

Gambling Premises Licensing Policy

Consultation Feedback and LBI Response

October 2022

Consultation Feedback	LBI Response
1.Ward Councillor	
I completely support the No Casinos policy.	Noted
<p>I note that section 21 of the draft policy says; Licensed betting premises are only permitted to offer gambling facilities between 7am and 10pm, unless the council has granted a variation application to extend these hours. The concern is that later opening hours will attract the more vulnerable, such as those who are intoxicated or who have gambling addictions, and that licensed betting premises operators may seek to extend the permitted hours for the primary purpose of making gaming machines available to customers for longer. Therefore, it is unlikely that a variation of hours' will be granted unless applicants can demonstrate that robust measures will be in place to protect the vulnerable and that the additional hours are not being sought to take advantage of the gaming machine entitlement.</p>	<p>This section has been extended and reworded to reflect the statutory requirements for betting shop and adult gaming centres open hours</p>
<p>I would not support gambling facilities operating outside 7am to 10pm even with robust measures in place to protect the vulnerable. <i>I don't know if consideration was given to tightening this section up so that there is effectively a ban on gambling outside these times.</i> We have seen during covid a big rise in people dealing with gambling addiction and it seems like anything we can do to remove or limit temptation is a good thing.</p>	<p>The Gambling Act does not permit councils to impose an outright ban on extending opening hours.</p> <p>The council has two relevant legal responsibilities:</p> <ol style="list-style-type: none"> 1. Aim to permit gambling activities 2. Treat each application on on

	its own merits
<p>Given that the borough is six square miles it feels like we have surely already reached/exceeded saturation level. There can't be many places in the borough where you would need to walk for more than 5 or 10 minutes to find somewhere to gamble. What is considered saturation? Surely beyond the point of saturation and would like committee to be able to refuse by reason of saturation policy. Members should be trained on what is saturation and the grounds for refusal. It is no surprise that the clusters of places where you can gamble are to be found in the areas of highest deprivation in the borough which include Archway in my ward.</p>	<p>The Gambling Act does not permit councils to adopt a saturation policy but it can address the issue of saturation, clusters on a case by case basis taking into account:</p> <ul style="list-style-type: none"> • The Local Area Profile • The applicant's risk assessment and control measure to promote the three licensing objective • The licensing objective to prevent crime and disorder and protect vulnerable people from

	<p>gambling related harms.</p> <p>The definition of vulnerability has been extend to encompass a wider range of gambling related harms .</p> <p>The data in the Local Area Profile highlights Gambling Vulnerability Zones</p>
2. Ward Councillor	
agrees with above.	Noted
3. Executive Member for Community Safety & Licensing Committee	
<p>The section covering the council's responsibility to 'aim to permit the use of premises for gambling' should be qualified and include reference 'in so far as the authority thinks fit'.</p> <p>I propose the following change of wording to:</p> <p><i>The council acknowledges that licensing authorities 'shall aim to permit the use of premises for gambling', as specified in section 153 of the Gambling Act, whilst recognising that the presumption is counterbalanced 'in so far as the authority think' the application accords with relevant codes, guidance, objectives and policy. As such, when making decisions about gambling matters the authority will consider the authority's statement of licensing principles and:</i></p>	The policy has been amended accordingly
We should utilise local Area profiles and the gambling risk index to bolster an evidence-based model. It remains hugely frustrating that the Act limits, in my opinion, our ability to uphold the licensing objectives set out in the Gambling Act.	Noted

<p>We have seen a notable decline in betting shops in Islington over the years—but they remain too high. We should do all that we can to deter, divert and prevent gambling premises in Islington. The key now is finding the best mechanisms for doing so – and being bold in our approach.</p>	
<p>With all that in mind, the committee agreed the following action points at an Informal Licensing Committee on the 1 September 2022.</p> <ul style="list-style-type: none"> • Betting premises hours. Review paragraph 21. Look at reduction of hours/deletion of paragraph/deletion of reference to variation. Legal advised <p>“The licensing authority expects all premises licence applications to specify opening hours.</p> <ul style="list-style-type: none"> • Betting shops - The default conditions provide that betting premises are permitted to offer gambling facilities between 7am and 10pm. The council may decide to exclude the default conditions and only permit a betting premises to offer gambling facilities during reduced hours. Decisions will be made on a case by case basis where there is evidence to support the need for this to promote the licensing objectives • Adult Gaming Centres - Particular attention will be paid to the opening hours for Adult Gaming Centres which do not have opening hours specified as part of their mandatory conditions. Applicants will be expected to set opening hours that promote the licensing objectives 	<p>This section has been extended and reworded to reflect the statutory requirements for betting shop and adult gaming centres open hours</p>
<p>Meet with Planning to see if more can be done in partnership re: planning concerns raised in relation to gambling premises.</p>	<p>Planning have responded to the consultation and there feedback has been incorporated in to the revised draft policy</p>
<p>Cllr and Cllr raised concern re planning decision to refuse betting shop overturned on appeal. They hope the outcome of this appeal will help inform a strengthening of our Licensing policy.</p>	<p>Noted</p>
<p>Stringent conditions be added to the policy</p>	<p>Appendix 2 has been amended to provide a</p>

