



London Borough of Lewisham

Statement of Principles for Gambling

Under
Section 349 of the Gambling Act 2005

2019-2022
Version 5

Licensing Authority
Crime, Enforcement & Regulation Service
9 Holbeach Road
Catford
SE6 4TW

Contents - Item	Page
Part A Introduction and Overview	
Introduction	3
The licensing objectives	3
Aim to Permit	4
Geographical Area Covered by Statement	4
Consultation	6
Responsible Authorities	7
Interested parties	8
Exchange of Information	9
Enforcement	10
Licensing authority functions	12
Duplication with Other Regulatory Regimes	13
Part B – Overview of Considerations for Licensing Authority	
Characteristics of the Borough	13
Gambling Prevalence and Problem Gambling	14
Licensing Objectives and Risk Assessments	15
Local Area Profiles	19
Part C - Premises licences	
General Principles of Licensing	20
Decision Making	21
Conditions	22
Split Premises & Access to Premises	23
Plans	25
General Requirements for all Premises	26
Provisional Statement	27
Consideration of Applications	27
Casino	27
Bingo	28
Betting	30
Betting Tracks and other Sporting Venues	31
Adult Gaming Centres	33
Family Entertainment Centres	34
Reviews & Appeals	34
Part D – Travelling Fairs and Permits	
Travelling Fairs	36
Unlicensed family entertainment centre gaming machine permits	37
Automatic entitlement to two gaming machines	38
Permit for 3 or more gaming machines	38
Prize Gaming Permits	39
Club Gaming and Club Machine Permits	40
Part E – Notices	
Temporary Use Notices	41
Occasional Use Notices	42
Part F – Small Society Lotteries	
Definitions	42
Tickets & Prizes	43
Registrations	44
Part G – Applications and Delegations	46
Appendix 1 – Delegated Functions	48
Appendix 2 – Consultation	49
Appendix 3 – Consultee List	50
Appendix 4 – Glossary of Terms	51
Appendix 5 – Model Conditions	52

PART A
Introduction and Overview

1. Introduction

1. Under Section 349 of the Gambling Act 2005, the Council is required to publish a Statement of Principles it proposes to apply when exercising its functions under the Act. The form of the Statement of Principles is set out in the Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2007 and further guidance on what should be contained in the Statement of Principles can be found in the Gambling Commission's Guidance to Licensing Authorities.
- 1.2 This Policy will set out the general approach the Council will take when it considers applications for licences. It will not undermine the right of any individual to apply for a variety of permissions and to have any such application considered on its individual merits. Nor will it override the right of any "interested party" or responsible authority to make representations on an application or seek a review of a licence where provision has been made to do so in the Act. However, the Council will disregard any representations, which are regarded as irrelevant, frivolous and/or vexatious.
- 1.3 This Policy has been prepared to assist the Council in reaching a decision on applications, setting out those matters that will normally be taken into account. However each case will be decided on its merits.
- 1.4 This Policy also seeks to provide clarity for applicants, objectors, residents and other occupiers of property.
- 1.5 The Licensing Authority recognises the potential impact of gambling on the community within the Borough of Lewisham. In adopting this Policy, the Licensing Authority will seek to address the needs of residents to ensure a safe and healthy environment in which to live and work, together with safe and well-run entertainment premises that will benefit the local economy. In drafting this Policy, the Licensing Authority has sought to achieve a proper balance between implementing a responsible and consistent standard of regulation with minimizing the impact of regulation on businesses.
- 1.6 The Gambling Act 2005 (also referred to as "The Act") seeks to strengthen consumer protection and modernise the old gambling legislation. The Licensing Authority has prepared the Gambling Licensing Policy with this in mind.
- 1.7 In preparing this Licensing Policy Statement, the Licensing Authority has followed the procedure set out within the Act and has no discretion to grant Premises Licenses in circumstances where that would mean departing from the Gambling Commission Guidance and Codes of Practice and the Licensing Authority's own Licensing Policy Statement.

2. The Licensing Objectives

- 2.1 In exercising 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 aim of this Policy is to secure the three fundamental licensing objectives, which are:
 - To prevent gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
 - To ensuring that gambling is conducted in a fair and open way;
 - To protect children and other vulnerable persons from being harmed or exploited by gambling.

3. Aim to Permit

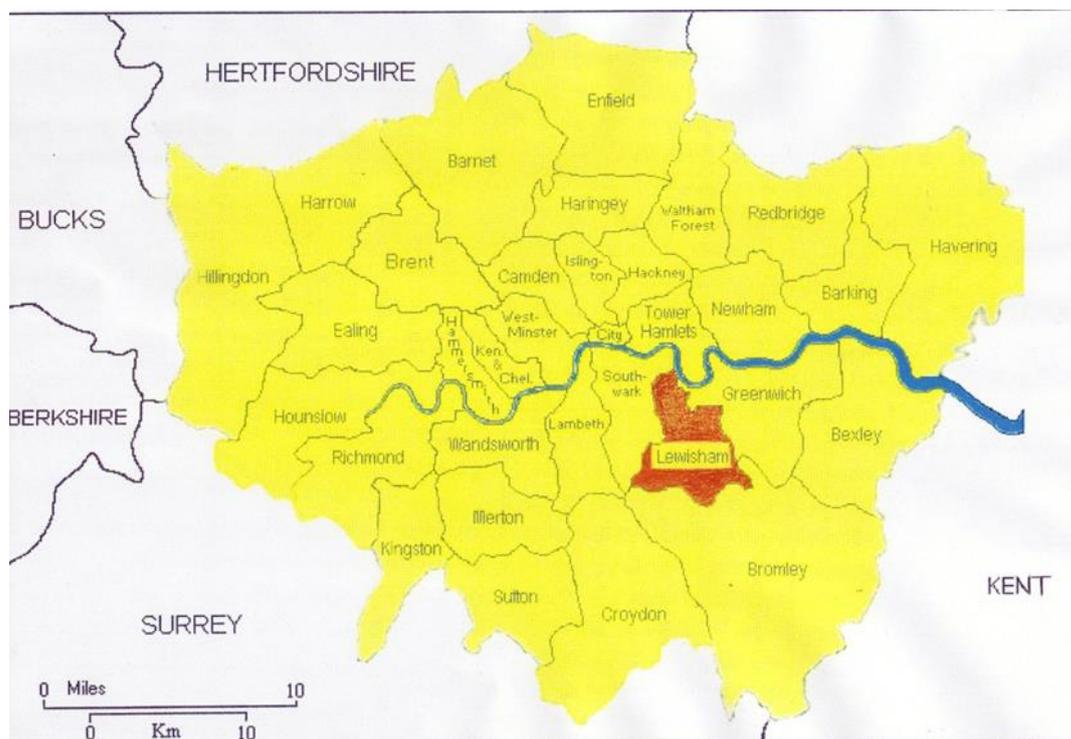
3.1 The licensing authority has a legal duty, under section 153 of the Act, to aim to permit the use of premises for gambling, insofar as it considers that this will be:

- In accordance with the relevant code of practice, as issued by the Gambling Commission;
- In accordance with the relevant guidance, as issued by the Gambling Commission;
- reasonably consistent with the Licensing Objectives; and
- In accordance with this Statement of Gambling Principles.

3.2 The licensing authority will always consider its duty under section 153, when making its decisions, and will seek to use its powers to regulate gambling to moderate its impact, rather than setting out to prevent it altogether. For example, by imposing conditions on a premises licence. However it also recognises the wide scope that the “aim to permit” framework provides and may reject, review or revoke premises licences where there is an inherent conflict with the considerations above and that it reasonably feels cannot be moderated.

4. Geographical Area Covered by this Statement of Principles

4.1 The geographical area covered by this statement of principles is the London Borough of Lewisham. A map can be found below:





5. Consultation

- 5.1 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 may also be reviewed from time to time and any amended parts re-consulted upon. The statement must be then re-published.
- 5.2 In preparing this Policy (or any revision thereafter), the Licensing Authority has and will consult with persons representing the interests of persons carrying on gambling businesses within the borough and with interested parties who represent the interest of persons who are likely to be affected by gambling.
- 5.3 The Gambling Act requires that the following parties be 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

5.4 Our consultation on this policy took place between 10 October and 21 November 2018, and took into account the HM Government Code of Practice on consultations which is available at <https://www.gov.uk/government/publications/consultation-principles-guidance>. A list of consultees for the consultation can be found in appendix 3.

5.5 In determining the final licensing policy, the Licensing Authority will take into account the licensing objectives of the Gambling Act 2005, the contents of the Gambling Commission’s Guidance and will give appropriate weight to the views of those it has consulted. The Licensing Authority will ensure that it considers the consultees’ views carefully.

6. Responsible Authorities

6.1 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
- The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group etc.
- That this body is experienced in dealing with the protection of children.

6.2 In accordance with the Gambling Commission’s Guidance for local authorities this Authority designates:

Children’s Services

London Borough of Lewisham
Laurence House
1 Catford Rd
SE6 4RU

6.3 For this purpose, this agency is considered appropriate as its objective is to co-ordinate and ensures the effectiveness of their member agencies in safeguarding the welfare of children.

6.4 The other responsible Authorities are for the Gambling Act are outlined under s157 of the act:

The Gambling Commission

Victoria Square House
Victoria Square
Birmingham B2 4PB
info@gamblingcommission.gov.uk

HM Revenue and Customers

Excise Processing Teams
Gambling Duties
BX9 1GL
nrubetting&gaming@hmrc.gsi.gov.uk

Lewisham Police

43 Lewisham High Street
SE13 5JZ
SE-LicensingLewisham@met.police.uk

LBL Licensing Authority

Crime, Enforcement & Regulation Service
9 Holbeach Road
Catford
SE6 4TW
licensing@lewisham.gov.uk

LBL Planning Authority

Laurence House
1 Catford Road
SE6 4RU
Planning@lewisham.gov.uk

Environmental Protection (noise)

Crime, Enforcement & Regulation Service
9 Holbeach Road
Catford
SE6 4TW
CER@lewisham.gov.uk

London Fire Brigade

Fire Safety Regulation, South West 3 Team
169 Union Street
SE1 0LL
FSR-AdminSupport@london-fire.gov.uk

- 7.5 It is worth noting that the requirement for operators to implement local risk assessments as a means of safeguarding the above specified licensing objectives and ensuring that operators acknowledge and subsequently mitigate risks identified by the licensing authority suggests that Public Health will be considered to have a greater input as a Responsible Authority. S.157(g) of the Gambling Act 2005 identifies the following as a responsible authority:
“an authority which has functions by virtue of an enactment in respect of minimising or preventing the risk of pollution of the environment or of harm to human health in an area in which the premises are wholly or partly situated”
- 7.6 Whilst the authority responsible for minimising or preventing the risk of pollution of the environment has been highlighted above as the local authority’s Environmental Protection department, with regard to harm to human health in an area this would translate as the local public health authority.

