



**Lambeth**

**Statement of Principles for Gambling  
2022-2025  
Gambling Act 2005**

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# Contents

Summary of changes .....	4
Introduction.....	5
Lambeth's Geographic Area.....	6
<b>Part 1 – General Principles.....</b>	<b>7</b>
The Licensing Objectives.....	7
Responsible Authorities .....	7
Interested Parties.....	8
Licensing Authority Functions.....	9
Delegation of Functions .....	11
Exchange of Information.....	12
Enforcement .....	12
Gaming Machines .....	13
Gambling Risk Assessment.....	13
<b>Part 2 – Premises Licences .....</b>	<b>14</b>
Licensing Objectives .....	17
Conditions .....	17
Location of Premises.....	17
Division of Premises and Primary Usage.....	19
Door Supervisors.....	21
Provisional Statements .....	21
Reviews .....	22
Categories of Premises Licence.....	23
Casino Premises Licences .....	23
Adult Gaming Centre Premises Licences.....	24
Betting (Other) Premises Licences .....	24
Betting (Track) Premises Licences .....	24
Bingo Premises Licences.....	26
Family Entertainment Centre Premises Licences.....	26
2.6. Processes for application and review of gambling premises licences .....	27
<b>Part 3 – Permits and Notices.....</b>	<b>28</b>
Alcohol Licensed Premises Gaming Machine Permits & Notifications .....	28
Club Gaming Permits and Club Machine Permits.....	29
Unlicensed Family Entertainment Centre Gaming Machine Permits .....	30
Prize Gaming Permits.....	32

Temporary Use Notices.....	32
Occasional Use Notices.....	33
Travelling Fairs.....	33
<b>Part 4 – Lotteries.....</b>	<b>35</b>
Small Lotteries.....	36
Free Prize Draws & Skill Competitions.....	36
<b>Appendix A– Local Area Profile.....</b>	<b>1</b>
Introduction.....	2
Lambeth’s Approach.....	3
Data.....	5
Gambling Vulnerability Zones.....	20
Gambling Premises Clusters.....	26
Lambeth Licensing Guidance.....	36
<b>Appendix C – Consultation.....</b>	<b>37</b>
<b>Appendix D – Contact Details.....</b>	<b>38</b>

# Summary of changes

This document updates the borough's Statement of Gambling Principles - 2019 -2022 and a summary of the changes incorporated into the Statement of Gambling Principles 2022 – 2025 are set out below.

## 1. Continuation of the borough resolution on Casinos

Section 166 of the Gambling Act 2005 enables the Council, as the Licensing Authority under the Act, to issue a resolution not to issue casino licences for the duration of the document, and to consult on this proposal via the public consultation exercise. There are currently no casinos within the borough. The Statement of Gambling Principles 2019 - 2022 includes this resolution and this is also included within the Statement of Gambling Principles -2022 - 2025.

The response to the public consultation on the draft Statement of Gambling Principles 2022 - 2025 was in favour of this continued stance.

## 2. Online Gaming

Additional text added to define types of online gaming and how this area is governed by the gambling commission only.

## 3. Lotteries

Requirements defining lotteries have been expanded to detail limits and categories of exemptions for lotteries listed.

Small Lotteries - further details have been added with regards to registration, enforcement and record keeping

## 4. Adult Gaming Centres

Additional text has been added to reference types for measures sought for consideration by operators and that these premises are subject to mandatory conditions set by statute.

## 5. Local Area Profile

Maps have been updated to provide current data

# Introduction

This document is the Statement of Principles for Gambling, or 'Gambling Policy', for the London Borough of Lambeth. Under section 349 of the Gambling Act 2005 (the Act), the Council is required to publish a Statement of Principles which it proposes to apply when exercising its functions under the Act.

The form of the Statement of Principles is set out in The Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006. The Gambling Commission's Guidance to licensing authorities (5th Edition) (Commission's Guidance) contains further detail on the form of the council's Statement of Principles.

In producing this Statement of Principles, the Licensing Authority has had regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission, and any responses received from those consulted upon the policy. The London Borough of Lambeth consulted widely upon this statement before finalising and publishing it.

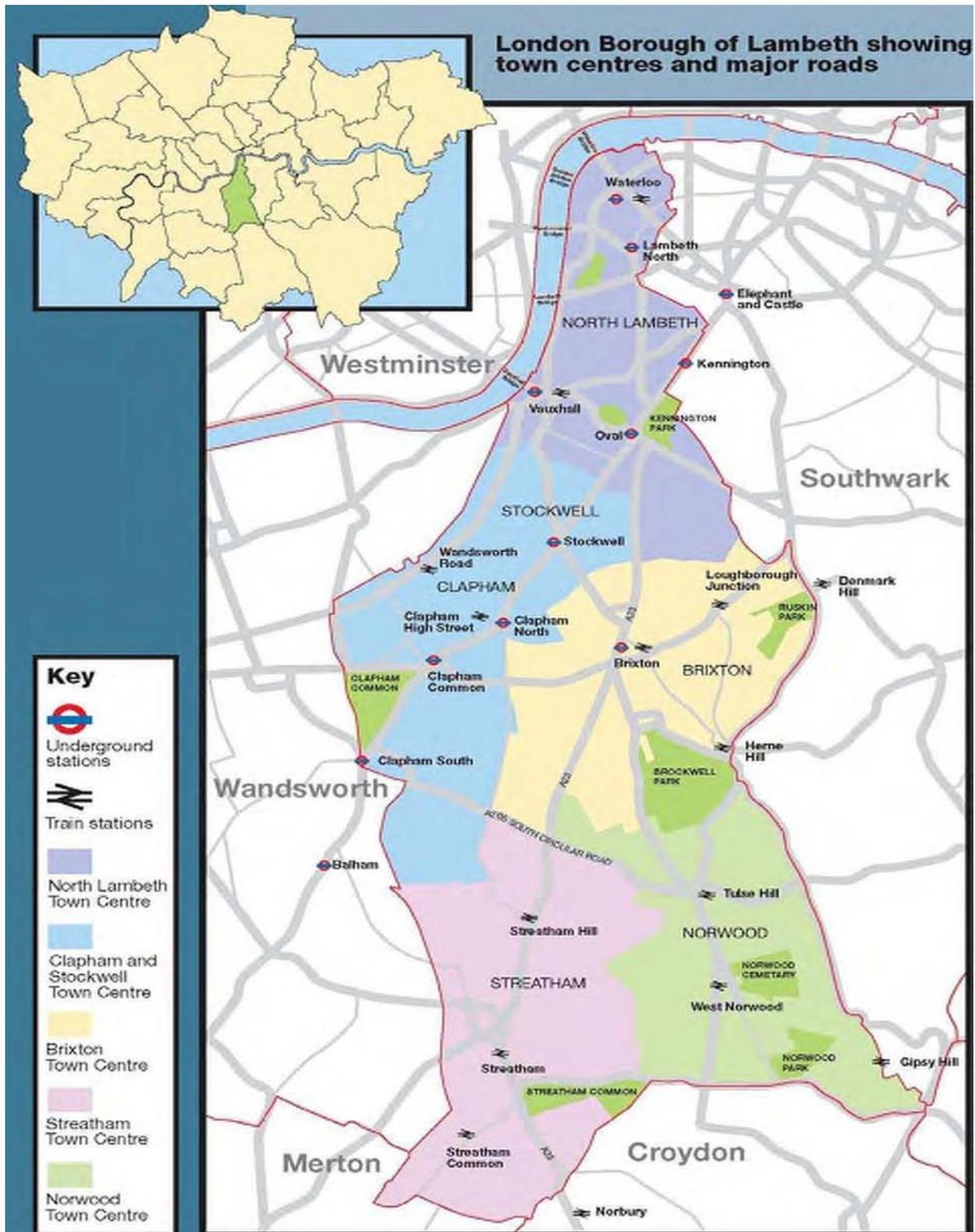
The Act requires that the following people and bodies be consulted in the revision of the statement:

- The Chief Officer of Police;
- People and bodies representing the interests of persons in gambling businesses in the area;
- People and bodies who represent the interests of persons who are likely to be affected by the exercise of the Authority's functions under the Act.

The council consulted upon the proposed Statement of Principles for 2022-2025 from 22 September to 12 October 2022. A list of those consulted on the revision of the Statement of Principles is provided at Appendix B.

This statement of licensing principles was prepared in 2021 and following consultation was agreed by the Council on 25<sup>th</sup> January 2023.

# Lambeth's Geographic Area



## **Part 1 – General Principles**

- 1.1 The Licensing Authority in carrying out its functions under s153 of the Gambling Act 2005 ('the Act') will aim to permit the use of premises for gambling in so far as it thinks it:
- a) in accordance with any relevant code of practice issued by the Gambling Commission;
  - b) in accordance with any relevant guidance issued by the Gambling Commission;
  - c) reasonably consistent with the licensing objectives; and
  - d) in accordance with the Authority's Statement of Principles
- 1.2 It should be noted that this policy statement will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and in accordance with the statutory requirements of the Act. The sole exception to this rule is for Casino premises licences – as Lambeth has adopted a 'no- casino' resolution, the Authority will not consider any application for a new casino premises licence.

### **The Licensing Objectives**

- 1.3 In exercising our functions under the Act, the Authority must have regard to the licensing objectives as set out in the Act. These licensing objectives are:
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
  - Ensuring that gambling is conducted in a fair and open way
  - Protecting children and other vulnerable persons from being harmed or exploited by gambling
- 1.4 The objectives do not include considerations in relation to public safety or public nuisance, while the requirement in relation to children and vulnerable persons is explicitly to protect them from being harmed or exploited by gambling, rather than from more general forms of harm or exploitation. In its guidance to licensing authorities, the Commission advises that this will involve "preventing them from taking part in gambling and for there to be restrictions on advertising so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to children, excepting Category D gaming machines.

### **Responsible Authorities**

- 1.5 Responsible authorities are bodies that must be notified of applications, and that are entitled to make representations in relation to applications for, and in relation to premises licences. The responsible authorities are:
- the Licensing Authority in whose area the premises is situated
  - the Gambling Commission
  - the Metropolitan Police
  - the London Fire Brigade
  - London Borough of Lambeth Planning
  - HM Revenue and Customs.
  - Children's Safeguarding Board

- the council's Environmental Health Team (as an authority minimising or preventing the risk of environmental pollution and/or harm to human health)

## Interested Parties

1.6 Interested parties are people or businesses who can make representations about premises licence applications or apply for a review of an existing licence. They are defined in s158 of the Act as:

- a) living sufficiently close to the premises to be likely to be affected by the authorised activities,
- b) having business interests that might be affected by the authorised activities, or
- c) representing persons who satisfy paragraph (a) or (b)

1.7 The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. In Lambeth, each case will be decided upon its merits, and the Licensing Authority will not apply a rigid rule to its decision making. It will consider the examples of relevant factors provided in the Gambling Commission's guidance to licensing authorities.

1.8 In considering whether a person lives 'sufficiently close to the premises', the following factors will be taken into account:

- the size of the premises;
- the nature of the premises;
- the distance of the premises from the location of the person making the representation;
- the potential impact of the premises (number of customers, routes likely to be taken by those visiting the establishment); and
- the circumstances of the person and nature of their interests, which may be relevant to the distance from the premises.

1.9 For example, it could be reasonable for an Authority to conclude that "sufficiently close to be likely to be affected" could have a different meaning for (a) a private resident (b) a residential school with children who have poor school attendance and (c) a residential hostel for vulnerable adults.

1.10 When determining whether a person has business interests that may be affected the Commission suggests that factors that are likely to be relevant are:

- the size of the premises;
- the 'catchment' area of the premises (i.e., how far people travel to visit); and
- whether the person making the representation has business interests in that catchment area that might be affected.

1.11 It will also consider the Gambling Commission's guidance that "business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices. Trade associations, trade unions, residents and tenants' associations will normally only be viewed as interested parties if they have a member who can be classed as an interested party – i.e., who lives sufficiently close to the premises to be likely to be affected by the activities being applied for.

1.12 Persons whose business interests are within the same gambling sector as the subject of their

representation (or review application) will be expected to satisfy the Licensing Authority that their representation (or application) is not made with the intent of limiting competition to their own business, particularly given that the Act does not replicate the previous requirement for satisfaction of a 'demand test'. The Licensing Authority will disregard representations that are thought to be vexatious, frivolous, or that will not influence the determination of the application.

1.13 Interested parties can be persons who are democratically elected such as Councillors and Members of Parliament (MPs). No specific evidence of being asked to represent an interested person will be required as long as the Councillor / MP represents the ward likely to be affected. Other than these however, this Authority will generally require written evidence that a person/body (e.g., an advocate or relative) 'represents' someone who is an interested party. Members who are asked by an interested party to represent them should not sit on the Sub-Committee considering that application.

## Licensing Authority Functions

1.14 Licensing authorities have responsibilities under the Act for:

- the licensing of premises where gambling activities are to take place, through the issuing of Premises Licences;
- the preliminary approval of proposed premises for gambling activities, through the issue of Provisional Statements;
- the regulation of members' clubs, commercial clubs and miners' welfare institutes who wish to undertake certain gaming activities, through Club Gaming Permits and/or Club Machine Permits;
- the receipt of notifications and the issue of permits for the provision of gaming machines at premises licensed to supply alcohol for consumption on the premises, under the Licensing Act 2003;
- the regulation of family entertainment centre premises providing gaming machines;
- the regulation of prize gaming through the issue of permits;
- the receipt and endorsement of Temporary Use Notices, for infrequent gaming activities;
- the receipt of Occasional Use Notices, for infrequent betting activities;
- the registration of non-commercial societies for the provision of small society lotteries;
- the exchange of information with the Gambling Commission regarding details of licences, permits and notices and enforcement issues (see the section below on 'exchange of information'); and the maintenance of registers of the applications, licences, permits and notices received and issued by the Authority
- Maintain registers of the permits and licences that are issued under these functions

1.15 The Licensing Authority will not involve itself in any matters relating to the regulation of remote gambling. Remote gambling is all forms of gambling where players take part using forms of remote communication, such as a telephone, TV, internet or any other kind of technology for gambling remotely.

Examples of remote gambling include, online gaming/casinos, self-service betting terminals in betting shops or betting on live/virtual games and events online.

The responsibility for licensing and enforcing remote gambling lies with the Gambling Commission. The Licensing Authority acknowledges the commission's regulatory powers to make online gaming safe and to ensure the regulations remain fit for purpose to respond to any new or emerging risks.

The authority commits to referring consumer complaints and malpractice to the commission where such are identified or reported, with a view to safeguarding our public health and consumer protection obligations.

- 1.16 Duplication of other regulatory regimes, such as health and safety or fire safety, will be avoided in so far as is possible. This Authority will not consider whether a premise that is the subject of a licensing application is likely to be awarded planning permission or building regulations approval, in its consideration of that application. This Authority will, though, listen to, and consider carefully, any concerns about conditions that are not able to be met by applicants or licence holders due to planning restrictions, should such a situation arise.

## Delegation of Functions

1.17 The Licensing Authority will delegate its functions in accordance with the Act, as summarised below.

Matter to be dealt with	Council	Licensing (Sub-) Committee	Officers
Final approval of Statement of Principles	✓		
Resolution not to issue casino licences	✓		
Fee setting (where appropriate)			✓
Application for a provisional statement		Where representations have been received and not withdrawn	Where representations were not received or have all been withdrawn
Application for a premises licence		Where representations have been received and not withdrawn	Where representations were not received or have all been withdrawn
Application for variation of a premises licence		Where representations have been received and not withdrawn	Where representations were not received or have all been withdrawn
Application for transfer of a premises licence		Where representations have been received from the relevant responsible authorities	Where representations were not received or have all been withdrawn
Application for reinstatement of a premises licence		Where representations have been received from the relevant responsible authorities	Where representations were not received or have all been withdrawn
Consideration of application for review of a premises licence		✓	
Initiation of review of a premises licence by Licensing Authority			✓
Application for club gaming / club machine permits		Where objections have been made and not withdrawn	Where objections were not made or have all been withdrawn
Cancellation of club gaming / club machine permits		✓	
Applications for other permits			✓
Cancellation of licensed premises gaming machine permits			✓
Consideration of temporary use notice		Where objections have been made and not withdrawn	Where objections were not made or have all been withdrawn
Acknowledgement of occasional use notice			✓
Registration of non-commercial societies for small society lotteries			✓
Revocation or cancellation of small society lottery registrations			✓

## Exchange of Information

- 1.18 The Licensing Authority will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information, which includes the provision that the General Data Protection Regulations 2018 will not be contravened. The Licensing Authority will also have regard to any guidance issued by the Gambling Commission on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.
- 1.19 Where required by law applicants will receive copies of any representations made in respect of their application, although sensitive or personal information not required to be disclosed will be redacted.
- 1.20 The Licensing Authority must maintain a public register in accordance with s.153 of the Act. The authority's register is available on the council's website.

## Enforcement

- 1.21 The Licensing Authority's enforcement principles will be guided by the Gambling Commission's guidance to licensing authorities in exercising its functions under Part 15 of the Act in respect of the inspection of premises and the powers under s.346 of the Act to institute criminal proceedings. The Licensing Authority will endeavour to be:
- Proportionate: regulators should only intervene when necessary; remedies should be appropriate to the risk posed, and costs identified and minimised;
  - Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
  - Consistent: rules and standards must be joined up and implemented fairly;
  - Transparent: regulators should be open, and keep regulations simple and user friendly;
  - Targeted: regulation should be focused on the problem, and minimise side effects
  - Within the principles of the Regulators Code issued by the Better Regulation Delivery Office of the Department for Business Innovation and Skills
- 1.22 Lambeth's enforcement policy for the Gambling Act 2005 is available via our website, at <https://www.lambeth.gov.uk/business-services-rates-and-licensing/licence-applications/enforcement-policy-for-gambling-act-2005>
- 1.23 The Licensing Authority may arrange for the inspection of premises, both licensed or otherwise, in response to specific complaints about those premises and the provision of unauthorised gambling activities therein. Should officers witness offences or breaches of an authorisation, appropriate action will be taken in accordance with our enforcement policy.
- 1.24 The main enforcement and compliance role for this Licensing Authority in terms of the Act will be to ensure compliance with the premises licences and the other permissions that it issues. The Gambling Commission will be the lead enforcement body for operating and personal licences. It is also noted that all issues relating to forms of remote gambling, as well as issues relating to the manufacture, supply or repair of gaming machines, will not be dealt with by the Licensing Authority but will be notified to the Gambling Commission.

- 1.25 This Licensing Authority will also keep itself informed of developments regarding the work of the Better Regulation Delivery Office in its consideration of the regulatory functions of local authorities.

## **Gaming Machines**

- 1.26 Throughout this document, references are made to gaming machines as being within Categories A, B, C or D, or in some cases, sub-categories such as B1, B2, B3 or B4.
- 1.27 Gaming machines are categorised according to the nature of their operation, the maximum charge to use and the maximum prize available, and the legislation sets out the categories and sub-categories of machines that may be made available under each type of licence or permit. The Secretary of State is responsible for establishing the applicable values of each category and sub- category by way of statutory instrument.
- 1.28 The categories and values applicable to each category are subject to change and are therefore not included in this document. Current information is available from the Council's website at <https://www.lambeth.gov.uk/business-services-rates-and-licensing/licence-applications/gaming-machine-permits-guide>

## **Gambling Risk Assessments**

- 1.29 The Gambling Commission introduced a new licensing condition within the Licence Conditions and Codes of Practice (LCCP) which came into effect in April 2016. This resulted in the requirements for premises based gambling operators to undertake a local gambling risk assessment of their premises and the potential impact that the premises and its operation may have on the licensing objectives. This condition made it a requirement for all gambling operators to consider local area information provided by the Licensing Authority via their Statement of Licensing Principles for Gambling (Licensing Policy).
- 1.30 The introduction of new provisions in the social responsibility code within the LCCP encourages local authorities, the Commission and the industry to work in partnership to address local issues and concerns. The risk based approach provides a better understanding of, and enables a proportionate response, to risk. This approach includes looking at future risks and thinking about risks in a probabilistic way. Risk is related to the probability of an event happening and the likely impact of that event. In this case it is the risk of the impact on the licensing objectives.
- 1.31 The council has produced a Local Area Profile (LAP) to assist applicants to conduct, assess and complete a premises based gambling risk assessments. All gambling operators within the borough or new operators applying for a new licence must have regard to the LAP when completing or revising their risk assessments. Appendix A
- 1.32 The council views these risks as an important component of the overall assessment and management of local risks. Lambeth will assist operators in this process by providing specific information on its concerns surrounding gambling within the borough and the impact on the licensing objectives. These local risk assessments are specific to the potential harm that gambling premises can have on one or more of the licensing objectives under the Act. They

are specific to the premises, the local area and the local community.

## **Part 2 – Premises Licences**

**Licensing authorities determine applications with reference to the three licensing objectives under the Gambling Act 2005.**

### **2.1. LICENSING OBJECTIVE 1:**

***Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime***

2.1.1. This Licensing Authority will expect applicants to consider the measures necessary to be reasonably consistent with the licensing objective of preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.

2.1.2. This Licensing Authority is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime, and that regulatory issues arising from the prevention of disorder are likely to focus almost exclusively on premises licensing, which is the remit of the Licensing Authority. The Gambling Commission's guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Where an area is known to have high levels of crime, this Authority will consider carefully whether gambling premises are suitable to be located there, taking into account such factors as,

- levels of recorded crime;
- the type of that crime;
- levels of anti-social behaviour-related complaints.

