



## NOTICE OF MEETING

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# Licensing Sub-Committee C

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THURSDAY, 10TH APRIL, 2008 at 19:00 HRS - CIVIC CENTRE, HIGH ROAD, WOOD GREEN, N22 8LE.

MEMBERS: Councillors Baker, Beacham (Chair) and Dodds

### AGENDA

**1. APOLOGIES FOR ABSENCE**

**2. URGENT BUSINESS**

The Chair will consider the admission of any late items of urgent business. (Late items will be considered under the agenda item where they appear. New items will be dealt with at item 8 below).

**3. DECLARATIONS OF INTEREST**

A member with a personal interest in a matter who attends a meeting of the authority at which the matter is considered must disclose to that meeting the existence and nature of that interest at the commencement of that consideration, or when the interest becomes apparent.

A member with a personal interest in a matter also has a prejudicial interest in that matter if the interest is one which a member of the public with knowledge of the relevant facts would reasonably regard as so significant that it is likely to prejudice the member's judgement of the public interest **and** if this interest affects their financial position or the financial position of a person or body as described in paragraph 8 of the Code of Conduct **and/or** if it relates to the determining of any approval, consent, licence, permission or registration in relation to them or any person or body described in paragraph 8 of the Code of Conduct.

**4. MINUTES (PAGES 1 - 12)**

To approve the minutes of the previous meeting of the Licensing Sub Committee C held on 27 June 2006, 14 November 2006 and 19 March 2008.

**5. SUMMARY OF PROCEDURE (PAGES 13 - 14)**

The Chair will explain the procedure that the Committee will follow for the hearing considered under the Gambling Act 2005. A copy of the procedure is attached.

**6. ALEXANDRA PALACE, ALEXANDRA PALACE WAY, N22 (ALEXANDRA WARD) (PAGES 15 - 108)**

To consider an application for the provision of facilities for betting, whether by making or accepting bets, acting as a betting intermediary or by providing other facilities for the making or accepting of bets (a betting premises licence).

**7. JENNINGS BET, 144 HIGH ROAD, N22 (NOEL PARK) (PAGES 109 - 146)**

To consider an application for the provision of facilities for betting, whether by making or accepting bets, by acting as a betting intermediary or by providing other facilities for the making or accepting of bets (a betting premises licence).

**8. ITEMS OF URGENT BUSINESS**

To consider any new items of urgent business admitted under item 2 above.

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Wednesday, 02 April 2008

**MINUTES OF THE LICENSING SUB-COMMITTEE C (2003 LICENSING ACT)  
27 June 2006**

Councillors Beacham (Chair)\*, Dobbie\*, Reid\*

\* denotes members present

**LCC01 APOLOGIES FOR ABSENCE** (Agenda Item 1):

None received.

**LCC02 URGENT BUSINESS** (Agenda Item 2):

The Committee was informed that Items 5 and 7 of the Agenda (Genglerbirligi Spor Klubu Football Club, and Rose and Crown respectively) had been withdrawn for consideration.

**LCC03 DECLARATIONS OF INTEREST** (Agenda Item 3):

No declarations of interest were received.

**LCC04 ISTANBUL RESTAURANT, 441 Green Lanes N4** (Harringay ward) (Agenda Item 5):

**RESOLVED:**

The Committee noted that the applicant had offered to amend the application to vary to that the last time for the sale of alcohol would be midnight every day of the week and so that for New Years Eve, the last time for the sale of alcohol shall be 02:00 on New Year's Day.

The Committee decided to grant the amended application for variation to a premises license subject to the following conditions:

- (i) Conditions to enforce the provisions of the operating schedule
- (ii) Conditions to enforce the standard mandatory conditions (section 19) of the Licensing Act 2003.
- (iii) That the sale of alcohol be as follows:
  - 09:00 to 00:00 Monday to Sunday
- (iv) That hours on New Year's Eve for sale of alcohol be as follows:
  - 09:00 on New Year's Eve to 02:00 on New Year's Day
- (v) The Committee noted that the applicant offered to remove the illuminated sign mounted on the exterior of the premises by the afternoon of the 28 June 2006. The Committee therefore also resolved that the illuminated signage to the exterior of the premises be fully removed with two days of the date of the decision.

**MINUTES OF THE LICENSING SUB-COMMITTEE C (2003 LICENSING ACT)  
27 June 2006**

**INFORMATIVE:**

- (i) This licence does not constitute a consent under any other regime. It is necessary for the licensee to obtain any other consents that may be necessary for the lawful operation of the premises, including planning consent.

**LCC05 ITEMS OF URGENT BUSINESS (Agenda Item 8):**

None

**The meeting ended at 20:00**

.....  
**Councillor DAVID BEACHAM**  
Chair of Licensing Sub-Committee C 2006/7

Date.....

**MINUTES OF THE LICENSING SUB-COMMITTEE C  
TUESDAY, 14 NOVEMBER 2006**

Councillors Patel (Chair), Demirci, Reid

Apologies Councillor Beacham, Dobbie

<b>MINUTE NO.</b>	<b>SUBJECT/DECISION</b>	<b>ACTON BY</b>
<b>LSCC01.</b>	<p><b>APOLOGIES FOR ABSENCE</b></p> <p>Apologies were received from Cllr Dobbie, who was substituted for by Cllr Patel, and from Cllr Beacham, who was substituted for by Cllr Demirci.</p>	
<b>LSCC02.</b>	<p><b>URGENT BUSINESS:</b></p> <p>The application from Gladesmore Community School was admitted as urgent business as it had not been possible to hear that application at the scheduled meeting on 7 November 2006.</p>	
<b>LSCC03.</b>	<p><b>DECLARATIONS OF INTEREST:</b></p> <p>No declarations of interest were received.</p>	
<b>LSCC04.</b>	<p><b>SUMMARY OF PROCEDURE:</b></p> <p>The Chair read out a summary of the procedure to be followed at the hearing.</p>	
<b>LSCC05.</b>	<p><b>WETHERSPOONS, UNIT 5 SPOUTERS CORNER, HIGH ROAD N22 (NOEL PARK WARD):</b></p> <p>The Licensing Officer (Ms Barrett) presented the officers' report on the application from Wetherspoons. The application was for a licence variation to permit the provision of regulated entertainment. The premises already had a licence for the provision of alcohol.</p> <p>The applicant had made alternations to their application, following discussions with the Planning Department. The hours of opening in the operating schedule would be until 01.30 for Sundays to Thursdays and until 02.30 on Friday and Saturday. This meant the hours they were requesting a licence for regulated entertainment for were the same as the hours for which they had planning permission to open.</p> <p>No representations had been received from any of the relevant authorities or regulatory agencies. The police commented that an agreement had been reached to have 2 SIA door supervisors on duty from 21.00 to the close of business on Fridays and Saturdays.</p>	

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Objections had been received from local residents and from 'Shout' - the nightclub next door.

A representative from 'Shout' addressed the panel to voice his objections to the variation of Wetherspoons' licence. He suggested that there was an increased risk of crime and disorder if the revised licence came into force. There would not be staggered finishing times and so customers from Shout and from Wetherspoons would be leaving at the same time. He was of the opinion that this could lead to 'flashpoints' that could mean that there was violence at the end of an evening.

Additionally, the objector expressed concerns about the lack of a capacity limit for Wetherspoons. He was concerned that this could mean that the venue would be overcrowded. He also voiced an objection to extra noise that might be generated if Wetherspoons' was playing music. Additionally, he expressed concerns that Wetherspoons did not have a trained first-aider on the premises, whereas Shout did.

A local resident from Moselle Avenue attended the meeting to voice her objection to the proposed licence variation. She said there had been incidences of people urinating and vomiting in the street where she lived. She feared this problem would become more prevalent if the licence variation was granted.

Members questioned the objectors. The objectors were unable to confirm whether anti-social behaviour that had taken place was perpetrated by Wetherspoons' customers. They also had not made any complaints about noise to the Noise Team previously.

The applicants presented their case. Their opinion was that customers wanted the chance to enjoy music and other forms of regulated entertainment. They wished to provide this by applying for a licence variation. They informed the Sub-Committee that the music would only start at 8pm. They stated that the music would not be loud. It would be recorded music and would not be having live bands. They also alleged that the objections from Shout were trade objections and were not objections in line with the provisions of the Licensing Act.

The applicant stated that the premises were well-run and that there had been no significant incidents of disorder in the last 15 months. They also re-iterated that they were committed, as agreed with the police, to have SIA-accredited door staff on duty on Fridays and Saturdays.

In response to concerns expressed by members about fire safety and risk assessments, the applicants stated that JD Wetherspoons' was committed to doing a fire risk assessment and would prevent the premises from becoming overcrowded. The door staff would click people in and out to make sure there were not too many people in the premises at any one time. However, no maximum figure they wished to enforce was given by the applicant.

The applicant confirmed that they did not have a first-aider on duty. They

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	<p>were of the opinion that, in the case of injury, it would be better if staff who had only undergone basic training did not attempt to deal with the situation, and summoned an ambulance instead.</p> <p>Members enquired whether Wetherspoons intended to attract a younger clientele by providing music and opportunities to dance. The applicant denied that this was their intention and stated that they intended to attract a balance of clientele, with lots of older customers as well as younger ones.</p> <p>The applicants and the objectors summed up their positions and then the Panel retired to deliberate.</p> <p><b>RESOLVED:</b></p> <p>The Sub-Committee resolved that the application for the variation of the premises licence be granted, subject to the following conditions:</p> <ul style="list-style-type: none"> <li>• That there be at least one door supervisor on duty from 2100 each evening when regulated entertainment is taking place.</li> <li>• That there be 2 door supervisors on Fridays and Saturdays and on the named bank holidays, national days and saints' days named in the operating schedule when regulated entertainment is taking place.</li> <li>• That glasses and bottles left in the outside drinking area be cleared away on a regular basis in the interest of public safety.</li> <li>• That a fire risk assessment be done by the applicant and a maximum capacity be fixed, following discussion between the applicant and the relevant responsible authorities.</li> <li>• That copies of the fire risk assessment be served on the Licensing Authority and the relevant responsible authorities.</li> <li>• That no regulated entertainment takes place at the premises until the fire risk assessment has been done and maximum capacity fixed.</li> <li>• That no loudspeakers be placed outside</li> </ul>	
<p><b>LSCC06.</b></p>	<p><b>ITEMS OF URGENT BUSINESS:</b></p> <p>The Gladesmore Community School application for a premises licence had been accepted by the Sub-Committee as urgent business at Item 2 above.</p> <p>The School was applying for a premises licence for regulated entertainment. The Licensing Officer (Ms Barrett) introduced a report on the application. Ms Barrett informed the Sub-Committee that this application was merely for the provision of regulated entertainment and would not include the ability to serve alcohol. She informed the Sub-Committee that no representations had been made from the relevant regulatory authorities. The Noise Team had made some comments and these were included with the report in Appendix 2. The Noise Team had</p>	

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suggested that there be no loudspeakers or PA system outside the school premises. There were reservations about this advice on health and safety grounds as the school would need the ability to communicate warnings to those in the playground and just outside the school buildings.

Objections had been received from local residents, including a petition. Two local residents attended to voice their objections.

The objectors mentioned that there was a significant amount of litter in the area and that there had been anti-social behaviour. The objectors expressed the opinion that they feared this would increase if there were more evening events at the school. In addition, the objectors were concerned at the lack of parking spaces in the area. People coming to events at the school added to the congestion in the area. The objectors thought this congestion would be further amplified as there were proposals to build a further 54 housing units in the area. The objectors stated that they saw the application as a commercial venture and not as something in keeping with the purpose of the school.

The applicant addressed the panel. The applicant stated that there was parking available in the school playground and so an event held at the school would not necessarily increase competition for parking spaces on the roads outside by a large amount. The applicant also disagreed with the view of the objectors that anti-social behaviour would be made worse by the provision of regulated entertainment at the premises.

The applicant mentioned to the panel that the existing legislation permitted them to hold private events on school premises. He was applying for the licence to 'tidy up loose ends' and to enable members of the public, those who were not children at the school or parents of children at the school or who were not those specifically invited, to attend a function without falling foul of the law. He stated that he anticipated no more than 20 events during the course of a year. Evening events at the school playing music would not be a regular occurrence.

Following summing up from both parties, the panel retired to deliberate.

**RESOLVED:**

The Sub-Committee resolved that the licence for the provision of regulated entertainment be granted.

As an informative, the Sub-Committee advised that the School inform patrons of the parking facilities in the playground and that litter bins be placed outside the school premises to reduce the amount of litter dropped by pupils and others.



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JAYANTI PATEL

Chair

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**MINUTES OF THE LICENSING SUB-COMMITTEE C  
WEDNESDAY, 19 MARCH 2008**

Councillors Baker, Beacham (Chair) and Dodds

MINUTE NO.	SUBJECT/DECISION	ACTION BY
LSCC01.	<p><b>APOLOGIES FOR ABSENCE</b></p> <p>There were no apologies for absence.</p>	
LSCC02.	<p><b>URGENT BUSINESS</b></p> <p>None received.</p>	
LSCC03.	<p><b>DECLARATIONS OF INTEREST</b></p> <p>There were no declarations of interest.</p>	
LSCC04.	<p><b>SUMMARY OF PROCEDURE</b></p> <p>Noted.</p>	
LSCC05.	<p><b>OLD ALE EMPORIUM PUBLIC HOUSE, 405 GREEN LANES N4 (ST ANN'S WARD)</b></p> <p>This item was deferred to another meeting.</p>	
LSCC06.	<p><b>PIZZA EXPRESS - 290 MUSWELL HILL BROADWAY, LONDON N10 2QR (MUSWELL HILL WARD)</b></p> <p>The Licensing Sub Committee (the Committee) was advised by the Licensing Officer that the application was for a premises licence variation to permit live music, sale of alcohol and to incorporate the outside pavement area by extending the sale of alcohol and late night refreshment.</p> <p>The licensing officer informed the Committee that representations had been received from a responsible authority, the noise team and interested parties.</p> <p>The representative from the Noise Team addressed the Committee and advised that Muswell Hill Broadway had become a lively area and concerns had been raised over the behaviour of patrons in public areas. The proposed operating hours for the outside pavement area were a concern and the Committee was asked to decide on the appropriate time and to take into account the implications for live music, sound levels could cause disturbances to residents particularly those in the flat above the premises. A number of complaints regarding the levels of noise nuisance had been received by the noise team. The Committee was also asked to consider whether it was appropriate that the licence should be granted for every day of the week for the permission of live music.</p>	

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The Committee question the representative with regard to the complaints they had received and whether any were from restaurants with live music and what was the call out frequency. In response the Committee was advised that the noise team regularly attended venues in Muswell Hill every weekend, however it was mainly to night clubs, whose licensable hours were later than those requested by the applicant.

The applicant's representative presented their case and explained that they would agree to the conditions requested by the Police. The conditions offered by the Environmental Officer were not all in relation to the application. The representative proposed conditions which were felt to be proportionate and reasonable. He further reiterated that there had been no noise complaints in the past in relation to the premises and they had played live jazz music in the past under the old licence and the management had controlled the sound levels.

The Committee enquired of the applicant how often they were likely to have live music within the premises and were informed that it was difficult to narrow down though the option to be flexible was a desirable one. Live music was not the primary business and it was unlikely that it would occur this during busiest periods of operation.

In summary the applicant's representative stated that the conditions proposed should relate to the provision of live music and its operating period.

**RESOLVED**

The Licensing Sub Committee (the Committee) decided to grant the application as requested:

- To vary a condition on the Premises licence by removing the condition on Annex 1 restricting the sale of alcohol to persons taking table meals only.
- To incorporate the outside pavement areas as detailed upon the plans, thereby extending the sale of alcohol and late night refreshment to the outside area.
- To permit the sale of alcohol for consumption off the premises.

Subject to the following additional conditions:

1. The outside pavement area not to be used for the consumption of food or alcohol after 22:30 every evening and the table and chairs to be removed.
2. Customers may only purchase alcohol to consume on the premises whilst waiting for their take away meal to be prepared or with a table meal or by people in the company of people taking a table meal.
3. Alcohol to be taken from the premises only with a take away meal and the alcohol container to be unopened.
4. All doors and windows will remain closed during the live music activity except for access and egress.
5. The live music activity shall conclude 30 minutes before the premises

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	<p>are due to close to prevent excessive noise breakout as the premises empties.</p> <ol style="list-style-type: none"><li>6. The licensee shall ensure that no music played in the licensed premises is audible at or within the site boundary of any residential property.</li><li>7. No music will be played in, or for the benefit of patrons in the external areas of the premises.</li><li>8. No form of loudspeaker or sound amplification equipment is to be sited on or near the exterior premises or in or near any foyer, doorway, window or opening to the premises.</li><li>9. Signs shall be displayed on the frontage instructing patrons to recognise the residential nature of the area and conduct their behaviour accordingly.</li><li>10. A record of complaints shall be kept and must be made available at all times for inspection by the Police and Council Officers.</li><li>11. Where people queue to enter the premises a member of staff shall supervise and ensure the potential patrons behave in an acceptable manner.</li></ol>	
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**Cllr David Beacham  
Chair**

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## **COMMITTEE PROCEDURE – GAMBLING ACT 2005 – HEARINGS REGULATIONS SI 2007 / 173** (August 2007)

Each application that comes before this committee will be treated on its own merits, and this licensing authority will take its decision based upon the requirement to aim to permit the use of premises for gambling in so far as this licensing authority think it:

- In accordance with any relevant code of practice
- In accordance with Gambling Commission guidance
- Reasonably consistent with the licensing objectives of the Gambling Act 2005
- In accordance with this licensing authority's Statement of Principles

### **THE PROCEDURE OF THE COMMITTEE IS AS FOLLOWS:**

1. Chair opens the meeting, introduces members of the committee and officers present and explains the procedure to be followed.
2. The officer outlines the details of the application, any representations received and / or reasons why the licensing authority proposes to attach / exclude conditions, with relevance to the Gambling Commission's guidance, the licensing objectives, and / or the licensing authority's Statement of Principles, highlighting what the committee should have regard to / take into consideration and drawing attention to any other matters that may require clarification or discussion.
3. Members and the parties/representatives may ask any relevant questions of officer.
4. Chair invites applicant (or representative) to address the Committee (includes calling any 'witnesses').
5. Members ask relevant questions of applicant / 'witness'.
6. Parties that made representations to ask relevant questions of applicant / 'witness'.
7. Parties making relevant representations invited to address Committee.
8. Members ask relevant questions of party.
9. Applicant / other parties making representations / officer ask relevant questions of party.
10. Officer of the licensing authority to ask relevant questions of applicant / 'witness' (where the licensing authority proposes to attach / exclude conditions or there is some other issue requiring clarification/discussion).
11. Officer of the licensing authority invited to address the committee (where the licensing authority proposes to attach / exclude conditions or there is some other issue requiring clarification/discussion).
12. Members ask relevant questions of officer.
13. Applicant / parties making representations ask relevant questions of officer.
14. All parties invited to summarise (if they so wish).
15. Chair asks all parties if they are satisfied that they have had the opportunity to say everything that they wish to.
16. Members of the Committee retire to reach a decision with the Committee Clerk and legal representative.
17. Decision and reasons will be outlined by the Committee Clerk.

## PLEASE NOTE

- Changes of committee membership (if any) will be given at the beginning of the meeting.
- Hearings may proceed even if one of the parties is absent. All notices and representations received from absent parties will be considered.
- Documentary evidence produced at the hearing will only be considered with agreement of all parties present.
- In cases where a decision cannot be given at the end of the hearing, the decision will normally be made within 5 working days after the day of the hearing and that the parties will be notified in writing.
- Parties have a right to appeal to the Magistrates Courts, within 21 days of notification of the decision.
- The committee may on occasion find it necessary to exclude members of the press and public based upon the reasons set-out in SI 2007 / 173 article 8 which are if any unfairness to a party is likely to result from a public hearing, or there is a need to protect the commercial or other legitimate interests of a party.
- The hearing is intended to take the form of a discussion led by the committee and cross-examination is not encouraged unless the committee considers that it is required for the application to be properly considered.
- The committee has the right to exclude any parties disrupting the hearing or require him / her to meet certain conditions for him / her to continue to take part in the hearing. Any person excluded in this manner is able to submit information in writing to the committee before it finishes.



**Gambling Act 2005 Licensing Sub-Committee 10<sup>th</sup> April 2008**

**Report title: Application for a Premises Betting Licence for Alexandra Palace, Alexandra Palace Way, London N22**

**Report of: The Lead Officer - Licensing**

**Ward(s)**

**1. Purpose**

To consider an application by **ALEXANDRA PALACE TRADING LTD** to provide the provision of facilities for betting (**TRACK**), whether by making or accepting bets, by acting as a betting intermediary or by providing other facilities for the making or accepting of bets (a "betting premises licence").

This application must be considered under the three licensing objectives:

- -preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime.
- -ensuring that gambling is conducted in a fair and open way: and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

**2. Principles to be applied**

2.1 In exercising their functions under this part a licensing authority shall aim to permit the use of premises for gambling in so far as the authority think it-

- (a) In accordance with the any relevant code of practice under section 24.
- (b) In accordance with any relevant guidance issued by the Commission under section 25,
- (c) Reasonably consistent with the licensing objectives (subject to paragraphs (a) and (b), and
- (d) In accordance with the statement published by the authority under section 349 (subject to paragraphs (a) to (c)

3. in determining whether to grant a premises licence a licensing authority may not have regard to the expected demand for the facilities which it is proposed to provide.

**Recommendations**

4. On considering an application for a premises licence (whether at a hearing or not) a licensing authority shall

- (a) Grant it or
- (b) Reject it.

A licensing Authority shall not determine an application for a premises licence made in reliance on section 159(3)(b) until the relevant operating licence has been issued in a form which authorises the applicant to carry on the activity in respect of which the premises licence is sought.

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Report authorised by: Robin Payne.....



Assistant Director Enforcement Services

Contact Officer: Ms Daliah Barrett

Telephone: 020 8489 8232

**3. Executive summary**

For consideration by Sub Committee under the Gambling Act 2005 for a Track Betting Premises Licence.

**4. Access to information:**

Local Government (Access to Information) Act 1985

Background Papers

The following Background Papers are used in the preparation of this Report:

**File: ALEXANDRA PALACE**

The Background Papers are located at Enforcement Service, Techno park, Ashley Road, Tottenham N17

## 5. REPORT

### Background

5.1 Application by **ALEXANDRA PALACE TRADING LTD** for a Track Betting Premises Licence in respect of The Panorama Room at Alexandra Palace under the Gambling Act 2005. The application has followed the prescribed format and all consultations have been undertaken. **App 1 – Application form**

### 5.2 Definition of a 'track'

Within the Gambling Act 2005 (the Act) a track is defined as a horse racecourse. Dog track or other premises on any part of which a race or other sporting event takes place or is intended to take place.

If betting takes place at a track then a premises license, awarded by the local licensing authority, will be required.

The Act does not give a list of premises which are officially recognised as 'tracks' but there are a number of venues other than those mentioned above where sporting events do or could take place, and accordingly could accommodate the provision of betting facilities. Examples of tracks include:

- Football, cricket or rugby grounds
- An athletic stadium
- A golf course
- Venues hosting darts bowls, or snooker tournaments
- A premises staging a boxing match
- A section of river hosting a fishing competition
- A motor racing event

While many of these venues are not commonly understood to be 'tracks' they fall within the definition of 'tracks' as defined by the Act.

In theory betting could take place at any venue where a sporting or competitive event occurs. The Act provides for tracks which do not offer betting facilities currently but may elect to do so in the future.

There is a distinct difference between track premises licences and most other premises licences. Generally, a track owner admits third-party operators to provide betting facilities at the track whereas other premises licence holders provide the betting facilities themselves. Consequently, they are subject to the conditions of the operating licence as well as the premises licence.

The track premises licence authorises anyone upon the premises with an operating licence to offer betting facilities and the conduct of betting on track will be regulated primarily through these operating licences, since track betting operators will be subject to the provisions of their licence conditions while they are on track.

Most activities that the track premises licence holders will need to undertake to meet the licensing objectives are included in the mandatory and default conditions set by the Secretary of State.

The Gambling Commission as well as the Licensing Authority will be a responsible authority in relation to premises licences and will be able to request a review of a premises license if it suspects

the breach of a license condition. The Commission will liaise with licensing authorities in reviewing the standards of compliance displayed by track premises license holders and it is possible that the licensing authorities may attach conditions to premises licenses where local problems have been identified.

**5.3** The application was initially submitted for a full license that could be used at anytime a sporting event was taking place at the premises.

We were subsequently notified of an amendment so that the application would only cover the dates of the Darts Tournament which is held at the Palace each year. – **App 2 (letter dated 9<sup>th</sup> January 2008)**

**5.4** Members should be aware that the Darts Tournament held in December 2007 did have facility to permit betting by way of an Occasional Use Notice. This required a written notification to be given to the Licensing Authority and the Metropolitan Police, the applicant has 8 days per calendar year to make use of this facility.

**5.5** Members are reminded of the three licensing objectives under the Gambling Act 2005 which are:

- (a) preventing gambling from becoming a source of crime or disorder, being associated with crime or disorder, or being used to support crime.
- (b) Ensuring that gambling is conducted in a fair and open way; and
- (c) Protecting children and other vulnerable persons from being harmed or exploited by gambling.

**5.6** When determining an application the Licensing Authority "shall aim to permit the use of premises for gambling in so far as Members think it":

- In accordance with the relevant Codes of Practice (under s.24) –**APP 4**
- In accordance with Guidance by the Gambling Commission (under s .25)
- Reasonably consistent with the three Gambling Licensing Objectives, and
- In accordance with the Haringey Council Statement of Gambling Policy.

**5.7** The Gambling Commission's Guidance (paragraph 5.27) tells Local Licensing Authorities that moral objections to gambling are not a valid reason to reject applications for premises licences. This is because they do not relate to the Gambling Licensing Objectives. Except where a Council resolves not to allow casinos in its area, a decision on an application cannot be based on dislike of gambling or on a general notion that it is undesirable to allow gambling premises in an area. If an application is rejected, the Licensing Authority should rely on reasons that demonstrate that the Gambling Licensing Objectives are not being met, or are unlikely to be met.

**5.8** The Committee are asked to consider the application in light of the representation received from 'interested parties' attached at appendix 3. Members are guided to part 2 above 'Principles to be applied' and copies of the relevant codes of practice are attached with this report. (**App 4- Codes of Practice**)

**5.9** There are also two statutory disregards. (i) It is expressly provided (s.153(2)) that in determining whether to grant a premises license, a licensing authority may not have regard to the expected demand for the facilities which it is proposed to provide. (ii) The licensing authority shall not have regard to whether the proposal is likely to receive planning or building regulations approval (s.210).

**6. RELEVANT REPRESENTATIONS (CONSULTATION)**

**Responsible Authorities:**

**6.1 The Licensing Authority**

No Comments received in relation to this application.

**6.2 The Gambling Commission**

A confirmation of receipt of the application has been given by the Commission

**6.3 London Fire and Civil Defence Authority**

No comments received in relation to this application

**6.4 The Planning Department**

No comment received in relation to this application

**6.5 Environmental Health - Health and Safety/Noise Team/Pollution**

No comments received in relation to this application

**6.6 Trading Standards**

Have no objections to this application

**6.7 Safeguarding children nominee**

No comments in relation to this matter.

**6.8 Her Majesty's Commissioners of Custom and Excise**

Have received notification of the application

### 6.9 Interested Parties - App 3

For the purposes of this part a person is an interested party in relation to a premises licence or in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the license or to who the application is made, the person

- (a) lives sufficiently close to the premises to be likely to be affected by the authorised activities.
- (b) Has business interests that might be affected by the authorised activities, or
- (c) Represents persons who satisfy paragraph (a) or (b)

Representation has been made by residents and this falls into (a) persons who live sufficiently close to the premises to be likely affected by the authorised activity. The residents have stated that the premises are not suitable for gambling activity and speak of the detrimental effects that granting such a license will have on the surrounding community.

### 7.0 Financial Comments

The fee which would be applicable for this application is **£2700.00**

### 8.0 Licensing Officer comments

There are three types of conditions which may be attached to a Premises Licence.

- Mandatory (S167)
- Default (S168)
- Discretionary, set by the Licensing Authority (S169)

Mandatory and default conditions are prescribed in the Gambling Act 2005 Regulations for each premises type. Conditions attached by the Licensing Authority may not;

Conflict with Gambling Commission requirements (S169)  
Require memberships (S170)  
Limit stakes or prizes (S171)  
Restrict machines numbers (S172)

The Conditions Regulations (S.I. 2007/1409) stipulate the mandatory and default conditions every Premises License will have the following conditions:

**Mandatory conditions attaching to every premises licence**

3.—(1) The conditions specified in paragraphs (2), (3) and (4) shall be attached to every premises licence.

(2) The summary of the terms and conditions of the premises licence issued under section 164(1)(c) of the 2005 Act shall be displayed in a prominent place within the premises.

(3) The layout of the premises shall be maintained in accordance with the plan.

(4) The premises shall not be used for—

(a) the sale of tickets in a private lottery or customer lottery, or

(b) the sale of tickets in any other lottery in respect of which the sale of tickets on the premises is otherwise prohibited<sup>(a)</sup>.

**Mandatory conditions attaching to all track premises licences**

1. No customer shall be able to access the premises directly from any other premises in respect of which one of the following premises licences has effect—

(a) a casino premises licence;

(b) an adult gaming centre premises licence.

2. A notice stating that no person under the age of 18 is permitted to bet on the premises shall be displayed in a prominent place at every public entrance to the premises.

3. The terms on which a bet may be placed must be displayed in a prominent place within the premises to which customers wishing to use facilities for betting have unrestricted access.

4. The premises licence holder shall make arrangements to ensure that betting operators who are admitted to the premises for the purpose of accepting bets—

(a) will be operating under a valid operating licence; and

(b) are enabled to accept such bets in accordance with—

(i) the conditions imposed under sections 92 (general betting operating licence) or 93 (pool betting operating licence) of the 2005 Act, or

(ii) an authorisation under section 94 (horse-race pool betting operating licence) of that Act.

5. The premises licence holder shall make arrangements to ensure that reasonable steps are taken to remove from the premises any person who is found to be accepting bets on the premises otherwise than in accordance with the 2005 Act.

6. Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to cease gambling in order to do so.

**Default conditions attaching to all track premises licences**

1. Subject to paragraph 2, no facilities for gambling shall be provided on the premises between the hours of 10pm on one day, and 7am on the next day.

---



2. The prohibition in paragraph 1 does not apply on days when a sporting event is taking place on the premises, in which case gambling transactions may take place at any time during that day.

#### Gambling Act 2005 conditions / requirements

##### Section 178 Door Supervision

- (1) Where a condition for door supervision is attached to a premises licence (whether by virtue of section 167, 168 or 169) subsection (3) shall apply in relation to the licence.
- (2) In subsection (1) "condition for door supervision" means a condition requiring that one or more persons be responsible for guarding the premises against unauthorised access or occupation, against outbreaks or disorder or against damage.
- (3) If the person carrying out the guarding mentioned in subsection (2) is required by the Private Security Industry Act 2001 (c. 12) to hold a licence under that Act authorising the guarding, the requirements under that Act shall be treated for the purpose of this Act as if it were a condition of the premises licence attached by virtue of this section.

##### Section 179 Pool betting on track

- (1) A betting premises licence in respect of a track may not authorise the acceptance of bets by way of pool betting except in a case to which subsection (2) applies
- (2) This subsection applies to the acceptance of bets, by way of pool betting on horse-racing or dog-racing-
  - a. By the holder of the betting premises licence, or
  - b. In accordance with arrangements made by him.

##### Section 180 Pool betting on dog races

- (1) A betting premises licence in respect of premises other than a dog track shall by virtue of this section be subject to the condition that pool bets may not be accepted in reliance on the licence in respect of dog-racing other than in accordance with arrangements made with the occupier of the dog track on which the racing takes place.
- (2) ...
- (3) ...
- (4) This section ceases to have effect at the end of 31<sup>st</sup> December 2012 (and the condition attached by subsection (1) to premises licences in force on that date shall lapse in respect of anything done after that date).

##### Section 182 Exclusion of Children from track areas

- (1) A premises licence in respect of a track shall by virtue of this section be subject to the condition that the licensee shall ensure that children and young persons are excluded from-
  - a. Any area where facilities for betting are provided,
  - b. Any area where a gaming machine, other than a Category D machine, is situated.
- (2) But subsection (1)(a)-
  - a. Shall not apply to a dog track on the day on which dog-racing takes place, or is expected to take place, on the track, and
  - b. Shall not apply to a horse-race course on a day on which horse-racing takes place, or is expected to take place, on the course.
  - c. Shall not apply to any other track on a day on which a race or other sporting event takes place, or is expected to take place, on the track.

##### Section 183 Christmas Day

A premises licence shall, by virtue of this section, be subject to the condition that the premises shall not be used to provide facilities for gambling on Christmas Day.

Section 184 Annual Fee

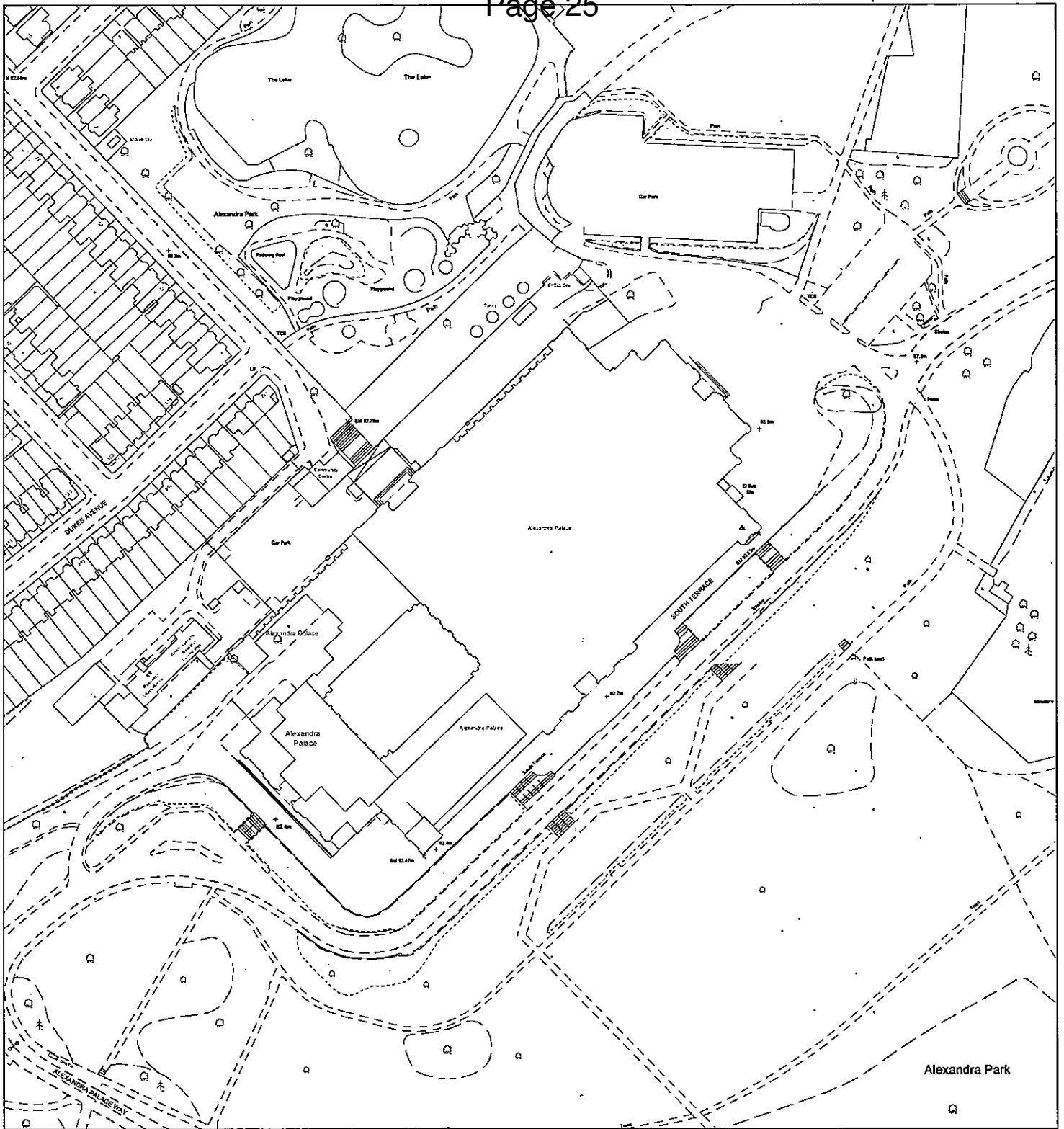
- (1) The holder of a premises licence-
  - a. Shall pay a first annual fee to the licensing authority within such period after the issue of the licence as may be prescribed, and
  - b. Shall pay an annual fee to the licensing authority before each anniversary of the issue of the licence.

Section 185 Availability of licence

- (1) The holder of a premises licence shall-
  - a. Keep the licence on the premises, and
  - b. Arrange for the licence to be made available on request to-
    - i. constable
    - ii. An enforcement officer, or
    - iii. An authorised local authority officer.

Section 186 Change of circumstance

- (1) If the holder of a premises licence ceases to reside or attend at the address specified in the licence under section 151(1)(b) he shall as soon as is reasonably practicable-
  - a. Notify the licensing authority, and
  - b. Inform the licensing authority of a home or business address at which he resides or attends.
- (2) The Secretary of State may make regulations requiring the holder of a premises licence-
  - a. To notify the licensing authority of any change of circumstances of a prescribed kind in relation to him or to an authorised activity, and
  - b. To give the licensing authority prescribed details of the change



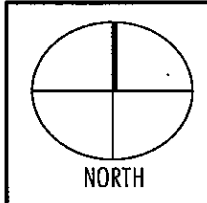
This map is reproduced from Ordnance Survey material with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office © Crown copyright.. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. LB Haringey 100019199 2007

**Town and Country Planning Act 1990 (As amended)**  
**Plan relating to the Enforcement Notice dated**  
**ALEXANDRA PALACE, ALEXANDRA PALACE WAY N22**



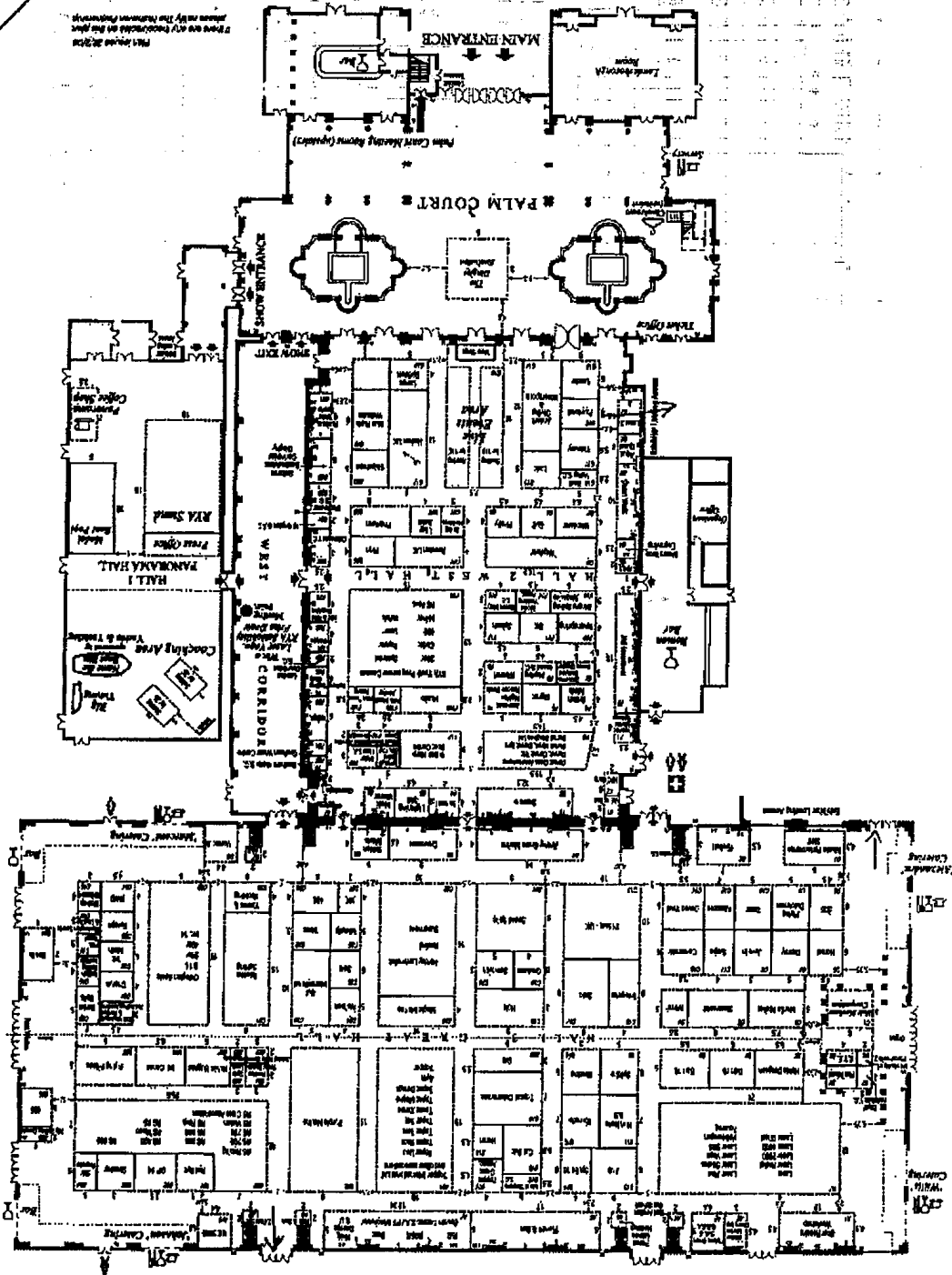
**Haringey Council**

Robin Payne  
 Assistant Director  
 Enforcement Service  
 639 High Road  
 Tottenham  
 N17 8BD



Drawn by	Haringey Council
Scale	1:2500
Date	20/11/2007
Drawing	NVA

The Area Highlighted in Yellow  
to be Licensed for the Provision  
of Betting



There are no recordings on this floor  
made by the television cameras

## APPENDIX 1

## APPLICATION FORM AND PLAN

# TRETHOWANS

The Director General's House  
Rockstone Place  
Southampton  
SO15 2EP  
DX: 154120 SOUTHAMPTON 48

Tel: 023 8032 1000  
www.trethowans.com

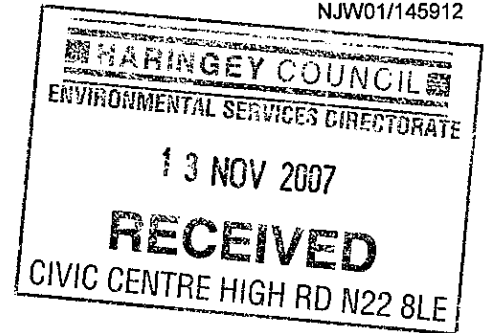
**SPECIAL DELIVERY**

London Borough of Haringey  
Licensing Team, Enforcement Service,  
Environmental Services  
Civic Centre, High Road  
Wood Green  
LONDON  
N22 8LE

DDI: 023 8082 0472  
Fax: 023 8032 1001  
E-Mail: jane.walker@trethowans.com  
Our Ref: NJW01/145912  
Your Ref:

**For attention of Licensing – Daliah Barrett**

12 November 2007



Dear Sirs

**Application for a Betting (Track) Premises Licence**  
**Alexandra Palace Alexandra Palace Way Haringey LONDON N22 7AY**

We have been instructed to apply for a Betting (Track) premises licence for Alexandra Palace Trading Limited. We enclose the following:-

- Notice of Application for a Betting (Track)
- You have confirmed receipt of the fee and plan sent under cover of our letter dated 08.11.07

Please acknowledge receipt of this Notice in writing.

We confirm that the Notice in respect of this application has been served on the other Responsible Authorities today.

Please disregard the application served on the 8<sup>th</sup> November. This application replaces that application. We apologise for any inconvenience caused.

Yours faithfully

Enc

**Application for a premises licence  
under the Gambling Act 2005 (standard form)**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

If you are completing this form by hand, please write legibly in block capitals using ink. Use additional sheets if necessary (marked with the number of the relevant question). You may wish to keep a copy of the completed form of your records.

Where the application is-

- In respect of a vessel, or
- To convert an authorisation granted under the Betting, Gaming and Lotteries Act 1963 or the Gaming Act 1968,

the application should be made on the relevant form for that type of premises or application.

**Part 1 - Type of premises licence applied for**

Regional Casino  Large Casino  Small Casino   
 Bingo  Adult Gaming Centre  Family Entertainment Centre   
 Betting (Track)  Betting (Other)

Do you hold a provisional statement in respect of the premises? No

If the answer is "yes", please give the unique reference number for the provisional statement (as set out at the top of the first page of the statement):

**Part 2 - Application Details**

If you are an individual, please fill in Section A. If the application is being made on behalf of an organisation (such as a company or partnership), please fill in Section B.

**Section A  
Individual applicant**

1. Title: Mr  Mrs  Miss  Ms  Dr  Other (please specify)

2. Surname: Other name(s):

*(Use the names given in the applicant's operating licence or, if the application does not hold an operating licence, as given in any application for an operating licence)*

3. Applicant's address (home or business - (delete as appropriate)):

4(a) The number of the applicant's operating licence (as set out in the operating licence):

4(b) If the applicant does not hold an operating licence but is in the process of applying for one, give the date on which the application was made:

5. Tick the box if the application is being made by more than one person.

*(Where there are further applicants, the information required in questions 1 to 4 should be included on additional sheets attached to this form, and those sheets should be clearly marked "Details of further applicants".)*

**Section B**

**Application on behalf of an organisation**

6. Name of applicant business or organisation:  
Alexandra Palace Trading Limited

*(Use the names given in the applicant's operating licence or, if the applicant does not hold an operating licence, as given in any application for an operating licence.)*

7. The applicant's registered or principal address:  
Alexandra Palace  
Alexandra Palace Way  
Haringey  
LONDON  
Postcode: N22 7AY

8(a) The number of the applicant's operating licence (as given in the operating licence):

N/A

8(b) If the applicant does not hold an operating licence but is in the process of apply for one, give the date on which the application was made:

N/A

9. Tick the box if the application is being made by more than one organisation.

*(Where there are further applicants, the information required in question 6 to 8 should be included on additional sheets attached to this form, and those sheets should be clearly marked "Details of further applicants".)*

**Part 3 - Premises Details**

10. Proposed trading name to be used at the premises (if known):  
Alexandra Palace

11. Address of the premises (or, if none, give a description of the premises and their location):  
Alexandra Palace Way  
Haringey  
LONDON  
Postcode: N22 7AY

12. Telephone number at premises (if known): 020 8365 2121

13. If the premises are in only a part of a building, please describe the nature of the building (for example, a shopping centre or office block). The description should include the number of floors within the building and the floor(s) on which the premises are located.

Alexandra Palace is a venue for exhibitions, conferences, sporting events, hospitality and private celebrations.



14(a) Are the premises situated in more than one licensing authority area?

No

14(b) If the answer to question 14(a) is yes, please give the names of all the licensing authorities within whose area the premises are partly located, **other than the licensing authority to which application is made:**

#### Part 4 - Times of operation

15(a) Do you want the licensing authority to exclude a default condition so that the premises may be used for longer periods than would otherwise be the case? No *(delete as appropriate)* *(Where the relevant kind of premises licence is not subject to any default conditions, the answer to this question will be no.)*

15(b) If the answer to question 15(a) is yes, please complete the table below to indicate the times when you want the premises to be available for use under the premises licence.

	Start	Finish	Details of any seasonal variation
Mon	hh:mm	hh:mm	
Tue			
Wed			
Thurs			
Fri			
Sat			
Sun			

16. If you wish to apply for a premises licence with a condition restricting gambling to specific periods in a year, please state the periods below using calendar dates:

#### Part 5 - Miscellaneous

17. Proposed commencement date for licence (leave blank if you want the licence to commence as soon as it is issued): *(dd/mm/yyyy)*

18(a) Does the application relate to premises which are part of a track or other sporting venue which already has a premises licence? **No**

18(b) If the answer to question 18(a) is yes, please confirm by ticking the box that an application to vary the main track premises licence has been submitted with this application

19(a) Do you hold any other premises licences that have been issued by this licensing authority? **No**

19(b) If the answer to question 19(a) is yes, please provide full details:

20. Please set out any other matters which you consider to be relevant to your application:  
The Licence will cover the betting services provided for the World Darts Championship and other sporting events held at the in the hall at the Premises.

**Part 6 - Declarations and Checklist (Please tick)**

- We confirm that, to the best of our knowledge, the information contained in this application is true. We understand that it is an offence under section 342 of the Gambling Act 2005 to give information which is false or misleading in, or in relation to, this application.
- We confirm that the applicant(s) have the right to occupy the premises.
- Checklist:
- Payment of the appropriate fee has been made/is enclosed
  - A plan of the premises is enclosed
  - We understand that if the above requirements are not complied with the application may be rejected
  - We understand that it is now necessary to advertise the application and given the appropriate notice to the responsible authorities

**Part 7 -Signatures**

20. Signature of application or applicant's solicitor or other duly authorised agent. If signing on behalf of the applicant, please state in what capacity:

Signature 

Print Name: Trethowans  
Date: 12 November 2007 Capacity: Solicitors and Agent for Applicant

**Part 8 - Contact Details**

23(a) Please give the name of a person who can be contacted about the application:

Jane Walker

23(b) Please give one or more telephone numbers at which the person identified in question 23(a) can be contacted:

02380 820472

24. Postal address for correspondence associated with this application:

The Director General's House

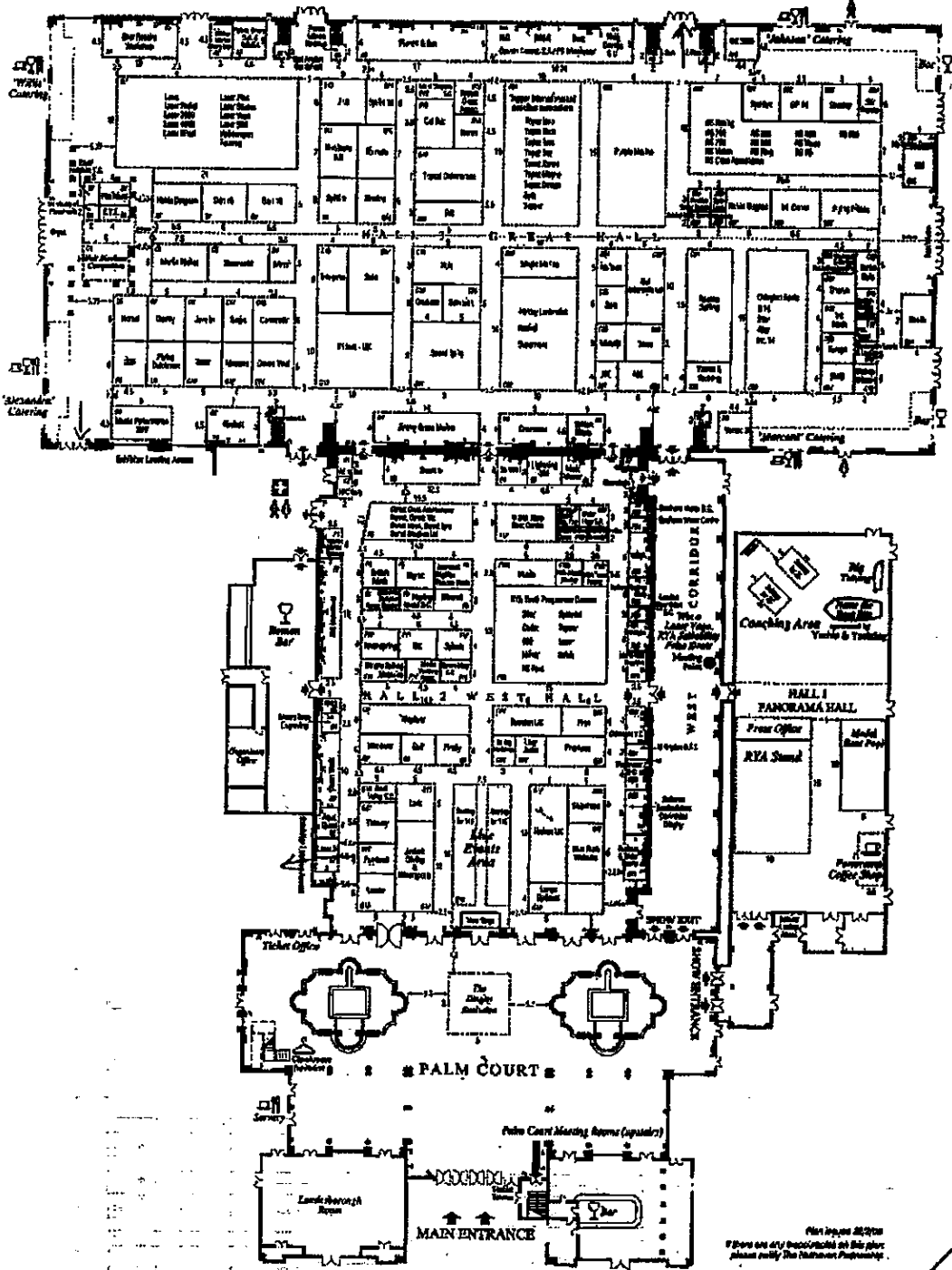
Rockstone Place

SOUTHAMPTON

Postcode: SO15 2EP

25. If you are happy for correspondence in relation to your application to be sent via email, please give the email address to which you would like correspondence to be sent:

jane.walker@trethowans.com



THE AREA HIGHLIGHTED IN YELLOW  
TO BE LICENSED FOR THE PROVISION  
OF BETTING

# TRETHOWANS

The Director General's House  
 Rockstone Place  
 Southampton  
 SO15 2EP  
 DX: 154120 SOUTHAMPTON 48

Tel: 023 8032 1000  
 www.trethowans.com

London Borough of Haringey  
 Licensing Team, Enforcement Service,  
 Environmental Services  
 Civic Centre, High Road  
 Wood Green  
 LONDON  
 N22 8LE

DDI: 023 8082 0472  
 Fax: 023 8032 1001  
 E-Mail: jane.walker@trethowans.com  
 Our Ref: NJW01/145912  
 Your Ref:

## For attention of Licensing

11 December 2007

Dear Sirs

### Gambling Act 2003 s39 – Occasional Use Notice Alexandra Palace Alexandra Palace Way Haringey London N22 7AY

Please accept this letter as notice of the intention to permit the acceptance of bets under s39 of the Gambling Act 2005 for events to be held at the above premises during December 2007 and January 2008

The event is the World Darts Championship and is held from 17 December 2007 to 1 January 2008. The area within the premises to be used for the provision of betting services will be the Panorama Room, The Palm Court, The VIP Bar to the right of the front door and the Londesborough Room. Betting Services will be provided on the following dates:

Thursday 20th December  
 Friday 21st December  
 Saturday 22nd December  
 Wednesday 26th December  
 Thursday 27th December  
 Friday 28th December  
 Saturday 29th December  
 Sunday 30th December  
 Tuesday 1st January 2008

Under s39 an Occasional Use Notice can be used on 8 days in any calendar year. We therefore have applied for 8 days in 2007 and 1 day in 2008 totalling 9 days when betting services will be provided at the site.

Ladbrokes Betting & Gaming Limited will be responsible for the betting services provided at Alexandra Palace and have been involved in providing betting services at many other similar venues across the Country over many years. An application for a new Track Betting Premises Licence to permit betting on a permanent basis has been made and the hearing is to be considered in the near future.



The Gambling Act requires notice to be served on the Local Authority and the Police before the event but does not require the payment of a fee nor give specific time limits for service of the notice. We confirm that notice has been copied to the Police today.

Please do not hesitate to contact us if you have any queries in regard to this notice.

Finally we would be grateful if you could confirm receipt of this notice by returning the attached copy in the pre-paid envelope enclosed.

Yours faithfully

A handwritten signature in black ink, appearing to be 'T. Robinson' or similar, written in a cursive style.

Enc

APPENDIX 2

LETTER REQUESTING AMENDMENT TO THE  
APPLICATION

# TRETHOWANS

SOLICITORS

The Director General's House  
 Rockstone Place  
 Southampton  
 SO15 2EP  
 DX: 154120 SOUTHAMPTON 48

Tel: 023 8082 1000  
 www.trethowans.com

London Borough of Haringey  
 Licensing Team, Enforcement Service,  
 Environmental Services  
 Civic Centre, High Road  
 Wood Green  
 LONDON  
 N22 8LE

DDI: 023 8082 0472  
 Fax: 023 8032 1001  
 E-Mail: jane.walker@trethowans.com  
 Our Ref: NJW01/145912  
 Your Ref:

**For attention of Daliah Barrett**

9 January 2008

Dear Sirs

**Application for a New Track Betting Premises Licence**  
**Alexandra Palace Alexandra Palace Way Haringey LONDON N22 7AY**

Further to our previous correspondence in respect of the above matter we would be grateful if we could make a formal amendment to the application which was lodged with you in November last year.

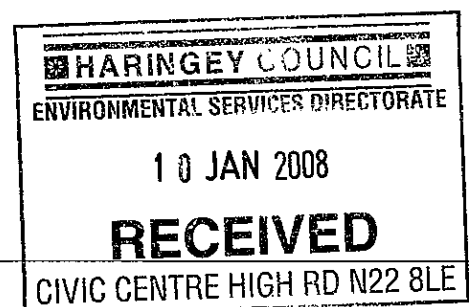
The initial application was lodged to cover the premises for betting throughout the year albeit that it would, in reality, be used only during the World Darts Tournament sponsored by Ladbrokes. We seek to amend the application so that it only covers the dates that the Darts Tournament is held each year. Ladbrokes are committed to sponsoring the Tournament and have signed a sponsorship deal for 5 years. The dates of the Tournament will be known in advance and the applicant will notify the Licensing Authority and Police in good time before the event so that the exact dates when betting will take place are specified.