LBL Public Health

Laurence House
1 Catford Road
SE6 4RU
PublicHealth@lewisham.gov.uk

8. Interested Parties

- 8.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in section 158 of the Gambling Act 2005.

- 8.2 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 application is made, the person-
- 1) Lives sufficiently close to premises to be likely to be affected by the authorised activities; or
 - 2) Has business interests that might be affected by the authorised activities; or
 - 3) Represent persons in either of the above two groups.
- 8.3 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. There are five guiding principles as to the Authority's approach:
- i) Each case will be decided upon its merits.
 - ii) This Authority will not apply a rigid rule to its decision-making.
 - iii) This Authority will consider the examples of considerations provided in the Gambling Commission's Guidance to local authorities at 8.9 to 8.17.
 - iv) Although the Gambling Commission has recommended that Licensing Authorities state that interested parties will include trade associations and trade unions, and residents' and tenants' associations; this Authority has decided that it will not generally view these bodies as interested parties unless they have a member who can be classed as such under the terms of the Gambling Act 2005 e.g. lives sufficiently close to the premises to be likely to be affected by the activities being applied for.
 - v) Interested parties can be persons who are democratically elected such as Councillors and MPs. Other than these persons, this Authority will require written evidence that a person represents someone who either lives sufficiently close to the premises to be likely to be affected by the activities and/or business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.
- 8.4 If individuals wish to approach Councillors to ask them to represent their views then care should be taken to ensure 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 Authority.
- 8.5 Factors to be considered:
The Licensing Authority will take into account the following factors when interpreting 'sufficiently close':
- Size of the premises
 - Nature of the premises
 - Distance of the premises from the home or workplace of the person making the representation
 - Potential impact of the premises, i.e. number of customers, routes likely to be taken by those visiting the establishment; and
 - Circumstances of the person and nature of their interest, which may be relevant to the distance from the premises,
- 8.6 The Licensing Authority recognizes that the phrase 'sufficiently close to be likely to be affected' could have a different meaning for, for instance, a private resident, a residential school for children and a residential hostel for vulnerable adults and will therefore deal with each representation on its own merit.
- 8.7 The Licensing Authority will take into account the following factors when determining whether an individual is a person with a 'business interest that might be affected':
- Size of the premises.
 - The 'catchment' area of the premises (i.e. how far people travel to visit); and whether the person making the representation has business interests in that catchment area that might be affected.

- Whether or not the representation is purely based on ‘competition’ as the Licensing Authority does not consider this to be a relevant representation.

This list is not exhaustive.

8.8 With regard to persons representing persons living sufficiently close and persons having business interests that may be affected, the Licensing Authority will take into account trade associations, trade unions, residents and tenants’ associations. The Licensing Authority will not, however, generally view these bodies as interested parties unless they have a member who can be classed as an interested person under the terms of the Gambling Act 2005, i.e. lives sufficiently close to the premises to be likely to be affected by the activities being applied for.

9. Exchange of information

9.1 Licensing Authorities are required to include in their policy statement, 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. These other persons are:

- A constable or Police Force
- An Enforcement Officer
- A Licensing Authority
- HMRC
- The first Tier Tribunal
- The Secretary of State

9.2 This Licensing Authority confirms that it will act in accordance with the relevant legislation and guidance from the Commission as well as any relevant regulations issued by the Secretary of State under the powers provided for by the act. The Licensing Authority recognises it will have a key role in providing information to the Gambling Commission and will provide information to the Commission to assist it in carrying out its functions.

9.3 Information request from the parties outlined above should be made to the Licensing Authority in writing, setting out clearly what information is required and the reason the information is required. The requirements of the Data Protection Act 1998 and the General Data Protection Regulations 2018 will be complied with. Freedom of information requests can be submitted via freedom.information@lewisham.gov.uk.

10. Enforcement

10.1 The primary aim of enforcement is to achieve compliance. Though enforcement may be taken to mean the formal approach, it may also include advice and support to business to achieve compliance.

10.2 In line with Gambling Commission’s guidance, the authority will adopt a risk-based inspection programme. New premises, premises under new management, premises where complaints have been received or intelligence received relevant to the licensing objectives and premises or operators where compliance failings have been identified previously will be deemed higher risk. Premises located in areas where there have been incidents of crime affecting or relating to gambling premises, or where the premises themselves have been the victims or involved in such crime, shall also be deemed higher risk premises. The frequency of inspections will be determined on a risk-based approach with high risk premises receiving more attention than premises carrying lower risk. Premises found to be fully compliant will be seen as low risk, where as those where breaches are detected will be deemed higher risk.

- 10.3 Compliance may be achieved through encouraging a sense of community, improved communication, and proactive work with licensees and businesses. Such proactive work may include project work, giving advice and information, and initiatives that educate, inform and encourage partners and stakeholders to work together efficiently and effectively. The principal objective in taking a holistic approach to managing the gambling industry is to prevent problems from occurring before they begin.
- 10.4 However, it is recognised that such aims cannot always be achieved, and that active enforcement of the law may be the only effective means of securing compliance. To this end the following enforcement options are available to the Licensing Authority:
- verbal or written advice
 - verbal warning
 - written warning
 - mediation between licensees and interested parties
 - licence review
 - simple caution
 - prosecution
- 10.5 These actions are not mutually exclusive and it may be that one course of action follows another, depending on the individual circumstances.
- 10.6 The Licensing Authority operates a partnership approach to dealing with enforcement matters concerning licensed premises. This may include working with the Police or any of the other responsible authorities under the Act, or working with colleagues from other Council departments or outside agencies.
- 10.7 The Licensing Authority needs to be satisfied premises are being run in accordance with the provisions of the Act, the licensing objectives, the Licence Conditions and Codes of Practice issued by the Gambling Commission and any conditions attached to the Premises Licence. To achieve this, the Licensing Authority will inspect premises, look at gambling facilities, gaming machines and policies and procedures, meet with licence holders and carry out general monitoring of areas as necessary.
- 10.8 The Licensing Authority will take appropriate enforcement action against those responsible for unlicensed premises/activity. Action will be carried out in accordance with the Council's Enforcement Policy.
- 10.9 Before deciding which course of action to take, the Licensing Authority shall consider the following matters:
- the history of the premises
 - the history of the offender
 - the offender's attitude
 - the circumstances of the offence
 - whether the offender has a statutory defence to the allegations
 - the impact or potential impact of the breach on the public
 - the quality of the evidence against the offender
 - the likelihood of achieving success in a prosecution
 - the likely punishment that will be incurred if the case goes to Court
 - whether the course of action proposed is likely to act as a deterrent

- whether the course of action, if it is publicised, is likely to have a beneficial effect on the behaviour of others
- 10.10 The Licensing Authority will operate within the principles of natural justice and take into account the Human Rights Act 1998. This includes, in particular:
- Every person is entitled to the peaceful enjoyment of his possessions – a licence is a possession in law and persons may not be deprived of their possessions except where it is in the public interest;
 - Every person is entitled to a fair hearing.
- 10.11 The Licensing Authority Enforcement Team (Crime, Enforcement & Regulation Service) are committed to the principles of good regulation as set out in the Regulators Code. This means our inspection and enforcement activities will be carried out in a way that is:
- Proportionate: only intervening when necessary. Remedies will be appropriate to the risk posed, and costs identified and minimised;
 - Accountable: able to justify our decisions, and be subject to public scrutiny;
 - Consistent: implementing rules and standards fairly in a joined-up way;
 - Transparent: acting in open way, and keeping conditions placed on Premises Licences simple and user friendly; and
 - Targeted: focusing on the problems, and aiming to minimise the side effects.
- 10.12 In respect of compliance the Licensing Authority will take the lead in ensuring compliance with the licence and any relevant Codes of Practice. The Gambling Commission will be the enforcement body for the Operator and Personal Licences and illegal gambling. Concerns about manufacture, supply or repair of gaming machines will not be dealt with by the Licensing Authority but information will be passed on to the Gambling Commission where such concerns are found.
- 10.13 As per the Gambling Commission’s Guidance for local authorities this Licensing Authority will endeavour to avoid duplication with other regulatory regimes so far as possible.
- 10.14 This Licensing Authority will also, as recommended by the Gambling Commission’s Guidance for local authorities, adopt a risk-based inspection programme. This assessment will be made in consultation with the responsible authorities and will include such factors as size and location of premises along with the type of activities offered and level of complaints or representations received.
- 10.15 The authority recognises that certain bookmakers have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to give the authority a single named point of contact, who should be a senior individual and whom the authority will contact first should any compliance queries or issues arise’
- 10.16 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.
- 10.17 With regard to anti-social behaviour occurring in and/or around licensed premises, licensing authorities have the option under the Act to review, vary or impose conditions on a premises licence, nonetheless, in practice tools specifically designed to reduce anti-social behaviour such as Community Protection Notices, Civil Injunctions and in less circumstances the Public Space Protection Orders may have more of an impact and may be used in the first instance as a means of working alongside operators to reduce the impact of crime and disorder.

11. Licensing Authority functions

11.1 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) of the use of two or fewer gaming machines
- Grant Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where more than two machines are required
- Register small society lotteries below prescribed thresholds
- Issue Prize Gaming Permits
- Receive and Endorse Temporary Use Notices
- Receive Occasional Use Notices for betting tracks
- 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

11.2 It should be noted that local licensing authorities will not be involved in licensing remote and online, which is the responsibility of the Gambling Commission.

12. Duplication with Other Regulatory Regimes

12.1 The Licensing Authority will seek to avoid duplication with other statutory and regulatory regimes where possible, including planning. The Licensing Authority will not consider planning permission or building regulations approval when making decisions under the Gambling Act. Nor will it regard the granting of a licence, permit or permission as fettering the Council's ability to consider planning applications independently on their planning merits.

12.2 Applicants should be aware that the granting of a Premises Licence does not permit the operator to provide gambling facilities where to do so would breach other legislative requirements such as the requirement for appropriate planning consent to be held. It is the operator's responsibility to ensure all relevant legal requirements are met and to seek their own independent legal advice.