2.1.3. Applicants are advised to examine crime and anti-social behaviour statistics that relate to the vicinity of their application. They will be expected to have a good understanding of the local area in which they operate, or intend to operate, a gaming premises. The applicant must evidence that they meet the criteria set out in this policy. Operators must be aware of how their operation may impact this objective. Applicants will be expected to provide details of their crime prevention measures and any associated risk assessments carried out.

2.1.4. Applicants for premises licences must meet the requirements of the Commission to obtain and hold an operator's licence. Applicants will have to hold such licence (except occupiers of tracks who do not propose to offer gambling themselves). The Licensing Authority will not (unless evidence to the contrary comes to light) have to ascertain if the applicant is suitable to hold a premises licence. The Licensing Authority will have to be satisfied that the premises will not adversely affect the licensing objectives and is compliant with the Commission's Guidance, codes or practice and this Statement of Principles.

2.1.5. This Licensing Authority accepts that issues of nuisance cannot be addressed via the Gambling Act provisions, although preventing gambling from being a source of disorder is a licensing objective. The Licensing Authority is also mindful that what starts as nuisance may subsequently escalate to disorder, and that such disorder can have a serious effect on the lives of local residents. If an application for licence review were to be made on the basis of

disorder the Authority will then distinguish between disorder and nuisance, considering factors such as:

- whether police assistance was required
- how threatening the behaviour was to those who could see it
- how frequently it is reported
- prevalence of persons loitering outside
- the times of day when disorder is reported
- the impact on residents

## **2.2. LICENSING OBJECTIVE 2**

### ***Ensuring that gambling is conducted in a fair and open way***

2.2.1 This Licensing Authority will expect applicants to consider the measures necessary to be reasonably consistent with the licensing objective of ensuring that gambling is conducted in a fair and open way.

2.2.2 The Gambling Commission is the primary body concerned with ensuring that each operator conducts gambling in a fair and open way. This Licensing Authority will consider each application on its own merits and will look more closely at operators where an operator's licence is not required. Track owners do not require an operator's licence and any application for such a licence will be scrutinised to ensure this objective is met. In these circumstances, the applicant would be expected to address how they intend to ensure that gambling will be conducted fairly and openly. The Licensing Authority may consider imposing conditions to ensure that the environment in which betting takes place is suitable.

## **2.3 LICENSING OBJECTIVE 3**

### ***Protecting children and other vulnerable persons from being harmed or exploited by gambling***

2.3.1 This Licensing Authority will expect applicants to consider the measures necessary to be reasonably consistent with the licensing objective of protecting children and other vulnerable persons from being harmed or exploited by gambling.

2.3.2 The Gambling Commission's guidance for this objective means preventing children from taking part in gambling (as well as restrictions on advertising so that gambling products are not aimed at or are particularly attractive to children). The Licensing Authority will therefore consider, as suggested in the guidance, whether specific measures are required at particular premises, with regard to this licensing objective.

2.3.3 The Licensing Authority is also aware of the Codes of Practice that the Gambling Commission has issued in respect of this licensing objective, in relation to specific categories of premises.

2.3.4 It is noted that the Act and Commissions Guidance does not define the term "vulnerable persons". It is noted that the Gambling Commission states that "it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs". This Licensing Authority will consider the promotion of this licensing objective on a case by case basis.

- 2.3.5 In a borough with both high alcohol and drug dependency the Licensing Authority are particularly concerned about both the health and social wellbeing of residents. Applicants must be able to demonstrate within their application how they will protect vulnerable persons, possibly by providing information on how they operate exclusion schemes, the way in which they identify those gambling beyond their means and the measures they take to stop those suffering from any impairment from participating in gambling, and the training provided to staff to support these aims.
- 2.4 It is appreciated that, in accordance with the Gambling Commission's guidance, moral objections to gambling are not a valid reason to reject applications for premises licences, and also that unmet demand is not a criterion for a Licensing Authority to consider.
- 2.5 The Licensing Authority expects applicants to take appropriate measures to promote the licensing objectives, which may include such issues as proof of age schemes, supervision of entrances and gaming machine areas, CCTV, physical separation of areas, self-exclusion schemes, and provision of information leaflets / helpline numbers for organisations such as GamCare. This list is not mandatory, nor exhaustive, and is merely indicative of example measures.
- 2.6 The issue of a premises licence must be reasonably consistent with the promotion of the licensing objectives. With regard to these objectives, this Licensing Authority has considered the Gambling Commission's guidance to licensing authorities.

## Conditions

- 2.7 Premises licences issued by the Licensing Authority will be subject to mandatory and/or default conditions and conditions imposed by the council. The council may also impose further conditions in response to specific issues, which will be decided on a case by case basis.
- 2.8 Any conditions attached to licences will be proportionate and will be:
- relevant to the need to make the proposed building suitable as a gambling facility;
  - directly related to the premises and the type of licence applied for;
  - related to the scale and type of premises; and
  - reasonable in all respects.
- 2.9 An applicant can request that default conditions are excluded from a licence, and in these circumstances, the Licensing Authority may instead impose an appropriate condition that addresses a similar matter to the excluded condition (for example, if a default condition relating to permitted trading times is excluded, the Licensing Authority may attach a condition permitting longer trading hours). The Licensing Authority will give a full explanation of the rationale behind the decision to attach any additional condition, although there will be a number of measures this Licensing Authority will consider utilising should there be a perceived need, such as the use of door supervisors, appropriate signage for adult only areas etc. This Licensing Authority will also expect the licence applicant to offer his/her own suggestions as to ways in which the licensing objectives can be met effectively.
- 2.10 It is noted that there are conditions that the Licensing Authority cannot attach to premises licences. These conditions are:

- which make it impossible to comply with an operating licence.
- as to gaming machines that contradict the provisions in the Act.
- making activities, premises or parts of them operate as a membership club
- on fees, winnings, stakes or prizes.

2.2. The Licensing Authority recognises that betting premises may only offer gambling facilities between the hours of 07.00 and 22.00, these being the default hours. The Licensing Authority will expect new applicants to consider if these hours are appropriate for the location subject to the application. The Authority is aware that in some areas early morning start times can cause anti-social behaviour problems, and the Authority is keen to ensure that newly granted licences do not exacerbate existing problems.

## Location of Premises

2.3. Applicants for new or variation applications of premises licences within a 'gambling vulnerability zone' must include detailed information as to how the proposals will be reasonably consistent with the gambling objectives and policies. A 'vulnerability zone' is defined as any premises which is within close proximity or on a main route to a school, other educational institution, hostel or other sensitive location(s) where there is the potential for exposing children, young people or other vulnerable persons to gambling.

2.4. Applicants are expected to establish whether there are any sensitive premises or locations within close proximity to the premises and what the risk level is for the area based on vulnerability. Where this is the case, applicants should submit information as to how they plan to be reasonably consistent with the strand of the licensing objectives concerned with the protection of children and other vulnerable persons from being harmed or exploited by gambling. The additional supporting information may contain the following:

How the premises operate will restrict access to children, young people or other vulnerable persons:

- whether a proof of age scheme is being used
- will the appropriate number of security staff be employed at appropriate times;
- will opening times be set so that the premises are not open during school start and finish times; and
- what procedures and staff training are in place to identify vulnerable persons such as problem gamblers, those who are inebriated through drink or drugs, etc.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

2.5. The applicant for a premises licence will have to specifically consider how the location of the premises will impact on the objectives. Applicants will have to clearly show that they have considered the potential impact of their proposed business on the licensing objectives and propose ways that will reduce or remove any likely adverse impact on them.

2.6. The council will consider proposals for new gambling premises that are in close proximity to hostels or other accommodations or centres catering for vulnerable people, including those with mental disabilities or learning difficulties, and those with problem gambling or with alcohol or drug abuse problems, as very likely to adversely affect the gambling objectives

- 2.7. The council considers that ‘sensitive locations’ will include locations which have been identified as having a higher concentration of vulnerable groups and where there are concentrations of gambling premises in an area where children or other vulnerable persons are likely to be harmed or exploited.
- 2.8. It should be noted that this policy does not preclude any application being made and that every application will be decided on its individual merits, with the opportunity given for the applicant to show how potential concerns can be overcome.
- 2.9. The Licensing Authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:
- all such machines are located in an area of the premises which is separated
  - from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
  - only adults are admitted to the area where these machines are located;
  - access to the area where the machines are located is supervised;
  - the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
  - at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.
- 2.10. These considerations will apply to premises including buildings where multiple premises licences may have effect.
- 2.11. The council has produced a Local Area Profile (LAP) to assist operators. The profile outlines the possible risks to gambling-related harm. The LAP sets out the information that gambling operators need to consider for new applications or when updating their risk assessments for existing premises.
- 2.12. The council considers that these local risk assessments are a key component of the overall assessment and management of the local risks. Applicants are able to refer to the Local Area Profile to establish the risks for the area and what vulnerable groups are present. This will inform the consideration and implementation of any control measures that would mitigate the risk to the vulnerable. The applicant must set out the risks, their consideration and adequate control measures within their premises risk assessments.
- 2.13. The Licensing Authority will assess the risks presented and determine whether the proposed steps are suitable to mitigate the risks of harm within the area.
- 2.14. The Licensing Authority will expect all applicants for a new licence to submit the completed assessment with their application. For more information, please see Appendix A of this document.
- 2.15. Lambeth’s Local Area Profile has been produced based on the Gambling Commission’s recommendations; in order to:
- Enable licensing authorities to better serve their local community, by improving Lambeth’s understanding of the community and the local risk profile

- Provide improved clarity for operators as to the relevant factors in Licensing Authority decision-making. This aims to lead to improved premises license applications, with the potential operator already incorporating controls and measures to mitigate risk in their application;
- Enable Licensing Authorities to make robust but fair decisions, based on a clear, published set of factors and risks, which are therefore less susceptible to challenge; and
- Encourage a proactive approach to risk that is likely to result in reduced compliance and enforcement action.

## Division of Premises and Primary Usage

- 2.16. In the Act, 'premises' is defined as including 'any place'. Section 152 of the Act prevents more than one premises licence applying to any single place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, tracks or shopping centres to obtain discrete premises licences, where appropriate safeguards are in place.
- 2.17. This Licensing Authority takes particular note of the Gambling Commission's guidance which states that licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non- gambling) purposes. In particular they should be aware of the following:
- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore, premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.
  - Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised, and people do not "drift" into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
  - Customers should be able to participate in the activities identified on the premises licence.
- 2.18. The Licensing Authority will also consider specific measures that may be required for buildings that are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's guidance.
- 2.19. This Licensing Authority is also aware that an issue has arisen in some parts of the country, where operators have sought to sub-divide existing single licensed premises, and obtain further premises licences in respect of each sub-division. It has been observed

that this practice has been used predominantly in respect of categories of premises licences which allow the operation of a small, fixed number of high-value gaming machines – in effect, using multiple premises licences in respect of different areas of a single business to artificially increase the permitted number of category B machines that can be made available.

2.20. The Licensing Authority notes the Commission’s guidance that “in most cases the expectation is that a single building/plot will be the subject of an application for a licence, for example, ‘32 High Street’. But that does not mean that ‘32 High Street’ cannot be the subject of separate premises licences for the basement and ground floor if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances.” When assessing whether premises can be regarded as separate, the Licensing Authority proposes to apply the following criteria:

- Does each premises have its own external entrance, or is this accessed via another premises?
- Does each premise trade as a separate entity, or under a single banner?
- Are the premises subject to separate non-domestic rateable valuations?
- Is each premises operated by different persons, or by the same proprietor?
- What is the quality of separation (i.e., if dividing barriers are to be used, are they temporary or permanent, do they provide floor to ceiling division or are they of a fixed height, are they transparent or opaque, etc)?
- Is there a genuine need to establish a division between premises, or is the division aimed solely at artificially increasing the permitted number of high-value gaming machines?

2.21. If it is proposed to utilise sterile, non-gambling areas to create sub-divisions, then the Licensing Authority will apply the following criteria to those areas:

- Is the area proposed for non-gambling activities a token separation?
- Is it genuinely an area which the public would go to for purposes other than gambling?
- Is it in effect a device to introduce artificial separation or genuinely a functionally separate area?
- Is there in effect direct access between the divisions or is there a place from which access can be gained to two premises?

2.22. The Licensing Authority also notes that any premises subject to multiple discrete premises licences must be able to comply with the mandatory conditions restricting access to each licensed premises, as follows:

<b>Premises type</b>	<b>Access restrictions</b>
Adult gaming centre	No direct access from any other licensed gambling premises, or from premises with a family entertainment centre gaming machine permit, a club gaming/machine permit, or an alcohol licensed premises gaming machine permit
Betting (other)	Access from a street or another betting premises only. No direct access from any premises used for the retail sale of goods or services
Betting (track)	No direct access from licensed casinos or adult gaming centre premises

Bingo	No direct access from licensed casinos, adult gaming centres or betting (other) premises
Family Entertainment Centre	No direct access from licensed casinos, adult gaming centres or betting (other) premises

2.23. In the case of some divided premises, it appears that the intended primary use of a premises licence had not been offered, with operators solely making use of the additional machine entitlement (for example, holding a Bingo premises licence but not making any facilities for playing bingo available). The Gambling Commission consulted on this issue in 2008<sup>3</sup>, and subsequently issued a revision to the Licence Conditions and Codes of Practice affecting Bingo, Betting and Casino operating licences. Holders of these licences are now mandated to provide suitable and sufficient facilities for their primary gambling activity in any of their associated premises.

## Door Supervisors

2.24. The Gambling Commission advises in its guidance that if a Licensing Authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then it may require that the entrances to those premises are supervised and impose a condition to that effect. Consideration must also be given to whether that supervisor needs to be licensed or not, as the statutory requirements vary by premises type. This Licensing Authority notes the contents of Part 33 of the Commission's guidance, which outlines a limited relaxation of the licensing requirement for door supervisors at licensed bingo and casino premises – however, operators are encouraged to use door supervisors who are licensed by the Security Industry Authority at these venues. Any other venue using door supervisors must use qualified staff registered with the Security Industry Authority.

## Provisional Statements

2.25. The Act provides for a person to make an application to the Licensing Authority for a provisional statement in respect of premises that he or she:

- expects to be constructed;
- expects to be altered; or
- expects to acquire a right to occupy.

2.26. Developers may wish to apply to this Authority for a provisional statement before entering into a contract to buy or lease property or land, to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement, nor do they need to have a right to occupy the premises in respect of which the application is made.

2.27. The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

2.28. The holder of a provisional statement may subsequently apply for a premises licence once the premises are constructed, altered or acquired. The Licensing Authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless:

- they concern matters which could not have been addressed at the provisional statement stage, or
- they reflect a change in the applicant's circumstances.

2.29. In addition, the Authority may refuse the premises licence (or grant it on terms different from those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional statement stage;
- which in the Authority's opinion reflect a change in the operator's circumstances; or
- where the premise has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this Licensing Authority notes that it can discuss any concerns it has with the applicant before making a decision.

2.30. If a developer has already acquired a premise and has a right of occupation, and holds an appropriate operating licence, there is no requirement for them to obtain a provisional statement prior to making an application for a premises licence – this will simply be a matter of choice. However, where premises are likely to require construction or development work prior to being ready for use for gambling (and as such are not in a state where they can be inspected during the application process), the Licensing Authority may seek to attach the following additional conditions to any licence granted:

- The premises are to be constructed in accordance with the deposited plans and shall not trade until such time as they have been inspected and approved by officers of the Licensing Authority.
- The licence is to be offered for surrender should the premises not have been completed in accordance with the deposited plans within the period of 12/18/24 months starting on the day that the licence first takes effect.

## Reviews

2.31. Applications for a review of a premises licence can be made at any time by interested parties or responsible authorities, including the Licensing Authority. The Licensing Authority must grant an application for review, unless it considers that the grounds on which the review is sought:

- Raise issues that are not relevant to Gambling Commission Guidance/codes of practice, the Licensing Authorities Statement of Policy or the licensing objectives.
- Are frivolous
- Are vexatious
- Will certainly not cause this Authority to wish to alter/revoke/suspend the licence
- Are substantially the same as grounds cited in a previous application relating to the same premises

- Are substantially the same as representations made at the time of the application for the premises licence was considered.

2.32. The Licensing Authority can also initiate a review of a licence on the basis of any reason that it thinks is appropriate. In particular, the Licensing Authority may initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.

2.33. Once a valid application for a review has been received by the Licensing Authority, representations can be made by responsible authorities and interested parties during a 28-day period, that will begin 7 days after receipt of the application. The Licensing Authority will publish notice of the application within this initial 7-day period.

2.34. The Licensing Authority must carry out the review as soon as possible after the 28 day period for making representations has passed.

2.35. The purpose of the review will be to determine whether the Licensing Authority should take any action in relation to the licence. If action is justified, the options open to the Licensing Authority are:

- to add, remove or amend a licence condition imposed by the Licensing Authority;
- to exclude a default condition imposed by the Secretary of State (e.g. opening hours) or remove or amend such an exclusion;
- to suspend the premises licence for a period not exceeding three months; or
- to revoke the premises licence.

2.36. In determining what action, if any, should be taken following a review, the Licensing Authority will have regard to the principles set out in section 153 of the Act, as well as any relevant representations.

2.37. Following the completion of the review, the Licensing Authority will notify its decision in writing to the licence holder, the applicant for review (if any), any person who made representations in respect of the review, and the responsible authorities designated in regulations made under the Act.

## **Categories of Premises Licence**

### **Casino Premises Licences**

2.38. The London Borough of Lambeth has resolved, under section 166 of the Act, not to issue any Casino premises licences. This resolution shall have effect from 20 June 2022 until 20 June 2025, unless revoked prior to this date.

2.39. At present, the Act only allows for a fixed number of 'regional', 'large' and 'small' casinos to be licensed nationally. Licensing authorities must be expressly authorised by the Secretary of State to issue new licences for any of these categories, to ensure that the national limits are not exceeded. Lambeth is not amongst the authorities that have been so authorised.

## **Adult Gaming Centre Premises Licences**

- 2.40. Adult gaming centres (AGCs) premises licences allow the holder of the licence to make gaming machines available for use on the premises. Persons operating an AGC must hold a gaming machines general operating licence from the Commission and must seek a premises licence from the Licensing Authority.
- 2.41. This Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling, and will expect the applicant to satisfy the Authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.
- 2.42. The authority will expect applicants to offer their own measures to meet the licensing objectives. These measures/licence conditions may cover issues such as Proof of Age Schemes; CCTV; Physical separation areas and staffed entrances/machine areas. This list is not mandatory, nor exhaustive, and is merely indicative of example measures.
- 2.43. Adult Gaming Centres are subject to mandatory and default conditions under the Gambling Act 2005. The Licensing Authority will not seek to duplicate these measures, however, where appropriate, it will develop these conditions to address specific issues arising from the premises in the form of licence conditions being attached to the premises licence.

## **Betting (Other) Premises Licences**

- 2.44. The Authority notes the difference between betting terminals, which are designed to receive bets on real events, and gaming machines such as fixed odds betting terminals (FOBTs), which are reliant upon the outcome of a virtual event. It is further noted that betting premises are entitled to offer up to four gaming machines in total, which may include category B2 (FOBT) machines. There are no statutory limits on the number of betting terminals that may be made available in betting premises, although the Licensing Authority notes that it may attach a condition to a licence limiting the number if concerns exist over the availability of machines to children or vulnerable persons which cannot be satisfied through alternative means.
- 2.45. This Licensing Authority will, as per the Commission's guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of betting terminals by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number, nature and circumstances of betting terminals an operator wants to offer.

## **Betting (Track) Premises Licences**

- 2.46. The Licensing Authority is aware that tracks may be subject to one or more premises licences, provided each licence relates to a specified area of the track. As per the Gambling Commission's guidance, this Licensing Authority will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas which they are not permitted to

enter.

- 2.47. The Authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult-only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse-racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.
- 2.48. Parliament has recently amended section 55 of the Act, to allow the employment of persons under the age of 18 years at track premises, in functions not associated with gambling (for example, as ticket checkers, concession kiosk staff, litter collectors, and so on). However, the offence under section 51, prohibiting the employment of children and young persons to provide facilities for gambling, is unaffected. Proprietors of track premises must ensure that any persons under the age of 18 employed at their premises are not called upon to assist with the operation of betting facilities.
- 2.49. The entitlement to make up to four gaming machines available for use at the track premises may only be utilised if the holder of the premises licence also holds a pool betting operating licence. In situations where this is the case and it is proposed to make gaming machines available for use, any gaming machines (other than category D machines) should be located in areas from which children are excluded. If the track premises is licensed for the sale of alcohol, a further two gaming machines may be made available by way of the automatic entitlement for alcohol-licensed premises, upon payment of the appropriate notification fee.
- 2.50. Betting terminals may also be made available for use at track premises, and this Licensing Authority proposes to apply the same principles as set out in the Betting (other) Premises Licence section above to track premises.
- 2.51. A condition to track premises licences is that the track operator is to ensure that the terms for placing bets are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public.
- 2.52. Applicants are required to submit plans of the premises with their application, in order to ensure that the Licensing Authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the Licensing Authority to plan future premises inspection activity. Plans for tracks do not need to be in a particular scale but should be drawn to scale and should be sufficiently detailed to include the information required by regulations.
- 2.53. Some tracks may be situated on open land where the perimeter is not defined by virtue of an outer wall or fence, such as point-to-point racetracks. In such instances, where an entry fee is levied, track premises licence holders may erect temporary structures to restrict access to premises. In the rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the boundary premises do not need to be defined.

2.54. This Authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track. Applicants should provide sufficient information that this Authority can satisfy itself that the plan indicates the main areas where betting might take place.

### **Bingo Premises Licences**

2.55. This Licensing Authority notes the Gambling Commission's guidance, that licensing authorities will need to satisfy themselves that it is possible for bingo to be played in any premises for which they issue a bingo premises licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence and/or apply for new licences, as discussed in the Division of Premises and Primary Usage section above.

2.56. Should children be allowed to enter premises licensed for bingo, they are not permitted to participate in the bingo, nor may they make use of any category of gaming machine, other than those in category D. Where category B or C machines are made available in premises to which children are admitted it is expected that:

- all such machines will be located in an area of the premises separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults will be admitted to the area where the machines are located;
- access to the area where the machines are located will be supervised;
- the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder; and
- at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

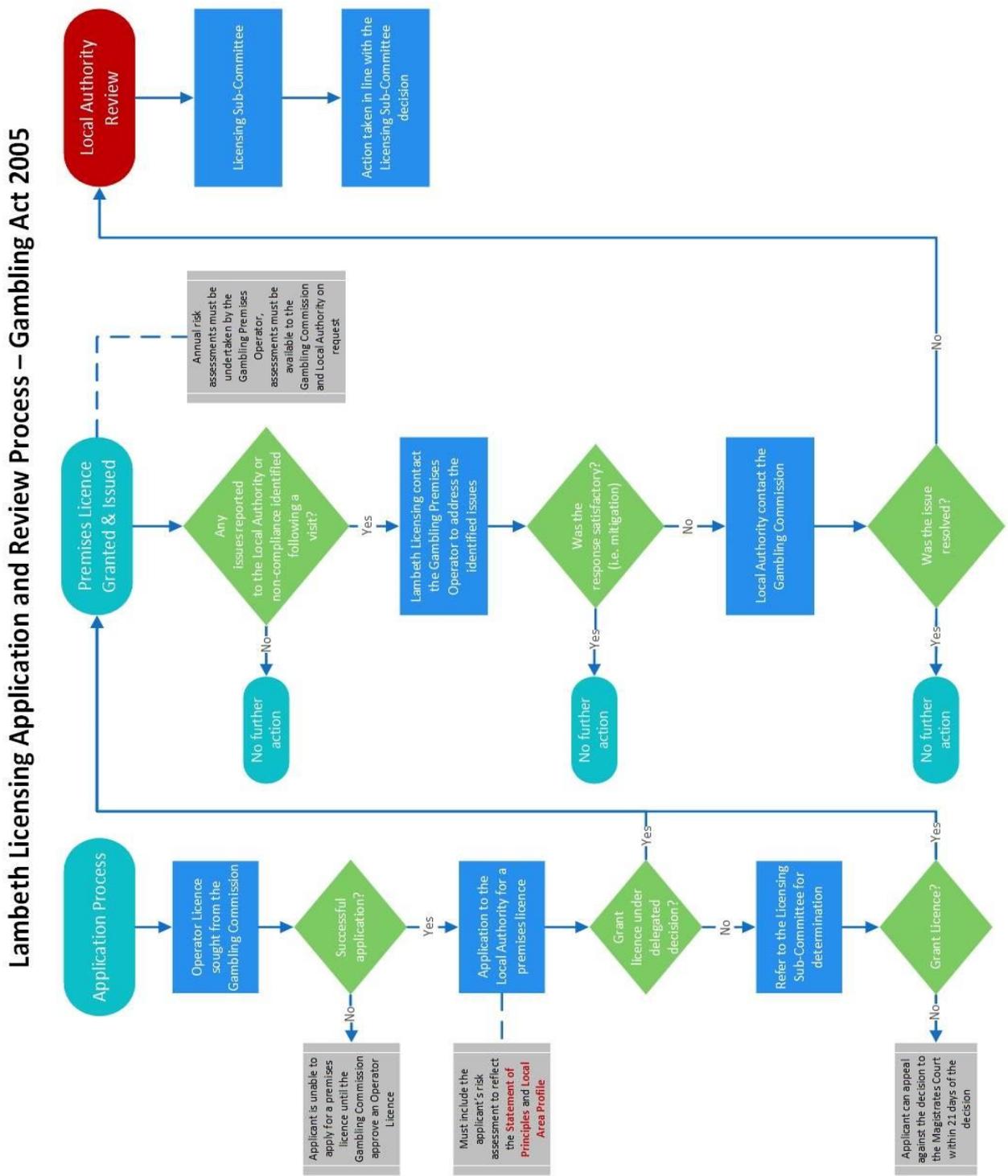
### **Family Entertainment Centre Premises Licences**

2.57. The Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the Authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

2.58. This Licensing Authority will, as per the Gambling Commission's guidance, refer to the Commission's website and make itself aware of any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated.

2.6.

Processes for application and review of gambling premises licences



## **Part 3 – Permits and Notices**

- 3.1 While the proprietors of dedicated, high-value gambling outlets will generally be required to complete a comprehensive application process to obtain Premises and Operating Licences, the Act also makes provision for simpler processes for incidental and low-value gambling opportunities, such as gaming machines in pubs, bars and clubs, and small-stakes prize gaming. This part of the Statement outlines the Principles that we will apply to applications for gaming and gaming machine permits, and notifications of temporary or occasional gambling usage.

### **Alcohol Licensed Premises Gaming Machine Permits & Notifications**

- 3.2. From September 1, 2007, a premises wishing to operate with category C or D gaming machines under section 282 of the Gambling Act 2005 must apply to its Licensing Authority for either a gaming permit or a gaming notification. Gaming permits and notifications have superseded section 34 permits.
- 3.3. Permits can only be used for premises licensed under the Licensing Act 2003 to sell alcohol for consumption on the premises. A premises licensed to sell alcohol under the Licensing Act 2003 is automatically entitled to two gaming machines of category C and/or D. The holder of the on-premises licence under the Licensing Act 2003 must notify the council (a 'notification') of their intention to make the gaming machines available for use and they must pay the prescribed fee.
- 3.4. Holders of licensed premises gaming machine permits will be required to pay an annual fee.
- 3.5. If the premises licence holder under the Licensing Act 2003 changes, the permission falls, therefore a new notification must be sent to the Licensing Authority.
- 3.6. The Licensing Authority **can remove the automatic authorisation** in respect of any particular premises if:
- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
  - gaming has taken place on the premises that breaches a condition of section 282 of the Act (i.e., that written notice has been provided to the Licensing Authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
  - the premises are mainly used for gaming; or
  - an offence under the Gambling Act 2005 has been committed on the premises.

### **Permit for 3 or more gaming machines**

- 3.7. If a licensed premises wishing to have 3 or more gaming machines of category C or D, they must apply to the council for a licensed premises gaming machine permit. When considering that application, the Licensing Authority must have regard to the licensing objectives and any guidance issued by the Gambling Commission. The Licensing Authority may also consider "such other matters as they think relevant."

- 3.8. This Licensing Authority will decide upon the interpretation of “such other matters” on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling. The Licensing Authority will expect the applicant to satisfy the Authority that there will be sufficient measures to ensure that under-18 year olds do not have access to the adult-only gaming machines (category C). Examples of measures to satisfy the Authority may include the gaming machines being positioned in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also assist. Regarding the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.
- 3.9. It is recognised that some alcohol-licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be made for, and dealt with as, an Adult Gaming Centre premises licence.

The Council when determining an application for an alcohol-licensed premises gaming machine permit will consider each application on its own merits.

- 3.10. It should be noted that the council may cancel a permit or may vary the number or category (or both) of gaming machines authorised by it if:
- (a) it would not be reasonably consistent with the pursuit of the licensing objectives for the permit to continue to have effect;
  - (b) gaming has taken place on the premises in purported reliance on the permit but otherwise than in accordance with the permit or a condition of the permit;
  - (c) the premises are mainly used or are to be used for making gaming machines available; and/ or
  - (d) an offence under the Gambling Act 2005 has been committed on the premises.

Before the council cancels or varies a permit it will give the permit holder 21 days’ notice of its intention and allow them the opportunity to make a representation. If the permit holder requests a hearing the council will arrange a Licensing Sub-Committee hearing to consider the permit holder’s representation and any other evidence available before making its determination.

## **Club Gaming Permits and Club Machine Permits**

- 3.11. Members’ clubs and miners’ welfare institutes may apply for a Club Gaming Permit or a Club Machine Permit, while commercial clubs may apply for a Club Machine Permit only.

A Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in regulations. A Club Machine Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D) only.

- 3.12. A club must meet the following criteria to be considered a members’ club
- It must have at least 25 members;

- It must be established and conducted wholly or mainly for purposes other than gaming (unless the gaming is permitted by separate regulations);
- It must be permanent in nature;
- It must not be established to make a commercial profit;
- It must be controlled by its members equally.

Examples of these include working men’s clubs, branches of the Royal British Legion and clubs with political affiliations.

3.13. The council may only refuse an application on the grounds that:

- a) the applicant does not fulfil the requirements for a members’ or commercial club or miners’ welfare institute and therefore is not entitled to receive the type of permit for which it has applied;
- b) the applicant’s premises are used wholly or mainly by children and/or young persons;
- c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- d) a permit held by the applicant has been cancelled in the previous ten years; and/ or
- e) an objection has been lodged by the Commission or the police.

3.14. There is also a ‘fast-track’ procedure available under the Act for qualifying clubs that hold a Club Premises Certificate under the Licensing Act 2003. Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which an Authority can refuse a permit are reduced to:

- a) the club is established primarily for gaming, other than gaming prescribed by regulations made under section 266 of the Act;
- b) in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- c) a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

3.15. There are statutory conditions on club gaming permits that no child may use a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

## **Unlicensed Family Entertainment Centre Gaming Machine Permits**

3.16. Premises that are proposed to be used as Unlicensed Family Entertainment Centres (UFECs) are those that offer only category D machines, and a permit allows any number of these machines to be made available at the premises (subject to other considerations such as health and safety and fire regulations). Given that category D machines have no age restrictions, these premises will particularly appeal to children and young persons. Therefore, the council will give particular weight to matters relating to child protection issues

The council will grant an application for a permit only if it is satisfied that the premises will be used as an unlicensed FEC and following consultation with the Chief of Police.

Applicants must demonstrate:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and
- that staff are trained to have a full understanding of the maximum stakes and prizes (as referred to in the relevant Gambling Commission Guidance)

Any application for a permit will be considered with regard to the licensing objectives and to any relevant guidance issued by the Commission. Particular weight will be given to child protection

- 3.17. The applicant will be expected to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits; however, they may include appropriate measures / training for staff as regarding suspected truant school children on the premises, measures / training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises.

This Licensing Authority will also expect, as per Gambling Commission guidance, that applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs; that the applicant (or company directors if the applicant is a limited company) has no relevant convictions and that staff are trained to have a full understanding of the maximum stakes and prizes.

- 3.18. Applicants will also be asked to supply a plan of the internal layout of the family entertainment centre, drawn to an appropriate scale, that shows the location of the area(s) where category D gaming machines will be made available for use.

- 3.19. It is noted that a Licensing Authority cannot attach conditions to this type of permit.

- 3.20. A licensed family entertainment centre is entitled to make both category C and D machines available. A full premises licence will be required from the Licensing Authority and an operating licence from the Gambling Commission.

- 3.21. This Licensing Authority has produced a Family Entertainment Centre gaming machine permit application form, but, so long as the required information is provided, will not require applications to be made exclusively in this format. The form can be downloaded from our website, at [www.lambeth.gov.uk/licensing/](http://www.lambeth.gov.uk/licensing/)

## Prize Gaming Permits

3.22. In any application for a prize gaming permit the applicant should set out the types of gaming that he or she is intending to offer, and should also be able to demonstrate:

- that they understand the limits on stakes and prizes that are set out in Regulations;
- that the gaming offered is within the law; and
- that appropriate measures will be taken to ensure that children are protected from being harmed or exploited by gambling – in particular, the measures that will be taken to ensure that children cannot participate in the gambling offered.

3.23. In making its decision on an application for this permit the Licensing Authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.

3.24. There are conditions in the Gambling Act 2005 with which the permit holder must comply, but the Licensing Authority cannot attach further conditions. The conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated, and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a monetary prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

## Temporary Use Notices

3.25. Temporary Use Notices allow a gambling operator the use of a premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for gambling would include hotels, conference centres and sporting venues.

3.26. The Licensing Authority can only accept a Temporary Use Notice from a person or company holding a relevant non-remote operating licence.

3.27. The types of gambling activities that may be authorised by a Temporary Use Notice are set out by the Secretary of State in regulations made under the Act. Currently, the only permitted activity is the provision of facilities for equal chance gaming, where the gaming is intended to produce a single overall winner. Possible examples of this could include gaming tournaments with such games as backgammon, mah-jong, rummy, kalooki, dominoes, cribbage, bingo and poker.

3.28. Temporary Use Notices are subject to a statutory limit that a set of premises may be used for no more than 21 days in any 12 month period. As with "premises", the definition of "a

set of premises" will be a question of fact in the particular circumstances of each notice that is given. In considering whether a place falls within the definition of "a set of premises", the Licensing Authority will look at, amongst other things, the ownership/occupation and control of the premises.

- 3.29. This Licensing Authority expects to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises, as recommended in the Gambling Commission's Guidance to Licensing Authorities.

## **Occasional Use Notices**

- 3.30. Occasional Use Notices may be used to authorise infrequent betting at track premises, on no more than 8 days in any calendar year. They cannot be used to authorise any other form of gambling activity (e.g., gaming machines). Providing that the 8-day limit is not breached, there is no provision for correctly-served notices to be refused by a Licensing Authority.
- 3.31. The Licensing Authority notes that the definition of track premises is not restricted to permanent premises but can include any premises or land on which a race or sporting event is to take place. Consideration will therefore be given to the nature of the premises specified in a notice, in addition to whether the person giving the notice is an occupier of the track or is responsible for the administration of events at the track.
- 3.32. It is further noted that Occasional Use Notices do not relieve any person accepting bets at the track premises from the requirement to hold an appropriate Betting operating licence, nor from the requirements of any conditions imposed upon that licence.
- 3.33. This Licensing Authority has produced a template form, suitable for giving an Occasional Use Notice, but will not require notifications to be given exclusively in this format. The template form can be downloaded from [www.lambeth.gov.uk/licensing/](http://www.lambeth.gov.uk/licensing/)

## **Travelling Fairs**

- 3.34. The Act defines a travelling fair as 'wholly or principally' providing amusements and they must be on a site that has been used for fairs for no more than 27 days per calendar year. Travelling fairs do not require a permit to provide gaming machines but must comply with legal requirements about the way the machines are operated

The Licensing Authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

- 3.35. It is noted that the 27-day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. This Licensing Authority will work with its neighbouring authorities to ensure that land that crosses our boundaries is monitored so that the statutory limits are not exceeded.

3.36. It will fall to this Licensing Authority to decide whether, at travelling fairs where category D machines are to be made available for use and / or equal chance prize gaming without a permit is offered, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

## **Part 4 – Lotteries**

4.1 The Gambling Act 2005 regulates all forms of fund-raising lotteries promoted in the UK. With the exception of the National Lottery, which is not regulated under this Act, it is illegal to promote a lottery for private or commercial gain.

4.2 While the term ‘lottery’ is used within the legislation, these provisions are also likely to apply to raffles, prize draws, tombola’s, sweepstakes, scratch-card sales, and so on – in short, any arrangement in which a ticket is sold for a random chance of winning a prize. For the sake of simplicity, ‘lottery’ is used to define all of these.

4.3 Broadly speaking, there are two categories of lottery established under the Act –

- **Licensed lotteries** (proceeds exceed £20,000 for each lottery or aggregate proceeds exceed £250,000 in a calendar year) & **Local Authority Lotteries** (administered by local authorities for the benefit of local authorities). An operating licence must be held by the promoter(s) of these lotteries.
- **Exempt lotteries** are lotteries permitted to run without a licence from the Gambling Commission each with its own limits on the amounts that can be raised, the purposes for which it can be promoted, and the manner in which it must be run. These are:

Incidental Non-Commercial Lotteries: these are raffles which take place during the course of an event, e.g., tickets are sold and a raffle that is drawn during a fete, party or meeting.

Work Lotteries and Resident’s Lotteries: these include raffles in which tickets are only sold to a) people who all work in the same premises; or b) people who all live in the same premises. This lottery does not require registration and any money raised for a good cause must be stipulated when selling tickets. If tickets are not for a good cause, all proceeds must be spent on costs of organising the lottery and buying prizes.

Customer Lotteries: these are where businesses arrange lotteries for their customers, whereby tickets are sold on the business’ own premises, to its customers and the prize is worth less than £50. These lotteries do not require registration. Such lotteries cannot be used for fundraising.

Private Society Lotteries: this is a raffle where tickets are restricted to members of the society only. Tickets can be sold to guests of members and all proceeds must go to the organisation or to a charity (after organising costs and prizes are deducted). This lottery does not require registration.

Society Lotteries: this is where a raffle is run by a non-commercial society (such as a community group or charity) whereby tickets are sold to members of the public in advance. These lotteries require registration with the Gambling Commission.

Societies may organise lotteries if they are licensed by the Gambling Commission, or if they fall within one of the exempt categories. The Licensing Authority recommends those seeking to run lotteries, seek their own independent legal advice on which type of lottery category they fall under.

4.4 The administration and enforcement of licensed lotteries is carried out solely by the Gambling Commission, although local authorities may provide information and intelligence to assist in these processes.

Both the Commission and local authorities may carry out enforcement checks to ensure that any exempt lotteries are carried on in accordance with the relevant legal restrictions.

## **Small Society Lotteries**

4.5 Small Society Lotteries are those where (a) 20% of proceeds go to the purposes of the society; (b) proceeds raised are under £20,000 for each lottery; (c) aggregate proceeds are under £250,000 in a calendar year and (d) the maximum prize is £25,000.

These lotteries require registration with a Local Authority where their principal office is located. Where the local authority believes the Society's office is situated in another area, it will inform the Society as soon as possible.

Small Lottery operators registered with the Licensing Authority must maintain a written record of all sold and unsold tickets for a period of one year from the date the draw occurs. The Licensing Authority is permitted to inspect these records.

Should a society registered with a Licensing Authority for the promotion of small society lotteries promote a lottery which causes either on the statutory limits on proceeds to be exceeded, then any subsequent lotteries promoted by that society in the current calendar year or any of the following three calendar years will be deemed to be large society lotteries and will require the society to obtain a relevant operating licence from the Gambling Commission. The registration with the Licensing Authority will remain in force but will not serve to authorise any lottery schemes during this period – it is open to the society as to whether to cancel the registration.

## **Free Prize Draws & Skill Competitions**

4.6 The Gambling Act 2005 does not include any measures to regulate prize draws where there is no charge to enter, nor any competition where the outcome relies significantly upon a participant's skill, judgement or knowledge. Generally, the Licensing Authority will be unable to become involved in any matters relating to these schemes.

4.7 However, on some occasions, schemes that are presented as skill competitions will actually fall under the definition of lotteries, or prize (chance) gaming, and would therefore need to comply with the statutory requirements. Alongside the Gambling Commission, licensing authorities are obliged to monitor the boundaries between lotteries and skill competitions and will provide advice and assistance to ensure that any competitions are run in compliance with the relevant laws. This Licensing Authority notes the criteria set out in section 14 of the Act relating to the characteristics of a skill competition, and, when called upon to assess a particular scheme, will seek to ensure that the competition includes a suitable challenge of skill, judgement or knowledge that will:

- prevent a significant proportion of people who wish to participate from doing so; or

- prevent a significant proportion of people who participate from receiving a prize.

**Appendix A – Local Area Profile**

# LOCAL AREA PROFILE GAMBLING ACT 2005

**Jan 2022**  
**London Borough of Lambeth**

## Introduction

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- 1.1 Great Britain has one of the most accessible gambling markets worldwide. Opportunities to gamble exist on most high streets and, with the increase in online gambling, in virtually every home. The majority of British people have gambled at some point and most of those who gamble have no issues with keeping their gambling within sensible and affordable limits.
- 1.2 However, for some, gambling can be problematic, affecting their ability to live and work. People with gambling problems often experience a range of negative effects, including health issues, relationship breakdown, and difficulties with debt. In more severe cases gambling problems can lead to crime, thoughts of suicide or suicide itself.<sup>1</sup>
- 1.3 When the Gambling Act 2005 (the Act) came into force in late 2007, it brought in a new, comprehensive system for gambling regulation in Great Britain. The Act established a dedicated regulator, at a national level, in the form of the Gambling Commission and recognised the potential local impact and importance of gambling. So, it created many local regulators in line with local circumstances. Those regulators are the 380 licensing authorities of England, Wales and Scotland. Lambeth Council, as such, is one of these regulators.
- 1.4 The regulatory environment in Great Britain is changing, becoming more focused on risk. Licensing authorities are expected to take the lead on local regulation of gambling. As such, policy is becoming more focused on understanding and mitigating gambling-related harm, rather than focusing on problem gambling alone.
- 1.5 The Gambling Commission recommend, that as part of any policy refresh, which licensing authorities are required to do every three years, that authorities also produce a Local Area Profile. The Commission explained that this will have a number of benefits for policy-making in the future, including:
  - Enabling licensing authorities to better serve their local community, by improving Lambeth's understanding of the community and the local risk profile;
  - Improved clarity for operators as to the relevant factors in licensing authority decision making. This will lead to improved premises license applications, with the potential operator already incorporating controls and measures to mitigate risk in their application;
  - Enabling licensing authorities to make robust but fair decisions, based on a clear, published set of factors and risks, which are therefore less susceptible to challenge; and
  - Encouraging a proactive approach to risk that is likely to result in reduced compliance and enforcement action.

