



NOTICE OF MEETING

Special Licensing Sub-Committee A

MONDAY, 25TH JANUARY, 2010 at 19:00 HRS - CIVIC CENTRE, HIGH ROAD, WOOD GREEN, N22 8LE.

MEMBERS: Councillors Patel (Chair), Demirci and Reid

AGENDA

1. APOLOGIES FOR ABSENCE

2. URGENT BUSINESS

It being a special meeting of the Sub Committee, under Part Four, Section B, Paragraph 17 of the Council's Constitution, no other business shall be considered at the meeting.

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. SUMMARY OF PROCEDURE (PAGES 1 - 2)

The Chair will explain the procedure that the Committee will follow for the hearing considered under the Licensing Act 2003 or Gambling Act 2005. A copy of the procedure is attached.

5. BETFRED, 513 GREEN LANES, LONDON N4 (PAGES 3 - 62)

To consider an application 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").

Please note: it being a special meeting of the Committee, under the Council's Constitution Part 4, Section B, Paragraph 17, no other business may be considered at the meeting.

Ken Pryor
Deputy Head of Local Democracy &
Member Services, 5th Floor
River Park House
225 High Road
Wood Green
London N22 8HQ

Natalie Cole
Principal Committee Coordinator
(Non Cabinet Committee)
Tel: 020-8489 2919
Fax: 020-8489 2660
Email: Natalie.cole@haringey.gov.uk

Friday, 15 January 2010

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:

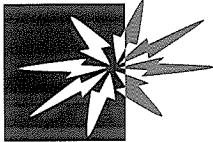
- In accordance with any relevant code of practice
- In accordance with Gambling Commission guidance
- Reasonably consistent with the licensing objectives of the Gambling Act 2005
- In accordance with this licensing authority's Statement of Principles

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.



Haringey Council

Agenda item:

[No.]**Gambling Act 2005 Licensing Sub-Committee****On 25th JANUARY 2010**

Report Title. Application for a Premises Betting Licence for BETFRED, 513 GREEN LANES, LONDON, N4

Report of **The Lead Officer - Licensing**

Signed :

Contact Officer : **Ms Daliah Barrett** (Telephone 020 8489 8232)
(Daliah.Barrett@Haringey.gov.uk)

Authorised Officer: **Robin Payne** (Head of Enforcement Service)

Signed :

Wards(s) affected: **Noel Park**

Report for: **[Key / Non-Key Decision]**

1. Purpose of the report

To consider an application by **DONE BROTHERS (CASH BETTING)LTD, T/A BETFRED** 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:

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

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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),
- d) In accordance with the statement published by the authority under section 349 (subject to paragraphs (a) to (c)

2.2. 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.

3. Recommendations

3.1. On Considering 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.

4. Background

Application by DONE BROTHERS (CASH BETTING)LTD for a Premises Licence in respect of BETFRED, 513 GREEN LANES, LONDON N4 under the Gambling Act 2005. The application has followed the prescribed format and all consultations have been undertaken. The applicant has an Operating License granted by the Gambling Commission. App 1

4.1. 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.

4.2. 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)
- 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.

4.3. 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.

4.4. The Committee are asked to consider the application in light of the representation received from residents 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 2- Codes of Practice)

4.5. 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).

5. Relevant Representation (Consultation)

Responsible Authorities:

5.1. The Licensing Authority

No Comments received in relation to this application

5.2. The Gambling Commission

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

5.3. London Fire and Civil Defence Authority

No comments received in relation to this application

5.4. The Planning Department

No comment received in relation to this application

5.5. Environmental Health - Health and Safety/Noise Team/Pollution

No comments received in relation to this application

5.6. Trading Standards

Have no objections to this application

5.7. Safeguarding children nominee

No comments in relation to this matter

5.8. Her Majesty's Commissioners of Custom and Excise

Have received notification of the application

5.9. 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,
- c) Represents persons who satisfy paragraph (a) or (b)

Representations has been made by residents which point to there being an over proliferation of betting premises in the area which they feel raises the concerns in relation to the vulnerable people who live in that area. The letters also speak of anti social behaviour currently being experienced at the existing betting premises in the locality.

6. Financial Comments

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

7. 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)

8. Executive Summary

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

9. Access to Information

9.1. Local Government (Access to Information) Act 1985
Background Papers

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

- File: DONE BROTHERS (CASH BETTING)LTD, 513 GREEN LANES, LONDON N4
- The Background Papers are located at Enforcement Service, Civic Centre, High Road Wood Green N22

Licensing Information

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 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

Section 169 of the Act gives licensing authorities:

- The ability to exclude from premises licenses any default conditions that have been imposed under the Conditions Regulations; and
- The power to impose extra conditions on the premises licenses that they issue.

The Default condition to be attached under the Conditions Regulations to any premises license unless they are excluded by the Licensing Authority, this is:

Default condition 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.

In addition there are discretionary powers under the 2005 Act to impose specific types of conditions as described below.

The Gambling Commission Guidance takes the view that the conditions necessary for the general good conduct of gambling premises will be those set as default and mandatory conditions by the Secretary of State. Therefore a pool of additional conditions published by the Commission is not necessary. Where there are specific risks or problems associated with a particular locality or specific premises or class of premises the local licensing authority will be able to attach individual conditions to address this. Conditions imposed by the local licensing authority must be proportionate to the circumstances. Conditions must be:

- Relevant to the need to make the proposed building suitable as a gambling facility
- Directly related to the premises and the type of licence applied for
- Fairly and reasonably related to the scale and type of premises, and
- Reasonable in all other respects

Door Supervisors.

This is a discretionary condition

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.

Betting Machines

This is a discretionary condition

Section 181 Betting Machines

- (1) A condition of a betting premises licence may relate to –
 - (a) the number of machines used on the premises for the purpose of making or accepting bets;
 - (b) the nature of those machines;
 - (c) the circumstances in which those machines are made available for use.



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Town and Country Planning Act 1990 (As amended)

Plan relating to the Enforcement Notice dated

513 Green Lanes N4



Robin Payne
 Assistant Director
 Enforcement Service
 1st Floor
 Techno Park
 Ashley Road
 Tottenham
 N17 9LN

	Drawn by	Haringey Council
	Scale	1:1000
	Date	14/01/2010
	Drawing	N/A

APPENDIX -1

APPLICATION FORM

**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 for 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? Yes 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 – 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):

[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]

3. Applicant's address (home or business – *[delete as appropriate]*):

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.

[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: Done Brothers (Cash Betting) Limited T/A Betfred
[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:

Spectrum
56-58 Benson Road
Birchwood
Warrington

Postcode: WA3 7PQ

8(a) The number of the applicant's operating licence (as given in the operating licence):
000-001058-N-102469-001

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.

[Where there are further applicants, the information required in questions 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): BETFRED

11. Address of the premises (or, if none, give a description of the premises and their location):
513 GREEN LANES
HARRINGAY

Postcode: N4 1TA

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 premises is a ground floor unit, being part of a three storey building. The upper floors are no part of this application. The application is to provide ground floor betting facilities.

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

No *[delete as appropriate]*

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] [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.

	<i>Start</i>	<i>Finish</i>	<i>Details of any seasonal variation</i>
Mon	<i>hh:mm</i>	<i>hh:mm</i>	
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:

N/A

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 *[delete as appropriate]*

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?