We would be grateful if you could notify the amendment to the people who have made representations in relation to the original application. We would also like to assure those people who did make representations that betting is not linked to crime and disorder. Betting did take place legally at the recent Tournament for 9 days and during that time there was neither an increase in crime and disorder nor in any of the other matters raised in the letters of representation. The betting took place under an Occasional Use Notice which permits betting at premises on 8 days per calendar year. We used 8 days from 2007 and the final was on 1 January 2008.

We look forward to receiving your comments and confirmation if any representations have been withdrawn as a result of the amendment to the application.

Yours faithfully

*Trethowans*



**Lexcel**  
 PRACTICE MANAGEMENT STANDARD  
 THE LAW SOCIETY

Trethowans - solicitors regulated by The Solicitors Regulation Authority  
 A list of partners is available for inspection at the Salisbury office

145912



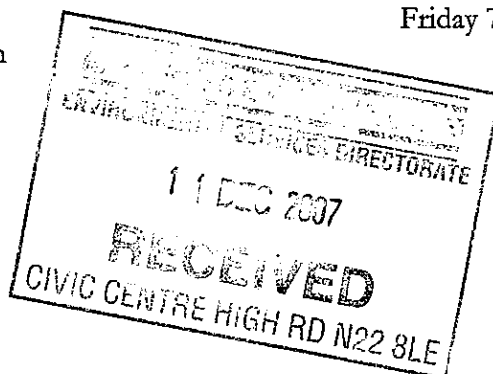
**APPENDIX 3**

**LETTER OF REPRESENTATION FROM  
RESIDENTS**

Lynne Zilkha  
23 Cranbourne Rd  
London  
N10 2BT

Friday 7th December 2007

Haringey Council Licensing Team  
2<sup>nd</sup> Floor  
Civic Centre  
High Rd  
Wood Green  
London  
N22 8LE



Dear Sirs,

**Gambling Act 2005 – Representation Letter.**

With regards to the recent track betting license application for use at The Alexandra Palace Panorama Room by Alexandra Palace Trading Ltd, I wish to make a representation. I take a particular interest in Alexandra Palace and Park because of my very close proximity to it.

I would like to make a representation opposing the granting of a permanent betting licence according to the licensing objectives of The Gambling Act 2005, on the following grounds:

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

I believe that there is a significant potential of an increase in serious crime inside Alexandra Palace as well as its grounds, park and residential streets near to Alexandra Palace. Alexandra Palace and Park lies in an isolated locale surrounded by 196 acres of parkland and sloping ground. The park has been associated with muggings, attacks and antisocial behaviour, only some of which are reported. Numerous gangs have operated in this area, often watching for potential victims leaving the exits at night for the car park or bus stop. In the last couple of years, police protection was required for young skaters leaving the Alexandra Park building after a spate of muggings. There have been other attacks within the park documented, some of which have been very serious. Because of the number of incidents reported, the Police have identified the park as a crime “hot spot”. If the licence is granted then the public, of all ages, who attend events with betting will become targets for their credit cards, cash and id inside the Palace and in the grounds of the Palace, which is impossible to police.

**Protection of Children and Other vulnerable groups from being harmed or exploited by gambling:**

I understand that events such as the forthcoming World Darts Championship are ticketed events. Such tickets can be purchased in several ways including the internet. Event tickets can be sold to individuals under 18 who may or may not be accompanied by an adult, and children/teenagers can certainly attend such events. Alexandra Palace has a tradition of

being a family based sporting and cultural venue and it would be morally and psychologically improper to have children/teenagers exposed to an environment where active betting is taking place, particularly in a building owned by a Charitable Trust. The ice rink where teenagers largely attend and children play areas are close by. Children and teenagers will be under greater threat of attacks by muggers for their mobile phones and money than they are already.

A Charitable Trust within a park area managed by Haringey Council condoning on site betting is a questionable example to set.

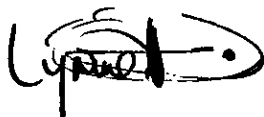
Note also that the aforementioned darts event will run day time and evening sessions throughout its duration. The likelihood of children being in the vicinity of a betting event is very probable. The Panorama Rooms share the same entrance as The Palm Court, The Phoenix Pub and Restaurant and The Great Hall. These are used by people of all ages. Gambling activities should take place in a room dedicated to gambling and would not have shared entrances.

While AP Trading Ltd is applying for the licence, it does not state who will supervise the gambling at each event.

Under this licence what is to stop a betting shop from being set up?

Based on the above points, I am opposing the gambling application and ask the Licensing Team not to grant the gambling licence.

Yours Faithfully,

A handwritten signature in black ink, appearing to read 'L Zilkha', with a stylized flourish at the end.

Ms L Zilkha

NB see press articles attached to support the - I shall bring this letter with articles by hand this evening and leave at reception at Civic Centre.

PS It is widely known that Alexandra Palace Statutory Advisory Committee (APSAC) has not been consulted re this application as part of its function as laid down by The Alexandra Palace and Park Act 1985. The APSAC's function is to advise the Trustees and be consulted of the general policy relating to the activities and events arranged or permitted in the Park and Palace *and* the effects of such activities and events upon the local inhabitants and local environment

**Barrett Daliah**

---

**From:** Lydia Rivlin [l.rivlin@btinternet.com]  
**Sent:** 07 December 2007 12:23  
**To:** Licensing  
**Subject:** Re: GAMBLING ACT representaton

Dear Ms. Barrett,

I was just worried that I might be objecting on the wrong grounds.  
Thank you for setting my mind at rest.  
Is the document acceptable and have I sent it in such a way that it will be registered?

--Lydia Rivlin

On 7 Dec 2007, at 11:59, Licensing wrote:

> Dear Ms Rivlin  
>  
> Sorry! My fingers slipped and pressed 6.  
>  
> Thank you  
>  
> Daliah Barrett (Lead Officer - Licensing) Haringey Council - Licensing  
> Authority Urban Environment Civic Centre High Road Wood Green London  
> N22 8LE  
>  
> T 0208 489 8232  
> F 0208 489 5528  
> E daliah.barrett@haringey.gov.uk  
>  
> -----Original Message-----  
> From: Lydia Rivlin [mailto:l.rivlin@btinternet.com]  
> Sent: 07 December 2007 11:48  
> To: Licensing  
> Subject: Re: GAMBLING ACT representaton  
>  
> Dear Ms. Barrett,  
>  
> I am not aware of a Gambling Act 2006, I thought it was 2005.  
>  
> I understand that under this act I am permitted to object to the  
> licensing, temporary or otherwise, of premises for gambling.  
> I do object to the licence being granted for gambling in Alexandra  
> Palace on the following grounds:  
>  
> .1] Concerns about crime and violence  
>  
> It is self-evident that gambling attracts criminality. Sometimes this  
> can be controlled when the premises are situated in a busy area of  
> town where there is a constant stream of passers-by to report  
> problems. In the case of Alexandra Palace, an isolated building  
> surrounded by a park, there will be little control on such criminality  
> and drug dealing and prostitution can be conducted out of sight, in  
> the darkness of the park.  
>  
> 2] Protection of children  
>  
> Alexandra park is an area surrounded by suburbs and fulfilling all the  
> functions of a suburban park. It is visited by teenagers, families  
> with children, and people of all ages walking their pets.  
> The entire park would become very unsafe for the whole community if it  
> became the haunt of people involved in the fringes of the gambling  
> world. Alexandra Park is my local park and I frequently take walks  
> there. As a woman walking on my own I would feel very unsafe if any  
> part of the Palace were turned over to large-scale organised gambling.

>  
> Lydia Rivlin  
>  
> 26, Muswell Avenue,  
> Muswell Hill,  
> London N10 2EG  
> England  
>  
> tel: +44 (0)20 8444 2726  
> fax: +44 (0)20 8444 7381  
> =====  
> This email (which includes any files transmitted with it) may be  
> confidential.  
> If you have received it in error please forward it to me immediately,  
> destroy any copies and delete it from your computer system. Thank  
> you.  
>  
>  
>  
> On 4 Dec 2007, at 10:22, Licensing wrote:  
>  
>> Dear Ms Rivlin  
>>  
>> There is currently no application under the Licensing Act 2003 under  
>> consultation in relation to Alexandra Palace. I am unable to accept  
>> the document you have used as it is for use in relation to Licensing  
>> Act  
>> 2003 applications.  
>>  
>> You may write in to me if you want to make representation on the  
>> Gambling Act 2006 application. Please note that you may make  
>> representation only under the 3 licensing objectives under this Act:  
>>  
>> Keeping gambling free from crime or becoming a source of funding  
>> crime  
>>  
>> Making gambling open and fair  
>>  
>> Protecting children and the vulnerable from being harmed or exploited  
>> by gambling.  
>>  
>> Regards  
>>  
>> Daliah Barrett (Lead Officer - Licensing) Haringey Council -  
>> Licensing Authority Urban Environment Civic Centre High Road Wood  
>> Green London  
>> N22 8LE  
>>  
>> T 0208 489 8232  
>> F 0208 489 5528  
>> E daliah.barrett@haringey.gov.uk  
>> -----Original Message-----  
>> From: Lydia Rivlin [mailto:l.rivlin@btinternet.com]  
>> Sent: 04 December 2007 07:41  
>> To: Licensing  
>> Subject: GAMBLING ACT 2006 APPLICATION  
>>  
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>>  
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>> \_\_\_\_\_  
>> This email has been scanned by the MessageLabs Email Security System.  
>> For more information please visit <http://www.messagelabs.com/email>  
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>> This email has been scanned by the MessageLabs Email Security System.  
>> For more information please visit <http://www.messagelabs.com/email>

### LICENSING ACT 2003 - REPRESENTATION FORM

To make a representation in respect of an application for a Premises Licence or Club Premises Certificate please complete the following form. For representations to be considered relevant they must relate to one or more of the four "Licensing Objectives" (listed below).

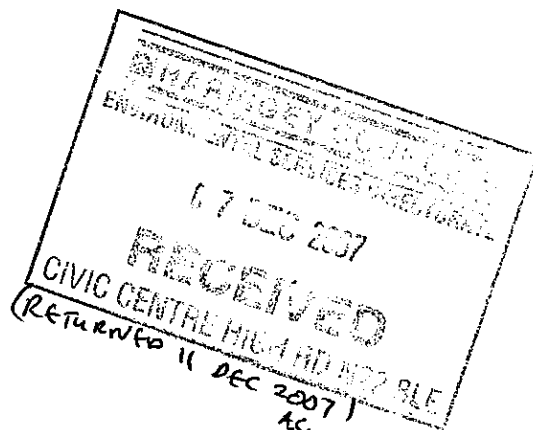
Please note all representations will be made available for applicants to view. If you make a representation objecting to the application it is likely that you will be called upon to attend a hearing and present your objection before a Licensing Committee.

**Personal Details**

Name A CHRISTOFIS

Address 19 CONISTON RD, F.3.  
MUSWELL HILL  
LONDON

Postcode N10 2BL



**Licence application you wish to make a representation on**

*You do not need to answer all of the questions in this section, but please give as much information as you can:*

Application Number ?

Name of Licensee Track Betting (PERMANENT LICENSE)

Name of Premises (if applicable) Alexandra Palace Panorama Room.

Premises Address (where the Licence will take effect).....  
Alexandra Way London (N22)  
WOOD GREEN

Postcode N22 7AY

**Reason/s for representation**  
GAMBLING Act 2005 (K)

*Under the Licensing Act 2003, for a representation to be relevant it must be one that is about the likely effect of the application on the promotion of the <sup>four</sup> licensing objectives. Any representations that are considered to be vexatious or frivolous will not be considered (please see Haringey Council's leaflet **Variations, Representations and Appeals for Premises Licences and Club Premises Certificates**).*

*Fill in reason/s for your representation in the space provided under each Licensing Objective it relates to.*

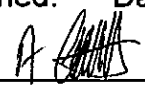
**The Prevention of Crime and Disorder etc** - Permanent Gambling is not compatible with the ~~charitable~~ (charitable aims & objectives) - Haringey Council needs to be aware that this will encourage crime & disorder in a place that is to be specifically used for 'RESORT + RECREATION'! if gamblers are loitering in the park it will be no longer safe for children & families. Gambling is known to bring with it CRIMINAL ELEMENTS + PROSTITUTION!

(AC) ~~Resort + Recreation~~ - Gambling is all about money! Alexandra Palace is already a crime hot spot - the public will be at risk arriving and leaving the park carrying large sums of money - The public will be at risk from violent clashes/outbursts from the losers and those targeting the palace for crime - muggings/rape/stalking/indirect exposure

(AC) **The Prevention of Public Nuisance**  
Betting/gambling at Alexandra Palace - may cause loitering, litter, screaming, noise, anger from losses - will attract negative elements to a park that is for 'RESORT' - a blight on families

**The Protection of Children from Harm etc**  
We are from a large local family (3 generations) and the women and children use the facilities unattended by men. I want my children shielded from exposure to gambling, gambling addicts, and angry losers. The children have always traditionally learned to go to the park by themselves - this will stop if gambling is allowed. children need some freedoms! + space!

I, A. CHRISTOFIS, hereby declare that all information I have submitted is true and correct.

Signed:  (AC) Date: 3rd Dec 2007

Please send completed form to:  
Haringey Council Licensing Team  
2<sup>nd</sup> Floor  
Civic Centre  
High Road  
Wood Green  
London  
N22 8LE

Mr. A Young,  
32 Muswell Road,  
Muswell Hill,  
London,  
N10 2BG.

Friday 7th December 2007.

Ms Daliah Barrett,  
Haringey Council Licensing Team,  
2nd Floor,  
Civic Centre,  
High Road,  
Wood Green,  
London,  
N22 8LE.

Dear Ms Barrett,

I write to you regarding the company Alexandra Palace Trading Limited and the track betting licence applied for the Panorama Rooms within Alexandra Palace. I would like to register my opposition to the granting of such licence with reference to the following licensing objectives of the Gambling Act of 2005.

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

Regarding this objective, the Palace lies isolated between a residential area and the substantial area of Alexandra Park. In such isolation the risk of crime can only increase with the lure of gamblers as easy targets. The motivation for an attack is obvious – money, credit cards and possibly personal identification. The Park is known to have problems with muggings, attacks and antisocial behaviour. Gangs have been known to operate in the area. They watch for potential victims leaving the Palace exits at night for the car park or bus stop. The Police have even identified the Park as a hot-spot of crime. I am concerned that the floodgates would open for an increase in crime in the locale.

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

Regarding this objective, I am concerned as to who would manage and monitor the licence and gambling activities once gambling commenced. This task would become only more difficult if the floodgates would then be open for additional gambling such as is available on any high street .

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

Regarding this objective, it should be noted that the Palace is used by people of all ages. The Palace has a tradition of being a family friendly venue. To access the Panorama Rooms one uses the same entrance for access to The Palm Court, The Phoenix Bar and The Great Hall. It is simply improper to grant a gambling licence here as the likelihood of children being in the vicinity of a betting event is high. In particular the forthcoming World Darts Championship is a ticketed event where tickets could be sold to those under the age of 18. I have noticed from the internet that the aforementioned darts event will run day time and evening sessions throughout its duration. The knowledge of there being gambling on the premises would place children and vulnerable persons at considerable risk of being lured towards such activity.



The granting of such licence is, in my view, completely and utterly improper and a poor example set on behalf the Charitable Trust and Haringey Council. Debt problem due to gambling is a rising issue in the UK. This can be verified by communication with the organisation Gamblers Anonymous. In short I believe that gambling at the Palace will be of detriment to the locale in terms of safety to all users of the Palace as well as to local residents. I therefore register to you my opposition the granting of any gambling licence at the Palace.

Yours sincerely,  
A. Young.

**Barrett Daliah**

---

**From:** Colin Marr [colin.marr@blueyonder.co.uk]  
**Sent:** 09 December 2007 12:50  
**To:** Licensing  
**Subject:** Gambling Act Application - Alexandra Palace - OBJECTION

Dear Licensing Team,

I wish to object to the recent application for a track-betting licence at Alexandra Palace.

My reasons for objection include:

- Gambling is incompatible with the charitable purposes that are the basis of Ally Pally's status as an asset under the management of a charitable trust.
- The Palace itself is a Grade II listed building and it is not part of its heritage to be associated with gambling. Although there used to be horse-racing in the Park this does not constitute a precedent.
- There is a correlation between crime and gambling. Alexandra Park is a local 'hot-spot' for crime, most of which is associated with events at the Palace - the presence of gambling there is likely to add to the risk.
- Issuing a licence could be seen as condoning gambling in a public space and this would be an unwelcome encouragement to young and vulnerable people.
- Firoka's presence at the Palace is of questionable legality. Granting a licence would seem to condone this tenancy.

Yours sincerely,

Colin Marr  
3 Methuen Park  
N10 2JR  
Tel: 020 8883 9069

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For more information please visit <http://www.messagelabs.com/email>

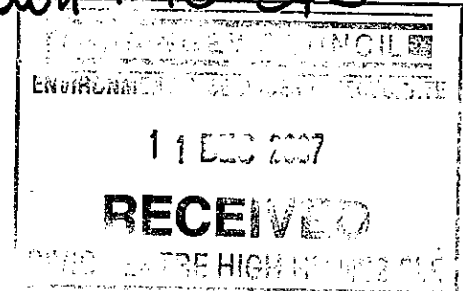
---

Dermot + Yasmin Barnes  
110 Dukes Avenue  
London N10 2QB

Daliah Barrett  
Licensing Team  
Haringey Council  
2<sup>nd</sup> Floor High Rd  
London N22 8LE

Tuesday, 4<sup>th</sup> December 2007

Dear Ms Barrett



My family and I live next to the Palace and we are writing to you to state our unreserved **objection to the granting of a Gambling License to The Alexandra Palace Trading Company Ltd** or to any other company, individual or organisation now or at any time in the future that wishes to set up a casino, of any size, in Alexandra Palace.

The great majority of residents in this area are overwhelmingly against the presence of a casino in our neighbourhood for the following reasons:

- Gambling is a morally reprehensible activity in itself, invariably attracting criminal activity such as drug pushing and prostitution.
- The Palace is intended, according to its Charitable Charter, to be for the greater good of the people. Gambling is only good for those who own the gambling business.
- Gambling often brings with it a range of other undesirable activities, which are invariably criminal in nature.
- Gambling frequently requires participants and operators to handle large quantities of cash, thus creating security risks and increasing the possibility of robbery and mugging in and around the gambling facilities. Despite local residents' frequent complaints over the years, the Palace grounds are completely unguarded at night and during the day. This is a well-known fact to criminals and a casino would be an advertisement for further illegal activity in the Park.
- **Many who enjoy the use of the Palace are children, often unaccompanied schoolchildren.** The presence of a casino in the Park would expose these children to gamblers, muggers, prostitutes and other dangerous and socially irresponsible individuals.
- Muswell Hill is a family-oriented area and Haringey Council rate-payers chose to live here because of the good schools and the peaceful atmosphere. We do not chose to live here in order to have access to gambling "facilities", drugs and prostitutes.

On a final note, after the recent High Court finding against the Trust and The Charity Commission on numerous grounds, most significant of which was **failure to consult properly**, The Council should realise that it is failing in its duty by only posting a small notice in the grounds of the Palace giving residents only 10 days to express their objections to a course of action that what would fundamentally change the function and atmosphere of the Palace and the surrounding neighbourhoods.

Yours sincerely,

  
Dermot Barnes

  
Giasmin Chilmi

19th January 2006

[http://www.muswellhilltimes.co.uk/search/display.var.675346.0.if\\_alexandra\\_palace\\_was\\_a\\_pub\\_it\\_would\\_have\\_been\\_shut\\_down.php](http://www.muswellhilltimes.co.uk/search/display.var.675346.0.if_alexandra_palace_was_a_pub_it_would_have_been_shut_down.php)

**If Alexandra Palace was a pub, it would have been shut down**

I read your article about Alexandra Palace with alarm (People's palace, January 13).

Those of us who live near the palace have endured years of noise pollution because the building is not sound-proofed and cannot contain the decibels of modern music.

Haringey Council has ignored residents' complaints for years because it is desperate to make money from the white elephant.

The council has even given the palace permission to make noise until 6am.

The palace is a job. If it were a citizen it would have been given an Asbo long ago. If it were a pub it would have been shut.

But, because of its cosy financial relationship with the council, it is allowed to regularly deny sleep to its neighbours.

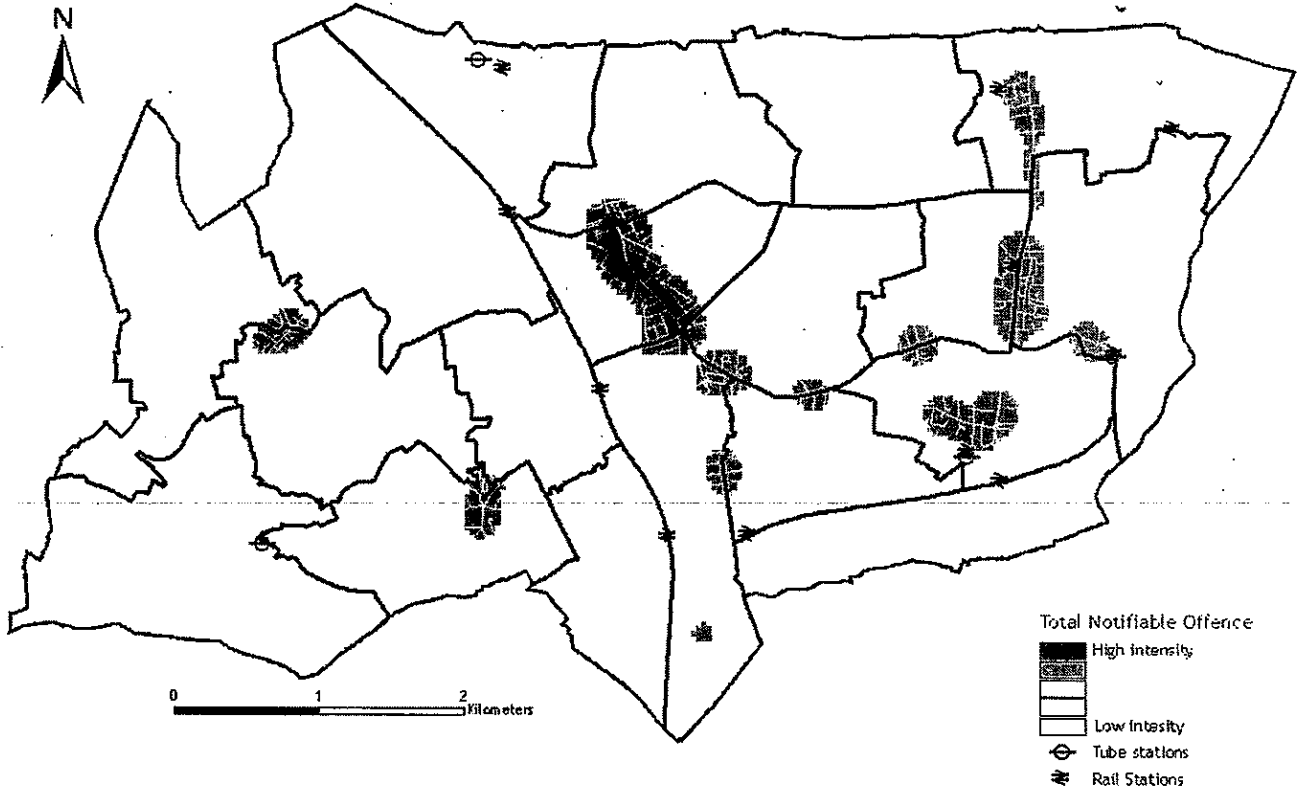
Therefore, any redevelopment of Alexandra Palace must include adequate sound-proofing of all music and event spaces. The idea of the palace containing hotels, casinos and nightclubs is a recipe for a 24-hour noise nightmare.

It would considerably lower the value of properties near the park and would deny us the peaceful enjoyment of our homes to which we are legally entitled.

Perhaps you could do a story about the environmental impact of noise, light and car exhausts, and the way the palace and council have conspired to put two fingers up to the area's residents for years.

John Guerrasio  
Redston Road, Homsey

**Crime level at the park and palace**



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Bandwidth: 250 meters & cell size 35 meters  
Classification: Equal Interval [6]

2007

30/11/2007

But Redston Road resident John Guerassio, whose property backs onto the park, is annoyed at people using the grounds at night, including dog-walkers.

He said: "At night there are barking dogs there, fights there, people screaming and others playing football at midnight. If these people are somewhere where it's soundproof, I wouldn't care but it seems to be the same spots every night."

"There are lots of people every night who take their dogs in the park really late, but there are other places to walk your dog."

Mr Guerassio said that he is constantly disturbed by antisocial behaviour in the grounds late at night and thinks that if this could be prevented, crime would stop.

He said: "We need to get proper fencing or get police to patrol it the park. Anyone who is in there in the middle of the night is up to no good, they're not pillars of the community."

"A public space like that, open to the public after dark, is a magnet for trouble. The problem is that it's not illegal for people to be in the park after dark."

"People are not allowed in most London parks on a night but Alexandra Palace has some kind of special rules."

The Alexandra Park and Palace Trust charity is governed by an act of parliament which specifies that the park must be open for free use and recreation for the public, and therefore cannot be closed at night. Mr Holder said: "Even without the act of parliament, the palace runs a full bus service so even if we were able to lock our gates in the periphery, the park in its entirety could not be closed."

Mr Holder said Alexandra Palace has security guards inside the palace 24 hours a day who often patrol the park, but Mr Guerassio thinks that a dedicated patrol team should be based at the park to avoid antisocial behaviour and combat crime.

"It needs proper policing and proper funding for the policing," said Mr Guerassio.

Park by-laws and regulations are enforced by Haringey's Parks Constabulary, based in Finsbury Park, whose officers have the power of arrest.

\* Councillor Nilgun Canver, Haringey's executive member for crime and community safety, said: "They do patrol the area and they do patrol all parks in the borough, almost ten hours a day, but how much policing can go specifically to Alexandra Park is limited."

She added that the constabulary had weekly tasking meetings with police to discuss crime in the borough's parks and said police were expected to increase their patrols following the recent attack in the park.

In addition to this, the planned redevelopment of Alexandra Palace is likely to see more of the building in use, so security within the grounds is expected to be improved.

But Mr Guerassio is one resident who is not convinced any of these measures will make a difference.

He said: "Until we can change the rules and make it illegal to be there at night, things will not change."

## 2005

### 2nd March 2006

[http://www.muswellhilltimes.co.uk/search/display.var.698639.0.police\\_to\\_step\\_up\\_patrols\\_around\\_ally\\_palty\\_ice\\_rink.php](http://www.muswellhilltimes.co.uk/search/display.var.698639.0.police_to_step_up_patrols_around_ally_palty_ice_rink.php)

#### Police to step up patrols around Ally Palty ice rink

By Peter Stebbings

Haringey police say they are stepping up patrols at Alexandra Palace's ice rink and urging skaters to arrange lifts home in the evenings after two separate robberies on skaters in the past two weeks.

Two pairs of females have been targeted after leaving the rink on weekend nights. In the most recent case, at 11pm last Saturday, two 14-year-old girls from Enfield were approached by a group of four other teenagers.

After one of the girls refused to hand over her mobile phone, she was punched and kicked. The suspects, three girls and boy, all aged 12 to 16, made off on the W3 bus towards Wood Green. Police have made four arrests in relation to the assault and robbery.

Two other teenage girls were robbed in similar circumstances after leaving the ice rink on Saturday, February 18.

Police do not believe the robberies were carried out by the same group.

\* As part of their crackdown, police have increased their presence on weekend evenings to protect young skaters leaving Alexandra Palace. They have also been viewing CCTV footage from the palace and have made one arrest for possession of an offensive weapon.

A Haringey police spokesman said: "We urge skaters to be vigilant when leaving and to arrange lifts home with parents or guardians to prevent being targeted."

A spokesman for Alexandra Palace said he was surprised to hear of the police's concerns and stressed police had not informed the palace management of any particular problems.

The spokesman added the planned redevelopment of the palace would improve security.

"At the moment, 50 per cent of the palace is derelict and out of use. But with the redevelopment more of the palace will be brought into use."

If you have any information in relation to these two recent incidents, call Haringey police on 020 8345 0763.

### 23rd June 2005

[http://www.muswellhilltimes.co.uk/search/display.var.608813.0.park\\_sex\\_attack.php](http://www.muswellhilltimes.co.uk/search/display.var.608813.0.park_sex_attack.php)

#### Park sex attack

By Martyn Kent

Police fear a sex attacker could strike again after a woman was beaten and raped in broad daylight in Alexandra Park.

The woman was walking her dog when she was grabbed around the neck, punched repeatedly in the face, pushed to the ground and raped in long grass. The attack happened near the pitch-and-putt green and cricket pavilion in the north-east corner of the park, which was sealed off on Tuesday as officers carried out forensic work.

The victim told police the man had been lying on the grass, apparently enjoying the sunshine, before he approached her.

Detective Inspector Rita Tierney, of the Sapphire sex offences unit at Hornsey, urged any witnesses to come forward. "This was a violent and terrifying attack in broad daylight," she said. "There were many people in the park on such a sunny day, and we hope they may be able to provide us with vital clues."

"It is essential we trace this man before he has the opportunity to assault another woman."

The incident, which happened at 11am, has prompted director of Haringey Women's Safety Forum Michelle Stokes to call for increased security measures in parks.

"I think Haringey should build on the parks constabularies they have in central and east London," she said. "Perhaps there could be a role for new wardens."

But she urged women not to panic: "If women were to react to an 11am attack by stopping going out completely, then that would be a hugely sad thing."

"My advice on keeping safe would be to think about the route you are taking and take advantage of any level of supervision."

She also said women should run and shout as loudly as possible, rather than stand their ground, if they feel threatened.

30/11/2007

31st August 2006

[http://www.muswellhilltimes.co.uk/search/display.var.902602.0.patrolling\\_the\\_park.php](http://www.muswellhilltimes.co.uk/search/display.var.902602.0.patrolling_the_park.php)

#### Patrolling the park

By Kay Murray

Alexandra Park is often associated with reports of muggings, attacks and antisocial behaviour. KAY MURRAY reports on the extent of the problems and the measures being introduced to deal with them

In March, Haringey police increased their presence in the grounds of Alexandra Palace to protect young skaters leaving the building following the robbery of two groups of teenage girls leaving the ice rink.

Patrols were increased again in May after a spate of muggings in the park, and earlier this month a group of friends who took a late-night stroll there, after attending a party at a nearby property, were attacked by a gang, prompting police to increase patrols yet again.

The number of incidents reported in the past year would suggest that the park is a crime hot-spot, yet Alexandra Palace general manager Keith Holder begs to differ.

"I actually think that there's a lot of misunderstanding about what is crime within the park and what is crime within the surrounding streets," he said.

"People often report it as Alexandra Park when it happens in the neighbouring streets. I actually think the comments by some people are misunderstood."

Sergeant Ian Wells, from the Alexandra Safer Neighbourhoods Team (SNT), agrees with this theory.

He said: "The thing is, the palace grounds stretch to a number of different areas, and there may be a mile or half-a-mile difference in where something took place. People may say they have been robbed near the grounds but are not specific about where the area is."

"The area is often called a hot-spot when sometimes the crimes committed are on the periphery."

The palace grounds fall within the boundary of three different SNTs, including Hornsey and Muswell Hill. Mr Wells said that a recent Alexandra SNT Have a Say Day revealed that the park was not the main concern of residents in the ward.

However, he said that there were a number of measures in place to combat potential crime in the area, including an intelligence-based motorcycle response unit, a dedicated robbery squad and a new scheme involving dog-walkers, which will start this weekend.

"We have been trying to mobilise dog-walkers, as you get people walking their dogs in the evening and early hours of the morning in the park," said Mr Wells.

"These people see things and hear about things that go on in the park. If they are patrolling the area they can contact us to pass any information on."

The team is visiting the park this weekend to speak to dog-walkers about the new initiative and will also be putting up posters around the park.

30/11/2007

2006

4th May 2006

[http://www.muswellhilltimes.co.uk/search/display.var.250740.0.teenagers\\_robbed.php](http://www.muswellhilltimes.co.uk/search/display.var.250740.0.teenagers_robbed.php)

#### Teenagers robbed

Three Hornsey teenagers were mugged on Bank Holiday Monday near Alexandra Palace.

The boys, aged 14 and 15, were walking down Dukes Avenue, Muswell Hill, at about 8pm when they were approached by two black boys, aged around 17. The robbers threatened to stab the victims if they did not hand over mobile phones.

In an unrelated incident in Muswell Hill on Saturday, a gang robbed three people of their mobile phones at 6.30pm. The three got off the W7 bus by Priory Road and were followed along Cranley Gardens by seven black youths, aged about 16.

advertisement

If you have any information about either incident, call Sergeant Lee Adamson on 020 8345 0763.

18th May 2006

[http://www.muswellhilltimes.co.uk/search/display.var.264236.0.palace\\_area\\_is\\_hotspot\\_for\\_muggers.php](http://www.muswellhilltimes.co.uk/search/display.var.264236.0.palace_area_is_hotspot_for_muggers.php)

#### Palace area is hot-spot for muggers

By Kay Murray

Police officers will patrol the grounds of Alexandra Palace in an attempt to combat the increasing problem of late-night muggings in the area.

In May alone, there have been five known muggings in and around the landmark's grounds, which seem to be a favourite for thugs after mobile phones and money.

A Haringey police spokesman said: "We're warning people to be on their guard when leaving the premises. We're going to increase patrols and target the area for undercover operations."

advertisement

Three of the muggings took place last Friday at around 11pm close to the ice rink entrance at the palace when three teenage girls had their mobile phones taken from them.

Although the muggings were separate incidents, they were thought to have been carried out by the same two boys, described as black, around 6ft 2in tall, and aged between 16 and 18. They were wearing bandanas over their faces - one yellow, one black when they approached the girls, two of whom were 15, the other 14.

Alexandra Palace facilities manager David Loudfoot said: "Mobile phone theft is sadly a growing crime. We will be reviewing our security arrangements."

Anyone with information can contact Haringey police on 020 8345 0763.

## APPENDIX 4

### CODES OF PRACTICE

# **GAMBLING COMMISSION**

**Licence Conditions and Codes of Practice**  
June 2007



**Licence Conditions and Codes of Practice**  
June 2007

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June 2007

## Introduction

1. This document sets out the Gambling Commission's general licence conditions and associated codes of practice under the Gambling Act 2005 (the Act). These conditions and codes will come into force for gambling operating and personal licensees on 1 September 2007. The document sets out:

- the suite of general conditions to be attached to operating licences;
- the suite of general conditions to be attached to personal licences;
- the principal code of practice, distinguishing between 'social responsibility' provisions and 'ordinary' provisions (the social responsibility provisions are highlighted by shading within the text); and
- the code of practice to be attached to casino premises licences concerning access for children and young persons.

2. The document replaces both issue 1 of the licence conditions and codes of practice issued by the Commission in November 2006, and supplement 1 of the licence conditions and codes of practice which was issued in December 2006 and related to the financial requirements.

3. Alongside these conditions and codes, we have published a short guide explaining the changes made since the earlier versions were published. The changes clarify the Commission's position and ensure that our original intentions are accurately reflected in the conditions and codes.

4. Relevant requirements of the conditions and code provisions were notified in draft to the European Commission in accordance with Directive 98/34/EC, as amended by Directive 98/48/EC.

5. You can obtain copies of this report and the other documents mentioned above from the Commission's website, [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk) or by writing to:

Gambling Commission  
Victoria Square House  
Victoria Square  
Birmingham B2 4BP

T 0121 230 6666

F 0121 233 1096

## Part I: General conditions imposed by the Gambling Commission

### Suite of general conditions to be attached to operating licences pursuant to Section 75 of the Gambling Act 2005 ('the Act')

#### 1 Personal licences and qualified persons

##### 1.1 Qualified persons

###### **Operating licences (except ancillary remote licences) issued to small-scale operators**

In this condition the terms 'small-scale operator', 'qualifying position' and 'qualified person' have the meanings respectively ascribed to them by the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006.

Schedule [X]<sup>1</sup> lists those individuals notified to the Commission as qualified persons.

If, whilst the licensee remains a small-scale operator, an individual begins or ceases to occupy a qualifying position in relation to the licensee, the licensee must within 28 days apply to the Commission under s104(1)(b) for amendment of the details of the licence set out in Schedule [X]<sup>1</sup>.

An application for amendment under s104(1)(b) may be made in advance of an individual beginning or ceasing to occupy a qualifying position provided it specifies the date from which the change to which it relates is to be effective.

###### **Non-remote general betting operating licence issued to small-scale operators**

Schedule [Y]<sup>1</sup> to this licence lists those of the licensee's employees whose details have been provided to the Commission as authorised by the licensee to accept bets on the licensee's behalf on a track otherwise than under the supervision of a qualified person present on the same track.

Should the licensee wish to add an individual to the list or remove the name of an individual from the list the licensee must make application to the Commission under s104(1)(b) for amendment of that detail of the licence. Any employee the licensee wishes to add to the list may act unsupervised pending amendment of the licence provided a valid amendment application has been lodged with the Commission.

In this condition 'qualified person' has the same meaning as in the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006.

<sup>1</sup> The schedules mentioned here will be attached to individual licences.

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## 1.2 Personal licences

### All casino operating licences except ancillary remote licences

(a) Subject to (f) and (g) below licensees must ensure:

- (i) that each individual who occupies one of the management offices specified in (b) below in or in respect of the licensee or in connection with the licensed activities holds a personal licence authorising the performance of the functions of that office (hereafter 'a personal management licence'); and
- (ii) that at least one person occupies at least one of those offices.

(b) The specified management offices are those offices (whether or not held by a director in the case of a licensee which is a company, a partner in the case of a licensee which is a partnership or an officer of the association in the case of a licensee which is an unincorporated association) the occupier of which is by virtue of the terms of their appointment responsible for:

- the overall management and direction of the licensee's business or affairs;
- the licensee's finance function as head of that function;
- the licensee's gambling regulatory compliance function as head of that function;
- the licensee's marketing function as head of that function;
- the licensee's information technology function as head of that function in so far as it relates to gambling-related information technology and software;
- oversight of the day to day management of the licensed activities at an identified number of premises licensed under Part 8 of the Act or across an identified geographical area; or
- oversight of the day to day management of a single set of premises licensed under Part 8 of the Act.

(c) Licensees must take all reasonable steps to ensure that anything done in the performance of the functions of a specified management office is done in accordance with the terms and conditions of the holder's personal management licence.

(d) Where an individual is authorised by a personal licence and that licence comes under review under section 116(2) of the Act, the operating licensee must comply with any conditions subsequently imposed on that licence by the Commission about redeployment, supervision, or monitoring of the individual's work and any requirements of the Commission in respect of such matters applicable during the period of the review.

(e) Licensees must ensure that if any of the following operational functions:

- dealer,
- cashier,
- inspector,
- security staff employed to watch gaming, and
- supervisor of gaming activities,

is performed in connection with the licensed activities, they are performed by an individual who holds a personal licence authorising performance of the function (hereafter 'a personal functional licence').

Licensees must take all reasonable steps to ensure that anything done in the performance of those functions is done in accordance with the terms and conditions of the personal functional licence.

(f) Paragraphs (a) to (e) above shall not apply to a licensee for so long as the licensee is a 'small-scale operator' as defined in the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006 ('the Regulations').

(g) During the period of 3 years commencing with the date on which a licensee ceases to be a small-scale operator paragraphs (a) to (e) above shall apply subject to the proviso that the phrase 'each individual' in paragraph (a)(i) shall not include any individual who was a 'qualified person' (as defined in the Regulations) in relation to the licensee 28 days immediately prior to the licensee ceasing to be a small-scale operator.

### **All bingo operating licences except ancillary remote licences**

(a) Subject to (e) and (f) below licensees must ensure:

- (iii) that each individual who occupies one of the management offices specified in (b) below in or in respect of the licensee or in connection with the licensed activities holds a personal licence authorising the performance of the functions of that office (hereafter 'a personal management licence'); and
- (iv) that at least one person occupies at least one of those offices.

(b) The specified management offices are those offices (whether or not held by a director in the case of a licensee which is a company, a partner in the case of a licensee which is a partnership or an officer of the association in the case of a licensee which is an unincorporated association) the occupier of which is by virtue of the terms of their appointment responsible for:

- the overall management and direction of the licensee's business or affairs;
- the licensee's finance function as head of that function;
- the licensee's gambling regulatory compliance function as head of that function;
- the licensee's marketing function as head of that function;
- the licensee's information technology function as head of that function in so far as it relates to gambling-related information technology and software;
- oversight of the day to day management of the licensed activities at an identified number of premises licensed under Part 8 of the Act or across an identified geographical area; or
- oversight of the day to day management of a single set of premises licensed under Part 8 of the Act.

(c) Licensees must take all reasonable steps to ensure that anything done in the performance of the functions of a specified management office is done in accordance with the terms and conditions of the holder's personal management licence.

(d) Where an individual is authorised by a personal licence and that licence comes under review under section 116(2) of the Act, the operating licensee must comply with any conditions subsequently imposed on that licence by the Commission about redeployment, supervision, or monitoring of the individual's work and any requirements of the Commission in respect of such matters applicable during the period of the review.

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(e) Paragraphs (a) to (d) above shall not apply to a licensee for so long as the licensee is a 'small-scale operator' as defined in the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006 ('the Regulations').

(f) During the period of 3 years commencing with the date on which a licensee ceases to be a small-scale operator paragraphs (a) to (e) above shall apply subject to the proviso that the phrase 'each individual' in paragraph (a)(i) shall not include any individual who was a 'qualified person' (as defined in the Regulations) in relation to the licensee 28 days immediately prior to the licensee ceasing to be a small-scale operator.

**General and pool betting, betting intermediary, gaming machine general, gaming machine technical, gambling software and lottery manager's licences except ancillary remote licences**

(a) Subject to (e) and (f) below licensees must ensure:

- (i) that each individual who occupies one of the management offices specified in (b) below in or in respect of the licensee or in connection with the licensed activities holds a personal licence authorising the performance of the functions of that office (hereafter 'a personal management licence'); and
- (ii) that at least one person occupies at least one of those offices.

(b) The specified management offices are those offices (whether or not held by a director in the case of a licensee which is a company, a partner in the case of a licensee which is a partnership or an officer of the association in the case of a licensee which is an unincorporated association) the occupier of which is by virtue of the terms of their appointment responsible for:

- the overall management and direction of the licensee's business or affairs;
- the licensee's finance function as head of that function;
- the licensee's gambling regulatory compliance function as head of that function;
- the licensee's marketing function as head of that function;
- the licensee's information technology function as head of that function in so far as it relates to gambling-related information technology and software; or
- oversight of the day to day management of the licensed activities at an identified number of premises licensed under Part 8 of the Act or across an identified geographical area.

(c) Licensees must take all reasonable steps to ensure that anything done in the performance of the functions of a specified management office is done in accordance with the terms and conditions of the holder's personal management licence.

(d) Where an individual is authorised by a personal licence and that licence comes under review under section 116(2) of the Act, the operating licensee must comply with any conditions subsequently imposed on that licence by the Commission about redeployment, supervision, or monitoring of the individual's work and any requirements of the Commission in respect of such matters applicable during the period of the review.

(e) Paragraphs (a) to (d) above shall not apply to a licensee for so long as the licensee is a 'small-scale operator' as defined in the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006 ('the Regulations').

(f) During the period of 3 years commencing with the date on which a licensee ceases to be a small-scale operator paragraphs (a) to (e) above shall apply subject to the proviso

that the phrase 'each individual' in paragraph (a)(i) shall not include any individual who was a 'qualified person' (as defined in the Regulations) in relation to the licensee 28 days immediately prior to the licensee ceasing to be a small-scale operator.

#### **Lottery operating licences issued to non-commercial societies and local authorities**

(a) Subject to (e) below licensees must ensure that the individual who occupies the management office specified in (b) below in or in respect of the licensee or in connection with the licensed activities holds a personal licence authorising the performance of the functions of that office (hereafter 'a personal management licence').

(b) The specified management office is that director's post in the case of a licensee which is a company, that partner in the case of a licensee which is a partnership, or that office in a licensee which is an unincorporated association or local authority, the occupier of which has overall management responsibility for the promotion of the lottery.

(c) Licensees must take all reasonable steps to ensure that anything done in the performance of the functions of a specified management office is done in accordance with the terms and conditions of the holder's personal management licence.

(d) Where an individual is authorised by a personal licence and that licence comes under review under section 116(2) of the Act, the operating licensee must comply with any conditions subsequently imposed on that licence by the Commission about redeployment, supervision, or monitoring of the individual's work and any requirements of the Commission in respect of such matters applicable during the period of the review.

(e) Paragraphs (a) to (d) above shall not apply to a licensee for so long as the licensee is a 'small-scale operator' as defined in the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006 ('the Regulations').

## **2 Technical standards and equipment specifications**

### **Gaming machine technical, gambling software and remote operating licences (including gaming machine technical, gambling software and betting ancillary remote licences)**

Licensees must comply with the Commission's technical standards and with requirements set by the Commission relating to the timing and procedures for testing.

### **Non-remote bingo operating licences and bingo ancillary remote licences**

Licensees must comply with the Commission's specifications for bingo equipment.

### **Non-remote casino operating licences and casino ancillary remote licences**

Licensees must comply with the Commission's specifications for casino equipment.

## **3 Financial robustness**

### **All operating licences (except ancillary remote licences), issued to companies**

All company licensees must notify the Commission of the name and address of any person who becomes a shareholder in the company or its holding company holding 3% or more of the issued share capital of the company or its holding company; or any



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existing shareholder who acquires a holding of 3% or more of the issued share capital of the company or its holding company.

In this condition 'holding company' has the meaning ascribed to that term by section 736 of the Companies Act 1985 (as amended).

#### **All non-remote casino operating licences**

Licensees must maintain a gaming reserve calculated in accordance with the formula below.

Roulette	=	5,000 times the maximum stake permitted 'en plain'/'single number'
Blackjack	=	100 times the maximum stake permitted per box
Dice	=	200 times the maximum stake permitted on a line bet
Baccarat	=	100 times the maximum stake
Punto Banco	=	100 times the maximum stake

When more than one table is operated in a single game, the amount needed for the second table is taken as 25% of the amount needed for the first table; no further addition need be made for additional tables.

Where more than one game is provided, the reserve required for each game should be calculated. The game generating the largest required reserve should be taken as indicating the total reserve required and the other games ignored.

(Cash reserves needed for the exchanging of chips and other operational requirements are in addition to these amounts.)

Except with the prior written consent of the Commission, the gaming reserve must only be used for the purpose of paying winnings to the customers that cannot be met from income or working capital. Licensees must inform the Commission when any part of the reserve is used, and (if used) when it has been fully reinstated.

## **4 Protection of customer funds**

### **All operating licences except gaming machine technical, gambling software, bingo and casino ancillary remote licences, and lottery licences issued to non-commercial societies or local authorities**

Licensees who hold customer funds for use in future gambling must set out clearly, in information made available to customers in writing, whether they protect customers funds in the event of insolvency and the method by which this is achieved.

#### **Lottery manager's operating licences**

Licensees must credit all lottery proceeds to a bank account or accounts having trustee status and at all times maintain a separation between those funds and their own trading income, or have in place other arrangements which provide legal protection, in the event of the licensee's insolvency, for society and local authority lottery funds the licensee manages.

## 5 Cash handling

### **All operating licences except for gaming machine technical, gambling software and remote operating licences**

Licensees, as part of their internal controls and financial accounting systems, must have in place and follow written policies and procedures concerning the handling of cash, and cash equivalents (ie bankers drafts, cheques and debit cards), designed to minimise the risk of crimes such as money laundering, to avoid the giving of illicit credit and to provide assurance that gambling activities are being conducted fairly.

## 6 Provision of credit by licensees and the use of credit cards

### **Gaming machine general operating licences for adult gaming centres and family entertainment centres**

Licensees must not:

- themselves provide credit in connection with gambling; nor
- participate in, arrange, permit or knowingly facilitate the giving of credit in connection with gambling.

## 7 General 'fair and open' provisions

### **All operating licences except gaming machine technical and gambling software licences**

Licensees must satisfy themselves that the terms on which gambling is offered are not unfair under the Unfair Terms in Consumer Contracts Regulations 1999 and, where applicable, meet the reasonableness test under the Unfair Contract Terms Act 1977.

An accurate summary of the contractual terms on which gambling is offered must be made available to customers and set out in plain and intelligible language.

Customers must be notified of changes to terms before they come into effect.

## 8 Display of licensed status

### **Lottery operating licences**

Lottery promoters must display 'licensed by the Gambling Commission' and details of the Gambling Commission website on lottery tickets.

### **Remote bingo, casino, general betting, betting intermediary and pool betting operating licences, except ancillary remote licences**

Licensees offering gambling on websites must:

- a) display the following information on a page which, by virtue of the construction of the website, customers access before being entitled to gamble:

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- (i) a statement that they are licensed and regulated by the Gambling Commission;
  - (ii) their licence number; and
  - (iii) a link to the Gambling Commission's website.
- b) display at least the information at (i) above on each page of the website which offers facilities for gambling in reliance on the licence.

## 9 Types and rules of casino and other games

### **Non-remote casino operating licences only**

Licensees must:

- with the exception of games made available for a specified period in accordance with a Commission approved trial of a proposed new game only offer or permit to be played casino games that appear on the Gambling Commission's list of approved games; and
- follow any rules for the playing of approved casino games, or other games of chance, as may be prescribed by the Commission.

### **Non-remote bingo operating licences only**

Licensees must not offer or permit to be played games that appear on any proscribed list of prize gaming games issued by the Commission.

## 10 Tipping of casino employees

### **Non-remote casino operating licence only**

Licensees must only permit tipping of staff holding personal licences where a tronc system is operated; that is to say where all tips are pooled and distributed amongst the employees concerned. A separate tronc may be operated for each of a number of categories of licensed staff.

## 11 Lotteries

### **Lottery operating licences issued to non-commercial societies**

Licensees must ensure that at least 20% of the proceeds of any lottery promoted in reliance on the licence are applied to a purpose for which the promoting society is conducted.

The proceeds of any lottery promoted in reliance on this licence may not exceed £2,000,000 and the aggregate of the proceeds of lotteries promoted wholly or partly in a calendar year in reliance on the licence may not exceed £10,000,000.

The rules of any lottery promoted in reliance on this licence must be such as to ensure:

- a) that it is not possible for the purchaser of a ticket in the lottery to win by virtue of that ticket (whether in money, money's worth, or partly the one and partly the other and including any winnings arising from a rollover) more than:

- £25,000; or
- if more, 10% of the proceeds of the lottery; and

b) that membership of the class among whom prizes are allocated does not depend on making any payment (apart from payment of the price of a ticket).

No lottery promoted in reliance on this licence may be linked to any other lottery, free draw or prize competition.

For the purposes of this condition:

a) two or more lotteries are linked if any of them is so structured that a person who wins a prize in that lottery will also win a prize in some or all of the others, unless the maximum amount which a person can win is no more than £200,000 in aggregate. In determining whether two or more lotteries are linked it is immaterial how many of them are promoted in reliance on this licence.

b) a lottery is linked to a free draw or prize competition if:

- (i) a person's participation in the lottery secures him automatic entry to the draw or competition; and
- (ii) the arrangements for the lottery and/or the draw or competition are such that a person may win more than £200,000 in aggregate as a result of his participation in the lottery and the draw or competition.

If a lottery, whilst not a linked lottery, has the feature that by selecting the same numbers, or combination of numbers in the lottery and in one or more other lottery or lotteries the participant in those lotteries may win prizes which, in aggregate, exceed £200,000, no advertisement for, nor other marketing of, the lottery may make any reference to that feature.

Licensees must ensure that each person who purchases a ticket in a lottery promoted in reliance on this licence receives a document which:

- identifies the promoting society;
- states the name and address of a member of the society who is designated, by persons acting on behalf of the society, as having responsibility within the society for the promotion of the lottery; and
- either states the date of the draw (or each draw) in the lottery, or enables the date of the draw (or each draw) in the lottery to be determined.

The price payable for purchasing each ticket in a lottery promoted in reliance on this licence:

- must be the same;
- must be shown on the ticket or in a document received by the purchaser; and
- must be paid to the promoter of the lottery before any person is given a ticket or any right in respect of membership of the class among whom prizes are to be allocated.

For the purposes of these conditions, reference to a person receiving a document includes a reference to a message being sent or displayed to him electronically in a manner which enables him, without incurring significant expense or delay, to:

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- retain the message electronically; or
- print it.

Licensees must lodge with the Commission a description of, and a copy of the rules of, any lottery intended to be promoted in reliance on this licence, and any amendment to the rules of a lottery previously notified to the Commission, at least 28 days before any tickets in such lottery, or amended lottery, are put on sale.

Lottery tickets must not be sold to a person in any street. But tickets may be sold by a person present in a kiosk or shop premises having no space for the accommodation of customers or door to door. For the purposes of this condition 'street' includes any bridge, road, lane, footway, subway, square, court, alley or passage (including passages through enclosed premises such as shopping malls) whether a thoroughfare or not.

In respect of each lottery promoted in reliance on this licence, a lottery return must be submitted to the Commission within three months of the date of the determination of the lottery or, in the case of an 'instant lottery', within three months of the last date on which tickets in the lottery were on sale. It must show the total proceeds and how they have been distributed between prizes and expenses and the amount applied directly to the society's purposes.

Every return must contain or be accompanied by a declaration that the information given in it is correct to the best of the signatory's knowledge and belief. The return must be signed by:

- a) the holder of a personal licence issued under Part 6 of the Act; or
- b) a 'qualified person' as defined in the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006; or
- c) the designated person named on tickets in the lottery as having responsibility within the society for the promotion of the lottery.

Accounting records and copies of lottery returns must be retained for a minimum of three years from the date of any lottery to which they relate and be made available for inspection by the Commission on request. Accounting records must contain, in respect of each lottery, details of the total proceeds of the lottery, the expenses of the lottery and the sum allocated from the proceeds to cover those expenses, and the number of sold and unsold tickets.

For any calendar year in which the cumulative proceeds of lotteries promoted in reliance on this licence exceed £1,000,000 the licensee must provide the Commission with written confirmation from a qualifying auditor confirming that the proceeds of those lotteries have been fully accounted for in their annual audited accounts. Such confirmation must be provided within ten months of the date to which the accounts are made up.

A qualifying auditor means a person who is eligible for appointment as a company auditor under section 25 of the Companies Act 1989 but is not:

- a) a member of the society;
- b) a partner, officer or employee of such a member; or
- c) a partnership of which a person falling within (a) or (b) is a partner.

Accurate records for each lottery must be kept by the operator to support the data in the lottery returns and must be made available for inspection by the Commission when required. Such records must include:

- the total proceeds in each lottery;
- the percentage of proceeds allocated to prizes in each lottery;
- the amount of proceeds allocated to expenses and details of those expenses for each lottery; and
- the number of sold and unsold tickets in each lottery.

#### **Lottery operating licences issued to local authorities**

Licensees must ensure that at least 20% of the proceeds of any lottery promoted in reliance on the licence are applied to a purpose for which the authority has power to incur expenditure.

The proceeds of any lottery promoted in reliance on this licence may not exceed £2,000,000 and the aggregate of the proceeds of lotteries promoted wholly or partly in a calendar year in reliance on the licence may not exceed £10,000,000.

The rules of any lottery promoted in reliance on this licence must be such as to ensure:

- a) that it is not possible for the purchaser of a ticket in the lottery to win by virtue of that ticket (whether in money, money's worth, or partly the one and partly the other and including any winnings arising from a rollover) more than:
  - £25,000; or
  - if more, 10% of the proceeds of the lottery; and
- b) that membership of the class among whom prizes are allocated does not depend on making any payment (apart from payment of the price of a ticket).

No lottery promoted in reliance on this licence may be linked to any other lottery, free draw or prize competition.

For the purposes of this condition:

- a) two or more lotteries are linked if any of them is so structured that a person who wins a prize in that lottery will also win a prize in some or all of the others, unless the maximum amount which a person can win is no more than £200,000 in aggregate. In determining whether two or more lotteries are linked it is immaterial how many of them are promoted in reliance on this licence.
- b) a lottery is linked to a free draw or prize competition if:
  - (i) a person's participation in the lottery secures him automatic entry to the draw or competition; and
  - (ii) the arrangements for the lottery and/or the draw or competition are such that a person may win more than £200,000 in aggregate as a result of his participation in the lottery and the draw or competition.

If a lottery, whilst not a linked lottery, has the feature that by selecting the same numbers, or combination of numbers in the lottery and in one or more other lottery or lotteries the participant in those lotteries may win prizes which, in aggregate, exceed

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£200,000, no advertisement for, nor other marketing of, the lottery may make any reference to that feature.

The price payable for purchasing each ticket in a lottery promoted in reliance on this licence:

- must be the same;
- must be shown on the ticket or in a document received by the purchaser; and
- must be paid to the promoter of the lottery before any person is given a ticket or any right in respect of membership of the class among whom prizes are to be allocated.

For the purposes of these conditions, reference to a person receiving a document includes a reference to a message being sent or displayed to him electronically in a manner which enables him, without incurring significant expense or delay, to:

- retain the message electronically; or
- print it.

Licensees must lodge with the Commission a description of, and a copy of the rules of, any lottery intended to be promoted in reliance on this licence, and any amendment to the rules of a lottery previously notified to the Commission, at least 28 days before any tickets in such lottery, or amended lottery, are put on sale.

Lottery tickets must not be sold to a person in any street. But tickets may be sold by a person present in a kiosk or shop premises having no space for the accommodation of customers or door to door. For the purposes of this condition 'street' includes any bridge, road, lane, footway, subway, square, court, alley or passage (including passages through enclosed premises such as shopping malls) whether a thoroughfare or not.

In respect of each lottery promoted in reliance on this licence, a lottery return must be submitted to the Commission within three months of the date of the determination of the lottery or, in the case of an 'instant lottery', within three months of the last date on which tickets in the lottery were on sale. It must show the total proceeds and how they have been distributed between prizes and expenses and the amount applied directly to purposes for which the authority has power to incur expenditure.

Every return must contain or be accompanied by a declaration that the information given in it is correct to the best of the signatory's knowledge and belief. The return must be signed by:

- a) the holder of a personal licence issued under Part 6 of the Act; or
- b) a 'qualified person' as defined in the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006.

