustering of Betting Shops in the Scrutiny Panel report clearly identified as an issue that cuts across council services and partners. This report provides an update on the progress against the agreed recommendations.

2. Cabinet Member introduction

Clustering of betting shops, particularly in Tottenham, Wood Green and Harringay Green Lanes, is a major concern of local residents and traders. The Tottenham MP and I have tirelessly lobbied government, past and present, to change the licensing and planning laws that currently allow bookies to set up shop without any scrutiny from local residents. The Coalition Government espouses great rhetoric about



Haringey Council

localism but on this, an issue that really matters to local people, they're silent. I'm disappointed that the Hornsey and Wood Green MP voted against a legislative proposal put forward by the Tottenham MP the then Localism Act. This amendment would have put in place a control mechanism for betting shops to restrict clustering.

I should make it clear that I am not opposed to betting shops; however when Tottenham alone has 29 bookies and wealthy Highgate has 1 it's clear that the industry is cynically targeting deprived areas.

3. Recommendations

That Committee members;

- Consider the update information provided in Appendix 1
- Inform officer if they require any further information.

4. Other options considered

There are no other options to consider.

5. Background information

The Clustering of Betting Shops in Haringey has attracted considerable community concern in 2009 and 2010 and prompted substantial coverage in local media. The Licensing Authority (the Local Authority) under the Gambling Act 2005 has the statutory duty to issue Premises Licenses. We also consult and determine a Statement of Gambling Policy which supports our priorities for 'Safer and Cleaner' public spaces, 'Wellbeing' and 'Independent Living'

6. Comments of the Chief Finance Officer and financial implications

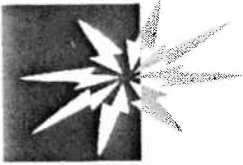
- 6.1 The costs of preparing and implementing the recommendations of this report have been met within existing budgets.

7. Head of Legal Services and legal implications

- 7.1 There are no legal implications arising from the updates identified in the body of this report at this stage. The wider legal implications of Cabinet's response to the scrutiny review are found in the relevant Cabinet report dated 20 December 2011

8. Equalities and Community Cohesion Comments

- 8.1 An Equalities Impact Assessment will be undertaken when the Statement of Gambling Policy is revised



Haringey Council

9. Policy Implication

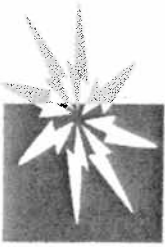
The Council following consultation has recently revised its Gambling policy in line with the requirements under the act for the policy to be reviewed every 3 years.

10. Use of Appendices

Appendix 1 – Update on the progress against the agreed recommendations

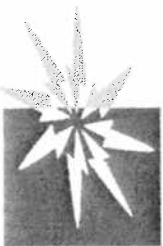
11. Local Government (Access to Information) Act 1985

Scrutiny Review of the Clustering of Betting Shops in Haringey 2011



Appendix 1 Update on the progress of the Recommendations for Clustering of Betting shops to Overview & Scrutiny

Recommendations	Service Response	Update December
<p>1. The clustering of any retail, business or service use (including betting shops) may limit the retail appeal and affect the vitality and viability of shopping areas in which these clusters occur. The panel recommended that the concept of 'clustering' should be clearly defined and appropriately reflected in relevant planning policy documents. The panel also recommended that the planning service should consider the development of a 'clustering' policy'.</p>	<p>Agreed</p> <p>The Planning Service is reviewing the impact of betting shops and clusters in Town Centres and will report back on possible policy options for control - this will be reported to Cabinet in December 2011.</p>	<p>Planning Comment</p> <p>The issue of Betting/Payday and clustering will be part of consultation on the Development Management DPD approved by Cabinet in Dec. The policy options form part of the DM DPD will go out for further consultation in the new year.</p>