Yes *[delete as appropriate]*

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

474 High Road, Tottenham, London

90/92 West Green Road, Tottenham, London

20. Please set out any other matters which you consider to be relevant to your application:

Please see attached.

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: Mark Stebbings

Date: (dd/mm/yyyy) Capacity: Development Manager

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: _____

[Where there are more than two applicants, please use an additional sheet clearly marked "Signature(s) of further applicant(s)". The sheet should include all the information requested in paragraphs 21 and 22.]

[Where the application is to be submitted in an electronic form, the signature should be generated electronically and should be a copy of the person's written signature.]

Part 8 – Contact Details

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

Mark Stebbings

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

01925 288 584

24. Postal address for correspondence associated with this application:

Development Dept.

Betfred

Spectrum

56-58 Benson Road

Birchwood, Warrington

Postcode:WA3 7PQ

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:

mark.stebbing@betfred.com

NOTICE OF APPLICATION FOR A PREMISES LICENCE

This notice is issued in accordance with regulations made under section 160 of the Gambling Act 2005

Notice is hereby given that the organisation whose details are given in the Schedule to this notice have made an application for a **Betting** premises licence:

The application relates to the following premises:

Betfred
513 GREEN LANES
HARRINGAY
N4 1TA

The application has been made to the following licensing authority:

The Licensing Team
Haringey Council
Urban Environment
Units 271-272
Lee Valley Technopark
Ashley Road
Tottenham
London N17 9LN

Website: www.haringey.gov.uk

Information about the application is available from the licensing authority, including the arrangements for viewing the details of the application.

The following person connected with the applicant is able to give further information about the application:

Mark Stebbings - Development Department – 07971 979572/01925 288583
mark.stebbing@betfred.com

Any representations under section 161 of the Gambling Act 2005 must be made no later than the following date: 24th December 2009

The organisation making the application is as follows:

Done Brothers (Cash Betting) Limited T/A Betfred
Spectrum
56-58 Benson Road
Birchwood
Warrington
Postcode: **WA3 7PQ**

The number of the operating licence held by the Applicant is **000-001058-N-102469-001**

GAMBLING COMMISSION

Conditions and Codes of Practice applicable to:

Non-remote General Betting Licences
Non-remote Pool Betting Licences
Non-remote Betting Intermediary Licences

December 2008

Your licence is subject to certain conditions and codes of practice, these are detailed in the following pages

Statutory conditions attached by virtue of the Act

Social responsibility

This licence is subject to a condition that the licensee ensures compliance with any relevant social responsibility provision of a code of practice issued by the Commission. The social responsibility provisions that are relevant to the activities authorised by this licence are set out in the section entitled Codes of Practice.

(Sections 24 and 82(1) Gambling Act 2005)

Return of stakes to children

The following condition applies to all operating licences except pool betting operating licences restricted to football only

This licence is subject to a condition that if the licensee (or anyone employed by the licensee to perform an operational function within the meaning of Section 80 of the Act) becomes aware that a child or young person is using or has used facilities for gambling provided in reliance on the licence, the licensee:

- (a) must return any money paid in respect of the use of those facilities (whether by way of fee, stake or otherwise) by the child or young person as soon as is reasonably practicable; and
- (b) may not give a prize to the child or young person.

This condition does not apply to use of a Category D gaming machine.

(Section 83(1))

The following condition applies to pool betting operating licences restricted to football only

This licence is subject to a condition that if the licensee (or anyone employed by the licensee to perform an operational function within the meaning of Section 80 of the Act) becomes aware that a child is using or has used facilities for gambling provided in reliance on the licence, the licensee;

- (a) must return any money paid in respect of the use of those facilities (whether by way of fee, stake or otherwise) by the child as soon as is reasonably practicable, and
- (b) may not give a prize to the child.

This condition does not apply to use of a Category D gaming machine.

(Section 83(1))

Other statutory conditions

This licence is subject to a condition that nothing may be done in reliance on the licence in relation to a bet on the outcome of a lottery which forms part of the National Lottery.

(Section 95(2))

The following condition applies to all general betting operating licences only

This licence is subject to a condition that bets may be accepted on behalf of the licensee only by:

- (a) the licensee;
- (b) a person employed by the licensee under a written contract of employment; or
- (c) the holder of another general betting operating licence.

(Section 92(1))

The following condition applies to all pool betting operating licences only

This licence is subject to a condition that bets may be accepted on behalf of the licensee only:

- (a) by the licensee,
- (b) by a person employed by the licensee under a written contract of employment,
- (c) by the holder of another pool betting operating licence, or
- (d) by an agent, provided the agent is authorised by the licensee in writing to accept bets on behalf of the licensee, the agent is an adult, at the time of accepting the bet the agent is on a track, the bet is accepted in reliance on an occasional use notice and the bet is in connection with a horse race or dog race
- (e) where this pool betting operating licence authorises (whether expressly or impliedly) the provision of facilities for football pools, by an adult or young person authorised by the licensee in writing to make documents or other facilities available in connection with the licensed activities, to receive entries on behalf of the licensee, to receive payments on behalf of the licensee, or to make payments of winnings on behalf of the licensee.

(Section 93(1),(2) &(3))

Commission General Conditions

The Commission's complete suite of Licence Conditions to be attached to operating licences pursuant to section 75 of the Act includes some conditions which may not apply to your licence. Where that is the case the irrelevant conditions have not been reproduced below. The full list of Licence Conditions and Codes of Practice are contained within the Commission's Publication "Licence Conditions and Codes of Practice"

Qualified persons and personal licences**Qualified persons****The following condition applies to all 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 X¹ 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 X¹.

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.

The following condition applies to all general betting licences issued to small-scale operators

Schedule Y¹ 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.

¹ The schedules mentioned here will be attached to individual licences.

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.

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')
- (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
- in the case of casino and bingo licences only, 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) 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.

Financial robustness

Notification of shareholders

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 1159 of the Companies Act 2006 or any statutory modification or re-enactment thereof.

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.

Cash handling

Licensees, as part of their internal controls and financial accounting systems, must have and put into effect 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.

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.

Betting intermediaries

The following condition applies to betting intermediary operating licences only

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).

Pool betting

The following condition applies to all pool betting operating licences except those restricted to football only

Licensees must inform the Commission, within 14 days, in writing, of any person they authorise under 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.

The following condition only applies to all pool betting operating licences which authorise football pools

Licensees must inform the Commission, within 14 days, in writing, of any person they authorise under 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 on request.

The following condition applies to all pool betting operating licences only

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

Access to premises

Licensees must have and put into effect 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.

Information requirements

Reporting suspicion of offences etc

Licensees must provide the Commission with any information that they:

- know relates to or 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
- suspect may 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 sufficient information to conduct an effective investigation if the licensee suspects that information in their possession may:

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

Reporting 'Key Events'

A key event is an event that could have a significant impact on the nature or structure of a licensee's business. 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 five working days of the licensee becoming aware of the event's occurrence².