PART B

Overview of Considerations for the Licensing Authority

1. Characteristics of the Borough

1.1 The London Borough of Lewisham is an Inner South East London Borough covering an area of 13.4 square miles. Lewisham is the 13th largest borough in London by population size and 5th largest in inner London. The population is 301,300. Since the 2011 Census, the borough's population has increased by 25,000 and is forecast to reach 318,000 by the 2021 Census. Children and young people, aged 0-19, comprise one in four of all residents, whilst those aged 16-64 (of working age) comprise 70 per cent of the population. Lewisham is one of the most ethnically diverse local authorities in the country. Some 54 per cent of residents describe themselves as White, whilst 46

per cent are of BME heritage. Nationals from more than 75 countries, across five continents, make their home in Lewisham.

- 1.2 Lewisham ranks 48th out of 326 local authority areas in England for relative deprivation (one equal's high deprivation). Deprivation in Lewisham is particularly high in respect of crime and disorder as well as income deprivation affecting both children and adults. The average life expectancy of a Lewisham male is 79.1 years and 83.1 years for female. Both are broadly in line with national averages.
 - 1.3 Administratively, the borough is sub-divided into 18 wards. An elected mayor with a cabinet of elected councillors selected by the mayor governs the business of the Council.
 - 1.4 The northern part of the Borough contains most of the industrial and commercial areas although in general terms commercial and residential properties co-exist. Lewisham borough is bordered by the Royal Borough of Greenwich to the east, Southwark to the west, and Croydon and Bromley to the South, with the River Thames to the north of the borough.
 - 1.5 Lewisham has experienced a number of areas of growth, including housing, business and licensed premises linked to regeneration programmes, notably in the north of the borough in Deptford and New Cross, Lewisham Town Centre (known as Lewisham Gateway) and most recently Catford. The Catford regeneration programme is ongoing with a master plan due in the near future outlining improvements to transport, namely the south circular, and the redevelopment of the town centre.
 - 1.6 Lewisham is well served by transport links, notably the DLR in Lewisham and Deptford, National Rail linking most parts of the borough with central London stations including London Bridge, Victoria, Charing Cross, Blackfriars and Cannon Street. Lewisham is also well serviced via road networks including the South Circular.
- 2. Gambling Prevalence and Problem Gambling**
- 2.1 Gambling is a legitimate leisure activity enjoyed by many and the majority of those who gamble appear to do so with enjoyment, and without exhibiting any signs of problematic behaviour. There are however some individuals who do experience significant harm as a result of their gambling.
 - 2.2 The Gambling commission publish a briefing paper for local authorities in February 2018¹ which outlined it is estimated that there are around 373,000 problem gamblers⁹ in England, 30,000 in Scotland and around 27,000 in Wales.
 - 2.3 These estimates are likely to be conservative as the surveys do not include certain population groups more likely to be more vulnerable to harm. For these problem gamblers, harm can include higher levels of physical and mental illness, debt problems, relationship breakdown and, in some cases, criminality. It can also be associated with substance misuse.
 - 2.4 Problem gamblers often say they feel isolated as a result of their solitary pursuits of chasing loses. There is a tendency to stay away from school, college or work in order to gamble. In addition, there is often a preoccupation with gambling, a lack of interest in maintaining relationships and a lack of motivation to engage in social activities. There is often reluctance amongst gamblers to

¹ Gambling Related Harm as a Public Health Issue, Briefing paper for local authorities and public health providers, Gambling Commission February 2018, <https://www.gamblingcommission.gov.uk/PDF/Gambling-related-harm-as-a-public-health-issue.pdf>

spend money on items of clothing or household goods as this expenditure is often seen as funds for gambling. There can also be an unwillingness to pay utility bills as money would rather be used for gambling purposes. Problem gambling can be progressive in nature and problem gamblers can end up engaging in criminal activity to fund their gambling. This can lead to lifelong consequences with criminal convictions.

- 2.5 In many cases, it is difficult to attribute these negative effects solely or directly to gambling. But the association is too strong to ignore. Younger males, and people from certain social and ethnic groups, are potentially more vulnerable than others.
- 2.6 The briefing document also referred to a recent survey conducted by YouthSight on behalf of the Gambling Commission which discovered that two thirds of students gambled in the last month and 54% of those do so to make money. A quarter of students gambled more than they could afford and 4% are in debt because of gambling.
- 2.7 Around 1.7 million¹⁶ individuals in England, 180,000 individuals in Scotland and around 95,000 individuals in Wales are classified as being at-risk¹⁸ of problem gambling. There are also some gamblers who would not be classified as problem or at-risk gamblers but who may on occasion experience harm as a result of their gambling (just as not all problem gamblers will necessarily experience harm every time they play). Gambling-related harms are not all directly health harms, but many of the harms – such as debt – are connected with poor health status.
- 2.8 The Licensing Authority recognises the serious nature of negative impact that gambling can have on individual health and wellbeing. A key aim of this policy is to ensure that the licensing objective around protecting children and other vulnerable persons from being harmed or exploited by gambling is upheld by setting out the following expectations of operators:
- Operators must undertake robust and rigorous risk assessments of the area within which their premises is located and identify potential vulnerable groups and actively identify ways to mitigate negative impact on them, and demonstrate implementation of these actions. This must be done on at least an annual basis.
 - Risk assessments must be kept on the premises for access by all staff and produced for inspection when request by the Licensing authority or a police officer.
 - Operators must undertake annual training of staff to ensure the staff can identify children and other vulnerable people, and take appropriate action to ensure they are not able to access the premises or are supported appropriately.
 - operator's must demonstrate through their risk assessments they have considered the staffing numbers in their premises at key points throughout the day and taken into account local concerns and vulnerabilities. This Licensing authority would expect a minimum of 2 members of staff where risks have been identified around vulnerable persons, proximity to schools and other youth institutions, hostels or treatment centres.
 - Operators are expected to consider whether the layout, lighting and fitting out of the premises have been designed so as not to attract children and other vulnerable persons who might be harmed or exploited by gambling.
 - Operators are expected to consider whether any promotional material associated with the premises could encourage the use of the premises by children or young people if they are not legally allowed to do so.

3. Licensing Objectives and Local Area Risk Assessments

- 3.1 The Gambling Act 2005 contains three licensing objectives. In this revision of its Statement of Principles, the Licensing Authority seeks to assist applicants by setting out the considerations we will apply when determining applications under the Act.

- 3.2 Though Licensing Authorities are required to 'aim to permit' gambling, there is wide scope for them to impose conditions on Premises Licences or to reject, review or revoke Premises Licences where there is an inherent conflict with the relevant Licence Conditions and Codes of Practice issued by the Gambling Commission, the Guidance to Licensing Authorities issued by the Gambling Commission, the licensing objectives or this Statement of Principles.
- 3.3 Licensing Authorities are able to request any information from an operator they may require to make licensing decisions. The Gambling Act 2005 requires a minimum level of information to be provided, but the Gambling Commission state in their Guidance to Licensing Authorities that this does not preclude reasonable requests from Licensing Authorities for any additional information they may require to satisfy themselves their decisions accord with the licensing objectives and Codes of Practice.
- 3.4 The Licensing Authority expects applicants to have a good understanding of the area in which they either operate, or intend to operate. The applicant will have to provide evidence that they meet the criteria set out in this Statement of Principles and demonstrate that in operating the premises they will promote the licensing objectives.
- 3.5 In May 2016 Gambling Commission introduced a Social Responsibility Code of Practice requiring operators of premises used for gambling to conduct local area risk assessments and an Ordinary Code stating this should be shared with the Licensing Authority.
- 3.6 The Licensing Authority expects applicants for Premises Licences in its area to submit a risk assessment with their application when applying for a new premises licence, when applying for a variation to a premises licence or when changes in the local environment or the premises warrant a risk assessment to be conducted again.
- 3.7 The risk assessment should demonstrate the applicant has considered, as a minimum:
- local crime statistics;
 - any problems in the area relating to gambling establishments such as anti-social behaviour or criminal damage;
 - the location of any nearby sensitive premises, such as hostels and other facilities used by vulnerable persons e.g. drug and alcohol addictions;
 - whether there is a prevalence of street drinking in the area, which may increase the risk of vulnerable persons using the premises;
 - the type of gambling product or facility offered;
 - the layout of the premises;
 - the external presentation of the premises;
 - the location of nearby transport links and whether these are likely to be used by children or vulnerable persons;
 - the customer profile of the premises;
 - staffing levels;
 - staff training, knowledge and experience;
 - Proximity to schools, and if within 400m radius of a school, how they will mitigate the risk of that proximity to ensure that young people are not negatively impacted
 - whether there is any indication of problems with young persons attempting to access adult gambling facilities in that type of gambling premises in the area.
- 3.8 It is recommended that operators liaise with other gambling operators in the area to identify risks and consult with any relevant responsible authorities as necessary.

- 3.9 This Statement of Principles does not preclude any application being made and every application will be decided on its individual merits, with the opportunity given for the applicant to show how potential concerns can be overcome.
- 3.10 The Licensing Authority expect applicants/operators to keep a copy of the local area risk assessment on the licensed premises and to ensure that all staff have seen the risk assessment, have received training in respect of its content, and are able to produce the risk assessment on request by an authorised officer of the Council, the Police or the Gambling Commission.
- 3.11 As a matter of best practice the licensing authority expect that operators establish a regular review of their risk assessments.
- 3.12 Any measures identified in risk assessments may be converted in to conditions of the premise licence where such conditions are necessary for the promotion of the licensing objectives following a relevant representation.
- 3.13 Where the licensing authority does not consider that any mitigating actions proposed in the applicants risk assessment adequately addresses the issues raised in the relevant representation, the licensing authority may:
- a) Impose further conditions on the licence granted in so far that these will allow the premises to operate in a manner that is reasonably consistent with the promotion of the licensing objectives; or
 - b) Where it feels these would still not adequately address a concern and promote the licensing objectives it may refuse the application.

4. Licensing Objective 1 - Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime

- 4.1 The Licensing Authority will consider whether the premises make, or are likely to make, a contribution to the levels of crime and disorder in an area and whether the applicant has demonstrated that he has, or intends to, implement sufficient controls to prevent the premises being a source of, and/or associated with crime or disorder, or being used to support crime, if the application is granted.
- 4.2 Where an area is known for high levels of crime (particularly crime associated with premises used for gambling), the Licensing Authority will consider whether gambling premises are suitable to be located there, and whether additional conditions may be necessary, such as the provision of CCTV, minimum levels of staffing and licensed door supervisors.
- 4.3 In terms of disorder, the Guidance to Licensing Authorities published by the Gambling Commission states, "Licensing Authorities should generally consider disorder as activity that is more serious and disruptive than mere nuisance. Factors to consider in determining whether a disturbance was serious enough to constitute disorder would include whether Police assistance was required and how threatening the behaviour was to those who could hear or see it. There is not a clear line between nuisance and disorder and the Licensing Authority should take the views of its lawyers before determining what action to take in circumstances in which disorder may be a factor".
- 4.4 The Licensing Authority will consider whether the layout, lighting, staffing and fitting out of the premises have been designed so as to minimise conflict and opportunities for crime and disorder.
- 4.5 The Licensing Authority will consider whether sufficient management measures are proposed or are in place to prevent the premises being a source of, or associated with crime or disorder, or used to support crime either as a place of association or to avoid apprehension.

5. Licensing Objective 2 - Ensuring that gambling is conducted in a fair and open way

5.1 Though this licensing objective is primarily the responsibility of the Gambling Commission, the Licensing Authority will have a role in respect of the licensing of tracks, where an Operator's Licence from the Gambling Commission is not required. Matters to be taken into account will include:

- whether the layout, lighting and fitting out of the premises have been designed so as to ensure gambling is conducted in a fair and open way.
- whether sufficient management measures are proposed or are in place to ensure that gambling is conducted in a fair and open way.
- whether the management and operation of the premises is open and transparent.
- whether the operators of the premises have been or will be fully cooperative with enforcement agencies.
- whether the operator has a transparent procedure in place for dealing with consumer complaints that are available to all customers and implemented where necessary.
- whether gaming machines are compliant with Gambling Commission Technical Standards in respect of machine livery requirements such as clear display of stakes, prizes, machine category and RTP.
- whether the terms and conditions on which gambling products and promotions are offered and rules are clear and readily available to customers.
- whether the Gambling Commission's Licence Conditions and Codes of Practice have been complied with.

6. Licensing Objective 3 - Protecting children and other vulnerable persons from being harmed or exploited by gambling

6.1 The Licensing Authority will consider the following when taking this licensing objective into account:

- whether the operator has a specific training programme for staff to ensure they are able to identify children and vulnerable people and take appropriate action to promote this objective to exclude them from the premises or parts of the premises;
- if the premises is an adult only environment, whether the operator has taken effective measures to implement a proof of age scheme such as Think 21 to ensure no one under the age of 18 is admitted to the premises or restricted areas;
- whether the layout, lighting and fitting out of the premises have been designed so as to not attract children and other vulnerable persons who might be harmed or exploited by gambling;
- whether sufficient management measures are proposed or are in place to protect children and other vulnerable persons from being harmed or exploited by gambling;
- whether any promotional material associated with the premises could encourage the use of the premises by children or young people;
- whether the operator can produce a record of underage challenges and action taken to establish age and prevent underage persons from being able to gamble;
- whether the premises are located near to facilities that may encourage their use by vulnerable people, such as hostels for those with mental illness and/or addiction problems.

6.2 The Licensing Authority expects applicants to consider the measures necessary to promote the licensing objective of protecting children and other vulnerable persons from being harmed or exploited by gambling. It is noted that neither the Act nor the Gambling Commission Guidance define the term 'vulnerable persons'. The Licensing Authority consider the term 'vulnerable persons' to include people who gamble more than they want to; people who gamble beyond their means and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, changes in circumstances such as bereavement, loss of employment or ill health or due to alcohol or drugs.

- 6.3 Lewisham Council Public Health have implemented an initiative looking at school ‘superzones’ which is identified as the 400m radius around schools and identifying risks to children within this zone. One of these risks identified was a gambling and the proximity of gambling premises within this radius of a school premises. There is evidence that 16% of 11-15 year olds spend their own money on gambling activity (Gambling Commission, 2016), and therefore the licensing authority will consider this potential negative impact on young people where applicants and operators have premises near schools or other institutions associated with young people, such as youth clubs. The licensing authority expects operators to have fully assessed their impact on young people and identified risks looking at the factors as outlined above, and specify what action they have or intend to take to address those risks.
- 6.4 This Licensing Authority will pay particular attention to any Codes of Practice which the Gambling Commission issues regarding this licensing objective in relation to specific premises such as casinos. It is understood that a Code for casinos must:
- specify steps that the premises licence-holder must take to ensure that children and young persons (that is those under the age of 18) do not enter casino premises, or in the case of the regional casino do not enter the gambling area;
 - amongst those specified steps, ensure that each entrance to the casino or gambling area is supervised by at least one person (“the supervisor”) who is responsible for compliance with the code of practice; and
 - require that, unless the supervisor is certain that a person seeking admittance is an adult, evidence of age must be required of all those seeking to enter the casino or gambling area.
- 6.5 The Licensing Authority will consider whether or not specific measures are needed to protect children and vulnerable persons at particular premises. Such measures may include:
- requirements to provide supervision at entrances;
 - steps taken to segregate gambling from non-gambling areas frequented by children;
 - the supervision of gaming machines in non-adult gambling specific premises;
 - appropriate signage;
 - location of machines;
 - numbers of staff on duty.
- 6.6 These measures will be particularly relevant on mixed use premises, tracks where children have freedom of movement in betting areas on race days and in particular to the non-gambling areas of casinos.
- 6.7 Where there are age restrictions on entry to certain premises, the Licensing Authority recommends applicants consider and adopt BACTA’s and GamCare’s joint training initiative on a Site Age-of-Entry Control Policy.
- 6.8 Restrictions may also be necessary in relation to advertising gambling products that are aimed at children or advertised in such a way that makes them attractive to children.
- 6.9 As regards the term “vulnerable persons” it is noted that the Gambling Commission is not seeking 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 are 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. Should a practical definition prove possible in future then this policy statement will be updated with it, by way of a revision.

7. Local Area Profile

- 7.1 The Commission's guidance to local authorities has recently referred to licensing authorities formulating local area profiles as a means of mapping out key characteristics of the local area (as defined in 6.47), which can be reviewed and updated to reflect changes to the local landscape, this in turn will shape the formation of operators risk assessments as a means of ensuring that key licensing objectives are safeguarded and continue to be complied with.
- 7.2 However, it is for the Licensing Authority to determine whether a local area profile is included within the body of the statement of policy or elsewhere. It has been agreed that in order to appropriately assess area based vulnerability to gambling related harm and to ensure the adherence of key licensing objectives, the Authority's area profile will be located separately from the statement of policy. Additionally the Authority seeks to make reference to the local area profile in order for the profile to be reviewed and updated without the need for full consultation.
- 7.3 Nonetheless, the profile will include reference to:
- Schools, sixth form colleges, youth centres etc. with reference to the potential risk of underage gambling
 - Hostels or support services for vulnerable people, such as those with addiction issues or who are homeless, given the greater risk of problem gambling among those groups
 - Religious buildings
 - Any known information about issues with problem gambling
 - The surrounding night time economy and possible interaction with gambling premises
 - Patterns of crime or anti-social behaviour in the area, specifically linked to gambling premises
 - The socio-economic makeup of the area
 - The density of different types of gambling premises in certain locations
 - Specific types of gambling premises in the local area
- 7.4 However, whilst Part 6 of the Guidance to Local Authorities specifies that there is no mandatory requirement for a local authority to have a local area profile it is evident that there are clear advantages in establishing such a procedure:
- It enables licensing authorities to better serve their local community, by better reflecting the community and the risks within it
 - Greater clarity for operators as to the relevant factors in licensing authority decision making, will lead to improved premises licence applications, with the operator already incorporating controls and measures to mitigate risk in their application
 - It enables licensing authorities to make robust but fair decisions, based on a clear, published set of factors and risks, which are therefore less susceptible to challenge
 - It encourages a proactive approach to risk that is likely to result in reduced compliance and enforcement action.
- 7.5 Local area profiles may be developed on a proactive basis where the licensing authority feels it is necessary due to a heightened risk of negative impact on the licensing objectives, such as areas surrounding schools, gambling addiction treatment centres or other vulnerable groups. They may also be developed in response to a concern raised by a responsible authority or other interested party.
- 7.6 Lewisham's local area profiles will be developed separately from this policy document, and when completed will be made available for reference on the Council's website under the licensing section - <https://www.lewisham.gov.uk/myservices/business/licences-and-street-trading/gambling-and-lottery-licences>

- 7.7 Where applications for premises come from within vulnerable areas in Lewisham, the licensing authority will expect applicants to fully demonstrate how they will ensure their proposed gambling activity will not cause a negative impact on the licensing objectives or exacerbate existing concerns within the area. Applicants will be expected to have appropriate policies and procedures to manage and mitigate any risks. They should also have the appropriate number of trained staff and propose licence conditions within their application tailored to the local area within which they intend to operate.

PART C PREMISES LICENCES

1. General Principles of Licensing

- 1.1 Any person or business that wishes to offer gambling for which an Operating Licence from the Gambling Commission is required, and which is premises based, must apply to the Licensing Authority for a Premises Licence.
- 1.2 Premises Licences will be subject to the permissions/restrictions set out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions, which will be 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.
- 1.3 Premises Licences authorise the provision of gambling facilities on the following:
- Adult Gaming Centre premises (for Category B3, B4, C and D machines)
 - Family Entertainment Centres (for Category C and D machines). The Licensing Authority may also issue Family Entertainment Centres Gaming Machine Permits that authorise the use of Category D machines only).
 - Casino Premises
 - Bingo Premises
 - Betting Premises, including race tracks and premises used by betting intermediaries
- 1.4 Except in the case of Tracks (where the occupier may not be the person offering gambling), Premises Licences will only be issued to people with the relevant Operating Licences.

2. Decision Making

- 2.1 This Licensing Authority is aware that in making decisions about premises licenses 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 In making its determination, the licensing authority will have regard to the six indicators of betting as a primary gambling activity:
- The offer of established core products (e.g. live event pictures, bet range, bingo)
 - The provision of information on products and events
 - The promotion of gambling opportunities and products
 - The actual use made of non-gaming machine gambling facilities
 - The size of premises
 - The delivery of gambling facilities.

- 1.3 Many applications provide an entitlement to offer gaming machines. The licensing authority will take into consideration whether applicants provide sufficient facilities for their “primary gambling activity” (e.g. betting, or bingo, etc.) in accordance with the Gambling Commission’s guidance and codes of practice during all times that gaming machines are also available.
- 1.4 In considering applications and in making any decisions, the Licensing Authority will take into account the Human Rights Act, in particular Articles 1, 6, 8 and 10.
- 1.5 Matters the Licensing Authority may not take into account include:
- the expected demand for gambling premises in the area;
 - planning or building law restrictions;
 - moral or ethical objections to gambling as an activity;
 - dislike of gambling;
 - a general notion that gambling is undesirable.
- 1.6 The Licensing Authority when considering applications will not take into account whether or not there is an unfulfilled demand for gambling facilities within the borough of Lewisham. Every application for a Premises Licence to the Licensing Authority will be considered on its merits and will be treated fairly and objectively in accordance with the three Licensing Objectives. The Licensing Authority will consult with responsible authorities on all applications.
- 1.7 The Licensing Authority will not consider representations that amount to moral objections to gambling per se, because such representations do not relate to the three Licensing Objectives and are therefore not valid reasons for rejecting applications. Where the Licensing Authority rejects an application for a Premises Licence it will rely on reasons that demonstrate that the Licensing Objectives are not being met. The Gambling Commission’s Guidance to Local Authorities also states that “moral objections to gambling are not a valid reason to reject applications for premises licenses”
- 1.8 The Licensing Authority will take decisions in accordance with the Gambling Commission’s Guidance and Licence Conditions and Codes of Practice and will have regard to the advice which it issues from time to time. The Licensing Authority will monitor the operation of premises and report any potential breach of Operating Licence conditions to the Gambling Commission. Applicants for new Premises Licences or variations to existing ones should be clear that the premises are intended to be used for the primary gambling activity proposed. For example a betting Premises Licence application that has four gaming machines but no betting counter or associated betting facilities shown on the proposed plans would not be considered as offering the primary gambling activity in accordance with that indicated on the application.

2. Conditions

- 3.1 The majority of Premises Licences will have mandatory and/or default conditions attached to the licence. The Licensing Authority can attach its own conditions to a Premises Licence if it believes this will promote the licensing objectives. Any conditions attached 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;
 - relate to the scale and type of premises; and
 - reasonable in all respects.
- 3.2 A set of model conditions which the licensing authority may draw upon is included in Appendix 5.
- 3.3 Certain matters are set out in the Act may not be the subject of conditions. These are:

- conditions which make it impossible to comply with an Operating Licence
- conditions as to gaming machines that contradict the provisions in the Act
- conditions making activities, premises or parts of them operate as a membership club
- conditions on fees, winnings, stakes or prizes.

- 3.4 Conditions will be attached to individual licences on the basis of their merits. However, there will be a number of measures the Licensing Authority will commonly consider utilising in order to pursue the licensing objectives. These may include measures such as:
- the supervision of entrances;
 - separation of gambling from non-gambling areas frequented by children;
 - the supervision of gaming machines in premises not specifically for adult gambling and
 - appropriate signage for adult only areas.
- 3.5 The Licensing Authority will expect the applicant to propose how the licensing objectives can be met effectively through the use of conditions. The licensing authority will take into consideration any risks identified within an operator's own local risk assessment, and any risks identified within an application local area profile conducted by the Licensing Authority.
- 3.6 The Licensing Authority recognises that the responsibility for an individual's gambling is his or her own and that the responsibility to exercise a duty of care is that of the Site Operator. However, the Licensing Authority recommends applicants for Adult Gaming and Family Entertainment Centres to consider adopting BACTA's Code of Social Responsibility and Good Practice and where gaming machines are concerned, applicants are recommended to adopt BACTA's Code of Practice for AWP's in Family Entertainment Centres and Adult Gaming Centres. These codes can be obtained at www.bacta.org.uk. The Licensing Authority will welcome and support the development of a unified Code of Practice.
- 3.7 Where there are age restrictions on entry to certain premises, the Licensing Authority recommends applicants consider and adopt BACTA's and GamCare's joint training initiative on a Site Age-of-Entry Control Policy.
- 3.8 The Licensing Authority recognises that most customers are able to enjoy and control their gambling, however, where there are those who are unable to control gambling, the Licensing Authority expects that applicants adopt BACTA's and GamCare's Site Self-Exclusion Policy for those particular clients to request their exclusion for a fixed period.
- 3.11 There is no evidence that the operation of betting offices has required door supervisors for the protection of the public. The authority will make door supervision requirement only if there is clear evidence from the history of trading at the premises that the premises cannot be adequately supervised from the counter and that door supervision is both necessary and proportionate'
- 3.13 The Gambling Commission advises in its Guidance for Local Authorities that licensing authorities may consider whether there is a need for door supervisors in terms of the licensing objectives of protection of children and vulnerable persons from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of crime. It is noted though that the Gambling Act 2005 has amended the Security Industry Act and that door supervisors at casinos or bingo premises need not be licensed by the Security Industry Authority, However if this Licensing Authority deem it appropriate to impose a condition requiring door supervision for casinos or bingo premises then they may do so and require door supervisors to have undergone similar accredited training to that required by the Security Industry Authority. This is in recognition of the nature of the work in terms of searching individuals, dealing with potentially aggressive persons, etc.

3. Split Premises

- 4.1 The Gambling Commission's Guidance states that a building can, in principle, be divided into more than one premises and 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 reasonably be regarded as being different premises. An example is given of units within a shopping mall, where each unit is separate self-contained premises contained within one building. It is also possible for licensed premises to be located next to each other.
- 4.2 The Gambling Commission state they do 'not consider that areas of a building that are artificially separated, for example by ropes or moveable partitions, can properly be regarded as separate premises'.
- 4.3 Whether different parts of a building can be reasonably regarded as different premises will depend on the circumstances of the individual building and how any division is proposed. To agree to accept applications to grant or vary a licence for a building which has been divided, the Licensing Authority will need to be satisfied the premises are genuinely separate premises, and not an artificially created additional part of single premises.
- 4.4 In considering whether different areas of a building are genuinely separate premises the Licensing Authority will take into account factors which will include:
- whether there are separate registrations for business rates in place for each premises;
 - whether separate sets of staff work in the individual premises;
 - whether there is a separate cash desk/reception for each of the premises;
 - whether each premises has its own postal address;
 - whether the premises are owned or operated by the same person;
 - whether each of the premises can be accessed from a street or public passageway;
 - whether the premises can only be accessed from any other gambling premises.
- 4.5 When considering proposals to divide a building into separate premises, the Licensing Authority will also need to be satisfied that the form of separation between the premises is appropriate.
- 4.6 The separation between one premises and another must be clearly defined. Any barrier used to separate one premises from another must be permanent and constructed so the public cannot go from one premises to another.
- 4.7 It may be acceptable for staff working in adjacent premises to have access through barriers between premises. The applicant must demonstrate that in providing staff access there are suitable control measures in place that will ensure the safety and security of staff and will prevent the public from using the same access point to enter the other premises.
- 4.8 The Gambling Act 2005 (Mandatory and Default Conditions) Regulations 2007 restrict access to different types of licensed gambling premises. In considering proposals to divide a building into different premises, the Licensing Authority will have to be satisfied that proposals to divide buildings are compatible with the mandatory conditions relating to access between premises.
- 4.9 The Guidance at paragraph 7.22 states "There is no definition of 'direct access' in the Act or Regulations, but Licensing Authorities may consider that there should be an area separating the premises concerned (for example a street or café), which the public go to for purposes other than gambling, for there to be shown to be no direct access."

- 4.10 It is the Licensing Authority’s opinion that any area which separates licensed premises, and from which those premises can be accessed, must be genuinely separate premises which are habitually and actually used by members of the public other than those using the licensed premises.
- 4.11 The Licensing Authority does not consider that provisions which prohibit direct access between licensed premises are satisfied where licensed premises are separated by an area created artificially within a building principally for members of the public attending the licensed premises, irrespective of whether this area is unlicensed or provides non-gambling facilities, for example refreshments or cashpoint machines.
- 4.12 Where the Licensing Authority is satisfied that a building can be divided into separate premises it will expect applicants to ensure that:
- the premises are configured so that children are not invited to participate in, have accidental access to, or closely observe gambling to which they are prohibited from taking part;
 - the premises are not configured so children are likely to enter an adult only area to join a parent gambling in that adult only area,
 - entrances and exits from parts of a building covered by one or more Premises Licences are separate and identifiable so the separation of different premises is not compromised and people do not ‘drift’ into a gambling area. In this context it should 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 named on the Premises Licence.
- 4.13 This is not an exhaustive list and the Licensing Authority will consider other aspects based on the merits of the application.

4. Access to Premises

- 5.1 The Gambling Act 2005 (Mandatory and Default Conditions) Regulations set out access provisions for each type of licensed gambling premises. The broad principle is there can be no direct access from one licensed gambling premises to another, except between premises which allow those aged under-18 to enter and with the further exception that licensed betting premises may be accessed via other licensed betting premises.
- 5.2 ‘Direct access’ is not defined, but the Licensing Authority will consider there should be an area such as a street or café to which the public attend for purposes other than gambling for there to be no direct access.

Type of Premises	Access Provisions
Casino	<ul style="list-style-type: none"> • The principal access to the premises must be from a ‘street’; • 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 access a casino directly from any other premises which holds a gambling premises licence.
Adult Gaming Centre	<ul style="list-style-type: none"> • No customer must be able to access the premises directly from any other licensed gambling premises.
Betting Shop	<ul style="list-style-type: none"> • Access must be from a ‘street’ or from other premises with a betting licence; • No direct access is permitted from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be any entrance to a betting shop from a shop of any kind unless that shop is in itself a licensed betting premises.
Track	<ul style="list-style-type: none"> • No customer must be able to access the premises directly from a casino or Adult Gaming Centre.

Bingo Premises	<ul style="list-style-type: none"> No customer must be able to access the premises directly from a casino, an Adult Gaming Centre or a betting premises, other than a track.
Family Entertainment Centre	<ul style="list-style-type: none"> No customer must be able to access the premises directly from a casino, an Adult Gaming Centre or a betting premises, other than a track.

5. Plans

6.1 The Gambling Act 2005 (Premises Licences and Provisional Statements) Regulations 2007 state that a plan to accompany an application for a Premises Licence must show:

- the extent of the boundary or perimeter of the premises
- where the premises include, or consist of, one or more buildings, the location of any external or internal walls of each such building
- where the premises forms part of a building, the location of any external or internal walls of the building which are included in the premises
- where the premises are a vessel or a part of a vessel, the location of any part of the sides of the vessel, and of any internal walls of the vessel which are included in the premises
- the location of each point of entry to and exit from the premises, including in each case a description of the place from which entry is made or to which exit leads.

6.2 The Regulations also state that other than in respect of a track, the plan must show ‘the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence’. The Licensing Authority may, however, consider that these minimum requirements are insufficient to satisfy them in respect of the licensing objectives at tracks, Gambling Commission Guidance, Codes of Practice or its own Statement of Principles. In such cases, the Licensing Authority may ask for such additional information to be shown on the plan as it deems necessary to enable it to discharge its duties effectively. Information shown on the plan that is not required by Regulations will not form part of the Premises Licence and will only be used by the Licensing Authority to help it make a considered decision on the application.

6.3 If plans change in any material respect during the lifetime of the licence, the applicant will be in breach of their licence and would either need to make a fresh application under s.159 or to seek an amendment to the licence under s.187 of the Gambling Act 2005. If the changes are substantial, this may, in the opinion of the Licensing Authority, render the premises different to those to which the licence was granted. In such cases, variation of the licence under s.187 would not be possible and an application for a new application would be required under s.159.

6. General Requirements for All Premises

7.1 The Licensing Authority expects all applicants for gambling Premises Licences to ensure there is adequate provision for staff to supervise persons using the licensed premises. This is to identify those who have self-excluded, vulnerable persons, under age persons, persons gambling beyond limits they have set for themselves, person who may be involved in crime, persons who may be prone to anti-social behaviour, persons who are drinking alcohol where this is prohibited and persons who are showing signs of distress in respect of their gambling.

7.2 Applicants must take the structure and layout of the premises into account when considering their own policies and procedures. For example, where it is not possible for counter staff to supervise persons using gambling facilities such as gaming machines, the Licensing Authority would expect applicants to volunteer conditions that floor walkers will be used or that counter staff will be able to view all areas of the premises on CCTV provided to the counter area where it can be clearly seen.

- 6.3 Arrangements must be made for how staff will deal with customers who become aggressive and for ejecting patrons who are, for example, self-excluded, vulnerable or under age. This will include staff training and ensuring there are appropriate numbers of staff to deal with problems.
- 6.4 Staff should be in a position to monitor entrances and gaming machines and challenges should be initiated at the earliest opportunity.
- 6.5 Where access to premises is age restricted, the Licensing Authority expects applicants to have a Think 21 policy in place and to train its staff in recognising acceptable forms of identification. Posters should also be displayed stating that the relevant policy is in place and that users may be challenged.
- 6.6 Licence holders should record details of persons who have self-excluded, persons who have been ejected or refused admission, persons who have been barred by the operator, and any instances of crime or disorder that occurs on, or in association with, the licensed premises.
- 6.7 Applicants should demonstrate how they will identify self-excluded persons.
- 6.8 Operators shall be able to demonstrate they are participating effectively in the relevant multi-operator self-exclusion scheme.

7. Provisional Statement

- 8.1 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 the building or alterations required before the premises are brought into use.
- 8.2 If the construction of the premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, than an application for a provisional statement should be made instead.
- 8.3 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, firstly whether the premises sought to be permitted to be used for gambling, and secondly whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state which they ought to be before gambling takes place.
- 8.4 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 can. As per the Gambling Commission's Guidance for local 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.
- 8.5 Following the grant of a provisional statement, no further representations from responsible 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:
- (a) which could not have been raised by objectors at the provisional licence stage; or
 - (b) which in the authority's opinion reflect a change in the operator's circumstances.

9. Consideration of applications

9.1 When determining the location of proposed gambling facilities, the Licensing Authority in appropriate circumstances, will consider very carefully the following factors when considering applications for Premises Licences, permits and other permissions:

- Proximity of premises to local schools, especially when with 400m radius of school or other youth institution.
- Proximity of premises to centres that pose a high risk to vulnerable and young persons
- Proximity of premises to residential areas where there is a high concentration of children and young people
- Proximity of premises to places of worship, particularly where Sunday Schools are in operation
- Mitigating measures contained within the applicants risk assessment.

9.2 This list is not exhaustive and each case will be determined on its merits, if an applicant can show that they can overcome licensing objective concerns this must be taken into account.

9.3 Premises licenses 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 Local Authorities.

9.4 Part B outlines the factors that will be considered and taken in to account by the licensing authority in making its decision to grant the licence in its aim to ensuring the licensing objectives are upheld.

10. Types of Premises Licence

10.1 Casinos

10.1.1 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 Full Council.

10.1.2 In determining applications for casino premises, the Licensing Authority shall consider the following:

- proof of age schemes
- CCTV
- entry control system
- staff numbers
- staff training
- layout of premises
- supervision of entrances/machine areas/gaming tables
- notices/ signage
- opening hours
- provision of responsible gambling information
- identification of customers

This list is not exhaustive, and is merely indicative of example measures the Licensing Authority will expect applicants to offer to meet the licensing objectives.

10.1.3 This Licensing Authority is aware that, as explained in the Gambling Commission's Guidance for local authorities: Section 181 contains an express power for licensing authorities to restrict the number of betting machines, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence or to a casino premises licence (where betting is permitted in the casino). When considering whether to impose a condition to restrict the number of betting machines in particular premises, the licensing authority, amongst other things, should 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 persons.

10.1.4 This Licensing Authority has noted that the Gambling Commission has stated in its Guidance for Local Authorities that “section 177 does not prevent the licensee from permitting the installation of cash dispensers (ATMs) on the premises. Such machines may accept credit cards (and debit cards) and the arrangement is subject to a requirement that the licensee has no other commercial connection in relation to gambling (aside from the agreement to site the machines) with the service-provider and does not profit from the arrangement, not make any payment in connection with the machines. All premises licences also include a mandatory condition which requires that any ATM made available for use on a premises must be located in a place that requires any customer who wishes to use it to cease gambling in order to do so.

10.2 **Bingo**

10.2.1 This policy applies to applications for a Bingo Premises Licence. Bingo has its ordinary and natural meaning and includes any version of the game irrespective of by what name it is described. A holder of a bingo Premises Licence will be able to offer bingo in all its forms.

10.2.2 Children and young persons are permitted in bingo premises, but may not participate in the bingo. If any Category B or C machines are made available for use, these must be separated from areas where children and young people are allowed.

10.2.3 The Licensing Authority expects that where children are permitted in bingo premises, any Category B or C machines are located in an area which is separated from the rest of the premises by barriers or in a separate room, where it is made clear that entry is permitted only for those aged 18 or over. Appropriate signage should be provided to this effect and the area should be monitored by staff, either through direct supervision or by monitored CCTV.

10.2.4 To avoid a situation where a premises holds a bingo Premises Licence primarily to benefit from the gaming machine allowance, the Licensing Authority will need to be satisfied (in line with Gambling Commission Guidance 18.4) that bingo is regularly played in any premises for which a Premises Licence is issued and that the premises presentation is clearly that of a bingo premises and readily identifiable as such to any customer using the premises.

10.2.5 In determining applications for bingo premises, the Licensing Authority shall consider the following:

- proof of age schemes
- CCTV
- entry control system
- staff numbers
- staff training
- supervision of entrances/ machine areas
- whether children are permitted on the premises and, if so, how the operator intends to prevent them from playing bingo or being able to access adult only machine areas
- notices/ signage
- opening hours
- the times and frequency of which bingo is offered
- whether bingo is offered by a caller or only electronically
- whether the premises are clearly identifiable as being licensed for the purposes of offering bingo facilities
- provision of responsible gambling information

This list is not exhaustive, and is merely indicative of example measures the Licensing Authority will expect applicants to offer to meet the licensing objectives.

- 10.2.6 Young persons, aged 16 and 17, may be employed in bingo premises provided their duties are not connected with the gaming or gaming machines. The Licensing Authority will not grant licences unless the applicant demonstrates how they intend to meet this licensing objective and identify appropriate measures they will take to protect young employees.
- 10.2.7 Where hand held gaming devices are to be used on bingo premises, the Licensing Authority expects applicants to demonstrate how use of these devices will be monitored by staff.
- 10.2.8 It has also been noted that the Gambling Commission Guidance states: section 177 does not prevent the licensee from permitting the installation of cash dispensers (ATMs) on the premises. Such machines may accept credit cards (and debit cards) and the arrangement is subject to a requirement that the licensee has no other commercial connection in relation to gambling (aside from the agreement to site the machines) with the service-provider and does not profit from the arrangement, nor make any payment in connection with the machines. All premises licences also include a mandatory condition which requires that any ATM made available for use on a premises must be located in a place that requires any customer who wishes to use it to cease gambling in order to do so.
- 10.2.9 It is also understood that the Gambling Commission will be placing restrictions and requirements on Operating Licences for betting premises as regards credit and this Licensing Authority will consider the guidance when it is available.

10.3 **Betting Premises**

- 10.3.1 This policy applies to applications for off-course betting premises. This is betting that takes place other than at a track, typically in a betting shop.
- 10.3.2 The Licensing Authority must be satisfied that the primary use of the premises is to operate as betting premises. The applicant will be expected to demonstrate they are offering sufficient facilities for betting or otherwise should not make gaming machines available on the premises.
- 10.3.3 In determining applications for betting premises, the Licensing Authority shall consider the following:
- proof of age schemes
 - CCTV
 - entry control system
 - staff numbers
 - staff training
 - counter layout
 - supervision of entrances/ machine areas
 - machine privacy screens
 - notices/ signage
 - opening hours
 - provision of responsible gambling information

This list is not exhaustive, and is merely indicative of example measures the Licensing Authority will expect applicants to offer to meet the licensing objectives.

- 10.3.4 Betting machines made available at betting premises that accept bets on live events such as horse racing (SSBT's or self-service betting terminals) are not gaming machines and therefore do not count towards the total number of gaming machines that may be permitted at betting premises.

However, where a machine is made available to take bets on 'virtual' races (e.g. results/images generated by a computer to resemble a real race or event), that IS a gaming machine and counts towards the maximum permitted number of gaming machines, and is subject to the relevant statutory limits on stakes and prizes.

10.3.5 Section 181 of the Gambling Act 2005 permits the Licensing Authority to restrict the number of SSBT's, their nature and the circumstances in which they may be made available by attaching a relevant condition to a Premises Licence for a betting office. When considering whether to do so, the Licensing Authority will consider, among other things, the ability of employees to monitor the use of the machines by children and young persons or by vulnerable people.

10.3.6 The Licensing Authority when considering the number, nature and circumstances of self-service betting terminals an operator wants to offer will 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.

10.3.7 Where an SSBT includes functionality to be marketed or presented in languages other than English, the Licensing Authority will seek to ensure the operator has considered the ordinary code provision set by the Gambling Commission about making the following information also available in the relevant languages:

- information on how to gamble responsibly and access the help referred to in the Gambling Commission's Licence Conditions and Codes of Practice;
- the player's guide to any game, bet or lottery under the provisions of the Gambling Commission's Licence Conditions and Codes of Practice;
- the summary of the contractual terms on which gambling is offered, which is a condition of the licence holder's Operating Licence issued by the Gambling Commission.

10.4 Betting Tracks and Other Sporting Venues

10.4.1 Tracks include premises where a race or other sporting event takes place, or is intended to take place. These may be subject to one or more than one Premises Licence, provided each licence relates to a specified area of the track. The Gambling Commission Guidance identifies that operators of track betting premises will not necessarily hold an Operating Licence issued by the Commission. The Licensing Authority will have particular regard to proposals and measures to ensure the environment in which betting takes place is suitable for betting and that betting is conducted in a fair and open way.

10.4.2 Examples of tracks include:

- Horse racecourses
- Greyhound tracks
- Point to point meetings
- Football, cricket and rugby grounds
- Athletics stadia
- Golf courses
- Venues hosting darts, bowls or snooker tournaments
- Premises staging boxing matches
- Sections of river hosting fishing competitions
- Motor racing events

10.4.3 The offence of permitting a child or young person to enter gambling premises under section 47 of the Act does not apply to tracks. Therefore the Licensing Authority will consider the impact upon the objective of protection of children and vulnerable persons, the need to ensure that entrances

to each type of licensed premises within the sporting venue are distinct, and that children are excluded from gambling areas which they are not permitted to enter.

- 10.4.4 The possibility of multiple licences at tracks is noted in Part 20 of the Gambling Commission Guidance. The Licensing Authority will expect the applicant for a Premises Licence to demonstrate suitable measures to ensure that children do not have access to adult-only gaming facilities. Children and young persons are permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but are still prevented from entering areas where gaming machines (other than Category D machines) are provided. Children and young persons are not prohibited from playing Category D machines on a track.
- 10.4.5 In determining applications for betting at tracks, consideration will be given to appropriate measures/licensing conditions to address the matters listed below:
- proof of age schemes such as Think 21
 - CCTV
 - entry control system
 - supervision of entrances/ machine areas
 - physical separation of areas
 - notices/ signage
 - opening hours
 - provision of responsible gambling information
 - provision of policies and procedures in relation to social responsibility measures as set out below
 - staffing levels
 - staff training and records of staff training
 - recording of incidents such as underage challenges, customer interactions for problem gambling, self-exclusions and complaints and disputes relating to gambling
 - details of action to be taken where an on course bookmaker has breached their Gambling Commission Operating Licence conditions repeatedly, for example where children have been able to gamble.

This list is not exhaustive, and is merely indicative of example measures the Licensing Authority will expect applicants to offer to meet the licensing objectives.

- 10.4.6 Track betting operators must be able to demonstrate their adoption of socially responsible gambling policies and procedures. Such policies and procedures must ensure that track betting activities promote the licensing objectives of ensuring that gambling is conducted in a fair and open way and children and other vulnerable people are not harmed or exploited by gambling.
- 10.4.7 A track Premises Licence does not in itself entitle the holder to provide gaming machines. However, by virtue of section 172(9) of the Act, track owners who hold both a track Premises Licence AND a pool betting Operating Licence issued by the Gambling Commission (this currently only applies to greyhound tracks) may provide up to four Category B2 to D gaming machines on the track.
- 10.4.8 The Licensing Authority will consider the location of gaming machines at tracks, and applicants for track Premises Licences will need to demonstrate that, where the applicant holds or seeks a pool betting Operating Licence and is going to use their full entitlement to gaming machines, these machines are located in areas from which children are excluded. The applicant will be required to provide information as to what measures it will put in place around the gaming machines to ensure that children are excluded, and they can be monitored adequately.

10.4.9 The Licensing Authority will expect applicants to include detailed plans for the track itself and the area that will be used for temporary “on-course” betting facilities (often known as the “betting ring”), pool betting, and any other proposed gambling facilities. Plans should make clear what is being sought for authorisation under the track betting Premises Licence and what, if any, other areas are to be subject to a separate application for a different type of Premises Licence. Any such plans must also contain the information prescribed by regulations.

10.4.10 In respect of staff training, the Licensing Authority would expect staff involved with the provision of gambling facilities at the track to be trained in social responsibility measures including, but not limited to, age verification, problem gambling indicators and action to be taken, self-exclusion, complaints procedures and money laundering indicators and action to be taken. Records of such training should be retained by the track management showing the subjects the staff member was trained in and the date training took place. These should be signed off by the staff member and training should be refreshed at least annually.

10.4.11 The Licensing Authority expects track operators to have policies and procedures in place to deal with age verification, self-exclusion, money laundering, complaints and disputes and problem gambling as a minimum and to ensure that all staff involved in the provision of gambling facilities are aware of these policies and procedures and have been trained in their implementation.

10.4.12 The Licensing Authority expects track management to ensure appropriate problem gambling information is provided commensurate to the size and layout of the premises. This should be in the form of posters and also leaflets which a customer can take away. Leaflets should be provided in areas where they can be taken away discreetly by the customer.

10.4.13 Section 152 of the Act permits tracks to be the subject of multiple Premises Licences.

10.4.14 Access between premises licensed for gambling and non-gambling areas will be considered carefully by the Licensing Authority for the following reasons:

- To prevent operators from attempting to circumvent the Act by artificially sub-dividing premises and securing separate Premises Licences for its composite parts;
- To ensure operators do not circumvent the regulations governing the maximum number of gaming machines that may be provided at specific premises;
- To ensure people who have entered premises to take part in one form of gambling are not exposed to another form of gambling;
- To ensure there is no direct access between gambling premises to which children have access and those which they are prohibited from entering;
- To ensure all gambling premises have publicly accessible entrances;
- To ensure gambling premises are not developed in ‘back rooms’ of other commercial premises.

10.5 Adult Gaming Centres (AGC’s)

10.5.1 Adult gaming centre (AGC) Premises Licences allow the holder of the licence to make gaming machines available for use on the premises. Persons operating an AGC must hold a relevant Operating Licence from the Gambling Commission and must seek a Premises Licence from the Licensing Authority. Gaming machines are a form of gambling attractive to children and AGC’s may contain machines of a similar format to the Category D machines on which children are allowed to play. However, persons under the age of 18 are not permitted to enter an AGC.

10.5.2 Because gaming machines provides opportunities for solitary play and immediate payouts, they are more likely to engender repetitive and excessive play. The Licensing Authority in considering Premises Licences for AGC’s 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 are not attracted to, or gain access to, the premises.

10.5.3 The Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives; however appropriate measures / licence conditions may cover issues such as:

- proof of age schemes
- CCTV
- entry control system
- supervision of entrances/ machine areas
- physical separation of areas
- notices/ signage
- opening hours
- staffing levels
- staff training
- provision of problem gambling information
- self-exclusion schemes

This list is not exhaustive, and is merely indicative of example measures the Licensing Authority will expect applicants to offer to meet the licensing objectives.

10.6 Family Entertainment Centres (FEC's)

10.6.1 Generally, FEC's must be operated by a person or body having an Operating Licence from the Gambling Commission. Unlicensed Family Entertainment Centres do not require the operator to have a Gambling Commission Operator's Licence or Premises Licence from the Licensing Authority, but do need to have a gaming machine permit as set out in the section on Permits. Unlicensed Family Entertainment Centres may only be used to provide Category D gaming machines.

10.6.2 Gaming machines are a form of gambling which is attractive to children and licensed FEC's will contain both Category D machines on which they are allowed to play, and Category C machines on which they are not. Because gaming machines provide opportunities for solitary play and for immediate payouts, they are more likely to engender repetitive and excessive play. The Licensing Authority, in considering applications for FEC Premises Licences, 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.

10.6.3 The Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures/ licence conditions may cover issues such as:

- CCTV
- supervision of entrances/ machine areas
- physical separation of areas for Category C machines
- location of entry
- notices/ signage
- opening hours
- staffing levels
- staff training
- self-exclusion schemes
- provision of problem gambling information
- measures and training for dealing with children on the premises suspected of truancy.

This list is not exhaustive, and is merely indicative of example measures the Licensing Authority will expect applicants to offer to meet the licensing objectives.

10.6.4 The Licensing Authority expects applicants to demonstrate adequate separation between the area in which Category C gaming machines are made available and areas of the premises to which children may have access. This will include whether physical separation is provided, staff supervision, signage and layout and presentation of the premises as a minimum. Operators should be aware of the risk of children entering adult only areas to speak to a parent who may be gambling in that area for example and have appropriate controls in place to reduce the risk of this.

11. **Reviews**

11.1 Requests for a review of a Premises Licence can be made by interested parties or responsible authorities, including the Licensing Authority. 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:

- any relevant Code of Practice issued by the Gambling Commission;
- any relevant guidance issued by the Gambling Commission;
- the licensing objectives;
- this Statement of Principles.

11.2 The Licensing Authority may reject an application for review if it thinks the grounds on which the review is sought:

- a) are not relevant to the relevant code of practice or guidance issued by the Gambling Commission, the licensing objectives or the Licensing Authority's statement of principles;
- b) are frivolous;
- c) are vexatious;
- d) 'will certainly not' cause the Licensing Authority to revoke or suspend the licence or to remove, amend or attach conditions on the Premises Licence;
- e) are substantially the same as grounds cited in a previous application relating to the same premises (the Licensing Authority will consider the length of time that has passed since the earlier application in deciding whether this is a reasonable reason to reject the review application);
- f) are substantially the same as representations made at the time the application for the Premises Licence was considered. While the Licensing Authority will consider the length of time that has passed since the representations were made, it will not normally review a licence on the basis of the same arguments considered on the grant of the Premises Licence.

11.3 General objections to gambling as an activity are not likely to be considered relevant reasons for a review. Other examples of irrelevant considerations include demand for gambling premises, issues relating to planning, public safety and traffic congestion.

11.4 The Licensing Authority can initiate a review of a particular Premises Licence, or any particular class of Premises Licence, for any reason it believes is appropriate. This includes reviewing 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.

11.5 The Licensing Authority may review any matter connected with the use made of a particular premises if it has reason to believe the Premises Licence conditions are not being observed, or for any other reason which gives it cause to believe a review may be appropriate.

11.6 A responsible authority or interested party may apply to the Licensing Authority to review a Premises Licence. Such reviews can be made in relation to, amongst other things if there are repeated incidents of crime and disorder associated with the premises or the gambling activity

which the premises operator has failed to adequately address, where incidents that have adversely effected one or more licensing objectives have occurred at premises that could have been prevented if advice and guidance from a responsible authority had been heeded, or if the premises due to the activities being undertaken is either attracting children or people likely to be involved in crime and disorder.

- 11.7 As a review of a Premises Licence can lead to its revocation, the Licensing Authority will consider whether informal actions to ensure timely or immediate compliance have been exhausted prior to an application being made. The Licensing Authority accepts that an application for review may be appropriate without informal measures being taken, but will seek to establish that all options have been considered in determining review applications.

