

Environment Directorate  
Public Protection and Regulatory Services  
222 Upper St  
London N1 1RE

Report of: Service Director – Public Protection and Regulatory Services

Meeting of: Licensing Committee

Date: 17 November 2022

Ward(s): All

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## Subject: Gambling Premises Licensing Policy 2023-2026

### 1. Synopsis

- 1.1. Under the Gambling Act 2005, the Council is required to publish every three years a Gambling Premises Licensing Policy explaining out how it will regulate premises used for gambling in the borough every three years.
- 1.2. The current policy has been reviewed and updated with greater emphasis being placed on protecting vulnerable people from gambling related harm. The revised policy was subject to public consultation starting on 18 August 2022 and completing on 4 October 2022.
- 1.3. The proposed three-year policy is attached as appendix A.
- 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.
- 1.5. The approval of the Gambling Premises Licensing Policy can only be exercised by full Council.
- 1.6.

## 2. Recommendations

- 2.1. To note and confirm the following recommendations to council:
- The results of the consultation feedback as detailed in Appendix B
  - The council's response to the consultation, in particular the proposed revisions to the policy, as described in Appendix B and section 3.9 below
  - Renew the resolution of the Council not to issue any casino licences in the period 2023-2025
  - Adopt the Gambling Premises Licensing Policy 2023-2025 for Islington, attached in Appendix A.
  - Agree that the Policy shall apply to all applications for a premises licence or club certificate submitted after 1 January 2023

## 3. Background

- 3.1. The 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, online gambling, and providing statutory guidance and standards.
- 3.2. The table below shows the types of premises used for gambling and the number of current licences and permits issued by the council.

<b>Type of premises</b>	<b>Number</b>
Casinos	0
Bingo	0
Betting Tracks (Emirates)	1
Betting shops	32
Adult Gaming Centres (Arcades for 18 and over)	7
Family Entertainment Centres (Arcades that permit children to enter).	0
Club Gaming Permits	2

Pubs with permits to provide more than 2 gaming machines.	22
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- 3.3. The purpose of the Gambling Premises Licensing Policy is to explain to businesses and residents how the council intends to regulate premises using for gambling and our approach to dealing with applications for new gambling premises licences.
- 3.4. As a Licensing Authority the council is required to have regard to the following licensing objectives:
- 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 fair and open way
  - Protecting children and other vulnerable people from harm or from being exploited by gambling Licensing authority discretion
- 3.5 The Gambling Act 2005 requires councils to ‘aim to permit’ licenced gambling premises however there is now widespread recognition that gambling can be harmful and have significant impacts on household disposable income, mental and physical health. As a result, the statutory guidance issued by the Gambling Commission allows councils to consider local area profiles and risk assessments when making decision about new applications.

### **Gambling Premises Licensing Policy Review**

- 3.5. The review process has been led by the Executive Member for Community Safety and the Chair of Licensing Committee and Members of the Licensing Committee.

During the process the council has consulted with:

- The Police
- Public Health
- Trading Standards
- Community Safety
- Existing gambling premises licence holders
- Organisations representing gambling operators
- Organisations representing people who gambling
- Organisations working to reduce gambling related harm

### **Consultation Responses**

- 3.6. The statutory consultation and resident engagement programme ran from 18 August 2022 to 4 October 2022. The council received 7 detailed responses from:
- Two Councillors

- Combined Feedback from Executive Member for Community Safety, the Chair and Members of the Licensing Committee
- Planning and Development Control
- Paddy Powers – Bookmaker
- The Merkur Group – gambling operators providing bingo, casinos, adult gaming centres and family entertainment centres
- Betnomore – a charity based in Islington with a mission is to reduce gambling harms.

### **Consultation Feedback**

- 3.7. Whilst the responses where detailed the emerging themes were:
- Realigning the draft policy to reflect the council’s statutory duties as a licensing authority, the guidance to local authorities issued by the Gambling Commission and removing sections duplicating legal requirements
  - Recognising the gambling operators commitment to comply with responsible gambling policies and procedures approved by the Gambling Commission
  - Feedback on the council’s approach to risk assessment, evidence-based harm and risks associated with gambling
  - The role of the Local Plan
  - Using academic research to understand the risk of gambling related harm
  - Suggesting measures that could be implemented to mitigate against the risk of vulnerable people experiencing gambling related harm
- 3.8. The detailed consultation feedback and the council’s response to the consultation is attached as appendix B

### **Revised Gambling Premises Licensing Policy**

- 3.9. Consultation feedback has resulted in several key changes to the draft Policy:
- All paragraphs that duplicate the Act and Guidance have been removed, sections and paragraphs have been reordered.
  - Islington Together priorities and principles have been included the in the Policy (pages 3-4)
  - A new Part 3 explaining the council’s approach to promoting the licensing objective to protect vulnerable people from gambling related harm (pages 10-12)
  - Using data and the Gambling Risk Index Model to identify Gambling Vulnerability Zones (map page 18)
  - Reaffirming that each application will be considered on its merits but, in areas where a new application could result in saturation, the creation of gambling premises clusters or increase the risk of vulnerable people being harmed by gambling, the council will consider refusal of the application unless the

applicant is able to comprehensively demonstrate, through proven evidence-based policies and procedures, that vulnerable persons will not be harmed by the proposed gambling activities. (page 12)

### 3.10. **No Casino Policy**

3.11. The consultation to seek view on the continuation of the 'no casino policy' for a further 3 years received no objections from residents, businesses and stakeholders.

## 4. Implications

### 4.1 **Financial Implications**

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

### 4.2 **Legal Implications**

4.2.1 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.

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

4.2.3 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.

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

### 4.3 **Environmental Implications and contribution to achieving a net zero carbon Islington by 2030**

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

### 4.4 **Equalities Impact Assessment**

4.4.1 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.

4.4.2 An Equalities Impact Assessment is not required in relation to this report, because the Equalities Impact Assessment Screening Tool indicated that the Gambling Premises Licensing Policy and the No Casino Policy will have a positive impact on people with identified protected characteristics.

## 5. Conclusion and reasons for recommendations

- 5.1. The council is required to review and adopted its Gambling Premises Licensing Policy every 3 years. The current policy has been reviewed and a revised draft policy has been the subject of a consultation exercise. The Council is now invited to adopt the Gambling Premises Licensing Policy 2023-2025.
- 5.2. The council is required to renew its no casino policy every three years, and publish its resolution

### Appendices:

- A Proposed Gambling Premises Licensing Policy 2023-2025
- B Consultation Feedback LBI Response

### Background papers:

- None

### Final report clearance:

Signed by:



Besserat Atsebaha

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Date: 8<sup>th</sup> November 2022

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