- in the case of licensees which are companies, a petition being presented for their winding up or the winding up of any group company of theirs, or they or any group company being placed in administration or receivership: in this condition a 'group company' is any subsidiary or holding company of the licensee – as those terms are defined in section 1159 of the Companies Act 2006 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 being presented with a petition for their bankruptcy or sequestration or their entering into an individual voluntary agreement
- where the licensee is required to have their 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 unqualified audit report
- the departure from the licensee's business of any person occupying a 'qualifying position' as defined by Regulation 2(2) of the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006
- 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
- the imposition of a disciplinary sanction, including dismissal, against the holder of a personal licence or a person occupying a qualifying position for gross misconduct; or the resignation of a personal licence holder or person occupying a qualifying position following commencement of disciplinary proceedings in respect of gross misconduct against that person
- in the case of remote gambling, the commencement or cessation of trading on website domains (including WAP URLs) or broadcast media through which the licensee provides gambling facilities.

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
- 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 require³.

² Key events can be reported securely online at the Commission's website at www.gamblingcommission.gov.uk or by email to key.events@gamblingcommission.gov.uk or posted to Key Events, Compliance Administration Team, Gambling Commission, Victoria Square House, Victoria Square, Birmingham B2 4BP

³ Regulatory returns can be submitted securely online at the Commission's website at www.gamblingcommission.gov.uk. For operators unable to access this system, the forms and a guide to completing them can be requested from the Commission and returned by email to Regulatory>Returns@gamblingcommission.gov.uk or by post to Regulatory Returns, Compliance Administration Team, Gambling Commission, Victoria Square House, Victoria Square, Birmingham, B2 4BP

Secretary of State General Conditions

None at present

Codes of practice

Introduction

This is the Commission's principal code of practice, issued under section 24 of the Gambling Act 2005, as revised with effect from 1 January 2009. There are two types of provision in the code:

- social responsibility provisions: compliance with these is a condition of licences; therefore any breach of them by an operator may lead the Commission to review the operator's licence with a view to suspension, revocation or the imposition of a financial penalty and would also expose the operator to the risk of prosecution; and
- ordinary code provisions: these do not have the status of licence conditions, but are admissible in evidence in criminal or civil proceedings and must be taken into account in any case in which the court or tribunal think them relevant and by the Commission in the exercise of its functions. Any breach of ordinary code provisions by an operator may be taken into account by the Commission on a licence review, but cannot lead to imposition of a financial penalty. These code provisions generally set out good practice in these areas.

Financial requirements

The following code applies to all general betting operating licences, all betting intermediary operating licences and all pool betting operating licences, 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; and 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
- adopt (or reflect in their procedures) the Association of British Bookmakers' guidelines.

Ordinary code provision

In order to help prevent activities related to money laundering licensees should take into account the Commission's advice on the Proceeds of Crime Act 2002, *Duties and responsibilities under the Proceeds of Crime Act 2002. Advice for operators (excluding casino operators)*.

Protection of children and other vulnerable persons

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
- a commitment to and how they will contribute to public education on the risks of gambling and how to gamble safely
- a commitment to and how they will contribute to the identification and treatment of problem gamblers.

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
- 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 must 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 must 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
- is legible and has no visible signs of tampering or reproduction.

In the case of non-remote pool betting licensees, where pool 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:

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

Ordinary code provision

The Commission considers acceptable forms of identification to include any identification carrying the PASS logo (for example Citizencard or Validate); a driving licence (including a provisional licence) with photocard; or a passport.

Licensees should put into effect 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 put into effect 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.

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.

The information must cover:

- any measures provided by the licensee to help individuals monitor or control their gambling, such as restricting the duration of a gambling session or the amount of money they can spend
- timers or other forms of reminders or 'reality checks' where available
- self-exclusion options
- information about the availability of further help or advice.

The information must be directed to all customers whether or not licensees also make available material which is directed specifically at customers who may be 'problem gamblers'.

For gambling premises, information must be available in all areas where gambling facilities are provided and adjacent to ATMs where these are not located in a gambling area. As a minimum, information must be displayed prominently on posters appropriate to the size and layout of the premises and contained in leaflets that may be taken away. Licensees must take all reasonable steps to ensure that this information is also readily accessible in locations which enable the customer to obtain it discreetly.

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
- 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.

Customer interaction

Social responsibility code provision

Licensees must put into effect 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
- 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 must be consistent with, and implemented with due regard to, licensees' duties in respect of the health and safety of their staff.

Self-exclusion

Social responsibility code provision

Licensees must have and put into effect 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, as soon as practicable, take all reasonable steps to prevent any marketing material being sent to a self-excluded customer.

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.

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 put into effect procedures designed to ensure that an individual who has self-excluded cannot gain access to gambling. These procedures must 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
- 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 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), the self-exclusion remains in place, unless the customer takes positive action in order to gamble again. No marketing material should 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 the self-exclusion, and makes a positive request to begin gambling again, the customer is given one day to cool off before being allowed access to gambling facilities. The contact must be made via telephone or in person.

The licensee should retain the records relating to a self-exclusion agreement at least until the agreement has been formally ended.

(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.)

Employment of children and young persons

The following code applies to all pool betting operating licences restricted to football only

Ordinary code provision

Licensees who employ young persons (16 and 17 year olds) to sell tickets, collect payments or pay out winnings should have and put into effect 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.

The following code applies to all general betting and all pool betting operating licences only

Ordinary code provision

Licensees who employ children (under-16-year-olds) 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 and put into effect policies and procedures designed to ensure that:

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

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
- make available for gambling, funds deposited via credit card only after the card issuer has approved the transaction.

The following code applies to all general betting and all pool betting operating licences only

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 all reasonable steps to ensure that offers of credit are not sent to vulnerable persons, including those who have self-excluded from gambling
- ensure that information about an offer of credit includes a risk warning of what may happen in the event of default.

Money lending between customers

The following code applies to all general betting operating licences only

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.

‘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.

The following code applies to all general betting and all betting intermediary operating licences only

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
- 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 a betting slip or an electronic acknowledgement (other than in the case of telephone betting) for each transaction which includes information as to the operator’s name and contact details, and words equivalent to ‘Bets are accepted in accordance with the operator’s rules’.

The following code applies to all general betting operating licences 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 applicable⁴
- 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
- 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.

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 on betting, in particular betting by registered participants.

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 the customers to whom it is offered;

⁴ 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.

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) altered or increased if the qualifying activity or spend is reached within a shorter time than the whole period over which the benefit is offered;

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

All advertising of gambling products and services should be undertaken in a socially responsible manner. In particular, 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, and for media not explicitly covered should apply the principles included in these codes of practice as if they were explicitly covered. Licensees should also follow any relevant industry code of practice on advertising.

However, the particular restriction on allowing people aged under 25 to appear in adverts need not be applied to point of sale advertising material, provided that the images used depict the sporting activity that may be gambled on and not the activity of gambling itself and do not offend any other aspect of the advertising codes.

Complaints and disputes

Social responsibility code provision

Licensees must put into effect 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
- all complaints are handled in accordance with the procedure.

Licensees must also ensure that they have arrangements in place for disputes to be referred to an independent third party. Customers whose disputes are not resolved to their satisfaction by use of the operator's complaints procedure may refer those disputes to this independent third party.

The arrangements under which such complaints are referred may, but need not, provide for the third party's decision to 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.

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.

Pool betting

The following code applies to all pool betting operating licences only

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.

The following code applies to all pool betting operating licences 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 Act, 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 Act 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 must 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 must be displayed as soon as practicable
- display prominently the minimum stake that will be accepted as a bet.

