

**MINUTES OF THE LICENSING SUB-COMMITTEE A
MONDAY, 17 DECEMBER 2007**

Councillors Patel (Chair), Vanier and Reid

MINUTE NO.	SUBJECT/DECISION	ACTION BY
LSCA01.	<p>APOLOGIES</p> <p>Apologies were received from Councillor Demirci for whom Councillor Reid substituted.</p>	
LSCA02.	<p>URGENT BUSINESS:</p> <p>None.</p>	
LSCA03.	<p>DECLARATIONS OF INTEREST:</p> <p>None.</p>	
LSCA04.	<p>SUMMARY OF PROCEDURE:</p> <p>Noted.</p>	
LSCA05.	<p>FRANKICE, 48 GRAND PARADE N4</p> <p>The Council's Legal Representative, Terence Mitchison, outlined to the Committee the three licensing objectives under the Gambling Act 2005 which are:</p> <ul style="list-style-type: none"> (i) Preventing gambling from becoming a source of crime and disorder, being associated with crime and disorder, or being used to support crime; (ii) Ensuring that gambling is conducted in a fair and open way; and (iii) Protecting children and other vulnerable persons from being harmed or exploited by gambling. <p>The Licensing Officer, Daliah Barrett, presented the her report to the Committee outlining the purpose of the report, the principles to be applied at the hearing, and recommendations from the Licensing Service in respect of the application being heard. Ms Barrett informed the Committee that the were no default conditions under the conditions regulations that relate to adult gaming centres.</p> <p>There were questions to Ms Barrett on the substance of her report from Ian Sygrave, Mario Petrou and Peter Lorimer.</p> <p>The Chair invited the applicants to address the Committee. Peter Etchells, representing the applicants, clarified the position on the planning interface with the license being applied for. He also outlined that the license being applied for would require the licensee to adhere to</p>	

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a number of responsibilities for running an adult gaming centre, such as not allowing under-18 years into the premises. The Committee was also informed that the premises would hold 50 gaming machines with a minimum of two staff at all times, and that the trading hours 9am to 10pm everyday – these to be conditions on the licence. There would also be staff training for all staff at the premises. Mr Etchells also advised that the applicant had reconfigured other adult gaming centres in the area. He further advised that the company had installed CCTV to the interior and exterior of the premises and the operation of these were guided by Head Office guidance. The images from these were stored on the hard-disk and available for police inspection. Mr Etchells informed the Committee that the front windows to the premises were obscured to pedestrians on the street.

Mr Etchells noted that the determination of the application by the Committee should follow the guidance of the 2005 Act and “shall aim to permit the use of the premises for gambling in so far as Members think it:

- (i) in accordance with the relevant Codes of Practice (under s24)
- (ii) in accordance with Guidance by the Gambling Commission (under s25)
- (iii) Reasonably consistent with the three Gambling Licensing Objectives; and
- (iv) In accordance with the Haringey Council Statement of Gambling Policy.

In respect of the representations made by the Haringey Metropolitan Police, Mr Etchells informed the Committee that there was no hard evidence of criminal damage to fruit machines. Mr Etchells continued to list the measures to be taken by the licensee to ensure the licensing objectives were met, namely:

- proof of age for over-21s only operated at the premises at all times it is open.
- Door supervision would not be necessary and therefore not provided.
- Children would be excluded from taking part in gaming and the advertising for the premises would not be aimed at children.
- Vulnerable adults would be dealt with by trained staffed who were trained to identify problems such as gambling beyond means and addiction and with these accordingly, including details about GamCare on hand.
- The design and layout of the premises was standard and had no hidden areas or “knocks and crannies”.
- Staff training would include elements of being tactful and vigilant toward the clientele.
- Physical security would be achieved by the CCTV as mentioned above. The premises would store only a small amount of cash at any one time. There would note/coin machines available.
- Photo proof of age cards would be required to prove over-21

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status.

Mr Etchells ended by stating that there was no evidence that premises of this nature had given rise to violence, public disorder or policing problems.

The Chair invited questions from Committee Members and interested parties. In response to Mr Sygrave's questions, Mr Etchells that there would be four category B machines – this being the maximum allowed. There would also be 46 category C and D machines. There was a new staff training manual for introduced on the inception of the Gambling Act 2005.

In response to Mr Lorimer's questions, Mr Etchells informed that Committee that there were Polish and French staff employed by the company because they recognised the mix of nationalities within the area in the which the premises was located. He confirmed that the staff for the specific premises under consideration had not been recruited yet but that all new staff were expected to be able to deal with non-English speaking clients. In terms of the publication of notices and corporate literature, Mr Etchells confirmed that the company did its best to public literature in as many languages as it felt was necessary and could reasonably provide. Mr Etchells also repeated that staff were trained to deal with vulnerable people and to recognise problems. Mr Etchells also informed the Committee that the premises would have retail style shop displays.

