

**All remote licences (including ancillary remote betting licences), except gaming machine technical, gambling software, ancillary remote bingo, ancillary remote casino and remote betting intermediary (trading rooms only) licences**

**Ordinary code provision**

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

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

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

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

Customers should be given the opportunity to self-exclude by contacting customer services and in addition, where technically possible, by entering an automated process using remote communication. In order to avoid inadvertent self-exclusion it is acceptable for an automated process to include an additional step that requires the customer to confirm that they wish to self-exclude. The licensee should ensure that all staff who are involved in direct customer service are aware of the self-exclusion system in place, and are able to direct that individual to an immediate point of contact with whom/which to complete that process.

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

Licensees should take all reasonable steps to ensure that:

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

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

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

## 2.6 Employment of children and young persons

### All lottery licences and pool betting licences restricted to football pools

#### Ordinary code provision

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

### All non-remote bingo licences

#### Ordinary code provision

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

- a) to employ them to provide facilities for playing bingo;
- b) for their contracts of employment to require them, or for them to be permitted, to perform a function in connection with a gaming machine; and
- c) to employ a child to perform any function on premises where, and at a time when, facilities are being provided for playing bingo.

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

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

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

and should consider adopting a policy that:

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

### All non-remote casino licences

#### Ordinary code provision

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

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

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

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

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

and should consider adopting a policy that:

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

### **All non-remote general, pool betting and remote betting intermediary (trading rooms only) licences**

#### **Ordinary code provision**

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

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

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

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

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

and should consider adopting a policy that:

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

### **All adult gaming centre licences**

#### **Ordinary code provision**

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

- a) to employ 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;

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

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

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

and should consider adopting a policy that:

- children and young persons are not employed to work on adult gaming centre licensed premises at any time when the premises are open for business
- 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.

## **All family entertainment centre licences**

### **Ordinary code provision**

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

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

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

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

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

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

and should consider adopting a policy that:

- children and young persons are not employed to carry out any work in an adult-only area of family entertainment licensed premises at a time when any gambling is taking place
- gaming machines sited in adult-only areas are turned off if children and young persons are working on the premises outside the hours when the premises are open for business.

## **All remote licences, except remote lottery, remote pool betting, remote gaming machine technical, remote gambling software, ancillary remote bingo, ancillary remote casino and remote betting intermediary (trading rooms only) licences**

### **Ordinary code provision**

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

## All remote pool betting licences

### Ordinary code provision

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

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

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

**All non-remote general betting licences, except where betting is offered under a 2005 Act casino premises licence, pool betting, betting intermediary and lottery licences and all remote licences, except gaming machine technical, gambling software, ancillary remote casino, ancillary remote bingo and remote betting intermediary (trading rooms only) licences**

### Social responsibility code provision

Licensees who choose to accept credit cards must:

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

**All non-remote general betting licences, except where betting is offered under a 2005 Act casino premises licence, pool betting licences and all remote licences (including ancillary remote betting licences), except gaming machine technical, gambling software, ancillary remote casino, ancillary remote bingo and remote betting intermediary (trading rooms only) licences**

### Ordinary code provision

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

- have procedures for checking and scoring applications for credit from such customers, for setting, and for the increase of, credit limits
- explain these procedures to customers
- set a maximum credit limit for each customer and not permit customers to exceed that limit without further application
- apply a 24-hour delay between receiving a request for an increase in a credit limit and granting it in those cases where the limit exceeds that which the operator previously set
- not require a minimum spend within a set time period
- take all reasonable steps to ensure that offers of credit are not sent to vulnerable persons, including those who have self-excluded from gambling
- ensure that information about an offer of credit includes a risk warning of what may happen in the event of default.

## 2.8 Money lending between customers

### All non-remote casino licences

#### Ordinary code provision

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

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

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

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

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

#### Ordinary code provision

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

## 2.9 Identification of individual customers

### All remote licences (including ancillary remote betting licences), except gaming machine technical, gambling software, ancillary remote bingo, ancillary remote casino and remote betting intermediary (trading rooms only) licences

#### Social responsibility code provision

Licensees must have and put into effect policies and procedures designed to identify separate accounts which are held by the same individual.

Where licensees allow customers to hold more than one account with them, the licensee must link all of a customer's such accounts to that customer and ensure that:

- if a customer opts to self-exclude from one account they are excluded from all accounts they hold with the licensee
- all of a customer's accounts are monitored and decisions that trigger customer interaction are based on the observed behaviour and transactions across all the accounts
- where credit is offered or allowed the maximum credit limit is applied on an aggregate basis across all accounts
- individual financial limits can be implemented across all of a customer's accounts.

**All remote licences (including ancillary remote betting licences), except gaming machine technical, gambling software, ancillary remote bingo, ancillary remote casino and remote betting intermediary (trading rooms only) licences**

**Ordinary code provision**

Where a licensee:

- i) is a company, the licensee should take all reasonable steps to comply with the above social responsibility code provision as if it also applied to accounts held in respect of gambling carried on in reliance on a remote operating licence held by any Group Company;
- ii) also holds a licence in another jurisdiction permitting it to provide facilities for remote gambling (a 'foreign licence') or is a company one or more of whose Group Companies holds one or more foreign licences, the licensee should take all reasonable steps to comply with the above social responsibility code provision as if it applied also to accounts held in respect of gambling carried on in reliance on a foreign licence held by the licensee or any Group Company.

A company is a Group Company in relation to a licensee if it is the holding company of, subsidiary of, or shares a common holding company with, the licensee. For these purposes 'holding company' and 'subsidiary' respectively have the meanings ascribed to them by section 1159 of the Companies Act 2006 or any statutory modification or re-enactment thereof.

### **3 'Fair and open' provisions**

**All licences, except gaming machine technical and gambling software licences**

**Social responsibility code provision**

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

**All non-remote casino licences**

**Social responsibility code provision**

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

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

**All non-remote bingo licences**

**Social responsibility code provision**

In complying with any condition on a bingo premises licence or a 2005 Act large casino premises licence requiring the display of rules about gaming, licensees must ensure that the following are included:

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

**All remote licences (including ancillary remote betting licences), except gaming machine technical, gambling software, ancillary remote bingo, ancillary remote casino and remote betting intermediary (trading rooms only) licences**

**Social responsibility code provision**

Licensees must make the following available to customers:

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

**All remote licences (including ancillary remote betting licences), except gaming machine technical, gambling software, ancillary remote bingo, ancillary remote casino and remote betting intermediary (trading rooms only) licences**

**Ordinary code provision**

Where practicable, the player's guide and additional information referred to in the social responsibility code should be made available through the medium in which the remote gambling is to be conducted. Where that is not practicable, licensees should either:

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

**All non-remote casino licences**

**Social responsibility code provision**

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

**All general betting and betting intermediary licences, except remote betting intermediary (trading rooms only) licences**

**Social responsibility code provision**

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

- the circumstances under which the operator will void a bet
- treatment of errors, late bets and related contingencies
- availability of odds for any ante-post, early show or starting price betting, and treatment of place, forecast bets etc
- treatment of withdrawals, non-runners, and reformed markets
- maximum payout limiting liability for a specific betting product or generally
- any charges made to customers for the use of betting services or products, and how these are calculated (including deductions from winnings for commission, or in respect of withdrawn horses etc)



- means or medium by which the outcome of an event will be determined
- the rules for the event itself to be specified (eg horserace bets only to be accepted where the racing is subject to Horseracing Regulatory Authority rules)
- where bets are accepted on 'pari-mutuel' terms
- any special arrangements for settling bets on 'coupled' horses.

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

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

## **All non-remote general betting licences**

### **Social responsibility code provision**

In their terms on which bets may be placed (required to be displayed in accordance with mandatory conditions attaching to their premises licences) licensees must give prominence to their rules concerning voiding, late bets and maximum payouts.

When providing facilities for betting on-course, licensees must display on their 'joints' in an intelligible format:

- any rules that differ from Tattersalls' 'Rules on Betting' or the British Greyhound Racing Board's 'Regulations for the conduct of on-course bookmaking' as applicable<sup>5</sup>
- any types of unorthodox bets accepted (such as forecast betting, betting without the favourite, distance betting etc)
- whether win-only or each way bets are accepted
- any concessions or bonuses offered
- all of the runners and the odds available to the public
- the operator's trading name and contact address
- the minimum bet accepted
- the maximum guaranteed liability.

Licensees operating within the ring at horserace tracks must issue customers with a betting slip or ticket for each transaction accepted. Betting slips or tickets must include the following information:

- operator's name and contact details
- race day name or code, date and race number
- name and/or number of the selection
- the stake and potential return
- the odds, or whether the bet will be settled according to the Starting Price
- the type of bet.

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

<sup>5</sup> The references to Tattersalls' 'Rules on Betting' and the British Greyhound Racing Board's Regulations for the conduct of on-course bookmaking' reflect the current position and may need to be amended in future.

**All remote licences (including remote betting intermediary (trading rooms only) licences), except remote gaming machine technical, remote gambling software and ancillary remote licences**

#### **Ordinary code provision**

Licensees should ensure that the terms on which they contract with third parties who provide user interfaces enabling customers to access their remote gambling facilities:

- include a term that any such user interface comply with the Commission's technical standards for remote gambling systems
- enable them to terminate the third party's contract promptly if, in the licensee's opinion, the third party is in breach of that term.

**All betting operating licences, including betting intermediary, ancillary remote betting and remote betting intermediary (trading rooms only) licences**

#### **Ordinary code provision**

Where licensees offer to accept bets, or facilitate the making or acceptance of bets between others, on the outcome of a sport regulated by a sport governing body for the time being included in Part 3 of Schedule 6 of the Act they should take all reasonable steps to familiarise themselves with the rules applied by that body on betting, in particular betting by registered participants.

## **4 Marketing**

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

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

If a licensee makes available to any customer or potential customer any incentive or reward scheme or other arrangement under which the customer may receive money, goods, services or any other advantage (including the discharge in whole or in part of any liability of his) ('the benefit') the scheme must be designed to operate, and be operated, in such a way that:

- a) the circumstances in which, and conditions subject to which, the benefit is available are clearly set out and readily accessible to the customers to whom it is offered;
- 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.

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

### **Ordinary code provision**

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

### **All non-remote bingo and casino licences**

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

If licensees offer customers free or discounted alcoholic drinks for consumption on the premises they must do so on terms which do not in any way link the availability of such drinks to whether, or when, the customer begins, or continues, to gamble.

Licensees must not make unsolicited offers of free alcoholic drinks for immediate consumption by customers at a time when they are participating in a casino game, bingo game or playing a gaming machine.

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

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

Where a licensee employs agents to promote its business (wherever that business is conducted), it must ensure that its agreement with any agent makes clear that the agent must not encourage players to play longer or wager more than the player might otherwise do. In particular, payments should not be directly dependent upon, nor directly calculated by reference to, the length of time for which, or frequency with which, the customer gambles. If the payment to the agent increases with the amount the customer spends it must do so at a rate no greater than that at which the amount spent increases.

## **All lottery licences**

### **Ordinary code provision**

With a view to minimising the risk of fraud, licensees who are non-commercial societies or external lottery managers should adopt one or more of the following measures:

- prohibit the unsolicited mailing of tickets to non-members of the promoting society
- limit the value of tickets sent to any one address which is not that of a member of the promoting society to £20
- maintain records of tickets distributed and not returned.

## **All licences**

### **Ordinary code provision**

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

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

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

#### **Ordinary code provision**

Licensees should ensure that the terms on which they contract with their affiliates (that is those who are given a right to advertise, or provide a hyper-link to, a licensee's gambling website) enable them to terminate the affiliate's rights promptly if, in the licensee's opinion, the affiliate is in breach of the advertising codes.

## **5 Complaints and disputes**

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

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

Licensees must put into effect a written procedure for handling customer complaints and disputes.

In this code a 'complaint' means a complaint about any aspect of the licensee's conduct of the licensed activities, and a 'dispute' is any complaint which:

- a) is not resolved at the first stage of the complaints procedure; and
- b) relates to the outcome of the complainant's gambling transaction.

Licensees must ensure that:

- customers are told the name and status of the person to contact about their complaint
- customers are given a copy of the complaints procedure on request or on making a complaint
- all complaints are handled in accordance with the procedure.

Licensees must also ensure that they have arrangements in place for disputes to be referred to an independent third party. Customers whose disputes are not resolved to their satisfaction by use of the operator's complaints procedure may refer those disputes to this independent third party. The arrangements under which such complaints are referred may, but need not, provide for the third party's decision to be binding on the licensee and the customer.

Licensees must keep a record of all complaints that are not resolved at the first stage of the complaints procedure.

Licensees must arrange for a copy of the decision on, or a note of the outcome of, each dispute referred to the independent party to be provided to the Commission quarterly, either by the independent party or by the licensee.

## 6 Gambling licensees' staff

### All non-remote casino licences

#### Social responsibility code provision

Licensees must have and put into effect policies and procedures to manage relationships between staff and customers, based on the principle that in carrying out their duties staff must not engage in any conduct which is, or could be, likely to prejudice the licensing objectives.

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

#### Social responsibility code provision

Licensees must take all reasonable steps to ensure that staff involved in the provision of facilities for gambling are made aware of advice on socially responsible gambling and of where to get confidential advice should their gambling become hard to control.

## 7 Pool betting

### All pool betting licences

#### Social responsibility code provision

Licensees or any person they authorise to offer pool betting on their behalf under authority of section 93 of the Act must publish their rules relevant to the following:

- the deduction levels for overheads, taxes, profits etc, expressed as a percentage, from each available pool
- the rounding of winning dividends to a whole unit
- the procedure for when there is no winner of the pool, and the circumstances in which the pool is carried over
- the period of time in which a winning bet may be claimed from the pool operator.

### All non-remote pool betting licences authorised to offer pool betting on dog races

#### Social responsibility code provision

Licensees or any person they authorise to offer pool betting on their behalf under authority of section 93 of the Act, must only accept bets through equipment capable of communicating bets to a central recording system.

The equipment must supply the person placing the bet with a betting slip or ticket containing the following information:

- the date on which the bet is made
- the amount of the stake
- the identity of the track, the number or time of the race and the pool in respect of which the bet is made
- the selection or selections or combination of selections as indicated
- means of identifying the equipment recording the bet.

The central recording system must collect all bets made to each of the operator's pools and all

information required to calculate the winnings of each pool and be capable of storing this information for subsequent retrieval if required by the Commission.

Licensees and any person they authorise to offer pool betting on their behalf under authority of section 93 of the Act must:

- provide a public display system within sight of all of the operator's terminals capable of accepting pool bets situated on-course. The system must display the potential dividend returns in respect of win and place outcomes from each pool operated, and in at least one place the units staked on all types of combination bets offered. This information is to be updated whilst the pool market is open. Following conclusion of the event to which the pool relates, the total amount payable as winning dividends must be displayed as soon as practicable
- display prominently the minimum stake that will be accepted as a bet.

## 8 Information requirements

### All licences, except ancillary remote licences

#### Ordinary code provision

The Commission expects licensees to work with the Commission in an open and cooperative way and to inform the Commission of any matters that the Commission would reasonably need to be aware of in exercising its regulatory functions. These are matters that will have a material impact on the licensee's business or on the licensee's ability to conduct its business. Such matters, which should be notified to the Commission as soon as reasonably practicable<sup>6</sup>, include the following:

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

<sup>6</sup> These matters can be reported securely online at the Commission's website at [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk) or by email to [key.events@gamblingcommission.gov.uk](mailto:key.events@gamblingcommission.gov.uk) or posted to Key Events, Compliance Administration Team, Gambling Commission, Victoria Square House, Victoria Square, Birmingham, B2 4BP

## 9 Primary gambling activity

### **Non-remote general betting, bingo and casino operating licences, except where facilities are offered under a 2005 Act casino premises licence**

#### **Ordinary code provision**

In order to demonstrate that the primary gambling activity for which an operating licence has been issued is being offered in each licensed premises, 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 facilities.

Licensees should also have regard to the following additional sector specific factors:

### **Non-remote bingo licences, except where bingo is offered under a 2005 Act casino premises licence**

#### **Ordinary code provision**

- the frequency and extent that bingo is, or is intended to be played on the premises, compared with the periods when the premises are open
- whether there is:
  - capacity on the premises for the generation of main stage bingo numbers
  - a facility to sell tickets or cards for bingo games on the premises
  - bingo available to be played whenever sessions are advertised
  - display of prize board information
  - a means of stopping a game to claim a win.

Not all the indicators would need to be present in a particular case, nor do they preclude others, but the combination of those factors that are present should be sufficient to indicate that the activity is the primary one in any given premises.

### **Non-remote casino operating licences, except 2005 Act casino operating licences**

#### **Ordinary code provision**

- the proportion of the gaming day for which live tables are, or will, be made available on demand.

Not all the indicators would need to be present in a particular case, nor do they preclude others, but the combination of those factors that are present should be sufficient to indicate that the activity is the primary one in any given premises.

### **Non-remote general betting licences, except where betting is offered under a 2005 Act casino premises licence**

#### **Ordinary code provision**

- the range and frequency of events on which bets can be made.

Not all the indicators would need to be present in a particular case, nor do they preclude others, but the combination of those factors that are present should be sufficient to indicate that the activity is the primary one in any given premises.

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## **Keeping gambling fair and safe for all**

For further information or to register your interest in the Commission please visit our website at:  
[www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)

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

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LCCP 11/04  
December 2011

## **Appendix 3**

### **Letter of representation from Cllr Stewart**

To whom it may concern,

We are writing to object to the application from Betfred for a licence to set up a betting shop at 64 High Road, Wood Green, London, N22 6HL.

As the application will be considered under the Gambling Act 2005, we have highlighted evidence to support our objection within the criteria specified within the Act.

### **Keeping gambling free from crime**

#### **Criminality in Noel Park connected to betting shops**

On Wood Green High Road, there is a specific problem with crime connected to betting shops.

The local police recognise that a large proportion of the crime in Noel Park is linked to betting shops within the area. The police have identified that over a short period between November 2011 and January 2012, 15 calls were made to the police associated with betting shops and 19 crimes were linked to betting shops in Noel Park.

The police have recently obtained a General Dispersal Zone (GDZ) for a stretch of the High Road due to anti-social behaviour. Rich Davies, the Noel Park Safer Neighbourhood Team Sergeant, has said:

*"The reason for the GDZ, were the high levels of ASB and drug use along a small stretch of the High Road. There are 5 betting shops with the GDZ and there is no doubt that the ASB is linked to them."*

Given the link between betting shops on the Wood Green High Road and criminality, Sergeant Rich Davies has said:

*"Another betting shop on Wood Green High Road would further contribute to levels of ASB and crime. The police are in total objection to this application."*

This evidence demonstrates clearly that there is a connection between betting shops and crime in Noel Park.

#### **Increased risk of crime resulting from the Betfred application**

The Betfred application represents a significant increase in the clustering of betting shops on the Wood Green High Road. As the approval of the GDZ confirms, the clustering of betting shops is significant in that crime data for Noel Park relates to criminality both around but also between betting premises.

In addition, the premises are adjacent to an alleyway and recessed area that is prone to crime and impossible to secure and monitor: betting premises in this location are likely to

increase the opportunity and prevalence of crime.

### **Rise in criminality in and around betting shops**

In addition to the specific local evidence highlighted above, there is also evidence of an increased trend in anti-social behaviour and crime associated with betting shops across London.

A recent report developed by the Union for Betting Shop Workers highlighted:

*“Following a series of Freedom of Information requests to the London Metropolitan Police, Community—the Union for Betting Shop Workers has found an astonishing 65% rise in Anti-Social Behavior in and around betting shops since 2005... Theft Offences and allegations are both up significantly since 2006, 16% and 35.3% respectfully.”<sup>1</sup>*

Furthermore, the report also highlights that Haringey is one of the three worst councils in London for anti-social behaviour in and around betting shops; theft offences in betting shops; and theft allegations in betting shops. Given a very high proportion of Haringey’s betting shops are in Wood Green, this is further evidence that there is significant criminality associated with betting shops in Noel Park.

### **Academic research**

Academic research that supports the existence of gambling related criminality. Smith, Wynne & Hartnagel (2003)<sup>2</sup> highlight that there are four distinct types of criminality associated with gambling, these are:

- *Illegal gambling* – Gambling activity that is counter to jurisdictional regulations statutes, such as operating without a gambling license, cheating at play, etc.;
- *Criminogenic problem gambling* – Activities such as forgery, embezzlement, and fraud, typically committed by problem gamblers to support a gambling addiction;
- *Gambling venue crime* – Crimes that occur in and around gambling locations, such as loan sharking, money laundering, passing counterfeit currency, theft, assault, prostitution and vandalism;
- *Family abuse* – Victimization of family members caused by another family member’s gambling involvement, (e.g., domestic violence, child neglect, suicide, and home invasion).

While betting shops in Wood Green may be associated with all these types of criminality, we have shown specific evidence above – from the local police and other sources – that there is evidence of “gambling venue crime” in Wood Green.

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<sup>1</sup> <http://www.community-tu.org/information/104365/numbers/>

<sup>2</sup> Smith, G., Wynne, H. & Hartnagel, T. (2003). *Examining police records to assess gambling impacts: a study of gambling-related crime in the city of Edmonton*. Report for the Alberta Gaming Research Institute.

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

### **Children using Wood Green Betting Shops**

The local police confirm that people below that age of 18 who have been involved in ASB have been known to use the betting shops on the Wood Green High Road. The Act is clear in its aim to prevent children being exploited by gambling – on the grounds that there is evidence that children have been illegally using betting shops on the Wood Green High Road, we ask that the application is rejected on this basis.

### **Risk to vulnerable people**

The 2010 Gambling Prevalence Survey estimates that there are approximately 451,000 in the UK with a gambling problem<sup>3</sup>. Given this sizable figure, it is likely that a significant number of problem gamblers live within the Wood Green area and will therefore be exposed to yet another opportunity to service their addiction.

The Survey also highlights that there is an association with problem gambling and people that are unemployed. As Haringey has an unemployment rate of 12.5 per cent – significantly higher than the national average of 7.9 per cent – it is likely that the additional betting shop will be in an area where there is a higher than average number of problem gamblers.

### **Summary**

One of the criteria within the 2005 Gambling Act that needs to be met before a licence for a betting shop is granted is “keeping gambling free from crime”. Given the significant evidence that we have outlined above, it is clear that gambling in Noel Park is not free from crime. Moreover it is connected to a large amount of anti-social behaviour and other criminality in Noel Park. As the application fails to meet this important criteria of the Act, we ask that this application is refused on this basis.

In addition, the application is for a location that significantly raises the risk of crime as the new betting shop would be in close proximity to an alleyway and would increase the clustering of betting shops. Local evidence supports the contention that this is likely to significantly increase crime in the area.

Moreover, there is significant evidence that residents of Haringey are disproportionately at risk of becoming problem gamblers. As a consequence, we believe that this application should be rejected on the grounds that vulnerable people will be put at risk.

Yours faithfully,

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<sup>3</sup> <http://www.gamblingcommission.gov.uk/PDF/British%20Gambling%20Prevalence%20Survey%202010.pdf>

**Wood Green Action Group (comprising Noel Park councillors and a range of local residents groups)**

## **Appendix 4**

### **Letter of offered conditions from Bet Fred**



## PROPOSED LICENCE CONDITIONS

### Betfred 64 High Road Wood Green

1. The premises shall be fitted out and operational within 6 months of the issue of the licence.
2. The Licensee shall notify the Licensing Authority when the premises have been fitted out and are ready for operation, so that the Licensing Authority can inspect the premises. Such notification to the Licensing Authority shall be given no less than 10 days prior to the premises opening under the licence.
3. CCTV Conditions:
  - 3.1 The premises shall have a CCTV system which shall be operational and recording twenty hour hours of the day. The position of the cameras shall be agreed with the police licensing team in advance, and shall include a covert pinhole camera on the door, so as to capture a good clear facial image of all persons leaving the premises. If the CCTV system is not working and fully operational, the manager of the premises or a member of staff shall contact the police licensing team immediately and the fault rectified as soon as practicable. If the CCTV is not in full working order after 2 working days, the premises shall remain closed until the CCTV system is fully operational.
  - 3.2 The medium on which CCTV images are recorded will be clearly identifiable, stored securely and shall be retained for a period of 14 days and shall be made available for inspection by the Police or an Officer of the Licensing Authority, upon request.
4. Where a person is suspected of using the premises in connection with criminal activity, then the Manager of the premises shall inform the Police promptly and the Licensee's Head of Compliance.
5. Notices shall be prominently displayed on the premises and visible to members of the public stating:
  - a) CCTV is recording on the premises;
  - b) Drugs will not be tolerated and persons found possessing/dealing will be excluded from the premises;
  - c) Drunkenness and those under the influence of drugs will not be tolerated and shall not be permitted to remain on the premises;
  - d) No Pay, No Play Policy shall be implemented, i.e. if customers are not making a bet or using the betting terminals they will not be permitted to remain on the premises.
6. Access to the toilets will be managed via a magnetic door lock system approved by the Police and shall be operated and controlled by staff.
7. Magnetic locks will be fitted and in working order on the main front doors of the premises and shall be controlled by staff.

8. "Challenge 21":

- 8.1 The Licensee shall adopt a "Challenge 21" policy whereby all customers who appear to be under the age of 21 are asked for proof of their age.
- 8.2 The Licensee shall prominently display notices advising customer of the "Challenge 21" policy.
- 8.3 The following proofs of age are the only ones to be accepted:
  - Proof of age cards bearing the "Pass" hologram symbol
  - UK Photo Driving Licence
  - Passport

9. Staff Competence and Training:

- 9.1 The Licensee shall maintain a written record of all staff authorised to verify the age of customers, the record to contain the full name and home address of each person so authorised. The staff record shall be made available for inspection by the Police or an Officer of the Licensing Authority upon request.
- 9.2 The Licensee shall ensure that each member of staff authorised to verify the age of customers has received adequate training on the law with regard to under age gambling and the procedure if an underage person enters the premises, and, that this is properly documented and training records kept. The training records to be kept on the licensed premises and made available for inspection by the Police or an Officer of the Licensing Authority upon request.
- 9.3 The Licensee shall ensure that each member of staff authorised to verify the age of customers is fully aware of his/her responsibilities in relation to verifying a customer's age and is able to effectively question customers and check evidence of proof of age.

10. Refusals Book:

- 10.1 The Licensee shall keep a register (Refusals Book) to contain details of the time and date of Under 21 Challenges, and the name/signature of the sales person who verified that the person was under age.
- 10.2 The Refusals Book shall be kept on the licensed premises and made available for inspection by the Police or an Officer of the Licensing Authority upon request.
- 10.3 All staff shall be trained in the use of the Refusals Books and are to receive on-going refresher training and this must be recorded in the training logs.

11. Points of Contact

- 11.1 The Licensee shall appoint an appropriate representative, of significant seniority, to meet with the Police (and Licensing Authority) within one month of opening and every 3 months thereafter in order to agree and implement a suitable action plan to tackle any issues relating to the licensing objectives that arise.
- 11.2 Before opening, the Licensee shall supply to the police, Licensing Authority and to any other suitably appointed local representatives and/or Ward

councillor, the telephone number and email address of the Licensee's security department, and shall ensure that such details remain up to date.

- 11.3 And the Licensee shall retain in the premises appropriate contact details for the police, Licensing Authority and any suitably appointed local representatives and/or Ward Councillor responsible for the area in which the premises are situated.

**Betfred, 64 High Road, Wood Green, London, N22 6HL**

**Application for Betting Premises Licence Under the Gambling Act 2005**

**Response by Betfred to Representations Received from Wood Green Action Group**

**1. Introduction**

- 1.1 Betfred acknowledges the representation received from the Wood Green Action Group regarding this application in respect of 64 High Road, Wood Green. When lodging its application, Betfred submitted copies of its Social Compliance Manual and Security Manual, together with copies of a Security Features Brochure. In this response reference will be made to those manuals, further copies of which will be available at the hearing.
- 1.2 It is also to be noted that there have been no representations received from any of the Responsible Authorities tasked with the responsibility of scrutinising this application, so as to ensure that any grant falls squarely within to Section 153 of the Gambling Act 2005. Accordingly, in deciding whether the grant of this application falls to be granted, having regard to the terms of Section 153, Betfred pray in aid particularly the decisions taken by the Licensing Authority and the Metropolitan Police not to object.
- 1.3 Betfred also wishes to draw to the Licensing Sub-Committee's attention the recent grant of their application for a betting premises licence in respect of 145 High Road Wood Green. The acquisition of those premises was not completed, by reason of time constraints with regard to the planning process, and accordingly, the premises never opened and the betting premises licence was recently surrendered. This application, if granted, would restore the number of licenses in the locality to those previously granted by the Licensing Sub-Committee.

**2. Betfred the Company**

- 2.1 Betfred presently trade 5 betting offices in Haringey. As a company Betfred have 200 shops trading within the M25, and it operates 1350 shops Nationwide. It is the Country's 4<sup>th</sup> largest Bookmaker and operates with the benefit of an Operating Licence issued by the Gambling Commission.
- 2.2 Betfred was first established by brothers Fred Done (from whom the company now gets its trading name) and Peter Done, in 1967 in Salford Greater Manchester. It is widely regarded in the industry, and beyond, as an "Independent" Bookmaker providing a competitive independent package of terms and conditions, distinct from those terms offered by the likes of the "Big 3" Ladbrokes, William Hills and Coral and other smaller independents. A significant part of its growth in recent years has been through new applications for licences such as this one.
- 2.3 Consequently, Betfred contend that they are extremely well versed and experienced in opening up and trading successfully, new betting shops, particularly in the context of the regulatory regime now established under the Gambling Act 2005. Indeed Betfred are not aware of any regulatory concerns that have come to the attention of either the Licensing Authority

or the Metropolitan Police, in respect of their existing betting shops in Haringey, since the licences were granted under "Grandfather Rights" in September 2007.

- 2.4 And finally, when determining whether the grant of this application would undermine a relevant licensing objective sufficient to justify a refusal, Betfred would particularly draw the Licensing Committee's attention to its recent acquisition of the Tote from the Government. It is respectfully submitted that had the Government (or indeed the Gambling commission) had concerns regarding Betfred's "fitness and propriety" and ability to run (successfully) high street betting offices (without regulatory concerns and without undermining the licensing objectives) then they would not have been allowed to have acquired the Tote.

### 3. Licensing Objective Section 1(a) Gambling Act 2005

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

- 3.1 Betfred has considered this licensing objective, to which the Licensing Committee must have regard, particularly in the light of the representations that have been received.

- 3.2 Betfred intend to fully promote this licensing objective and contends, in the light of all the matters to which reference will be made, that the grant of this licence will be reasonably consistent with this licensing objective. In particular:-

1. Betfred have spoken with the Metropolitan Police and are keen to continue to work with them as they do elsewhere within the capital. Betfred also attend regular meetings with the Police elsewhere and are keen to work together with the pro active Licensing Unit in addressing issues of crime and disorder should any arise.
2. Betfred's Security Manual, which demonstrates a high level of commitment to ensuring that this licensing objective is promoted, has already been lodged in support of the application, and the Licensing Committees is referred to it.
3. All members of staff are expected to be familiar with and adhere to the standards and policies to be found in the Company's Security Manual, a copy of which is always maintained in the branch. Regular audits are also undertaken by the Area Manager; the Company also have a team of Security Manager's who are also responsible for supporting staff in this important area of compliance.
4. To further detail the particular security features that will be available in these premises, the Licensing Authority has also been provided with a copy of a security features brochure. This brochure illustrates the security features that will be installed at the premises in the event of the licence being granted and, to the extent that the Licensing Committee think it necessary or desirable, such features can be made the subject of appropriately worded special conditions (see below).

5. The layout plan submitted with the application shows a spacious betting office. All areas of the shop can be easily and comfortably supervised and the frontage to the premises will be relatively open with a fully glazed front door. The toilet is to remain locked when not in use.
6. The main betting activity of the shop, and hence the focus of the betting facilities, will be the main gantry to the right of the shop. The main counter will be screened with a Polycarbonate sheet so as to enhance levels of security for the staff working behind the counter. It is intended for this shop to have 20 screens in the main gantry.

Ancillary to that provision is the FOBT zone which is positioned on the left wall of the premises, in a position where it can be seen directly from the main counter. CCTV will also enhance the levels of supervision throughout the shop.

7. The premises will be fitted out to a very high standard, commensurate with the location of these premises in the heart of Wood Green. Every effort will be made to ensure that the fit out is appropriate to its location.
8. Betfred contends there is nothing unique or unusual in the locality as regards trading a licensed betting office.
9. Betfred would also wish to draw the Licensing Committee and Metropolitan Police's attention to the Voluntary Code of Safety and Security National Standards for Bookmakers; a Code arising from the Safe Bet Alliance of which Betfred is an active member. In the event of a licence being granted for these premises, Betfred fully intend to adhere to the Code as set out by the Safe Bet Alliance. A copy can be made available on request.

#### 4. Licensing Objective Section 1(c) Gambling Act 2005

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

- 4.1 Betfred have also considered this licensing objective very carefully and, in the light of all the matters to which reference will be made below, contends that the grant of this application will also be reasonably consistent with this third licensing objective.
- 4.2 To ensure that Betfred retain, at the heart of its estate operations, adherence to all of the licensing objectives and, in particular, licensing objective three, the Company employ a Compliance Manager, Mr Jim Winder. He is responsible for ensuring that all of Betfred's staff are conversant with and adhere to the Company's established policies and procedures designed to ensure compliance. That is also achieved through the network of Regional Managers, Area Managers and Area Supervisors working throughout the country. But, in particular:
  1. In every Betfred shop is a Social Compliance Manual a copy of which was lodged with this application. It is maintained and kept up to date by the Shop Manager. The Licensing Committee is invited to consider the

stated principles of the Company and, in particular, the approach to licensing objective three.

2. Persons under the age of 18 are not permitted to enter any of Betfred's licensed premises and staff are given a number of tools to support them in their efforts to prevent under age gambling;
  - Under age signage
  - Promotion of the Citizen Card
  - An under 18 log to record all instances of refusal
  - A shop self audit form to ensure literature and signage remains in place

Betfred is also a member of the BAVA; the Bookmakers Age Verification Alliance. This is an ABB (Association of British Bookmakers) led group comprising Betfred and the other four major bookmakers. As a group, it meets regularly to review best practice and analyse the results of its independent 3<sup>rd</sup> party testing programme.

3. Additionally Betfred have adopted the "Think 21" best practice, which means that although signage states that the legal age is 18, in order to err on the side of caution and so as to assist with prevention, staff are asked to broaden their validation checks to include anyone who looks to be under 21. Moreover staff can only accept identification that meets a number of stringent criteria, including the need for it to contain a photograph; it must also be valid and legible.
4. Care has also been taken with the design, layout and external appearance of the premises so as to ensure that it is not attractive to children. The FOBT's have been positioned away from the entrance and it will be difficult to view them from outside the premises. Betfred also takes care in the design of promotional material so as to ensure that it will not encourage the use of any of their premises by children or young persons.
5. When concerned with the protection of vulnerable persons from being harmed or exploited by gambling, Betfred maintains policies and procedures to ensure that this licensing objective is promoted in all of its shops. The Licensing Authority is invited to have regard to the responsible approach advocated by Betfred, and pay particular heed to the self exclusion procedures and monitoring forms available in the branch for staff to complete.
6. And again, in the event that the Licensing Committee consider it necessary or desirable, Betfred are willing to agree to suitably worded conditions.

## **5. Particular measures proposed to meet the licensing objectives**

- 5.1 Betfred anticipates that the Licensing Sub-Committee will give consideration to a number of measures when determining this application in the light of its Policy. Where relevant, Betfred contends as follows:

- An appropriate and sufficiently robust proof of age scheme will be in operation in the premises;
- CCTV will be available and can be made the subject of an appropriately worded condition;
- An entry control system, through the use of a magnetic lock, will be provided as part of the premises security specification and a condition imposed to that effect;
- The one entrance to the premises, and the FOBT playing area, is capable of being supervised from behind the main counter;
- Notices and signage appropriate for underage and Gamcare will be prominently displayed throughout the premises. All of Betfred's shops meet the display of information requirements set out in the Gambling Act and the LCCP;
- In the event of this licence being granted, it will not be Betfred's intention to depart from the standard default hours for betting premises licences, and will open at times common to the other bookmakers in the locality.
- A self exclusion scheme will be in operation in the premises;
- Gamcare leaflets will be displayed in the premises and staff will be sufficiently trained to assist those customers who require assistance in that regard.

5.2 In addition, the Licensing Sub-Committee is also invited to attach weight to those other measures proposed by Betfred so as to promote the licensing objectives. These include, amongst other things;

- Toilets to be kept locked when not in use;
- Covert pin hole CCTV camera at the entrance to the premises;
- Screened counter;
- Adherence to the Safe Bet Alliance Voluntary Code of Safety and Security;
- Auditing of social compliance policies and procedures by shop staff and area management;
- The maintenance of logs for the recording and reporting of underage refusals and self exclusions;
- Appropriate induction and refresher training for all staff on social compliance;
- The careful design of the frontage and any promotional literature used to advertise Betfred's facilities.

## 6. The premises

6.1 As the Licensing Sub-Committee will know, the premises the subject of this application formally traded as Prestige Amusements.

6.2 Betfred are proposing to take an assignment of an existing lease with an expiry date of December 2020 at an annual rent of £80,000 and are also investing £107,000 in the refurbishment of the premises. In addition, Betfred are also providing local employment; as a minimum, opportunities for 3 full time and 2 part time staff along with a cleaner.



## 7. Conditions

- 7.1 In the light of the representations received, and although there are no objections from any of the Responsible Authorities, Betfred believes that it would nevertheless be appropriate and helpful, and indeed in line with Guidance from the Gambling Commission, if the question of conditions were discussed with the Licensing Sub-Committee at the hearing.
- 7.2 Accordingly, a draft set of conditions that Betfred propose is attached at **Appendix 1**. Similar conditions have been accepted elsewhere by other Licensing Authorities and Magistrates Courts, when dealing with comparable applications elsewhere in Capital. They are designed to reassure the Licensing Sub-Committee and ensure that any application granted is reasonably consistent with the licensing objectives.

## 8. The licensing objectives in the context of the representations received

- 8.1 Betfred contends that the scheme of the Act means that “there is a presumption in favour of permitting the relevant premises to be used for gambling...” (Gambling Commission Guidance 5.5). Accordingly, Betfred submits that the onus is on those raising representations against the grant of an application, to demonstrate that the grant of the licence would not be in accordance with Section 153. Particularly given that both the Licensing Authority and the Metropolitan Police have not objected.
- 8.2 Many of the letters of representation refer to problems or issues that are associated with the existing licensed betting offices in the locality and, in particular matters concerning crime and disorder. Two points arise:
- 8.2.1 Firstly, Betfred contend that, in view of the extensive measures to which reference has already been made (and which can if necessary be made the subject of special condition) it believes that the grant of this license would be reasonably consistent with the licensing objectives. If there are issues or problems particularly with regard to crime and disorder associated with the existing operators, then Betfred contends that may very well be due to site specific and locational issues to do with the exiting operator; its frontage; the staff working at the premises and the management of the shop; the layout of the shop; the position of the counter; the position of any machines; whether CCTV is installed in the premises; the number of people using the premises, and its advertising and marketing strategy etc. Betfred contends that it cannot be said for certain that their new premises will be a source of crime, will be associated with crime and disorder, or will be used to support crime, particularly in view of the measures designed to promote the licensing objectives to which reference has already been made.
- 8.2.2 And secondly, if there are real issues of concern regarding the operation of the existing licensed betting offices in the locality, particularly with reference to crime and disorder, then such matters are not the fault of Betfred but rather, may very well be due to the fault of the existing operators. If the existing shops are a source of crime and disorder or if they are being used to support crime and disorder, and there is evidence of that, then there are steps

available to the Licensing Authority the Metropolitan Police or interested parties to bring such matters to the attention of the Licensing Sub-Committee by way of an application for review under Section 197 of the Gambling Act 2005. And short of such an application, the Metropolitan Police certainly have a plethora of powers available to them in order to tackle crime and disorder particularly in partnership with existing operators. And yet no such applications for review have been made and, there is no objection to this application from either the Licensing Authority or the Metropolitan Police. It is therefore respectfully submitted that if the tipping point for an application for review has not been reached, then there are no grounds to refuse this application based on problems in the existing shops in the locality, bearing in mind that the criteria on an application for review is precisely the same as the criteria on an application for the grant of a new licence.

8.3 As for the licensing objective of protecting children and other vulnerable persons from being harmed or exploited by gambling, Betfred invites the Licensing Committee to note that the levels of problem gambling in this country have been consistently low. And, there is no evidence to suggest that increasing betting shops in whatever area, results in a corresponding increase in the levels of problem gambling. Indeed Betfred does not expect or anticipate that there will be substantial growth in the overall level of betting activity in this locality in the event of the license being granted. Predominantly the application is designed to provide a spacious, well presented, convenient, first class national independent alternative betting facility, from those already trading in the area.

8.4 Consequently, although Betfred have no evidence of gambling addiction in the area or problem gambling, arising from the use of the existing betting offices, given the lack of growth in demand and the measures designed to promote this licensing objective, Betfred believes that the grant of this licence will be reasonably consistent with the licensing objective of protecting children and other vulnerable persons from being harmed or exploited by gambling.

## **9. Observations on the representations received**

9.1 Wood Green Action Group contends that there is a link between the existing betting shops on the High Road and criminality. To demonstrate such a link exists, statistics (in isolation) are put forward and the Noel Park Safer Neighbourhood Team Sergeant is quoted. Betfred wishes to make the following observations.

9.1.1 No objection has been received to this application from Metropolitan Police in their capacity as one of the Responsible Authorities.

9.1.2 There has been no application for review in respect of any of the licences presently trading in Wood Green, notwithstanding the alleged criminality associated with them.

9.1.3 No reference is made to the number of betting shops responsible for the 15 calls and 19 crimes recorded during the snap shot period

referred to. Were they all attributed to one or a handful, whilst others made no calls and were not linked to any crimes?

- 9.1.4 Betfred submits that it cannot be said for certain that Betfred's new shop will be a source of crime and disorder or will be associated with crime and disorder.
- 9.1.5 The Licensing Sub-Committee is invited to adopt a proportionate approach. If there were one crime associated with the existing betting offices in Wood Green would that result in an objection? Betfred submits that their application need only be reasonably consistent with the licensing objectives, and contend that the level of crime relied upon is not sufficient to justify a refusal, particularly as the tipping point (for an application for review) has not been reached and the Metropolitan Police have not objected.
- 9.1.6 Betfred invites the Licensing Sub-Committee to adopt a cautious approach in relying upon these figures in isolation. During the same snap shot period what was the comparable evidence for pubs, off licences, clubs and hot food takeaways and the like? Without such comparable evidence the Licensing Sub-Committee is unable to judge the seriousness of the alleged criminality and whether a refusal is a justified response to it. It is said that there is 'significant criminality' associated with betting shops in Noel Park but that is not accepted by Betfred and it is not borne out by the evidence relied upon.
- 9.2 As for the immediate environs of the premises; Betfred are willing to discuss with the Licensing Authority and the Metropolitan police the use of external CCTV and lighting if it is believed that such measures would assist in dealing with the matters referred to.
- 9.3 As for the assertion regarding the prevalence of "gambling venue crime" Betfred invites the Licensing Sub-Committee to have regard to the observations at paragraph 10.1 and paragraphs 9.2.1 and 9.2.2 above.
- 9.4 If "children have been illegally using betting shops of the word Green High Road" then steps should have been taken already by the Metropolitan Police (or others) to deal with that. At the very least, the existing operators should have been warned and/or should have agreed to additional conditions on their premises licenses. Betfred however cannot be blamed, and nor should they be penalised, for the shortcomings of other operators, if indeed it is the case that children are using the betting shops in the locality. That is not something that Betfred would tolerate, it is not something that is tolerated in their existing shop, and the proposed conditions offered will assist in reassuring the Licensing Sub-Committee of Betfred's resolve and intentions in that regard.
- 9.5 Moreover, Betfred do not accept that there is any evidence to support the contention that a significant number of the country's 451,000 problem gamblers live within the Wood Green area. There is no reason to suppose that Wood Green has any more or indeed any less, problem gamblers, as a percentage of the population, than any other area, either in Haringey or

within the Capital, with comparable demographics in terms of population and unemployment.

**10. Conclusion**

- 10.1 Having regard therefore to all the submissions put forward in this response, Betfred believe that the grant of this application is reasonably consistent with the licensing objectives, and that any concerns that the Licensing Committee may have regarding the grant of this application, can be adequately dealt with through the imposition of the proposed conditions.

**Betfred**

**2<sup>nd</sup> July 2012**