	pool of model conditions that may be appropriate to attach to a licence on a case by case basis
Reduce the Gambling Index to 20. Produce a map detailing indicating this reduction and send to members of the Committee.	Areas with a Gambling Index above 20 have been classified as Gambling Vulnerability Zones Diagram 2 in the revised draft Gambling Premises Licensing Policy contains a borough map highlighting these areas
Produce an additional map indicating high risk venues eg schools.	The list of high risk venues has been extended. Whilst a map showing the local of all high risk venues in the Policy could be useful there is a risk that this information could quickly become out of date and misleading for applicants and residents.
Look at using the Sustainable Community Act 2007 for betting shops.	The Act requires the Government to trigger the

	application of the Act.
Framing this as a public health issue. (reference this study)—we could be much more forceful in this section of the policy:	Public Health have assisted in the collation of data to create the Gambling Risk Index and the Local Area Profiles .
'The Licensing Authority recognises that when gambling becomes harmful it becomes a public health issue. Whilst gambling is a leisure activity enjoyed harmlessly by many, some individuals experience significant harm as a result of their gambling. Problem gambling is defined as gambling that is disruptive or damaging to you or your family or interferes with your daily life(1) whereas gambling related harm is the impact of problem gambling which may affect others as well as the person gambling.'	Noted
If we don't, or haven't already, could we use Public Health 'Betting shops and subprime lenders in Islington: health' at Appendix 3 Retail, Leisure and Services, Culture and Visitor Accommodation (islington.gov.uk) which collates multiple evidence on the harm of gambling as well as Islington specific evidence and context of the proliferation of gambling businesses.	The section on Development Control as been amended and now includes reference to Local Policies and a link to Appendix 3.
Online gambling—this needs to be incorporated into the report, thereby strengthening the claim of saturation; it would significantly bolster our local evidence base: For online gambling, the best data is the Patterns of Play reports that were produced by the University of Liverpool and NatCen Social Research. They showed that online gaming (casino, slot, bingo) are more popular in areas of greatest deprivation, and the industry derives greatest gaming yield from these areas. We should relate this insight to our borough in terms of levels of deprivation and greater propensity for online gambling. The relevant paragraph is here: (from this report: https://www.begambleaware.org/sites/default/files/2021-03/PoP_Interim%20Report_Short_Final.pdf).	Whilst the council is not responsible for regulating on-line gambling research on gambling related harm associated with on-line gambling is relevant to mitigating or eliminating the risk of gambling related harm

<p>▪ Compared with betting, all gaming products were more likely to be used by players who lived in areas with higher levels of deprivation: ▪ Nearly 40% of bingo players and nearly 35% of instant win players resided in the 20% of most deprived areas. For slots, casino games and poker, the corresponding proportions were 31%, 28% and 26%; ▪ In terms of GGY, 39% of bingo spend originated in the 20% most deprived areas and only 6% in the 20% least deprived areas. For the other products, the corresponding figures were: slots (25% / 14%), casino (21% / 17%), poker (19% / 22%) .</p> <p>There is also research showing that online casino gambling generates a substantial proportion of expenditure from those at-risk or harmed by gambling: see here: https://www.tandfonline.com/doi/full/10.1080/14459795.2022.2088823</p>	<p>arising from licenced gambling premises.</p> <p>The research supports the new measures identified in the draft policy, in particular:</p> <p>Widening the definition of protecting vulnerable people from gambling related harm</p> <p>Using the Gambling Risk Index to define Gambling Vulnerability Zones</p>
<p>licensing objectives— ‘protecting...vulnerable people’—extend definition to reflect current thinking on protecting vulnerable people from gambling related harm, crime and gambling</p>	<p>This has been incorporated in the revised draft policy</p>
<p>In support of the ASB/crime stats in the policy, we should include new research that strengthens the claim that problem gambling links to crime: https://howardleague.org/publications/crime-and-problem-gambling-a-research-landscape/</p>	<p>This link is now included in appendix 1</p>
<p>4. Planning & Development response</p>	
<p>The following are comments on the Gambling Policy 2023-2026 by Planning Policy and Development Management.</p> <ul style="list-style-type: none"> • Paragraph 5 – it is not the case that housing demand is being met by fast paced redevelopment of commercial and business premises for residential use. The redevelopment of commercial premises, including for mixed use development has been one element of housing 	<p>This section has now been deleted</p>