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<sup>1</sup> <https://www.gamblingcommission.gov.uk/PDF/survey-data/Gambling-behaviour-in-Great-Britain-2015.pdf>

## **Lambeth’s Approach**

**2.1** The purpose of the Lambeth Local Area Profile is to identify the areas most vulnerable to gambling related harm. Therefore, the question that this profile attempts to better understand is – who is vulnerable to, or at risk of, gambling-related harm and where are such vulnerabilities likely to manifest in Lambeth?

**2.2** Gambling-related harm was recently defined by the Gambling Commission in their ‘Measuring Gambling Related Harms – A Framework for Action’ report, published in July 2018<sup>2</sup>:

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*“Gambling-related harms are the adverse impacts from gambling on the health and wellbeing of individuals, families, communities and society”*

---

**2.3** The Gambling Commission in 2012, whilst stating that it would not explicitly define who exactly is vulnerable in relation to gambling, could identify types of people that it is likely to impact more than others. This focuses on people who gamble more than they would want to, some examples include:

- Young people and students
- Those with Mental Health problems
- Those with problems around drug dependency/misuse
- Those with learning disabilities/difficulties
- Homeless people
- Those living in constrained economic circumstances
- Those living in deprived areas
- Those with personality/cognitive impairments

**2.4** A report by the Gambling Commission in 2015 defined problem gambling as an activity:

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*“To a degree that compromises, disrupts or damages family, personal or recreational pursuits”*

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**2.5** In accordance with the Gambling Commission’s recent gambling harms framework and previous publications, the types of harms that have been considered as part of this local area profile are as follows:

- Gambling associated crime (acquisitive and those at a gambling premises)

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<sup>2</sup> <https://www.gamblingcommission.gov.uk/PDF/Measuring-gambling-related-harms.pdf>

- Relationship breakdown/problems (reported domestic incidents)
- Unemployment, financial stress, and income deprivation
- Health issues
- Homelessness
- Children being exposed to gambling (accidental or otherwise)

**2.6** Lambeth, as the licensing authority, has modelled where such risks might be more acute in certain areas versus others. This has included an assessment of the key characteristics of the borough to identify areas of higher risk of vulnerability to gambling-related harm.

**2.7** The Lambeth approach is based on the possible risk to gambling-related harm and does not mean that just because an area is seen as being at higher risk that all people in that area will suffer harm or be at risk of suffering harm.

**2.8** Lambeth will take specific note of whether an application relates to a premise that is:

- Close to an educational establishment, including colleges and universities;
- Close to a centre dealing with addictions;
- Close to general practitioners and supported housing that focuses on mental health;
- Situated in an area of high, gambling associated crime;
- Situated in an area of deprivation;
- Close to locations that are regularly visited by those who are unemployed such as job centres and food banks; or
- Close to the location of businesses providing instant access to cash such as payday loans, pawn shops

**2.9** Lambeth expects applicants for a new licence to submit the completed assessment with their application. It must identify the risks and state what control mechanisms are to be employed at the premises to ensure that the licensing objectives are being met having regard to the local area profiles produced by this Authority. The assessment must consider at a minimum:

- The local area, including but not restricted to the types of premises and operation in the area surrounding the gambling premises; educational facilities; centres for vulnerable people; high crime area; high unemployment area; pawn broker/payday loan businesses in the vicinity; other gambling premises in the vicinity
- The gambling operation, including but not restricted to what gambling products it provides on the premises; the staffing levels within the premises; the level and requirement for staff training; whether loyalty or account cards are used or not; the security and crime preventions arrangements it has in place; how it advertises

locally and on the premises; the marketing material within the premises; the display and provision of information

- The design and layout of the premises, including but not restricted to whether the staff have obstructed views of gaming machines or entrances; whether the design is such that children can see gambling taking place;
- The control mechanisms to be put in place to mitigate the risks, for example; the use of CCTV cameras, the provision of magnetic door locks, employment of door supervisors, employing a challenge 25 scheme, increased number of trained staff

## Data

3.1 Below is the data table which highlights the data that has gone into the model to assess vulnerability across Lambeth.

Dataset	Source	Linked Harm
All crime - venue recorded as occurring at a Lambeth betting shop – 2016, 2017 and 2018	MPS	Crime
Domestic incidents in Lambeth in 2017 and 2018	MPS	Relationship problems/ breakdown
Acquisitive crime in 2017 and 2018	MPS	Crime
Money lenders, pawnbrokers and food banks	Open Source	Unemployment Financial Stress Income Deprivation
Mental health services and mental health care facilities	Corporate GIS Lambeth CCG	Health Issues
Drug and alcohol treatment and recovery centres	Public Health	Health Issues
Supervised Pharmacies	Public Health	Health Issues
Education institutions with students of 13-24 years	Corporate GIS	Child Exposure
Hostels, supported housing, registered care & temporary accommodation	Corporate GIS	Health Issues Homelessness
Economically active unemployed residents	2011 Census	Unemployment Financial Stress Income Deprivation
Location of Job Centres	Corporate GIS	Unemployment Financial Stress Income Deprivation
Location of Youth Centres	Corporate GIS	Child Exposure
Income Deprivation	Indices of Multiple Deprivation	Unemployment Financial Stress Income Deprivation

Employment Deprivation	Indices of Multiple Deprivation	Unemployment Financial Stress Income Deprivation
Location of Gambling Premises Licenses	Licensing	All
Population by Lower Super Output Area	ONS 2022	All

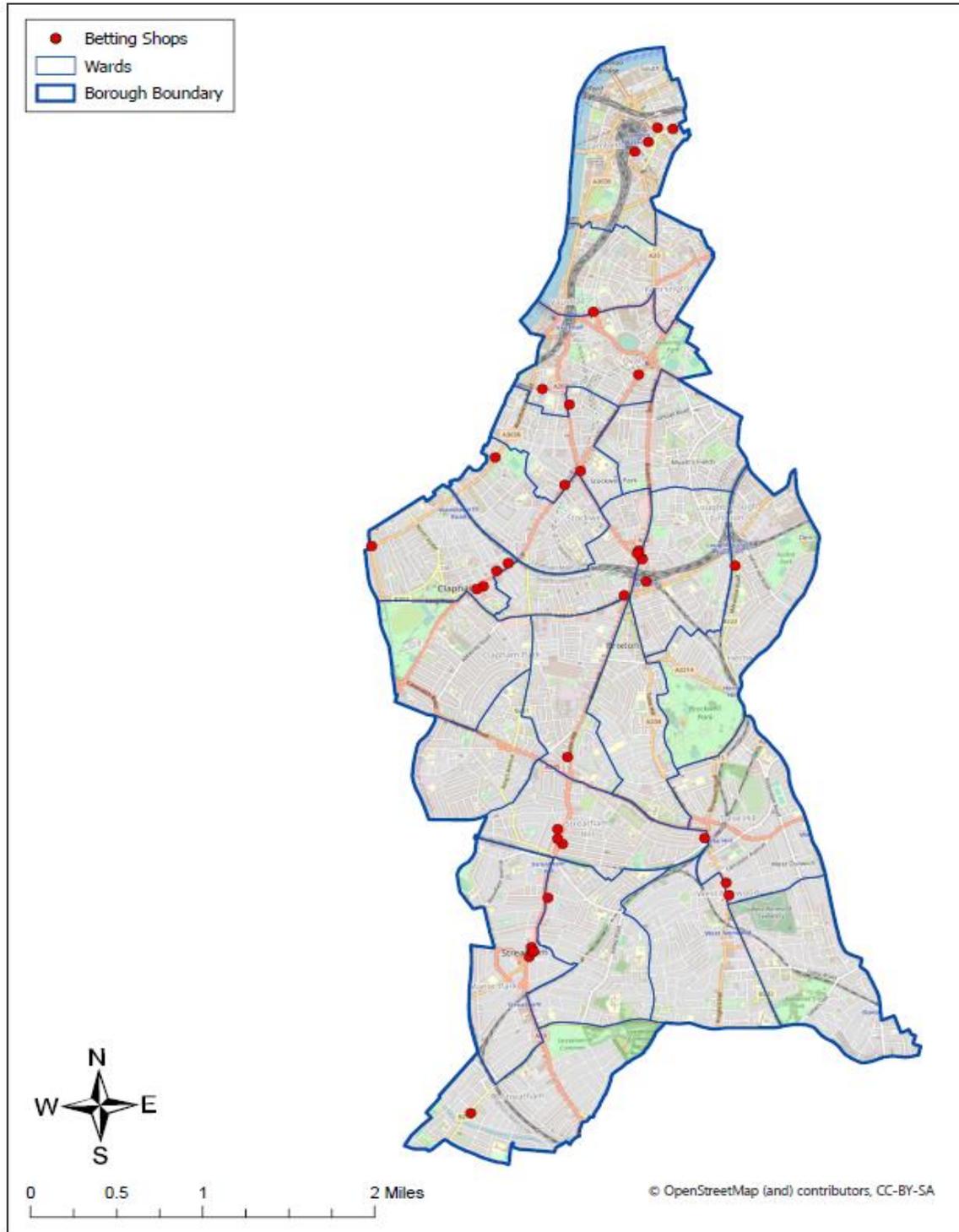
## Vulnerability Maps

4.1 Below is the data table which should be used to navigate between the various maps made available through this local area profile.<sup>3</sup>

Map no.	Map Title
Section 4 – Vulnerability Maps	
1	<a href="#"><u>Locations of Gambling Premises Licences in Lambeth</u></a>
2	<a href="#"><u>Density Analysis of Gambling Premises Licenses</u></a>
3	<a href="#"><u>Network Analysis of Gambling Premises Based on 5 Minute Walking Time</u></a>
4	<a href="#"><u>LSOAs Graded by IMD Income Scores and Showing Ward Boundaries</u></a>
5	<a href="#"><u>LSOAs Graded by IMD Employment Scores and Showing Ward Boundaries</u></a>
6	<a href="#"><u>Routing Map Showing Proximity of Secondary Schools and Youth Clubs to Betting Shops</u></a>
7	<a href="#"><u>Locations Linked to Vulnerable Adults</u></a>
8	<a href="#"><u>Density Analysis of Locations Linked to Vulnerable Adults</u></a>
9	<a href="#"><u>Routing Map Showing Proximity of Locations Linked to Vulnerable Adults to Betting Shops</u></a>
10	<a href="#"><u>Hot Spot Analysis of Crimes Associated with Gambling Premises Licenses</u></a>
11	<a href="#"><u>Hot Spot Analysis of Domestic Violence Offences in Lambeth</u></a>
12	<a href="#"><u>Hot Spot Analysis of Acquisitive Crimes in Lambeth</u></a>
13	<a href="#"><u>LSOA Overall Gambling Vulnerability Analysis</u></a>
Section 5 – Gambling Vulnerability Zones	
14	<a href="#"><u>London Borough of Lambeth: Gambling Vulnerability Zones</u></a>
15	<a href="#"><u>North Lambeth Gambling Vulnerability Zones</u></a>
16	<a href="#"><u>Central Lambeth Gambling Vulnerability Zones</u></a>
17	<a href="#"><u>South Lambeth Gambling Vulnerability Zones</u></a>
Section 6 – Gambling Premises Clusters	
18	<a href="#"><u>London Borough of Lambeth: Gambling Premises Clusters</u></a>
19	<a href="#"><u>South Bank and Waterloo Gambling Cluster</u></a>
20	<a href="#"><u>Clapham High Street Gambling Cluster</u></a>
21	<a href="#"><u>Central Brixton Gambling Cluster</u></a>
22	<a href="#"><u>Streatham Hill Gambling Cluster</u></a>
23	<a href="#"><u>St Leonards Gambling Cluster</u></a>
24	<a href="#"><u>London Borough of Lambeth: Gambling Clusters and Vulnerability Zones</u></a>

<sup>3</sup> Use the links in the table to view higher resolution images and interactive views of the clusters and vulnerability maps 6

**MAP 1: Locations of Gambling Premises Licenses in Lambeth**



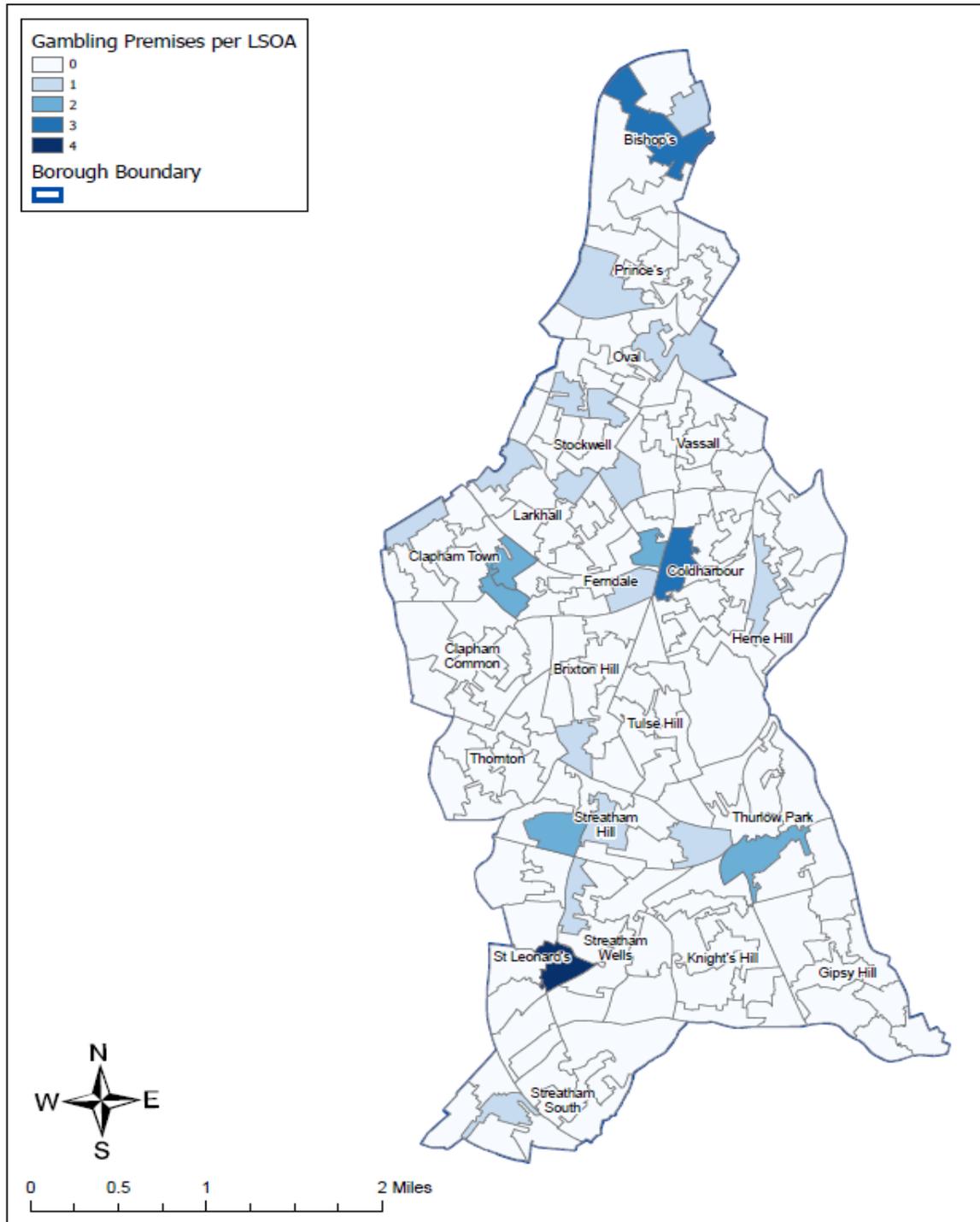
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**4.2** Map 1 shows the locations of the premises with a Gambling Premises license in Lambeth. The map shows concentrations in the high footfall areas, namely; Brixton Town Centre, Clapham High Road, Streatham High Road and the South Bank.

### MAP 2: Density Analysis of Gambling Premises Licenses

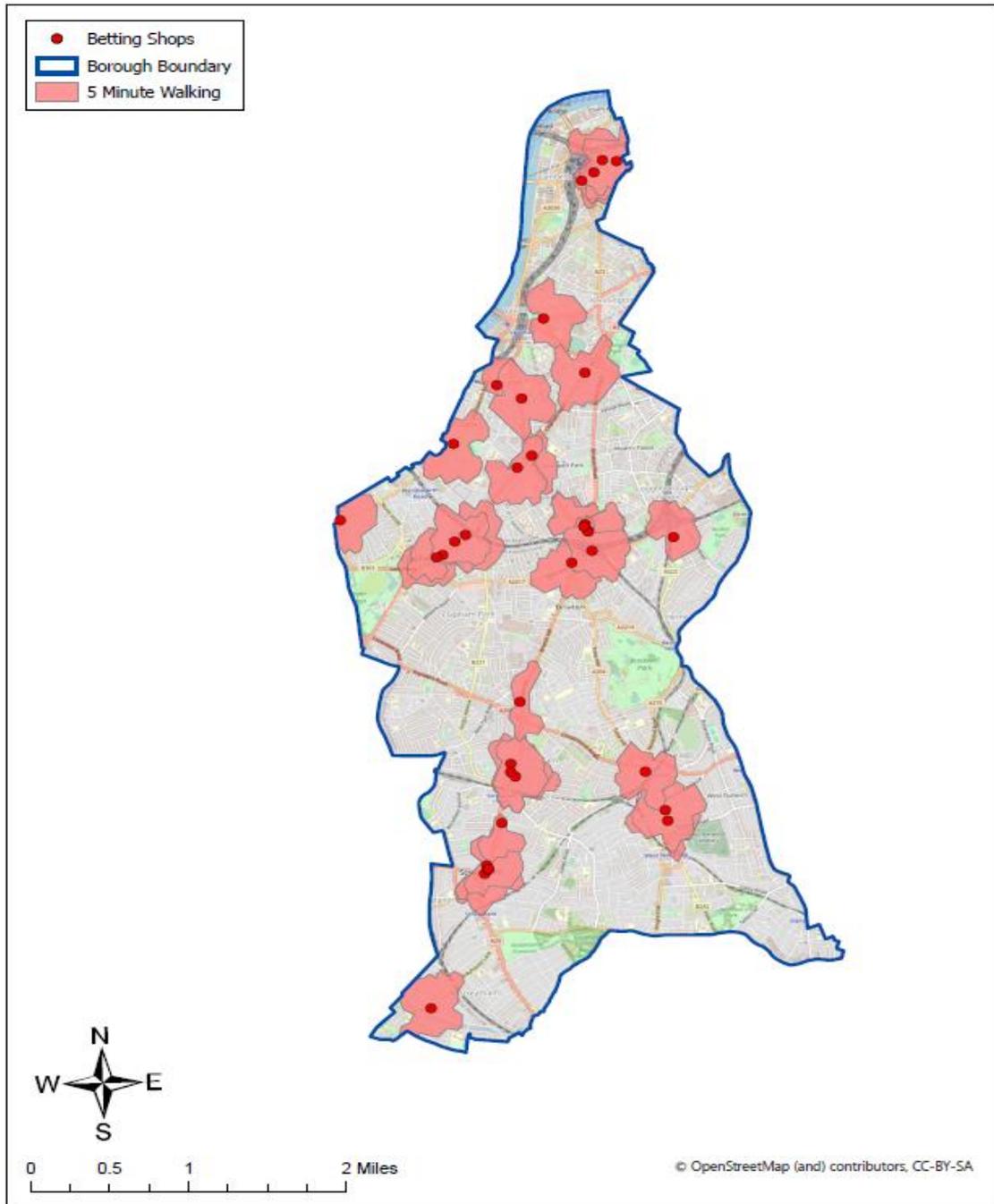


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**4.3** Map 2 builds on Map 1 and shows a density analysis of gambling premises locations, per LSOA

**MAP 3: Network Analysis of Gambling Premises Based on 5 Minute Walking Time**

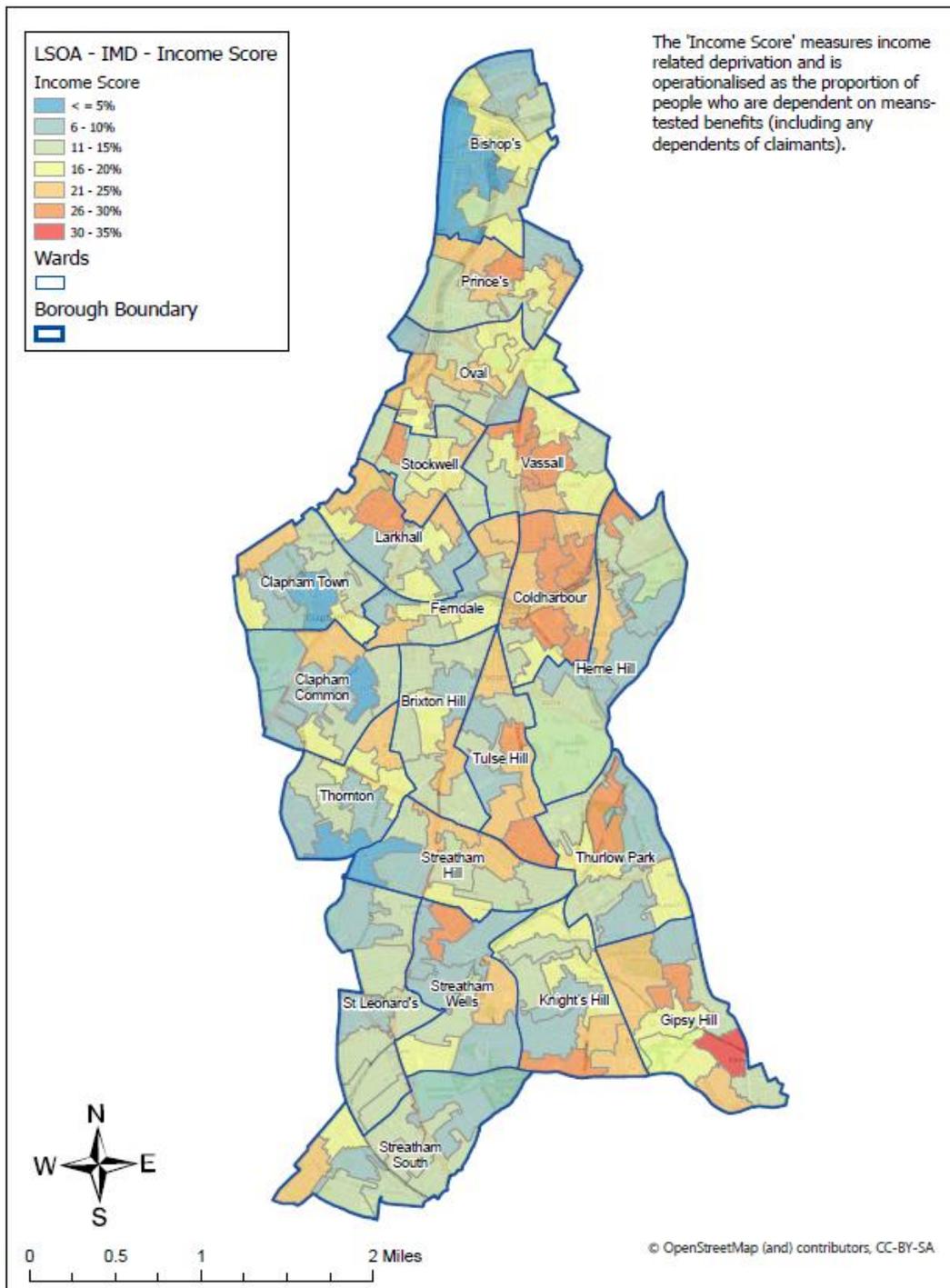
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- 4.4** Map 3 is a network analysis of Lambeth and the locations of its gambling premises. The map illustrates the coverage a person could achieve if they were to walk for 5 minutes in any direction from the premises. The map highlights that much of Brixton, Clapham High Street, Streatham High Road, West Norwood and the north of the borough are within 5 minutes walk of a gambling premises.

### MAP 4: LSOAs Graded by IMD Income Scores Showing Ward Boundaries



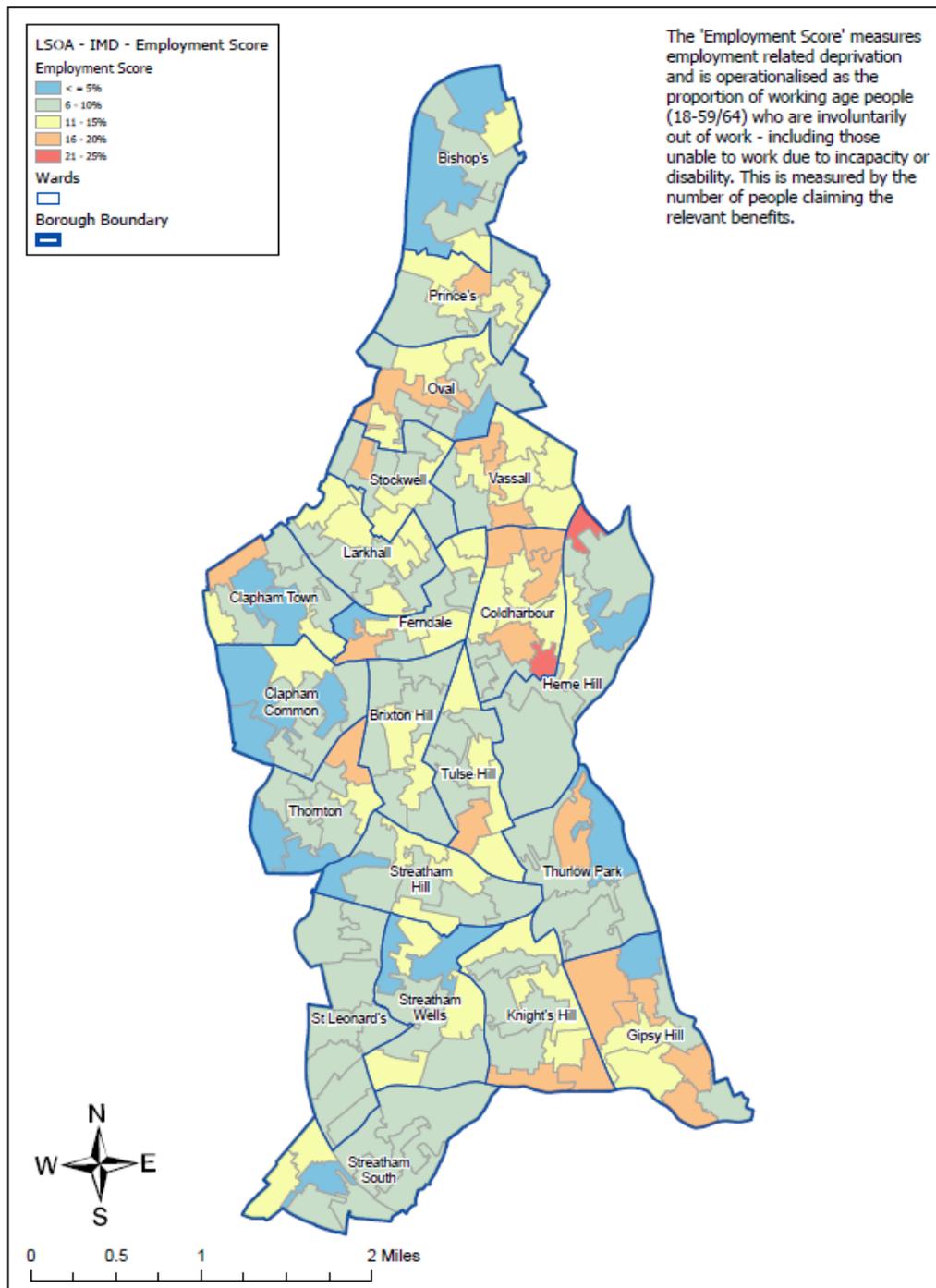
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4.5 Map 4 is a visual representation of the most income deprived areas in Lambeth. Each lower super output area (LSOA) is colour coded to represent the proportion of the population in that locality who are dependent on means-tested benefits. It shows that for large areas in Coldharbour, Vassall, Tulse Hill and Gipsy Hill wards it is common that over 25% of the population are dependent on means-tested benefits, and in some instances up to 40%.

### MAP 5: LSOAs Graded by IMD Employment Scores Showing Ward Boundaries



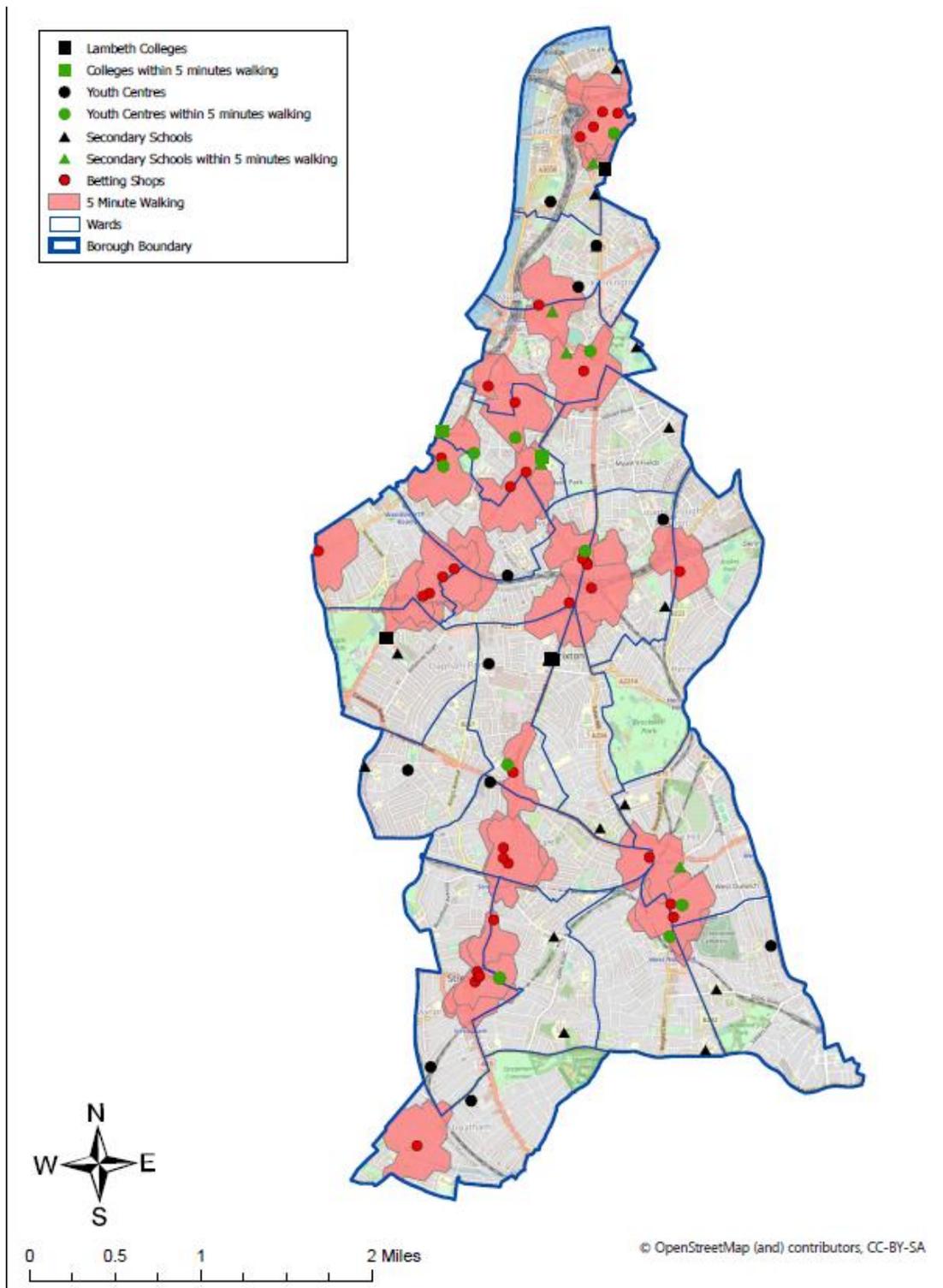
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**4.6** Map 5 is a visual representation of the most employment deprived areas in Lambeth. Each lower super output area (LSOA) is colour coded to represent the proportion of the population in that locality who are involuntarily out of work. It shows that for large areas in Coldharbour, Vassall, Knight's Hill and Gipsy Hill wards it is common for between 15 - 25% of the population to be involuntarily out of work.

### MAP 6: Proximity of Secondary Schools and Youth Clubs to Gambling Premises



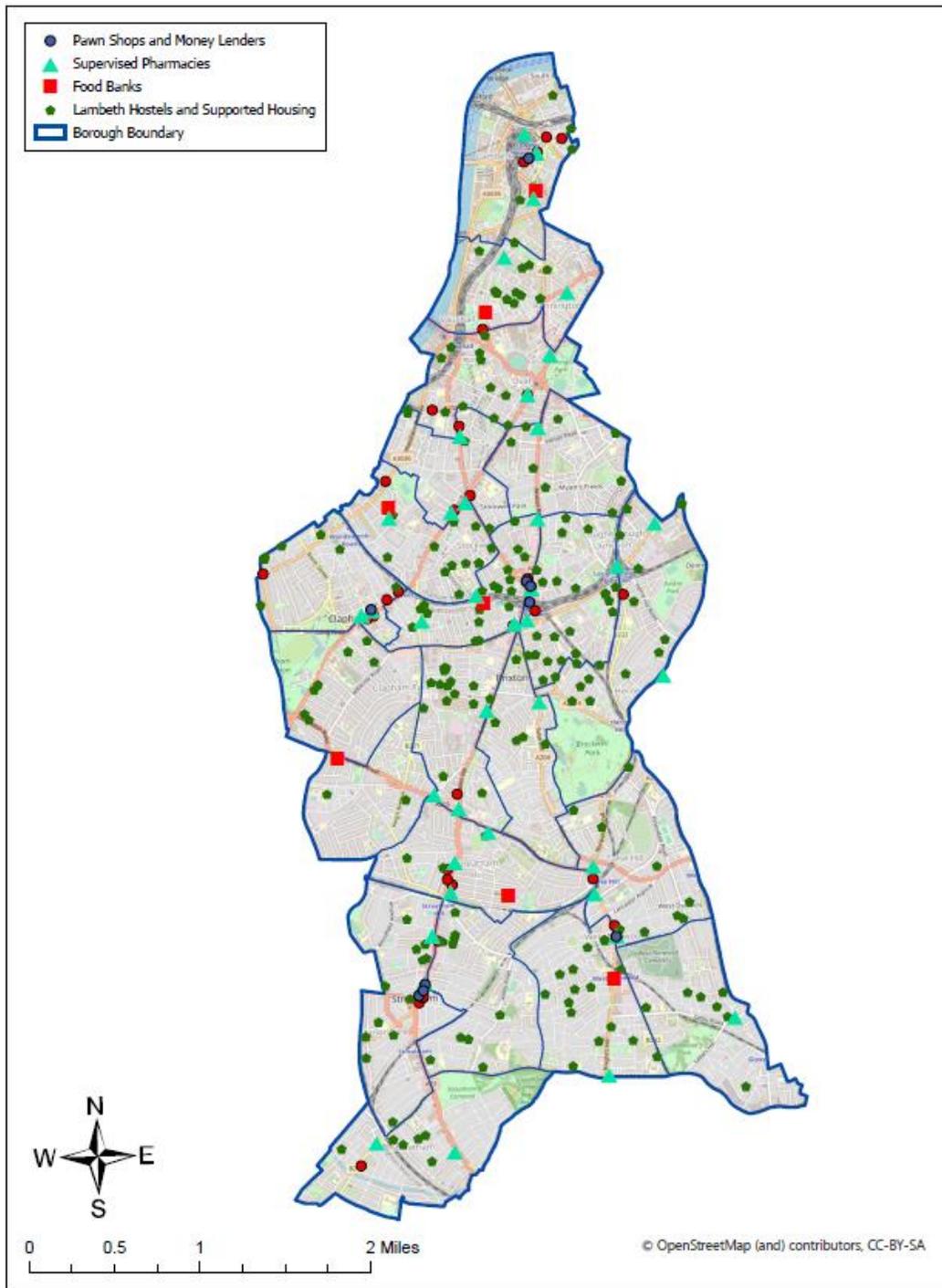
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4.7 Map 6 – representation of the number of schools, youth centres and Lambeth colleges that are within a 5 minute walking distance of a gambling premises. This highlights the close proximity with which Lambeth schools and gambling premises are already situated.

## MAP 7: Locations Linked to Vulnerable Adults



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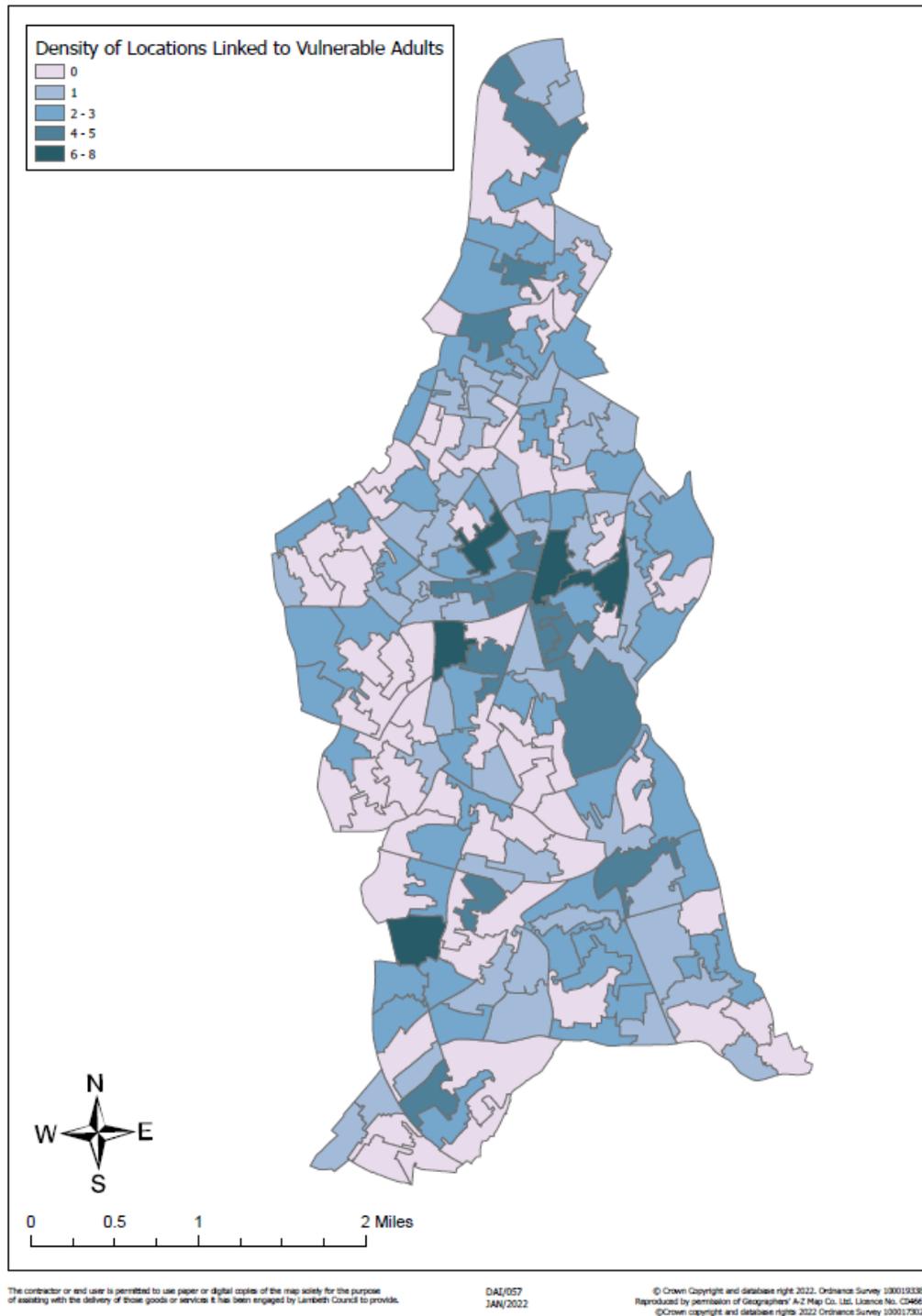
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- 4.8** Map 7 shows the locations that have been associated with vulnerable adults in Lambeth. They include; addiction services, money lenders, pawnbrokers, food banks, talking therapies, supervised pharmacies (for individuals who have been prescribed methadone or other similar drugs), general practitioners who have a mental health specialist and hostels or supported housing that focus on people who are/have; single or homeless with support needs, mental health/disorder problems, drug or alcohol problems, young person at risk, or teenage parents.

