

NOTICE OF MEETING

LICENSING SUB COMMITTEE A

Monday, 4th February, 2019, 7.00 pm - Civic Centre, High Road, Wood Green, N22 8LE

Members: Councillors Vincent Carroll (Chair), Dhiren Basu and Luke Cawley-Harrison

Quorum: 3

1. FILMING AT MEETINGS

Please note this meeting may be filmed or recorded by the Council for live or subsequent broadcast via the Council's internet site or by anyone attending the meeting using any communication method. Although we ask members of the public recording, filming or reporting on the meeting not to include the public seating areas, members of the public attending the meeting should be aware that we cannot guarantee that they will not be filmed or recorded by others attending the meeting. Members of the public participating in the meeting (e.g. making deputations, asking questions, making oral protests) should be aware that they are likely to be filmed, recorded or reported on. By entering the meeting room and using the public seating area, you are consenting to being filmed and to the possible use of those images and sound recordings.

The Chair of the meeting has the discretion to terminate or suspend filming or recording, if in his or her opinion continuation of the filming, recording or reporting would disrupt or prejudice the proceedings, infringe the rights of any individual, or may lead to the breach of a legal obligation by the Council.

2. APOLOGIES FOR ABSENCE

3. URGENT BUSINESS

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

4. DECLARATIONS OF INTEREST

A member with a disclosable pecuniary interest or a prejudicial interest in a matter who attends a meeting of the authority at which the matter is considered:

(i) must disclose the interest at the start of the meeting or when the interest becomes apparent, and

(ii) may not participate in any discussion or vote on the matter and must withdraw from the meeting room.

A member who discloses at a meeting a disclosable pecuniary interest which is not registered in the Register of Members' Interests or the subject of a pending notification must notify the Monitoring Officer of the interest within 28 days of the disclosure.

Disclosable pecuniary interests, personal interests and prejudicial interests are defined at Paragraphs 5-7 and Appendix A of the Members' Code of Conduct

5. 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.

6. APPLICATION FOR A PREMISES LICENCE FOR AN ADULT GAMING CENTRE LICENCE FOR G T PROMOTIONS LTD (PAGES 3 - 136)

To consider an application by GT Promotions to provide the provision of Adult gaming facilities at Unit 1, 450-454 High Road Tottenham London N17 9JN.

7. ITEMS OF URGENT BUSINESS

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

Glenn Barnfield, Principal Committee Co-ordinator
Tel – 020 8489 2939
Fax – 020 8881 5218
Email: glenn.barnfield@haringey.gov.uk

Bernie Ryan
Assistant Director – Corporate Governance and Monitoring Officer
River Park House, 225 High Road, Wood Green, N22 8HQ

Friday, 25 January 2019

LICENSING SUB-COMMITTEE HEARINGS PROCEDURE SUMMARY

INTRODUCTION

1. The Chair introduces him/herself and invites other Members, Council officers, Police, Applicant and Objectors to do the same.
2. The Chair invites Members to disclose
 - i) any prior contacts (before the hearing) with the parties or representations received by them; and separately
 - ii) any declarations of interest.
3. The Chair explains the procedure to be followed by reference to this summary which will be distributed in advance.

NON-ATTENDANCE BY PARTY OR PARTIES

4. If one or both of the parties fails to attend, the Chair decides whether to:
 - (i) grant an adjournment to another date, or
 - (ii) proceed in the absence of the non-attending party.
 Normally, an absent party will be given one further opportunity to attend.

TOPIC HEADINGS

5. The Chair suggests the “topic headings” for the hearing. In the case of the majority of applications for variation of hours, or other terms and conditions, the main topic is:

Whether the extensions of hours etc. applied for would conflict with the four licensing objectives i.e.

- (i) the prevention of crime and disorder,
- (ii) public safety,
- (iii) the prevention of public nuisance, and
- (iv) the protection of children from harm.

6. The Chair invites comments from the parties on any other topic headings to be discussed.

WITNESSES

7. The Chair asks whether there are any requests by a party to call a witness and decides any such request.
8. Only if a witness is to be called, the Chair then asks if there is a request by an opposing party to “cross-examine” the witness. The Chair then decides any such request.

DOCUMENTARY EVIDENCE

9. The Chair asks whether there are any requests by any party to introduce late documentary evidence.
10. If so, the Chair will ask the other party if they object to the admission of the late documents.
11. If the other party do object to the admission of documents which have only been produced by the first party at the hearing, then the documents shall not generally be admitted.

12.	If the other party object to documents produced late but before the hearing, the following criteria shall be taken into account when the Chair decides whether or not to admit the late documents:
(i)	What is the reason for the documents being late?
(ii)	Will the other party be unfairly taken by surprise by the late documents?
(iii)	Will the party seeking to admit late documents be put at a major disadvantage if admission of the documents is refused?
(iv)	Is the late evidence really important?
(v)	Would it be better and fairer to adjourn to a later date?
THE LICENSING OFFICER'S INTRODUCTION	
13.	The Licensing Officer introduces the report explaining, for example, the existing hours, the hours applied for and the comments of the other Council Services or outside official bodies. This should be as "neutral" as possible between the parties.
14.	The Licensing Officer can be questioned by Members and then by the parties.
THE HEARING	
15.	This takes the form of a discussion led by the Chair. The Chair can vary the order as appropriate but it should include:
(i)	an introduction by the Objectors' main representative
(ii)	an introduction by the Applicant or representative
(iii)	questions put by Members to the Objectors
(iv)	questions put by Members to the Applicant
(v)	questions put by the Objectors to the Applicant
(vi)	questions put by the Applicant to the Objectors
CLOSING ADRESSES	
16.	The Chair asks each party how much time is needed for their closing address, if they need to make one.
17.	Generally, the Objectors make their closing address before the Applicant who has the right to the final closing address.
THE DECISION	
18.	Members retire with the Committee Clerk and legal representative to consider their decision including the imposition of conditions.
19.	The decision is confirmed in writing within five working days of the hearing.

Report for: Licensing Sub Committee 4th February 2019

Item number:

Title: Determination of Application for a Premises Licence for an Adult Gaming Centre Licence for G T Promotions Ltd, Unit 1, 450-454 High Road Tottenham London N17 9JN

Report authorised by : Director of Community and Environment.

Lead Officer: Daliah Barrett – Licensing Team Leader

Ward(s) affected: Tottenham Hale

**Report for Key/
Non Key Decision:** Non key

1. Describe the issue under consideration

To consider an application by GT Promotions to provide the provision of Adult gaming facilities at the above address and that the holder of such a license must hold a gaming machine general operating license from the Commission. If granted this would enable the Operator to make available for use up to four category B machines: any number of category C machines and any number of category D machines. Regulations state that category B machines at adult gaming centres are restricted to sub-category B3 and B4 machines. The applicant is seeking the ability to operate 24hrs per day 7 days per week. **Appendix 1**

2. Principles to be applied:

This application must be considered under the three licensing objectives:

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

3. Recommendations

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. Reasons for decision

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

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

4.2 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.

5. Alternative options considered

None

6. Background information

6.1 An adult gaming centre premises licence entitles the holder to make gaming machines available for use within an adult gaming centre. The holder of an adult gaming centre premises licence can make available gaming machines from categories B3, B4, C and D.

6.2 A maximum of 20% of the total number of gaming machines made available for use on the premises can be from categories B3 or B4. There is no limit on the number of category C or D machines that can be made available under an adult gaming centre premises licence.

6.3 Under section 47 (5) of the Gambling Act 2005, it is an offence to invite or permit a child or young person to enter an adult gaming centre.

6.4 The application contained all the requisite documentation including the application fee and a plan of the premises.

6.5 It can be confirmed that the application has been advertised in accordance with the requirements of the Gambling Act 2005 and associated regulations and that notice of the application has also been served on all responsible authorities.

6.6 The application was also accompanied by a copy of the applicant's local risk assessment for this premises. A copy of the risk assessment can be seen at **Appendix 2**.

7. Representations

Responsible Authorities

- 7.1 Representations have been received from:
The Metropolitan Police,
Licensing Authority
Public Health – and letter from Doctor Grewel

As the responsible authorities identified in the Gambling Act 2005 and

associated regulations.

- 7.2 Interested Parties
representation has been received from interested parties. These are
Residents
Ward Councillors
Tottenham Regeneration Team
- 7.3 The representation raises concerns about the following licensing objectives:
- 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
- 7.4 A copy of the representation received can be seen at **Appendix 3**.
- 7.5 The applicants and their representative Mr Etchells met with the Licensing Officer and Police Licensing Officer on 24th January 2019 to discuss their application. Whilst no mediation was reached the applicants submitted a list of proposed conditions in response to the concerns raised in the letters of representation and matters highlighted at the meeting. **Appendix 4**

8 Legal implications

- 8.1 The Section 153 of the Gambling Act 2005, provides that in determining applications the licensing authority shall aim to permit the use of the premises for gambling in so far as it thinks it is–
- (a) in accordance with any relevant code of practice under section 24,
 - (b) in accordance with any relevant guidance issued by the Commission Under section 25,
 - (c) reasonably consistent with the licensing objectives (subject to paragraphs (a) and (b)), and
 - (d) in accordance with the statement published by the authority under section 349 (subject to paragraphs (a) to (c)).
- 8.2 A copy of the Gambling Commission’s sector specific Conditions and Codes of Practice applicable to Adult Gaming Centres can be seen at **Appendix 5**.
- 8.3 The latest version of the Gambling Commission’s Guidance to Licensing Authorities is available on line at :-
<https://www.gamblingcommission.gov.uk/PDF/GLA5.pdf>
- Parts 1 (General), 9 (Premises licence conditions) and 21 (Adult Gaming Centres) are relevant to this application.
- 8.4 A copy of the Council’s Statement of Gambling Policy, published in accordance with section 349 of the Gambling Act 2005 can be seen at **Appendix 6**.

Determination

- 9 If the licensing authority issues an adult gaming centre premises licence, this will be subject to the mandatory conditions applicable to such premises licences, as prescribed under section 167 of the Act. A copy of the mandatory conditions applicable to adult gaming centres can be seen at **Appendix 7**.
- 9.1 Further to the mandatory conditions, where a licensing authority issue a premises licence they may –
- (a) attach a condition to the licence
 - (b) exclude a condition that would otherwise be attached to the licence by virtue of section 168 of the Act (default conditions)
- 9.2 There are however no default conditions prescribed under section 168 of the Act in relation to adult gaming centre premises licences.
- 9.3 Where a licensing authority grants or reject an application for a premises licence, they shall as soon as is reasonably practicable give notice to –
- The applicant
 - The Gambling Commission
 - Any person who made representations about the application
 - The Chief Officer of Police for the area
 - Her Majesty's Commissioners of Customs and Excise
- 9.4 If the application is granted, this notice –
- (a) must be in the prescribed form,
 - (b) if the licensing authority have attached a condition to the licence under section 169(1)(a) or excluded under section 169(1)(b) a condition that would otherwise have attached by virtue of section 168, must give the authority's reasons, and
 - (c) if representations were made about the application under section 161, must give the authority's response to the representations.
- 9.5 If the application is rejected, this notice –
- (a) must be in the prescribed form, and
 - (b) must give the authority's reasons for rejecting the application.
- Where a licensing authority rejects an application for a premises licence, the applicant may appeal.
- 9.6 Where a licensing authority grant an application for a premises licence, either of the following may appeal –
- (a) a person who made representations in relation to the application

(b) the applicant

9.7 Appeals must be instituted in the Magistrates Court for the area within 21 days beginning with the day on which the appellant receives notice of the decision against which the appeal is brought.

10. FOR DECISION

6.1 The Sub-Committee must consider and determine the application.

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Appendix 1

Application form

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

WK/4.24197
AG/109105606

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,

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LICENSING
RECEIVED

- 9 NOV 2018

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RECEIVED

13 NOV 2018

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 <input type="checkbox"/> | Large Casino <input type="checkbox"/> | Small Casino <input type="checkbox"/> |
| Bingo <input type="checkbox"/> | Adult Gaming Centre <input checked="" type="checkbox"/> | Family Entertainment Centre <input type="checkbox"/> |
| Betting (Track) <input type="checkbox"/> | Betting (Other) <input type="checkbox"/> | |

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: GT PROMOTIONS LTD

[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:

GROVEDELL HOUSE, 15 KNIGHTSWICK ROAD, CANVEY ISLAND, SS8 9PA

Postcode: SS8 9PA

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

000-027024-N-308751-001

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):

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

Unit 1, 450-454 High Road, Tottenham, N17 9JN

Postcode: N17 9JN

12. Telephone number at premises (if known):

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?
NO *[delete as appropriate]*

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

20. Please set out any other matters which you consider to be relevant to your application:
See covering letter, plan and Gambling Risk Assessment

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

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.

Part of the Ground Floor of a 3 storey building

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.

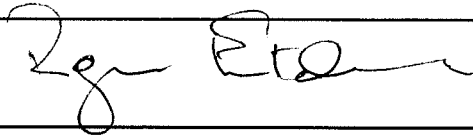
	<i>Start</i>	<i>Finish</i>	<i>Details of any seasonal variation</i>
Mon	<i>hh:mm</i>	<i>hh:mm</i>	
Tue			
Wed			
Thurs			
Fri			
Sat			
Sun			

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:

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: ROGER ETCHELLS

Date: 8/11/2018 (dd/mm/yyyy) Capacity: DULY AUTHORISED AGENT

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:

ROGER ETCHELLS

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

01530 417554

24. Postal address for correspondence associated with this application:

ROGER ETCHELLS, THE OLD BANK, KILWARDBY STREET, ASHBY DE LA ZOUCH

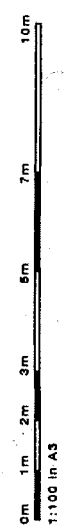
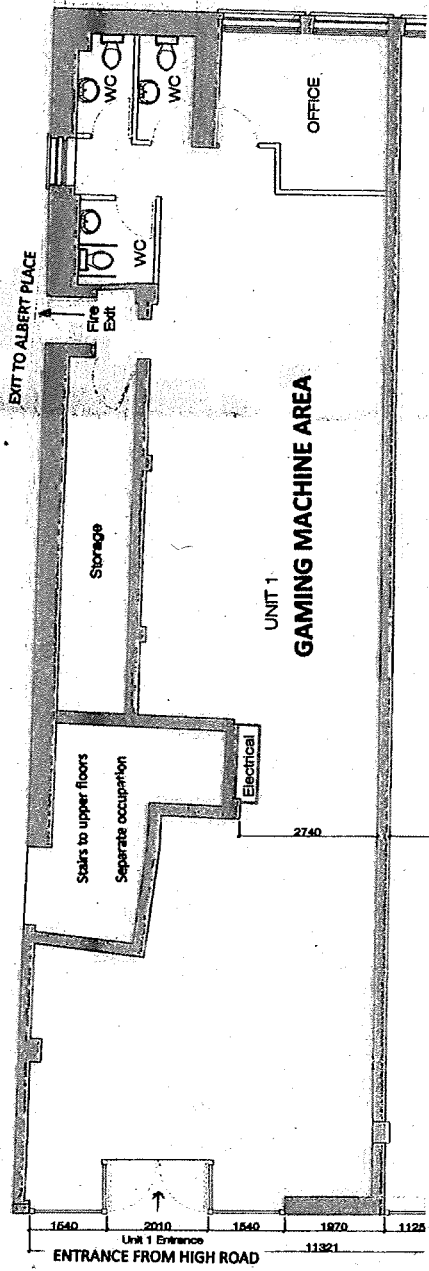
Postcode: LE65 2FR

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:

GENERAL NOTES

Rev	Date	Revised By	Checked By	Approved By

AAG DESIGN CONSTRUCTION +
 Design Consultancy - Construction Management
 Unit 5, 1st Floor
 450-454 High Road, Towerham, London, W17 5AN
 020 881 1111
 020 881 1112
 020 881 1113
 020 881 1114
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 020 881 1200



01 Floor Plan_Proposed
 scale: 1:100

Appendix 2

Risk assessment

LOCAL GAMBLING RISK ASSESSMENT – Tottenham City Slots

Premises

Premises Name:	City Slots
Premises Address:	Unit 1, 450-454 High Road, Tottenham, London
Premises Post Code:	N17 9JN
Premises Licence Number:	New Application
Category of Premises:	AGC

Company

Operating Company:	GT Promotions LTD,
Operating Licence Number:	000-027024-N-308751-005

Assessment Writer

Name of Person Writing this Assessment:	Max Davitt
Position within Company or Name of Authorised Agent:	Managing Director
Date that Original Assessment was Written	25 th October 2018

Ordinary code provision 10.1.2

Licencees should share their risk assessment with licensing authorities when applying for a premises licence or applying for a variation to existing licensed premises, or otherwise on request.

Manager action

- Ensure a copy of the local risk assessment is in the social responsibility folder for inspection if required
- Ensure the risk profile is understood and all relevant action/training is undertaken to ensure the risks are mitigated
- Advise line manager of any circumstances that may affect the risk profile requiring it to be reviewed.

LOCAL GAMBLING RISK ASSESSMENT – Tottenham City Slots

Local Area Profile

The AGC is located in the High Road within a primary shopping street and adjacent to a Peacocks clothes shop on one side and an empty retail unit and a Halifax Bank the other. There is a wide range of retail outlets in the close vicinity including banks, licensed betting offices, another AGC opposite, fast food outlets. There are 12 public houses within 0.5 miles, 2-night clubs within 0.5 miles. 3 primaries and 2 secondary schools within 0.5 miles 2 colleges and one nursery within 0.5 miles. The venue is medium size, in the shape of rectangle with good visibility with a plan for a standard frontage door/doors opening on to the footway. No auxiliary activities or facilities are offered other than gambling machines of category B3, C and D.

The council advises the area is high incident level within the borough there is a certain amount of anti-social behaviour such as litter and graffiti. The crime stats for June 2017 to July 2018 show 385 reported incidents this is about average for an area like Tottenham in London. Our regulatory return data for our Venue in Kilburn (similar demographic) does not reflect any specific problems associated with consumer complaints, the need to call police for assistance or attempts by children and young persons to enter the premises.

The site will trade 24 hours, the level of customer traffic averages for our Kilburn site show the following profile with Friday/Saturday being the busiest day's rota's and door control measures are managed from this profile (we expect Tottenham to be similar),

The venues late trading profile will operate a door entry control process (doors are secured) known or vetted customers are only allowed access. The full suite of CCTV includes door entry viewing and facial recognition, a night colleague (security) will be SIA badged and all colleagues will wear Panic alarms in the form of a wrist watch that alerts direct to senior Management who also have remote CCTV access. A minimum of two colleagues will be on duty at all times. The venue will be managed within GT Promotions Company Standards Manual that incorporates the BACTA tool kit to effectively operate the AGC. Venue will be fitted with intruder alarms and relevant fire/smoke systems. A disabled Toilet will be available on site with RADAR locks, toilets will be checked regularly. GT Promotions already operate 8 sites 7 within London and are very experienced in operating AGC's within this type of catchment area.

Gambling Act 2005 – The Licensing Objectives

The Gambling Act 2005 sets out the three licensing objectives (LO), which are:

- (A) Preventing gambling from being 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 people from being harmed or exploited by gambling.

LOCAL GAMBLING RISK ASSESSMENT – Tottenham City Slots

Risk Assessment	LO	Level of Risk	Impact	Control System	Risk Management	Reviewed
Children entering site unnoticed or unchallenged.	(C)	Low	Severe to business Severe to child	Interior Design Exterior Design	*Effective monitoring of entrance by floor walkers with well positioned cash desk having direct line of site of the entrance. *Frontage of venue designed so as not to be attractive to children. *door control in late profile trading including SIA certified security. *doors secure in late profile. CCTV coverage of entrance linked to office and control screens (including facial recognition). Colleagues positioning and desks have clear sight of entrance. *Think 25 policies in place and implemented. *Use of external testing resources for age verification testing. *Staff training both in-house and by bacta. *Adherence to bacta's toolkit/GT company stds and staff handbook. *Clear & prominent premises signage and machine labelling. *Think 25 material displayed. *Review of return data. *Preventing the wearing of hoods. *Policies & Procedures in place and regularly reviewed.	Oct 18 Oct 18
				Physical	*Customer interaction policy & procedure/log adhered to. *Staff training both in-house and by bacta	Oct 18
				Systems	*Conducive for effective monitoring of customers/screens/sightlines. *colleague positioning	Oct 18
Out of control gambling by other vulnerable persons.	(C)	Low	Moderate to business Severe to vulnerable	Systems	*Machine maintenance carried out by engineer. *Machine turned off immediately should fault be identified. *Machines only acquired from licensed suppliers.	Oct 18
Failure to deal with Consumers making complaints about the outcome of Gambling.	(B)	Moderate	Moderate to business Severe to customer	Interior Design Physical		Oct 18
Risk Assessment	LO	Level of Risk	Impact	Control System	Risk Management	Reviewed
Failure to deal with consumers making complaints about the outcome of Gambling (continued).	(B)	Low	Moderate to business Severe to customer	Systems	*Complaints procedure & forms available on premises. *Staff training on company policy. *Registered with ADR Entity – bacta ADR Service. *Compliant with Company P & P – bacta Toolkit.	Oct 18
Failure to provide information to players on responsible gambling.	(C)	Low	Severe to business Severe to customer	Physical	*Stay in Control posters displayed prominently. *Sufficient quantity of posters. *No ATMs in venues *Stay in Control leaflets available, discretely located. *Machine labelling displaying national gambling helpline.	Oct 18

City Slots V1.0 Oct/18-review if significant changes

LOCAL GAMBLING RISK ASSESSMENT – Tottenham City Slots

					Systems		<ul style="list-style-type: none"> *Stock control system in place for leaflets. *Ensure adherence with P & P – bacta Toolkit *Regular audit to ensure systems in place. *Player positions effectively monitored. *Player's behaviour closely monitored. 	Oct 18
Failure to recognise signs associated with problem gambling or substantial changes in gambling style.	(C)	Moderate	Severe to business Severe to customer		Interior design		<ul style="list-style-type: none"> *Staff trained in customer interaction in line with bacta's toolkit/GT company stds. *Clear policy to record the procedure for interaction and level of staff that are authorised to intervene. *CCTV effectively positioned at entrance to benefit identification of known excluders including facial recognition ability. 	Oct 18
Failure to properly administer the self-exclusion process and maintain its effectiveness thereafter, including breaches and reinstatements.	(C)	Low	Severe to business Severe to customer		Physical		<ul style="list-style-type: none"> *Consideration given to internal layout so as to ensure effective monitoring of customers entering the premises and those that might enter in order to gamble on behalf of a self-excluder. *All data subject to review. *Ensure that self-exclusion forms are always available *IPad camera always available on the premises to take photograph of customers wishing to self-exclude. *File of excluders kept and maintained on premises. *Company uses bacta's national sector SE scheme. *Compliant with P & P and log in bacta's toolkit/ gt company stds manual. 	Oct 18
Risk Assessment	LO	Level of Risk	Impact		Control System		Risk Management	Reviewed
Failure to identify attempts to launder money on the premises (e.g. dye stained notes) and to follow correct reporting procedure.	(A)	Low	Severe to business Low to Customers		Interior Design		<ul style="list-style-type: none"> *Effective monitoring of customers' behaviour by good lines of sight from staff, and well positioned CCTV. 	Oct 18
					Physical		<ul style="list-style-type: none"> *Change machines and note acceptors regularly inspected. *TITO tickets not used hand pay only. 	Oct 18
					Systems		<ul style="list-style-type: none"> *Fully compliant with LCCP requirements. *Comply with bacta's P & P in toolkit, in particular the reporting 	Oct 18

LOCAL GAMBLING RISK ASSESSMENT – Tottenham City Slots

<p>Poor security increasing vulnerability to crime.</p>	(A)	Low	Severe to business Severe to customers	Physical	<p>procedure to NCA by way of SARs.</p> <ul style="list-style-type: none"> *Staff provided with personal attack alarms carried at all times. *Intruder alarm installed and regularly serviced. *Effective CCTV coverage with data stored for min 31 days. *Drug awareness checks carried out (especially toilets) *Toughened glass windows and door to limit criminal damage. *CCTV fitted to external frontage, overt CCTV visible to customers. *Staff personal floats limited to £100.00. *Key storage and use guidance in place. *Log maintained should police be called to assist. *Keep abreast of local crime trends. *Subscribe to bacta's crime bulletins. 	Oct 18
<p>Awareness of heightened local crime in the local area.</p>	(A)			Systems	<ul style="list-style-type: none"> *Log maintained should police be called to assist. *Keep abreast of local crime trends. *Subscribe to bacta's crime bulletins. 	Oct 18
<p>Awareness of student learning facilities (schools & colleges) in the local area.</p>	(C)			Systems	<p>LA advise is high levels compared to rest of Borough. No heightened risk evidenced from competitor venue operation.</p> <p>https://www.police.uk</p> <p>https://ukcrimestats.com</p> <p>https://www.gov.uk/government/collections/crime-statistics</p>	Oct 18
<p>Risk Assessment</p> <p>Awareness of residential facilities for the vulnerable in the local area.</p>	(C)			Systems	<p>*3 primaries and 2 secondary schools 2 colleges and 1 nursery within 0.5 miles.</p>	Oct 18
<p>Risk Assessment</p> <p>Awareness of residential facilities for the vulnerable in the local area.</p>	(C)			Control System	<p>Risk Management</p>	Reviewed
<p>Awareness of gambling care agencies in the local area.</p>	(C)			Systems	<ul style="list-style-type: none"> *no care homes within 0.5 miles and mental health unit within 0.5 miles. *2 hospitals within 1.5 mile http://www.carehome.co.uk *No facilities for problem gambling in the vicinity. One Citizens advice within 0.3 miles. Police station 161 metres away. www.gamcare.org.uk www.gordonmoody.org.uk 	Oct 18

**NOTICE OF APPLICATION FOR A PREMISES LICENCE UNDER THE
GAMBLING ACT 2005**

Notice is hereby given that **GT PROMOTIONS LTD**
(Give the full name of the applicant(s))

of the following address:

GROVEDELL HOUSE, 15 KNIGHTSWICK ROAD, GAINESY ISLAND, SS8 5PA

we are applying for a **ADULT GAMING CENTRE**
premises licence under section 159 of the Gambling Act 2005. *(insert kind of premises licence
being applied for)*

The application relates to the following premises:
Unit 1, 450-454 High Road, Tottenham, N17 9JH

*(Give the trading name to be used at the premises, and the address of the premises (or, if none,
give a description of the premises and their location))*

The application has been made to: London Borough of Havering
(Specify the name of the licensing authority to which the application has been made)

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

Any of the following persons may make representations in writing to the licensing authority about
the application:

- A person who lives sufficiently close to the premises to be likely to be affected by the
authorised activities
- A person who has business interests that might be affected by the authorised activities
- A person who represents someone in any of the above two categories.

Any representations must be made by the following date: 7/12/2018

It is an offence under section 342 of the Gambling Act 2005 if a person, without reasonable
excuse, gives to a licensing authority for a purpose connected with that Act information
which is false or misleading.





Appendix 3

Representations

Roye Chanel

From:
Sent: 06 December 2018 10:55
To: Licensing
Subject: objection premises application AGC 450-454 High Road N17 9JN
Attachments: IMG_0387.jpg; IMG_0388.jpg

Dear licensing team

I attach a completed representation form to object to the above application. It didn't appear possible to complete on line so i have sent photos as the closing date is today. If you'd like the paper copy let me know and i can post it to you.

Regards

Kessock Close
N17 9PW

LICENSING ACT 2003 - REPRESENTATION FORM

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

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

HARINGEY COUNCIL
LICENSING
RECEIVED
- 6 DEC 2018

Personal Details

Name..... [REDACTED]

Address..... [REDACTED] **KESOCK CLARE**
..... **LONDON**

Postcode..... **N17 9PW**

Licence application you wish to make a representation on

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

Application Number.....

Name of Licensee.....

Name of Premises (if applicable)..... **AGC**

Premises Address (where the Licence will take effect).....
450-454 HIGH ROAD

Postcode..... **N17 9JW**

Reason/s for representation

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

The Prevention of Crime and Disorder

There is already a considerable problem with crime and disorder along this stretch of the High Rd. There are several other gaming premises in the immediate locality

Public Safety

which have caused ASB + crime

As a woman I already feel intimidated along this bit of the High Rd by groups of men hanging around outside of gaming premises. This will make it worse

The Prevention of Public Nuisance

Local police are over-stretched already dealing with ASB in this area - drug dealing in the alley ways + disturbances inside gaming premises. This will add to the problem

The Protection of Children from Harm

There is a primary school close by on Holcouse Rd which attracts pupils from outside the immediate area - so they use public transport which is close to the application premises.

[Redacted signature]

I hereby declare that all information I have

submitted is true and correct

Signed:

[Redacted signature]

Date:

6/12/18.

Please send completed form to:

Roye Chanel

From: [REDACTED]
Sent: 07 December 2018 18:34
To: Licensing
Cc: Cllr Opoku Felicia; Cllr Ejiofor Joseph; Cllr White Matthew
Subject: 450-454 High Road Bruce Grove N17 London

Hello,

I do not know if this has been decided .

I reiterate my objection. We just cannot afford, socially, to have another gambling house on our High Road. There are too too many and they are taking up retail space where new restaurants and independent shops should move in. They also encourage characters that then hang around their entrances and engage in intimidating behaviour and this has a DIRECT effect on who comes to shop on the High Road which I believe Haringey is trying to regenerate.

I also object to any change of use of any the units from shop (retail) to A1 use as this will have a detrimental effect on the vitality of the High RD.

Please refuse this application.

[REDACTED]

From: Licensing <Licensing.Licensing@haringey.gov.uk>

Subject: RE: objection

Date: 15 November 2018 12:37:47 GMT

To: [REDACTED], Licensing <Licensing.Licensing@haringey.gov.uk>

Dear Mr Best,

Thank you for taking the time to send in this email however under the Gambling Act 2005 there are statutory matters when determining an application, the Licensing Authority will not take into account these are:

- * the likelihood of the applicant obtaining planning permission or building regulations approval
- * the expected demand for the facilities which are being proposed
- * "irrelevant" matters such as those not related to gambling or the licensing objectives
- * moral objections.

Whilst we note you mention the loitering that takes place around two other existing betting shops nearby these are locational factors and not due to the operation of the premises themselves. We understand this is not very supportive news for you but we must ensure that the process prescribed in the regulations are followed.

If you would like to consider other reasons other than the demand and the number of existing businesses in the area already we can certainly look at any future submissions you make.

Kind regards
Daliah Barrett
Licensing Team Leader

-----Original Message-----

From: [REDACTED]
Sent: 14 November 2018 16:13
To: Licensing <Licensing.Licensing@haringey.gov.uk>
Subject: objection

I strongly object to the application by GT Promotions for an adult gaming licence for the address at.

I live on Morrison Avenue N17 and shop on the Bruce Grove High Road which has been undergoing improvement actions that local people have called for for some time. People have said that they want less gaming and betting shops. We already have a high density of these in the area and they create real problems for us. People hang out in front of them and deal in drugs and violently harass and proposition passers by (stand in front of the betting shop just up road from this proposed location, next to the post office and you will see what it means).

So there is a real threat of this shop bringing crime and serious anti-social behaviour to our area which is already severely affected by this.

Our neighbourhood is also officially classed as deprived and so there is no need to provide another place for local people to lose money - gambling shops obviously have the odds set so that they make money and this means that the majority of users will be losing the little money that they have in these places. These shops provide absolutely no social value to an area and only bring problems.

Please refuse this application for yet another Gaming centre as there are enough in our area.

Roye Chanel

From: [REDACTED]
Sent: 22 November 2018 15:15
To: Licensing
Subject: comment on proposal to license Adult Gaming Centre at Unit 1, 450-454 High Road, Tottenham, London N17 9JN

To whom it may concern:

I am writing to oppose the licensure of Adult Gaming Centre at Unit 1, 450-454 High Road, Tottenham, London N17 9JN. The proposed location has problems with antisocial behaviour in the proximity of, and possibly associated with, existing betting shops -- including drinking and drug use, drug sales, violence and late night noise. My family and I avoid walking on the High Road because of these problems, and the granting of this license is likely to put off more residents.

Sincerely,

[REDACTED]
Scotland Green, N17 9TU
[REDACTED]

Roye Chanel

From: [REDACTED]
Sent: 02 December 2018 12:56
To: Barrett Daliah; Licensing
Subject: Objection to possible Adult Gaming Centre at Unit 1. 450-454 High Road, Tottenham

Dear Daliah and Licensing

As the landlord of Holcombe Market I would like to formally object to the licensing application for an Adult Gaming Centre at Unit 1, 450-454 High Road Tottenham.

Holcombe Market is situated adjacent to BetFred, and there are a further three bookmakers(William Hill, Ladbrokes and Paddy Power) in close proximity. All four of these establishments have a large number of FOBTs. There is also a 24 hour Gaming Centre directly opposite the proposed site. In view of the well publicised number of vulnerable people who live in the Tottenham Hale and Bruce Grove wards it simply cannot be right to open yet another gambling centre in the area.

There is already a serious problem with ASB outside BetFred which both Haringey Council and the Police are struggling to keep under control. Opening a Gaming Centre just a few doors away will only make this problem worse. The 24 hour Gaming Centre has also had many incidents of ASB and I have seen the Police attending the site on numerous occasions.

I am sure that after considering all of these facts that Licensing will come to the right decision which is to turn down this application.

Kind Regards

[REDACTED]
Holcombe Market

Ward Councillors

Roye Chanel

From: Cllr Brabazon Zena
Sent: 22 November 2018 14:46
To: Licensing
Subject: FW: Objection to granting of licence for Adult Gaming Centre at Unit 1, 450-454 High Road, Tottenham

Dear Licensing

I am writing to you again regarding the application for an Adult Gaming Centre at Unit 1, 450-454 High Road Tottenham. As well as being a councillor, I am a local resident living some five minutes from Tottenham High Road. I also chair our local Residents' Association – Dowsett Estate RA.

I have further considered my representation and wish to make these additional comments.

The Council's Statement of Gambling Policy sets out the licensing objectives related to gambling premises.

The risks we are concerned about include those covered by the licensing objectives of the Gambling Act 2005 - crime and disorder; and the harm/exploitation of children and other vulnerable persons.

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

The policy further states :

Where an area is known to have high levels of crime this authority will consider carefully whether gambling premises are suitable to be located there, taking into account such factors as:

- *levels of recorded crime,*
- *the type of that crime,*
- *levels of ASB related complaints.*

It makes reference to using local area profiles as part of a risk based approach and the detail on this is in appendix 2 of the policy. The Appendix makes clear that Bruce Grove and Tottenham Hale wards score highly on the Index of Multiple Deprivation in relation to crime, anti-social behaviour and have very high levels of people living in the vicinity who would be considered vulnerable. In the light of this, I would draw your attention to the licensing objective to 'protect children and other vulnerable persons from being harmed or exploited by gambling'.

This proposed Adult Gaming Centre will be across the road from the existing Adult Gaming Centre on Tottenham High Road. That centre is open 24 hours and I understand has had problems with anti-social behaviour and crime and disorder, which on occasion has required the police to intervene. It is therefore of great concern to me, that another such establishment is proposed on our High Road and I would ask that this is brought before the Licensing Committee to consider.

Thank you

Cllr Zena Brabazon
Labour Member for Harringay Ward
Cabinet Member for Civic Services

Haringey Council
225 High Road, River Park House, N22 8HQ

t. 0208 489 5788
m. 07812677710
zena.brabazon@haringey.gov.uk

www.haringey.gov.uk
[twitter @haringeycouncil](https://twitter.com/haringeycouncil)
facebook.com/haringeycouncil

Please consider the environment before printing this email

From: Cllr Brabazon Zena

Sent: 19 November 2018 15:14

To: Barrett Daliah <Daliah.Barrett@haringey.gov.uk>; Licensing <Licensing.Licensing@haringey.gov.uk>

Subject: FW: Objection to granting of licence for Adult Gaming Centre at Unit 1, 450-454 High Road, Tottenham

Dear Daliah and Licensing

I am writing to formally object to the licensing application for an adult gaming centre at unit 1 450-454 High Road, Tottenham, London N17 9JN. There is already a 24hr gaming centre/slot machine centre almost directly opposite this proposed venue, and there are five betting shops in the immediate vicinity. There are at least three further betting shops on Tottenham High Road – one near Philip Lane and a further two near Northumberland Park.

These establishments, and in particular the number of betting shops and the adult gaming centre in Bruce Grove form a cluster of gambling venues which already cause anti-social behaviour in the area. I believe opening another will encourage further gambling and will act as a magnet for vulnerable people.

Thanks

Cllr Zena Brabazon
Labour Member for Harringay Ward
Cabinet Member for Civic Services

Haringey Council
225 High Road, River Park House, N22 8HQ

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facebook.com/haringeycouncil

Please consider the environment before printing this email

Roye Chanel

From: Cllr Adje Charles
Sent: 23 November 2018 14:56
To: Licensing
Subject: Objection to granting of licence for Adult Gaming Centre at Unit 1, 450-454 High Road, Tottenham

Hi there

I am writing to raise my objections to the granting of a licence under the Gambling Act 2005 to the applicant AGC at unit 1 450-454 High Road, Tottenham, London N17 9JN. The application is for the an Adult Gaming Centre at the heart of the area I represent in the ward of Tottenham Hale, Haringey.

Given the numerous issues in the area as well as the socio economic problems, opening an Adult Gaming Centre at the above premises or on the High Road is not acceptable, It will not add any value or improve on the quality of the lifestyle of the residents in the area.

I urge you to decline the licence.

Many thanks.

Cllr Charles Adje
Cabinet Member - Strategic Regeneration
Labour Member for White Hart Lane Ward

Internal: 7924 Mobile: 07870157924
Email: Charles.adje@haringey.gov.uk
Haringey Council, 5th Floor, River Park House
225 High Road, Wood Green, London | N22 8HQ

Roye Chanel

From: Gordon, Ruth (2010) <Ruth.Gordon.2010@live.rhul.ac.uk>
Sent: 28 November 2018 12:45
To: Licensing
Subject: Objection to granting of licensing application for adult gaming centre at Unit 1, 450-454 High Road, Tottenham

Dear Licensing

I am writing to you again regarding the application for an Adult Gaming Centre at Unit 1, 450-454 High Road Tottenham. I am a councillor for the Tottenham Hale ward which covers this part of the High Road as well as being a local resident living at 158 Dowsett Road, N17 9DH, just five minutes from Tottenham High Road.

I would like to make some additional comments to my original objection having had some time to reflect and discuss the issue with local residents.

The Council's Statement of Gambling Policy sets out the licensing objectives related to gambling premises.

The risks we are concerned about include those covered by the licensing objectives of the Gambling Act 2005 - crime and disorder; and the harm/exploitation of children and other vulnerable persons.

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

The policy further states :

Where an area is known to have high levels of crime this authority will consider carefully whether gambling premises are suitable to be located there, taking into account such factors as:

- *levels of recorded crime,*
- *the type of that crime,*
- *levels of ASB related complaints.*

It makes reference to using local area profiles as part of a risk based approach and the detail on this is in appendix 2 of the policy. The Appendix makes clear that Bruce Grove and Tottenham Hale wards score highly on the Index of Multiple Deprivation in relation to crime, anti-social behaviour and have very high levels of people living in the vicinity who would be considered vulnerable. In the light of this, I would draw your attention to the licensing objective to 'protect children and other vulnerable persons from being harmed or exploited by gambling'.

This proposed Adult Gaming Centre will be across the road from the existing Adult Gaming Centre on Tottenham High Road. That centre is open 24 hours and I understand has had problems with anti-social behaviour and crime and disorder, which on occasion has required the police to intervene. It is therefore of

great concern to me, that another such establishment is proposed on our High Road and I would ask that this is brought before the Licensing Committee to consider.

Thank you in advance.

Regards,

Ruth Gordon

Cllr Ruth Gordon

Tottenham Hale ward

Ruth.Gordon@haringey.gov.uk

Roye Chanel

From: Cllr Opoku Felicia
Sent: 05 December 2018 22:57
To: Licensing
Cc: Cllr Ejiofor Joseph; Cllr White Matthew; Barrett Daliah
Subject: Objection to granting of licence for Adult Gaming Centre at Unit 1, 450-454 High Road, Tottenham

Dear All,

Myself and fellow Bruce Grove Ward councillors (Cllr Joe Ejiofor and Cllr Matt White) would like to raise a joint objection to the licensing application for an 'adult gaming centre' at Unit 1, 450-454 High Road London N17 7JN. We will be objecting to the proposal based on matters related to the prevention of crime and disorder, public safety and the prevention of public nuisance and public health, particularly the protection of children from harm.

There is a proliferation of betting shops along the High Road; there are at least 5 gambling premises on the short stretch of the High Road between the Police Station and Bruce Grove Station. Crime in the area is high particularly around the area of the existing betting shops. In fact as part of the TfL Bruce Grove public realm scheme bicycle stands had to be removed and placed in strategic areas to reduce the incidence of crime. Upon hearing about this application we contacted the Bruce Grove Safer Neighbourhood Team and they have informed us that they regularly receive calls to various betting shops along the High Road due to anti-social behaviour and drinkers causing issues and in their professional opinion another one will create further problems. Given the number of vulnerable young people and adults there are in the area we believe that insufficient safeguards can be put in place to prevent a surge in gambling addiction as a result of the opening of this establishment.

On this basis we are objecting on the following grounds under the Gambling Act 2005:

- Under the Guidance to Local Authority from Gambling Commission
 - Objective 1 : Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime sections 5.3, 5.5, 5.7, 5.8, 6.38 and 6.42
- Under the Council's policy
 - Sections 3.4 and 3.7

Signed: Cllr Joseph Ejiofor, Cllr Felicia Opoku & Cllr Matt White – Bruce Grove Ward

Kind regards,

-Felicia-

Cllr Felicia Opoku

Chair of Standards Committee

Labour Councillor for Bruce Grove ward

T – 07812677717

E – felicia.opoku@haringey.gov.uk

A - Haringey Council | 5th Floor, River Park House | 225 High Road | Wood Green, London | N22 8HQ

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Trade Representation

Roye Chanel

From: elizabeth speed <espeed@novomatic.co.uk>
Sent: 06 December 2018 18:11
To: Licensing
Cc: Tracey Rose
Subject: The Gambling Act 200: AGC Application Unit 1, 450-454 High Road Tottenham N17 9JN.
Attachments: IMG_0742.JPG

Importance: High

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sirs

I am a solicitor and represent Talarius Limited, which operates a business at 475 Tottenham High Road, London, i.e. across the road for the applicant site. As such, it has business interests that might be affected by the above mentioned application and the company is an "interested party" pursuant to section 158 of the Gambling Act 2005. The fact that we operate the same nature of business as the applicant does not alter this fact.

In its capacity of interested party it wishes to make the followings representation.

1. The consultation period is unclear. The council website says that the last date for representations is 6 December 2018 whilst the attached notice of application which is in the window of the site states that it is 7 December 2018. A further confusion is that the application itself, which you have kindly provided, has two "received" dates. I assume the later date is the date on which outstanding documents and/or the fee, were received. The application cannot be treated as complete until all detail as required in the Gambling Act (Premises Licences and Provisional Statements) Regulations 2007 (the Regulations), is received by the Licensing Authority. That appears to have been the 13th November. That in turn means that the last date for representations would be 10 December 2018 – not 6 or even 7 December 2018. This is a real deficiency as the error renders the notice defective under the Regulation which specifically provide for such a situation. The date also sets the clear window in which the application must be advertised
2. Have the notices given to the Responsible authorities by the applicant (as it is expressly required to do regardless of whether the Authority itself provides copies to the Responsible Authorities)?
3. I note that the applicant has confirmed that it has the right to occupy the building – i.e. a legal right. While that may be the case, I note that the site is also the subject of an application for planning permission. It is often the case that applications are made prior to the acquisition of the site – i.e. before a right to occupy has been acquired. In those circumstances, the appropriate application would be for a provisional stement as is confirmed in the Licensing Authority's Statement of Policy (3.18). Without a right to occupy, an application for a premises licence cannot be made.
4. It is not clear that the applicant has fulfilled its obligations under 2.8 pf your Statement of Policy. There is no information setting out how the applicant will fulfil the relevant LCCP code provisions relating to Social Responsibility. That is clearly something that is critical to the application and does not appear to have been provided to the Authority or indeed to Responsible authorities.
5. Has the applicant provided the LRA to the Responsible authorities as required by the LCCP?
6. Finally, the plan accompanying the application appears defective in that the boundary of the premises to be covered by the licence and the boundary of the area in which gaming machines will be available for use, are not clearly marked on the plan as required by the Regulations. The plan is a very important part of the application and of licences and this is a real issue.

Please accept the above serious issues as representations in relation to the application

I should be grateful if you wold confirm receipt. I may have further representations to make and reserve Talarius Ltd's position in this regard.

Elizabeth Speed

Group General Counsel
Novomatic UK
For Talarius Limited

Direct +44 (0) 191 497 8222
Mobile +44 (0) 7808 571 588
espeed@novomatic.co.uk

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Shah Noshaba

From: elizabeth speed <espeed@novomatic.co.uk>
Sent: 07 December 2018 15:05
To: Licensing
Subject: The Gambling Act 2005: AGC Application Unit 1, 450-454 High Road Tottenham N17 9JN.

Importance: High

Dear Sirs,

I write further to my email below containing representations on behalf of Talarius Limited, which is an interested party under section 158 of the Gambling Act 2005, in relation to the Gambling Act 2005 application for an AGC at the above site,

Please accept my apologies for the typographical error at paragraph 2 below – some words were omitted. The sentence should read: "Have the notices given to the Responsible authorities by the applicant (as it is expressly required to do regardless of whether the Authority itself provides copies to the Responsible Authorities) *contain the correct date by which representations must be made.*" [italics added]

I would also like to make the following additional representations in relation to the Local Risk Assessment that has been filed by the Applicant. The Local Risk Assessment is deficient in a number of ways, including the following:

1. It does not identify two local centres for those seeking treatment for drug/alcohol dependencies – BUBIC and Blenheim CDP. As a result there are no mitigating steps to deal with these centres.
2. The LRA does not identify places of worship, which are referred to in the draft Local Area Profile to be effective in January 2019.
3. While the LRA identifies local schools, no measures to mitigate risks arising are included in the document – just a statement that they are there.
4. Similarly, there are no mitigating steps included for the risk of the close location of the CAB – just a statement that it is there.
5. Related to the above, the first column in the table refers to "Risk Assessment". It is not clear what this purports to relate to. I assume that it was meant to be the risk identified, but it is not clear. The last 4 entries under this heading refer to "Awareness" of particular facts. "Awareness" is not a risk and it is very difficult to understand what risks are being referred to and what steps are required by way of mitigation. The "impact" column of the unidentified risks is not completed.

Please accept these additional representations in relation to the application.

I should be grateful if you would confirm receipt.

Yours faithfully,

Elizabeth Speed
Group General Counsel
Novomatic UK
For Talarius Limited

From: elizabeth speed
Sent: 06 December 2018 18:11
To: 'Licensing' <Licensing.Licensing@haringey.gov.uk>
Cc: 'Tracey Rose' <Tracey.Rose@Luxury-Leisure.co.uk>
Subject: The Gambling Act 200: AGC Application Unit 1, 450-454 High Road Tottenham N17 9JN.
Importance: High

Dear Sirs

I am a solicitor and represent Talarius Limited, which operates a business at 475 Tottenham High Road, London, i.e. across the road for the applicant site. As such, it has business interests that might be affected by the above mentioned application and the company is an "interested party" pursuant to section 158 of the Gambling Act 2005. The fact that we operate the same nature of business as the applicant does not alter this fact.

In its capacity of interested party it wishes to make the followings representation.

1. The consultation period is unclear. The council website says that the last date for representations is 6 December 2018 whilst the attached notice of application which is in the window of the site states that it is 7 December 2018. A further confusion is that the application itself, which you have kindly provided, has two "received" dates. I assume the later date is the date on which outstanding documents and/or the fee, were received. The application cannot be treated as complete until all detail as required in the Gambling Act (Premises Licences and Provisional Statements) Regulations 2007 (the Regulations), is received by the Licensing Authority. That appears to have been the 13th November. That in turn means that the last date for representations would be 10 December 2018 – not 6 or even 7 December 2018. This is a real deficiency as the error renders the notice defective under the Regulation which specifically provide for such a situation. The date also sets the clear window in which the application must be advertised
2. Have the notices given to the Responsible authorities by the applicant (as it is expressly required to do regardless of whether the Authority itself provides copies to the Responsible Authorities)?
3. I note that the applicant has confirmed that it has the right to occupy the building – i.e. a legal right. While that may be the case, I note that the site is also the subject of an application for planning permission. It is often the case that applications are made prior to the acquisition of the site – i.e. before a right to occupy has been acquired. In those circumstances, the appropriate application would be for a provisional statement as is confirmed in the Licensing Authority's Statement of Policy (3.18). Without a right to occupy, an application for a premises licence cannot be made.
4. It is not clear that the applicant has fulfilled its obligations under 2.8 of your Statement of Policy. There is no information setting out how the applicant will fulfil the relevant LCCP code provisions relating to Social Responsibility. That is clearly something that is critical to the application and does not appear to have been provided to the Authority or indeed to Responsible authorities.
5. Has the applicant provided the LRA to the Responsible authorities as required by the LCCP?
6. Finally, the plan accompanying the application appears defective in that the boundary of the premises to be covered by the licence and the boundary of the area in which gaming machines will be available for use, are not clearly marked on the plan as required by the Regulations. The plan is a very important part of the application and of licences and this is a real issue.

Please accept the above serious issues as representations in relation to the application

I should be grateful if you would confirm receipt. I may have further representations to make and reserve Talarius Ltd's position in this regard.

Elizabeth Speed
Group General Counsel
Novomatic UK
For Talarius Limited

Direct +44 (0) 191 497 8222
Mobile +44 (0) 7808 571 588
espeed@novomatic.co.uk

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NOTICE OF APPLICATION FOR A PREMISES LICENCE UNDER THE GAMBLING ACT 2005

Notice is hereby given that: GT PROMOTIONS LTD

[Give the full name of the applicant(s)]

of the following address:

GROVEDELL HOUSE, 15 KNIGHTSWICK ROAD, CANVEY ISLAND, SS8 9PA

is/are applying for a ADULT GAMING CENTRE

premises licence under section 159 of the Gambling Act 2005. *[insert kind of premises licence being applied for]*

The application relates to the following premises:

Unit 1, 450-454 High Road, Tottenham, N17 9JN

[Give the trading name to be used at the premises, and the address of the premises (or, if none, give a description of the premises and their location)]

The application has been made to: London Borough of Haringey

[Specify the name of the licensing authority to which the application has been made]

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

Any of the following persons may make representations in writing to the licensing authority about the application:

- A person who lives sufficiently close to the premises to be likely to be affected by the authorised activities
- A person who has business interests that might be affected by the authorised activities
- A person who represents someone in any of the above two categories.

Any representations must be made by the following date: 7/12/2018

It is an offence under section 342 of the Gambling Act 2005 if a person, without reasonable excuse, gives to a licensing authority for a purpose connected with that Act information which is false or misleading.

Met Police Representation

Roye Chanel

From: Roye Chanel on behalf of Licensing
Sent: 05 December 2018 13:42
To: 'Roger'
Subject: METROPOLITAN POLICE REPRESENTATION- Application for a New Gambling Premises Licence - Unit 1, 450-454 High Road, Tottenham, London N17 9JN (WK/424197)
Attachments: Application & Risk Assessment.pdf; Plan.pdf
Importance: High

Afternoon Roger,

Please see representation below from the Metropolitan Police regarding the above application.

Kind regards

Chanel Roye
Licensing Administrator



Licensing Authority I
1st Floor I River Park House I 225 High Road I Wood Green I London I N22 8HQ
T: 020 8489 5544
E: chanel.anderson@haringey.gov.uk
twitter@haringeycouncil
[facebook.com/haringeycouncil](https://www.facebook.com/haringeycouncil)
Please consider the environment before printing this email.

From: Mark.L.Greaves@met.pnn.police.uk <Mark.L.Greaves@met.pnn.police.uk> **On Behalf Of** yrmailbox-licensing@met.pnn.police.uk
Sent: 05 December 2018 11:42
To: Licensing <Licensing.Licensing@haringey.gov.uk>; Shah Noshaba <Noshaba.Shah@haringey.gov.uk>
Cc: Barrett Daliah <Daliah.Barrett@haringey.gov.uk>
Subject: Application for a New Gambling Premises Licence - Unit 1, 450-454 High Road, Tottenham, London N17 9JN (WK/424197)
Importance: High

Dear Mrs Barrett

I am writing as Haringey Police Licensing Officer making a representation against the attached application for a New Gambling Premises Licence by GT Promotions for City Slots, Unit 1, 450 – 454 High Road, London N17 9JN.

The proposed venue is in Tottenham Hale Ward in a High Road with a similar venue opposite and nearby Betting Shops. This immediate area has been a crime generator for many years despite patrols and initiatives by the Safer Neighbourhood Team supported by specialist units and Community / Business Groups. Drug dealing is a serious concern and it is known they will loiter in the vicinity and attempt to frequent gambling venues to avoid Police and inclement weather and to target potential clients despite the efforts of the venues to deter them. Once someone is inside the venue and slowly playing on a gaming machine whilst his friends chat with him it is not always easy or safe for staff to remove them despite their suspicions regarding the persons real reason for being in the venue. Drug dealers include gang members. Drug dealing and street drinking add to the serious anti-social behaviour taking place in this immediate area.

The application is to trade 24 hours. The Local Gambling Risk Assessment compares customer traffic averages with their Kilburn and consider Friday / Saturday to be the busiest day's rota's and door control measures are managed from that profile, Tottenham is expected to be similar, as opposed to every day. The venues late trading profile will operate a door entry control process (doors are secured) known or vetted customers are only allowed access so not controlled outside of 'late trading' hours and Friday and Saturdays.

Crime profiles for Betting Shops and similar venues show Gaming Machines and dealing with clients refused use of facilities generate the most crime and requirement for Police attendance.

The Local Gambling Risk Assessment mentions crime statistics, 385 reported incidents between June 2017 and July 2018 and a certain amount of anti-social behaviour such as litter and graffiti. The area covered by the 385 crimes reported is not made clear. Calls to Police not resulting in a crime report are not in the Assessment. Drug dealing, gangs and street drinking are not mentioned.

Police concerns in this matter are not about Haringey or Tottenham or even Bruce Grove / Tottenham Hale Wards but rather the vicinity where the proposed venue will be. The Safer Neighbourhood Teams are working with local businesses and community groups to combat the crime / anti-social behaviour concerns in this area and feel that the presence of a new venue of this type will only add to those concerns despite the efforts of the venues owners and its staff to negate them. This concern relates to the venues location. If located away from this area concerns would be lessened. Given the local issues and the nature of the venue including hours requested Police ask that the licence is not granted. Should the application be granted Police ask consideration be given to reducing the operating hours and having an SIA registered security operative present to control entry and client behaviour during operating hours.

Regards

Mark Greaves

**Mark Greaves PC 164YR
Community & Youth Engagement
Licensing Officer
Haringey BOCU
Territorial Policing**

Tel: 020 3276 0150 Mobile: 07766 161877

Haringey police are here

- *for victims,*
- *to build trust with communities,*
- *to prevent crime in partnership,*
- *and to bring offenders to justice.*

**This Message is Restricted/Confidential
If Printed please remember to dispose of as Confidential Waste**

Licensing Authority Representation

Roye Chanel

Subject: FW: UNIT1 450 HIGH ROAD TOTTENHAM LONDON N17

From: Barrett Daliah
Sent: 26 November 2018 09:38
To: Licensing <Licensing.Licensing@haringey.gov.uk>
Subject: Fwd: UNIT1 450 HIGH ROAD TOTTENHAM LONDON N17

Dear Mr Etchells,

I am writing as the Licensing Authority Responsible Authority in making this representation against the above named application. It is recognised that local licensing decision making is an administrative and evaluative process requiring a proportionate balancing exercise, that allows all parties to consider the specific locality alongside the details of the application.

Tottenham High Road has a diverse range of premises offering retail and leisure alongside a number of established premises providing gambling activity. The area also has a local soup kitchen and a drug outreach centre in close proximity. This area of the High road has had ongoing issues with street drinkers, drug dealing centred around the existing betting premises in the vicinity and the anti-social behaviour that comes from that activity.

It is recognised that the location of the proposed premises is an important consideration. The unit is based along a busy section of the High Road and is a main thoroughfare for children and young people travelling to and from school or other activities., for vulnerable persons seeking the addiction centre in Bruce Grove and the local soup kitchen as well as the local post office and market area at Holcombe Road. Special consideration should be attached given the close proximity of the drug service and the vulnerable people in the immediate locality.

The area has an existing AGC which has itself seen crime in terms of criminal damage to the machines from frustrated customers and also staff being attacked by customers who have lost money they could not afford to lose. The premises operates with security guards in place in order to offer some protection for its staff members.

The location of the betting establishments in this regard provides for an environment in which gambling activity may be closely and prominently observed. Whilst we do not suggest that the applicant proposes to advertise in such a as to make betting attractive to children, the LSC is asked to consider whether the location of this particular premises acts to normalise and thereby inadvertently promote gambling to children and young persons. And other vulnerable persons.

The close proximity of the drug outreach centre means that persons with substance misuse issues will be put to the test in making balanced and informed decisions and could potentially be drawn to gamble more in the hope of obtaining money to fund their addiction.

Taking into account these matters the licensing authority take the view that there are insufficient conditions that could be offered to meet these concerns. Given these concerns in the locality the LSC is urged to not grant the licence.

If the LSC does not agree with this representation then we suggest that consideration be given to reduced operating hours to ensure the premises operates between 8am and 10pm Monday – Saturday and 8am-5pm –Sundays.

That an SIA security guard is stationed at the premises each day from noon until closing time.

That no lone working is done from noon until closing time each day.

Daliah Barrett (Licensing Team Leader)
Haringey Council - Licensing Authority

Regeneration Team

Public Health Rep

Roye Chanel

From: Cavanagh Catherine
Sent: 23 November 2018 12:49
To: Licensing
Cc: Ahmad Maria; Reba Toussainte; Trotter Keith; Hart Sarah; Maple Matthew; Barrett Daliah; McClellan Neil; D'Aguilar Marlene
Subject: RE: Gambling/licensing application - Unit 1, 450-454 High Road N17 9JN
Attachments: gambling licence 450-4 HiRd.docx

Dear Licensing

Please find the Regeneration objection attached and below.

Objection to Application for Premises Licence Gambling Act 2005: Adult Gaming Centre

Unit 1, 450-454 High Road is within Bruce Grove District Centre, where significant investment is being made to improve the District Centre as part of Haringey Council's Tottenham High Road Strategy

The Development Management DPD 2017 Policy DM46 B is specifically referenced in the High Road Strategy as seeking: 'to address the proliferation of betting shops', which are already dominant in the area.

The retail survey at Bruce Grove summarised in the Draft *High Road Strategy* Feb 2018 states that the service is: 'dominated by hairdressers/hair supplies and betting shops'. The Soundings consultation report from 2014 headline findings include: 'people wanted fewer betting shops'.

There is already a cluster of five gambling premises in close proximity to the application site at 450—454 High Road, namely: William Hill 438-444 High Road, Admiral Casino 475 High Road; BetFred 474 High Road, Ladbrokes 480 High Road and Paddy Power 486 High Road.

The Prevention of crime and disorder, Public safety and the Prevention of public nuisance

In relation to the Gambling Act 2005, we are liaising with the police over concerns about anti social behaviour in the Bruce Grove local centre, where noisy groups frequently congregate outside betting shops.

The High Road Strategy seeks greater diversity in retail offer, more active frontages and community safety. The adult gaming centre would present an inactive frontage on a prime stretch of the High Road, reducing passive surveillance and making the townscape more hostile and less welcoming.

The protection of children from harm

The proposals for 450-454 High Road are in direct conflict with Public Health's new Superzone around the Holy Trinity School, aimed at tackling gambling and other factors that could have a detrimental impact on health. An amusement centre would be attractive to young people.

The Regeneration Team therefore considers that granting a gambling premises licence would adversely affect the vitality and viability of the District Centre, as well as community safety, health and wellbeing. The proposed gambling premises is located in an area of high deprivation and would undermine the several improvement policies that the council and others are seeking to make to the area.

In addition, the Mayor London's Town Centres SPG Policy 4.8 states: 'Over-concentrations of betting shops ... can give rise to particular concerns.' And seeks to: 'prevent the loss of retail and related facilities that provide essential convenience, ... manage clusters of uses having regard to their positive and negative impacts' in particular to encourage: 'broader vitality and viability; diversity of offer; sense of place and local identity; community safety and security; promoting health and well-being'

Yours sincerely
Catherine Cavanagh

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Yours sincerely

Catherine Cavanagh

Regeneration Team, Haringey Council



Blenheim

Barnet, Enfield and Haringey 
Mental Health NHS Trust

The Grove Drug Treatment Service
9 Bruce Grove
London N17 6RA
Tel: 020 8702 6220

18/01/2019

To:
The Licensing Team
Level 1 North - River Park House
225 High Road
Wood Green
N22 8HQ
via email at licensing@haringey.gov.uk

Dear Licensing Team,

Re: Objection to Application for a Premises license for Unit 1, 450-454 High Road, Tottenham, London, N17 9JN

As an individual and on behalf of Haringey Drug Treatment Services (The Grove) I wish to raise an objection to this licensing application. The Grove provides treatment and support for vulnerable people suffering substance and alcohol addiction.

The Grove is part of BEH Mental Health NHS Trust. The service is located in close proximity to the proposed application. Our patients are vulnerable to the temptation of gambling which, as a result of their complex underlying issues, may disproportionately lead to problematic or addiction to gambling. Our patients are also frequently in a precarious financial position as a result of their health and social care issues. Access to further potential sources of debt, incurred by the attraction of gambling income, will only compound their difficulties.

In my opinion it would be in the interests of the local population and our patients for this application to be refused by London Borough of Haringey. For completeness I have copied this letter to Cllr Joseph Ejiofor, within his role as a Bruce Grove Ward Councillor.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Dr Pardeep Grewal'.

Dr Pardeep Grewal BSc, MBBS, MSc, FRCPsych
Clinical Lead for Substance Misuse Services, Barnet, Enfield and Haringey Mental Health NHS Trust
The Grove Drug Treatment Service 9 Bruce Grove London N17 6RA

cc joseph.ejiofor@haringey.gov.uk

Appendix 4

Proposed conditions

TOTTENHAM APPLICATION – GT PROMOTIONS LTD

SUGGESTED CONDITIONS (24 January 2019)

1. There shall be a minimum of 2 members of staff on duty at all times the premises are open.
2. One of those members of staff shall be SIA registered, be badged and be on duty at all times the premises are open.
3. External CCTV cameras shall be provided prominently facing in each direction along the High Road also covering the frontage of the premises and over the entrance door (3 cameras).
4. A covert CCTV camera will be mounted inside the door.
5. The CCTV system will be linked to a facial recognition system which in turn will identify members of the public who have been barred or self-excluded.
6. 12 internal CCTV cameras will be operated at all times.
7. All CCTV cameras shall record onto a system and be retained for 30 days. The system will be made available to the Police and licensing authority on reasonable notice including downloading footage in pdf format.
8. Toilets are to remain locked at all times and are only available to customers who have requested access. Anyone abusing the use of the toilets is to be banned.
9. The front door will be locked between 7pm and 7am daily. Access between those hours is available at the discretion of the staff with a buzzer being provided at the front door to seek access. During the first 6 months of trading the 'buzzer system' shall be operated 24 hours a day.
10. Entry to the premises shall be limited to members only. The company will operate a membership scheme recording members details on its system, including their photograph.

Appendix 5.

Sector specific Codes of Practice

GAMBLING COMMISSION

Conditions and codes of practice applicable to

**Gaming machine general: Adult gaming centre
licences**

**Gaming machine general: Family entertainment centre
licences**

**Including sector-specific extract of
LCCP October 2018**

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General introduction

1 This document sets out the Gambling Commission's general licence conditions and associated code of practice provisions (LCCP) under the Gambling Act 2005 (the Act) which are applicable to the specified sector(s).

2 The LCCP document sets out:

Part I: (in black) statutory conditions attached by virtue of the Act

Part II: (in orange) the suite of general conditions attached to operating licences

Part III: (in blue) the principal code of practice, distinguishing between 'social responsibility' provisions and 'ordinary' provisions (the social responsibility provisions are in shaded boxes within the text).

3 An index to the provisions is provided at the end of this document, and if using an electronic version of this document, links are provided from both the contents and index pages to aid navigation.

4 Copies of LCCP can be obtained from the Commission's website: www.gamblingcommission.gov.uk or by writing to:

Gambling Commission
Victoria Square House
Victoria Square
Birmingham B2 4BP
T 0121 230 6666
F 0121 230 6720
E info@gamblingcommission.gov.uk

5 The Commission also produces sector-specific extracts of LCCP and these will be made available on the website. Further information about the history of LCCP (such as the results of completed consultations) and potential future amendments to LCCP can also be found on the website.

6 This extract of LCCP comes into force on 31 **October 2018**.

7 Relevant requirements of the conditions and code provisions were notified in draft to the European Commission in accordance with Directive (EU) 2015/1535.

Part I: 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 (Part III).

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

Return of stakes to children: AGC

The following condition applies to gaming machine general: adult gaming centre operating licences 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))

Return of stakes to children: FEC

The following condition applies to gaming machine general: family entertainment centre operating licences 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, or equal chance gaming.

(Section 83(1))

Part II: Suite of general conditions attached to operating licences under Section 75 of the Gambling Act 2005 (the Act)

1 Qualified persons and personal licences

1.1 Qualified persons

Licence condition 1.1.1

Qualified persons – qualifying position

All operating licences, except ancillary remote licences, issued to small-scale operators

- 1 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.
- 2 Schedule X¹ lists those individuals notified to the Commission as qualified persons.
- 3 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 section 104(1)(b) of the Act for amendment of the details of the licence set out in Schedule X¹.
- 4 An application for amendment under section 104(1)(b) of the Act 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.
- 5 In this condition 'qualified person' has the same meaning as in the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006.

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

1.2 Personal licences

Licence condition 1.2.1

Specified management offices – personal management licences

All casino, bingo, general and pool betting, betting intermediary, gaming machine general, gaming machine technical, gambling software and lottery managers licences, except ancillary remote licences

- 1 Subject to 6 and 7 below, licensees must ensure:
 - a that each individual who occupies one of the management offices specified in 2 below in respect of the licensee or in connection with the licensed activities holds a personal licence authorising the performance of the functions of that office (hereafter 'a personal management licence'); and
 - b that at least one person occupies at least one of those offices.

- 2 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:
 - a the overall management and direction of the licensee's business or affairs
 - b the licensee's finance function as head of that function
 - c the licensee's gambling regulatory compliance function as head of that function
 - d the licensee's marketing function as head of that function
 - e the licensee's information technology function as head of that function in so far as it relates to gambling-related information technology and software
 - f 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
 - g 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.
- 3 The person responsible for the licensee's gambling regulatory compliance function as head of that function shall not, except with the Commission's express approval, occupy any other specified management office.
- 4 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.
- 5 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.
- 6 Paragraphs 1 to 5 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').
- 7 During the period of 3 years commencing with the date on which a licensee ceases to be a small-scale operator paragraphs 1 to 6 above shall apply subject to the proviso that the phrase 'each individual' in paragraph 1a 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.

4 Protection of customer funds

4.2 Disclosure to customers

Licence condition 4.2.1

Disclosure to customers

All operating licences, except gaming machine technical, gambling software, host, ancillary remote bingo and ancillary remote casino licences

- 1 Licensees who hold customer funds must set out clearly in the terms and conditions under which they provide facilities for gambling information about whether customer funds are protected in the event of insolvency, the level of such protection and the method by which this is achieved.
- 2 Such information must be according to such rating system and in such form the Commission may from time to time specify. It must be provided in writing to each customer, in a manner which requires the customer to acknowledge receipt of the information and does not permit the customer to utilise the funds for gambling until they have done so, both on the first occasion on which the customer deposits funds and on the occasion of any subsequent deposit which is the first since a change in the licensee's terms in relation to protection of such funds.
- 3 In this condition 'customer funds' means the aggregate value of funds held to the credit of customers including, without limitation:
 - a cleared funds deposited with the licensee by customers to provide stakes in, or to meet participation fees in respect of, future gambling,
 - b winnings or prizes which the customer has chosen to leave on deposit with the licensee or for which the licensee has yet to account to the customer, and
 - c any crystallised but as yet unpaid loyalty or other bonuses, in each case irrespective of whether the licensee is a party to the gambling contract.

5 Payment

5.1 Cash and cash equivalents, payment methods and services

Licence condition 5.1.1

Cash and cash equivalents

All operating licences except gaming machine technical, gambling software and host licences

- 1 Licensees, as part of their internal controls and financial accounting systems, must implement appropriate policies and procedures concerning the usage of cash and cash equivalents (eg bankers drafts, cheques and debit cards and digital currencies) by customers, designed to minimise the risk of crimes such as money laundering, to avoid the giving of illicit credit to customers and to provide assurance that gambling activities are being conducted in a manner which promotes the licensing objectives.
- 2 Licensees must ensure that such policies and procedures are implemented effectively, kept under review, and revised appropriately to ensure that they remain effective, and take into account any applicable learning or guidelines published by the Gambling Commission from time to time.

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

6.1 Provision of credit

Licence condition 6.1.1

Provision of credit

All gaming machine general operating licences for adult gaming centres and family entertainment centres

- 1 Licensees must neither:
 - a provide credit themselves in connection with gambling; nor
 - b participate in, arrange, permit or knowingly facilitate the giving of credit in connection with gambling.

7 General 'fair and open' provisions

7.1 Fair and transparent terms and practices

Licence condition 7.1.1

Fair and transparent terms and practices

All operating licences except gaming machine technical and gambling software licences

- 1 Licensees must ensure that the terms on which gambling is offered, and any consumer notices relating to gambling activity, are not unfair within the meaning of the Consumer Rights Act 2015. Licensees must comply with those terms.
- 2 The contractual terms on which gambling is offered and any notices relating to gambling activity must be transparent within the meaning of the Consumer Rights Act 2015. The contractual terms on which gambling is offered must be made available to customers in an easily accessible way.
- 3 Licensees must ensure that changes to customer contract terms comply with the fairness and transparency requirements under the Consumer Rights Act 2015. Customers must be notified of material changes before they come into effect.
- 4 Licensees must ensure that they do not commit any unfair commercial practices within the meaning of the Consumer Protection from Unfair Trading Regulations 2008, at any stage of their interactions with consumers.

12 Anti-money laundering

12.1 Prevention of money laundering and terrorist financing

Licence condition 12.1.1

Anti-money laundering

Prevention of money laundering and terrorist financing

All operating licences except gaming machine technical and gambling software licences

- 1 Licensees must conduct an assessment of the risks of their business being used for money laundering and terrorist financing. Such risk assessment must be appropriate and must be reviewed as necessary in the light of any changes of circumstances, including the introduction of new products or technology, new methods of payment by customers, changes in the customer demographic or any other material changes, and in any event reviewed at least annually.
- 2 Following completion of and having regard to the risk assessment, and any review of the assessment, licensees must ensure they have appropriate policies, procedures and controls to prevent money laundering and terrorist financing.
- 3 Licensees must ensure that such policies, procedures and controls are implemented effectively, kept under review, revised appropriately to ensure that they remain effective, and take into account any applicable learning or guidelines published by the Gambling Commission from time to time.

14 Access to premises

14.1 Access to premises

Licence condition 14.1.1

Access to premises

All operating licences

- 1 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.

15 Information requirements

15.1 Reporting suspicion of offences etc

Licence condition 15.1.1

Reporting suspicion of offences etc - non-betting licences

All operating licences except betting, betting intermediary, ancillary remote betting, betting host and remote betting intermediary (trading rooms only) licences

- 1 Licensees must as soon as reasonably practicable provide the Commission or ensure that the Commission is provided 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.

15.2 Reporting key events and other reportable events

Licence condition 15.2.1

Reporting key events

All operating licences

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, or ensure the Commission is notified, in such form or manner as the Commission may from time to time specify, 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 occurrence¹.

Operator status

- 1 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 or their directors proposing to creditors a composition in satisfaction of its debts or a scheme of arrangement of its affairs.
- 2 In the case of licensees which are bodies corporate, but not companies, any event substantially equivalent to those listed at 1 above.
- 3 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 arrangement.

Relevant persons and positions

- 4 In the case of licensees who are companies or other bodies corporate having a share capital, the name and address of any person who (whether or not already a shareholder or member) becomes a shareholder or member holding 3% or more of the issued share capital of the licensee or its holding company.
- 5 Any investment in a licensee which is not by way of subscription for shares.
- 6 The taking of any loan by the licensee, or by a group company who then makes an equivalent loan to the licensee, from any person not authorised by the Financial Conduct Authority: a copy of the loan agreement must be supplied.

- 7 The entering into an arrangement whereby a third party provides services to, or grants any licence concession or permission to, the licensee other than for full value: full details of the arrangements must be supplied.
- 8 The appointment of a person to, or a person ceasing to occupy, a 'key position': a 'key position' in relation to a licensee is:
 - a in the case of a small-scale operator, a 'qualifying position' as defined in the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006
 - b in the case of an operator which is not a small-scale operator, a 'specified management office' as set out in (current) LCCP licence condition 1.2
 - c a position the holder of which is responsible for the licensee's anti-money laundering procedures, including suspicious activity reporting
 - d any other position for the time being designated by the Commission as a 'key position'. (Notification is required whether or not the person concerned is required to hold a personal management licence and whether or not the event notified requires the licensee to apply for a variation to amend a detail of their licence.)
- 9 Any change to the structure or organisation of the licensee's business which affects a 'key position' or the responsibilities of its holder.

Financial events

- 10 Any material change in the licensee's banking arrangements, in particular the termination of such arrangements or a particular facility and whether by the licensee or the provider of the arrangements.
- 11 Any breach of a covenant given to a bank or other lender.
- 12 Any default by the licensee or, where the licensee is a body corporate, by a group company in making repayment of the whole or any part of a loan on its due date.
- 13 Any court judgments (in whatever jurisdiction) against the licensee or, where the licensee is a body corporate, a group company, remaining unpaid 14 days after the date of judgment.
- 14 Where the licensee is required to have their accounts independently audited, any qualification to an auditors' report; and 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.
- 15 Any change in the licensee's arrangements for the protection of customer funds in accordance with the general licence condition 4 relating to the protection of customer funds (where applicable).
- 16 Where the licensee holds customer funds in a separate bank account, any deficit on reconciliation of such bank account.
- 17 Any change in the licensee's arrangements as to the methods by which, and/or the payment processors through which, the licensee accepts payment from

customers using their gambling facilities (this key event applies to remote casino, bingo and betting operating licences, except ancillary and remote betting intermediary (trading room only) licences).

Legal or regulatory proceedings or reports

- 18 The grant, withdrawal or refusal of any application for a licence or other permission made by the licensee, or in the case of a licensee which is a body corporate, any group company of theirs, to a gambling regulator in another jurisdiction. In the case of a withdrawal or refusal of the application, the licensee must also notify the reasons for such withdrawal or refusal. (This condition does not apply to applications for licences or other permissions to carry on activities which would fall outside the scope of a Gambling Commission operating licence if carried out in Britain or with customers in Great Britain.)
- 19a Any investigation by a professional, statutory, regulatory or government body (in whatever jurisdiction) 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.
- 19b Any criminal investigation by a law enforcement agency in any jurisdiction in relation to which:
- the licensee is involved (including, but not limited to investigations of crimes allegedly committed against the licensee or involving the gambling facilities provided under the licence), AND
 - the circumstances are such that the Commission might reasonably be expected to question whether the licensee's measures to keep crime out of gambling had failed.
- Notification of the event must occur as soon as practicable after the licensee becomes aware of any such investigation in which the licensee is involved and measures may have failed.
- 20 The receipt of any report from a professional, statutory or other regulatory or government body (in whatever jurisdiction) of the outcome of a compliance assessment in relation to the gambling activity of the licensee or, where the licensee is a body corporate, of any group company in which at least one person who holds a key position in or in respect of the licensee holds a key position: a copy of the report should be provided where available to the licensee.
- 21 The referral to the licensee's Board, or persons performing the function of an audit or risk committee, of material concerns raised by a third party (such as an auditor) about the provision of facilities for gambling which are expressed (in whatever terms) as requiring attention as a high priority: a summary of the nature of the concerns must be provided.
- 22 The imposition by the licensee 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.

- 23 The commencement (in whatever jurisdiction) of any material litigation against the licensee or, where the licensee is a body corporate, a group company: the licensee must also notify the outcome of such litigation.
- 24 The making of a disclosure pursuant to section 330, 331, 332 or 338 of the Proceeds of Crime Act 2002 or section 19, 20, 21, 21ZA, 21ZB or 21A of the Terrorism Act 2000 (a suspicious activity report): the licensee should inform the Commission of the unique reference number issued by the United Kingdom Financial Intelligence Unit of the National Crime Agency in respect of each disclosure and for the purposes of this key event the five working day period referred to above runs from the licensee's receipt of the unique reference number. The licensee should also indicate whether the customer relationship has been discontinued at the time of the submission.

Gambling facilities

- 25a Any breach in the licensee's information security that adversely affects the confidentiality of customer data or prevents customers from accessing their accounts for longer than 24 hours.
- 25b Where a gaming system fault has resulted in under or overpayments to a player (this includes instances where a fault causes an incorrect prize/win value to be displayed).
- 26 Any change in the identity of the ADR entity or entities for the handling of customer disputes, as required by the social responsibility code provision on complaints and disputes.
- 27 The reference of a dispute to an ADR entity other than one in respect of which contact details were given in accordance with the social responsibility code provision on complaints and disputes; the reason for selection of that ADR entity should be given.
- 28 In the case of remote gambling, the commencement or cessation of trading on website domains (*including mobile sites or mobile device applications*) or broadcast media through which the licensee provides gambling facilities.

In this condition:

'body corporate' has the meaning ascribed to that term by section 1173 of the Companies Act 2006 or any statutory modification or re-enactment thereof

- a in respect of a company, 'holding company' and 'subsidiary' have the meaning ascribed to that term by section 1159 of the Companies Act 2006 or any statutory modification or re-enactment thereof
- b a 'group company' is any subsidiary or holding company of the licensee and any subsidiary of such holding company.

¹ Key events can be reported securely online at the Commission's website through our eServices system www.gamblingcommission.gov.uk
Alternatively, for operators unable to access this system, you can report a key event by email to: key.events@gamblingcommission.gov.uk

Licence condition 15.2.2

Other reportable events

All operating licences

- 1 Licensees must also notify the Commission in such form or manner as the Commission may from time to time specify, or ensure that the Commission is so notified, as soon as reasonably practicable of the occurrence of any of the following events¹:
- a the conclusion of a dispute referred to an ADR entity and in such case providing the Commission with a copy of the decision or note of the outcome².
 - b any outcome adverse to the licensee of any proceedings taken against the licensee (in whatever jurisdiction) by a customer in relation to a gambling transaction; but excluding proceedings allocated to the County Court small claims track or equivalent in jurisdictions outside England and Wales.
 - c their becoming aware that a group company which is not a Commission licensee is advertising remote gambling facilities to those residing in a jurisdiction in or to which it has not previously advertised or their becoming aware of a sustained or meaningful generation of the 3% / 10% threshold being exceeded by the group.

In this condition:

- a 'group company' has the same meaning as in condition 15.2.1; and
- b without prejudice to section 327 of the Act, 'advertising' includes: having a home page directed towards a jurisdiction and written in, or in one of, that jurisdiction's official language(s), having arrangements enabling that jurisdiction's currency to be selected for gambling or the use of payment methods available only in that jurisdiction, and providing a specific customer service facility referable to that jurisdiction.

¹ Events required to be notified to the Commission by 15.2.1 or 15.2.2 may be reported securely online at the Commission's website through our eServices system www.gamblingcommission.gov.uk or by email to: key.events@gamblingcommission.gov.uk

² In respect of the referral of disputes to an ADR entity the licensee's attention is drawn to social responsibility code provision 6.

15.3 General and regulatory returns

Licence condition 15.3.1 General and regulatory Returns All operating licences

- 1 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:
 - a the numbers of people making use of the facilities and the frequency of such use
 - b the range of gambling activities provided by the licensee and the numbers of staff employed in connection with them
 - c the licensee's policies in relation to, and experiences of, problem gambling.
- 2 In particular within 28 days of the end of each quarterly period or, for those only submitting annual returns, within 42 days of the end of each annual period, licensees must submit a Regulatory Return to the Commission containing such information as the Commission may from time to time require¹.

¹Regulatory returns can be submitted securely online at the Commission's website through our eServices system available at www.gamblingcommission.gov.uk

16 Responsible placement of digital adverts

Licence condition 16.1.1

Responsible placement of digital adverts

All licences

- 1 Licensees must:
 - a ensure that they do not place digital advertisements on websites providing unauthorised access to copyrighted content;
 - b take all reasonable steps to ensure that third parties with whom they contract for the provision of any aspect of their business related to the licensed activities do not place digital advertisements on websites providing unauthorised access to copyrighted content; and
 - c ensure that the terms upon which they contract with such third parties enable them, subject to compliance with any dispute resolution provisions, to terminate the third party's contract promptly if, in the Licensee's reasonable opinion, the third party has been responsible for placing digital advertisements for the licensed activities on such websites.

Part III: Code of practice

Introduction

This is the Commission's principal code of practice, issued under section 24 of the Gambling Act 2005.

There are two types of code provisions in this document:

- **social responsibility code 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; these provisions are set out in shaded boxes
- **ordinary code provisions:** these do not have the status of operator licence conditions but set out good practice. Operators may adopt alternative approaches to those set out in ordinary code provisions if they have actively taken account of the ordinary code provision and can demonstrate that an alternative approach is reasonable in the operator's particular circumstances; or that to take an alternative approach would be acting in a similarly effective manner. Ordinary codes of practice 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 departure from 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 are in the unshaded boxes in this section.

Code provisions

1 General

1.1 Cooperation and responsibility for third parties

Ordinary Code Provision 1.1.1
Cooperation with the Commission
All licences

- 1 As made plain in its *Statement of principles for licensing and regulation*, the Commission expects licensees to conduct their gambling operations in a way that does not put the licensing objectives at risk, to work with the Commission in an open and cooperative way and to disclose anything which the Commission would reasonably need to be aware of in exercising its regulatory functions. This includes, in particular, anything that is likely to have a material impact on the licensee's business or on the licensee's ability to conduct licensed activities compliantly. Licensees should have this principle in mind in their approach to, and when considering their compliance with, their obligations under the conditions attached to their licence and in relation to the following provisions of this code.

Social responsibility code provision 1.1.2
Responsibility for third parties – all licences
All licences

- 1 Licensees are responsible for the actions of third parties with whom they contract for the provision of any aspect of the licensee's business related to the licensed activities.
- 2 Licensees must ensure that the terms on which they contract with such third parties:
 - a require the third party to conduct themselves in so far as they carry out activities on behalf of the licensee as if they were bound by the same licence conditions and subject to the same codes of practice as the licensee
 - b oblige the third party to provide such information to the licensee as they may reasonably require in order to enable the licensee to comply with their information reporting and other obligations to the Commission
 - c enable the licensee, subject to compliance with any dispute resolution provisions of such contract, to terminate the third party's contract promptly if, in the licensee's reasonable opinion, the third party is in breach of contract (including in particular terms included pursuant to this code provision) or has otherwise acted in a manner which is inconsistent with the licensing objectives, including for affiliates where they have breached a relevant advertising code of practice.

2 Financial requirements

2.1 Anti-money laundering

Ordinary code provision 2.1.2

Anti-money laundering – other than casino

All licences except casino licences

- 1 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 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)*.

3 Protection of children and other vulnerable persons

3.1 Combating problem gambling

Social responsibility code provision 3.1.1

Combating problem gambling

All licences

- 1 Licensees must have and put into effect policies and procedures intended to promote socially responsible gambling including the specific policies and procedures required by the provisions of section 3 of this code.
- 2 Licensees must make an annual financial contribution to one or more organisation(s) which between them research into the prevention and treatment of gambling-related harm, develop harm prevention approaches and identify and fund treatment to those harmed by gambling.

3.2 Access to gambling by children and young persons

Social responsibility code provision 3.2.3

Access to gambling by children and young persons – AGC SR code

All adult gaming centre licences

- 1 Licensees must have and put into effect policies and procedures designed to prevent underage gambling, and monitor the effectiveness of these.
- 2 This must include procedures for:
 - a checking the age of apparently underage customers
 - b removing anyone who appears to be under age and cannot produce an acceptable form of identification
 - c taking action when there are attempts by under-18s to enter the premises.
- 3 Licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises.
- 4 Licensees must not deliberately provide facilities for gambling in such a way as to appeal particularly to children or young people, for example by reflecting or being associated with youth culture.
- 5 In premises restricted to adults, service must be refused in any circumstances where any adult is accompanied by a child or young person.
- 6 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 all relevant prohibitions against inviting children or young persons to gamble or to enter gambling premises, and the legal requirements on returning stakes and not paying prizes to underage customers.

- 7 Licensees must only accept identification which:
 - a contains a photograph from which the individual can be identified
 - b states the individual's date of birth
 - c is valid
 - d is legible and has no visible signs of tampering or reproduction.
- 8 Licensees in fee category C or higher must conduct test purchasing or take part in collective test purchasing programmes, as a means of providing reasonable assurance that they have effective policies and procedures to prevent underage gambling, and must provide their test purchase results to the Commission.

Ordinary code provision 3.2.4

**Access to gambling by children and young persons – AGC ordinary code
All adult gaming centre licences**

- 1 The Commission considers acceptable forms of identification to include any identification carrying the PASS logo (for example Citizencard or Validate); a military identification card; a driving licence (including a provisional licence) with photocard; or a passport.
- 2 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.
- 3 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.
- 4 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.
- 5 Licensees in fee categories A or B should consider how they monitor the effectiveness of their policies and procedures for preventing underage gambling (for example by taking part in a collective test purchasing programme) and should be able to explain to the Commission or licensing authority what approach they have adopted.
- 6 In providing training to staff on their responsibilities for preventing underage gambling, licensees should have, as a minimum, policies for induction training and refresher training.

Social responsibility code provision 3.2.5

**Access to gambling by children and young persons – bingo and FEC SR code
All non-remote bingo and family entertainment centre licences**

- 1 Licensees must have and put into effect policies and procedures designed to prevent underage gambling, and monitor the effectiveness of these.
- 2 This must include procedures for:
 - a checking the age of apparently underage customers

- b refusing entry to any adult-only areas to anyone unable to produce an acceptable form of identification
 - c taking action when there are unlawful attempts to enter the adult-only areas.
- 3 Licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises.
- 4 Licensees must not permit children or young people to gamble in the adults-only areas of premises to which they have access. If there is a 'no under-18s' premises policy, licensees must pay particular attention to the procedures they use at the entrance to the premises to check customers' ages.
- 5 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:
 - a all relevant prohibitions against inviting children or young persons to gamble on age-restricted products or to enter age-restricted areas;
 - b the legal requirements on returning stakes and not paying prizes to underage customers; and
 - c procedures for challenging any adult who may be complicit in allowing a child or young person to gamble.
- 6 Licensees must only accept identification which:
 - a contains a photograph from which the individual can be identified
 - b states the individual's date of birth
 - c is valid
 - d is legible and has no visible signs of tampering or reproduction.
- 7 Licensees in fee category C or higher must conduct test purchasing or take part in collective test purchasing programmes, as a means of providing reasonable assurance that they have effective policies and procedures to prevent underage gambling, and must provide their test purchase results to the Commission.

Ordinary code provision 3.2.6

Access to gambling by children and young persons – bingo and FEC ordinary code

All non-remote bingo and family entertainment centre licences

- 1 The Commission considers acceptable forms of identification to include: any identification carrying the PASS logo (for example Citizencard or Validate); a military identification card; a driving licence (including a provisional licence) with photocard; or a passport.
- 2 Licensees should require a person who appears to relevant staff to be under the age of 21 to be asked to produce proof of age, either at the point of entry to the gambling area or as soon as it comes to the attention of staff that they wish to access gambling facilities.

- 3 Licensees should have procedures for dealing with cases where an adult knowingly or recklessly allows a child or young person to gamble. These procedures might include refusing to allow the adult to continue to gamble, removing them from the premises, and reporting the incident to the police or local authorities, or taking action where forged identification is produced.
- 3 Procedures should be put into effect for dealing with cases where a child or young person repeatedly attempts to gamble on their premises, including oral warnings, reporting the offence to the Gambling Commission and the police, and making available information on problem gambling to the child or young person concerned.
- 4 Where it is likely that customers' young or otherwise vulnerable children will be left unattended on or adjacent to their premises, licensees should consider reminding customers of their parental responsibilities and assess whether there is a need to develop procedures for minimising the risk to such children.
- 5 Licensees in fee categories A or B should consider how they monitor the effectiveness of their policies and procedures for preventing underage gambling (for example by taking part in a collective test purchasing programme) and should be able to explain to the Commission or licensing authority what approach they have adopted.

3.3 Gambling management tools and responsible gambling information

Social responsibility code provision 3.3.1

Responsible gambling information

All licences, except gaming machine technical, gambling software, host, ancillary remote bingo, ancillary remote casino and remote betting (standard) (remote platform) licences

- 1 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.
- 2 The information must cover:
 - a 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
 - b timers or other forms of reminders or 'reality checks' where available
 - c self-exclusion options
 - d information about the availability of further help or advice.
- 3 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'.
- 4 For gambling premises, information must be available in all areas where gambling facilities are provided and adjacent to ATMs. Information must be displayed prominently using methods appropriate to the size and layout of the premises. These methods may include the use of posters, the provision of information on gambling products, or the use of screens or other facilities in the gambling premises. Information must also be available in a form that may be taken away and may also be made available through the use of links to be accessed online or using smart technology. 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 3.3.2

Responsible gambling information – foreign languages

All licences, except gaming machine technical, gambling software, host, ancillary remote bingo and ancillary remote casino licences

- 1 Licensees who market their services in one or more foreign languages should make available in that, or those, foreign languages:
 - a the information on how to gamble responsibly and access to help referred to above
 - b the players' guides to any game, bet or lottery required to be made available to customers under provisions in this code
 - c 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.

3.4 Customer interaction

Social responsibility code provision 3.4.1

Customer interaction – SR code

All licences, except non-remote lottery, gaming machine technical, gambling software and host licences

- 1 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:
 - a identification of the appropriate level of management who may initiate customer interaction and the procedures for doing so
 - b 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
 - c the circumstances in which consideration should be given to refusing service to customers and/or barring them from the operator's gambling premises
 - d training for all staff on their respective responsibilities, in particular so that they know who is designated to deal with problem gambling issues
 - e specific provision for making use of all relevant sources of information to ensure effective decision making, and to guide and deliver effective customer interactions, including in particular
 - i provision to identify at risk customers who may not be displaying obvious signs of, or overt behaviour associated with, problem gambling: this should be by reference to indicators such as time or money spent
 - ii specific provision in relation to customers designated by the licensee as 'high value', 'VIP' or equivalent
 - f specific provision for interacting with customers demonstrating signs of agitation, distress, intimidation, aggression or other behaviours that may inhibit customer interaction
- 2 For gambling premises, licensees must ensure that their policies and procedures take account of the structure and layout of the gambling premises.
- 3 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.

Ordinary code provision 3.4.2

Customer interaction – ordinary code

All licences except non-remote lottery, gaming machine technical, gambling software and host licences

- 1 Operators should work together to share experience and deliver good practice across the full range of social responsibility requirements for customer interaction.
- 2 Operators should keep a record of customer interactions, and where an interaction has been ruled out, the reasons for this. Where an interaction has taken place at a later date, this should also be recorded.
- 3 In providing training to staff on their responsibilities for customer interaction, licensees should have, as a minimum, policies for induction training and refresher training.

3.5 Self-exclusion

Social responsibility code provision 3.5.1

Self-exclusion – non-remote and trading rooms SR code

All non-remote licences (except lottery, gaming machine technical and gambling software licences) and remote betting intermediary (trading rooms only) licences

- 1 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.
- 2 Licensees must, as soon as practicable, take all reasonable steps to prevent any marketing material being sent to a self-excluded customer.
- 3 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.
- 4 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.
- 5 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.
- 6 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 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);
 - b photo identification (except where the Licensee can reasonably satisfy themselves that in the circumstances in which they provide facilities for gambling an alternative means of identification is at least as effective) and a signature;
 - c staff training to ensure that staff are able to administer effectively the systems; and
 - d the removal of those persons found in the gambling area or attempting to gamble from the premises.
- 7 Licensees must ensure that their procedures for preventing access to gambling by self-excluded individuals take account of the structure and layout of the gambling premises.
- 8 Licensees must, when administering the self-exclusion agreement, signpost the individual to counselling and support services.

Ordinary code provision 3.5.2**Self-exclusion – non-remote ordinary code****All non-remote licences and remote betting intermediary (trading rooms only) licences, but not gaming machine technical and gambling software licences**

- 1 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.
- 2 Individuals should be able to self-exclude without having to enter gambling premises.
- 3 Before an individual self-excludes, licensees should provide or make available sufficient information about what the consequences of self-exclusion are.
- 4 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.
- 5 Licensees should encourage the customer to consider extending their self-exclusion to other licensees' gambling premises in the customer's local area.
- 6 Customers should be given the opportunity to discuss self-exclusion in private, where possible.
- 7 Licensees should take steps to ensure that:
 - a the minimum self-exclusion period offered is of a duration of not less than 6 nor more than 12 months
 - b any self-exclusion may, on request, be extended for one or more further periods of at least 6 months each
 - c 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
 - d at the end of the period chosen by the customer, the self-exclusion remains in place for a further 6 months, unless the customer takes positive action in order to gamble again
 - e where a customer chooses not to renew the self-exclusion, and makes a positive request to begin gambling again during the 6 month period following the end of their initial self-exclusion, 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
 - f notwithstanding the expiry of the period of self-exclusion chosen by a customer, no marketing material should be sent to them unless and until they have asked for or agreed to accept such material.
- 8 The licensee should retain the records relating to a self-exclusion agreement at least for the length of the self-exclusion agreement plus a further 6 months.
- 9 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.

- 10 Licensees should have, and put into effect, policies and procedures which recognise, seek to guard against and otherwise address, the fact that some individuals who have self-excluded might attempt to breach their exclusion without entering a gambling premises, for example, by getting another to gamble on their behalf.
- 11 Licensees should have effective systems in place to inform all venue staff of self-excluded individuals who have recently attempted to breach a self-exclusion in that venue, and the licensees neighbouring venues.
- 12 In providing training to staff on their responsibilities for self-exclusion, licensees should have, as a minimum, policies for induction training and refresher training.

Social responsibility code provision 3.5.6

Self-exclusion – multi-operator non-remote SR code

All non-remote casino, bingo and betting licences (except in respect of the provision of facilities for betting in reliance on a track premises licence) and holders of gaming machine general operating licences for adult gaming centres

- 1 Licensees must offer customers with whom they enter into a self-exclusion agreement in respect of facilities for any kind of gambling offered by them at licensed gambling premises the ability to self-exclude from facilities for the same kind of gambling offered in their locality by any other holder of an operating licence to whom this provision applies, by participating in one or more available multi-operator self-exclusion schemes.

Ordinary code provision 3.5.7

Self-exclusion – multi-operator non-remote ordinary code

All non-remote casino, bingo and betting licences (except in respect of the provision of facilities for betting in reliance on a track premises licence) and holders of gaming machine general operating licences for adult gaming centres

- 1 Licensees should contribute to and participate in the development and effective implementation of multi-operator self-exclusions schemes with the aim of making available to customers the ability to self-exclude from facilities for gambling provided by other licensed operators within their local area(s).

3.6 Employment of children and young persons

Ordinary code provision 3.6.5

Employment of children and young people – AGCs

All adult gaming centre licences

- 1 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 them to provide facilities for gambling;
 - b if gaming machines are sited on the premises, for their contracts of employment to require them, or for them to be permitted, to perform a function in connection with a gaming machine at any time; and
 - c to employ them to carry out any other function on adult gaming centre licensed premises while any gambling activity is being carried on in reliance on the premises licence.
- 2 As to 1b, 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.
- 3 Accordingly, licensees should have and put into effect policies and procedures designed to ensure that:
 - a children and young persons are never asked to perform tasks within 1a or 1b, above
 - b 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.
- 4 Licensees should consider adopting a policy that:
 - a children and young persons are not employed to work on adult gaming centre licensed premises at any time when the premises are open for business
 - b 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.

Ordinary code provision 3.6.6

Employment of children and young people – FECs

All family entertainment centre licences

- 1 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 them to provide facilities for gambling; and
 - b if gaming machines are sited on the premises, for their contracts of employment to require them, or for them to be permitted, to perform a function in connection with a gaming machine at any time.
- 2 As to 1b, 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.
- 3 Accordingly, licensees should have and put into effect policies and procedures designed to ensure that:
 - a children and young persons are never asked to perform tasks within 1a or 1b, above
 - b 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.
- 4 Licensees should consider adopting a policy that:
 - a children and young persons are not employed to carry out any work in an adult-only area of family entertainment licensed premises at a time when any gambling is taking place
 - b gaming machines sited in adult-only areas are turned off if children and young persons are working on the premises outside the hours when the premises are open for business.

3.8 Money lending between customers

Ordinary code provision 3.8.2

Money-lending – other than casinos

All non-remote bingo, general betting, adult gaming centre, family entertainment centre and remote betting intermediary (trading rooms only) licences

- 1 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.

4 'Fair and open' provisions

4.1 Fair terms

Social responsibility code provision 4.1.1

Fair terms

All licences, except gaming machine technical and gambling software licences

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

5 Marketing

5.1 Rewards and bonuses

Social responsibility code provision 5.1.1

Rewards and bonuses – SR code

All licences (including ancillary remote licences), except gaming machine technical and gambling software licences

- 1 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;
 - 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 5.1.2

Proportionate rewards

All licences (including ancillary remote licences), except gaming machine technical and gambling software licences

- 1 Licensees should only offer incentive or reward schemes in which the benefit available is proportionate to the type and level of customers' gambling.

Social responsibility code provision 5.1.6

Compliance with advertising codes

All licences, except lottery licences

- 1 All marketing of gambling products and services must be undertaken in a socially responsible manner.
- 2 In particular, Licensees must comply with the advertising codes of practice issued by the Committee of Advertising Practice (CAP) and the Broadcast Committee of Advertising Practice (BCAP) as applicable. For media not explicitly covered, licensees should have regard to the principles included in these codes of practice as if they were explicitly covered.
- 3 The restriction on allowing people who are, or seem to be, under 25 years old (ie: those in the 18-24 age bracket) to appear in marketing communications need not be applied in the case of non-remote point of sale advertising material, provided that the images used depict the sporting or other activity that may be gambled on and not the activity of gambling itself and do not breach any other aspect of the advertising codes.

Ordinary code provision 5.1.8

Compliance with industry advertising codes All licences

- 1 Licensees should follow any relevant industry code on advertising, notably the Gambling Industry Code for Socially Responsible Advertising.

Social responsibility code provision 5.1.9

Other marketing requirements

All licences

- 1 Licensees must ensure that their marketing communications, advertisement, and invitations to purchase (within the meaning of the Consumer Protection from Unfair Trading Regulations 2008) do not amount to or involve misleading actions or misleading omissions within the meaning of the Regulations.
- 2 Licensees must ensure that all significant conditions which apply to marketing incentives are provided transparently and prominently to consumers. Licensees must present the significant conditions at the point of sale for any promotion, and on any advertising in any medium for that marketing incentive except where, in relation to the latter, limitations of space make this impossible. In such a case, information about the significant conditions must be included to the extent that it is possible to do so, the advertising must clearly indicate that significant conditions apply and where the advertisement is online, the significant conditions must be displayed in full no further than one click away.
- 3 The terms and conditions of each marketing incentive must be made available for the full duration of the promotion

Ordinary code provision 5.1.10

Online marketing in proximity to information on responsible gambling

All licences

- 1 Licensees should ensure that no advertising or other marketing information, whether relating to specific offers or to gambling generally, appears on any primary web page/screen, or micro site that provides advice or information on responsible gambling

Social Responsibility code provision 5.1.11

Direct electronic marketing consent

All licences

- 1 Unless expressly permitted by law consumers must not be contacted with direct electronic marketing without their informed and specific consent. Whenever a consumer is contacted the consumer must be provided with an opportunity to withdraw consent. If consent is withdrawn the licensee must, as soon as practicable, ensure the consumer is not contacted with electronic marketing thereafter unless the consumer consents again. Licensees must be able to provide evidence which establishes that consent.

6 Complaints and disputes

6.1 Complaints and disputes

Social responsibility code provision 6.1.1

Complaints and disputes

All licences (including ancillary remote licensees) except gaming machine technical and gambling software licences

- 1 Licensees must put into effect appropriate policies and procedures for accepting and handling customer complaints and disputes in a timely, fair, open and transparent manner.
- 2 Licensees must ensure that they have arrangements in place for customers to be able to refer any dispute to an ADR entity in a timely manner if not resolved to the customer's satisfaction by use of their complaints procedure within eight weeks of receiving the complaint, and where the customer cooperates with the complaints process in a timely manner.
- 3 The services of any such ADR entity must be free of charge to the customer.
- 4 Licensees must not use or introduce terms which restrict, or purport to restrict, the customer's right to bring proceedings against the licensee in any court of competent jurisdiction. Such terms may, however, provide for a resolution of a dispute agreed by the customer (arrived at with the assistance of the ADR entity) to be binding on both parties.
- 5 Licensees' complaints handling policies and procedures must include procedures to provide customers with clear and accessible information on how to make a complaint, the complaint procedure, timescales for responding, and escalation procedures.
- 6 Licensees must ensure that complaints policies and procedures are implemented effectively, kept under review and revised appropriately to ensure that they remain effective, and take into account any applicable learning or guidance published by the Gambling Commission from time to time.
- 7 Licensees should keep records of customer complaints and disputes in such manner as the Commission may from time to time specify in advance or guidance. They must provide information to the Commission about customer complaints, disputes, the outcomes of disputes referred to ADR, and court proceedings adverse to the licensee, also in such manner as the Commission may from time to time specify.

In this Code, 'ADR entity' means a person offering alternative dispute resolution services whose name appears on the list maintained by the Gambling Commission in accordance with *The Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015*.

7 Gambling licensees' staff

7.1 Gambling licensees' staff

Social responsibility code provision 7.1.2

Responsible gambling information for staff

All licences, including betting ancillary remote licences, but not other ancillary remote licences

- 1 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.

8 Information requirements

8.1 Information requirements

Ordinary code provision 8.1.1 Information requirements – ordinary code All licences

- 1 As stated earlier in this code, 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 include in particular matters that will have a material impact on the licensee's business or on the licensee's ability to conduct licensed activities compliantly and consistently with the licensing objectives.
- 2 Thus, licensees should notify the Commission, or ensure that the Commission is notified, as soon as reasonably practicable and in such form and manner as the Commission may from time to time specify¹, of any matters which in their view could have a material impact on their business or affect compliance. The Commission would, in particular, expect to be notified of the occurrence of any of the following events in so far as not already notified in accordance with the conditions attached to the licensee's licence²:
 - a any material change in the licensee's structure or the operation of its business
 - b any material change in managerial responsibilities or governance arrangements
 - c any report from an internal or external auditor expressing, or giving rise to, concerns about material shortcomings in the management control or oversight of any aspect of the licensee's business related to the provision of gambling facilities.

¹ These matters can be reported securely online at the Commission's website through our eServices system www.gamblingcommission.gov.uk
Alternatively, for operators unable to access this system, you can these events by email to: key.events@gamblingcommission.gov.uk

² Events which **must** be reported, because the Commission considers them likely to have a material impact on the nature or structure of a licensee's business, are set out in general licence condition 15.2.1

10 Assessing local risk

10.1 Assessing local risk

Social responsibility code provision 10.1.1

Assessing local risk

All non-remote casino, adult gaming centre, bingo, family entertainment centre, betting and remote betting intermediary (trading room only) licences, except non-remote general betting (limited) and betting intermediary licences.

- 1 Licensees must assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In making risk assessments, licensees must take into account relevant matters identified in the licensing authority's statement of licensing policy¹.
- 2 Licensees must review (and update as necessary) their local risk assessments:
 - a to take account of significant changes in local circumstances, including those identified in a licensing authority's statement of licensing policy;
 - b when there are significant changes at a licensee's premises that may affect their mitigation of local risks;
 - c when applying for a variation of a premises licence; and
 - d in any case, undertake a local risk assessment when applying for a new premises licence.

¹This is the statement of licensing policy under the Gambling Act 2005.

Ordinary code provision 10.1.2

Sharing local risk assessments

All non-remote casino, adult gaming centre, bingo, family entertainment centre, betting and remote betting intermediary (trading room only) licences, except non-remote general betting (limited) and betting intermediary licences

- 1 Licensees should share their risk assessment with licensing authorities when applying for a premises licence or applying for a variation to existing licensed premises, or otherwise on request.

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Appendix 6

Statement of Gambling Policy

HARINGEY STATEMENT OF GAMBLING POLICY 2016

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LONDON BOROUGH OF HARINGEY

Statement of Gambling Policy

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1 Statement of Gambling Principles

1.1 Introduction

Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which they propose to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed from "time to time" and any amended parts re-consulted upon. The statement must then be re-published.

Haringey Council consulted widely upon this statement before finalising and publishing. A list of those persons consulted is provided below. It should be noted that unsolicited comments were received from other persons but we have not listed all of these.

- The Gambling Act requires that the following parties are consulted by licensing authorities:
- The Chief Officer of Police;
- One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area;
- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005.

List of persons this authority consulted:

- The Metropolitan police service
- Haringey Social Services
- Betting Industry trade association
- Local residents association

Our consultation took place between 9th September 2015 to 19th October 2015 and we followed the HM Government Code of Practice on Consultation (published July 2012).

The full list of comments made and the consideration by the Council of those comments is available by request to: Licensing@haringey.gov.uk / via the Council's website at: www.haringey.gov.uk/licensing

The policy was approved at a meeting of the Full Council on 23rd November 2015 and was published via our website on 30th January 2016. Copies were placed in the public libraries of the area as well as being available in the Civic Centre.

Should you have any comments as regards this policy statement please send them via e-mail or letter to the following contact:

Licensing Team

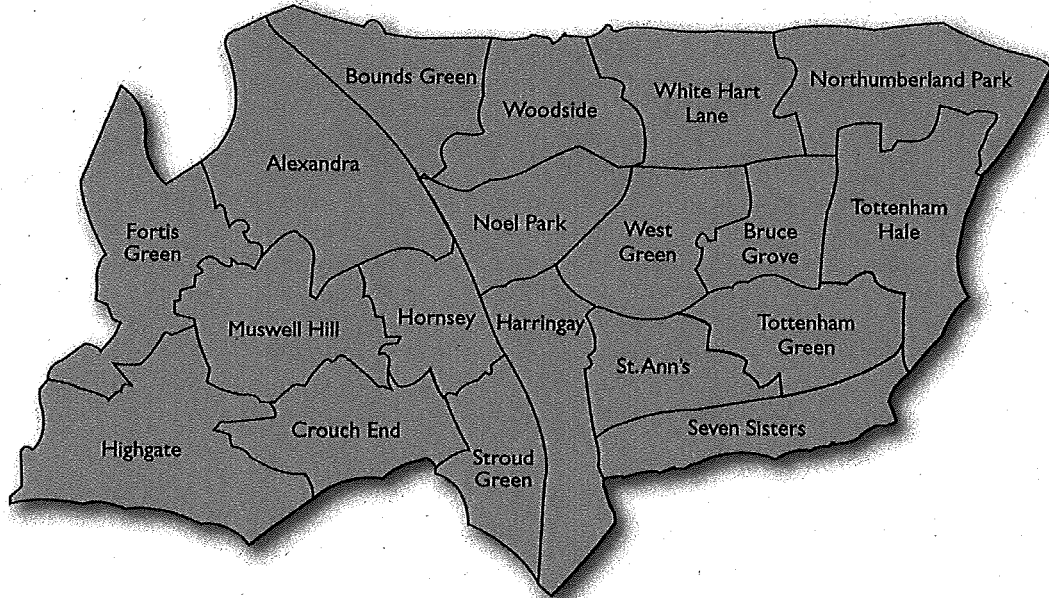
Level 6 Alexandra House, 10 Station Road London N22 7TR

[E-mail:] Licensing@haringey.gov.uk

It should be noted that this statement of licensing principles will not override the right of any person to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

1.2 The London Borough of Haringey

Map of the London borough of Haringey



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Haringey is one of London's 32 Boroughs. It is located in the north of the capital and is more than 11 square miles in area. According to the 2001 Census nearly half of its 254,900 people come from ethnic minority backgrounds. It is often said that Haringey is an outer London Borough with inner London challenges.

There are approximately 100,000 dwellings and approximately 8,200 businesses employing 64,700 people. The most recent indices of multiple deprivation (IMD) (2010) show that Haringey is one of the most deprived authorities in the country, ranking 13th out of 326 authorities, and it is ranked 4th in London.

1.3 Gambling data

The British Gambling Prevalence Survey 2010, in a profile of problem gamblers found that In 2010 across England, problem gambling prevalence varied by IMD and was lowest among the least deprived areas and was higher among more deprived areas. Problem gambling prevalence was also associated with employment status, being highest among the unemployed (3.3%) and the 'other' group (4.6%) and lowest among those who were retired (0.1%) and those looking after family/home (0.5%).

Problem gambling prevalence was significantly higher among groups with increasingly money problems. Prevalence was lowest among those with no money problems (0.5%) and highest among those with very severe money problems (6.1%).

In 2013/2014 Gamcare, a charity dealing with problem gambling, reported that the gambling activities that featured in calls received were, 30% fixed odds betting terminals and roulette machines, 31% betting and 19% slot machines. The gambling facilities that featured were, 41% betting shops, 34% the internet and 7% casinos.

In April 2011 a Haringey scrutiny report noted that betting shops were located disproportionately within the east of the borough (85%), and that there was a correlation between the location of betting shops and social deprivation with 43% of betting shops located in the most deprived super output areas (10%) of the borough.

1.4 Glossary of Terms

Within this Statement of Gambling Policy, the following words and terms are defined as stated:

Licensing Objectives:	As defined in section 4 below
Council:	Haringey Council The area of London administered by the London Borough of Haringey
Borough:	
Licences:	As defined in section 5 below
Applications:	Applications for licences and permits as defined in section 5 below
Notifications:	Means notification of temporary and occasional use notices
Act:	The Gambling Act 2005
Regulations:	Regulations made under the Gambling Act 2005
Premises:	Any place, including a vehicle, vessel or moveable structure
Code of Practice:	Means any relevant code of practice under section 24 of the Gambling Act 2005
Mandatory Condition:	Means a specified condition provided by regulations to be attached to a licence
Default Condition:	Means a specified condition provided by regulations to be attached to a licence, unless excluded by Haringey Council
	For the purposes of this Act, the following are responsible authorities in relation to premises:
	<ol style="list-style-type: none"> 1. The Licensing Authority in whose area the premises are wholly or mainly situated ("Haringey Council");
Responsible Authority:	<ol style="list-style-type: none"> 2. The Gambling Commission; 3. Metropolitan Police Constabulary 4. London Fire and Emergency Planning Authority 5. Building Control Manager, Assistant Director Planning , Haringey Council

6. Commercial and Environmental Protection Team, Haringey Council;
7. Policy & Performance Manager, Children's Services Officer in Social Services, Haringey Council;
8. HM Customs and Excise.

For the purposes of this Act, a person is an interested party in relation to a premises licence if, in the opinion of the Licensing Authority which issues the licence or to which the application is made, the person:-

- Interested Party:
- (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 (a) or (b) above.

1.5 Declaration

In producing the final statement, this licensing authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, the Guidance to Licensing Authorities issued by the Gambling Commission, and any responses from those consulted on the statement.

PART A

2 Licensing Objectives

2.1 The Licensing Objectives

In exercising most of their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:

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

It should be noted that the Gambling Commission has stated: "The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling".

This licensing authority is aware that, as per Section 153, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it:

- in accordance with any relevant code of practice issued by the Gambling Commission
- in accordance with any relevant guidance issued by the Gambling Commission
- reasonably consistent with the licensing objectives and
- in accordance with the authority's statement of licensing policy

2.2 Responsible Authorities

The licensing authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:

- the need for the body to be responsible for an area covering the whole of the licensing authority's area; and
- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

In accordance with the suggestion in the Gambling Commission's Guidance to Licensing Authorities, this authority designates the Local Safeguarding Children Board for this purpose.

The contact details of all the Responsible Authorities under the Gambling Act 2005 are available via the Council's website at: www.haringey.gov.uk/licensing

Engagement with the police and local crime prevention partnership schemes

In addition to the need to consult a local Crime Reduction Officer, the operators of new premises undergoing a refurbishment should also engage with the police's designing out crime unit at the design stage to ensure crime prevention and detection.

We encourage that premises liaise with their Neighbourhood Policing Team to develop relationships at a local level and promote effective communication and co-operation. Additionally, operators are expected to actively support and participate in any local business partnership / Crime prevention schemes, where any such schemes are in operation, and where such schemes are reasonably consistent with the licensing objectives.

2.3 Interested parties

Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

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

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

The licensing authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are:

Each case will be decided upon its merits. This authority will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission's Guidance to Licensing Authorities at 8.11 to 8.19. Note though that decisions on premises licences and temporary use notices must be "in accordance" with Gambling Commission Guidance (Section 153). It will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.

Interested parties can be persons who are democratically elected such as councillors and MP's. No specific evidence of being asked to represent an interested person will be required as long as the councillor / MP represents the ward likely to be affected. Likewise,

parish councils likely to be affected will be considered to be interested parties. Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate / relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.

If individuals wish to approach councillors to ask them to represent their views then care should be taken that the councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the licensing department.

2.4 Exchange of Information

Licensing authorities are required to include in their statements the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with the respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.

The principle that this licensing authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened. The licensing authority will also have regard to any Guidance issued by the Gambling Commission on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

2.5 Enforcement

Licensing authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.

This licensing authority's principles are that:

It will be guided by the Gambling Commission's Guidance to Licensing Authorities and will endeavour to be:

- Proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
- Accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
- Consistent: rules and standards must be joined up and implemented fairly;
- Transparent: regulators should be open, and keep regulations simple and user friendly; and
- Targeted: regulation should be focused on the problem, and minimise side effects.

As per the Gambling Commission's Guidance to Licensing Authorities this licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

This licensing authority has adopted and implemented a risk-based inspection programme, based on;

- The licensing objectives
- Relevant codes of practice
- Guidance issued by the Gambling Commission, in particular at Part 36

- The principles set out in this statement of licensing policy

The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 is to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission is the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines are not dealt with by the licensing authority but should be notified to the Gambling Commission.

This licensing authority also keeps itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.

Bearing in mind the principle of transparency, this licensing authority's enforcement/compliance protocols/written agreements are available upon request to the licensing department.

2.6 Licensing authority functions

Licensing authorities are required under the Act to:

- Be responsible for the licensing of premises where gambling activities are to take place by issuing *Premises Licences*
- Issue *Provisional Statements*
- Regulate *members' clubs* and *miners' welfare institutes* who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- Issue *Club Machine Permits to Commercial Clubs*
- Grant permits for the use of certain lower stake gaming machines at *unlicensed Family Entertainment Centres*
- Receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
- Issue *Licensed Premises Gaming Machine Permits* for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines
- Register *small society lotteries* below prescribed thresholds
- Issue *Prize Gaming Permits*
- Receive and Endorse *Temporary Use Notices*
- Receive *Occasional Use Notices*
- Provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange')
- Maintain registers of the permits and licences that are issued under these functions

It should be noted that licensing authorities are not to be involved in licensing remote gambling at all, which is regulated by the Gambling Commission via operating licences.

2.7 Summary of license requirements and machine entitlements:

Premises Type/ Activity	Type of authorisation you need	Overview of entitlements authorisation brings
Adult Gaming Centre	Premises Licence + Operating Licence + Personal Licence	20% of the total number of gaming machines which are available for use on the premises as B3 or B4 gaming machines* + and any number of category C and D + prize gaming
Family Entertainment Centre (premise	OPTION 1: Premises licence + Operating Licence	Any number of category C and D gaming machines + equal chance gaming + prize gaming

Premises Type/ Activity	Type of authorisation you need	Overview of entitlements authorisation brings
wholly/ mainly making gaming machines available)	+ Personal Licence	
	OPTION 2: Gaming Machine Permit	Any number of category D gaming machines
Tracks (dog track, horse track) or other sporting venues	OPTION 1: Premises licence + Operating Licence	Maximum of 4 machines categories B2 to D (except B3A) + betting (type of betting dependent on type of operating licence)
	OPTION 2: Occasional Use Notice	Betting for 8 days or less in a calendar year
Casino Premises	Premises Licence + Operating Licence + Personal Licence	Casino games (i.e. games of chance), equal chance gaming, betting, bingo (regional/ large casinos only) + category B to D gaming machines (regional casino may also have cat. A machines) No. of machines as per casino size.
Bingo Premises	Premises Licence + Operating Licence + Personal Licence	Bingo + prize gaming + 20% of the total number of gaming machines which are available for use on the premises as B3 or B4 gaming machines* + any number of category C and D
Travelling Fair	Gaming machine permit	Any no. of category D gaming machines (as long as this amounts to no more than ancillary activity) + prize gaming
Betting Premises (makes or accepts bets)	Premises Licence + Operating Licence + Personal Licence	Maximum of 4 machines categories B2 to D (except B3A) + betting (type of betting dependent on type of operating licence)
Premises with consumption of alcohol on the premises	OPTION 1: Notify Licensing unit	Automatic entitlement to 2 category C or D machines
	OPTION 2: Licensed premises gaming machine permit	Any number if category C or D machines may be requested
Prize gaming	Prize gaming permit	Provision of any form of prize gaming (other than bingo)
Members' club or miners' welfare institute (and commercial clubs)	OPTION 1: Club <i>gaming</i> permit (not available to commercial clubs)	Maximum of 3 machines in categories B3A or B4 to D**, equal chance gaming + games of chance
	OPTION 2: Club <i>Machine</i> permit	Maximum of 3 machines in categories B4 to D
Small-society lottery	Must register with licensing unit	May run a small-society lottery (details upon request)
Any premises without premises licence	Temporary Use Notice	Permits gambling on the premises for no more than 21 days in any 12 month period

* Adult gaming centre and bingo premises are entitled to make available a number of Category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises. Premises in existence before 13 July 2011 are entitled to make available four (adult gaming centre premises) or eight (bingo premises) category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Adult gaming centre premises and bingo premises licences granted on or after 13 July 2011 but before 1 April 2014 are entitled to a maximum of four or eight category B gaming machines or 20% of the total number of gaming machines, whichever is the greater; from 1 April 2014 these premises will be entitled to 20% of the total number of gaming machines only. But not B3A machines.

** It should be noted that members' clubs and miners' welfare institutes are entitled to site a total of three machines in categories B3A to D but only one B3A machine can be sited as part of this entitlement. Commercial clubs are entitled to a total of three machines in categories B4 to D.

2.8 Social Responsibility

The Gambling Commission has published a set of Licensing conditions and codes of practice (LCCP). This document contains conditions that are applied by the Commission to operating and personal licences. The LB Haringey does not issue these licences and has no influence over them.

The LB Haringey issues premises licences, within the LCCP are social responsibility codes of practice for different gambling sectors. Compliance with these social responsibility code provisions is mandatory. The LB Haringey expects applicants for new licences and variations of existing licences to provide information setting out how they will fulfil the relevant code provisions. It is not considered that this is an onerous requirement as compliance is mandatory.

In addition to the social responsibility code provisions there are also ordinary code provisions. These are not mandatory, however the LB Haringey expects applicants to consider the relevance of these ordinary code provisions to their premises and applications in the light of local risk assessments. Where applicants consider that ordinary code provisions are not necessary they may be asked to provide the reasoning for this decision.

2.9 Local Risk Assessments

From 6th April 2016 licensees must assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate these risks. Licensees must take into account relevant matters identified by this authority. Further guidance will be published at a later date.

PART B

3. PREMISES LICENCES: CONSIDERATION OF APPLICATIONS

3.1 General Principles

Premises licences are subject to the requirements set-out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach others, where it is believed to be appropriate.

This licensing authority has published guidance for applicants that sets out the expectations the authority has about information that applicants for new licences or variations of existing licences should submit in order for the authority to make a decision on the merits of the application.

Primary gambling activity

This authority is aware of the general conditions attached to operating licences, concerning primary gambling activity, and of the ordinary provisions of the codes of practice. As the ordinary provisions are best practice this authority expects operators to demonstrate that sufficient facilities for the primary gambling activity for which an operating licence has been issued are being made available in each licensed premises, and that licensees should have regard to the following general factors:

- The ratio of the space available to customers allocated to the primary gambling activity, to that allocated to other gambling activities;
- The extent to which the primary gambling activity is promoted on the premises and by way of external advertising compared to other gambling activities;
- The use, either expected or actual, to be made of the different gambling activities.

3.2 Decision-making

This licensing authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of licensing policy.

When aiming to permit the use of premises as above, the authority will impose conditions on a premises licence. The Authority may reject, review or revoke premises licences where there is an inherent conflict with the relevant codes of practice, the published guidance, the licensing objectives or this policy.

It is appreciated that as per the Gambling Commission's Guidance to Licensing Authorities "moral objections to gambling are not a valid reason to reject applications for premises licences" (except as regards any 'no casino resolution' - see section on Casinos – 3.12). Each application will be considered on its merit without regard to demand.

3.3 Definition of "premises" – In the Act, "premises" is defined as including "any place". Section 152 therefore prevents more than one premises licence applying to any place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.

Separation and division of buildings

If applications for multiple applications are made in relation to one building it is expected that, in line with published guidance the exits and entrances will be separate and identifiable so that the separation of different premises is not compromised. This also applies to any application for a discrete part of a building.

The authority expects that in this situation the premises will be configured in such a way that it will not be possible for children to participate in, have accidental access to or closely observe gambling.

To determine whether two or more proposed premises are separate this authority will consider:

- Are there separate registrations of business rates;
- Are neighbouring premises in the same ownership;
- Can each premises be accessed from the street;

- Can the premises be accessed from any other gambling premises.

Different premises licences cannot be granted in respect of a single premises to have effect at different times.

The Gambling Commission states in the published Guidance to Licensing Authorities that: "In most cases the expectation is that a single building / plot will be the subject of an application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. However, the Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises."

This licensing authority takes particular note of the Gambling Commission's Guidance to Licensing Authorities which states that: licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:

- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.
- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not "drift" into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- Customers should be able to participate in the activity names on the premises licence.

This authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

The Gambling Commission's relevant access provisions for each premises type are reproduced below:

Casinos

- The principal access entrance to the premises must be from a street (as defined at 7.23 of the Guidance)
- No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons
- No customer must be able to enter a casino directly from any other premises which holds a gambling premises licence

Adult Gaming Centre

- No customer must be able to access the premises directly from any other licensed gambling premises

Betting Shops

- Access must be from a street (as per para 7.23 Guidance to Licensing Authorities) or from another premises with a betting premises licence
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind and you could not have a betting shop at the back of a café – the whole area would have to be licensed.

Tracks

- No customer should be able to access the premises directly from:
 - a casino
 - an adult gaming centre

Bingo Premises

- No customer must be able to access the premise directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

Family Entertainment Centre

- No customer must be able to access the premises directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

Part 7 of the Gambling Commission's Guidance to Licensing Authorities contains further guidance on this issue, which this authority will also take into account in its decision-making.

Premises "ready for gambling"

The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

If the construction of a premises is not yet complete, or if they need alteration, then an application for a provisional statement should be made instead.

In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two stage consideration process:-

- First, whether the premises ought to be permitted to be used for gambling
- Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

More detailed examples of the circumstances in which such a licence may be granted can be found in the Guidance.

3.4 Location - This licensing authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives are relevant to its decision-making. As per the Gambling Commission's Guidance to Licensing Authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.

3.5 Planning:

The Gambling Commission Guidance to Licensing Authorities states:

7.59 – In determining applications the licensing authority has a duty to take into consideration all relevant matters and not to take into consideration any irrelevant matters, i.e. those not related to gambling and the licensing objectives. One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal. The Government has now made it necessary that all betting premises application need to apply for Planning permission in its own use class.

This authority will not take into account irrelevant matters as per the above guidance. In addition this authority notes the following excerpt from the Guidance:

7.66 - When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have or comply with the necessary planning or building consents. Those matters should be dealt with under relevant planning control and building regulation powers, and not form part of the consideration for the premises licence. Section 210 of the 2005 Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building regulations.

3.6 Duplication with other regulatory regimes - This licensing authority seeks to avoid any duplication with other statutory / regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

When dealing with a premises licence application for finished buildings, this authority will not take into account whether those buildings have to comply with the necessary planning or buildings consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, buildings and other regulations and must not form part of the consideration for the premises licence.

3.7 Licensing objectives - Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this licensing authority has considered the Gambling Commission's Guidance to Licensing Authorities and some comments are made below.

Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime - This licensing authority is aware that the Gambling Commission takes a leading role in preventing gambling from being a source

of crime. The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This licensing authority is aware of the distinction between disorder and nuisance and will consider factors (for example whether police assistance was required and how threatening the behaviour was to those who could see or hear it) so as to make that distinction.

Ensuring that gambling is conducted in a fair and open way - This licensing authority has noted that the Gambling Commission states that it generally does not expect licensing authorities to be concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. *For Local Authorities with tracks:* There is however, more of a role with regard to tracks which is explained in more detail in the 'tracks' section.

Protecting children and other vulnerable persons from being harmed or exploited by gambling - This licensing authority has noted the Gambling Commission's Guidance that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children). The licensing authority will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.

This licensing authority is also aware of the Gambling Commission Codes of Practice as regards this licensing objective, in relation to specific premises.

As regards the term "vulnerable persons" it is noted that the Gambling Commission does not seek to offer a definition but states that "it will for regulatory purposes assume that this group includes people who gamble more than they want to; people who gambling beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs." This licensing authority will consider this licensing objective on a case by case basis.

3.8 Conditions - Any conditions attached to licences will be proportionate and will be:

- relevant to the need to make the proposed building suitable as a gambling facility;
- directly related to the premises and the type of licence applied for;
- fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects.

Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures this licensing authority will consider utilising should there be a need, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. This licensing authority will also expect the licence applicant to offer his/her own suggestions as to way in which the licensing objectives can be met effectively.

This licensing authority will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance.

This authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:

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

These considerations will apply to premises including buildings where multiple premises licences are applicable.

This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

It is noted that there are conditions which the licensing authority cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated; and
- conditions in relation to stakes, fees, winning or prizes.

3.9 Door Supervisors - The Gambling Commission advises in its Guidance to Licensing Authorities that if a licensing authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a premises licence to this effect.

Where it is decided that supervision of entrances/machines is appropriate for particular cases, a consideration of whether these need to be SIA licensed or not will be necessary. It will not be automatically assumed that they need to be licensed, as the statutory requirements for different types of premises vary (as per the Guidance, Part 33).

3.10 Adult Gaming Centres

This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

This licensing authority may consider measures to meet the licensing objectives such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry

- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

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

3.11 (Licensed) Family Entertainment Centres:

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

This licensing authority may consider measures to meet the licensing objectives such as:

- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.
- Measures / training for staff on how to deal with suspected truant school children on the premises

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

This licensing authority will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. This licensing authority will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

3.12 Casinos

No Casinos resolution - This licensing authority has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should this licensing authority decide in the future to pass such a resolution, it will update this policy statement with details of that resolution. Any such decision will be made by the Full Council.

3.13 Bingo premises

This licensing authority notes that the Gambling Commission's Guidance states:

18.4 Licensing authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.

This authority also notes the Guidance at paragraph 18.8 regarding the unusual circumstances in which the splitting of a pre-existing premises into two adjacent premises might be permitted, and in particular that it is not permissible to locate sixteen category B3

gaming machines in one of the resulting premises, as the gaming machine entitlement for that premises would be exceeded.

18.7 Children and young people are allowed into bingo premises; however they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed.

3.14 Betting premises

Betting machines - This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.

3.15 Track Betting

This licensing authority is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. As per the Gambling Commission's Guidance, this licensing authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

This authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

This licensing authority may consider measures to meet the licensing objectives such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare

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

Gaming machines -Where the applicant holds a pool betting operating licence and is going to use the entitlement to four gaming machines, machines (other than category D machines) should be located in areas from which children are excluded.

Betting machines - This licensing authority will, as per Part 6 of the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator proposes to offer.

3.16 Applications and plans

The Gambling Act (s51) requires applicants to submit plans of the premises with their application, in order to ensure that the licensing authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the licensing authority to plan future premises inspection activity. As a minimum, submitted plans should contain the information as set out in the regulations, however, to demonstrate compliance with the requirements of the social responsibility codes locations of counters, betting terminals, gaming machines and CCTV camera locations should also be included.

Plans for tracks do not need to be in a particular scale, but should be drawn to scale and should be sufficiently detailed to include the information required by regulations.

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

3.17 Travelling Fairs

This licensing authority is responsible for deciding whether, where category D machines and / or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

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

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

3.18 Provisional Statements

Developers may wish to apply to this authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

S.204 of the Gambling Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:

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

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

In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a

track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.

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

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

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

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

3.19 Reviews:

Requests for a review of a premises licence can be made by interested parties or responsible authorities; however, it is for the licensing authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below;

- in accordance with any relevant Code of Practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of principles.

The request for the review will also be subject to the consideration by the authority as to whether the request is frivolous, vexatious, or whether it will certainly not cause this authority to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.

The licensing authority can also initiate a review of a particular premises licence, or a particular class of premises licence on the basis of any reason which it thinks is appropriate.

Once a valid application for a review has been received by the licensing authority, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins 7 days after the application was received by the licensing authority, who will publish notice of the application within 7 days of receipt.

The licensing authority must carry out the review as soon as possible after the 28 day period for making representations has passed.

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

- (a) add, remove or amend a licence condition imposed by the licensing authority;

- (b) exclude a default condition imposed by the Secretary of State or Scottish Ministers (e.g. opening hours) or remove or amend such an exclusion;
- (c) suspend the premises licence for a period not exceeding three months; and
- (d) revoke the premises licence.

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

In particular, the licensing authority may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.

Once the review has been completed, the licensing authority must, as soon as possible, notify its decision to:

- the licence holder
- the applicant for review (if any)
- the Commission
- any person who made representations
- the chief officer of police or chief constable; and
- Her Majesty's Commissioners for Revenue and Customs

PART C

4. Permits / Temporary & Occasional Use Notice

4.1 Unlicensed Family Entertainment Centre gaming machine permits (Statement of Principles on Permits - Schedule 10 paragraph 7)

Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238).

The Gambling Act 2005 states that a licensing authority may prepare a *statement of principles* that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under section 25. The Gambling Commission's Guidance to Licensing Authorities also states: "In their three year licensing policy statement, licensing authorities may include a statement of principles that they propose to apply when

exercising their functions in considering applications for permits....., licensing authorities will want to give weight to child protection issues." (24.6)

Guidance also states: "...An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application....Licensing authorities might wish to consider asking applicants to demonstrate:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act; and
- that staff are trained to have a full understanding of the maximum stakes and prizes. (24.7)

It should be noted that a licensing authority cannot attach conditions to this type of permit.

4.2 Statement of Principles - PERMITS

This licensing authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits, however, they may include appropriate measures / training for staff as regards suspected truant school children on the premises, measures / training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises. This licensing authority will also expect, as per Gambling Commission Guidance, that applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs; that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act); and that staff are trained to have a full understanding of the maximum stakes and prizes.

4.3 (Alcohol) Licensed premises gaming machine permits - (Schedule 13 paragraph 4(1))

Automatic entitlement: 2 machines

There is provision in the Act for premises licensed to sell alcohol for consumption on the premises to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the licensing authority.

The licensing authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

Permit: 2 or more machines

If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the licensing authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and "*such matters as they think relevant.*"

This licensing authority considers that "such matters" will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable

persons from harmed or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines. Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be help. As regards the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.

It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.

It should be noted that the licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

4.4 Prize Gaming Permits

The Gambling Act 2005 states that a licensing authority may “prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the licensing authority proposes to consider in determining the suitability of the applicant for a permit”.

This licensing authority has prepared a Statement of Principles which is that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations;
- that the gaming offered is within the law
- Clear policies that outline the steps to be taken to protect children from harm

In making its decision on an application for this permit the licensing authority does not need to (but may) have regard to the licensing objectives but must have regard to any Gambling Commission guidance. (Gambling Act 2005, Schedule 14 paragraph 8(3)).

It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:

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

4.5 Club Gaming and Club Machines Permits

Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in forthcoming regulations.

Members Clubs and Miner's welfare institutes – and also Commercial Clubs – may apply for a Club Machine Permit. A Club Machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D). NB Commercial Clubs may not site category B3A gaming machines offering lottery games in their club.

Gambling Commission Guidance states: "Members clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made regulation and these cover bridge and whist clubs, which replicates the position under the Gambling Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations."

The Commission Guidance also notes that "licensing authorities may only refuse an application on the grounds that:

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

There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). As the Gambling Commission's Guidance to Licensing Authorities states: "Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which an authority can refuse a permit are reduced." and "The grounds on which an application under the process may be refused are:

- (a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12;
- (b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- (c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."

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

4.6 Temporary Use Notices

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

The licensing authority can only grant a Temporary Use Notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence.

The Secretary of State has the power to determine what form of gambling can be authorised by Temporary Use Notices, and at the time of writing this Statement the relevant regulations (SI no 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that Temporary Use Notices can only be used to permit the provision of

facilities or equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.

There are a number of statutory limits as regards Temporary Use Notices. The meaning of "premises" in Part 8 of the Act is discussed in Part 7 of the Gambling Commission Guidance to Licensing Authorities. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place".

In considering whether a place falls within the definition of "a set of premises", the licensing authority needs to look at, amongst other things, the ownership/occupation and control of the premises.

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

4.7 Occasional Use Notices:

The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This licensing authority will though consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

5. Legislation, Policies and Strategies

5.1 Legislation

In undertaking its licensing function under the Gambling Act 2005, the Council is also bound by other legislation, including:-

1. Section 17 of the Crime and Disorder Act 1988;
2. Human Rights Act 1998;
3. Health and Safety at Work Act 1974;
4. Environmental Protection Act 1990;
5. The Anti-Social Behaviour Act 2003;
6. The Race Relations Act 1976 (as amended);

However, the policy is not intended to duplicate existing legislation and regulation regimes that already place obligations on employers and operators.

5.2 National Strategies

The Council will also seek to discharge its responsibilities identified by other Government Strategies, in so far as they impact on the objectives of the licensing function.

5.3 Local Strategies and Policies

Where appropriate, the Council will consider applications with reference to other adopted local strategies and policies, including the following:-

1. The Council's Community Strategy; 2003-2007

2. The Haringey Safer Communities Strategy: 2005-2008
3. Enforcement Policies.

6. Integrating Strategies

There are many stakeholders involved in the Leisure industry and many are involved in the promotion of the licensing objectives. A number of stakeholders' plans and strategies deal with matters related to the licensing function. Where this is the case, the Council will aim, as far as possible, to co-ordinate them.

The Council considers that where appropriate and in so far as is consistent with the Gambling Act, Guidance and Codes of Practice issued under sections 24 and 25 of the Gambling Act 2005, it is desirable that this Policy complements other relevant plans and strategies aimed at the management of town centres and the night-time economy.

Relevant plans and strategies include:-

- ❖ Crime and Disorder Strategy – The Council will fulfil its duty under section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the Borough. As far as possible, licensing decisions will aim to contribute to the targets set in the Crime and Disorder Strategy and conditions attached to licences and certificates will reflect local crime prevention strategies.
- ❖ Safer Communities Strategy

The Community Safety Strategy is committed to tackling the key areas of crime and building prevention initiatives into neighbourhoods. The licensing authority will support the work of the Safer Communities Strategy within the scope of the licensing objectives under the Act
- ❖ Haringey Council – A Community Plan – As far as possible, any licensing decisions will be in line with the aspirations of this community plan.
- ❖ Local Transport Plan – the Council aims to work with the local transport authority and will consider ways in which the public can be dispersed from licensed premises and events so as to avoid disturbance, crime and disorder. The Police will be encouraged to report on matters related to the swift and safe dispersal of people from licensed premises.
- ❖ Racial Equality – The Council is required under race relations legislation to have due regard to the need to eliminate unlawful discrimination and to promote equality of opportunity and good relations between persons of different racial groups. The impact on these issues of the Gambling Policy will be monitored and amendments will be made as necessary.
- ❖ Domestic Violence Strategy – The Council will ensure consultation to ensure that any correlation between gambling and domestic violence can be detected at the earliest opportunity.
- ❖ Children and Young Persons Strategy – The Council will have regard to the impact on this strategy and the criteria for safeguarding children from becoming addicted.

- ❖ Anti-Poverty Strategy – As far as possible, any licensing decisions will have regard to this strategy. It will support the work of the Anti Poverty Strategy as they are developed within the scope of the licensing objectives under the Act.
- ❖ Human Rights – The Human Rights Act 1998 incorporates the European Convention on Human Rights and makes it unlawful for a local authority to act in a way which is incompatible with a Convention right. The Council will have particular regard to the following relevant provisions of the European Convention on Human Rights:-
 - Article 6 that in the determination of civil rights and obligations, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law;
 - Article 8 that everyone has the right to respect for his home and private and family life;
 - Article 1 of the First Protocol that every person is entitled to the peaceful enjoyment of his or her possessions, including for example the possession of a licence.
- ❖ Proper integration will be assured by the Licensing Authority's Licensing Committee providing reports, when appropriate, to its Planning Committee on the situation regarding licensed premises in the area, including the general impact of gambling related crime and disorder, to enable the Planning Committee to have regard to such matters when taking its decisions.
- ❖ The Council will ensure that the Licensing Committee receives reports, when appropriate, on the needs of the local tourist economy to ensure that these are reflected in their considerations.
- ❖ Economic Strategies – The Council will ensure that the Licensing Committee is appraised of the employment situation in the area and the need for new investment and employment where appropriate.
- ❖ Enforcement Policy – All licensing enforcement will be conducted in accordance with the Enforcement Concordat, and the Haringey Enforcement Policy.

These links to other corporate strategies will be formulated in detail as a result of the consultation process.

7. Decision Making

7.1 Committee Terms of Reference

A Licensing Sub-Committee of Councillors will sit to hear applications where representations have been received from interested parties and responsible authorities. Ward Councillors will not sit on a Sub-Committee involving an application within their ward.

The Licensing Committee will also sit to determine general licensing matters that have been delegated to it by the full Council that are not associated with the Gambling Act 2005.

Where a Councillor who is a member of the Licensing Committee is making or has made representations regarding a licence on behalf of an interested party, in the interests of good governance they will disqualify themselves from any involvement in the decision making process affecting the licence in question.

The Licensing Sub-Committee will also refer to the Licensing Committee any matter it is unable to deal with because of the number of its members who are unable to take part in the consideration or discussion of any matter or vote on any question with respect to it.

The Licensing Committee will refer to the full Council any matter it is unable to deal with because of the number of its members who are unable to take part in the consideration or discussion of any matter or vote on any question with respect to it.

Every determination of a licensing decision by the Licensing Committee or a Licensing Sub-Committee shall be accompanied by clear, cogent reasons for the decision. The decision and the reasons for that decision will be sent to the applicant and those who have made relevant representations as soon as practicable. A summary of the decision shall also be posted on the Council's website as soon as possible after the decision has been confirmed, where it will form part of the statutory licensing register required to be kept by the Council.

The Council's Licensing Officers will deal with all other licensing applications where either no representations have been received, or where representations are irrelevant, frivolous or vexatious will be made by Council Officers, who will make the decisions on whether representations or applications for licence reviews should be referred to the Licensing Committee or Sub-Committee. Where representations are rejected, the person making that representation will be given written reasons as to why that is the case. There is no right of appeal against a determination that representations are not admissible.

7.2 Allocation of Decision Making Responsibilities

The Council will be involved in a wide range of licensing decisions and functions and has established a Licensing Committee to administer them.

Appreciating the need to provide a speedy, efficient and cost-effective service to all parties involved in the licensing process, the Committee has delegated certain decisions and functions and has established a Sub-Committee to deal with them.

Many of the decisions and functions will be purely administrative in nature and the grant of non-contentious applications, including for example those licences and permits where no representations have been made, will be delegated to Council Officers.

The table shown at Appendix A sets out the agreed delegation of decisions and functions to Licensing Committee, Sub-Committee and Officers.

This form of delegation is without prejudice to Officers referring an application to a Sub-Committee or Full Committee if considered appropriate in the circumstances of any particular case.

8. Local Standards

8.1 Enforcement

The Council is a signatory to the Enforcement Concordat and will follow the principles set out in it. The concordat is based around the principles of consistency, transparency and proportionality.

The Enforcement Concordat (available upon request) proposes that a graduated response is taken where offences against legislation are found or where licence conditions have been contravened. An isolated administrative offence, such as failing to maintain certain records, may be dealt with by way of a written warning. More serious offences may result in a licence review, the issue of a Formal Caution or a referral for prosecution.

The Council intends to use appropriate enforcement to promote the licensing objectives. Once licensed, it is essential that premises are monitored to ensure that they are run in accordance with their operating schedules, in compliance with the specific requirements of the Act and in compliance with any licence conditions. It will also be important to monitor the Borough for unlicensed premises.

The Council will seek to work actively with the Police in enforcing licensing legislation and intends to establish protocols with the Metropolitan Police and, Haringey Trading Standards Department and London Fire and Emergency Planning Authority on enforcement issues to ensure an efficient deployment of police and council officers.

9. Complaints Against Licensed Premises

The Council will investigate complaints against licensed premises in relation to matters relating to the licensing objectives for which it has responsibility. In the first instance, complainants are encouraged to raise the complaint directly with the licence holder or business concerned to seek a local resolution.

Where an interested party has made either a valid representation about licensed premises or a valid application for a licence to be reviewed, the Council may initially arrange a conciliation meeting to address and clarify the issues of concern.

This process will not override the right of any interested party to ask that the licensing committee consider their valid objections, or for any licence holder to decline to participate in a conciliation meeting.

10. Further Information

Further information about the Gambling Act 2005, this Statement of Gambling Policy or the application process can be obtained from:-

Licensing Team
Level 6 Alexandra House
10 Station Road
London N22 7TR
Tel: 020 8489 1335 Fax: 020 8489 5528
E-mail: licensing@haringey.gov.uk

Information is also available from:-

Gambling Commission

Victoria Square House
Victoria Square
Birmingham
B2 4BP

Email: info@gamblingcommission.gov.uk

Telephone: 0121 230 6666

Fax: 0121 230 6720

The new stake and prize limits by category of machine as of January 2014 are as follows:

Category	Old maximum stake	Old maximum prize	New maximum stake	New maximum prize
B1	£2	£4,000	£5	£10,000*
B2**	£100	£500	£100	£500
B3	£2	£500	£2	£500
B3A	£1	£500	£2	£500
B4	£1	£250	£2	£400
C	£1	£70	£1	£100
D non-money prize (not crane grab)	30p	£8	30p	£8
D non-money prize (crane grab)	£1	£50	£1	£50
D money prize	10p	£5	10p	£5
D combined money and non-money prize (coin pusher/penny falls)	10p	£15 (of which no more than £8 may be money prize)	20p	£20 (of which no more than £10 may be a money prize)
D combined money and non-money prize (other than coin pusher or penny falls)	10p	£8 (of which no more than £5 may be a money prize)	10p	£8 (of which no more than £5 may be a money prize)

* with option of maximum £20,000 linked progressive jackpot on premises basis only

** Government considers the future of these machines to be unresolved pending further work which is already underway.

Summary of Machine Provisions by Premises

Premises type	Machine Category						
	A	B1	B2	B3	B4	C	D
Large casino (machine/table ratio of 5-1 up to maximum)				Maximum of 150 machines Any combination of machines in categories B to D within the total limit of 150 (subject to machine/table ratio)			
Small casino (machine/table ratio of 2-1 up to maximum)				Maximum of 80 machines Any combination of machines in categories B to D within the total limit of 80 (subject to machine/table ratio)			
Pre-2005 Act casino (no machine/table ratio)				Maximum of 20 machines categories B to D or any number of C or D machines instead			
Betting premises and tracks occupied by pool betting				Maximum of 4 machines categories B2 to D			
Bingo premises			Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4**			No limit on category C or D machines	
Adult gaming centre			Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4**			No limit on category C or D machines	
Family entertainment centre (with premises licence)				No limit on category C or D machines			
Family entertainment centre (with permit)				No limit on category D machines			
Clubs or miners' welfare institute (with permits)				Maximum of 3 machines in categories B3A (only one may be of B3A) or B4 to D*			
Qualifying alcohol-licensed premises				1 or 2 machines of category C or D automatic upon notification			
Qualifying alcohol-licensed premises (with gaming machine permit)				Number of category C-D machines as specified on permit			
Travelling fair				No limit on category D machines			
A	B1	B2	B3	B4	C	D	

11 APPENDIX A

TABLE OF DELEGATIONS OF LICENSING FUNCTIONS

MATTER TO BE DEALT WITH	FULL COUNCIL	SUB-COMMITTEE	OFFICERS
Three year licensing policy	X		
Policy not to permit casinos	X		
Fee Setting - when appropriate		Can only be delegated to a sub-committee, not officers	
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Review of a premises licence			The initial grounds for review will be for officers to validate. Licensing Sub Committee will then hear the review if the grounds are valid under s.198
Application for club gaming /club machine permits		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Cancellation of club gaming/ club machine permits			Cancellation of club gaming /machine permits and other permits decisions would be appropriate for officers.
Applications for other permits			Dealt with by officers
Cancellation of licensed premises gaming machine permits			Dealt with by officers
Consideration of temporary use notice		X	
Decision to give a counter notice to a temporary use notice			

Appendix 7.

Mandatory conditions for AGC

APP - 7

AGC premises licence conditions

21.7 Part 9 of this Guidance discusses the mandatory and default conditions that attach to premises licences. Currently there are no default conditions specific to AGCs.

Mandatory conditions

21.8 A notice must be displayed at all entrances to AGCs stating that no person under the age of 18 years will be admitted to the premises.

21.9 There can be no direct access between an AGC and any other premises licensed under the Act or premises with a family entertainment centre (FEC), club gaming, club machine or alcohol licensed premises gaming machine permit (England and Wales only). There is no definition of 'direct access' in the Act or regulations, although licensing authorities may consider that there should be an area separating the premises concerned, such as a street or cafe, which the public go to for purposes other than gambling, for there to be no direct access.

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

21.11 The consumption of alcohol in AGCs is prohibited at any time during which facilities for gambling are being provided on the premises. Additionally in Scotland the sale of alcohol on the premises is specifically prohibited. A notice stating this should be displayed in a prominent place at every entrance to the premises.

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