Information requirements

Ordinary code provision

The Commission expects licensees to work with the Commission in an open and cooperative way and to inform the Commission of any matters that the Commission would reasonably need to be aware of in exercising its regulatory functions. These are matters that will have a material impact on the licensee's business or on the licensee's ability to conduct its business. Such matters, which should be notified to the Commission as soon as reasonably practicable⁵, include the following:

- the departure from the licensee's business of any person named in the licence application, or that person's successor, who holds a personal management licence, but who does not occupy a 'qualifying position'
- any reduction in the number of staff employed by the licensee where that has a material impact on the licensee's business
- the acquisition or disposal by the licensee of gambling premises or pitches where that has a material impact on the size or nature of the licensee's business
- in the case of corporate licensees, the disposal or acquisition of any group company where that has a material impact on the licensee's ability to conduct its business
- any disposal of the licensee's assets where that has a material impact on the licensee's business
- any investigation by a professional, statutory, regulatory or government body into the licensee's activities, or the activities in relation to the licensed entity of a personal licence holder or a person occupying a qualifying position employed by them, where such an investigation could result in the imposition of a sanction or penalty which, if imposed, could reasonably be expected to raise doubts about the licensee's continued suitability to hold a Gambling Commission licence
- any instance of criminal activity, including repeated instances of small-scale theft or fraud, where that has a material impact on the licensee's business
- any major breach in the licensee's information security where that adversely affects the confidentiality of customer data or prevents customers from accessing their accounts for a substantial period of time
- any other matters that have a material impact on the licensee's business or on the licensee's ability to conduct its business.

⁵ These matters can be reported securely online at the Commission's website at www.gamblingcommission.gov.uk or by email to key.events@gamblingcommission.gov.uk or posted to Key Events, Compliance Administration Team, Gambling Commission, Victoria Square House, Victoria Square, Birmingham, B2 4BP

Gambling Commission December 2008

Keeping gambling fair and safe for all

For further information or to register your interest in the Commission please visit our website at: **www.gamblingcommission.gov.uk**

Copies of this document are available in alternative formats on request.

Gambling Commission, Victoria Square House, Victoria Square, Birmingham B2 4BP

T 0121 230 6666

F 0121 230 6720

E info@gamblingcommission.gov.uk

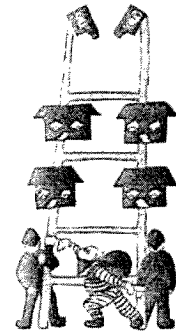
LCCP 08/07

APPENDIX – 3

REPRESENTATIONS FROM RESIDENTS

LADDER COMMUNITY SAFETY PARTNERSHIP ...keeping crime off

P.O. Box 32109 Haringey London N4 1GN
lcsp@blueyonder.co.uk



the "Ladder"

Jalilah Barrett
Lead Officer, Licensing

20 December 2009

Re: 513 Green Lanes, N4 1TA

Dear Dale,

Herewith the letter of objection from the LCSP, on behalf of local residents. Attached are requests from 2 local residents, in Warham + Seymour Rds, asking the LCSP to act on their behalf.

It is also likely that I will be calling a police officer to act as a witness to give evidence on the day of the hearing.

Very best wishes for Christmas

Ian

From: "ben swift" <benswifty@yahoo.co.uk>
To: "LCSP [Ladder]" <lcsp@blueyonder.co.uk>
Sent: 16 December 2009 21:07
Subject: Betting Shop 513 Green Lanes

Dear Ian Sygrave,

As a resident of Warham Road Harringay N4 who lives in close proximity to the proposed betting shop (Betfred) at 513 Green Lanes, I would like the LCSP to represent my objections at the Licensing Committee hearing (and any subsequent appeal, should the need arise). Sadly since moving into this area my neighbourhood has become blighted by betting outlets. At the bottom of my road there are now 4 betting shops no more than 20 square meters from each other. I have witnessed its customers standing outside intimidating my wife with cat calls and other sexist behaviour. Many of the customers are drunk, smoking and offensive to the public and throwing their rubbish on the floor. The Betting outlet will invite crime an antisocial behaviour. Valuable police time is taken up by having to patrol the areas outside the betting outlets and Betfred will only add to the overstretching of police resources. With this in mind I would greatly appreciate it the LCSP could represent my wife's and my objections at the Licensing Committee hearing.

Sincerely

Mr And Mrs Ben Swift
89 Warham Road
London
N4 1As

16/12/2009

From: "Anette Collins" <anette_collins@hotmail.com>
To: "LCSP" <lcsp@blueyonder.co.uk>
Sent: 16 December 2009 20:43
Subject: Betting shop licence application

Dear Ian

I live in very close proximity to the proposed Betfred betting shop at 513 Green Lanes, and I would really like the LCSP to represent my objections at the Licensing Committee hearing (and any subsequent appeal, should the need arise).

Thank you!

regards,

Anette Collins
79 Seymour Road
London N8 0BJ

16/12/2009



Licensing Team
London Borough of Haringey
1st Floor, Lee Valley Technopark
Ashley Road
Tottenham
London N17 9LN

Dear Miss Barrett,

22nd December 2009

Re: 513 Green Lanes, Premises Licence for Gambling

We are writing to you on behalf of the Haringay Traders Association to object to the above application. Our objections are based on two of the key gambling objectives.

- 1) Preventing gambling from being a source of crime and disorder, being associated with crime or disorder, or being used to support crime.

We believe that gambling premises such as betting shops attract serious crime into the area. e.g Armed robbery, criminal damage, theft and personal injury. Such premises offer a warm and inviting environment in which undesirable elements can congregate. There are no other premises in the area that can provide such a free opportunity. From the perspective of the Traders Assoc, we are concerned that the criminal activity caused by such premises could harm our High Street.

- 2) Protecting children and other vulnerable persons from being harmed or being exploited by gambling.

This premises is located in the heart of a residential area with a high concentration of families and children, consequently there are four schools in close proximity to the proposed betting shop. Many residents will frequent our local shops and in particular the Post Office which is located next door. The traders are concerned that their customers maybe reluctant to shop on Green Lanes once it has become associated with a huge number of gambling outlets. We are also very concerned that this is subconsciously sending out a negative message to our youth, that gambling is part of the norm.

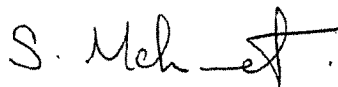
We are also aware that the Green Lanes area has a disproportionately large number of vulnerable adults. This is because of the mental health facilities at St Ann's Hospital, the clinic in Burgoyne Road, the numerous hostels in the Ladders and the Garden roads, and the large number of vulnerable adults living in rented accommodation such as HMOs. We are concerned that these numerous vulnerable

persons maybe harmed or exploited by the ever increasing number of attractively presented betting shops.

We are writing to object on behalf of all the Traders on Green Lanes, but in addition, we asked some of the local traders in closest proximity to the proposed site for their opinion, and we have enclosed their views.

In summary, there was unanimous opposition to this application for yet another betting shop on Green Lanes in addition to the existing seven of which three are located within 50m of the proposed site.

Yours Sincerely,



Mr S Mehmet
Chair
Harringay Traders Assoc

.encl

Harringay Traders Assoc
C/o 523 Green Lanes, London N4 1AN
T:020 8348 0870 f: 020 8340 6474
www.harringay4shops.com

Express your view on a new Betting Shop

An application has been made to Haringey Council by Betfred for a licence for a new betting shop at 513 Green Lanes (formerly the Nationwide, near the Post Office).