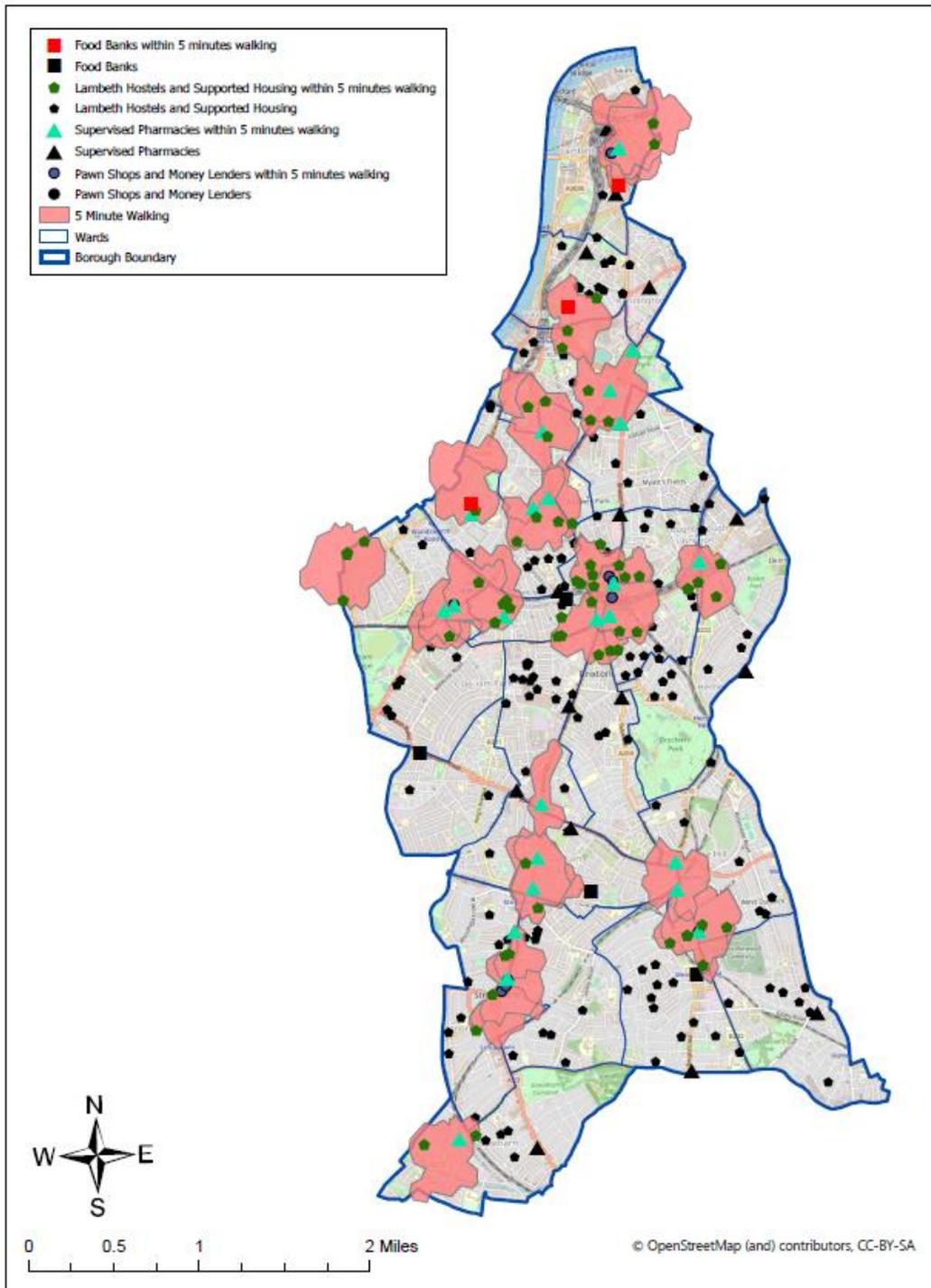
## MAP 8: Density Analysis for Locations Linked to Vulnerable Adults

Map 8: Density Analysis for Locations Linked to Vulnerable Adults



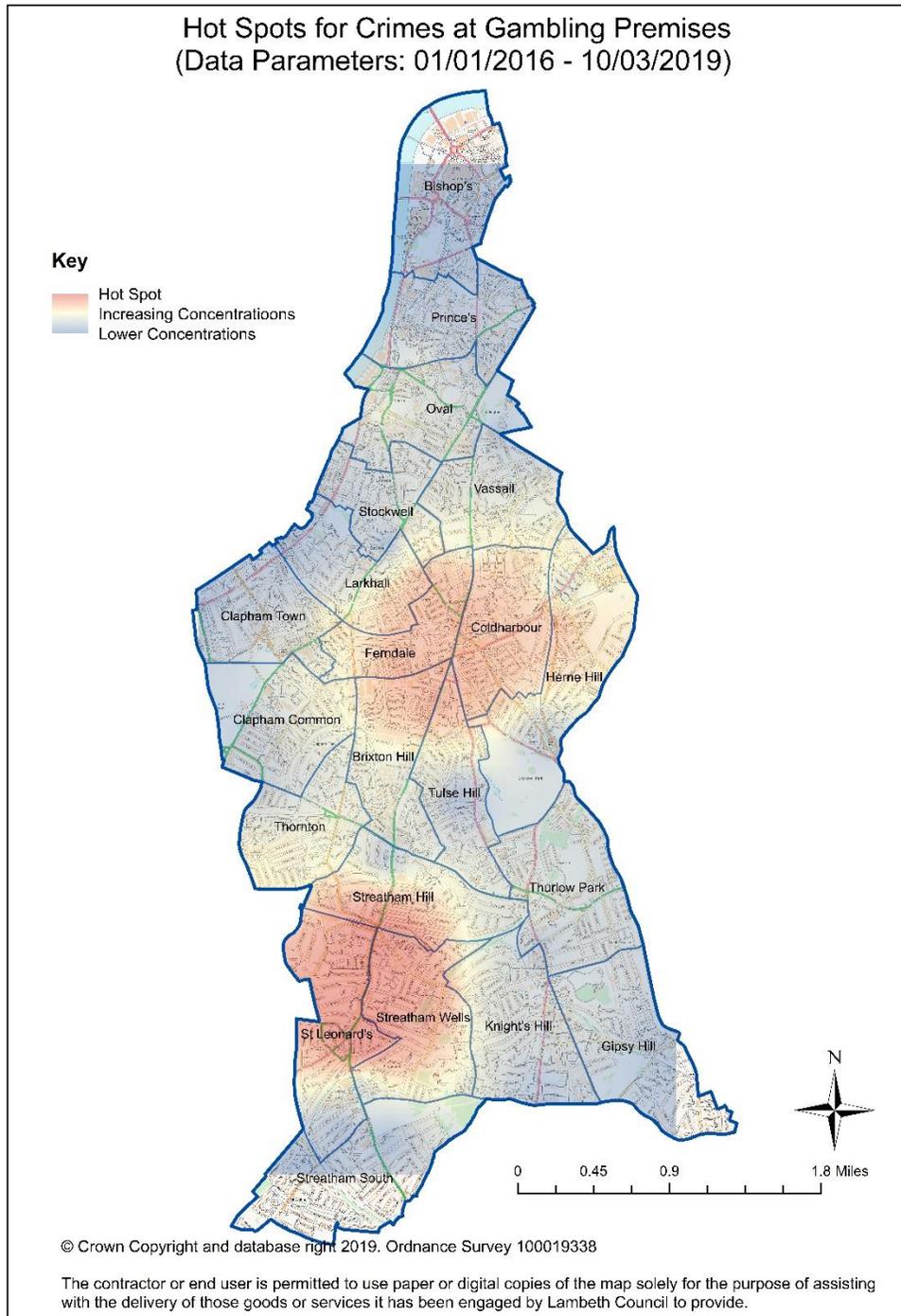
- 4.9** Map 8 shows a density analysis of locations that are associated with vulnerable adults. The map highlights that the highest concentrations are found in central Lambeth, in particular surrounding the Brixton Town Centre. There is a similarity between this map (Map 8) and Map 2. This highlights that the locations of higher densities of gambling premises and locations where vulnerable adults with habitually frequent, are similar.

**MAP 9: Showing Proximity of Locations Linked to Vulnerable Adults to Betting Shops**



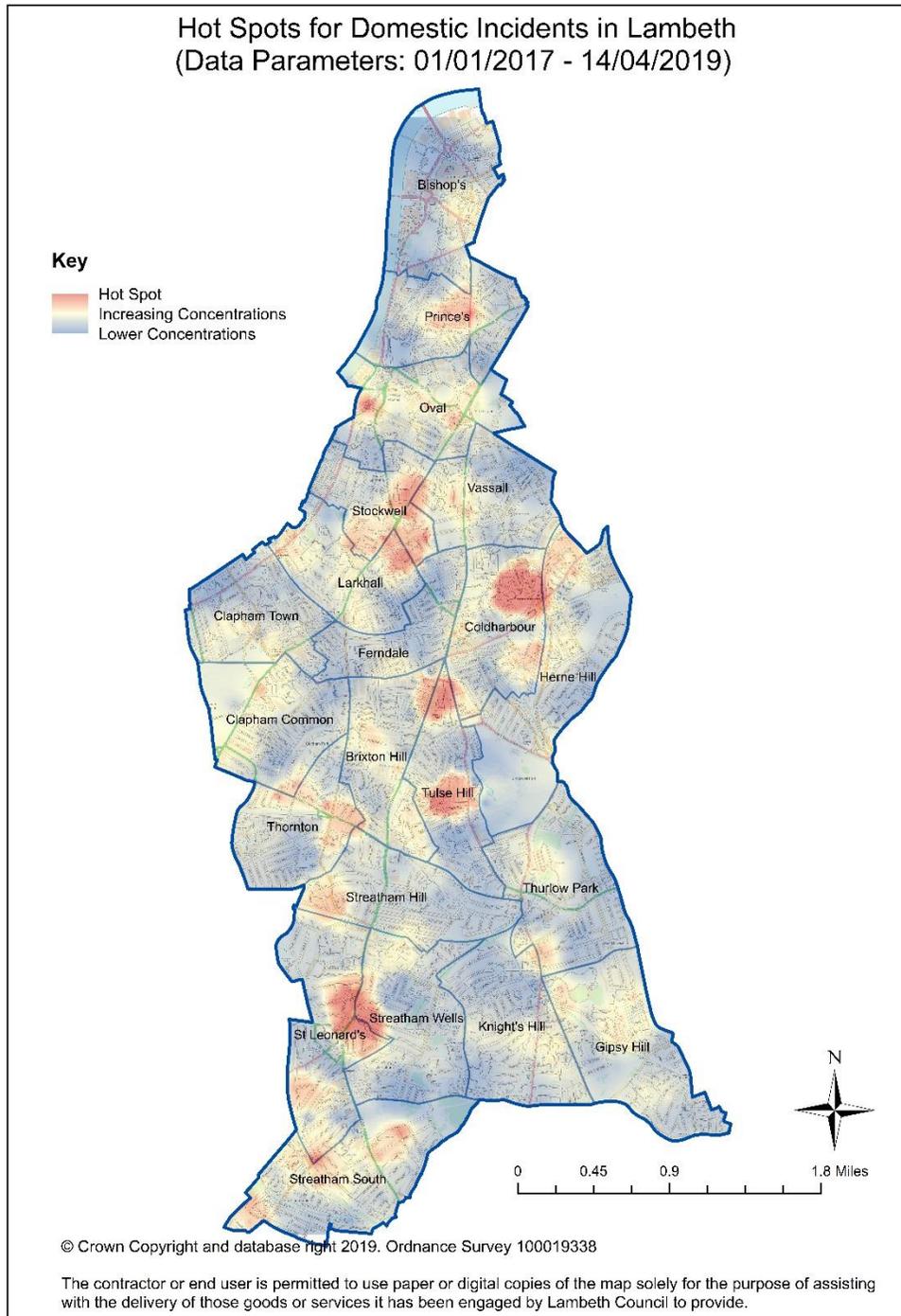
4.10 Map 9 – shows the number of locations linked to vulnerable adults that are within 5 minutes’ walk of a gambling premises to each gambling premises.

**MAP 10: Hot Spot Analysis of Crimes Associated with Gambling Premises Licenses**



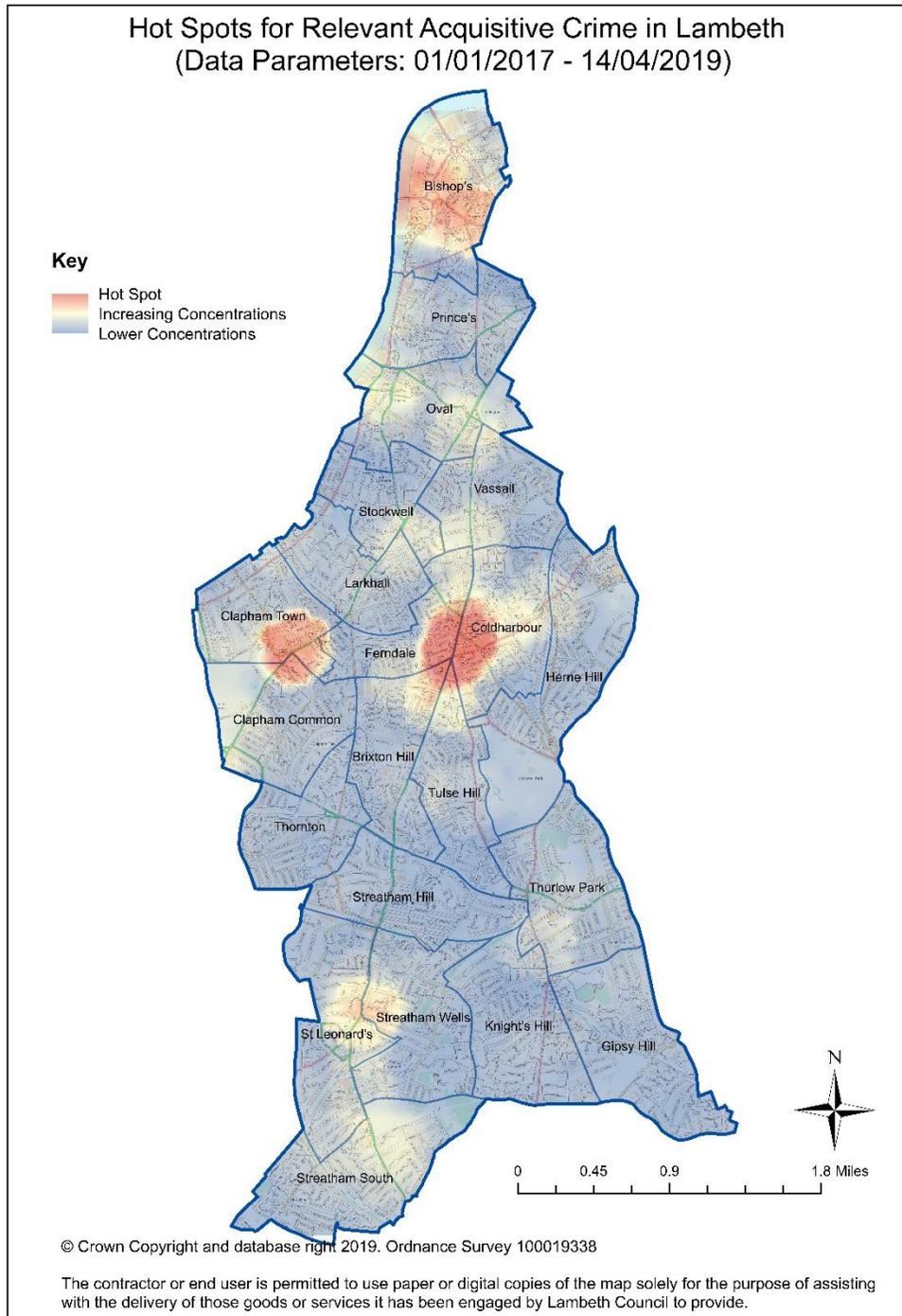
**4.11** Map 10 shows the result of the hot spot analysis for crimes where the address of one of Lambeth’s licensed gambling premises was recorded as the venue of the crime. Each crime is symbolised based on whether it is part of a statistically significant hot spot (red), a statistically significant cold spot (blue). The red areas are hot spots, or areas where high numbers of crimes at gambling premises are surrounded by other areas with high numbers of crimes at gambling premises. In Lambeth, the two main hot spots are Streatham High Road and Brixton.

**MAP 11: Hot Spot Analysis of Domestic Violence Offences in Lambeth**



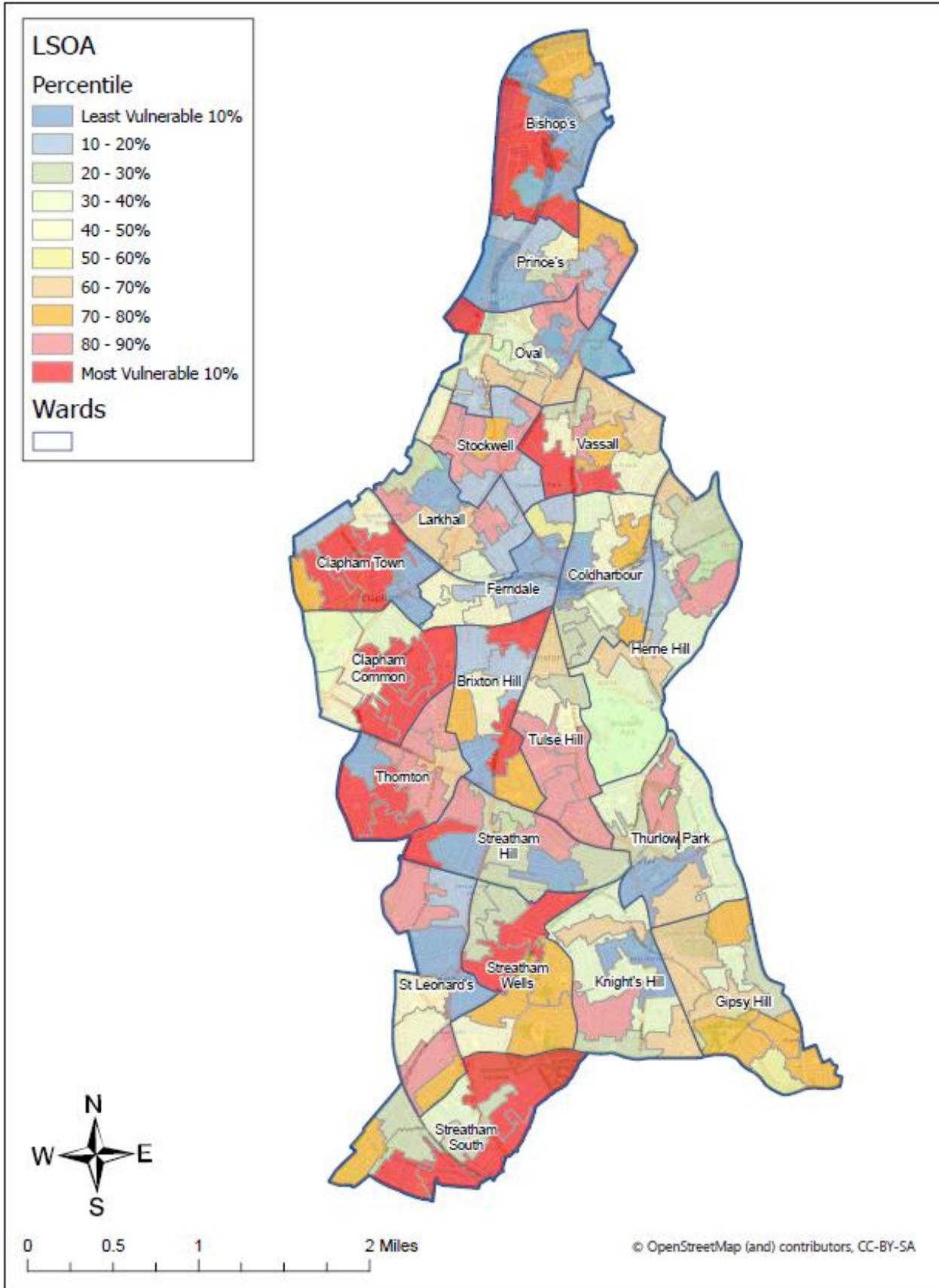
**4.12** Map 11 shows the result of the hot spot analysis for recorded crimes where the domestic incident flag on the Metropolitan Police recording system was active. Each crime is symbolised based on whether it is part of a statistically significant hot spot (red), and a statistically significant cold spot (blue). The red areas are hot spots, or areas where high numbers of domestic incidents are surrounded by other areas with high numbers of domestic incidents. In Lambeth, hot spots are distributed throughout the borough with particularly high densities near Streatham High Road, Tulse Hill Estate, St. Matthews Estate and Loughborough Junction.

## MAP 12: Hot Spot Analysis of Acquisitive Crimes in Lambeth



**4.13** Map 12 shows the result of the hot spot analysis for recorded acquisitive crimes that are linked to gambling related harm. The main crime classifications used were as follows; burglary, theft from person, theft other, shoplifting and robbery. Each crime is symbolised based on whether it is part of a statistically significant hot spot (red), and a statistically significant cold spot (blue). The red areas are hot spots, or areas where high numbers of acquisitive crimes are surrounded by other areas with high numbers of acquisitive crimes. In Lambeth, the most prominent hot spots are in Brixton Town Centre, Clapham High Road and at the South Bank.