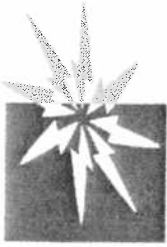
Recommendations	Service Response	Update December
<p>2. The panel recommend that the Licensing Team establish a Responsible Gambling Premises Scheme, similar to the Responsible Licensee Scheme already in operation in Haringey. Local gambling operators should be encouraged to sign up to this voluntary agreement which sets clear standards and procedures that:</p> <ul style="list-style-type: none"> ▪ ensure that clean and presentable shop frontages are maintained ▪ discourage customers from gathering outside betting shop premises ▪ reports crime and anti-social behaviour both on and outside betting shop premises to appropriate authorities ▪ ensure details of where people with gambling problems can obtain help and advice are prominently displayed ▪ signage regarding ASB, criminal damage and underage usage of Fixed Odds Betting Terminals is prominently displayed ▪ ID checks are systematically employed to prevent under age gambling. 	<p>Agreed</p> <p>The Licensing Team has commenced work with betting operators to establish such a scheme. Discussions regarding joint working with the police in a Responsible Gambling Premises Scheme have also commenced. It is proposed that the Responsible Gambling Premises Scheme is in operation by February 2012.</p>	<p>The Licensing team have approached Paddy Power, William Hill and Ladbrokes. Each operator is willing to work with the police to resolve any matters that related to their particular business, however the operators felt that the scheme was not necessary and would be a duplicate existing legislative measures and the Code of Practice. Further work with the operators is planned.</p> <p>Haringey's Trading Standards Team have carried out underage test purchases at betting shops in the borough none of them failed the test. No sales were made to underage persons.</p>



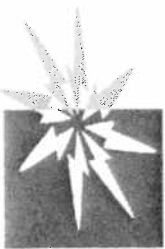
Recommendations	Service Response	Update December
<p>3. In order to inform the effectiveness and viability of local approaches to controlling the use of the clustering of betting shops, the panel recommend that the Council should develop a full appraisal of the costs and benefits of adopting an Article 4 Direction.</p>	<p>Agreed</p> <p>The Cabinet member for the environment will hold a wider stake holder debate on this matter in early 2012.</p>	<p>The stake holder event is being planned for Spring of 2013.</p>



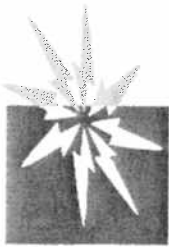
Recommendations	Service Response	Update December
<p>4. The panel recommend that the Council should continue to lobby central government for amendments to the Gambling Act (2005). In doing this, it should also seek to develop alliances with other local authorities in which the clustering of betting shops is known to be of local concern. Explicitly, the Council should lobby central government to:</p> <ul style="list-style-type: none"> ▪ reintroduce a local 'demand test' for gambling premises licenses, where the local authority may assess the need for such use in a local area ▪ remove betting shops from A2 Use Class and be considered 'sui generis' and defined in their own Use Class ▪ ensure that local concerns and interests are fully represented and considered and prioritised in the decision to license gambling premises <p>ensure that crime and ASB are defined and recognised within the Gambling Act licensing procedures.</p>	<p>Agreed</p> <p>The Cabinet Member for Environment has lobbied Government and the Local Government Association for change to the Act and guidance extensively and will continue to do so.</p> <p>Over the last few months the Cabinet Member for the Environment has:</p> <ul style="list-style-type: none"> - invited and hosted the Chief Executive of the Association of British Bookmakers on a walkabout around Tottenham; - Strongly argued against clustering in the betting industry's trade press; - Written an article on the subject for Local Government Lawyer magazine; - Written a blog for on the issue for the Tottenham Journal; - Been working with the Campaign for Fairer Gambling to lobby on this issue. 	<p>No changes to the primary legislation.</p> <p>The changes made to the Local Authority Guidance from the Gambling Commission does not address any of the issues that we have been lobbying the government about. It only deals with operational matters such as clarifying primary use within betting premises, the new limits for gaming machines in bingo and adult gaming centre premises.</p>