<p>supply. We would suggest that the key element of this paragraph highlights that the character of the borough is mixed use in many areas with commercial and residential uses in very close proximity.</p>	
<ul style="list-style-type: none"> • Paragraph 16 sits under the 'Development Planning' subheading. It is not clear how this links back to planning and it may be more suitable elsewhere in the document. The wording of the paragraph is also unclear - 'A gambling premises will only be issued in relation to premises'. Should this say 'A gambling premises license will only be issued in relation to premises that the council deems to be able to start trading soon'? 	<p>This section has now been deleted</p>
<p>In the 'Development Planning' section – perhaps there is scope to flag that planning applications for new gambling premises will be considered against relevant Local Plan policies, this includes policies which look at the location and concentration of such uses and their impacts. It is also needed to be explicit that there is a clear distinction between the licensing and planning regimes and they are separate processes with different criteria. Perhaps this could be added at the end of Para.17</p>	<p>The section has been amended to reflect this feedback</p>
<p>Paragraph 39 – In relation to the Local Area Profile more explanatory information might be helpful on how applicants should consider and interact with the Local Area Profile. At the moment applicants might reasonably focus on one part of Appendix 1. For instance, Diagram 2 may be cited as a reason to support a license because it is not next to point data for criminal offences when in fact it is still within an area that is high on the Gambling Risk Index. Furthermore, it should be considered whether it is optimal to include the Area Profile in the Gambling Policy and would it be better if this was separate so that it can be updated and added to over time? Alternatively, the policy could caveat that the Area Profile and Gambling Risk Index is subject to change when new data becomes available but then consideration of how this will be updated, published and accessed needs to be had.</p>	<p>These sections have been reworded to reflect feedback</p>
<p>Limiting operating hours from 7am to 10pm is positive. This removes ability for 24/7 AGCs to set up which exacerbate the harms of gambling premises.</p>	<p>A new opening hours paragraph is now included to reflect the requirements of the Gambling Act</p>

The licensing team should consider referencing the source of the Gambling Risk Index.	This is now included
Paragraph 42 – In relation to the list of sensitive premises, this should include pay day loan shops and pawnbrokers. These two uses are cited in Local Plan policy R8 as potentially harmful. Pay day loan shops and pawnbrokers in close proximity to gambling premises can facilitate problem gambling and spiralling debt.	The list of sensitive premises has now been extended to include these types of premises
How is paragraph 43 going to work? This looks like it needs some further explanation. Additionally, paragraph 43 focuses on what existing premises should do but what about the production of a risk assessment for new premises?	These sections have been reworded to reflect feedback
<p>5. Paddy Power - Operator - Submitted by solicitors Poppleston Allen</p> <p>Power Leisure Bookmakers Limited response to Islington Borough Council Consultation on its draft Statement of Gambling Principles 2023-2026</p>	
Paddy Power is Ireland’s biggest Bookmaker and operate both as retail business through licensed betting offices and an online/telephone business. Paddy Power is a leading national operator of betting premises with clear and proactive policies to promote the Gambling Licensing Objectives. Operators of premises licences have full authority to provide their services by the provision of an Operating Licence granted by the Gambling Commission. The UK’s gambling regulator has therefore approved the measures implemented and those policies have been developed that ensure responsible trading in accordance with gambling legislation, the licensing objectives and the Licence Conditions and Codes of Practice.	Noted
<p>Foreword</p> <p>We strongly disagree with the commentary included in the draft policy as it does not appropriately identify the permissive regime envisioned by Parliament and implemented by the Gambling Act 2005. References to ‘evidence’, and the effective imposition of a cumulative impact area fails to reconcile the extensive provisions already in place under the current governing legislation. The Authority’s policy, as per section 349 of the Gambling Act 2005, should contain the principles that it proposes to apply in exercising its functions under the Act, it is therefore not an</p>	<p>The draft policy has been revised to reflect this comment, In particular we have:</p> <p>Realigned or deleted specific paragraphs to</p>

<p>appropriate document to contain additional commentary, which is beyond the scope of the policy's function.</p>	<p>ensure that the policy reflects the requirements and duties under the Act</p> <p>Updated the Islington in context paragraphs to reflect current council's strategic vision relevant to the council statutory duty to promote the licensing objectives</p> <p>Clearly defining the council's duties and functions under the Act</p>
<p><i>Betting Premises</i></p> <p>Under paragraph 21 in the draft policy the statement of <i>'it is unlikely that a variation of hours' will be granted unless applicants can demonstrate that robust measures will be in place to protect the vulnerable and that the additional hours are not being sought to take advantage of the gaming machine entitlement.</i> Whilst we commend the council's approach to identify risk of gambling related harm and ensure appropriate procedures are implemented and information made readily available, this first statement is contrary to and seeks to undermine the 'aim to permit' principle under section 153 of the Gambling Act 2005.</p> <p>Betting premises are permitted by law to operate gaming machines. It is not within the Authority's remit to determine a licensee's proposed business model or restrict the activities operated during specified hours unless evidence led concerns are identified which cannot be mitigated by an operators control measures. It remains incumbent on all licensees to ensure premises are operated in accordance with the governing legislation and implement extensive and effective policies procedures and control measures to ensure that all permitted gambling activities are operated in a socially responsible manner.</p>	<p>This section has been reworded</p>

<p>The Authority has not provided any evidence to support a suggestion that later hour of operation lead to an increased risk of harm for any particular activity and each operators proposed control measures must be assessed on the merits and the ability to mitigate any potential or theoretical risk of harm. Any presumption of refusal is in direct conflict with the permissive licensing regime.</p>	
<p>Exchange of information Paragraph 23 contains restrictive language, which is contrary to the governing legislation and any suggestion that <i>'the council will use their power to restrict the number of betting machines' must be supported by local evidence of potential harm that cannot be mitigated by an operator's policies and operational safeguards.</i> Licensing Authorities are under the statutory obligation to aim to permit the use of premises for gambling so far as the authority believes that an application is reasonably consistent with the licensing objectives, in accordance with the LCCP and the Gambling Commission's guidance. A blanket refusal or an aim to restrict proposed activities is contradictory to this obligation. The policy also fails to justify why this restrictive obligation is contained under the exchange of information heading. This is a misleading placement for such a restriction under the policy and can lead to burdens being placed on operator in an inadequate place within the policy.</p>	<p>This section has been deleted</p>
<p>Part 3 Local Area Profile and Saturation Under Gambling Commission LCCP provisions operators will be required to complete local area risk assessments that identify risks posed to the licensing objectives and how these should be mitigated. We refer the Authority to the Regulators' Code, which provides that in making an assessment of risk, regulators should recognise the compliance record of those they regulate and take an evidenced based approach to determining the priority risks in their area of responsibility. To ensure that better regulation principles are followed, operators should be allowed to assess their existing operational processes, informed by Statements of Principle, which highlight potential areas of particular sensitivity and known vulnerability. High risk areas must only be identified where empirical evidence is adduced that clear gambling related harm would be caused by the presence of gambling related premises. Identification of theoretical risk factors such as area demographics, ethnicity, proximity to other premises and deprivation should only be included where local evidence is available, which quantifies the ascertainable risk to be mitigated. Any proposed measures to address risks identified should be proportionate, effective and tailored to specific concerns identified. All risks must be substantiated in order</p>	<p>The Council has considered gambling related harm and collated evidence to support the policy.</p> <p>The definition of vulnerable persons has been extended to reflect local knowledge of the types of vulnerable persons in our borough that we have a duty to protect from</p>

<p>to prevent the implementation of a disproportionate regulatory burden upon operators. Well managed and controlled premises, compliant with the Gambling Commission's LCCP, do not pose a gambling related risk to children and young people and additional measures, controls or conditions considered should not be imposed to address wider social issue. As a result, we believe the draft policy must be amended to follow the above principles, as the suggested draft does not adhere to better regulation.</p> <p>Evidence of harm and risks associated with gambling must be considered alongside operator's proposals and applications cannot be subject to presumption of refusal. In order to fully address any potential concerns, all risk profiles must be based upon factual evidence of gambling related harm in consideration of those measures already in place to mitigate actual rather than theoretical risk. Under paragraphs 32 & 33 the policy refers to 'evidence' without producing this evidence for scrutiny. This 'evidence' should be made available for review. Cumulative impact has no statutory basis under the gambling regime and any suggestion of cumulative harm from licensed premises must be supported by local evidence.</p>	gambling related harm
<p>Paragraph 39 specifically refers to Local Area Profile, which creates a presumption to refuse. This statement is unlawful and is not consistent with the requirement of the Gambling Act 2005 as S.153 which requires licensing authorities in exercising their functions to permit the use for gambling. This creates a presumption of granting applications and therefore prohibits Islington from opposing any policy to state it 'unlikely' to grant application. The policy is prescriptive, disproportionate and is not substantiated with evidence of issues relating to licensed premises to justify the proposed policy.</p> <p>We acknowledge that information regarding local profiles is an important tool to assist operators identifying potential risks to the Licensing Objectives under the Act. Evidenced led assessments enable the implementation of appropriate policies and procedures to mitigate any risks identified.</p> <p>Paddy Power is a responsible operator and implements measures to address local risks that to activities that would take place within their premises</p>	<p>The paragraph has been revised.</p> <p>The 'aim to permit duty' was included in the draft policy but it has been moved to give more prominence in the revised draft</p>
<p>Gambling Best Practice</p> <p>The draft policy refers to a 'gambling best practice' document. This document produces requirement upon Gambling Operators to perform due diligence and other added requirements such as incident logs, improved staff knowledge and management of crime to their operational style. Operators at present must interact and evaluate customer behaviour to ensure all gambling is in accordance with the social responsible gambling provisions</p>	This appendix has been deleted from the Policy and replaced with model conditions that may be

<p>of the LCCP. We believe this 'gambling best practice' is a duplication of these requirements.</p>	<p>appropriate to licences on a case-by-case basis.</p>
<p>Crime and Disorder Paragraph 50. States a blanket refusal statement on ATM machines. There is no evidence provided to justify this limitation. All operators must evaluate the risks of harm created by their operation and ensure that all gambling remains socially responsible. Obligations include monitoring customer behaviour, spend and affordability, which should ensure that where ATM machines situated any risk posed by their availability is mitigated. We acknowledge this statement has been historically included within Islington Borough Councils Gambling Policy.</p>	<p>Paragraph deleted and ATM condition included in the model conditions in appendix 2</p>
<p>Gambling Policy Evidence Base: Local area profile. Public Health May 2022 Under paragraph 2 & 3 of the above, there is citation provided however this is not referenced anywhere further. As a result, this evidence is not able to be scrutinised. The statements made under the Public Health May 2022 document are very broad, there is no reasoning provided as to why this is included within Islington Gambling Policy. Authorities must evaluate local evidence and care must be taken when drawing conclusions from macro societal trends, which may not be realised within the local authority's jurisdiction. Public Health data is a valuable tool to assist operators in identifying potential risks and ensuring they implement effective measures to address and mitigate any risk of harm.</p>	<p>Noted</p>
<p>Conclusion We are committed to working in partnership with the Gambling Commission and local authorities to continue to promote best practice and compliance in support of the licensing objectives.</p>	<p>Noted</p>
<p>6.Merkur Slots UK Limited - Submitted by solicitors Poppleston Allen Merkur Slots UK Limited and Merkur Bingo & Casino Entertainment UK Limited response to Islington Borough Council Consultation on its draft Statement of Gambling Principles 2023-2026.</p>	
<p>The Merkur Group of companies is a leading national operator of bingo, AGC and FEC premises with clear and proactive policies to promote the Gambling Licensing Objectives. Operators of</p>	<p>The responses to the issues</p>

