



Gambling in Islington A Guide for Local Residents

APPENDIX 4

Background

Islington Council, together with the Gambling Commission, is now responsible for regulating gambling in the Borough. The Council is mainly responsible for regulating the actual premises used for gambling and it does this by issuing **premises licences** and **permits**. The Gambling Commission is responsible for regulating the people that provide gambling by issuing **operators** and **personal** licences.

The new Gambling Act 2005 has three objectives:

- **keeping gambling crime free**
- **making sure that gambling is fair and open**
- **protecting children and vulnerable adults.**

Islington Council's role as Licensing Authority

Islington Council can grant **licences** for the following types of gambling premises:

- **bingo halls**
- **adult gaming centres** – over 18s amusement arcades
- **family entertainment centres** – amusement arcades that allow under 18s
- **betting shops**
- **casinos** – Islington currently has a policy **not** to issue any casino licences
- **horse racing and dog tracks**

Islington Council can issue **permits** for:

- gaming machines in alcohol licensed premises, such as pubs
- gaming machines for members clubs
- other gaming activities in members clubs
- category D machines^{*} in unlicensed family entertainment centres
- prize gaming.

The Council is also responsible for the registration of small society lotteries, receiving occasional and temporary use notices, notifications from alcohol licensed premises with 2 or less gaming machines and provisional statements.

Statement of Gambling Policy

The Gambling Act requires that all local authorities prepare, consult and publish a Statement of Gambling Policy which sets out the principles of how the authority will manage the licensing of local gambling activities. The policy is reviewed every 3 years. A copy of the current policy is available from the Council's Licensing Service and on Islington's website.

Local Residents

Local residents are able to make **representations** to the Council when an application is made to obtain a premises licence in their local area. Residents may also make representations when an existing licence is varied or being reviewed.

Representations can only be made by **interested parties** or a **responsible authority**. Local residents will generally meet the description of an interested party. An interested party is a person who:

- lives sufficiently close to the premises to be affected by the proposed activities
- has business interests that might be affected by the proposed activities
- represents people in either of the above groups, for example residents' and tenants' associations, trade unions and trade associations, partnerships, charities, faith groups, medical practices, Assembly Members, Ward Councillors, MPs or MEPs.

Responsible authorities include those who are responsible for the well being of children and vulnerable people, and other public bodies such as the police.

A representation is a written response to an application which outlines concerns that a local resident has about a particular application or existing licence. Representations must relate to the **Gambling Commission's Codes of Practice** (see below) and/or Guidance to Licensing Authorities; the licensing objectives (as set out above); or the local authority's Statement of Gambling Policy if they are to be taken into account.

The Gambling Commission Codes of Practice require licensed premises to have policies and procedures in place:

- to promote socially responsible gambling,
- to prevent underage gambling,
- make information available to customers about responsible gambling,
- customer interaction where indication of problem gambling,
- self exclusion
- advice for staff on their own gambling.

How will I know when a licence is being applied for or reviewed?

Licence applicants are required to advertise their intention to apply for a licence for a period of 28 days. They must do so on, or close to, the site itself and within a local newspaper. Islington Council will also notify residents who live within 50 metres when a new application is made. When the Council receives a review application notices will be placed at the premises, in the Council Offices and on Islington's website.

The notice will tell you where to obtain further details, who in the local authority you should contact and the date by which your letter must be received.

How do I make a representation?

To make a representation, you will need to write to Islington's Licensing Service about your concerns about a particular application or existing licence.

You will need to meet the criteria of an 'interested party' or a 'responsible authority' and your concerns must be relevant.

The views you express in your representation must be relevant to the licence application and must relate to the Gambling Commission's Codes of Practice and/or Guidance to Licensing Authorities, the licensing objectives (as set out above), or the local authority's Statement of Gambling Policy. Copies of these documents can be obtained from Islington's Licensing Service.

The Council can **not** take into account representations concerning demand for gambling premises, and are unlikely to consider matters relating to:

- Planning
- Building Control Regulations
- Public Safety
- Fire Safety

as these matters are regulated under other laws.

You may ask a representative to write on your behalf.

If your local authority agrees that you meet the description of an interested party and that your concerns are relevant, a copy of your representation will be sent to the applicant. You will then be invited to a formal hearing. The applicant and other people who have made representations may also attend this hearing at which the application is discussed. You may ask a representative to speak on your behalf.

If you decide that you want to withdraw your representations, or that you are happy for the local authority to determine the application without a hearing, you may give your consent for the hearing to be dispensed with. Your local authority may also endeavour to involve you in informal discussions to see if your concerns can be addressed prior to any hearing. But, subject to your representation being relevant, you will always have the right to a hearing, should you request it.

The local authority will advise you of the outcome of the application. If a licence is to be granted, they will also advise you of the conditions under which gambling may take place.

What if I don't agree with the decision?

Appeals against decisions of the Council are made to the Magistrates' Court.

What if I have concerns about a gambling premises once it has been issued with a licence?

The Council may review a licence at any time. It might do this for example if local people or a responsible authority has expressed relevant and serious concerns about a premises. You should contact the Licensing Service if you have concerns about gambling activities in Islington for further advice.

Will my local authority be able to stop casinos from operating in my area?

Islington has passed a resolution prohibiting the issue of any licences for casinos. The resolution is reviewed every three years.

More information:

**Licensing Service
Public Protection Division,
Islington Council**

222 Upper Street

London, N1 1XR

Tel: 020 7527 3031

Email: licensing@islington.gov.uk

Web: www.islington.gov.uk/Leisure/licences/gambling/

Gambling Commission

Gambling Commission

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Web: http://www.culture.gov.uk/what_we_do/gambling_and_racing/default.aspx