Please let us know what you think about this by writing your name and address and ticking the appropriate box to indicate whether you: *support this application; are not sure; oppose it.*

Name	Address	support application	not sure	oppose application
Tao Sports	Rob Chau 523 Green Lanes	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pound Plus Centre	525 GREENLANES	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D. Williams	519 Green LANES	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Jar Bapovai	517 Green Lanes	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Tess Mealey	517 Green Lanes	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
L. PRO IT	515 Green Lane	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D. FORINA	Post Office 509 GREEN LANE	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Elan Silver	Vinkworths 10-11 Grand Parade	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Pinos	Adali 3 - Grand Parade	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
D. PAPA	D.P. More Chemist 4 Grand Parade, Green Lanes NASH	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
SAVINA LTD. IMPORT & EXPORT 3 Grand Parade, Green Lane, London N4 1JL Tel: 020 8802 3438 VAT NO: 879 6999 13	3 - Grand Parade	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Barrett Daliah

From: Pavlos Mastiki [pavtravels@yahoo.co.uk]
Sent: 22 December 2009 14:55
To: Barrett Daliah
Cc: Cllr Canver Nilgun
Subject: Betting shop at 513 Green Lanes: objection to the application for a gambling premises

Dear Daliah

Betting shop at 513 Green Lanes: objection to the application for a gambling premises

Thank you for consulting me on this matter. I am writing to object to the application for two reasons:

- 1 The increasing number of gambling venues in our area is leading to anti-social behavior. An increasing number of men loiter outside existing betting shops in the area and at times the atmosphere is threatening. I believe that a new betting shop will make the situation worse, by increasing the amount of venues where people can potentially loiter.
- 2 Gamblers tend to be young adult males from ethnic minority backgrounds with generally very few prospects. The increasing number of betting shops will only **encourage more vulnerable young people** (e.g. from nearby schools and Saint Anne's Mental Health Unit) to perceive gambling as a way of life instead of focusing on developing their prospects.

We should be doing more to empower these young people to develop their full potential. However, encouraging them to gamble (by making more gambling venues available and highly visible) will be counter productive .

Could you please acknowledge this objection and let me know of the outcomes of the consultation.

Regards

P Mastki (9 grand parade)

22/12/2009

This email has been scanned by the MessageLabs Email Security System.
For more information please visit <http://www.messagelabs.com/email>

Barrett Daliah

From: Berry Adam
Sent: 22 December 2009 12:09
To: Barrett Daliah
Cc: Cllr Canver Nilgun
Subject: Objection to the Proposed Betting Shop at 513 Green Lanes

Dear Dahlia,

Please find forwarded Cllr Canver's objection to the proposed betting shop at 513 Green Lanes which she has asked me to forward to you:

Dear Daliah,

Re: Objection to a proposed betting shop at 513 Green Lanes.

I am writing to you to register my objection to the recent application for a gambling premises license at 513 Green Lanes. My objection to the license is based on two points, namely, the prevention of gambling becoming a source of crime or disorder, being associated with crime or disorder, or being used to support crime and the protection of children and other vulnerable persons from being harmed, or exploited by gambling.

It is well known that betting shops attract crime into an area in a way that ordinary shops do not, often increasing activities such as Loitering, Anti Social Behaviour, Criminal Damage and Armed Robbery. Men who use the betting shops often congregate outside of the shops causing anti social behaviour for residents in particular women. Our recent survey in the area proves that loitering is one of the key concerns that local residents have.

The increased risks that such a premises would bring would have a direct effect on the large numbers of children and vulnerable adults in the area. There are a number of schools as well as a number of services for vulnerable adults near to the proposed premises including St Ann's Mental Health Unit, the clinic in Burgoyne Road, not to mention the number of vulnerable adults in HMO's, hostels and bedsits in supported housing. The profile of problem gamblers tends to be young adult males, from minority ethnic backgrounds, often in poor health and/or in poor living conditions. Unfortunately this is a demographic readily found in this area and it is for these reasons I am objecting to the application for a gambling premises license.

Please note my objection to this application ahead of the deadline on Wednesday 23rd December.

Yours Sincerely,

Councillor Nilgun Canver
Cabinet Member for Enforcement and Community Safety
Chair of Green Lanes Strategy Group

Best Wishes,

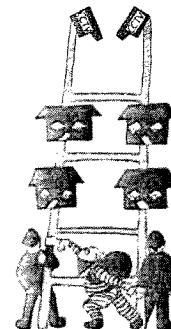
Adam Berry
Cabinet Support Officer - Cllr Lorna Reith
River Park House
225 High Road
Wood Green
London
N22 8HQ

22/12/2009

(020) 8489 2966

LADDER COMMUNITY SAFETY PARTNERSHIP ...keeping crime off

P.O. Box 32109 Haringey London N4 1GN
lcsp@blueyonder.co.uk



the "Ladder"

Daliah Barrett
Lead Officer, Licensing
Haringey Council
Units 271-2 Lea Valley Technopark
Ashley Rd
London N17 9LN

20 December 2009

Dear Ms Barrett

Premises licence: Betting: 513 Green Lanes, N4 1TA

The Ladder Community Safety Partnership (LCSP) contains representatives of Neighbourhood Watches and Residents' Associations from the 'Ladder' roads, adjacent to Green Lanes, Haringay, and from Wightman Road and Green Lanes itself. We are an independent group, although working in partnership with Haringey Council and the Metropolitan Police where appropriate.

Residents discussed this application at the LCSP's monthly meeting on 10 December and agreed on the reasons for their objection, which are outlined in this letter.

We believe that in the context of the **well known problems in the area, (including the crime which betting shops seem to attract), coupled with high-density residential accommodation and local schools**, granting permission for yet another Betting Shop in Green Lanes, Haringay, would be against two of the three key Licensing Objectives of the Gambling Act 2005:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime
- Protecting children and other vulnerable persons from being harmed, or exploited by gambling

Evidence for our concerns is given in sections 2 and 3 below

1. Green Lanes context

The proposed betting shop is located in the heart of Green Lanes, and is **very close to all of the seven existing betting shops, and the Adult Gaming Centre**. Indeed two are virtually adjacent (507 and 519 Green Lanes, with another opposite, at 12 Grand Parade).

The clustering of such premises in a small area in not in general a relevant representation. **However**, a key passage in the **Guidance to Licensing Authorities (2nd edition, June 2007)** indicates it can be relevant in certain instances:

'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)'*

We believe that it is indeed relevant in the Green Lanes area and that therefore the ever-increasing number of gambling premises is of the greatest significance in terms of crime and disorder, and vulnerable adults and increasing problem gambling.

Green Lanes is not a typical 'High Street', in that it contains a very large number of non A1 uses (ie not shops), currently at well over 40%, but set as a general rule at 35% in the UDP. This is relevant and significant because many of the non A1 premises already offer gaming/gambling machines, especially in the numerous social clubs, cafes, and pubs. There are also, of course, many lottery outlets in newsagents and grocers, not to mention the eight existing outlets devoted entirely to gambling.