In response to questions from Councillor Vanier, Mr Etchells informed the Committee that there were likely to be between two and 12 customers at any one time and that the two permanent members of staff could cope with this. If however the premises proved to be more popular, the company would recruit more staff. In response to a question put by Councillor Patel, Mr Etchells confirmed that there would be a minimum of two staff at any one time and that he was happy for this to be a condition on the license if the Committee were minded to grant it.

The Chair invited the objectors to address the Committee. Ian Sygrave, representing the Ladder Community Safety Partnership Board (LCSPB), outlined his objections after explaining the background behind the LCSPB and giving the context to the area in which the premises was situated. He highlighted that there was evidence of crime in the area especially relating to existing betting premises which he stated was a direct correlation between the two. He also highlighted that vulnerable people were attracted by the presence of betting premises in the area. Mr Sygrave further highlighted that the area was littered with houses of multiple occupation (HMO) which brought about instances of crime, a concentration of vulnerable people, and new migrant communities who also constituted vulnerable persons in respect of gambling. Mr Sygrave also stated that the demographics of the area highlighted that gambling problems were rife and that over-exposure of gambling premises was a real concern without the addition of further premises.

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Mr Sygrave confirmed that recent dispersal orders witnessed in the area were not related specifically to betting premises but to general anti-social behaviour problems in the area. He also stated that literature relating to problem gambling was widely available and that calls to GamCare had increased.

Peter Lorimer, objector, addressed the Committee and stated that the area's demographics also included a high percentage of low-income families and that there was general evidence that gambling affected low-income earners disproportionately more and other demographic groups. Mr Lorimer suggested that low-income earners often were not capable of making rational financial decisions because of their circumstances. He highlighted his worries about the affects of the proliferation of gaming machines on the fabric of the area. Mr Lorimer confirmed that he was not against gambling *per se* but that over-exposure in that particular area was unhealthy.

Mario Petrou, objector, addressed the Committee and stated that the Council's Planning Committee had not granted permission for the premises. Mr Petrou also outlined a number statistics and demographic data about the area which highlighted deprivation and low-earnings. He stated that there was a high density of HMOs and drew the Committee's attention to the objections of the local MP and ward councillors. Mr Petrou further informed the Committee that there was a large Muslim community in the vicinity of the premises and that such premises were offensive to some within this community. Mr Petrou also highlighted that the premises was in close proximity to St Ann's Hospital at which a unit for young mental health patients was due to open soon and that the provision of gambling facilities in such proximity was concerning. Mr Petrou also referred the Committee to the signature on the petition to prevent the application on the grounds of protecting the community's children and vulnerable people from over-exposure to betting and gambling premise. Mr Petrou finished by stating that there could be no conditions that would reassure objectors to the application.

The Chair invited all parties to sum up their representations.

Mr Etchells stated that there had been some instances of people damaging gaming machines and that there were shared concerns over the vulnerability of low-income earners but that staff training procedures were robust enough to deal with this. Mr Etchells finally confirmed the conditions on the licence in respect of staff numbers and trading hours.

Mr Sygrave summed up by highlighting that the area was a hotspot for crime and that attempt to improve this difficult and a struggle. He also added that the premises would lead to an over-exposure of children to gambling as well as the other groups mentioned above. He summarised the concerns of the Cabinet Member for Enforcement and Community Safety and finished by stating that the objections were aimed specifically at the application because the area along Green Lanes constituted specific and isolated problems.

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	<p>Mr Lorimer Summarised that the applicant had failed to demonstrate anything positive to the community during his representation and gave his support to the objections to the application on behalf the signatories of the petition.</p> <p>Mr Petrou stated that the petition could have contained many thousands more signature than that presented to the Committee outlining the strength of opposition from people within the Community.</p> <p>RESOLVED</p> <p>That the Committee reject the application.</p> <p>The application was rejected because it was not considered to be in accordance with the first licensing objective relating to crime and disorder. Following representations from interested parties, it was established that Green Lanes was an area with special problems of high crime and disorder, and there was evidence that additional gambling facilities of this kind would increase existing crime levels and fear of crime.</p> <p>The application was also rejected because it was not considered to be in accordance with the third licensing objective relating to the protection of children and vulnerable persons. The premises are close to three schools, St Ann's hospital and mental health facilities, and the clinic for children and adolescence mental health patients. There was evidence that the application would lead to the over-exposure and/or involvement of young and vulnerable people in gambling.</p>	
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Councillor JAYANTI PATEL
Chair

DATE: