

GAMBLING ACT 2005 – HEARING DECISION NOTICE

APPLICATION FOR A VARIATION OF AN ADULT GAMING CENTRE LICENCE FOR FUTURE LEISURE, 519 GREEN LANES LONDON, N4 1AN

The Licensing Sub Committee carefully considered the application for a variation of a Betting Premises Licence to allow 24 hour opening for an Adult Gaming Centre at Future Leisure, 519 Green Lanes London, N4 1AN

In considering the application, the Committee took account of the London Borough of Haringey's Statement of Gambling Policy, the Council's Gambling Local Area Profile, evidence from Public Health, the Gambling Act 2005, the Gambling Commission Guidance, the report pack and the written and oral representations of the Parties.

The Committee resolved to:

i. Refuse the application.

Reasons:

The Committee had regard to the promotion of the Licensing Objectives as set out in the Gambling Act 2005, particularly:

- The prevention of gambling from being a source of crime and disorder, being associated with crime and disorder, or being used to support crime; and
- The protection of children and other vulnerable persons from being harmed or exploited by gambling.

Section 153 of the Gambling Act 2005 provides that a licensing authority shall aim to permit the use of premises for gambling if it is:

- a) In accordance with any relevant code of practice under section 24,
- b) In accordance with any relevant guidance issued by the Commission under section 25,
- c) Reasonably consistent with the licensing objectives (subject to paragraphs (a) and (b), and
- d) In accordance with the statement published by the authority under section 349 (subject to paragraphs (a) to (c)).

All four limbs must be satisfied. The “aim to permit” is not a trump card. If the application fails on even one of these grounds, it may be refused.

The Committee had careful regard to the Local Area Profile (“LAP”) and noted that the subject premises is:-

- located in Green Lanes which is a designated high risk area in Haringeys Statement of Gambling policy (2022-2025)
- located in close proximity to educational establishments (school super zones);
- close to a centre dealing with addictions (more than 8,000 people in Haringey have a gambling addiction)
- close to women's shelters
- close to hostels
- situated in an area of high gambling associated crime;
- situated in an area of deprivation (more HMO's than anywhere else in Haringey) ;
- close to locations that are frequently visited by those who are unemployed; and

- close to the location of businesses providing instant access to cash, such as pawn shops.

The Applicants Submitted that:

- The LARA and addendum prepared in advance of the application acknowledge Haringey's Statement of Gambling Policy and the Local Area Profile.
- The premises has traded without issue since 2022 (for 36+ months).
- The safeguards it has put in place (double-staffing, CCTV, Maglock, Think25) are compliant with the Statement of Gambling Policy ("SoGP") expectations.
- No responsible authorities objected — including the police.

The Committee is entitled to consider local risk evidence, representations from residents and councillors, and the broader impact on the licensing objectives.

The Committee found that:

1. The SoGP requires enhanced safeguards in high-risk wards like Harringay. The LAP specifically flags Harringay as high-risk for gambling harm.

- Paragraph 1.18 of the correct SoGP expects *bespoke, locally responsive* mitigation, not boilerplate national practice.

2. The LARA is largely generic, not site-specific and did not take into account the high risk profile of Harringay .

- The format, language, and listed controls appear identical to those used at other sites by the same operator.
- The addendum introduced no new safeguards, partnerships, or operational changes in response to the LAP.

3. There was no community engagement prior to the application.

- The SoGP expects operators to proactively assess local context *before* applying — and to consult where there is significant community impact.
- In paragraph 38 of their Case Summary, the applicant offers **future engagement** *after* grant. Given the large number of objections raised by the local community to their initial licencing application the Committee would have expected the Applicant to demonstrate effective engagement with the community prior to submitting the current application. The Committee would like to encourage the Applicant to take a more active role in engaging with the local community to mitigate against the risk of harm to the licensing objective to protect children and other vulnerable persons from being harmed or exploited by gambling.

4. Evidence from Public Health re detrimental impact on communities where gambling outlets are in operation

- 12% increase in criminal disorganisation
- Increased risk to children and vulnerable persons
- The impact of losses that occur in gambling outlets is felt in the wider community and homes.
- The risk posed to children and particularly vulnerable persons from being harmed or exploited by gambling by the proposed increase in operating hours could not be mitigated.

5. Absence of police objection is not determinative.

- Gambling Commission Guidance (6th ed.) – para. 6.30:
“The absence of objections from responsible authorities does not mean that an application must be granted.”

The Committee considered that it needed to be satisfied that the Applicant had robust measures in place to uphold the licensing objectives and to mitigate against the specific risks from gambling harm in the area.

The Committee had in mind that the Guidance issued to Local Authorities by the Gambling Commission is that they should aim to permit where the requirements were met. The Committee, however, was not satisfied that the Applicant had demonstrated effective engagement with the local community (in particular the local Residents Associations) nor had they a bespoke mitigation plan in place that addresses the cumulative risks in the area and the increased potential risks caused by the late night hours proposed.

The Committee was concerned that if the application was allowed the exposure to gambling in the area would be increased and in the absence of meaningful engagement with the local community this would likely result in harm being caused to the licensing objective to protect children and, more particularly, other vulnerable persons from being harmed or exploited by gambling.

The Committee were unconvinced that there were sufficient measures in place to identify vulnerable persons who are able to conceal the extent of their gambling or any related underlying issues. In addition research shows that gambling between midnight and 4am leads to problem gambling due to lack of awareness of family /friends and thus fewer interventions.

The Committee considered that given the sensitive location of the premises and the evidence and representations before it, it was not confident that the measures in place to identify and support vulnerable persons were robust or bespoke enough and that an extension in the premises' operating hours was therefore likely to lead to harm to the gambling objectives.

Whilst the Committee noted that there was no objection from the Met Police and no representative was in attendance the Committee also noted that the five objectors remained dissatisfied with the Applicant's explanation of how it would mitigate against the risk of increased Anti-Social Behaviour and that risk posed to vulnerable persons from being harmed or exploited by gambling by the proposed increase in operating hours.

The Committee carefully considered the Applicant's argument that their other 14 similar premises operate for 24 hours a day and that there have been no incidents/reports of criminal behaviour linked to this property in the 3 years it has been in operation (since 2022). However the Committee also noted that it is not obliged to wait for harm to occur and it may act on a reasonable risk-based assessment supported by:

- Local Area Profile,
- Public health evidence,
- Ward councillor and resident testimony.

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, if an appeal is lodged, until the appeal is dispensed with. The address of the Highbury Magistrates Court is: Highbury Magistrates' Court, 51 Holloway Road, London N7 8JA.

