



## Report of Executive Member for Community Development

Meeting of:	Date:	Ward(s):
Council	28 February 2019	All wards

Delete as appropriate:		Non-exempt
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## SUBJECT: Gambling Policy 2019-2022

### 1. Synopsis

- 1.1 Under the Gambling Act 2005, the Council is required to publish a gambling policy setting out how it will regulate gambling premises in the borough every three years.
- 1.2 Our current gambling policy expires in 2019 and we need to publish a new three-year policy. The current policy has been reviewed and updated with greater emphasis being placed on using local area profiles to influence decisions about licence applications. The proposed draft three-year policy is attached as appendix A.
- 1.3 The draft policy was subject to public consultation starting on 20<sup>th</sup> November 2018 and completing on 18<sup>th</sup> January 2019.
- 1.4 At the same time as adopting the Gambling Policy the Council will need to renew its resolution, first made in 2007, to not issue any casino licences in the next three years.

### 2. Recommendations

- 2.1 To approve the draft Gambling Policy 2019-2022 as at appendix A.
- 2.2 To agree that the council will not issue any casino licences in the period 2019 – 2022

### **3. Background**

#### **3.1 Context**

The number of licenced gambling premises in Islington has remained relatively static over the last 5 years. The borough currently hosts 55 betting shops, 5 adult gaming centres, 30 pubs providing gaming machines, 2 members clubs licenced to provide gambling activities and track betting at Emirates Stadium.

3.2 The last new gambling premises licence application submitted to the Council was in 2015 but the premises did not have planning permission to operate. The last gambling premises to open in Islington was a betting shop in 2013.

3.3 Regulation of gambling activities is shared with the Gambling Commission, with Local Authorities being responsible for licensing premises used for licenced gambling activities and small scale lotteries, and the Gambling Commission taking responsibility for all other matters including licensing gambling operators, setting maximum stakes and providing statutory guidance and standards.

#### **3.4 Gambling Policy**

The purpose of the Gambling Policy is intended to explain to businesses and residents how we intend to regulate premises using for gambling and our approach to dealing with applications for new gambling premises licences.

3.5 As a Licensing Authority we are required to review and publish our Gambling Policy every three years. Previous statutory guidance issued by the Gambling Commission to Local Authorities on Licensing Policies have expressly stated that the aim should be to permit licenced gambling premises however there is now widespread recognition that gambling can be harmful to some people and some communities. As a result, the statutory guidance has been amended and we are now able to consider local area profiles and local area risk assessments when making decisions about new applications.

3.6 The proposed draft policy summarises local area profile data and maps out areas of the borough where there is a higher risk of gambling related health harms, risks and crime.

3.7 Operators applying for a new premises licence are expected to

- undertake a local risk assessment
- consider the local area profile
- propose appropriate controls

3.8 When making decisions about new gambling premises applications the Licensing Authority will now be able to consider

- The applicant's local risk assessment
- The local area profiles
- Any additional mitigation measures proposed by the operator to minimise the risk of gambling related harm

3.9 These new considerations will provide the Licensing Committee with a more comprehensive framework for deciding new gambling premises applications.

3.10 The draft policy has been subject to consultation from 20<sup>th</sup> November 2018 to 18<sup>th</sup> January 2019. Three responses were received, from Gambleaware, Gamcare and Popplestone Allan on behalf of Power Leisure Bookmakers Limited t/a Paddy Power, and are attached as appendix B. The observations of the Licensing Committee are attached as appendix C. One change has been made to the policy in response to the consultation and that is to amend paragraph 8 relating to Development Planning to read that applicants are recommended to have the relevant planning consent when making their application as opposed to expecting it to be in place. We believe that the other points made in the representations are already addressed in the draft policy.

The Council has simultaneously consulted on the continuance of not accepting applications for casino licences for the life of the policy and received no responses. The resolution to not accept casino application for the life of the policy is therefore recommended for approval.

## **4. Implications**

### **4.1 Financial Implications**

The cost associated with policy development and consultation will be met from existing budgets.

### **4.2 Legal Implications:**

Section 349 of the Gambling Act 2005 requires licensing authorities to prepare and publish a gambling policy every three years. The licensing authority may review and alter their statement of policy at any time during the three-year timeframe.

The gambling policy must be produced following consultation and where the policy is reviewed and changes proposed, licensing authorities must consult on any revision.

The Gambling Act 2005 requires that any resolution not to issue casino licences must be published in the licensing authority's gambling policy. The policy should state how the authority has taken this decision.

The approval of the gambling policy can only be exercised by full Council.

### **4.3 Environmental Implications**

There are no negative environmental impacts arising from the adoption of a Gambling Policy and the 'no casino' resolution.

### **4.4 Resident Impact Assessment:**

The Council must, in the exercise of its functions, have due regard to the need to eliminate discrimination, harassment and victimisation, and to advance equality of opportunity, and foster good relations, between those who share a relevant protected characteristic and those who do not share it (section 149 Equality Act 2010). The Council has a duty to have due regard to the need to remove or minimise disadvantages, take steps to meet needs, in particular steps to take account of disabled persons' disabilities, and encourage people to participate in public life. The Council must have due regard to the need to tackle prejudice and promote understanding.

A Resident Impact Assessment was completed on 8<sup>th</sup> November 2018 and attached as Appendix D. This is a summary of the findings:

- a) There are positive equality impacts arising from the policy
- The new policy will enable the Licensing Committee to consider the gambling risk index for the local area when making decisions about new application
  - This approach should reduce inequalities associated with socio-economic disadvantage.
- b) There are no safeguarding risks arising from policy
- c) There are no potential Human Rights breaches arising from the policy
- d) There are no key actions to be taken as a result of the Residents Impact Assessment

## 5. Reason for recommendations

- 5.1 The draft Gambling Policy presented will ensure that the Council as the licensing authority is able to make decisions that fully reflect the locality.

## Appendices

- A. Draft Gambling Policy 2019-2022
- B. Consultation responses received from Gambleaware and Gamcare
- C. Licensing Committee minutes
- D. Resident Impact Assessment

Final report clearance:

### Signed by:



13 February 2019

Executive Member for Community  
Development

Date

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