<p>premises licences have full authority to provide their services by the provision of an Operator's Licence granted by the Gambling Commission. The UK's gambling regulator has therefore approved the measures implemented and those policies have been developed that ensure responsible trading in accordance with gambling legislation, the licensing objectives and the Licence Conditions and Codes of Practice. Of particular relevance are the obligations and requirements now placed upon operators under the social responsibility provisions of the LCCP, introduced by the Gambling Commission.</p> <p>Foreword</p> <p>We strongly disagree with the commentary included in the draft policy as it does not appropriately identify the permissive regime envisioned by Parliament and implemented by the Gambling Act 2005. References to 'evidence', and the effective imposition of a cumulative impact area fails to reconcile the extensive provisions already in place under the current governing legislation. The Authority's policy, as per section 349 of the Gambling Act 2005, should contain the principles that it proposes to apply in exercising its functions under the Act, it is therefore not an appropriate document to contain additional commentary, which is beyond the scope of the policy's function.</p> <p>Draft Policy Comments</p> <p>While Merkur Slots UK Limited and Merkur Bingo & Casino Entertainment UK Limited do not operate betting premises. However, we strongly believe the current draft policy is contradictory to the current ethos to permit under the current governing legislation and therefore raise our concerns.</p> <p>Betting Premises</p> <p>Under paragraph 21 in the draft policy the statement of <i>'it is unlikely that a variation of hours' will be granted unless applicants can demonstrate that robust measures will be in place to protect the vulnerable and that the additional hours are not being sought to take advantage of the gaming machine entitlement.</i> Whilst we commend the council's approach to identify risk of gambling related harm and ensure appropriate procedures are implemented and information made readily available, this first statement is contrary to and seeks to undermine the 'aim to permit' principle under section 153 of the Gambling Act 2005.</p> <p>Betting premises are permitted by law to operate gaming machines. It is not within the Authority's remit to determine a licensee's proposed business model or restrict the activities operated during specified hours unless evidence led concerns are identified which cannot be mitigated by an operators control measures. It remains incumbent on all licensees to ensure premises are operated in accordance with the governing</p>	<p>raised are addressed above</p>
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legislation and implement extensive and effective policies procedures and control measures to ensure that all permitted gambling activities are operated in a socially responsible manner. The Authority has not provided any evidence to support a suggestion that later hour of operation lead to an increased risk of harm for any particular activity and each operators proposed control measures must be assessed on the merits and the ability to mitigate any potential or theoretical risk of harm. Any presumption of refusal is in direct conflict with the permissive licensing regime.

Part 3 Local Area Profile and Saturation

Under Gambling Commission LCCP provisions operators will be required to complete local area risk assessments that identify risks posed to the licensing objectives and how these should be mitigated. We refer the Authority to the Regulators' Code, which provides that in making an assessment of risk, regulators should recognise the compliance record of those they regulate and take an evidenced based approach to determining the priority risks in their area of responsibility. To ensure that better regulation principles are followed, operators should be allowed to assess their existing operational processes, informed by Statements of Principle, which highlight potential areas of particular sensitivity and known vulnerability. High risk areas must only be identified where **empirical** evidence is adduced that clear gambling related harm would be caused by the presence of gambling related premises. Identification of theoretical risk factors such as area

demographics, ethnicity, proximity to other premises and deprivation should only be included where local evidence is available, which **quantifies** the ascertainable risk to be mitigated. Any proposed measures to address risks identified should be proportionate, effective and tailored to specific concerns identified. **All risks must be substantiated in order to prevent the implementation of a disproportionate regulatory burden upon operators.** Well managed and controlled premises, compliant with the Gambling Commission's LCCP, do not pose a gambling related risk to children and young people and additional measures, controls or conditions considered should not be imposed to address wider social issue. As a result, we believe the draft policy must be amended to follow the above principles, as the suggested draft does not adhere to better regulation.

Evidence of harm and risks associated with gambling must be considered alongside operator's proposals and applications cannot be subject to presumption of refusal. In order to fully address any potential concerns, all risk profiles must be based upon factual evidence of gambling related harm in consideration of those measures already in place to mitigate actual rather than

theoretical risk. Under paragraphs 32 & 33 the policy refers to 'evidence' without producing this evidence for scrutiny. This 'evidence' should be made available for review. Cumulative impact has no statutory basis under the gambling regime and any suggestion of cumulative harm from licensed premises must be supported by local evidence.