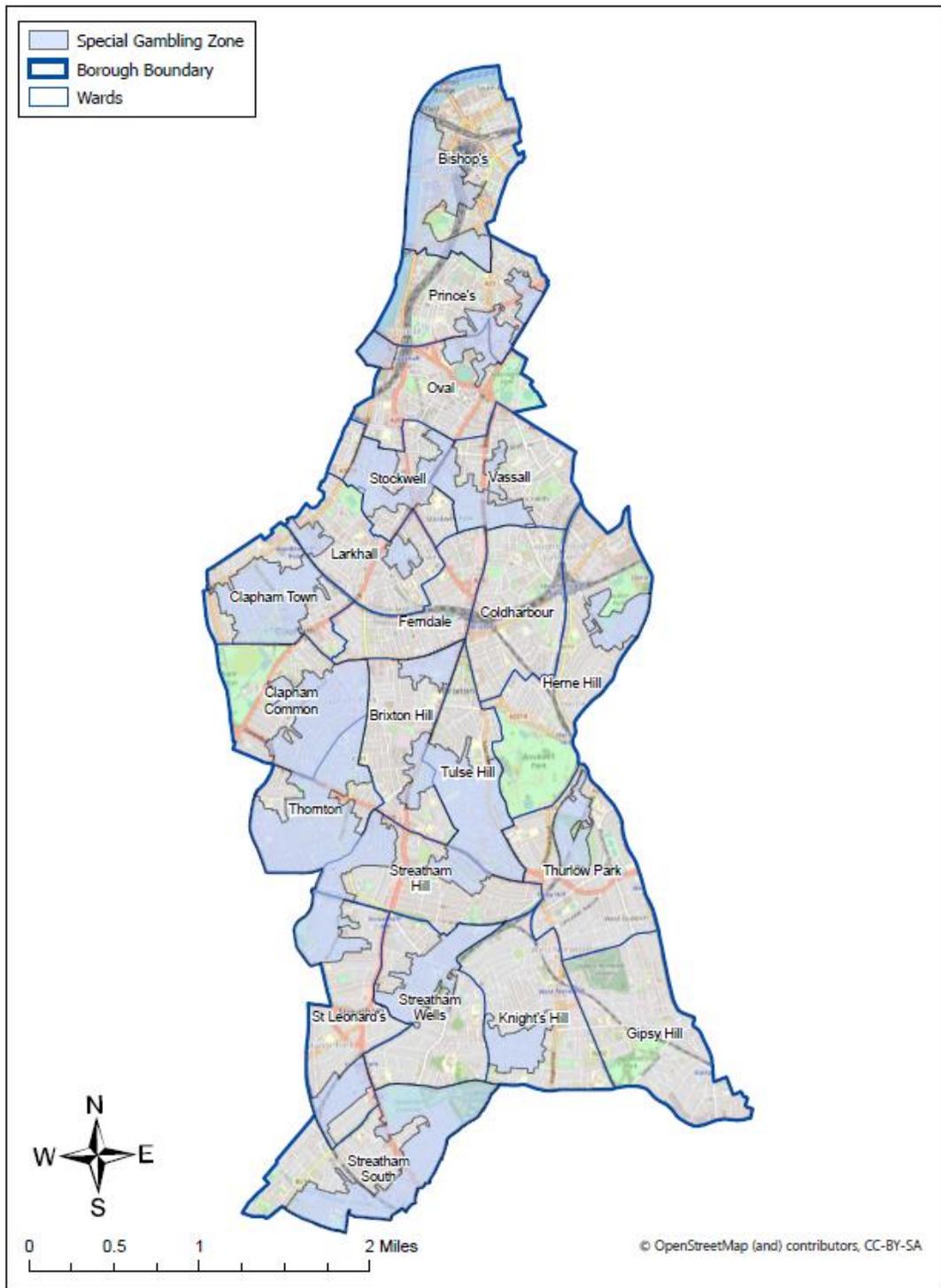
# MAP 13: LSOA Overall Gambling Vulnerability Analysis



## **Gambling Vulnerability Zones**

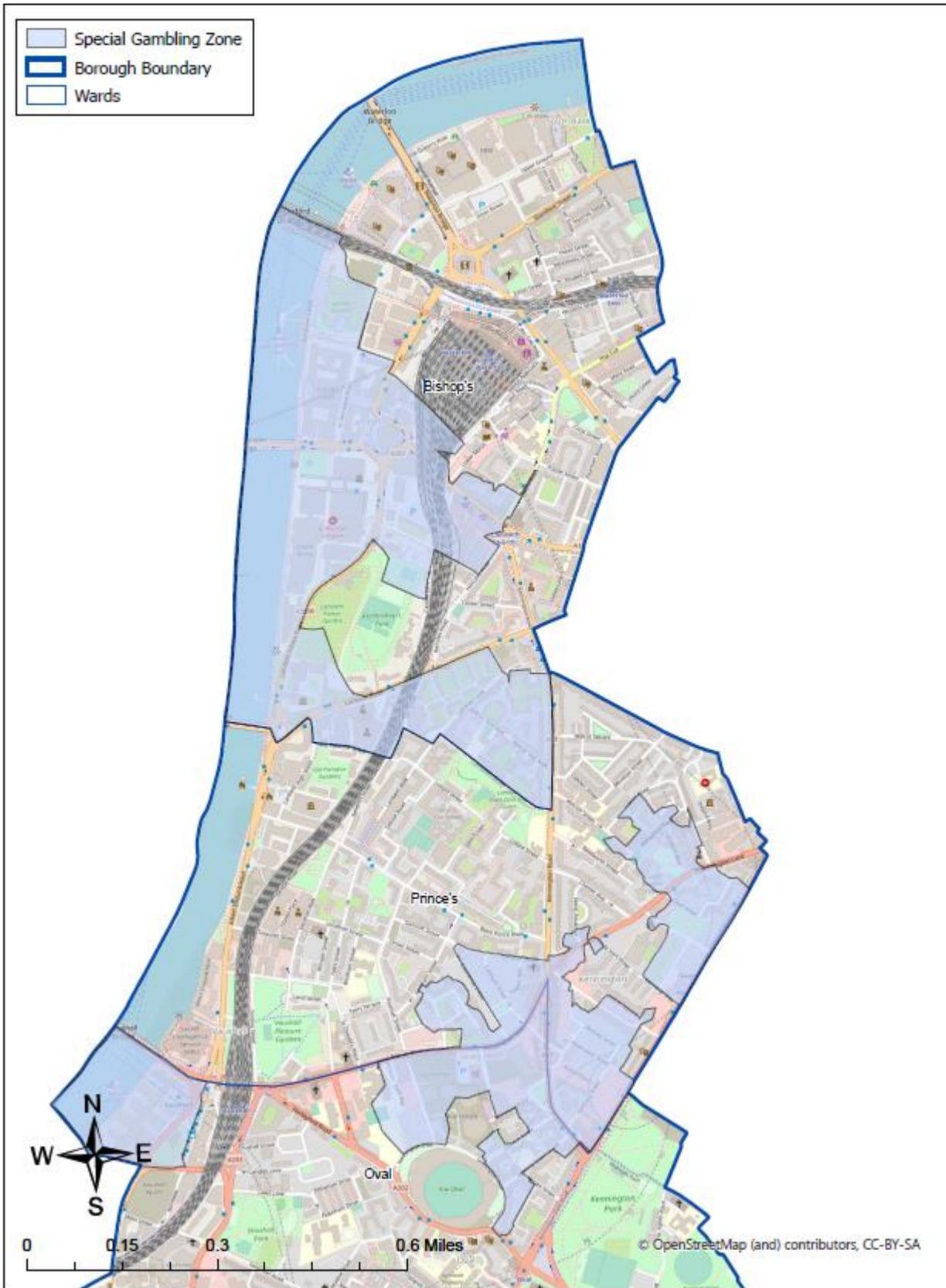
- 5.1** Map 13 represents a risk model created by combining all of the above factors per LSOA within the vulnerability maps. Lambeth LSOAs are then individually ranked by percentile. This allows for the identification of the most vulnerable locations to gambling related harm in Lambeth, divided into groups of 10%. Thus, we can assess how vulnerable an LSOA in Lambeth is, based on our evaluation of the risks in that area, relative to other LSOAs across the borough.
- 5.2** The variables that have been incorporated are, the number of; money lenders, addiction centres, food banks, talking therapies, supervised pharmacies, youth centres, schools and colleges, GPs with mental health therapists, hostels and supported housing, betting shops, gambling premises crime, domestic incidents, acquisitive crime, population size, IMD income score, IMD employment score, Census 2011 – young unemployed economically active people, and Census 2011 – all unemployed economically active people.
- 5.3** The above described variables have been weighted in order to account for significantly different volumes of independent measures, and prevent high volume variables being given greater influence within the model. For example, the average number of acquisitive crimes recorded per LSOA is 201, whereas the average number of addiction centres per LSOA is 0.017. If the totals were simply summed, then crime would dominate the model. In Lambeth's risk model, each LSOA is scored based on the proportion of the individual measure that is located within it, represented as a decimal number. This ensures that each variable is more evenly represented. Weighted measures have then been summed to give a total score for gambling related vulnerability per LSOA. The higher the score, the higher the evaluated risk.
- 5.4** Map 13 is the overall combination of identified risks, weighted and ranked by LSOAs in Lambeth. However, if an LSOA is identified as being less vulnerable than the most vulnerable LSOA, that does not mean that those areas do not carry their own specific risks. The above complement of maps should be used to identify the nature of the risks that are presented in each area. Gambling premises operators are still expected to complete a local risk assessment, irrespective of which percentile the LSOA they are based in is situated. As LSOAs are small geographic locations, neighbouring areas should also be considered.
- 5.5** Based on these risks, Gambling Vulnerability Zones have been created in the top 20% most vulnerable LSOAs. The purpose of the creation of these zones is to highlight, to current and future premises operators, the areas in Lambeth where gambling vulnerability is most acute.

## MAP 14: Gambling Vulnerability Zones



- 5.6 Map 14 shows the Gambling Vulnerability Zones for the entire borough of Lambeth. These zones represent the merging of bordering LSOAs and in some instances single LSOAs that are identified as being in the 20% most vulnerable areas for gambling related harm in Lambeth.

# MAP 15: North Lambeth Gambling Vulnerability Zones



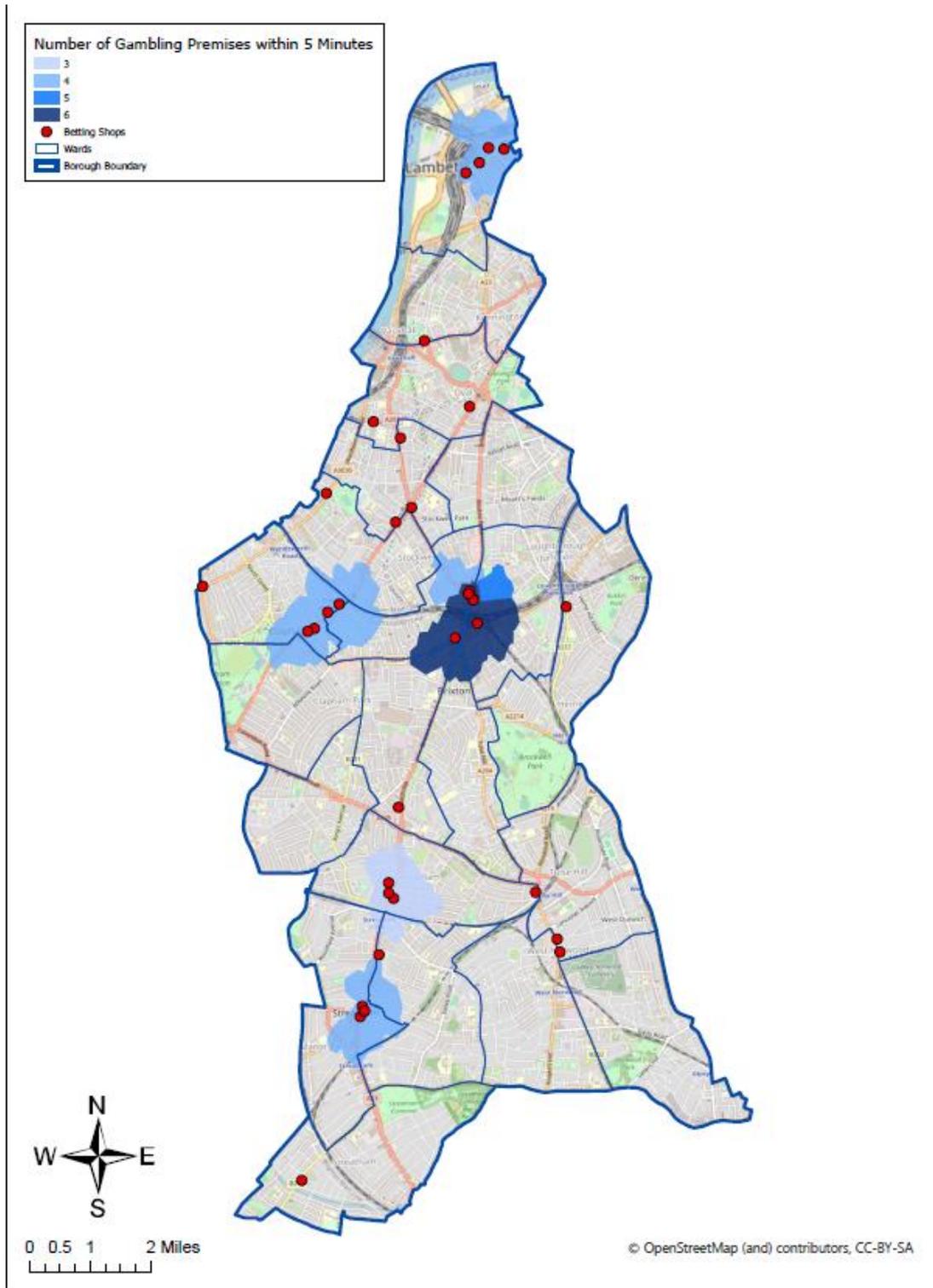




## **Gambling Premises Clusters**

- 6.1** Westminster Council identified in their own Licensing Committee report of March 2018, that there was sufficient evidence to indicate that higher problem gambling prevalence rates exist where there are high concentrations of gambling premises in the same locality.
- 6.2** Problem gambling is defined as “to a degree that compromises, disrupts or damages family, personal or recreational pursuits” (section 2.4) and there are many types of gambling activity which can become ‘problem gambling’. The most common gambling activities that become problematic are; spread betting, betting with a betting exchange, playing poker in pubs or clubs, betting offline on events other than sports or horse or dog racing, and playing machines in bookmakers.
- 6.3** This evidence was produced using research conducted by Natcen Social Research (Gambling Behaviours in Great Britain 2015) and Geofutures in 2016 (now Gambleaware). The latter defined higher concentrations to be locations where three or more betting shops are located within 400 metres of one another.
- 6.4** On the basis of this evidence, routing analysis has been conducted on the Lambeth road and pathway network, to establish where such clusters, three Gambling premises within 400 metres walking distance of each other, exist in Lambeth. In total, Lambeth has identified five clusters that would meet this criteria, these are as follows:
- 1.** South Bank and Waterloo
  - 2.** Clapham High Street
  - 3.** Central Brixton
  - 4.** Streatham Hill
  - 5.** St. Leonard’s
- 6.5** Lambeth clusters have been subsequently created by generating a 400 meter walking buffer around each cluster of Gambling premises, using network analysis methodology. The following series of maps (18 – 24) shows the geographical layout of these clusters in Lambeth and each of them individually, highlighting the vulnerable locations nearby.
- 6.6** The purpose of the creation of these clusters is to highlight, to current and future premises operators, the areas in Lambeth where three or more gambling premises licences are based, which the research identifies is linked to higher rates of problem gambling. This will enable premises within these areas to have a useful reference tool with which to mitigate risks in the local area, manage their gambling operation, design the layout of the premises and put in place appropriate control measures.

**MAP 18: London Borough of Lambeth: Gambling Premises Clusters**



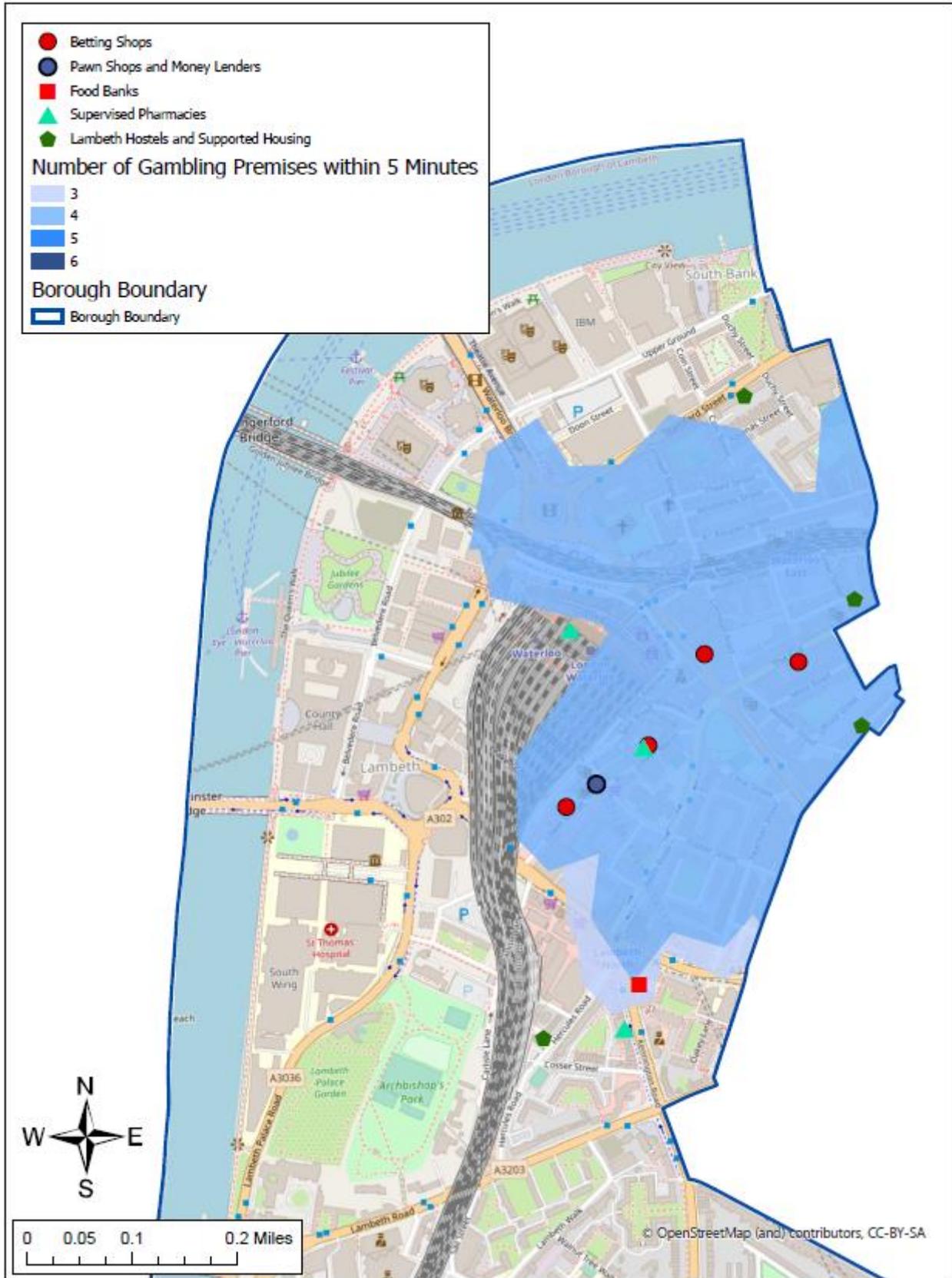
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6.7 Map 18, showing all Gambling Clusters where three or more Gambling clusters are within 400 metres walking distance in Lambeth. This follows the evidenced definition of concentrations of premises that are correlated with higher problem gambling prevalence rates.

MAP 19: South Bank and Waterloo Gambling Cluster

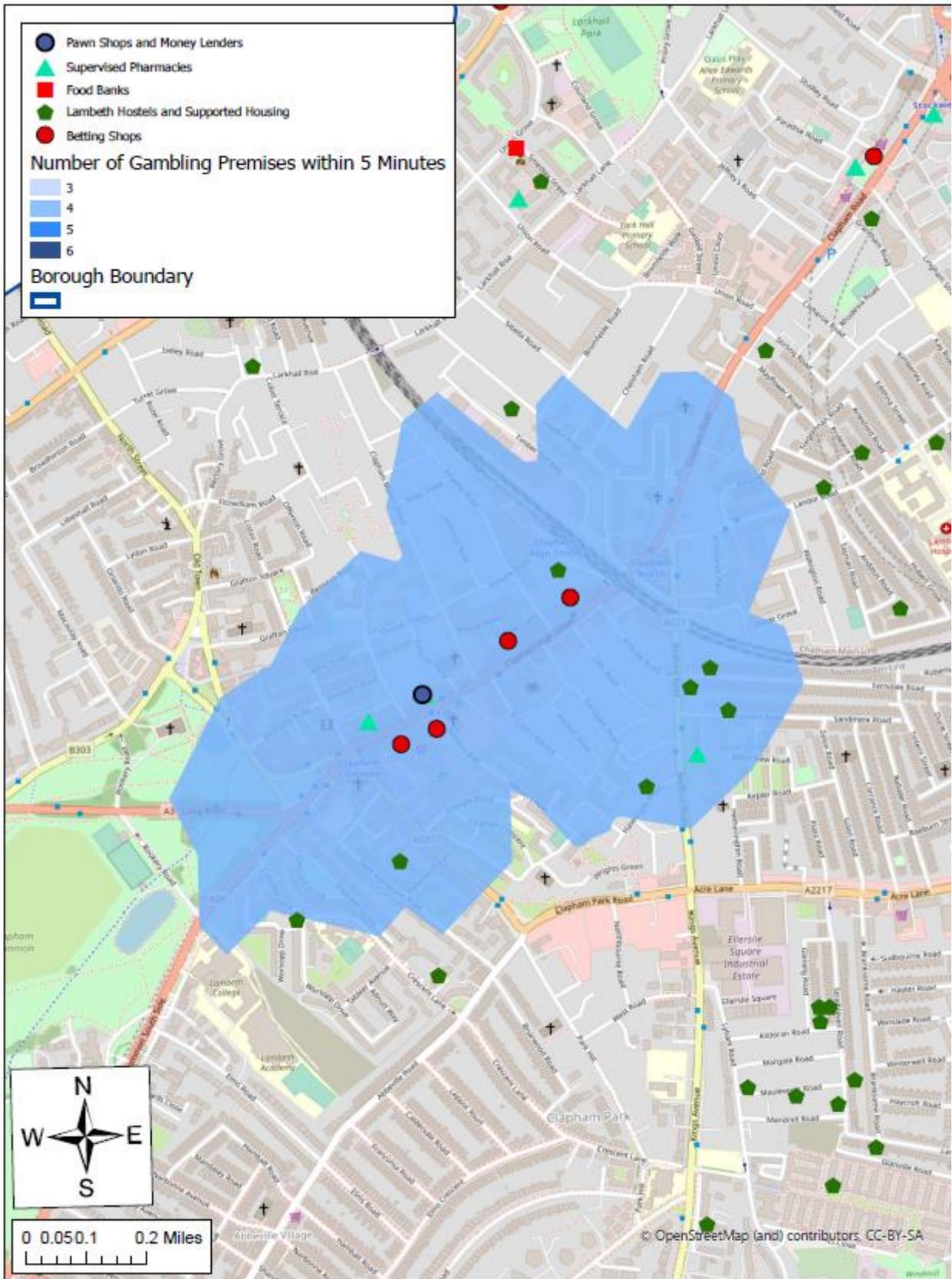


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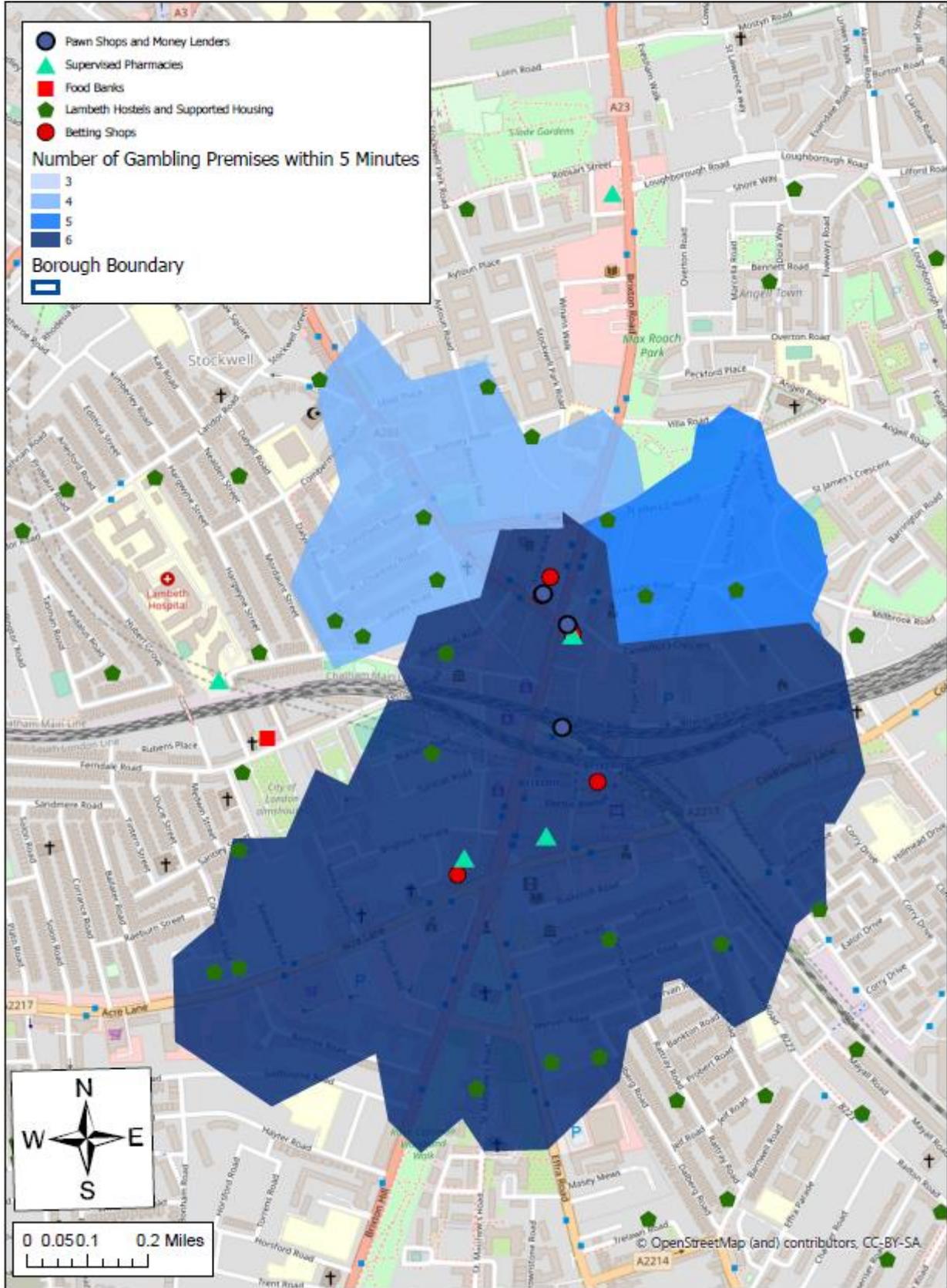
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### MAP 20: Clapham High Street Gambling Cluster



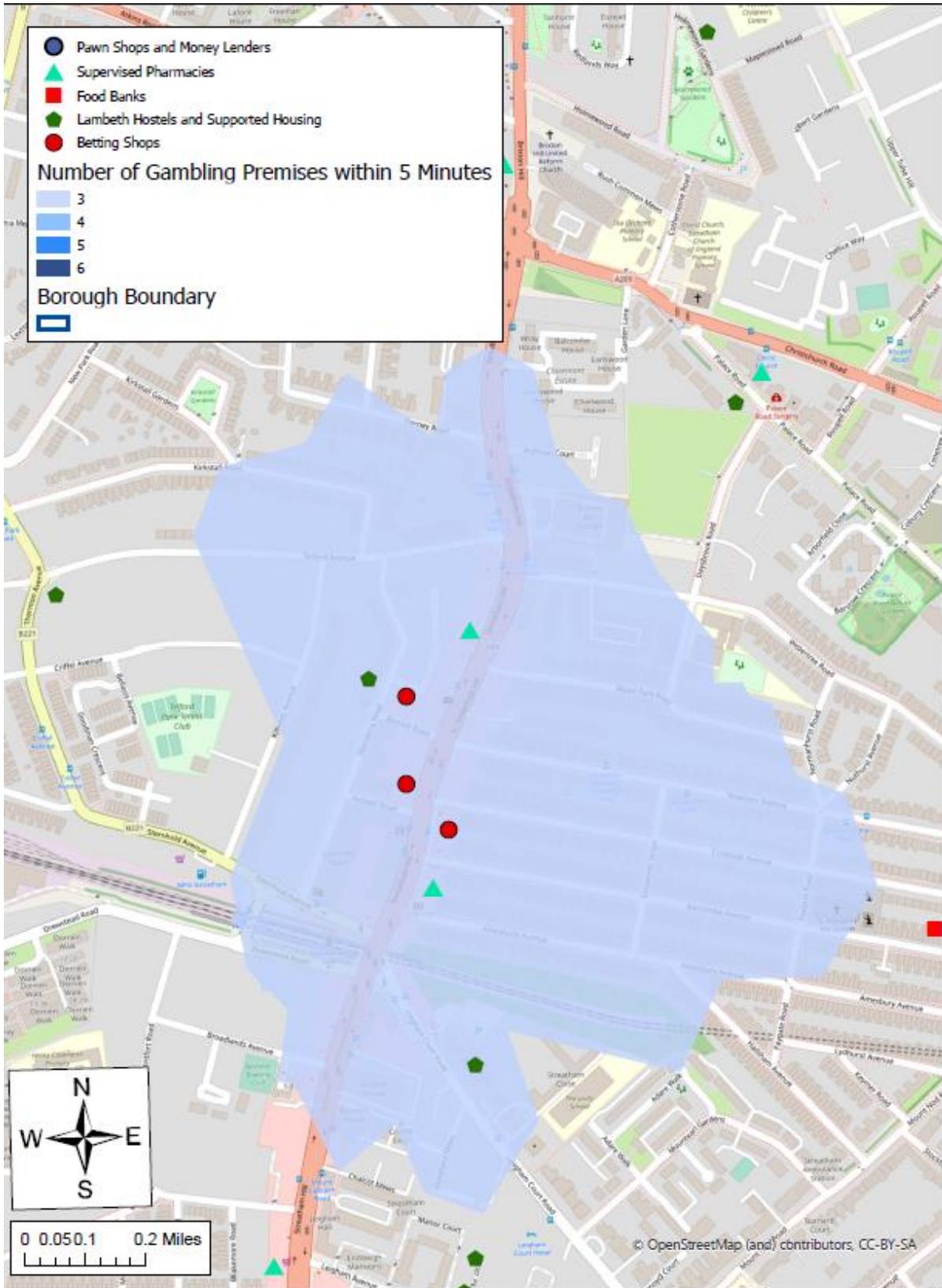
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### MAP 21: Central Brixton Gambling Cluster

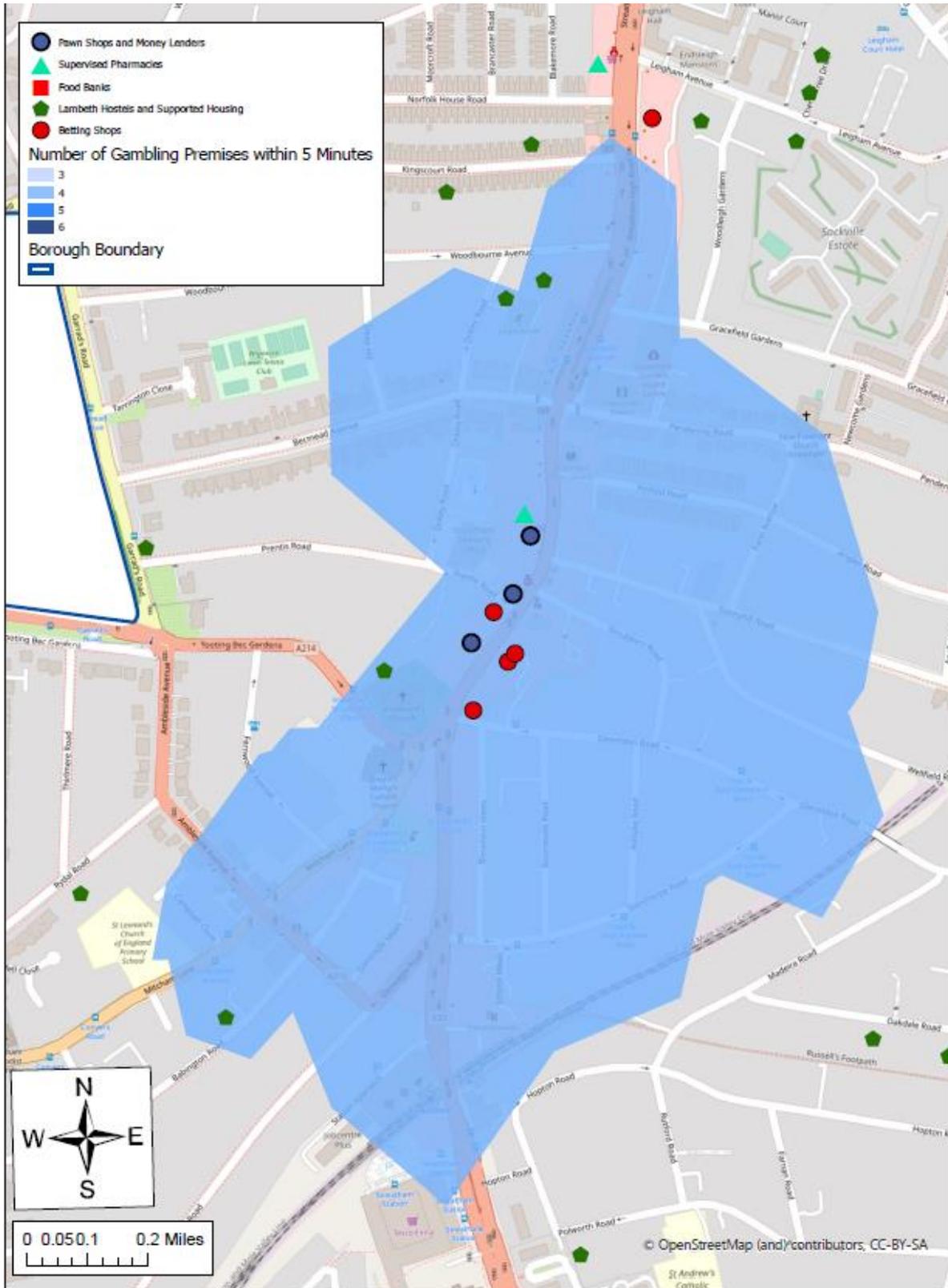


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## MAP 22: Streatham Hill Gambling Cluster



### MAP 23: St Leonards' Gambling Cluster

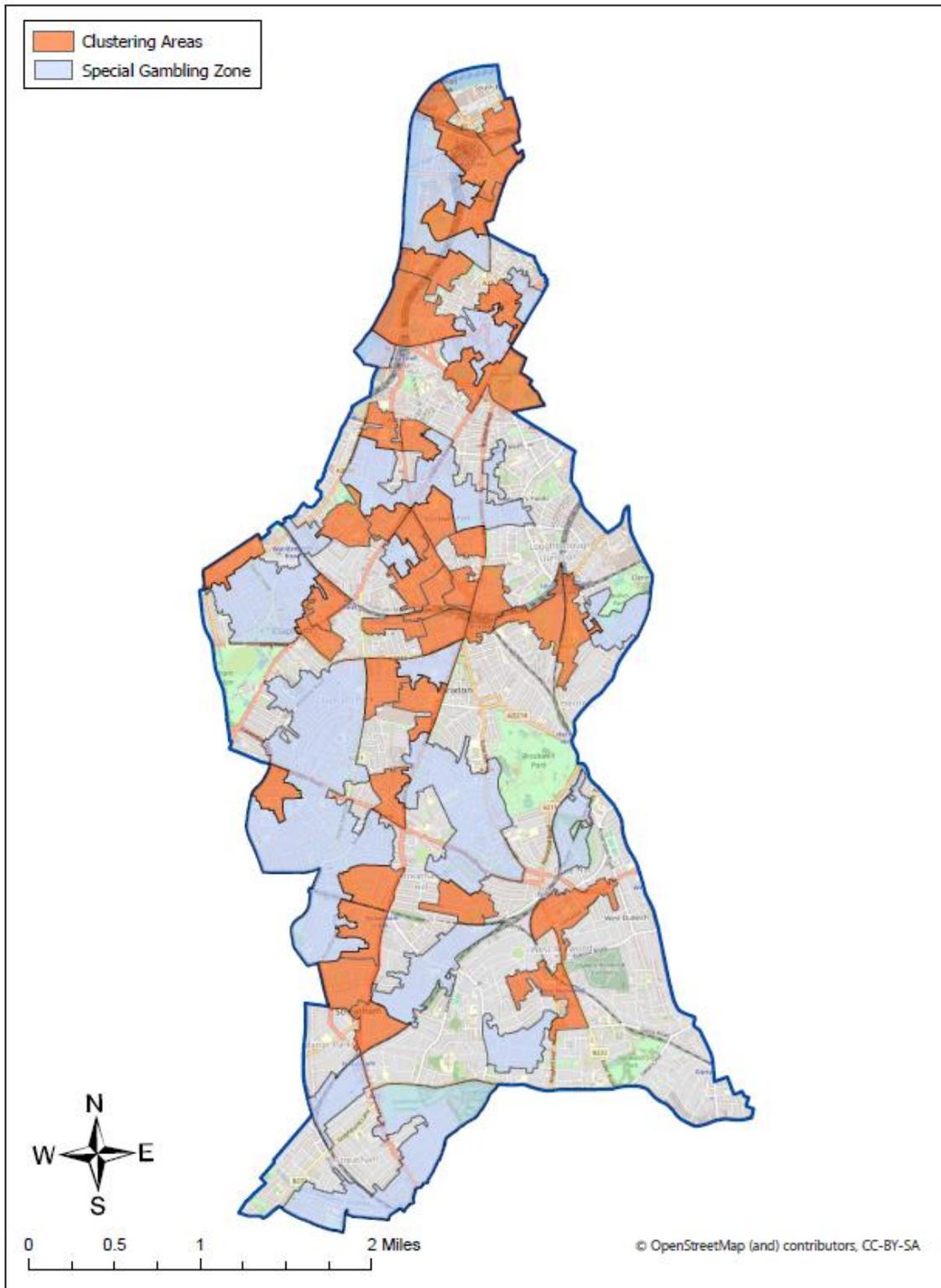


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### MAP 24: Gambling Clusters and Gambling Vulnerability Zones



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**6.8** Map 26 shows the Gambling premises clusters and the gambling vulnerability zones overlaid on the same map of Lambeth.

## **Lambeth Licensing Guidance**

- 7.1** Lambeth considers that local risk assessments are a key component of the overall assessment and management of the local risks. Each locality has its own challenges and applicants will be expected to address the those local challenges in the undertaking of their own independent gambling risk assessments, and when submitting an application to the Local Authority.
- 7.2** Gambling operators will be required to undertake a risk assessment for all of their existing premises. Operators must also undertake a review of those assessments when certain triggers are met. These are:
- New premises applications;
  - Significant changes in local circumstances; and
  - Variations of the premises license
- 7.3** If a gambling premises operator does not put forward measures to overcome the local risks, or the mitigate such risks, the council will consider what measures are needed. The Authority expects that each premises will have a copy of its own independent local area risk assessment onsite for authorised officers to view on request.
- 7.4** The risk based approach provides a better understanding of, and enables a proportionate response, to risk. Risk is related to the probability of an event happening and the likely impact of that event. In this case it is the risk of the impact on the licensing objectives. This guide will assist gambling operators in undertaking and preparing their local (premises) risk assessments.
- 7.5** The policy is reflective of local issues, local data, local risk and the expectations a licensing authority has of operators who either currently offer gambling facilities or wish to do so in the future.
- 7.6** The existence of a clear and robust statement of policy provides greater scope for licensing authorities to work in partnership with operators, other local businesses, communities, and responsible authorities to identify and to proactively mitigate local risks to the licensing objectives.

## **Appendix B – Consultation**

When preparing the Statement of Principles, The Gambling Act 2005 requires the following parties be consulted by licensing authorities:

- The Chief Officer of Police;
- One or more persons who appear to the Authority to represent the interests of persons carrying on gambling businesses in the Authority’s area;
- One or more persons who appear to the Authority to represent the interests of persons who are likely to be affected by the exercise of the Authority’s functions under the Gambling Act 2005.

**Lambeth Council, as the Licensing Authority under the Act, has consulted with the following in the formulation of the Statement of Principles for Gambling 2022 to 2025:**

- The Metropolitan Police (Lambeth Borough Commander and Lambeth Licensing Unit)
- The individuals and organisations who hold Premises Licences issued by this Licensing Authority under this Act
- The organisations who have applied for or hold gaming machine permits for multiple or high-profile premises within the borough
- Representative bodies within the gambling and leisure industry, including:
  - Association of British Bookmakers
  - British Beer and Pub Association
  - British Association of Leisure Parks, Piers and Attractions
  - The Bingo Association
  - British Amusement Catering Trade Association
  - Business in Sports and Leisure
  - National Casino Industry Forum (formerly the British Casino Association)
- All elected ward councillors
- The responsible authorities identified under the Act, including the Gambling Commission, HM Revenues & Customs, the London Fire Brigade, and Lambeth’s Planning, Neighbourhood Enforcement, Health and Safety, Public Protection and Children’s Services
- Lambeth Forums, Licensing Committee, Tenants and Residents Associations and Business Improvement Districts

Details of the consultation and the draft statement were also made available on Lambeth’s website throughout the consultation period, accessible via [www.lambeth.gov.uk/gamblingpolicy](http://www.lambeth.gov.uk/gamblingpolicy)

## Appendix C – Contact Details

For information on this Statement of Principles, or for informal advice on making an application or whether a particular gambling activity is likely to require authorisation, please contact:

### Licensing

Lambeth Council  
3rd Floor Civic Centre  
6 Brixton Hill  
London, SW2 1EG

**Tel:** 020 7926 5000

**Email:** [licensing@lambeth.gov.uk](mailto:licensing@lambeth.gov.uk)

**Web:** [www.lambeth.gov.uk/licensing](http://www.lambeth.gov.uk/licensing)

The following bodies are designated as 'Responsible Authorities' under this legislation:

### The Gambling Commission

Victoria Square House  
Victoria Square  
Birmingham  
B2 4BP

**Tel:** 0121 230 6666

**Email:** [info@gamblingcommission.gov.uk](mailto:info@gamblingcommission.gov.uk)

### Planning Department

Lambeth Council  
3rd Floor Civic Centre  
6 Brixton Hill  
London, SW2 1EG

**Tel:** 020 7926 1180

**Email:** [planning@lambeth.gov.uk](mailto:planning@lambeth.gov.uk)

### Metropolitan Police (Lambeth Licensing Unit)

Lambeth Council  
3rd Floor Civic Centre  
6 Brixton Hill  
London, SW2 1EG

**Tel:** 020 8649 2089

**Email:** [Licensing-LX@met.police.uk](mailto:Licensing-LX@met.police.uk)

### Neighbourhood Enforcement (Noise/Pollution)

Lambeth Council  
3rd Floor Civic Centre  
6 Brixton Hill  
London, SW2 1EG

**Tel:** 020 7926 5000

**Email:** [noise@lambeth.gov.uk](mailto:noise@lambeth.gov.uk)

### London Fire Brigade

Fire Safety Regulation: South West Area 4  
169 Union Street  
London  
SE1 0LL

**Tel:** 020 8555 1200 ext. 37639

**Email:** [FSRSW@london-fire.gov.uk](mailto:FSRSW@london-fire.gov.uk)

### Health & Safety

Lambeth Council  
3rd Floor Civic Centre  
6 Brixton Hill  
London, SW2 1EG

**Tel:** 020 7926 6110

**Email:** [healthandsafety@lambeth.gov.uk](mailto:healthandsafety@lambeth.gov.uk)

### HM Revenue and Customs

National Registration Unit  
Portcullis House  
21 India Street  
Glasgow  
G2 4PZ

**Tel:** 0141 555 3633

**Email:** [nrubetting&gaming@hmrc.gsi.gov.uk](mailto:nrubetting&gaming@hmrc.gsi.gov.uk)

### Children's Services

Lambeth Council  
Civic Centre  
6 Brixton Hill  
London, SW2 1EG

**Tel:** 020 7926 5555