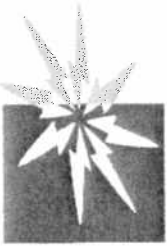
Recommendations	Service Response	Update December
<p>5. The panel recommend that the Council should write to the Department of Culture, Media and Sport and the Gambling Commission about the concerns associated with the Fixed Odds Betting Terminals (FOBTs). In particular the panel recommended that the Council should:</p> <p>a) argue for a change in the licensing conditions of FOBTs so that:</p> <ul style="list-style-type: none"> ▪ licenses for FOBTs are considered separately from those of premises licenses and not allowed as part of the wider license ▪ the retention rates of FOBTs are prominently displayed on each machine <p>b) suggest that independent research is commissioned to investigate:</p> <ul style="list-style-type: none"> ▪ the association of FOBTs with crime and disorder ▪ the role of FOBTs on those with problem gambling <p>the contribution of FOBTs to the profitability of betting shops, and the propensity of betting shops to cluster.</p>	<p>Partly Agreed</p> <p>a) Letter is being prepared by the Cabinet Member for Environment</p> <ul style="list-style-type: none"> • The Cabinet Member for the Environment has also sent a response to the Select Committee Enquiry into Gambling raising these issues. <p>b) The possibility of commissioning independent research into the association of FOBTs with crime and disorder is being investigated. At this initial stage the costs appear to be prohibitive, however discussions will continue with the police to try to jointly address this issue pending appropriate resources are available.</p>	<p>Letter sent</p> <p>Response sent to the Select committee. The Select Committee have published their findings and the Betting Industry are to be given further abilities to make gambling more easily available. One of the recommendations being put forward is for betting shops to be given the ability to have a minimum of 4 FOBTs, with the ability to increase this figure.</p> <p>In September Ministers signalled a slight change in thinking and announced that betting matters were to be looked at. At the top of their concerns were:</p> <ul style="list-style-type: none"> • restricting the size of the stake on machines, • increasing the time between each 'spin' on a machine, • restricting the number of FOBTs a betting shop can install and • restricting the number of terminals on each high street.



Recommendations	Service Response	Update December
<p>6. The panel recommend that there should be improved liaison between betting operators and Safer Neighbourhood Teams and borough intelligence in helping to reduce low level crime and ASB in relation to the local betting shop estate. This should include;</p> <ul style="list-style-type: none"> • Consistent standards and process for reporting crime and ASB across all operators • improved consultation in relation to prospective location of betting shops • Improved consultation to ensure that betting shops are planned and designed to improve security and prevent crime and ASB (i.e. shop lay out, location of CCTV, location of FOBTs and positioning of cash desks). 	<p>Agreed by MPS Haringey</p> <ul style="list-style-type: none"> • Work has already started in this area. There are consistent standards for reporting crime and ASB which are being reinforced across the operators by SN Sergeants and Problem Solving practices. • Area managers for the betting shops are beginning to work with police managers and a forum is being considered moving forward. • The Police Crime Prevention Design Advisors are looking at betting shop layout and advising where appropriate. • The police call control systems are being reviewed to understand how calls relating to alcohol, ASB and disorder can be better captured by data management systems post event. 	<p>SNT officers in Wood Green and Green Lanes have been actively working with the betting shops in the area. They have contributed to the layout and design of some of the premises in giving advice as to the best vantage points to site machines and cameras. The SNTs have also actively worked with premises to deal with ASB and drug related matters taking place in an area.</p>



Recommendations	Service Response	Update December
<p>7. The panel recommend that the Council should undertake further work to investigate whether the clustering of betting shops has precipitated an increase in rental values in the areas in which these have occurred.</p>	<p>Agreed</p> <ul style="list-style-type: none"> It is proposed to explore various options that can be utilised to determine whether the clustering of betting shops has precipitated an increase in rental values. 	<p>Currently Planning are analysing the findings from the Retail Capacity study that will inform our new set of town centre planning policies and the implications of clustering of betting shops upon viability and vitality of our town centres. This will show from which use classes new betting shops are being generated and recommend appropriate course of action where remedies under the Planning system or any other routes are open to the Council.</p>
<p>8. The panel recommend that the Council should consider if there is a role for Area Committees in monitoring the clustering of retail uses and the impact that this may have on the communities for which they are responsible.</p>	<p>Agreed</p> <ul style="list-style-type: none"> It is proposed to explore and pilot the role of Area Committees to monitor the impact of clustering in selected wards in early 2012. 	<p>The DoPH are to commission some work to look at the effects of clustering of betting shops, this will be taken forward to assist Planning in the work being carried out to bring in an Article 4 direction.</p>



Haringey Council

Recommendations	Service Response	Update December
<p>9. Given the associated risk factors and co-behaviours associated with problem gambling (smoking, alcohol usage), a copy of the report is made available to Public Health Directorate for dissemination among local health and associated professionals to improve awareness and possible treatment options.</p>	<p>Agreed Completed</p>	<p>Action completed</p>