Paragraph 39 specifically refers to Local Area Profile, which creates a presumption to refuse. This statement is unlawful and is not consistent with the requirement of the Gambling Act 2005 as S.153 which requires licensing authorities in exercising their functions to permit the use for gambling. This creates a presumption of granting applications and therefore prohibits Islington from opposing any policy to state it 'unlikely' to grant application. The policy is prescriptive, disproportionate and is not substantiated with evidence of issues relating to licensed premises to justify the proposed policy.

We believe the policy as drafted at present is inconsistent with S.153 of the Gambling Act 2005 which requires the licensing authorities in exercising their functions (at) to permit the use of premises for gambling.

We acknowledge that information regarding local profiles is an important tool to assist operators identifying potential risks to the Licensing Objectives under the Act. Evidenced led assessments enable the implementation of appropriate policies and procedures to mitigate any risks identified

Gambling Best Practice

The draft policy refers to a 'gambling best practice' document. This document produces requirement upon Gambling Operators to perform due diligence and other added requirements such as incident logs, improved staff knowledge and management of crime to their operational style. Operators at present must interact and evaluate customer behaviour to ensure all gambling is in accordance with the social responsible gambling provisions of the LCCP. We believe this 'gambling best practice' is a duplication of these requirements.

Crime and Disorder

Paragraph 50. States a blanket refusal statement on ATM machines. There is no evidence provided to justify this limitation. All operators must evaluate the risks of harm created by their operation and ensure that all gambling remains socially responsible. Obligations include monitoring customer behaviour, spend and affordability, which should ensure that where ATM machines situated any risk posed by their availability is mitigated. We acknowledge this statement has been historically included within Islington Borough Councils Gambling Policy.

**Gambling Policy Evidence Base: Local area profile.
Public Health May 2022**

<p>Under paragraph 2 & 3 of the above, there is citation provided however this is not referenced anywhere further. As a result, this evidence is not able to be scrutinised. The statements made under the Public Health May 2022 document are very broad, there is no reasoning provided as to why this is included within Islington Gambling Policy. Authorities must evaluate local evidence and care must be taken when drawing conclusions from macro societal trends, which may not be realised within the local authority's jurisdiction. Public Health data is a valuable tool to assist operators in identifying potential risks and ensuring they implement effective measures to address and mitigate any risk of harm.</p> <p>Conclusion We are committed to working in partnership with the Gambling Commission and local authorities to continue to promote best practice and compliance in support of the licensing objectives.</p>	
7. Betknowmore UK	
<p>About Betknowmore UK Betknowmore UK was launched in 2014 and today we are a growing charity based in Islington, London. Our mission is to reduce gambling harms and we provide support to people from diverse communities, empowering them and building hope, as well as offering comprehensive training on suicide prevention and safer gambling to industry, the health sector and to workplaces. Our aims are to increase awareness of gambling harms, improve the health and wellbeing of the people affected, increase access to our services and strengthen the impact of lived experience. We have lived experience of gambling harms embedded within our organisation, from our founder and CEO through to our frontline staff and volunteers, and we draw upon this lived experience in our response below. In addition, a number of our staff have experience working in the betting industry and they have also contributed to our response.</p> <p>General comments The new Gambling Policy for 2023–2026 builds upon the current Gambling Policy in the borough, with some welcome adjustments, but we would like to see the Policy be underpinned by a more progressive and innovative approach to gambling harms, pursuing a whole-council, whole-population and partnership approach to preventing and tackling the wide range of harms caused by gambling, including crime and anti-social behaviour, ill-health, homelessness and domestic abuse. The work of Greater Manchester Combined Authority could act as an example to Islington in this regard.</p>	<p>The draft policy has been renamed to 'Gambling Premises Licensing Policy' to reflect that the policy has been published in accordance with the requirements section 343 Gambling Act 2005 and specifically addresses the functions allocated to the council under the Gambling Act</p>

<p>While children, young people and “vulnerable people” are those identified by the Gambling Act 2005 as being in need of protection from gambling harms, we urge Islington to take a whole-population preventative approach. Anyone can engage in harmful gambling, transitioning quickly from someone not harmed by their gambling to someone experiencing a wide range of complex and negative impacts for themselves and those close to them. A preventative approach would see Islington Council not only refuse new licenses to casinos or other gambling premises in areas where they are already clustered, but also seek to raise awareness of gambling harms among <i>all</i> customers of all gambling premises, as well as among all relevant staff and workers within those premises and within the Council itself, as well as policy, probation and prison services.</p>	<p>The definition of vulnerable people in of protection from gambling harms has been extended as suggested</p>
<p>The implementation of the Gambling Policy relies upon a sufficiently staffed and skilled licensing team. We urge the Council to ensure that the licensing team is sufficiently resourced to enforce the Gambling Policy and to pursue a partnership approach to working with other Council teams, other statutory agencies, and community and voluntary sector organisations to prevent and address gambling harms. The responsibility for preventing and addressing gambling harms should sit across the Council and not just with the licensing team. For example, Islington’s multi-agency Joint Strategic Needs Assessment (JSNA) looks at the current and future health, wellbeing and care needs of its population to inform and guide the planning and commissioning of health and social care services, yet does not currently make mention of gambling harms, though we estimate (using the data in the Policy) that over 10 thousand people in Islington are experiencing these harms as a result of their own gambling, with 6–10 thousand more being “affected others”.</p>	<p>Noted</p>
<p>Overall, the policy needs to be copyedited as there are numerous errors that introduce confusion.</p>	<p>The revised draft policy has removed errors and duplications</p>
<p>Response to the “no casino” policy Betknowmore UK supports Islington’s “no casino” policy, assuming that this is based upon a transparent consultative process with local residents and businesses. In the future, Betknowmore UK would like to be invited to contribute to such consultations. More generally we consider that the current number of all types of gambling premises within the borough is sufficient. Since the reduction of the stakes permitted on FOBTs,</p>	<p>The ‘no casino’ policy was subject to wide consultation in 2004/5 when the licensing function for gambling</p>

<p>we have observed a general reduction in UK cities in the numbers of licensed betting shops but a growth in the number of adult gaming centres. We urge Islington to not grant new licenses to such premises as gambling operators find betting shops to be less profitable.</p>	<p>premises moved from the magistrates court to local authorities.</p> <p>The decision to continue the policy for a further three years is include in the Gambling Premises Licensing Policy consultation</p>
<p>Specific comments Part 2 12 The definition of the term “vulnerable persons” should include all those experiencing gambling harms (at any level). As stated above, while the Gambling Act 2005 focuses upon the protection of children, young people and vulnerable people, the scope of Islington’s Gambling Policy should broaden to prevent gambling harms, taking a whole-population approach and not just focusing on specific groups and the harms they already demonstrate.</p>	<p>The definition of vulnerable people in of protection from gambling harms has been extended as suggested</p>
<p>20 In addition to working with the Safeguarding and Quality Assurance team in order to protect children from gambling harm, the Council should implement a whole-council approach to addressing gambling harms, for example working with adult social care, housing and financial inclusion teams too, as recommended by the Local Government Association and Public Health England.¹ This whole-council approach is the best response to addressing the wide range of gambling harms that people can experience.</p>	<p>Noted and agreed in principle but whole -council approach to gambling is outside the scope of the Gambling Premises Licensing Policy</p>
<p>21 The trading hours of 7am-10pm are mentioned in relation of licensed betting premises. It is not clear if this covers adult gaming centres. If not, we would urge the Council to ensure</p>	<p>A new section on opening hours, which reflects the</p>

¹ Local Government Association and Public Health England (2018) *Tackling Gambling Related Harm: A Whole Council Approach*, LGA and PHE.

<p>these trading hours apply to all gambling premises within the borough.</p>	<p>requirements of the Act, is included in the revised draft policy</p>
<p>23 This item does not appear to bear any relation to topic of Exchange of Information. The item refers to “bet receipt terminals” but needs to acknowledge and make clear the types of betting machines that exist. Bet receipt (or self-service) terminals allow people to gamble online, while FOBTs do not offer opportunities to access operators’ online gambling platforms. Free-to-access computer terminals within gambling premises may also offer another means to gamble. All “machines” that enable gambling within licensed premises should be included within the Gambling Policy.</p>	<p>This paragraph has been deleted from the revised draft policy</p>
<p>27 Again, in acknowledgement of the broad range of gambling harms that can be experienced by any person (not just those falling within protected groups), a whole-population, whole-council approach is needed to address and prevent gambling harms.</p>	<p>The definition of vulnerable people in of protection from gambling harms has been extended</p>
<p>30 Betknowmore UK would like sub-divided premises to only receive licenses in exceptional circumstances. Split premises increase the risk of harms occurring and make their identification more difficult.</p>	<p>The section has been reworded to include exceptional reasons</p>
<p>37–38 The Policy focuses on the negative impacts of increased gambling opportunities on vulnerable groups. We would like to draw attention to the increasing evidence that gambling harms can affect anyone and are not exclusive to the particular groups of people. This is especially the case in the current cost-of-living crisis, which is likely to see more people engage in gambling as a means to make money. GambleAware has recently reported, for example, that one in four (24%) of women aged 18-49 who gamble expect to gamble more in the coming months due to the cost-of-living crisis, with one in ten (12%) reportedly already having turned to gambling in an attempt to supplement household income.² Only some of these women will be from the “vulnerable” groups identified in the Policy.</p>	<p>The definition of vulnerable people in of protection from gambling harms has been extended</p>
<p>42 Additional premises to be taken into account during license applications should be:</p>	<p>These premises have</p>

² <https://www.begambleaware.org/news/cost-living-crisis-could-lead-worrying-growth-gambling-harms-among-women>

<ul style="list-style-type: none"> • Banks and ATMs • Pawn shops • Cash converters • Fast-food outlets 	<p>been included in the list to be considered in an applicant's risk assessment</p>
<p>44 The highest management standards within the gambling industry transcend the prevention of gambling-related crime and disorder and the protection of children and vulnerable persons. Betknowmore UK offers Safer Gambling training to gambling operators and we have previously worked within Islington's betting shops to ensure prevention of harm in the borough. Management standards should include high-quality and regular training of all staff, the ability to recognise and address gambling harms and preventative measures targeted at all people, and not just those who are vulnerable.</p>	<p>Appendix 2 has been revised to contain a list of model licence conditions that could be appropriate for gambling premises. This includes staff induction and refresher training requirements</p>
<p>46 Lone working within gambling premises should not be permitted under any circumstances, and not just at key points during the day or when a spike in crime is most likely. This will help ensure the safety of staff as well as facilitate their ability to prevent and address gambling harms.</p>	<p>The section has been reworded and a new model condition included in appendix 2.</p>
<p>49–51 Crime and disorder are just two of the harms that may result from gambling. Barking and Dagenham Council estimates the costs of gambling harms to the borough as between £800,000 to £2.2 million annually.³ This includes costs related to homelessness, suicide and mental ill-health, physical ill-health, loss of work and other gambling harms. A narrow focus on crime and disorder and the protection of children and vulnerable persons will not lead to a significant reduction in the cost of gambling harms within the borough of Islington.</p>	<p>Noted</p>
<p>53–55 There should be a recognition in the Policy that in some premises, such as pubs, self-barring schemes do not apply. In these environments, landlords should be required to put in place measures to ensure that people experiencing gambling harms and children cannot access FOBTs. Those who self-exclude from</p>	<p>The council recognises that there are limitations, especially in</p>

³ London Councils (2018) A 'Whole Council' Approach to Gambling: A guide for public health and other council officers to support the revision of borough statements of policy.
<https://www.londoncouncils.gov.uk/sites/default/files/Gambling%20and%20Public%20Health.pdf>

<p>gambling premises should be offered support, not just from local charities and services but from the Council itself, with adult social care services becoming involved when necessary.</p>	<p>relation control measures relating to gambling machines in pubs as the majority of premises are only required to notify the council that they are providing gambling machine.</p>
<p>Part 4 58 Gaming Machine Permits should be required for all premises licensed to sell alcohol, and not just those with more than two machines. Given the inability to self-bar from such machines and the greater challenges of their supervision by staff (who may not receive training in how to identify and address gambling harms), all such premises should require a Gaming Machine Permit, regardless of the number of machines they possess.</p>	<p>This suggestion requires an amendment to the Gambling Act and is therefore outside the scope of the Gambling Premises Licensing Policy</p>
<p>59 Premises licensed to sell alcohol should be required to ensure their staff undergo training, for example suicide prevention training and Safer Gambling training.</p>	<p>The council can only impose conditions requiring staff training on safer gambling and suicide prevention on gambling premises licences</p>
<p>Appendix 1 Local Area Profile 13–21 Crime figures should explicitly state that these are “reported crimes”. The number of actual crimes and incidents of anti-social behaviour in and around gambling premises is likely to be much higher than those reported.</p>	<p>New paragraph covering this pointed included in the revised draft policy</p>

<p>Appendix 2 Best Practice</p> <p>1–2 Best practice with regard to information should go beyond collecting data on the incidence and handing of data on problem gambling. This is an opportunity for Islington Council to establish a database on gambling harms in all its forms. The Council, for example, could access data from the MOSES self-exclusion scheme as well as GAMSTOP (through a post-code search). Local authorities generally have poor data on gambling harms. Islington Council could establish best practice in this area. Betknowmore UK would be happy to support this endeavour.</p>	<p>This suggestion is outside the scope of the council's Gambling Act functions however it is keen to explore this as a best practice suggestion and would welcome the support of Betnomore as well gambling businesses operating in the borough</p>
<p>3 The phrase "promote responsible gambling" does not reflect current language used. "Safer gambling" is the phrase that is now recognised as best practice and that does not stigmatise the gambler. Measures to ensure customer-facing and management staff know how to prevent as well as address gambling harms among <i>all</i> their customers should include:</p> <ul style="list-style-type: none"> • Comprehensive and regular training, with the content and timing of training overseen by the licensing team to ensure that it is of an excellent standard. Betknowmore UK can offer industry-leading in-person training to the staff of gambling premises, and to relevant Council staff too, as well as probation, police and prison (HMP Pentonville) staff. • Betwatch offers an opportunity to embrace a whole-population partnership approach, so that efforts to reduce gambling harms do not sit with the licensing team and Police alone. Betknowmore UK would be keen to work with the Council to establish a new Betwatch scheme as an ideal forum for wide stakeholder engagement. 	<p>The changes have been made to the revised draft policy</p> <p>All reference to 'responsible gambling' replaced by 'safer gambling'</p> <p>Best Practice has been replaced by suggested 'model conditions'</p>
<ul style="list-style-type: none"> • The Policy does not mention the National Strategy to Reduce Gambling Harms. The Policy should be cited within this framework. Also, the Policy does not mention the National Gambling Treatment Service, through which people experiencing harms can access free support and treatment. 	<p>The revised draft policy includes a new reference section</p>