2. Crime and Disorder Issues

The large number of premises with gaming machines provides an obvious target for irate punters who have lost money (criminal damage cases), while professional criminals or opportunist crime target both the machines and the cash in transit. Staff and innocent bystanders are also vulnerable.

In a recent incident an armed robber held up a betting shop at 559 Green Lanes (Sept 08) and threatened to shoot the terrified cashier. The robber has since been caught and sentenced to 7 years (Oct 09) but his accomplice remains at large, and the cashier was so traumatised by the event that she has been forced to leave her job. In addition, customers and passers-by were also put at obvious risk.

Official Crime figures

Figures from the police, show that during the (financial) year 2009-09 there were 46 recorded crimes concerning ^{Green Lanes} betting shops, while for the first three quarters of the present financial year (April-mid December 2009) there were 37. This means that 83 criminal acts have taken place in Green Lanes since April 2008 which are directly attributable to the presence of betting shops (figures relate to 6 of the 7 betting shops in Green Lanes, and include offences such as criminal damage - the majority - theft and commercial robbery).

It should be remembered that these are **only the recorded figures**: the number of actual incidents is **likely to be considerably greater as many cases are simply not reported**. This is because betting shops do not wish to be associated with too many such occurrences for fear that their licence may be called in for review.

It is worth noting that the figures reveal large numbers of instances of **criminal damage to machines, especially FOBTs** (Fixed Odds Betting Terminals) A typical offence is committed out of anger and frustration when a punter loses his money: offenders are almost invariably male. FOBTs, especially those offering £500 in prize money, are very addictive (see also below 3d) . Links between crime and addiction are extremely well known and there is **little doubt that some customers will be committing acquisitive crime in the local area to feed their addiction**.

In this context of gambling-induced crime, it is worth noting that the Green Lanes area has been the focus of a campaign to reduce burglary. For instance, crime prevention officers in January 2008 identified Harringay ward's residents as the first candidates for receipt of free timer switches, funded by the Borough Association of Neighbourhood Watches. Since then, there has also been a concerted - and ongoing - effort by the Harringay SNT police to improve security at vulnerable domestic properties throughout the Ladder roads in order to reduce the likelihood of burglary.

It is hard to avoid the conclusion that the local community in and around Green Lanes would be put at an increasing risk of crime if more gambling outlets were to open in Green Lanes, especially those offering greater access to a larger number of high prize money machines than are already available.

3. Children and Vulnerable Persons Issues

Haringey's 'Statement of Gambling Policy' (p5) makes it clear that *'when determining an application to grant a Premises Licence or review a Premises Licence, regard will be had to the proximity of the premises to schools, vulnerable adult centres or residential areas where there may be a high concentration of families with children'*

All of these factors are relevant here, as shown below.

3a) Schools and Children

The site of the proposed betting shop is between **North and South Harringay Schools** (Mattison and Falkland Roads respectively). There are also **many other facilities for children nearby**, for example in Cavendish Rd and Woodlands Park Rd. As they are local schools, most of the children will live in Harringay and St Ann's wards, in the residential streets of the Ladder and the Gardens. In addition, of course, there are many other children between the ages of 11 and 18 who live in the area..

Local parents have told the LCSP that they **do not want their children to be over-exposed to ever-increasing numbers of gambling premises on their way to and from school**, or to the shops and the post office - which, incidentally, is next door to the proposed betting shop. More and more gambling premises, passed several times every day, mentally creates an impression that gambling is somehow only to be expected as a dominant presence in daily life. **This is not the sort of environment in which parents should be forced to bring up their children.**

3b) Mental Health Care for Children and Young People

In 2008 a new clinic opened in Burgoyne Rd, which is close to Green Lanes and the proposed new betting shop. This centre specialises in Child and Adolescent Mental Health. It attracts even more vulnerable young people into the area, not just from the locality but from all of Haringey and even other areas of North London.

3c) Vulnerable adults

There is an **unusually high number of vulnerable adults in the area**. Indeed, so well known are the numbers and problems of vulnerable people in the area that the Drug and Alcohol advisory services for Haringey Council launched **a special outreach scheme in December 2007, specifically for the local community around Green Lanes**. Known as the Turkish Café Project, this scheme makes help available in a range of local community languages.

There are three main reasons for these high numbers:

(i) the extensive **mental health care facilities at St Ann's Hospital**, which draws in vulnerable adults from a broad area of North London.

(ii) an **exceptional number of vulnerable adults** living in '*care in the community*' in the **two wards adjacent to Green Lanes**. In March 2007, Haringay ward had 12 hostels and St Ann's 8, **the first and third highest numbers of hostels for all 19 wards in the Borough**. (In comparison, 8 wards had none or only one).

(iii) There is also an unusually high number of vulnerable adults in the area because of the **huge number of HMOs (Houses in Multiple Occupation)**. Haringay ward has the largest number of *any* ward in the Borough, with St Ann's not too far behind. This was recognised by the setting up in 2007 of a special Council Working Group on HMOs, with particular reference to these two wards. Too often, family houses have fallen victim to excessive subdivision (quite often illegally) into large numbers of **poor quality small units**, which are **often found to be homes of young single men - many of them vulnerable adults: recent migrants, asylum seekers, refugees, those who lack the means to live anywhere else**. Such adults may be all too willing to take a gamble, believing that they have nothing to lose. Academic studies in a number of countries, including Australia, Sweden and the United States, have shown **the rate of problem gambling to be several times higher among minority or immigrant groups** than the rest of the population.

3d) Vulnerable Adults and Problem Gambling

The lives of vulnerable adults are clearly harmed by addiction.

FOBTs (Fixed Odds Betting Terminals) are recognised as highly addictive. As early as 2003, the government expressed its concerns about the growing number of FOBTs as an undesirable development. Tessa Jowell MP, then Secretary of State at the DCMS, in a written statement to Parliament (8 Jan) said:

'The Government has noted with concern the increasing installation in licensed betting offices of machines, described as fixed odds betting machines, which enable customers to play virtual casino games.... We take the view that the uncoordinated proliferation of high-prize machine-gaming on the high street risks seriously increasing problem gambling'

This led to the limitation of 4 high-value FOBTs in a betting shop and a code of practice for

FOBTs in Nov 2003.

However, as betting shops proliferate in a given area, so too do the FOBTs, and granting this application would increase their number in a tiny area of Green Lanes from 28 to 32 - surely a cause for concern, and an '*uncoordinated proliferation*'. A limit of 4 per shop is clearly meaningless to a gambler when such large numbers are available almost next door.

Evidence for Problem Gambling

GamCare (funded by the gaming industry) is the leading agency offering help and support to problem gamblers. Their Annual Reports reveal the **steadily increasing numbers of people seeking help** each year, with a **68% increase between 2006-2008** (Ref 1). These large figures are only the tip of the iceberg: the Gambling Commission estimates that there are a **quarter of a million problem gamblers** in Britain, but Gamblers Anonymous thinks it is **well over half a million**. It's certainly a significant and growing problem.

GamCare's Annual Reports reveal that their callers seeking help were **largely male, and that the key age-group was 18-35 years old - the very group which are above-average in numbers in the two wards either side of Green Lanes**, often single, living in poor or sub-standard accommodation such as HMOs (see 3c.(i) above). This is based on latest census returns which, it is recognised, are an **underestimate** in this case, because many such vulnerable adults simply do not fill in their returns.

Problems of increased availability for vulnerable adults

We are seriously concerned that more gambling outlets in Green Lanes will simply provide more temptation, through increased availability, for the very large number of vulnerable local adults in the area. There is plenty of academic research which supports this stance, ie that **increased availability leads to more gambling and more problem gambling for the vulnerable**.

One recent study (supported by Gamcare - Ref 2) noted how '*the more marginalised and deprived are often the most susceptible*' (to problem gambling and debt). Moreover, '*gamblers who had self-excluded [in a bid to control their addiction] from one or two venues in a locality tended to move between different gambling operators as a strategy to avoid detection...*' (p122).

In other words, more gambling outlets in an area make life more tempting for problem gamblers.

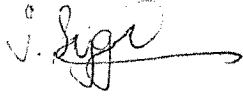
Conclusion

In the light of all this evidence, the conclusion must be that an increased number of gambling outlets in Green Lanes will have seriously adverse impact on two of the key licensing objectives.

The increased risk of crime, whether violent or acquisitive, could obviously affect literally anyone; children will be at an increased risk of exposure to more gambling; while the large number of vulnerable adults are far more likely to gamble (or worse still, fall victim to addiction) given an increased availability of outlets and FOBTs in Green Lanes.

We do not believe that any conditions could be imposed sufficient to meet all of our serious concerns under the two key licensing objectives, noted above, and we therefore urge the refusal of this application.

Yours sincerely

A handwritten signature in black ink, appearing to read 'J. Siga', with a long horizontal flourish extending to the right.

on behalf of the LCSP

Ref 1: The figures from the GamCare annual reports are as follows:

2006 30,247 calls

2007 37,806 calls

2008 50,788 calls

Ref 2: *Gambling and Debt Pathfinder Study 2009*, produced jointly by Manchester Metropolitan University, Gamcare, the Money Advice Trust and the Salvation Army

GAMBLING COMMISSION

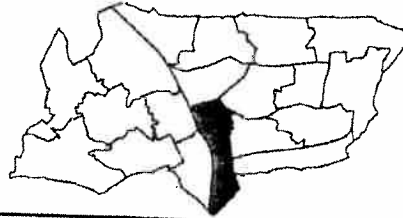
Guidance to Licensing Authorities 2nd Edition June 2007

- 7.49 The Secretary of State and Scottish Ministers have made regulations under section 160 of the Act concerning notice of application. These require applicants for premises licences to give notice of their application to the responsible authorities. They also stipulate that applicants publish notice of their application in a local newspaper and display it on the premises for the benefit of interested parties. These provisions apply, with one or two necessary modifications, in relation to applications for provisional statements and some ancillary applications that can be made in relation to a premises licence. Responsible authorities will have a legitimate interest in the development of the premises, because of the functions that they will need to carry out in relation to them. But licensing authorities must take care to ensure that the concerns that responsible authorities may have in relation to their own functions are not taken into account if they are not relevant to the application for a premises licence under the Act. 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);
 - that the proposed premises are likely to be a fire risk;

2001 CENSUS DATA: WARD PROFILE
Haringey

Source: 2001 Census; Crown Copyright

Produced by Haringey Council
Policy and Partnerships
April 2004

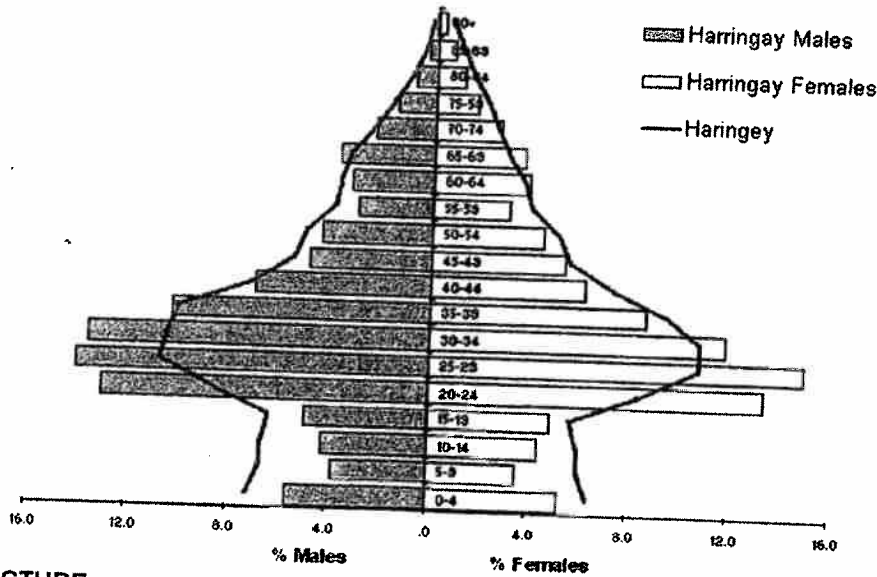


POPULATION AND HOUSEHOLD TENURE

	no.	%	Borough Average	diff.
POPULATION				
Male	10,525	100.0	216,507	n.a
Female	5,219	49.6	47.9	1.7
HOUSEHOLDS				
Owner Occupied	4,520	100.0	92,170	n.a
Council	2,124	47.0	45.8	1.2
Housing Association	353	7.8	19.7	-11.9
Private Rented / Other	411	9.1	10.5	-1.4
	1,632	36.1	23.9	12.2

Fig 1: Population pyramid - Haringey and Haringey Ward

Source: KS01, KS18



AGE STRUCTURE

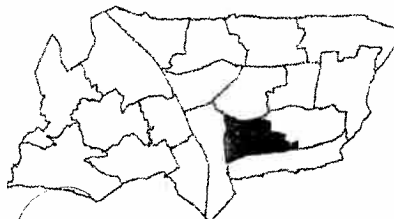
	no.	%	Borough Average	diff.
0-4				
5-9	573	5.4	6.8	-1.4
10-14	386	3.7	6.3	-2.6
15-19	452	4.3	6.3	-2.0
20-24	512	4.9	6.0	-1.1
25-29	1,385	13.2	8.5	4.7
30-34	1,525	14.5	10.7	3.7
35-39	1,334	12.7	10.7	2.0
40-44	993	9.4	9.8	-0.3
45-49	689	6.5	7.2	-0.6
50-54	533	5.1	5.5	-0.4
55-59	464	4.4	5.0	-0.6
60-64	320	3.0	3.9	-0.9
65-69	371	3.5	3.6	-0.1
70-74	383	3.6	3.1	0.5
75+	262	2.5	2.4	0.1
	344	3.3	4.3	-1.0