Accounting records and copies of lottery returns must be retained for a minimum of three years from the date of any lottery to which they relate and be made available for inspection by the Commission on request. Accounting records must contain, in respect of each lottery, details of the total proceeds of the lottery, the expenses of the lottery and the sum allocated from the proceeds to cover those expenses, and the number of sold and unsold tickets.

For any calendar year in which the cumulative proceeds of lotteries promoted in reliance on this licence exceed £1,000,000 the licensee must provide the Commission with written confirmation from a qualifying auditor confirming that the proceeds of those lotteries have been fully accounted for in their annual audited accounts. Such confirmation must be provided within ten months of the date to which the accounts are made up.

A qualifying auditor means a person who is eligible for appointment as a company auditor under section 25 of the Companies Act 1989.

Accurate records for each lottery must be kept by the operator to support the data in the lottery returns and must be made available for inspection by the Commission when required. Such records must include:

- the total proceeds in each lottery;
- the percentage of proceeds allocated to prizes in each lottery;
- the amount of proceeds allocated to expenses and details of those expenses for each lottery; and
- the number of sold and unsold tickets in each lottery.

#### **Lottery manager's operating licences**

Licensees must ensure that at least 20% of the proceeds of any lottery promoted in reliance on the licence are applied to a purpose for which the promoting society is conducted or the promoting local authority has power to incur expenditure as the case may be.

The proceeds of any lottery promoted in reliance on this licence may not exceed £2,000,000 and the aggregate of the proceeds of lotteries promoted wholly or partly in a calendar year in reliance on the licence may not exceed £10,000,000.

The rules of any lottery promoted in reliance on this licence must be such as to ensure:

- a) that it is not possible for the purchaser of a ticket in the lottery to win by virtue of that ticket (whether in money, money's worth, or partly the one and partly the other and including any winnings arising from a rollover) more than:
  - £25,000; or
  - if more, 10% of the proceeds of the lottery; and
- b) that membership of the class among whom prizes are allocated does not depend on making any payment (apart from payment of the price of a ticket).

No lottery promoted in reliance on this licence may be linked to any other lottery, free draw or prize competition.

For the purposes of this condition:

- a) two or more lotteries are linked if any of them is so structured that a person who wins a prize in that lottery will also win a prize in some or all of the others, unless the maximum amount which a person can win is no more than £200,000 in aggregate. In determining whether two or more lotteries are linked it is immaterial how many of them are promoted in reliance on this licence.
- b) a lottery is linked to a free draw or prize competition if:



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- a. a person's participation in the lottery secures him automatic entry to the draw or competition; and
- b. the arrangements for the lottery and/or the draw or competition are such that a person may win more than £200,000 in aggregate as a result of his participation in the lottery and the draw or competition.

If a lottery, whilst not a linked lottery, has the feature that by selecting the same numbers, or combination of numbers in the lottery and in one or more other lottery or lotteries the participant in those lotteries may win prizes which, in aggregate, exceed £200,000, no advertisement for, nor other marketing of, the lottery may make any reference to that feature.

Licensees must ensure that each person who purchases a ticket in a lottery promoted on behalf of a society in reliance on this licence receives a document which:

- identifies the promoting society;
- states the name and address of a member of the society who is designated, by persons acting on behalf of the society, as having responsibility within the society for the promotion of the lottery; and
- either states the date of the draw (or each draw) in the lottery, or enables the date of the draw (or each draw) in the lottery to be determined.

The price payable for purchasing each ticket in a lottery promoted in reliance on this licence:

- must be the same;
- must be shown on the ticket or in a document received by the purchaser; and
- must be paid to the promoter of the lottery before any person is given a ticket or any right in respect of membership of the class among whom prizes are to be allocated.

For the purposes of these conditions, reference to a person receiving a document includes a reference to a message being sent or displayed to him electronically in a manner which enables him, without incurring significant expense or delay, to:

- retain the message electronically; or
- print it.

Licensees must lodge with the Commission a description of, and a copy of the rules of, any lottery intended to be promoted in reliance on this licence, and any amendment to the rules of a lottery previously notified to the Commission, at least 28 days before any tickets in such lottery, or amended lottery, are put on sale.

Lottery tickets must not be sold to a person in any street. But tickets may be sold by a person present in a kiosk or shop premises having no space for the accommodation of customers or door to door. For the purposes of this condition 'street' includes any bridge, road, lane, footway, subway, square, court, alley or passage (including passages through enclosed premises such as shopping malls) whether a thoroughfare or not.

In respect of each lottery promoted in reliance on this licence, a lottery return must be submitted to the Commission within three months of the date of the determination of the lottery or, in the case of an 'instant lottery', within three months of the last date on

which tickets in the lottery were on sale. It must show the total proceeds and how they have been distributed between prizes and expenses and the amount applied directly to the society's purposes or to purposes for which the local authority has power to incur expenditure as the case may be.

Every return must contain or be accompanied by a declaration that the information given in it is correct to the best of the signatory's knowledge and belief. The return must be signed by:

- a) the holder of a personal licence issued under Part 6 of the Act;
- b) a 'qualified person' as defined in the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006; or
- c) the designated person named on tickets in a lottery promoted on behalf of a non-commercial society as having responsibility within the society for the promotion of the lottery.

Accounting records and copies of lottery returns must be retained for a minimum of three years from the date of any lottery to which they relate and be made available for inspection by the Commission on request. Accounting records must contain, in respect of each lottery, details of the total proceeds of the lottery, the expenses of the lottery and the sum allocated from the proceeds to cover those expenses, and the number of sold and unsold tickets.

For any calendar year in which the cumulative proceeds of lotteries promoted in reliance on this licence exceed £1,000,000 the licensee must provide the Commission with written confirmation from a qualifying auditor confirming that the proceeds of those lotteries have been fully accounted for in their annual audited accounts. Such confirmation must be provided within ten months of the date to which the accounts are made up.

A qualifying auditor means a person who is eligible for appointment as a company auditor under section 25 of the Companies Act 1989 but is not, in the case of a lottery promoted on behalf of a non-commercial society:

- a) a member of the society;
- b) a partner, officer or employee of such a member; or
- c) a partnership of which a person falling within (a) or (b) is a partner.

Accurate records for each lottery must be kept by the licensee to support the data in the lottery returns and must be made available for inspection by the Commission when required. Such records must include:

- the total proceeds in each lottery;
- the percentage of proceeds allocated to prizes in each lottery;
- the amount of proceeds allocated to expenses and details of those expenses for each lottery; and
- the number of sold and unsold tickets in each lottery.

All licensees must have procedures in place designed to ensure that funds belonging to a society or local authority whose lotteries they manage in reliance on this licence are accounted for to them in a timely manner.

## 12 Betting intermediaries

### **Non-remote betting intermediary operating licences**

Licensees must not lay bets on their own behalf when operating in their capacity as a public tic-tac on a track.

Tic-tacs must act only in relation to bets between holders of general betting operating licences (whether acting as principal or agent or through their authorised employees).

## 13 Pool betting

### **Pool betting operating licences; except those restricted to football pools**

Licensees must inform the Commission, within 14 days, in writing, of any person they authorise pursuant to section 93(2) of the Act to offer pool betting on a track in connection with a horserace or dog race in reliance on an occasional use notice. In doing so, they must include the terms and conditions under which this has been agreed, and provide contact details of the management and key staff of those that are authorised.

Licensees and any person they so authorise must produce and retain a record of the transactions relevant to each pool that they offer. The record must be capable of identifying individual bets into the pool and relating these to subsequent payment of winnings where applicable. Licensees must make this information available to the Commission on request.

### **Pool betting operating licences which authorise football pools**

Licensees must inform the Commission, within 14 days, in writing, of any person they authorise pursuant to Section 93(3) of the Act in respect of football pool betting. In doing so, they must include the terms and conditions under which this has been agreed.

Licensees and any person they so authorise must produce and retain a record of the transactions relevant to each pool that they offer. The record must be capable of identifying individual bets into the pool and relating these to the subsequent payment of winnings where applicable. Licensees must make this information available to the Commission.

### **All pool betting operating licences**

Licensees must produce annual accounts which should be certified by a qualified independent accountant. Licensees must make copies available to the Commission.

## 14 Access to premises

### **All operating licences**

Licensees must have in place and implement written policies and procedures (including staff training programmes) designed to ensure that their staff co-operate with the Commission's enforcement officers in the proper performance of their compliance functions and are made aware of those officers' rights of entry to premises contained in Part 15 of the Act.

## 15 Information requirements

### 15.1 Reporting suspicion of offences etc

#### **All operating licences except betting licences, betting intermediary licences and ancillary remote licences**

Licensees must provide the Commission with any information that they suspect may relate to the commission of an offence under the Act, including an offence resulting from a breach of a licence condition or a code provision having the effect of a licence condition.

#### **All betting operating licences (including betting intermediary and ancillary remote betting licences)**

Licensees must provide the Commission with any information that they suspect may:

- relate to the commission of an offence under the Act, including an offence resulting from a breach of a licence condition or a code provision having the effect of a licence condition; or
- lead the Commission to consider making an order to void a bet.

Licensees who accept bets, or facilitate the making or acceptance of bets between others, on the outcome of horse races or other sporting events governed by one of the sport governing bodies for the time being included in Part 3 of Schedule 6 to the Act must also provide the relevant sport governing body with any information the licensee suspects may:

- lead the Commission to consider making an order to void a bet; or
- relate to a breach of a rule applied by that sport governing body.

### 15.2 Reporting 'Key Events'

#### **All operating licences except ancillary remote licences**

Licensees must notify the Commission of the occurrence of any of the following key events as soon as reasonably practicable and in any event within 5 working days of its occurrence:

- in the case of licensees which are companies, their (or any group company of theirs) being placed in liquidation, administration or receivership: in this condition a 'group company' is any subsidiary or holding company of the licensee - as those terms are defined in s736 Companies Act 1985 or any statutory modification or re-enactment thereof - and any subsidiary of such holding company;
- in the case of a licensee who is an individual (or a partner in a partnership licensee) their becoming bankrupt within the meaning of section 381 of the Insolvency Act 1986 or sequestration of their estate under section 12(1) of the Bankruptcy (Scotland) Act 1985;
- where the licensee is required to have its accounts independently audited, any unplanned change of auditor including a change prompted by a dispute or resulting from auditors being unable or unwilling to sign an audit certificate;
- the departure from the licensee's business of any holder of a personal management licence, other than those with oversight of the day to day management of licensed premises of a licensee operating more than 4 licensed premises;

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- any reduction in the licensee's employed staff by more than 10% provided that represents at least 3 individuals;
- the acquisition or disposal of gambling premises or pitches;
- in the case of corporate licensees, the disposal or acquisition of any group company;
- the disposal of assets to the value of 10% or more of the licensee's total net assets;
- any breach of a covenant given to a bank or other lender;
- any default in making repayment of the whole or any part of a loan on its due date;
- any court judgments remaining unpaid 14 days after the date of judgment;
- the commencement of any material litigation against the licensee;
- any instance of internal or external fraud or theft involving a sum in excess of £10,000; and
- the commencement of disciplinary action against the holder of a personal licence where the licence holder is suspended or serious misconduct is alleged.

### **15.3 General and Regulatory Returns**

#### **All operating licences**

On request, licensees must provide the Commission with such information as the Commission may require about the use made of facilities provided in accordance with this licence, and the manner in which gambling authorised by this licence and the licensee's business in relation to that gambling are carried on, including in particular information about:

- the numbers of people making use of the facilities and the frequency of such use;
- the range of gambling activities provided by the licensee and the numbers of staff employed in connection with them; and
- the licensee's policies in relation to, and experiences of, problem gambling.

In particular, within 28 days of the end of each quarterly or annual period as the case may be, licensees must submit a Regulatory Return to the Commission containing such information as the Commission may from time to time require.<sup>2</sup>

<sup>2</sup> The current forms of the sector specific returns and guidance notes for their completion are available on the Commission's website [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk) and can also be obtained by writing to the Commission at Victoria Square House, Victoria Square, Birmingham B2 4BP.

## Suite of general conditions to be attached to personal licences pursuant to Section 75 of the Gambling Act 2005

1 Personal licence holders must take all reasonable steps to ensure that the way in which they discharge their responsibilities in relation to licensed activities does not place the holder of the operating or any relevant premises licence in breach of their licence conditions, including the requirement to provide the Commission with information, the text of which is set out below.

2 Personal licence holders must keep themselves informed of developments in gambling legislation, codes of practice and any Commission guidance (whether on the Commission website or communicated direct) relevant to their role; and (for personal functional licences only) keep their technical competence up to date.

Note: Condition as to provision of information attached to operating licences

### **“15 Information requirements**

#### **15.1 Reporting suspicion of offences etc**

##### **All operating licences except betting licences, betting intermediary licences and ancillary remote licences**

Licensees must provide the Commission with any information that they suspect may relate to the commission of an offence under the Act, including an offence resulting from a breach of a licence condition or a code provision having the effect of a licence condition.

##### **All betting operating licences (including betting intermediary and ancillary remote betting licences)**

Licensees must provide the Commission with any information that they suspect may:

- relate to the commission of an offence under the Act, including an offence resulting from a breach of a licence condition or a code provision having the effect of a licence condition; or
- lead the Commission to consider making an order to void a bet.

Licensees who accept bets, or facilitate the making or acceptance of bets between others, on the outcome of horse races or other sporting events governed by one of the sport governing bodies for the time being included in Part 3 of Schedule 6 to the Act must also provide the relevant sport governing body with any information the licensee suspects may:

- lead the Commission to consider making an order to void a bet; or
- relate to a breach of a rule applied by that sport governing body.

## 15.2 Reporting 'Key Events'

### All operating licences except ancillary remote licences

Licensees must notify the Commission of the occurrence of any of the following key events as soon as reasonably practicable and in any event within 5 working days of its occurrence:

- in the case of licensees which are companies, their (or any group company of theirs) being placed in liquidation, administration or receivership: in this condition a 'group company' is any subsidiary or holding company of the licensee - as those terms are defined in s736 Companies Act 1985 or any statutory modification or re-enactment thereof - and any subsidiary of such holding company;
- in the case of a licensee who is an individual (or a partner in a partnership licensee) their becoming bankrupt within the meaning of section 381 of the Insolvency Act 1986 or sequestration of their estate under section 12(1) of the Bankruptcy (Scotland) Act 1985;
- where the licensee is required to have its accounts independently audited, any unplanned change of auditor including a change prompted by a dispute or resulting from auditors being unable or unwilling to sign an audit certificate;
- the departure from the licensee's business of any holder of a personal management licence, other than those with oversight of the day to day management of licensed premises of a licensee operating more than 4 licensed premises;
- any reduction in the licensee's employed staff by more than 10% provided that represents at least 3 individuals;
- the acquisition or disposal of gambling premises or pitches;
- in the case of corporate licensees, the disposal or acquisition of any group company;
- the disposal of assets to the value of 10% or more of the licensee's total net assets;
- any breach of a covenant given to a bank or other lender;
- any default in making repayment of the whole or any part of a loan on its due date;
- any court judgments remaining unpaid 14 days after the date of judgment;
- the commencement of any material litigation against the licensee;
- any instance of internal or external fraud or theft involving a sum in excess of £10,000; and
- the commencement of disciplinary action against the holder of a personal licence where the licence holder is suspended or serious misconduct is alleged.

### 15.3 General and Regulatory Returns

#### All operating licences

On request, licensees must provide the Commission with such information as the Commission may require about the use made of facilities provided in accordance with this licence, and the manner in which gambling authorised by this licence and the licensee's business in relation to that gambling are carried on, including in particular information about:

- the numbers of people making use of the facilities and the frequency of such use;
- the range of gambling activities provided by the licensee and the numbers of staff employed in connection with them; and
- the licensee's policies in relation to, and experiences of, problem gambling.

In particular, within 28 days of the end of each quarterly or annual period as the case may be, licensees must submit a Regulatory Return to the Commission containing such information as the Commission may from time to time require.<sup>2</sup>

<sup>2</sup> The current forms of the sector specific returns and guidance notes for their completion are available on the Commission's website [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk) and can also be obtained from the Commission by writing to the Commission at Victoria Square House, Victoria Square, Birmingham B2 4BP.



## Part II: Codes of practice

### Code of practice for gambling operators

#### Introduction

This is the Commission's principal code of practice, issued pursuant to section 24 of the Gambling Act 2005 (the Act). The text in shaded boxes comprises the 'social responsibility provisions', compliance with which is a condition of licensees' licences by virtue of section 82 of the Act. The text that is not shaded has the status described in section 24(8) and (9) of the Act. This code will come into force on 1 September 2007.

#### Code provisions

##### 1 Financial requirements

###### Remote and non-remote casino licensees

###### Ordinary code provision

As part of their procedures for compliance with the requirements of the Proceeds of Crime Act 2002, the 2003 Money Laundering Regulations and the Terrorism Act 2000, licensees should have procedures in place which:

- establish procedures of internal control and communication to prevent money laundering;
- establish, verify and record the identity of all customers who enter the gambling facilities;
- record all transactions above those levels set out in Gambling Commission guidance;
- keep those records in a form and for the period required by the 2003 Money Laundering Regulations;
- ensure that, as required by law, reports of any apparent suspicious activity are passed in a timely manner to the Money Laundering Reporting Officer, whose job it is to consider such reports and to forward them where appropriate to the Serious Organised Crime Agency; and
- provide appropriate training to relevant staff to make them aware of the requirements of the laws on money laundering in respect of the operator's business and to enable them to recognise and deal with transactions which may be related to money laundering.

###### Remote and non-remote betting licensees – except those restricted to football pools only

###### Ordinary code provision

As part of their procedures for compliance with the requirements in respect of the prevention and detection of money laundering in the Proceeds of Crime Act 2002 and the Terrorism Act 2000, licensees should:

- unless there is a specific reason not to do so, appoint one or more nominated officers whose duty it is to take overall responsibility for the anti-money laundering procedures within the operation, in particular with respect to Suspicious Activity Reporting;

- ensure, through appropriate training and guidance, that all staff who handle money or accounts or accept bets are aware of their duties under anti-money laundering legislation to report all suspicious activity to the nominated officer in a timely manner or, where there is no such nominated officer, directly and promptly to the police. It is the nominated officer's duty to consider such reports and to forward them where appropriate to the Serious Organised Crime Agency; or
- adopt (or reflect in their procedures) the Association of British Bookmakers' guidelines.

## **2 Protection of children and other vulnerable persons**

### **2.1 Combating problem gambling**

#### **All licensees**

##### **Social responsibility code provision**

Licensees must have and put into effect policies and procedures intended to promote socially responsible gambling.

Licensees' policies and procedures for socially responsible gambling must include but need not be confined to:

- the specific policies and procedures required by the following provisions of section 2 of this code;
- a commitment to and how they will contribute to research into the prevention and treatment of problem gambling;
- a commitment to and how they will contribute to public education on the risks of gambling and how to gamble safely; and
- a commitment to and how they will contribute to the identification of and treatment of problem gamblers.

### **2.2 Access to gambling by children and young persons**

#### **Non-remote casino licensees (except a regional casino) and adult gaming centres**

##### **Social responsibility code provision**

Licensees must have and put into effect policies and procedures designed to prevent underage gambling, and monitor the effectiveness of these.

This must include procedures for:

- checking the age of apparently underage customers;
- removing anyone who appears to be under age who tries to access the gambling facilities and cannot produce an acceptable form of identification; and
- taking action when there are attempts by under-18s to enter the premises.

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Licensees must not deliberately provide facilities for gambling in such a way as to appeal particularly to children or young people, for example by reflecting or being associated with youth culture.

In premises restricted to adults, service should be refused in any circumstances where any adult is accompanied by a child or young person.

Licensees must take all reasonable steps to ensure that all staff understand their responsibilities for preventing underage gambling. This should include appropriate training which must cover the legal requirements on returning stakes and not paying prizes to underage customers.

Licensees must only accept identification which:

- contains a photograph from which the individual can be identified;
- states the individual's date of birth;
- is valid; and
- is legible and has no visible signs of tampering or reproduction.

#### **Non-remote casino licensees (except a regional casino) and adult gaming centres**

##### **Ordinary code provision**

The Commission considers acceptable forms of identification to include any identification carrying the PASS logo (eg Citizencard, Validate and the Government's own Connexions card); a driving licence (including a provisional licence) with photocard; and a passport.

Licensees should implement procedures that require their staff to check the age of any customer who appears to them to be under 21.

Licensees should consider permanent exclusion from premises for any adult accompanied by a child or young person on more than one occasion to premises restricted to adults, or if there is reason to believe the offence was committed knowingly or recklessly.

Procedures should be in place for dealing with cases where a child or young person repeatedly attempts to gamble on premises restricted to adults, including oral warnings, reporting the offence to the Gambling Commission and the police, and making available information on problem gambling.

#### **Non-remote casino licensees of a regional casino, non-remote bingo licensees, and family entertainment centres**

##### **Social responsibility code provision**

Licensees must have and put into effect policies and procedures designed to prevent underage gambling, and monitor the effectiveness of these.

This must include procedures for:

- checking the age of apparently underage customers;
- refusing entry to any adult-only areas to anyone unable to produce an acceptable form of identification; and

- taking action when there are unlawful attempts to enter the adult-only areas.

Licensees must not permit children or young people to gamble in the adults-only areas of premises to which they have access. If there is a 'no under-18s' premises policy, licensees must pay particular attention to the procedures they use at the entrance to the premises to check customers' ages.

Licensees must take all reasonable steps to ensure that all staff understand their responsibilities for preventing underage gambling, returning stakes and not paying prizes to underage customers and particularly for challenging any adult who may be complicit in allowing a child or young person to gamble. In the case of a regional casino this must include specific training for any 'supervisor' (as described in section 176 of the Act) about his or her responsibilities.

Licensees must only accept identification which:

- contains a photograph from which the individual can be identified;
- states the individual's date of birth;
- is valid; and
- is legible and has no visible signs of tampering or reproduction.

#### **Non-remote casino licensees of a regional casino, non-remote bingo licensees, and family entertainment centres**

##### **Ordinary code provision**

The Commission considers acceptable forms of identification to include: any identification carrying the PASS logo (eg Citizencard, Validate and the Government's own Connexions card); a driving licence (including a provisional licence) with photocard; and a passport.

Licensees should require a person who appears to relevant staff to be under the age of 21 to be asked to produce proof of identity and age, either at the point of entry to the gambling area or as soon as it comes to the attention of staff that they wish to access gambling facilities.

Licensees should have in place procedures for dealing with cases where an adult knowingly or recklessly allows a child or young person to gamble. These procedures might include refusing to allow the adult to continue to gamble, removing them from the premises, and reporting the incident to the police or local authorities, or taking action where forged identification is produced.

Procedures should be in place for dealing with cases where a child or young person repeatedly attempts to gamble on their premises, including oral warnings, reporting the offence to the Gambling Commission and the police, and making available information on problem gambling to the young person concerned.

Where it is likely that customers' young or otherwise vulnerable children will be left unattended on or adjacent to their premises, licensees should consider reminding customers of their parental responsibilities and assess whether there is a need to develop procedures for minimising the risk to such children.

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## **Non-remote general betting licensees and non-remote betting intermediaries**

### **Social responsibility code provision**

Licensees must have and put into effect policies and procedures designed to prevent underage gambling, and monitor the effectiveness of these.

This must include procedures for:

- checking the age of apparently underage customers;
- removing from adult only licensed premises anyone who appears to be underage who tries to access the gambling facilities and cannot produce an acceptable form of identification;
- taking action when there are attempts by under-18s to enter adult only the premises;
- refusing entry to any adult-only area of a track to anyone unable to produce an acceptable form of identification; and
- taking action when there are unlawful attempts to enter the adult-only areas.

Licensees must not deliberately provide facilities for gambling in such a way as to appeal particularly to children or young people, for example by reflecting or being associated with youth culture.

In premises restricted to adults, service should be refused in any circumstances where any adult is accompanied by a child or young person.

Licensees must take all reasonable steps to ensure that all staff understand their responsibilities for preventing underage gambling. This should include appropriate training which must cover the legal requirements on returning stakes and not paying prizes to underage customers.

Licensees must only accept identification which:

- contains a photograph from which the individual can be identified;
- states the individual's date of birth;
- is valid; and
- is legible and has no visible signs of tampering or reproduction.

## **Non-remote general betting licensees and non-remote betting intermediaries**

### **Ordinary code provision**

The Commission considers acceptable forms of identification to include any identification carrying the PASS logo (eg Citizencard, Validate and the Government's own Connexions card); a driving licence (including a provisional licence) with photocard; and a passport.

Licensees should implement procedures that require their staff to check the age of any customer who appears to them to be under 21.

Licensees should consider permanent exclusion from premises for any adult accompanied by a child or young person on more than one occasion to premises

restricted to adults, or if there is reason to believe the offence was committed knowingly or recklessly.

Procedures should be in place for dealing with cases where a child or young person repeatedly attempts to gamble on premises restricted to adults, including oral warnings, reporting the offence to the Gambling Commission and the police, and making available information on problem gambling.

### **Non-remote pool betting licensees**

#### **Social responsibility code provision**

Licensees must have and put into effect policies and procedures designed to prevent underage gambling, and monitor the effectiveness of these.

This must include procedures for:

- checking the age of apparently underage customers;
- removing from adult only licensed premises anyone who appears to be under age who tries to access the gambling facilities and cannot produce an acceptable form of identification;
- taking action when there are attempts by under-18s to enter adult only the premises;
- refusing entry to any adult-only area of a track to anyone unable to produce an acceptable form of identification; and
- taking action when there are unlawful attempts to enter the adult-only areas.

Licensees must not deliberately provide facilities for gambling in such a way as to appeal particularly to children or (except in the case of football pools) young people, for example by reflecting or being associated with youth culture.

In premises restricted to adults, service should be refused in any circumstances where any adult is accompanied by a child or young person.

Licensees must take all reasonable steps to ensure that all staff understand their responsibilities for preventing underage gambling. This should include appropriate training which must cover the legal requirements on returning stakes and not paying prizes to underage customers.

Licensees must only accept identification which:

- contains a photograph from which the individual can be identified;
- states the individual's date of birth;
- is valid; and
- is legible and has no visible signs of tampering or reproduction.

Where football pool [or other pool competition] entries or payments are collected door to door by the licensee or the licensee's authorised agent the licensee's procedures must include procedures for:

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- checking the age of apparently underage entrants to the pool; and
- taking action when there are unlawful attempts to enter the pool.

### **Non-remote pool betting licensees**

#### **Ordinary code provision**

The Commission considers acceptable forms of identification to include any identification carrying the PASS logo (eg Citizencard, Validate and the Government's own Connexions card); a driving licence (including a provisional licence) with photocard; and a passport.

Licensees should implement procedures that require their staff to check the age of any customer who appears to them to be under 21.

Licensees should consider permanent exclusion from premises for any adult accompanied by a child or young person on more than one occasion to premises restricted to adults, or if there is reason to believe the offence was committed knowingly or recklessly.

Procedures should be in place for dealing with cases where a child or young person repeatedly attempts to gamble on premises restricted to adults, including oral warnings, reporting the offence to the Gambling Commission and the police, and making available information on problem gambling.

### **Non-remote lottery licensees**

#### **Social responsibility code provision**

Licensees must have and put into effect policies and procedures designed to minimise the risk of lottery tickets being sold to children (ie persons under 16).

This must include procedures for:

- checking the age of apparently underage purchasers of lottery tickets; and
- taking action when there are unlawful attempts to purchase tickets.

Licensees must take all reasonable steps to ensure that all those engaged in the promotion of lotteries in reliance on the licence understand their responsibilities for preventing underage gambling, returning stakes and not paying prizes to underage customers.

### **Non-remote lottery licensees**

#### **Ordinary code provision**

Licensees should require a person who appears to be under the age of 16 to be asked to produce proof of identity and age before purchasing a lottery ticket.

**Remote licensees (including ancillary remote betting licensees) but not gaming machine technical, gambling software, ancillary remote casino or ancillary remote bingo licensees**

**Social responsibility code provision**

Licensees must have and put into effect policies and procedures designed to prevent underage gambling, and monitor the effectiveness of these.

Such procedures must include:

- a) warning potential customers that underage gambling is an offence;
- b) requiring customers to affirm that they are of legal age;
- c) regularly reviewing their age verification systems and implementing all reasonable improvements that may be made as technology advances and as information improves;
- d) ensuring that relevant staff are properly trained in the use of their age verification procedures. In particular customer services staff must be appropriately trained in the use of secondary forms of identification when initial verification procedures fail to prove that an individual is of legal age;
- e) enabling their gambling websites to permit filtering software to be used by adults (such as parents or within schools) in order to restrict access to relevant pages of those sites;
- f) in the case of any UK resident customer who registers to gamble and deposits money using a debit card or any other type of electronic payment method other than a credit card, unless the licensee has established that a third party has satisfactorily carried out age verification, such procedures should also include:
  - i) verifying additional information about the customer, such as carrying out credit checks and searching databases which list names and addresses of individuals over the age of 18;
  - ii) carrying out secondary age verification checks in any circumstances which give the operator reason to suspect that the person may be underage;
  - iii) not permitting the customer to withdraw any winnings from their account until age verification has been satisfactorily completed; and
  - iv) in any event, a requirement that if age verification has not been satisfactorily completed within 72 hours of the customer applying to register to gamble and depositing money:
    - the account will be frozen;
    - no further gambling will be permitted until age verification has been successfully completed; and
    - if on completion of age verification the customer is shown to be underage all stakes are returned to the customer, and no winnings paid.
- g) in the case of any non-UK resident customer who registers to gamble and deposits money using a debit card or any other type of electronic payment method other than a credit card, such procedures should also include:



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- taking all reasonable steps to make use of information publicly available for age verification purposes from whichever country the potential customer is resident in; and
- each of the steps outlined in f) above, unless the licensee can demonstrate to the Commission's satisfaction that that step could not reasonably be implemented, or in the case of requirement iv) above, that a period of more than 72 hours was reasonably required.

h) in the case of any customer who registers to gamble and deposits money using a credit card, conducting a programme of random checks of credit card users for compliance with age restrictions.

### **Remote licensees including ancillary remote betting licensees, but not ancillary remote bingo, ancillary remote casino, gaming machine technical and gambling software licensees**

#### **Ordinary code provision**

Licensees should, and should request their contracted partners to, draw attention to parental responsibility as part of the purchasing process of facilities such as mobile phones and interactive television.

## **2.3 Information on how to gamble responsibly and help for problem gamblers**

### **All licensees except gaming machine technical and gambling software and bingo and casino ancillary remote licensees**

#### **Social responsibility code provision**

Licensees must make information readily available to their customers on how to gamble responsibly and how to access information about and help in respect of problem gambling.

Licensees must take all reasonable steps to ensure that this information is readily accessible including in locations which enable the customer to obtain it discreetly.

For gambling premises this should include:

- information in the gambling area, near gaming machines and near to where ATMs are located; and
- posters, or leaflets that may be collected discreetly and taken away, in other areas (eg toilets and near to exit doors).

The information must be prominent, and appropriate to the size and layout of the premises.

The information must cover where relevant:

- the availability of measures that are accessible to help an individual monitor or control their gambling, such as to restrict the duration of a gambling session or the amount of money they can spend;
- the availability of timers or any other forms of reminders or 'reality checks' that may be available;

- self-exclusion options; and
- information about the availability of further help or advice.

The information must be directed to all customers who wish to enjoy gambling as entertainment and not be targeted only at those the operator perceives to be 'problem gamblers'.

### **All licensees except gaming machine technical and gambling software and bingo and casino ancillary remote licensees**

#### **Ordinary code provision**

Licensees who market their services in one or more foreign languages should make available in that, or those, foreign languages:

- the information on how to gamble responsibly and access to help referred to above;
- the players' guides to any game, bet or lottery required to be made available to customers under provisions in this code; and
- the summary of the contractual terms on which gambling is offered, which is required to be provided to customers as a condition of the licensee's operating licence.

## **2.4 Customer interaction**

### **Non-remote casino, bingo and general betting licensees, adult gaming centres, and remote licensees other than gaming machine technical, gambling software, remote lotteries, and ancillary remote bingo and casino licensees**

#### **Social responsibility code provision**

Licensees must implement policies and procedures for customer interaction where they have concerns that a customer's behaviour may indicate problem gambling. The policies must include:

- identification of the appropriate level of management who may initiate customer interaction and the procedures for doing so;
- the types of behaviour that will be logged/reported to the appropriate level of staff and which may trigger customer interaction at an appropriate moment;
- the circumstances in which consideration should be given to refusing service to customers and/or barring them from the operator's gambling premises; and
- training for all staff on their respective responsibilities, in particular so that they know who is designated to deal with problem gambling issues.

But such policies and procedures should be consistent with, and implemented with due regard to, licensees' duties in respect of the health and safety of their staff.

## 2.5 Self-exclusion

### **Non-remote casino, bingo, betting and lottery licensees, and adult gaming centres**

#### **Social responsibility code provision**

Licensees must put in place procedures for self-exclusion and take all reasonable steps to refuse service or to otherwise prevent an individual who has entered a self-exclusion agreement from participating in gambling.

Licensees must take steps to remove the name and details of a self-excluded individual from any marketing databases used by the company or group (or otherwise flag that person as an individual to whom marketing material must not be sent), within two days of receiving the completed self-exclusion notification.

Licensees must take all reasonable steps to prevent any marketing material being sent to a self-excluded customer as soon as practicable.

This covers any marketing material relating to gambling, or other activities that take place on the premises where gambling may take place. However, it would not extend to blanket marketing which is targeted at a particular geographical area and where the excluded individual would not knowingly be included.

Licensees must close any customer accounts of an individual who has entered a self exclusion agreement and return any funds held in the customer account. It is not sufficient merely to prevent an individual from withdrawing funds from their customer account whilst still accepting wagers from them. Where the giving of credit is permitted, the licensee may retain details of the amount owed to them by the individual, although the account must not be active.

Licensees must implement procedures designed to ensure that an individual who has self-excluded cannot gain access to gambling; and which include:

- a register of those excluded with appropriate records (name, address, other details, and any membership or account details that may be held by the operator);
- photo identification (where available and in particular where enforcement of the system may depend on photographic ID), and a signature;
- staff training to ensure that staff are able to enforce the systems; and
- the removal of those persons found in the gambling area or attempting to gamble from the premises.

### **Non-remote casino, bingo, and betting licensees and adult gaming centres**

#### **Ordinary code provision**

Self-exclusion procedures should require individuals to take positive action in order to self-exclude. This can be a signature on a self-exclusion form.

Wherever practicable, individuals should be able to self-exclude without having to enter gambling premises.

Before an individual self-excludes, licensees should provide or make available sufficient information about what the consequences of self-exclusion are.

Licensees should take all reasonable steps to extend the self-exclusion to premises of the same type owned by the operator in the customer's local area. In setting the bounds of that area licensees may take into account the customer's address (if known to them), anything else known to them about the distance the customer ordinarily travels to gamble and any specific request the customer may make.

Licensees should encourage the customer to consider extending their self exclusion to other licensees' gambling premises in the customer's local area.

Customers should be given the opportunity to discuss self-exclusion in private, where possible.

Licensees should take all reasonable steps to ensure that:

- the self-exclusion period is a minimum of six months and give customers the option of extending this to a total of at least five years;
- a customer who has decided to enter a self-exclusion agreement is given the opportunity to do so immediately without any cooling-off period. However, if the customer wishes to consider the self-exclusion further (for example to discuss with problem gambling groups) the customer may return at a later date to enter into self-exclusion;
- at the end of the period chosen by the customer (and at least six months later), maintain the self-exclusion in place, unless the customer takes positive action in order to gamble again. No marketing material may be sent to the individual unless the individual has taken positive action in order to gamble again, and has agreed to accept such material; and
- where a customer chooses not to renew, and makes a positive request to begin gambling again, give the customer one day to cool off before being allowed access to gambling facilities. The contact must be made via telephone or in person.

(Please note that the Commission does not require the licensee to carry out any particular assessment or make any judgement as to whether the previously self-excluded individual should again be permitted access to gambling. The requirement to take positive action in person or over the phone is purely to a) check that the customer has considered the decision to access gambling again and allow them to consider the implications; and b) implement the one day cooling-off period and explain why this has been put in place.)

**All remote licensees (including ancillary remote betting licensees) but not gaming machine technical and gambling software or ancillary remote casino or bingo licensees**

#### **Social responsibility code provision**

Licensees must put in place procedures for self-exclusion and take all reasonable steps to refuse service or to otherwise prevent an individual who has entered a self-exclusion agreement from participating in gambling.

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Licensees must take steps to remove the name and details of a self-excluded individual from any marketing databases used by the company or group (or otherwise flag that person as an individual to whom marketing material must not be sent), within two days of receiving the completed self-exclusion notification.

Licensees must take all reasonable steps to prevent any marketing material being sent to a self-excluded customer as soon as practicable.

This covers any marketing material relating to gambling. However, it would not extend to blanket marketing which is targeted at a particular geographical area and where the excluded individual would not knowingly be included.

Licensees must close any customer accounts of an individual who has entered a self-exclusion agreement and return any funds held in the customer account. It is not sufficient merely to prevent an individual from withdrawing funds from their customer account whilst still accepting wagers from them. Where the giving of credit is permitted, the licensee may retain details of the amount owed to them by the individual, although the account must not be active.

Licensees must implement procedures designed to ensure that an individual who has self-excluded cannot gain access to gambling; and which include:

- a register of those excluded with appropriate records (name, address, other details, and any membership or account details that may be held by the operator);
- a record of the card numbers to be excluded;
- staff training to ensure that staff are able to enforce the systems; and
- the removal of those persons found in the gambling area or attempting to gamble from the premises.

**All remote licensees (including ancillary remote betting licensees) but not gaming machine technical and gambling software or ancillary remote casino or bingo licensees**

**Ordinary code provision**

Self-exclusion procedures should require individuals to take positive action in order to self-exclude:

- over the **internet**, this can be a box that must be ticked in order to indicate that they understand the system; and
- by **telephone**, this can be a direct question asking whether they understand the system.

Wherever practicable, individuals should be able to self-exclude without having to enter the facilities for gambling.

Before an individual self-excludes, licensees should provide or make available sufficient information about what the consequences of self-exclusion are.

Licensees should encourage the customer to consider extending their self exclusion to other remote gambling operators currently used by the customer.

Customers should be given the opportunity to self-exclude by contacting customer services and in addition where technically possible by entering an automated process using remote communication. The licensee should ensure that all staff who are involved in direct customer service are aware of the self-exclusion system in place, and are able to direct that individual to an immediate point of contact with whom/which to complete that process.

Within the licensee's information about self-exclusion policies, the licensee should provide a statement to explain that software is available to prevent an individual computer from accessing gambling internet sites. The licensee should provide a link to a site where further information is available.

Licensees should take all reasonable steps to ensure that:

- the self-exclusion period is a minimum of six months and give customers the option of extending this to a total of at least five years;
- a customer who has decided to enter a self-exclusion agreement is given the opportunity to so do immediately without any cooling-off period. However, if the customer wishes to consider the self-exclusion further (for example to discuss with problem gambling groups) the customer may return at a later date to enter into self-exclusion;
- at the end of the period chosen by the customer (and at least six months later), maintain the self-exclusion in place, unless the customer takes positive action in order to gamble again. No marketing material may be sent to the individual unless the individual has taken positive action in order to gamble again, and has agreed to accept such material;
- where a customer chooses not to renew, and makes a positive request to begin gambling again, give the customer one day to cool off before being allowed access to the gambling facilities. The contact must be made via telephone or in person; re-registering online is not sufficient.

(Please note that the Commission does not require the licensee to carry out any particular assessment or make any judgement as to whether the previously self-excluded individual should again be permitted access to gambling. The requirement to take positive action in person or over the phone is purely to a) check that the customer has considered the decision to access gambling again and allow them to consider the implications; and b) implement the one day cooling-off period and explain why this has been put in place.)

## **2.6 Employment of children and young persons**

### **Lottery licensees and pool betting licensees restricted to football pools**

#### **Ordinary code provision**

Licensees who employ young persons (16 and 17 year olds) to sell tickets, collect payments or pay out winnings should have policies and procedures designed to ensure that all staff, including staff who are young persons themselves, are made aware that the law prohibits underage gambling, and that tickets may only be sold to persons aged 16 or over.

### **Non-remote bingo licensees**

#### **Ordinary code provision**

Licensees who employ children (under-16s) and young persons (those aged 16 or 17) should be aware that it is an offence:

- a) to employ them to provide facilities for playing bingo; or
- b) for their contracts of employment to require them, or for them to be permitted, to perform a function in connection with a gaming machine;
- c) to employ a child to perform any function on premises where, and at a time when, facilities are being provided for playing bingo. As to (b) it should be noted that in the Commission's view the relevant provision of the Act applies to any function performed in connection with a gaming machine. This includes servicing or cleaning such a machine.

Accordingly, licensees should have policies and procedures designed to ensure that:

- children and young persons are never asked to perform tasks within (a) or (b) above;
- all staff, including those who are children and young persons themselves, are instructed about the laws relating to access to gambling by children and young persons;

and should consider adopting a policy that:

- children are not employed to work on bingo licensed premises at any time when the premises are open for business; and
- neither children nor young persons are in any event asked to work in areas where gaming machines are situated.

### **Non-remote casino licensees**

#### **Ordinary code provision**

Licensees who employ children (under-16s) and young persons (those aged 16 and 17) should be aware that it is an offence:

- a) to employ them to provide facilities for gambling;
- b) if gaming machines are sited on the premises, for their contracts of employment to require them, or for them to be permitted, to perform a function in connection with a gaming machine at any time; and
- c) to employ them to carry out any other function on casino licensed premises while any gambling activity is being carried on in reliance on the premises licence (except that they can be employed on a part of regional casino premises when that part of the premises is not being used for the provision of facilities for gambling).

As to (b) it should be noted that in the Commission's view the relevant provision of the Act applies to any function performed in connection with a gaming machine. This includes servicing or cleaning such a machine.

Accordingly, licensees should have policies and procedures designed to ensure that:

- children and young persons are never asked to perform tasks within (a) or (b) above;

- all staff, including those who are children or young persons themselves, are instructed about the laws relating to access to gambling by children and young persons;

and should consider adopting a policy that:

- children and young persons are not employed to work on casino licensed premises (other than in an area of a regional casino where gambling does not take place) at any time when the premises are open for business; and
- gaming machines are turned off if children and young persons are working on the premises outside the hours when the premises are open for business.

### **Non-remote general and pool betting licensees**

#### **Ordinary code provision**

Licensees who employ children (under-16s) and young persons (those aged 16 and 17) should be aware that it is an offence:

- a) to employ children to provide facilities for gambling in connection with football pools;
- b) otherwise to employ children and young persons to provide facilities for gambling
- c) if gaming machines are sited on the premises, for their contracts of employment to require them, or for them to be permitted, to perform a function in connection with a gaming machine at any time; and
- d) to employ them to carry out any other function on betting licensed premises while any gambling activity is being carried on in reliance on the premises licence.

As to (c) it should be noted that in the Commission's view the relevant provision of the Act applies to any function performed in connection with a gaming machine. This includes servicing or cleaning such a machine.

Accordingly, licensees should have policies and procedures designed to ensure that:

- children and young persons are never asked to perform tasks within (a) or (b) above;
- all staff, including those who are children or young persons themselves, are instructed about the laws relating to access to gambling by children and young persons;

and should consider adopting a policy that:

- children and young persons are not employed to work on betting licensed premises at any time when the premises are open for business; and
- gaming machines are turned off if children and young persons are working on the premises outside the hours when the premises are open for business.

### **Adult gaming centre licensees**

#### **Ordinary code provision**

Licensees who employ children (under-16s) and young persons (those aged 16 and 17) should be aware that it is an offence:

- a) to employ them to provide facilities for gambling;



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- b) if gaming machines are sited on the premises, for their contracts of employment to require them, or for them to be permitted, to perform a function in connection with a gaming machine at any time; and
- c) to employ them to carry out any other function on adult gaming centre licensed premises while any gambling activity is being carried on in reliance on the premises licence;

As to (b) it should be noted that in the Commission's view the relevant provision of the Act applies to any function performed in connection with a gaming machine. This includes servicing or cleaning such a machine.

Accordingly, licensees should have policies and procedures designed to ensure that:

- children and young persons are never asked to perform tasks within (a) or (b) above;
- all staff, including those who are children or young persons themselves, are instructed about the laws relating to access to gambling by children and young persons;

and should consider adopting a policy that:

- children and young persons are not employed to work on adult gaming centre licensed premises at any time when the premises are open for business; and
- gaming machines are turned off if children and young persons are working on the premises outside the hours when the premises are open for business.

### **Family entertainment centre licensees**

#### **Ordinary code provision**

Licensees who employ children (under-16s) and young persons (those aged 16 and 17) should be aware that it is an offence:

- a) to employ them to provide facilities for gambling; and
- b) if gaming machines are sited on the premises, for their contracts of employment to require them, or for them to be permitted, to perform a function in connection with a gaming machine at any time.

As to (b) it should be noted that in the Commission's view the relevant provision of the Act applies to any function performed in connection with a gaming machine. This includes servicing or cleaning such a machine.

Accordingly, licensees should have policies and procedures designed to ensure that:

- children and young persons are never asked to perform tasks within (a) or (b) above;
- all staff, including those who are children or young persons themselves, are instructed about the laws relating to access to gambling by children and young persons;

and should consider adopting a policy that:

- children and young persons are not employed to carry out any work in an adult-only area of family entertainment licensed premises at a time when any gambling is taking place; and

- gaming machines sited in adult-only areas are turned off if children and young persons are working on the premises outside the hours when the premises are open for business.

**All remote licensees except lottery, pool betting, gaming machine technical, gambling software, and bingo and casino ancillary remote licensees**

**Ordinary code provision**

Licensees who employ children (under-16s) and young persons (those aged 16 and 17) should be aware that it is an offence to employ them to provide facilities for gambling.

**Remote pool betting licensees**

**Ordinary code provision**

Licensees who employ children (under-16s) and young persons (those aged 16 and 17) should be aware that it is an offence:

- a) to employ children to provide facilities for gambling in connection with football pools; and
- b) otherwise to employ children and young persons to provide facilities for gambling.

## **2.7 Provision of credit by licensees and the use of credit cards**

**General and pool betting licensees, betting intermediaries, lottery licensees and all remote licensees except gaming machine technical, gambling software and casino and bingo ancillary remote licensees**

**Social responsibility code provision**

Licensees who choose to accept credit cards must:

- accept payment by credit card for gambling only where that payment is made to a customer account; and
- make available for gambling, funds deposited via credit card only after the card issuer has approved the transaction.

**Non-remote general and pool betting licensees and remote licensees (including ancillary remote betting licensees) but not gaming machine technical and gambling software or ancillary remote casino or bingo licensees**

**Ordinary code provision**

Licensees who choose to offer credit to members of the public who are not themselves gambling operators should also:

- have procedures for checking and scoring applications for credit from such customers, for setting, and for the increase of, credit limits;
- explain these procedures to customers;
- set a maximum credit limit for each customer and not permit customers to exceed that limit without further application;
- apply a 24-hour delay between receiving a request for an increase in a credit limit and granting it in those cases where the limit exceeds that which the operator had previously set;

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- not require a minimum spend within a set time period;
- take reasonable steps to ensure that offers of credit are not sent to vulnerable persons, including those who have self-excluded from gambling; and
- ensure that information about an offer of credit includes a risk warning of what may happen in the event of default.

## 2.8 Money lending between customers

### Non-remote casino licensees

#### Ordinary code provision

Licensees should take steps to prevent systematic or organised money lending between customers on their premises.

While the nature of those arrangements will depend to some extent on the layout and size of the premises, they should cover matters such as:

- systems for monitoring for such activity;
- instructions to staff concerning what they should do if they spot what they believe to be significant money lending and to managers about the ways in which they should handle and act on any such lending; and
- excluding from the premises, either temporarily or permanently as appropriate, any person whom the evidence suggests has become involved in organised or systematic money lending.

Particular care should be taken to ensure that there are appropriate arrangements in place to cover any cases where it appears that the lending may be commercial in nature or may involve money laundering. In the latter case, the requirements in respect of reporting suspicious transactions must be followed. In all cases where the operator encounters systematic or organised money lending, a report should be made to the Commission.

### Non-remote bingo, and general betting licensees and adult gaming and family entertainment centres

#### Ordinary code provision

Licensees should seek to prevent systematic or organised money lending between customers on their premises. As a minimum they should have arrangements in place to ensure staff are requested to report any instances of substantial money lending when they become aware of them.

## 3 'Fair and open' provisions

### All licensees (including ancillary betting, bingo and casino remote licensees) except gaming machine technical and gambling software

#### Social responsibility code provision

Licensees must be able to provide evidence to the Commission, if required, showing how they satisfied themselves that their terms are not unfair.

**Non-remote casino licensees****Social responsibility code provision**

In complying with any condition on a casino premises licence requiring the display of rules about gaming, licensees must ensure that the following are included:

- the rules of each type of casino game available to be played;
- a player's guide to the house edge; and
- a player's guide to the rules of any equal chance games which are made available.

**Non-remote bingo licensees****Social responsibility code provision**

In complying with any condition on a bingo premises licence requiring the display of rules about gaming, licensees must ensure that the following are included:

- rules about each variant of bingo made available; and
- rules about any prize gaming made available.

**Remote licensees (including ancillary remote betting licensees) other than remote gaming machine technical and gambling software and ancillary remote casino and bingo licensees****Social responsibility code provision**

Licensees must make the following available to customers:

- a player's guide to each gambling opportunity (bet, game or lottery) made available by the operator; and
- such additional information relating to the available gambling as the Commission shall from time to time publish to licensees: the current requirements are set out in an Annex to the Commission's Technical Standards.

**Remote licensees (including ancillary remote betting licensees) other than remote gaming machine technical and gambling software and ancillary remote casino and bingo licensees****Ordinary code provision**

Where practicable this should be done through the medium in which the remote gambling is to be conducted. Where that is not practicable, licensees should either:

- send a copy of the guide and required additional information by post, fax or email; or
- make these available to the customer in another medium to which he has access.

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**Non-remote casino licensees****Social responsibility code provision**

Licensees must have policies and procedures in place designed to ensure that proper supervision of gaming at tables is carried out by supervisors, pit bosses and croupiers in order to prevent overcrowding or jostling of players. Such policies and procedures must take into account, but need not be limited by, any mandatory premises licence conditions relating to the layout of premises.

**General betting licensees and betting intermediaries including remote and ancillary remote betting licensees****Social responsibility code provision**

Licensees must set out within the full rules that they make available, the core elements for the acceptance and settlement of bets. These rules must cover:

- the circumstances under which the operator will void a bet;
- treatment of errors, late bets and related contingencies;
- availability of odds for any ante-post, early show or starting price betting, and treatment of place, forecast bets etc;
- treatment of withdrawals, non-runners, and reformed markets;
- maximum payout limiting liability for a specific betting product or generally;
- any charges made to customers for the use of betting services or products, and how these are calculated (including deductions from winnings for commission, or in respect of withdrawn horses etc);
- means or medium by which the outcome of an event will be determined;
- the rules for the event itself to be specified (eg horserace bets only to be accepted where the racing is subject to Horseracing Regulatory Authority rules);
- where bets are accepted on 'pari-mutuel' terms; and
- any special arrangements for settling bets on 'coupled' horses.

Where special rules have been agreed in relation to a particular bet these must not be overridden by any conflicting rules or subsequent rule changes.

Licensees must issue betting slips or an electronic acknowledgement (other than in the case of telephone betting) for each transaction which include information as to the operator's name and contact details, and words equivalent to 'Bets are accepted in accordance with the operator's rules'.

**Non-remote general betting licensees only****Social responsibility code provision**

In their terms on which bets may be placed (required to be displayed in accordance with mandatory conditions attaching to their premises licences) licensees must give prominence to their rules concerning voiding, late bets and maximum payouts.

When providing facilities for betting on-course, licensees must display on their 'joints' in an intelligible format:

- any rules that differ from Tattersalls' 'Rules on Betting' or the British Greyhound Racing Board's 'Regulations for the conduct of on-course bookmaking' as applicable<sup>3</sup>;
- any types of unorthodox bets accepted (such as forecast betting, betting without the favourite, distance betting etc);
- whether win-only or each way bets are accepted;
- any concessions or bonuses offered;
- all of the runners and the odds available to the public;
- the operator's trading name and contact address;
- the minimum bet accepted; and
- the maximum guaranteed liability.

Licensees operating within the ring at horserace tracks must issue customers with a betting slip or ticket for each transaction accepted. Betting slips or tickets must include the following information:

- operator's name and contact details;
- race day name or code, date and race number;
- name and/or number of the selection;
- the stake and potential return;
- the odds, or whether the bet will be settled according to the Starting Price;
- the type of bet.

Any special rules which have been agreed in relation to a particular bet must not be overridden by any conflicting rules or subsequent rule changes.

#### **Remote licensees except gaming machine technical and gambling software licensees and ancillary remote licensees**

##### **Ordinary code provision**

Licensees should ensure that the terms on which they contract with third parties who provide user interfaces enabling customers to access their remote gambling facilities:

- include a term that any such user interface comply with the Commission's technical standards for remote gambling systems; and
- enable them to terminate the third party's contract promptly if, in the licensee's opinion, the third party is in breach of that term.

#### **All betting operating licensees (including betting intermediaries and ancillary remote betting licensees)**

##### **Ordinary code provision**

Where licensees offer to accept bets, or facilitate the making or acceptance of bets between others, on the outcome of a sport regulated by a sport governing body for the time being included in Part 3 of Schedule 6 of the Act they should take all reasonable steps to familiarise themselves with the rules applied by that body.

<sup>3</sup> The references to Tattersalls' 'Rules on Betting' and the British Greyhound Racing Board's 'Regulations for the conduct of on-course bookmaking' reflect the current position and may need to be amended in future.

## 4 Marketing

### **All licensees (including ancillary remote licensees) but not gaming machine technical and gambling software**

#### **Social responsibility code provision**

If a licensee makes available to any customer or potential customer any incentive or reward scheme or other arrangement under which the customer may receive money, goods, services or any other advantage (including the discharge in whole or in part of any liability of his) ('the benefit') the scheme must be designed to operate, and be operated, in such a way that:

- a) the circumstances in which, and conditions subject to which, the benefit is available are clearly set out and readily accessible to customers;
- b) neither the receipt nor the value or amount of the benefit is:
  - (i) dependent on the customer gambling for a pre-determined length of time or with a pre-determined frequency; or
  - (ii) dependent on the amount the customer spends on gambling within a pre-determined length of time which is shorter than the whole of the period during which the particular benefit is made available;
- c) if the value of the benefit increases with the amount the customer spends it does so at a rate no greater than that at which the amount spent increases; and further that:
- d) if the benefit comprises free or subsidised travel or accommodation which facilitates the customer's attendance at particular licensed premises the terms on which it is offered are not directly related to the level of the customer's prospective gambling.

### **All licensees (including ancillary remote licensees) but not gaming machine technical and gambling software**

Licensees should only offer incentive or reward schemes in which the benefit available is proportionate to the type and level of customers' gambling.

#### **Non-remote bingo and casino licensees**

##### **Social responsibility code provision**

If licensees offer customers free or discounted alcoholic drinks for consumption on the premises they must do so on terms which do not in any way link the availability of such drinks to whether, or when, the customer begins, or continues, to gamble.

Licensees must not make unsolicited offers of free alcoholic drinks for immediate consumption by customers at a time when they are participating in a casino game, bingo game or playing a gaming machine.

#### **Non-remote casino licensees**

##### **Social responsibility code provision**

If licensees pay fees or other remuneration to representatives engaged to promote their business (whether in the UK or overseas) the amounts of such payments shall

not be directly related to the level of customers' prospective losses at gambling nor dependent upon, nor calculated by reference to, the length of time for which, or frequency with which, the customer gambles.

### **Lottery licensees**

#### **Ordinary code provision**

With a view to minimising the risk of fraud, licensees who are non-commercial societies or external lottery managers should adopt one or more of the following measures:

- prohibit the unsolicited mailing of tickets to non-members of the promoting society;
- limit the value of tickets sent to any one address which is not that of a member of the promoting society to £20; and
- maintain records of tickets distributed and not returned.

### **All licensees**

#### **Ordinary code provision**

Licensees should comply with the advertising codes of practice which apply to the form and media in which they advertise their gambling facilities or services.

### **All remote licensees except gaming machine technical, gambling software and ancillary remote licensees**

#### **Ordinary code provision**

Licensees should ensure that the terms on which they contract with their affiliates (that is those who are given a right to advertise, or provide a hyper-link to, a licensee's gambling website) enable them to terminate the affiliate's rights promptly if, in the licensee's opinion, the affiliate is in breach of the advertising codes.

## **5 Complaints and disputes**

### **All licensees (including ancillary remote licensees) except gaming machine technical and gambling software**

#### **Social responsibility code provision**

Licensees must put in place a written procedure for handling customer complaints and disputes.

In this code a 'complaint' means a complaint about any aspect of the licensee's conduct of the licensed activities, and a 'dispute' is any complaint which:

- a) is not resolved at the first stage of the complaints procedure; and
- b) relates to the outcome of the complainant's gambling transaction.

Licensees must ensure that:

- customers are told the name and status of the person to contact about their complaint;



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- customers are given a copy of the complaints procedure on request or on making a complaint; and
- all complaints are handled in accordance with the procedure.

Licensees must also ensure that customers whose disputes are not resolved to their satisfaction by use of the complaints procedure may refer them to an independent third party. The arrangements under which such complaints are referred may, but need not, provide for the third party's decision be binding on the licensee and the customer.

Licensees must keep a record of all complaints that are not resolved at the first stage of the complaints procedure.

Licensees must arrange for a copy of the decision on, or a note of the outcome of, each dispute referred to the independent party to be provided to the Commission quarterly, either by the independent party or by the licensee.

## 6 Gambling licensees' staff

### **Non-remote casino licensees only**

#### **Social responsibility code provision**

Licensees must put in place policies and procedures to manage relationships between staff and customers, based on the principle that staff should not engage in any conduct which is, or could be, likely to prejudice the licensing objectives in the discharge of their duties.

### **All licensees including betting ancillary remote licensees, but not other ancillary remote licensees**

#### **Social responsibility code provision**

Licensees must take all reasonable steps to ensure that staff involved in the provision of facilities for gambling are made aware of advice on socially responsible gambling and of where to get confidential advice should their gambling become hard to control.

## 7 Pool betting

### **Pool betting licensees**

#### **Social responsibility code provision**

Licensees or any person they authorise to offer pool betting on their behalf under authority of section 93 of the Act must publish their rules relevant to the following:

- the deduction levels for overheads, taxes, profits etc, expressed as a percentage, from each available pool;
- the rounding of winning dividends to a whole unit;

- the procedure for when there is no winner of the pool, and the circumstances in which the pool is carried over;
- the period of time in which a winning bet may be claimed from the pool operator.

### **Non-remote pool betting licensees authorised to offer pool betting on dog races**

#### **Social responsibility code provision**

Licensees or any person they authorise to offer pool betting on their behalf under authority of section 93 of the Gambling Act 2005, must only accept bets through equipment capable of communicating bets to a central recording system.

The equipment must supply the person placing the bet with a betting slip or ticket containing the following information:

- the date on which the bet is made;
- the amount of the stake;
- the identity of the track, the number or time of the race and the pool in respect of which the bet is made;
- the selection or selections or combination of selections as indicated;
- means of identifying the equipment recording the bet.

The central recording system must collect all bets made to each of the operator's pools and all information required to calculate the winnings of each pool and be capable of storing this information for subsequent retrieval if required by the Commission.

Licensees and any person they authorise to offer pool betting on their behalf under authority of section 93 of the Gambling Act 2005 must:

- provide a public display system within sight of all of the operator's terminals capable of accepting pool bets situated on-course. The system should display the potential dividend returns in respect of win and place outcomes from each pool operated, and in at least one place the units staked on all types of combination bets offered. This information is to be updated whilst the pool market is open. Following conclusion of the event to which the pool relates, the total amount payable as winning dividends should be displayed as soon as possible; and
- prominently display the minimum stake that will be accepted as a bet.

June 2007

## Code of practice on access to casino premises for children and young persons

It is a statutory condition of each casino premises licence that the licensee ensures compliance with this code: s176 (3) Gambling Act 2005.

Licensees are responsible for ensuring compliance with this code of practice on access to casino premises for children and young people. Licensees must designate sufficient 'supervisors' (as defined in s.176) for each casino entrance, or in the case of a regional casino each entrance to the gambling area, whose responsibilities include ensuring compliance with this code.

Heavily used entrances may require more than one designated supervisor as there must be a sufficient number of designated supervisors to enable a considered judgment to be made about the age of everyone attempting to enter the casino, or in the case of regional casinos the gambling area, and to take the appropriate action (for example checking identification) whilst at the same time not allowing others to enter unsupervised. The nature of this task means that it cannot be properly accomplished only by using CCTV; it will require a physical presence.

Supervisors may be assisted by other door keepers provided the supervisor retains the responsibility for compliance with this code and deals personally with any case where there is any doubt or dispute as to someone's eligibility to enter.

A supervisor must be able to implement the following procedures.

- Checking the age of apparently underage customers, in particular asking individuals for proof of age if there is any doubt as to whether the individual is 18 or over.
- Refusing entry to anyone unable to produce an acceptable form of identification, ie one which:
  - contains a photograph from which the individual can be identified;
  - states the individual's date of birth;
  - is valid; and
  - is legible and shows no signs of tampering or reproduction.

The Commission considers acceptable forms of identification to include: any identification carrying the PASS logo (eg Citizencard, Validate and the Government's own Connexions card); a driving licence (including provisional licence) with photo card; and a passport.

- Taking action when there are unlawful attempts to enter the premises.
- Dealing with cases where a child or young person repeatedly attempts to gamble on premises restricted to adults including oral warnings, reporting the offence to the police, and making available information on problem gambling.

Published June 2007

STATUTORY INSTRUMENTS

2007 No. 1410

BETTING, GAMING AND LOTTERIES

The Gambling Act 2005 (Exclusion of Children from Track Areas) Order 2007

Made

5th May 2007

Coming into force

1st September 2007

The Secretary of State makes the following Order in exercise of the powers conferred by section 182(4) of the Gambling Act 2005(1).

In accordance with section 355(6) of that Act, a draft of this instrument was laid before Parliament and approved by resolution of each House.

**Citation and commencement**

1. This Order may be cited as the Gambling Act 2005 (Exclusion of Children from Track Areas) Order 2007 and shall come into force on 1st September 2007.

**Amendment to section 182(2) of the Gambling Act 2005**

2. Section 182(2) of the Gambling Act 2005 shall be amended as follows—

- (a) at the end of paragraph (a) delete the word “and”;
- (b) in paragraph (b) substitute “.” with “, and”; and
- (c) after paragraph (b) insert—

“(c) shall not apply to any other track on a day on which a race or other sporting event takes place, or is expected to take place, on the track.”.

Richard Caborn  
Minister of State  
Department for Culture, Media and Sport

5th May 2007

**EXPLANATORY NOTE**

*(This note is not part of the Order)*

This Order amends section 182(2) of the Gambling Act 2005.

Section 182(1) of the Act prevents children and young persons from entering any area on a track where facilities for betting are provided (section 182(1)(a)) or where a gaming machine, other than a Category D machine, is situated (section 182(1)(b)).

Section 182(2) of the Act provides an exemption to section 182(1)(a) for dog tracks and horse race courses on a day when racing takes place, or is expected to take place, on the track or course as appropriate. This exemption enables children and young persons to enter any area of the track where betting facilities are

provided on a race day.

This Order amends section 182(2) to add an exemption for all other tracks on a day when a race or other sporting event takes place, or is expected to take place, on the track.

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(1) 2005 c.19 Back [1]

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**Gambling Act 2005 Licensing Sub-Committee 10<sup>th</sup> April 2008**

**Report title: Application for a Premises Licence by JENNINGS BET, 144 HIGH ROAD, WOOD GREEN N22**

**Report of: The Lead Officer - Licensing**

**Ward(s) Noel Park**

**1. Purpose**

To consider an application by **JENNINGS BET** to provide the provision of facilities for betting, whether by making or accepting bets, by acting as a betting intermediary or by providing other facilities for the making or accepting of bets (a "betting premises licence"). This application must be considered under the three licensing objectives:

- -preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime.
- -ensuring that gambling is conducted in a fair and open way; and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

**2. Principles to be applied**

2.1 In exercising their functions under this part a licensing authority shall aim to permit the use of premises for gambling in so far as the authority think it-

- (a) In accordance with the any relevant code of practice under section 24.
- (b) In accordance with any relevant guidance issued by the Commission under section 25,
- (c) Reasonably consistent with the licensing objectives (subject to paragraphs (a) and (b), and
- (d) In accordance with the statement published by the authority under section 349 (subject to paragraphs (a) to (c)

3. in determining whether to grant a premises licence a licensing authority may not have regard to the expected demand for the facilities which it is proposed to provide.

**Recommendations**

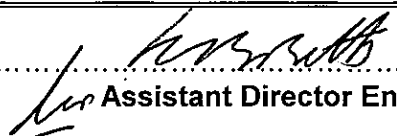
4. On considering an application for a premises licence (whether at a hearing or not) a licensing authority shall

- (a) Grant it or
- (b) Reject it.

A licensing Authority shall not determine an application for a premises licence made in reliance on section 159(3)(b) until the relevant operating licence has been issued in a form which authorises the applicant to carry on the activity in respect of which the premises licence is sought.

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Report authorised by: Robin Payne.....  Assistant Director Enforcement Services	
Contact Officer: Ms Daliah Barrett	Telephone: 020 8489 8232
<b>3. Executive summary</b> For consideration by Sub Committee under the Gambling Act 2005 for a Betting Premises Licence.	
<b>4. Access to information:</b>	
Local Government (Access to Information) Act 1985	
Background Papers	
The following Background Papers are used in the preparation of this Report:	
<b>File: JENNINGS</b>	
The Background Papers are located at Enforcement Service, Technopark, Ashley Road, Tottenham N17	

## **5. REPORT**

### **Background**

**5.1** Application by JENNINGS BET for a Premises Licence in respect of 144 High Road, Wood Green London N22 under the Gambling Act 2005. The application has followed the prescribed format and all consultations have been undertaken.  
**App 1**

**5.2** Members are reminded of the three licensing objectives under the Gambling Act 2005 which are:

- (a) preventing gambling from becoming a source of crime or disorder, being associated with crime or disorder, or being used to support crime.
- (b) Ensuring that gambling is conducted in a fair and open way; and
- (c) Protecting children and other vulnerable persons from being harmed or exploited by gambling.

**5.3** When determining an application the Licensing Authority 'shall aim to permit the use for gambling (Section 153) subject to:

- Section 24 Codes of Practice
- Section 25 Guidance by the Gambling Commission
- Licensing objectives
- Haringey Council Licensing Policy

**5.4** The Committee are asked to consider the application in light of the representation received from a body representing residents and William Hill. Members are guided to part 2 above 'Principles to be applied' copies of the relevant codes of practice are attached with this report. (App 2- Codes of Practice)

**5.5** There are also two statutory disregards, it is expressly provided that In determining whether to grant a premises license, a licensing authority may not have regard to the expected demand for the facilities which it is proposed to provide. The licensing authority shall not have regard to whether the proposal is likely to receive planning or building regulations approval.

## **6. RELEVANT REPRESENTATIONS (CONSULTATION)**

### **Responsible Authorities:**

#### **6.1 The Licensing Authority**

No Comments received in relation to this application.

**6.2 The Gambling Commission**

A confirmation of receipt of the application has been given by the Commission

**6.3 London Fire and Civil Defence Authority**

No comments received in relation to this application

**6.4 The Planning Department**

No comment received in relation to this application

**6.5 Environmental Health - Health and Safety/Noise Team/Pollution**

No comments received in relation to this application

**6.6 Trading Standards**

Have no objections to this application

**6.7 Safeguarding children nominee**

No comments in relation to this matter.

**6.8 Her Majesty's Commissioners of Custom and Excise**

Have received notification of the application

**6.9 Interested Parties - App 3**

For the purposes of this part a person is an interested party in relation to a premises licence or in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the license or to who the application is made, the person

- (a) lives sufficiently close to the premises to be likely to be affected by the authorised activities.
- (b) Has business interests that might be affected by the authorised activities, or
- (c) Represents persons who satisfy paragraph (a) or (b)

Representations have been made by residents (a & c) and William Hill which falls into (b) business interests that might be affected by the authorised activities.

## 7.0 Financial Comments

The fee which would be applicable for this application is **£2700.00**

## 8.0 Licensing Officer comments

There are three types of conditions which may be attached to a Premises Licence.

- Mandatory (S167)
- Default (S168)
- Discretionary, set by the Licensing Authority (S169)

Mandatory and default conditions are prescribed in the Gambling Act 2005 Regulations for each premises type. Conditions attached by the Licensing Authority may not;

Conflict with Gambling Commission requirements (S169)  
Require memberships (S170)  
Limit stakes or prizes (S171)  
Restrict machines numbers (S172)

The Conditions Regulations stipulate the mandatory and default conditions every Premises License will have the following conditions:

### **Mandatory conditions attaching to every premises license**

(1) The conditions specified in paragraphs (2), (3) and (4) shall be attached to every premises license.

(2) The summary of the terms and conditions of the premises license issued under section 164(1)(c) of the 2005 Act shall be displayed in a prominent place within the premises.

(3) The layout of the premises shall be maintained in accordance with the plan.

(4) The premises shall not be used for—

- (a) the sale of tickets in a private lottery or customer lottery, or
- (b) the sale of tickets in any other lottery in respect of which the sale of tickets on the premises is otherwise prohibited.

**Mandatory conditions attaching to betting premises licenses**

1. A notice stating that no person under the age of 18 years is permitted to enter the premises shall be displayed in a prominent place at every entrance to the premises.
- 2.—(1) Access to the premises shall be from a street or from other premises with a betting premises license.  
(2) Without prejudice to sub-paragraph (1), there shall be no means of direct access between the premises and other premises used for the retail sale of merchandise or services.
3. Subject to anything permitted by virtue of the 2005 Act; or done in accordance with paragraphs 4, 5, 6 and 7 below, the premises shall not be used for any purpose other than for providing facilities for betting.
4. Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to leave any gaming machine or betting machine in order to do so.
5. No apparatus for making information or other material available in the form of sounds or visual images may be used on the premises, except for apparatus used for the following purposes—
  - (a) communicating information about, or coverage of, sporting events, including—
    - (i) information relating to betting on such an event; and
    - (ii) any other matter or information, including an advertisement, which is incidental to such an event;
  - (b) communicating information relating to betting on any event (including the result of the event) in connection with which betting transactions may be or have been effected on the premises.
6. No publications, other than racing periodicals or specialist betting publications, may be sold or offered for sale on the premises.
7. No music, dancing or other entertainment shall be provided or permitted on the premises, save for entertainment provided in accordance with paragraph 5.
- 8.—(1) No alcohol shall be permitted to be consumed on the premises at any time during which facilities for gambling are being provided on the premises.  
(2) A notice stating the condition in sub-paragraph (1) shall be displayed in a prominent place at every entrance to the premises.
9. A notice setting out the terms on which customers are invited to bet on the premises shall be displayed in a prominent place on the premises to which customers have unrestricted access.

**Section 183 Christmas Day**

A premises licence shall, by virtue of this section, be subject to the condition that the premises shall not be used to provide facilities for gambling on Christmas Day.

**Section 184 Annual Fee**

- (1) The holder of a premises licence-
- a. Shall pay a first annual fee to the licensing authority within such period after the issue of the licence as may be prescribed, and
  - b. Shall pay an annual fee to the licensing authority before each anniversary of the issue of the licence.

**Section 185 Availability of licence**

- (1) The holder of a premises licence shall-
- a. Keep the licence on the premises, and
  - b. Arrange for the licence to be made available on request to-
    - i. A constable
    - ii. An enforcement officer, or
    - iii. An authorised local authority officer

**The Default conditions to be attached to any premises license unless they are excluded by the Licensing Authority, these are:**

**Default conditions attaching to betting premises licenses (other than in respect of tracks)**

- No facilities for gambling shall be provided on the premises between the hours of 10pm on one day and 7am on the next day.

**Section 169 of the Act gives licensing authorities:**

- The ability to exclude from premises licenses any default conditions that have been imposed under section 168; and
- The power to impose conditions on the premises licenses that they issue.

**Door Supervisors.**

This is not a mandatory requirement.

**Section 178 Door Supervision**

- (1) Where a condition for door supervision is attached to a premises licence (whether by virtue of section 167, 168 or 169) subsection (3) shall apply in relation to the licence.
- (2) In subsection (1) "condition for door supervision" means a condition requiring that one or more persons be responsible for guarding the premises against unauthorised access or occupation, against outbreaks or disorder or against damage.
- (3) If the person carrying out the guarding mentioned in subsection (2) is required by the Private Security Industry Act 2001 (c. 12) to hold a licence under that Act authorising the guarding, the requirements under that Act shall be treated for the purpose of this Act as if it were a condition of the premises licence attached by virtue of this section.

APPENDIX 1

APPLICATION FORM



**Part 2 – Applicant Details**

If you are an individual, please fill in Section A. If the application is being made on behalf of an organisation (such as a company or partnership), please fill in Section B.

**Section A****Individual Applicant**

1 Title: Mr  Mrs  Miss  Ms  Dr  Other (please specify)

2 Surname: [\*\*\*\*\*] Other name(s):

3 Applicant's address (home or business - ):

[\*\*\*\*\*]

[\*\*\*\*\*]

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[\*\*\*\*\*]

Postcode: [\*\*\*\*\*]

4(a) The number of the applicant's operating licence (as set out in the operating licence): [\*\*\*\*\*]

4(b) If the applicant does not hold an operating licence but is in the process of applying for one, give the date on which the application was made: [\*\*\*\*\*]

5 Tick the box if the application is being made by more than one person.

**Section B****Application on Behalf of an organisation**

6 Name of applicant business or organisation: Jennings Racing (2006) Limited

7. The applicant's registered or principal address:

4 Simon Champion Court

232-234 High Street

Epping

Postcode: CM16 4AU

8(a) The number of the applicant's operating licence (as given in the operating licence):

075-002341-N-103412-001

8(b) If the applicant does not hold an operating licence but is in the process of applying for one, give the date on which the application was made: [\*\*\*\*\*]

9 Tick the box if the application is being made by more than one organisation.

### Part 3 – Premises Details

10. Proposed trading name to be used at the premises (if known): Jenningsbet

11. Address of the premises (or, if none, give a description of the premises and their location):

144 High Road

Wood Green

London

Postcode: N22 6EB

12 Telephone number at premises (if known): Not known

13 If the premises are in only a part of a building, please describe the nature of the building (for example, a shopping centre or office block). The description should include the number of floors within the building and the floor(s) on which the premises are located.

The building is located on a parade of shops which forms part of the main shopping area. The premises to be licensed is self contained and is situated on the ground floor. Above the premises there is a residential flat.

14(a) Are the premises situated in more than one licensing authority area? [No]

14(b) If the answer to question 14(a) is yes, please give the names of all the licensing authorities within whose area the premises are partly located, other than the licensing authority to which this application is made:

[\*\*\*\*\*]

**Part 4 – Times of Operation**

15(a) Do you want the licensing authority to exclude a default condition so that the premises may be used for longer periods than would otherwise be the case? [No] [delete as appropriate] 15(b)

If the answer to question 15(a) is yes, please complete the table below to indicate the times when you want the premises to be available for use under the premises licence.

	Start	Finish	Details of any seasonal variation
Mon	[hh:mm]	[hh:mm]	[*****]
Tues	[hh:mm]	[hh:mm]	[*****]
Wed	[hh:mm]	[hh:mm]	[*****]
Thurs	[hh:mm]	[hh:mm]	[*****]
Fri	[hh:mm]	[hh:mm]	[*****]
Sat	[hh:mm]	[hh:mm]	[*****]
Sun	[hh:mm]	[hh:mm]	[*****]

16 If you wish to apply for a premises licence with a condition restricting gambling to specific periods in a year, please state the periods below using calendar dates:

[\*\*\*\*\*]

**Part 5 - Miscellaneous**

17 Proposed commencement date for licence (leave blank if you want the licence to commence as soon as it is issued): [\*\*\*\*\*]

18(a) Does the application relate to premises which are part of a track or other sporting venue which already has a premises licence? [No]

18(b) If the answer to question 18(a) is yes, please confirm by ticking the box that an application to vary the main track premises licence has been submitted with this application.

19(a) Do you hold any other premises licences that have been issued by this licensing authority?

[No]

19(b) If the answer to question 19(a) is yes, please provide full details:

[\*\*\*\*\*]

20 Please set out any other matters which you consider to be relevant to your application:

[\*\*\*\*\*]

**Part 6 – Declarations and Checklist (Please tick)**

I/ We confirm that, to the best of my/ our knowledge, the information contained in this application is true. I/ We understand that it is an offence under section 342 of the Gambling Act 2005 to give information which is false or misleading in, or in relation to, this application.


I/ We confirm that the applicant(s) have the right to occupy the premises.

Checklist:

- Payment of the appropriate fee has been made/is enclosed
- A plan of the premises is enclosed
- I/ we understand that if the above requirements are not complied with the application may be rejected
- I/ we understand that it is now necessary to advertise the application and give the appropriate notice to the responsible authorities

**Part 7 – Signatures**

21 Signature of applicant or applicant's solicitor or other duly authorised agent. If signing on behalf of the applicant, please state in what capacity:

Signature: 

Print Name: Emma Johnson - Walker Morris

Date: 19/02/08 Capacity: Solicitor's for applicant

22 For joint applications, signature of 2nd applicant, or 2nd applicant's solicitor or other authorised agent. If signing on behalf of the applicant, please state in what capacity:

Signature:

Print Name: [\*\*\*\*\*]

Date: (dd/mm/yyyy) Capacity: [\*\*\*\*\*]

**Part 8 – Contact Details**

23(a) Please give the name of a person who can be contacted about the application: Andrew Woods or, Emma Johnson

23(b) Please give one or more telephone numbers at which the person identified in question 23(a) can be contacted: Andrew Woods 07738 170 138 or , Emma Johnson - 0113 283 4441

24 Postal address for correspondence associated with this application:

Walker Morris  
Kings Court  
12 King Street, Leeds  
Postcode: LS1 2HL

25 If you are happy for correspondence in relation to your application to be sent via e-mail, please give the e-mail address to which you would like correspondence to be sent:  
andrew.woods@walkermorris.co.uk, emma.johnson@walkermorris.co.uk

## APPENDIX 2

## CODES OF PRACTICE

# **GAMBLING COMMISSION**

Typical Licence Conditions and Codes of Practice for:  
**Non-Remote General Betting Operators**  
**(on and off course bookmakers)**  
August 2007

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## Introduction

The Gambling Act 2005 (the Act) creates new arrangements that govern the way organisations and individuals involved in gambling can operate. From September 2007, most operators who wish to run a gambling business in Britain, and certain key individuals, need to be licensed by the Commission. There are some exemptions. The Commission has developed general licence conditions and codes of practice that govern how gambling facilities are provided and managed and gambling conducted.

This document sets out an example of the relevant conditions and code provisions for holders of a *Non-Remote General Betting* operating licence. It does not include statutory conditions, any licence conditions imposed by the Secretary of State or any conditions the Commission might attach solely to an individual licence.

This document is intended to be a general example only and does not replace the conditions and codes which will be attached to the operating and personal licences when these are issued. It should not be considered a definitive guide. However, this licensee-specific example will, we hope, aid operators' and stakeholders' understanding about the requirements on licensees.

Individual licence holders will receive copies of the conditions and codes which apply to their particular licence when their licence is issued to them. In some cases, the licence will set out individual conditions that are specific to that operator, based on the assessment of their licence application.

The Commission has powers to prosecute operators and can impose fines on operators who breach their licence conditions or social responsibility code of practice provisions, and can take breaches of the ordinary codes of practice into account as part of a prosecution. Licence conditions and social responsibility codes of practice detail the legal obligations attached to holding an operating licence. Ordinary codes of practice detail the manner in which facilities for gambling should be provided.

Part I of this documents sets out the Licence Conditions.

Part II of this document sets out the relevant provisions of the code of practice. The text in shaded boxes comprises the 'social responsibility provisions' and covers issues including the promotion of responsible gambling and marketing. The text that is not shaded which is titled 'ordinary code provisions' covers issues including the employment of children and young people and age verification.

Where a Condition or Code provision appears in the full License Conditions and Codes of Practice but does not apply for this type of licence, it has not been reproduced here. Where this is the case, there may gaps in the sequential numbering of the individual conditions.

You can obtain copies of this document and the other documents mentioned above from the Commission's website, [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk) or by writing to:

Gambling Commission  
Victoria Square House  
Victoria Square  
Birmingham B2 4BP

T 0121 230 6666

F 0121 230 6720

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

## **Part I: Gambling Commission General Licence Conditions**

### **Licence Conditions applicable to providing facilities for betting other than pool betting**

#### **1 Personal licences and qualified persons**

##### **Operating licences issued to small-scale operators**

In this condition the terms 'small-scale operator', 'qualifying position' and 'qualified person' have the meanings respectively ascribed to them by the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006.

Schedule X<sup>1</sup> lists those individuals notified to the Commission as qualified persons.

If, whilst the licensee remains a small-scale operator, an individual begins or ceases to occupy a qualifying position in relation to the licensee, the licensee must within 28 days apply to the Commission under s104(1)(b) for amendment of the details of the licence set out in Schedule X<sup>1</sup>.

An application for amendment under s104(1)(b) may be made in advance of an individual beginning or ceasing to occupy a qualifying position provided it specifies the date from which the change to which it relates is to be effective.

Schedule Y<sup>1</sup> to this licence lists those of the licensee's employees whose details have been provided to the Commission as authorised by the licensee to accept bets on the licensee's behalf on a track otherwise than under the supervision of a qualified person present on the same track.

Should the licensee wish to add an individual to the list or remove the name of an individual from the list the licensee must make application to the Commission under s104(1)(b) for amendment of that detail of the licence. Any employee the licensee wishes to add to the list may act unsupervised pending amendment of the licence provided a valid amendment application has been lodged with the Commission.

In this condition 'qualified person' has the same meaning as in the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006.

#### **1.2 Personal licences**

(a) Subject to (e) and (f) below licensees must ensure:

(i) that each individual who occupies one of the management offices specified in (b) below in or in respect of the licensee or in connection with the licensed activities holds a personal licence authorising the performance of the functions of that office (hereafter 'a personal management licence'); and

(ii) that at least one person occupies at least one of those offices.

(b) The specified management offices are those offices (whether or not held by a director in the case of a licensee which is a company, a partner in the case of a licensee which is a partnership or an officer of the association in the case of a licensee which is an unincorporated association) the occupier of which is by virtue of the terms of their appointment responsible for:

- the overall management and direction of the licensee's business or affairs;
- the licensee's finance function as head of that function;
- the licensee's gambling regulatory compliance function as head of that function;
- the licensee's marketing function as head of that function;
- the licensee's information technology function as head of that function in so far as it relates to gambling-related information technology and software; or
- oversight of the day to day management of the licensed activities at an identified number of premises licensed under Part 8 of the Act or across an identified geographical area.

---

<sup>1</sup> The schedules mentioned here will be attached to individual licences.

(c) Licensees must take all reasonable steps to ensure that anything done in the performance of the functions of a specified management office is done in accordance with the terms and conditions of the holder's personal management licence.

(d) Where an individual is authorised by a personal licence and that licence comes under review under section 116(2) of the Act, the operating licensee must comply with any conditions subsequently imposed on that licence by the Commission about redeployment, supervision, or monitoring of the individual's work and any requirements of the Commission in respect of such matters applicable during the period of the review.

(e) Paragraphs (a) to (d) above shall not apply to a licensee for so long as the licensee is a 'small-scale operator' as defined in the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006 ('the Regulations').

(f) During the period of 3 years commencing with the date on which a licensee ceases to be a small-scale operator paragraphs (a) to (e) above shall apply subject to the proviso that the phrase 'each individual' in paragraph (a)(i) shall not include any individual who was a 'qualified person' (as defined in the Regulations) in relation to the licensee 28 days immediately prior to the licensee ceasing to be a small-scale operator.

### **3 Financial robustness**

All company licensees must notify the Commission of the name and address of any person who becomes a shareholder in the company or its holding company holding 3% or more of the issued share capital of the company or its holding company; or any existing shareholder who acquires a holding of 3% or more of the issued share capital of the company or its holding company.

In this condition 'holding company' has the meaning ascribed to that term by section 736 of the Companies Act 1985 (as amended).

### **4 Protection of customer funds**

Licensees who hold customer funds for use in future gambling must set out clearly, in information made available to customers in writing, whether they protect customers funds in the event of insolvency and the method by which this is achieved.

### **5 Cash handling**

Licensees, as part of their internal controls and financial accounting systems, must have in place and follow written policies and procedures concerning the handling of cash, and cash equivalents (ie bankers drafts, cheques and debit cards), designed to minimise the risk of crimes such as money laundering, to avoid the giving of illicit credit and to provide assurance that gambling activities are being conducted fairly.

### **7 General fair and open provisions**

Licensees must satisfy themselves that the terms on which gambling is offered are not unfair under the Unfair Terms in Consumer Contracts Regulations 1999 and, where applicable, meet the reasonableness test under the Unfair Contract Terms Act 1977.

An accurate summary of the contractual terms on which gambling is offered must be made available to customers and set out in plain and intelligible language.

Customers must be notified of changes to terms before they come into effect.

## 14 Access to premises

Licensees must have in place and implement written policies and procedures (including staff training programmes) designed to ensure that their staff co-operate with the Commission's enforcement officers in the proper performance of their compliance functions and are made aware of those officers' rights of entry to premises contained in Part 15 of the Act.

## 15 Information requirements

### 15.1 Reporting suspicion of offences etc

Licensees must provide the Commission with any information that they suspect may:

- relate to the commission of an offence under the Act, including an offence resulting from a breach of a licence condition or a code provision having the effect of a licence condition; or
- lead the Commission to consider making an order to void a bet.

Licensees who accept bets, or facilitate the making or acceptance of bets between others, on the outcome of horse races or other sporting events governed by one of the sport governing bodies for the time being included in Part 3 of Schedule 6 to the Act must also provide the relevant sport governing body with any information the licensee suspects may:

- lead the Commission to consider making an order to void a bet; or
- relate to a breach of a rule applied by that sport governing body.

### 15.2 Reporting 'Key Events'

Licensees must notify the Commission of the occurrence of any of the following key events as soon as reasonably practicable and in any event within 5 working days of its occurrence:

- in the case of licensees which are companies, their (or any group company of theirs) being placed in liquidation, administration or receivership: in this condition a 'group company' is any subsidiary or holding company of the licensee – as those terms are defined in s736 Companies Act 1985 or any statutory modification or re-enactment thereof – and any subsidiary of such holding company;
- in the case of a licensee who is an individual (or a partner in a partnership licensee) their becoming bankrupt within the meaning of section 381 of the Insolvency Act 1986 or sequestration of their estate under section 12(1) of the Bankruptcy (Scotland) Act 1985;
- where the licensee is required to have its accounts independently audited, any unplanned change of auditor including a change prompted by a dispute or resulting from auditors being unable or unwilling to sign an audit certificate;
- the departure from the licensee's business of any holder of a personal management licence, other than those with oversight of the day to day management of licensed premises of a licensee operating more than 4 licensed premises;
- any reduction in the licensee's employed staff by more than 10% provided that represents at least 3 individuals;
- the acquisition or disposal of gambling premises or pitches;
- in the case of corporate licensees, the disposal or acquisition of any group company;
- the disposal of assets to the value of 10% or more of the licensee's total net assets;
- any breach of a covenant given to a bank or other lender;
- any default in making repayment of the whole or any part of a loan on its due date;
- any court judgments remaining unpaid 14 days after the date of judgment;
- the commencement of any material litigation against the licensee;
- any instance of internal or external fraud or theft involving a sum in excess of £10,000; and
- the commencement of disciplinary action against the holder of a personal licence where the licence holder is suspended or serious misconduct is alleged.

## 15.3 General and Regulatory Returns

On request, licensees must provide the Commission with such information as the Commission may require about the use made of facilities provided in accordance with this licence, and the manner in which gambling authorised by this licence and the licensee's business in relation to that gambling are carried on, including in particular information about:

- the numbers of people making use of the facilities and the frequency of such use;
- the range of gambling activities provided by the licensee and the numbers of staff employed in connection with them; and
- the licensee's policies in relation to, and experiences of, problem gambling.

In particular, within 28 days of the end of each quarterly or annual period as the case may be, licensees must submit a Regulatory Return to the Commission containing such information as the Commission may from time to time require<sup>2</sup>.

## Part II: Gambling Commission Codes of Practice

### Codes of Practice applicable to providing facilities for betting other than pool betting

#### 1 Financial requirements

##### Ordinary code provision

As part of their procedures for compliance with the requirements in respect of the prevention and detection of money laundering in the Proceeds of Crime Act 2002 and the Terrorism Act 2000, licensees should:

- unless there is a specific reason not to do so, appoint one or more nominated officers whose duty it is to take overall responsibility for the anti-money laundering procedures within the operation, in particular with respect to Suspicious Activity Reporting;
- ensure, through appropriate training and guidance, that all staff who handle money or accounts or accept bets are aware of their duties under anti-money laundering legislation to report all suspicious activity to the nominated officer in a timely manner or, where there is no such nominated officer, directly and promptly to the police. It is the nominated officer's duty to consider such reports and to forward them where appropriate to the Serious Organised Crime Agency; or
- adopt (or reflect in their procedures) the Association of British Bookmakers' guidelines.

#### 2 Protection of children and other vulnerable persons

##### 2.1 Combating problem gambling

###### Social responsibility code provision

Licensees must have and put into effect policies and procedures intended to promote socially responsible gambling.

Licensees' policies and procedures for socially responsible gambling must include but need not be confined to:

- the specific policies and procedures required by the following provisions of section 2 of this code;
- a commitment to and how they will contribute to research into the prevention and treatment of problem gambling;

<sup>2</sup> The current forms of the sector specific returns and guidance notes for their completion are available on the Commission's website [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk) and can also be obtained by writing to the Commission at Victoria Square House, Victoria Square, Birmingham B2 4BP.

- a commitment to and how they will contribute to public education on the risks of gambling and how to gamble safely; and
- a commitment to and how they will contribute to the identification of and treatment of problem gamblers.

## **2.2 Access to gambling by children and young persons**

### **Social responsibility code provision**

Licensees must have and put into effect policies and procedures designed to prevent underage gambling, and monitor the effectiveness of these.

This must include procedures for:

- checking the age of apparently underage customers;
- removing from adult only licensed premises anyone who appears to be underage who tries to access the gambling facilities and cannot produce an acceptable form of identification;
- taking action when there are attempts by under-18s to enter adult only premises;
- refusing entry to any adult-only area of a track to anyone unable to produce an acceptable form of identification; and
- taking action when there are unlawful attempts to enter the adult-only areas.

Licensees must not deliberately provide facilities for gambling in such a way as to appeal particularly to children or young people, for example by reflecting or being associated with youth culture.

In premises restricted to adults, service should be refused in any circumstances where any adult is accompanied by a child or young person.

Licensees must take all reasonable steps to ensure that all staff understand their responsibilities for preventing underage gambling. This should include appropriate training which must cover the legal requirements on returning stakes and not paying prizes to underage customers.

Licensees must only accept identification which:

- contains a photograph from which the individual can be identified;
- states the individual's date of birth;
- is valid; and
- is legible and has no visible signs of tampering or reproduction.

### **Ordinary code provision**

The Commission considers acceptable forms of identification to include any identification carrying the PASS logo (eg Citizencard, Validate and the Government's own Connexions card); a driving licence (including a provisional licence) with photocard; and a passport.

Licensees should implement procedures that require their staff to check the age of any customer who appears to them to be under 21.

Licensees should consider permanent exclusion from premises for any adult accompanied by a child or young person on more than one occasion to premises restricted to adults, or if there is reason to believe the offence was committed knowingly or recklessly.

Procedures should be in place for dealing with cases where a child or young person repeatedly attempts to gamble on premises restricted to adults, including oral warnings, reporting the offence to the Gambling Commission and the police, and making available information on problem gambling.

## 2.3 Information on how to gamble responsibly and help for problem gamblers

### Social responsibility code provision

Licensees must make information readily available to their customers on how to gamble responsibly and how to access information about and help in respect of problem gambling.

Licensees must take all reasonable steps to ensure that this information is readily accessible including in locations which enable the customer to obtain it discreetly.

For gambling premises this should include:

- information in the gambling area, near gaming machines and near to where ATMs are located; and
- posters, or leaflets that may be collected discreetly and taken away, in other areas (eg toilets and near to exit doors).

The information must be prominent, and appropriate to the size and layout of the premises.

The information must cover where relevant:

- the availability of measures that are accessible to help an individual monitor or control their gambling, such as to restrict the duration of a gambling session or the amount of money they can spend;
- the availability of timers or any other forms of reminders or 'reality checks' that may be available;
- self-exclusion options; and
- information about the availability of further help or advice.

The information must be directed to all customers who wish to enjoy gambling as entertainment, and not be targeted only at those the operator perceives to be 'problem gamblers'.

### Ordinary code provision

Licensees who market their services in one or more foreign languages should make available in that, or those, foreign languages:

- the information on how to gamble responsibly and access to help referred to above;
- the players' guides to any game, bet or lottery required to be made available to customers under provisions in this code; and
- the summary of the contractual terms on which gambling is offered, which is required to be provided to customers as a condition of the licensee's operating licence.

## 2.4 Customer interaction

### Social responsibility code provision

Licensees must implement policies and procedures for customer interaction where they have concerns that a customer's behaviour may indicate problem gambling. The policies must include:

- identification of the appropriate level of management who may initiate customer interaction and the procedures for doing so;
- the types of behaviour that will be logged/reported to the appropriate level of staff and which may trigger customer interaction at an appropriate moment;
- the circumstances in which consideration should be given to refusing service to customers and/or barring them from the operator's gambling premises; and
- training for all staff on their respective responsibilities, in particular so that they know who is designated to deal with problem gambling issues.

But such policies and procedures should be consistent with, and implemented with due regard to, licensees' duties in respect of the health and safety of their staff.

## 2.5 Self-exclusion

### Social responsibility code provision

Licensees must put in place procedures for self-exclusion and take all reasonable steps to refuse service or to otherwise prevent an individual who has entered a self-exclusion agreement from participating in gambling.

Licensees must take steps to remove the name and details of a self-excluded individual from any marketing databases used by the company or group (or otherwise flag that person as an individual to whom marketing material must not be sent), within two days of receiving the completed self-exclusion notification.

Licensees must take all reasonable steps to prevent any marketing material being sent to a self-excluded customer as soon as practicable. This covers any marketing material relating to gambling, or other activities that take place on the premises where gambling may take place. However, it would not extend to blanket marketing which is targeted at a particular geographical area and where the excluded individual would not knowingly be included.

Licensees must close any customer accounts of an individual who has entered a self exclusion agreement and return any funds held in the customer account. It is not sufficient merely to prevent an individual from withdrawing funds from their customer account whilst still accepting wagers from them. Where the giving of credit is permitted, the licensee may retain details of the amount owed to them by the individual, although the account must not be active.

Licensees must implement procedures designed to ensure that an individual who has self-excluded cannot gain access to gambling; and which include:

- a register of those excluded with appropriate records (name, address, other details, and any membership or account details that may be held by the operator);
- photo identification (where available and in particular where enforcement of the system may depend on photographic ID), and a signature;
- staff training to ensure that staff are able to enforce the systems; and
- the removal of those persons found in the gambling area or attempting to gamble from the premises.

### Ordinary code provision

Self-exclusion procedures should require individuals to take positive action in order to self-exclude. This can be a signature on a self-exclusion form.

Wherever practicable, individuals should be able to self-exclude without having to enter gambling premises.

Before an individual self-excludes, licensees should provide or make available sufficient information about what the consequences of self-exclusion are.

Licensees should take all reasonable steps to extend the self-exclusion to premises of the same type owned by the operator in the customer's local area. In setting the bounds of that area licensees may take into account the customer's address (if known to them), anything else known to them about the distance the customer ordinarily travels to gamble and any specific request the customer may make.

Licensees should encourage the customer to consider extending their self exclusion to other licensees' gambling premises in the customer's local area.

Customers should be given the opportunity to discuss self-exclusion in private, where possible.



Licensees should take all reasonable steps to ensure that:

- the self-exclusion period is a minimum of six months and give customers the option of extending this to a total of at least five years;
- a customer who has decided to enter a self-exclusion agreement is given the opportunity to do so immediately without any cooling-off period. However, if the customer wishes to consider the self-exclusion further (for example to discuss with problem gambling groups) the customer may return at a later date to enter into self-exclusion;
- at the end of the period chosen by the customer (and at least six months later), maintain the self-exclusion in place, unless the customer takes positive action in order to gamble again. No marketing material may be sent to the individual unless the individual has taken positive action in order to gamble again, and has agreed to accept such material; and
- where a customer chooses not to renew, and makes a positive request to begin gambling again, give the customer one day to cool off before being allowed access to gambling facilities. The contact must be made via telephone or in person.

(Please note that the Commission does not require the licensee to carry out any particular assessment or make any judgement as to whether the previously self-excluded individual should again be permitted access to gambling. The requirement to take positive action in person or over the phone is purely to a) check that the customer has considered the decision to access gambling again and allow them to consider the implications; and b) implement the one day cooling-off period and explain why this has been put in place.)

## **2.6 Employment of children and young persons**

### **Ordinary code provision**

Licensees who employ children (under-16s) and young persons (those aged 16 and 17) should be aware that it is an offence:

- a) to employ children to provide facilities for gambling in connection with football pools;
- b) otherwise to employ children and young persons to provide facilities for gambling
- c) if gaming machines are sited on the premises, for their contracts of employment to require them, or for them to be permitted, to perform a function in connection with a gaming machine at any time; and
- d) to employ them to carry out any other function on betting licensed premises while any gambling activity is being carried on in reliance on the premises licence.

As to (c) it should be noted that in the Commission's view the relevant provision of the Act applies to any function performed in connection with a gaming machine. This includes servicing or cleaning such a machine.

Accordingly, licensees should have policies and procedures designed to ensure that:

- children and young persons are never asked to perform tasks within (a) or (b) above;
- all staff, including those who are children or young persons themselves, are instructed about the laws relating to access to gambling by children and young persons;

and should consider adopting a policy that:

- children and young persons are not employed to work on betting licensed premises at any time when the premises are open for business; and
- gaming machines are turned off if children and young persons are working on the premises outside the hours when the premises are open for business.

## 2.7 Provision of credit by licensees and the use of credit cards

### Social responsibility code provision

Licensees who choose to accept credit cards must:

- accept payment by credit card for gambling only where that payment is made to a customer account; and
- make available for gambling, funds deposited via credit card only after the card issuer has approved the transaction.

### Ordinary code provision

Licensees who choose to offer credit to members of the public who are not themselves gambling operators should also:

- have procedures for checking and scoring applications for credit from such customers, for setting, and for the increase of, credit limits;
- explain these procedures to customers;
- set a maximum credit limit for each customer and not permit customers to exceed that limit without further application;
- apply a 24-hour delay between receiving a request for an increase in a credit limit and granting it in those cases where the limit exceeds that which the operator had previously set;
- not require a minimum spend within a set time period;
- take reasonable steps to ensure that offers of credit are not sent to vulnerable persons, including those who have self-excluded from gambling; and
- ensure that information about an offer of credit includes a risk warning of what may happen in the event of default.

## 2.8 Money lending between customers

### Ordinary code provision

Licensees should seek to prevent systematic or organised money lending between customers on their premises. As a minimum they should have arrangements in place to ensure staff are requested to report any instances of substantial money lending when they become aware of them.

## 3 Fair and open provisions

### Social responsibility code provision

Licensees must be able to provide evidence to the Commission, if required, showing how they satisfied themselves that their terms are not unfair.

### Social responsibility code provision

Licensees must set out within the full rules that they make available, the core elements for the acceptance and settlement of bets. These rules must cover:

- the circumstances under which the operator will void a bet;
- treatment of errors, late bets and related contingencies;
- availability of odds for any ante-post, early show or starting price betting, and treatment of place, forecast bets etc;

- treatment of withdrawals, non-runners, and reformed markets;
- maximum payout limiting liability for a specific betting product or generally;
- any charges made to customers for the use of betting services or products, and how these are calculated (including deductions from winnings for commission, or in respect of withdrawn horses etc);
- means or medium by which the outcome of an event will be determined;
- the rules for the event itself to be specified (eg horserace bets only to be accepted where the racing is subject to Horseracing Regulatory Authority rules);
- where bets are accepted on 'pari-mutuel' terms; and
- any special arrangements for settling bets on 'coupled' horses.

Where special rules have been agreed in relation to a particular bet these must not be overridden by any conflicting rules or subsequent rule changes.

Licensees must issue betting slips or an electronic acknowledgement (other than in the case of telephone betting) for each transaction which include information as to the operator's name and contact details, and words equivalent to 'Bets are accepted in accordance with the operator's rules'.

### **Social responsibility code provision**

In their terms on which bets may be placed (required to be displayed in accordance with mandatory conditions attaching to their premises licences) licensees must give prominence to their rules concerning voiding, late bets and maximum payouts.

When providing facilities for betting on-course, licensees must display on their 'joints' in an intelligible format:

- any rules that differ from Tattersalls' 'Rules on Betting' or the British Greyhound Racing Board's 'Regulations for the conduct of on-course bookmaking' as applicable<sup>3</sup>;
- any types of unorthodox bets accepted (such as forecast betting, betting without the favourite, distance betting etc);
- whether win-only or each way bets are accepted;
- any concessions or bonuses offered;
- all of the runners and the odds available to the public;
- the operator's trading name and contact address;
- the minimum bet accepted; and
- the maximum guaranteed liability.

Licensees operating within the ring at horserace tracks must issue customers with a betting slip or ticket for each transaction accepted. Betting slips or tickets must include the following information:

- operator's name and contact details;
- race day name or code, date and race number;
- name and/or number of the selection;
- the stake and potential return;
- the odds, or whether the bet will be settled according to the Starting Price;
- the type of bet.

Any special rules which have been agreed in relation to a particular bet must not be overridden by any conflicting rules or subsequent rule changes.

<sup>3</sup> The references to Tattersalls' 'Rules on Betting' and the British Greyhound Racing Board's 'Regulations for the conduct of on-course bookmaking' reflect the current position and may need to be amended in future.

### **Ordinary code provision**

Where licensees offer to accept bets, or facilitate the making or acceptance of bets between others, on the outcome of a sport regulated by a sport governing body for the time being included in Part 3 of Schedule 6 of the Act they should take all reasonable steps to familiarise themselves with the rules applied by that body.

## **4 Marketing**

### **Social responsibility code provision**

If a licensee makes available to any customer or potential customer any incentive or reward scheme or other arrangement under which the customer may receive money, goods, services or any other advantage (including the discharge in whole or in part of any liability of his) ('the benefit') the scheme must be designed to operate, and be operated, in such a way that:

- a) the circumstances in which, and conditions subject to which, the benefit is available are clearly set out and readily accessible to customers;
- b) neither the receipt nor the value or amount of the benefit is:
  - (i) dependent on the customer gambling for a pre-determined length of time or with a pre-determined frequency; or
  - (ii) dependent on the amount the customer spends on gambling within a predetermined length of time which is shorter than the whole of the period during which the particular benefit is made available;
- c) if the value of the benefit increases with the amount the customer spends it does so at a rate no greater than that at which the amount spent increases;  
and further that:
- d) if the benefit comprises free or subsidised travel or accommodation which facilitates the customer's attendance at particular licensed premises the terms on which it is offered are not directly related to the level of the customer's prospective gambling.

### **Ordinary code provision**

Licensees should only offer incentive or reward schemes in which the benefit available is proportionate to the type and level of customers' gambling.

### **Ordinary code provision**

Licensees should comply with the advertising codes of practice which apply to the form and media in which they advertise their gambling facilities or services.

## **5 Complaints and disputes**

### **Social responsibility code provision**

Licensees must put in place a written procedure for handling customer complaints and disputes.

In this code a 'complaint' means a complaint about any aspect of the licensee's conduct of the licensed activities, and a 'dispute' is any complaint which:

- a) is not resolved at the first stage of the complaints procedure; and
- b) relates to the outcome of the complainant's gambling transaction.

Licensees must ensure that:

- customers are told the name and status of the person to contact about their complaint;
- customers are given a copy of the complaints procedure on request or on making a complaint; and
- all complaints are handled in accordance with the procedure.

Licensees must also ensure that customers whose disputes are not resolved to their satisfaction by use of the complaints procedure may refer them to an independent third party. The arrangements under which such complaints are referred may, but need not, provide for the third party's decision be binding on the licensee and the customer.

Licensees must keep a record of all complaints that are not resolved at the first stage of the complaints procedure.

Licensees must arrange for a copy of the decision on, or a note of the outcome of, each dispute referred to the independent party to be provided to the Commission quarterly, either by the independent party or by the licensee.

## 6 Gambling licensees' staff

### Social responsibility code provision

Licensees must take all reasonable steps to ensure that staff involved in the provision of facilities for gambling are made aware of advice on socially responsible gambling and of where to get confidential advice should their gambling become hard to control.

Gambling Commission August 2007

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The Gambling Commission regulates gambling in the public interest. It does so by keeping crime out of gambling, by ensuring that gambling is conducted fairly and openly, and by protecting children and vulnerable people from being harmed or exploited by gambling. The Commission also provides independent advice to government on gambling in Britain.

For further information or to register your interest in the Commission please visit our website at: [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)

Gambling Commission  
Victoria Square House  
Victoria Square  
Birmingham B2 4BP

T 0121 230 6500  
F 0121 230 6720  
E [info@gamblingcommission.gov.uk](mailto:info@gamblingcommission.gov.uk)

**APPENDIX 3**

**LETTERS OF REPRESENTATION**

# The Salvation Army

United Kingdom Territory  
with the Republic of Ireland



## Wood Green Christian Centre

24 Lymington Avenue, Wood Green, London. N22 6JA

Telephone: 020-8888 9466

Fax: 020-8888 9755

Mobile: 07799 495674

Email (David Taylor): [david@wgcc.org.uk](mailto:david@wgcc.org.uk) (Church Office): [office@wgcc.org.uk](mailto:office@wgcc.org.uk)

Tuesday, 11 March 2008

Daliah Barrett  
Licensing Officer,  
Haringey Council.

Dear Ms Barrett,

It has come to my attention that an application for a License has been made by Jennings for 144 High Road, Wood Green.

I wish to object to this License.

The grounds for my objection, as someone who has worked in Noel Park for 15 years, is a member of the local Safer Neighbourhoods Noel Park Ward Panel and is presently purchasing a house on Noel Park, are as follows:

1. We already have a Ward priority based upon the presence of gaming venues, and in particular the Quicksilver Gaming Business. Sgt Andy Underwood (90YR) will be able to confirm this priority, and I have enclosed the March 2008 Safer Neighbourhoods newsletter which will support this priority.
2. Furthermore, numerous complaints have been made by residents around young people on the premises who act threateningly outside.
3. I understand that 102 criminal incidents have been linked to gaming and betting venues in Wood Green in the last 12 months and approximately 50 of these have been related to the William Hill bookies on the High Street.

I believe that it is clear that a further application will only serve to escalate the crime and disorder already being experienced within our area and raise the impact that is already being felt by children and vulnerable people.

Furthermore I would be grateful if you could keep me informed by email (contact details – [david@wgcc.org.uk](mailto:david@wgcc.org.uk) ) of any further Licensing applications.

Yours sincerely,

David Taylor  
Major

A Christian Church and a Registered Charity No. 214779, and in Scotland SC009359



**NOEL PARK SAFER NEIGHBOURHOOD TEAM**

Contact us now on – 0208 7212 678 - alternatively email us - [Noelpark.SNT@met.police.uk](mailto:Noelpark.SNT@met.police.uk)

Sergeant Andy UNDERWOOD 90YR  
PC Colin BULLAMORE 677YR  
PC Andy FOSTER 493YR  
PC Jacqui REID 234YR  
PCSO Carol PHILLIPS 7102YR  
PCSO Mel MOUZOURIS 7105YR  
PCSO Mark HARRISON 7191YR  
PCSO Allison SANDERS 7200YR

**Noel Park Safer Neighbourhood Team**  
**9/9A Turnpike Parade**  
**Green Lanes**  
**N15 3EA**

•Telephone: 0208 721 2678

•Office: 0207 161 9506

•Email: NoelPark.SNT@met.police.uk

**Dear Resident,**

Here is the February edition of our newsletter, I hope you find it informative. It is designed to keep you up to date with what your dedicated Safer Neighbourhood Team has been doing to combat crime and improve the quality of life in your area over the past month.

**Ward Priorities**

New ward priorities have been set as follows -

- Quicksilver Alleyway - Area to the rear of 7-27 High Road, N22
- Sky City- Anti Social Behaviour by youths
- Supply of Cannabis

Whilst these remain our priorities we remain committed to tackling all problems across the ward.

**Drugs Warrants**

Over the past month, the team has executed two drugs warrants across the ward with several arrests and numerous quantities of drugs seized. If you believe that any form of illegal drugs is happening where you live Contact the Noel Park Safer Neighbourhood Team now on - 0207 161 9506 alternatively email us at [NoelPark.SNT@met.police.uk](mailto:NoelPark.SNT@met.police.uk).



## **Route 29 Bus Operation**

The team recently assisted Harringay Safer Neighbourhood Team in an operation targeting fare evaders using the route 29 bus, which runs through Wood Green High Road and Green Lanes. The operation was successful with over 1300 fares checked and many fare evaders receiving penalty fines.

## **ASBO'S (Anti Social Behaviour Orders)**

The team are actively working towards gaining anti-social behaviour orders against prolific offenders on our ward. Anti Social Behaviour Orders (ASBO's) originate from the platform of the Crime and Disorder Act 1998 - this piece of legislation was introduced by the government and it focuses on many of the different areas of criminal activity, different crimes and disorderly behaviour.

### **What is anti-social behaviour?**

Anti-social behaviour doesn't necessarily have to be physically based, but obviously this is very relevant. It can also be foul and abusive language, threatening behaviour, assault, shouting, criminal damage, theft, disorderly conduct, vandalism, intimidation & bullying, racial harassment, homophobic behaviour, behaviour as a result of drug or alcohol misuse, noise which is excessive and particularly late in the night time, graffiti & littering - there are many forms and this is by no means an extensive listing. If you believe that any form of anti-social behaviour is happening where you live Contact the Noel Park Safer Neighbourhood Team now on - 0207 161 9506

### **Ward Panel now recruiting:**

The Noel Park SNT ward panel is recruiting for new members to increase the representation of Noel Park residents on the panel. The panel meets approximately every 6 weeks at the Salvation Army Center in Lymington Avenue. We are particularly looking for residents from the Sky City estate and the Noel Park Estate. At these meetings the panel discusses local issues and selects three every six months for the team and partners to work on. If you are interested please contact Sgt Underwood either via e mail or on 0208 721 2678.

### **Burglary**

The threat of burglary remains persistent. A few simple steps can greatly reduce the risk of you becoming a victim. Make sure all doors and windows are locked especially at night. Use a timer to randomly switch your lights on and off if you are away for any length of time.

All the best

Noel Park SNT

Daliah Barrett-Williams  
Licensing Team  
Enforcement Service  
Technopark  
Ashley Road  
Tottenham  
London  
N22 9LN

18/03/08

Dear Sir/Madam

re: **Gambling Act 2005**  
**Premises: Jenningsbet, 144 High Road, Wood Green, London, N22**  
**8LE.**

I write on behalf of William Hill Organization Ltd who trade at premises 8 The Broadway, Wood Green, N22.

Accordingly we have Business interests which may be affected if this application were to be granted. As an interested party William Hill is entitled in accordance with S.158 of the 2005 Act to make representations.

In the betting sector many operators have entered the market using various incentives and inducements to attract business from existing operators and create new customers. These bonuses/concessions are introduced to promote the feeling of low risk gambling.

Jennings have targeted areas with established and mature betting markets and have actively promoted their package of bonuses and concessions. If Jennings are granted a further licence in Wood Green they will provide their package of various incentives and inducements to attract business from existing operators and create new customers. This package, which we shall provide details of to the Licensing Sub-Committee, includes offers such as treble odds on a lucky 15 and back shows.

Further more, in previous court hearings, Jennings have always stated that if they were granted a licence there would be a growth in the betting market. A growth in the market is achieved in two ways: the patrons of the existing betting offices are betting more or persons who are currently not betting are suddenly having a bet.

What the committee must ask itself is would the grant of Jennings with their various incentives and inducements have an effect on the vulnerable at this part of Wood Green. Paragraph 5.20 in the Guidance to Licensing Authorities 2<sup>nd</sup> edition provides the closest definition of "vulnerable persons":-

"The Commission will not seek to define "vulnerable persons", but it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means..."

Betting is a minority activity which will be confirmed by extracts from the Mintel Report. The sub-committee shall then be asked to draw the conclusion that if Jennings are granted a licence then only through enhancements and inducements shall they attract the required business. The sub-committee shall then be asked to decide on whether the enhancements and inducements may lead to the vulnerable being affected.

There are further factors which may be relevant to the application such as over-exposure to gambling in this part of Wood Green which could happen if another gambling outlet was to open. In the immediate vicinity are four licensed betting offices with a further three located on the High Road towards Turnpike Lane, details of which shall be provided to the committee.

Over proliferation which could lead to overexposure is covered at paragraph 7.49 of the guidance to Licensing Authorities which states:-

"Thus, for example, the following examples of possible representations would not be likely to be relevant:

- That there are already too many gambling premises in the locality **(although it may be relevant if it points, as a result, to rising problems in crime, disorder, underage gambling or problem gambling)**;

There is nothing in paragraph 7.49 of the Gambling Commission Guidance or indeed in section 153(2) of the Act which would support the contention that the number of facilities offered by existing premises is an irrelevant consideration in the context of considering an application under section 153(1) of the 2005 Act. Section 153(2) does not say that demand for existing premises is an irrelevant consideration. What it provides is that expected demand for the facilities proposed to be provided in the premises for which the application is made is not a relevant consideration.

William Hill will provide to the sub-committee details of the gambling facilities in this part of Wood Green. The sub-committee will then have an opportunity based on the numbers to make a finding as to whether the grant of the Jennings office may exceed the tipping point and lead to too many gambling premises which could result in a rise in either crime, disorder, underage gambling or problem gambling.

There is nothing in the Gambling Act 2005 which requires William Hill to provide any evidence of risk to the licensing objectives, instead the sub-committees attention shall be drawn to the text "Gambling for Local Authorities" whose editor Philip Kolvin is the chairman of the Institute of Licensing. In the book specific reference is made to a "Statutory Discretion" which allows a sub-committee to take into account other factors when coming to a decision. At paragraph 11.80 it states:-

"However, the expression "aim" sits much less happily in the core discretionary power of a quasi-judicial body. For it is inherent in the concept of aiming that the party aiming may not always succeed in hitting the target. Parliament could have stated that in certain circumstances the authority "shall permit". That is the course it took recently in relation to the Licensing Act 2003, which provides that absent relevant representations premises licence applications must be granted. There are no fewer than nine conditional "shall grant" provisions in the Gambling Act itself.

The indication which can be drawn from this is that Parliament had it in mind that while compliance with sub-paras (a)-(d) may be powerful factors presuming in favour of grant, they are not conclusive factors and may yield to others. Otherwise, "shall aim" becomes "shall", an expression Parliament has apparently deliberately not used here."

We trust that this letter provides details of the risk to the licensing objectives that this application engenders. In the mean time if you require any further information on this matter please do not hesitate to contact me at the above address or e-mail [ndhanjal@williamhill.co.uk](mailto:ndhanjal@williamhill.co.uk), telephone 0208 918 3777.

Yours Sincerely,

Nindi Dhanjal  
Development Manager  
William Hill