Source: KS02

2001 CENSUS DATA: WARD PROFILE
St Ann's

Source: 2001 Census; Crown Copyright

Produced by Haringey Council
 Policy and Partnerships
 April 2004

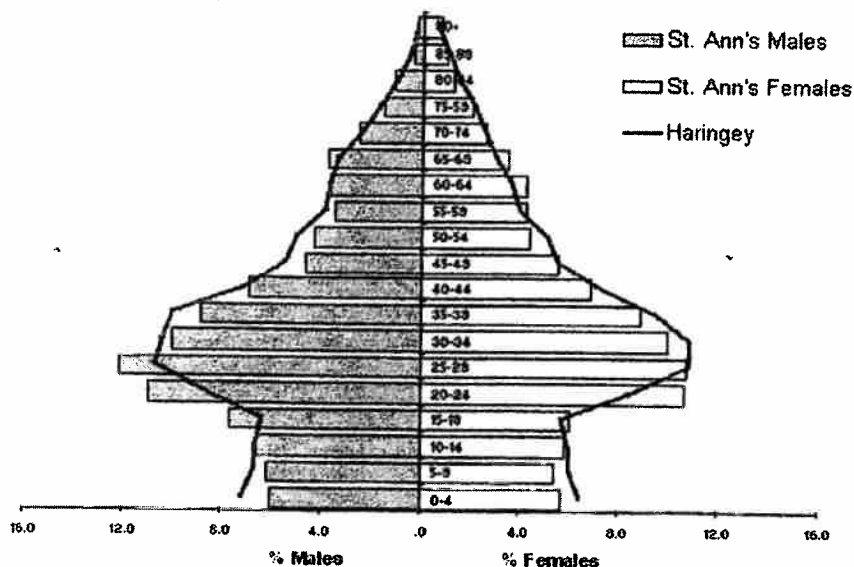


POPULATION AND HOUSEHOLD TENURE

	no.	%	Borough Average	diff.
POPULATION	12,603	100.0	216,507	n.a
Male	6,218	49.3	47.9	1.5
Female	6,385	50.7	52.1	-1.5
HOUSEHOLDS	4,865	100.0	92,170	n.a
Owner Occupied	2,274	46.7	45.8	0.9
Council	964	19.8	19.7	0.1
Housing Association	425	8.7	10.5	-1.8
Private Rented / Other	1,202	24.7	23.9	0.8

Source: KS01, KS18

Fig 1: Population pyramid - Haringey and St. Ann's Ward



AGE STRUCTURE

	no.	%	Borough Average	diff.
0-4	734	5.8	6.8	-1.0
5-9	729	5.8	6.3	-0.5
10-14	775	6.1	6.3	-0.1
15-19	859	6.8	6.0	0.8
20-24	1,364	10.8	8.5	2.4
25-29	1,441	11.4	10.7	0.7
30-34	1,259	10.0	10.7	-0.7
35-39	1,115	8.8	9.8	-0.9
40-44	866	6.9	7.2	-0.3
45-49	641	5.1	5.5	-0.4
50-54	544	4.3	5.0	-0.7
55-59	485	3.8	3.9	-0.1
60-64	494	3.9	3.6	0.3
65-69	451	3.6	3.1	0.4
70-74	319	2.5	2.4	0.1
75+	512	4.1	4.3	-0.2

Source: KS02

24 DEC '09 00:08

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TO:

P02

Licensing Unit
Haringey Council
23-12-09

Mario Petrov
Hearts of Haringey
Po Box 45129
London, N15 3XF

Re: 513 Queen Lanes N8 1TA

I very strongly object to the granting of a premises license to the Bone Brothers (cash betting) Ltd t/a Betfred for 513 Queen Lanes N8.

This proposed establishment is too near schools, the post office is next door where many young people with or without an accompanying adult frequently use, & many vulnerable people living in the area use the health services or come into the area to use them. Many local women are anxious when walking past groups of men that routinely congregate outside all the existing gambling shops. So why should this one be any different?

Local people are fed up with the rate of anti-social problems that the cumulative effect the high number of gambling shops are causing in the area, that is also a drain on the limited & stretched resources of the Council & other responsible authorities - like the Police.

Shouldn't residents have a meaningful say about such things within their local area?

The licensing committee must note that the Queen Lanes area is saturated with betting shops, which are detrimentally affecting the ambience & the balance of the retail mix.

People are not going to want to move into the area & families will start leaving it.

Please refuse this application.
yours sincerely
M Petrov

Barrett Daliah

From: Cllr Alexander Karen
Sent: 20 December 2009 11:20
To: Barrett Daliah
Cc: Cllr Baker Carolyn
Subject: Licensing Application: 513 Green Lanes, London

Licensing Application: 513 Green Lanes, London

As local ward councillor for Harringay ward I would like to make the following representation in respect of this application.

I would ask the licensing committee to consider the 2 licensing objectives which apply in this case, namely:-

1. Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime. Whilst I am aware that sheer numbers are not in themselves grounds for the application to be denied, there is now such a concentration of betting shops in this short parade of shops that they are likely to attract crime like armed robberies, burglary and muggings (from people to get money to gamble).
2. Protecting children and vulnerable persons from being harmed or exploited by gambling. Within the immediate vicinity are two primary schools and St Ann's Hospital which cares for vulnerable adults with mental health problems.

For the above reasons I would ask that the Licensing Committee refuse this application.

Yours faithfully

Karen Alexander

Liberal Democrat Councillor for Harringay Ward
karen.alexander2@haringey.gov.uk
020 8348 3892 / 07875 490055

Barrett Daliah

From: MULREADY, Nora [MULREADYN@parliament.uk]
Sent: 04 December 2009 14:36
To: Barrett Daliah
Cc: 'LCSP [Ladder Community Safety Partnership]'
Subject: Correction - Objection to Licence for 513 Green Lanes

Please see below email from David Lammy MP

I am writing in my capacity as Member of Parliament for Tottenham to object in the strongest terms to the above licence.

This local area is in danger of becoming saturated with gambling outlets, going far beyond what is needed to provide choice for those that wish to gamble.

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

The number of premises makes it very difficult for the authorities to monitor their individual impact and any crime or disorder caused. However, local Safer Neighbourhood Teams have advised that betting shops in the local area are often sources of antisocial behaviour and that dealing with situations in and around them takes up a lot of police time.

The betting shops and gambling establishments along Green Lanes often have large groups of men, more recently accompanied by young boys, congregating outside. They are often smoking and drinking alcohol and causing a deeply uncomfortable and intimidating atmosphere for people who walk past. There is no doubt that the proliferation of betting shops has harmed our local area and I believe that another one would simply consolidate this harm.

Local people want a vibrant and diverse range of establishments on their high street. Another betting shop would detract further from this aim, both by yet another premises being used as a betting shop *and* by decreasing the attractiveness of Green Lanes to other businesses looking for somewhere to invest/open a new business. Granting this appeal would therefore be actively harmful to the future of the local area.

A sizable number of people live above the businesses on Green Lanes itself and are particularly affected by these issues.

2. **Protecting children and other vulnerable person's from being harmed or exploited by gambling**

A number of schools, nurseries, and key community buildings are very close to the proposed site. St. Ann's Hospital, which is used by many vulnerable people, including people with mental health problems, is a short walk from Green Lanes and from the proposed site. It is therefore a serious concern this betting shop could cause harm to children and vulnerable people in the area.

An increase in the number of betting premises on Green Lanes - which, if they are new, tend to be brightly lit, modern and inviting - could increase the attractiveness and accessibility of gambling in an area frequented by a large number of young people and vulnerable adults. In making a decision I hope you will take into account the impact on those that do gamble or may do so with little further encouragement. In an area like Tottenham and Haringey where many people are on low incomes, we can ill afford to increase the prevalence, accessibility and attractiveness of gambling in this way.

In conclusion, for the reasons outlined above, I would like to ask that this application is refused and that the very real concerns of local residents are placed above the desires of betting shop proprietors.

Yours sincerely

David

07/12/2009

DAVID LAMMY
Member of Parliament for Tottenham