12. Appeals

- 12.1 There is a right of appeal by the applicant should the Licensing Authority reject an application, similarly there is a right of appeal by a person who made representations against the application should the licensing authority grant the licence. This appeal must be lodged within a period of 21 days from the day on which the applicant was notified by the licensing authority of the decision and must be made to the magistrate's court.
- 12.2 The magistrate's court will take into account the licensing authority's statement of principles for gambling, gambling commission guidance, the licensing objectives and any other relevant codes of practice.

PART D Travelling Fairs and Permits

1. The following are forms of authorisation under the Gambling Act 2005 that fall outside of premises licences:
- 2. Travelling Fairs**
- 2.1 The Act defines a travelling fair as 'wholly or principally' providing amusements and they must be on a site that has been used for fairs for no more than 27 days per calendar year. Travelling fairs do not require a permit to provide gaming machines but must comply with legal requirements about the way the machines are operated.
- 2.2 It will fall to the Licensing Authority to decide 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.
- 2.3 The Licensing Authority will also consider whether the applicant falls within the statutory definition of a travelling fair. The 27 day statutory maximum for the land being used as a fair each calendar year 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. The Licensing Authority will keep a record of any travelling fairs that take place in the London Borough of Lewisham that offer gambling as an ancillary use to the fair. The Licensing Authority will ensure the 27 day statutory maximum for the land being used is not breached. The Licensing Authority will advise travelling fair operators if requested of the statutory time period remaining for the land they intend to use. This Licensing Authority will also work with its neighbouring authorities to ensure that the land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

3. Permits

- 3.1 Permits regulate gambling and the use of gaming machines in a premises which do not hold a Premises Licence. They are required when a premises provides gambling facilities but either the stakes are very low or gambling is not the main function of the premises.
- 3.2 The Licensing Authority is responsible for issuing the following permits:
- a) unlicensed family entertainment centre gaming machine permits;
 - b) alcohol licensed gaming machine permits;
 - c) prize gaming permits;
 - d) club gaming permits and club machine permits.
- 3.3 The Licensing Authority can only grant or reject an application for a permit and cannot attach conditions. Therefore, the Licensing Authority will consider a number of factors before determining an application for a permit to ensure that the permit holder and the premises are suitable for the proposed gambling activities.

4. Unlicensed family entertainment centre gaming machine permits

- 4.1 This policy applies to those premises that are proposed to be used as Unlicensed Family Entertainment Centres (uFEC's). uFEC's are premises primarily used for making gaming machines available that offer only Category D gaming machines. A uFEC permit allows any number of these machines to be made available at the premises (subject to other considerations such as health and safety and fire regulations). Given that Category D machines have no age restrictions, these premises particularly appeal to children and young persons. Therefore, the Licensing Authority will give particular weight to matters relating to child protection issues.
- 4.2 The Licensing Authority will grant an application for a permit only if it is satisfied that the premises are used wholly or mainly for making gaming machines available for use, and following consultation with the Police.
- 4.3 The Licensing Authority will not grant uFEC permits where the premises are not primarily used for making gaming machines available for use in accordance with section 238 of the Gambling Act 2005. This will preclude granting permits to lobbies in shopping centres or motorway service areas for example.
- 4.4 In cases where an existing uFEC permit has been granted to premises not primarily used for making gaming machines available, the Licensing Authority shall refuse to renew such permits.
- 4.5 Applicants for uFEC permits are expected to provide a scale plan of the premises with their application showing entrances/exits, location of CCTV cameras, cash desk, and machine locations as well as other features such as a bowling alley for example or play area which may form part of the premises.
- 4.6 The Licensing Authority will require applicants to demonstrate as a minimum:
- a full understanding of the maximum stakes and prizes of gambling that is permissible in unlicensed FECs;
 - that problem gambling information will be provided in the premises commensurate with its size and layout;
 - that the applicant has a written policy in place to deal with complaints and disputes which can be given to a customer on request;
 - that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act);
 - that staff are trained to recognise problem gambling and signpost a customer to problem

- gambling information;
- that there is no direct access from the uFEC to an AGC or a licensed FEC area where adult only gaming machines are provided;
- that staff have been trained in how to deal with complaints and disputes in line with the applicant's policy.

4.7 As applicants for uFEC permits will be working primarily with children, the Licensing Authority expects all applicants for uFEC permits to provide a Disclosure and Barring Service (DBS) check dated within the last three months with their application.

4.8 The Licensing Authority will expect the applicant to show there are policies and procedures in place to protect children and vulnerable people 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:

- measures/training for staff regarding suspected truant school children on the premises;
- measures/training covering how staff will deal with unsupervised very young children being on the premises;
- measures/training covering how staff would deal with children causing perceived problems on or around the premises.

5. Automatic entitlement to two gaming machines

5.1 Premises licensed to sell alcohol on the premises under the Licensing Act 2003 are automatically entitled to provide two gaming machines of Category C and/or D. The holder of the Premises Licence under the Licensing Act 2003 must notify the Licensing Authority of their intention to make the gaming machines available for use and must pay the prescribed fee.

5.2 This entitlement only relates to premises with a Licensing Act 2003 Premises Licence that authorises the sale of alcohol for consumption on the premises and which contain a bar at which alcohol is served without the requirement that alcohol is only sold ancillary to the provision of food.

5.3 Licensees siting gaming machines must comply with the relevant Gambling Commission Code of Practice.

5.4 Licensees must be aware that gaming machines can only be supplied by a person holding an Operating Licence from the Gambling Commission enabling them to do this. A register of licensed suppliers can be found on the Gambling Commission's website at www.gamblingcommission.gov.uk.

5.5 In the event that the relevant authorisation under the Licensing Act 2003 is transferred, lapses or is revoked, the automatic entitlement to two gaming machines ceases to have effect and a new notification will need to be served on the Licensing Authority.

5.6 The Licensing Authority will 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 provision 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.

6. Permit for three or more gaming machines

- 6.1 This policy applies to alcohol licensed premises that propose to have three or more gaming machines. Licensed premises wishing to have three or more gaming machines of Category C or D must apply to the Licensing Authority for a permit. This permit will replace the automatic entitlement to two gaming machines rather than be in addition to it and the holder must comply with the relevant Gambling Commission Code of Practice.
- 6.2 As gaming machines provide opportunities for solitary play and immediate payouts, they are more likely to engender repetitive and excessive play. The Licensing Authority, on considering an application, will consider whether granting a permit would be appropriate on a case by case basis, but will specifically have regard to:
- the need to protect children and vulnerable people from harm or being exploited by gambling;
 - measures taken by the applicant to satisfy the Licensing Authority that there are sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines;
 - whether the applicant has an effective policy in place for handling customer complaints or disputes about the gaming machines.
- 6.3 The Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives. However, appropriate measures may cover issues such as:
- the adult machines being in the sight of staff who will monitor that the machines are not being used by those under 18 and look for signs of problem gambling, attempts to cheat the machine, or suspected money laundering;
 - notices and signage, with reference to gambling helplines such as GamCare;
 - the provision of information leaflets or helpline numbers for organisations who can assist with problem gambling.
- 6.4 If the Licensing Authority is not satisfied that appropriate measures have been taken by the applicant to comply with this policy, it may refuse to grant the permit, or it may vary the number or category of gaming machines authorised by the permit.
- 6.5 The Licensing Authority may cancel a permit or may vary the number or category (or both) of gaming machines authorised by it if:
- (a) it would not be reasonably consistent with pursuit of the licensing objectives for the permit to continue to have effect,
 - (b) gaming has taken place on the premises in purported reliance on the permit but otherwise than in accordance with the permit or a condition of the permit,
 - (c) the premises are mainly use or to be used for making gaming machines available, or,
 - (d) an offence under the Gambling Act 2005 has been committed on the premises.
- 6.6 Before the Licensing Authority cancels or varies a permit it will give the permit holder 21 days' notice of its intention and allow him/her the opportunity to make a representation. If the permit holder requests a hearing the Licensing Authority will arrange a Licensing Sub-Committee hearing to consider the permit holder's representation and any other evidence available before making its determination.
- 6.7 When determining an application for an alcohol-licensed premises gaming machine permit, the Licensing Authority will consider each application on its own merits, and take into account the considerations outlined in this statement.

6.8 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would need to be applied for and dealt with as an adult entertainment centre premises licence.

7. Prize Gaming Permits

7.1 This policy applies to applications for, or renewals of, Prize Gaming Permits. Gaming is prize gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. Normally the prizes are determined by the operator before play commences.

7.2 Prize gaming may take place without a permit in various premises. These are casinos, bingo halls, adult gaming centres, licensed and unlicensed family entertainment centres and travelling fairs.

7.3 Given that the prize gaming will particularly appeal to children and young persons, the Licensing Authority will give weight to child protection issues.

7.4 The applicant will be expected to set out the types of gaming that they are intending to offer and will also be expected to demonstrate:

- an understanding of the limits to stakes and prizes set out in regulations;
- that the gaming offered is within the law;
- clear policies that outline the steps to be taken to protect children and vulnerable persons from harm.

7.5 The Licensing Authority will only grant a permit after consultation with the Police. This will enable the Licensing Authority to determine the suitability of the applicant in terms of any convictions that they may have that would make them unsuitable to operate prize gaming, the suitability of the premises in relation to their location, and issues about disorder.

7.6 There are conditions in the Act with which the permit holder must comply, though 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.

8. Club Gaming and Club Machine Permits

8.1 Members clubs and miners' welfare institutes (but not commercial clubs) may apply for a club gaming permit or a club machine permit. Commercial clubs such as snooker clubs run on a profit basis may apply for a club machine permit. Each type of permit allows the provision of different types of gaming and provision of game machines. The current entitlements can be found by visiting the Gambling Commission's website (www.gamblingcommission.gov.uk). At time of publication of this statement, 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. A Club Gaming machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D).

8.2 A commercial club is defined as a club where membership is required but the club is operated for commercial gain.

- 8.3 A non-commercial club is a club where no commercial gain is made. A non-commercial club must meet the following criteria to be considered a members' club:
- it must have at least 25 members;
 - it must be established and conducted wholly or mainly for purposes other than gaming (with the exception of bridge or whist);
 - it must be permanent in nature;
 - it must not be established to make a commercial profit;
 - it must be controlled by its members equally.

Examples of these include working men's clubs, branches of the Royal British Legion and clubs with political affiliations.

- 8.4 The Licensing Authority 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 Gambling Commission or the Police.

- 8.5 There is also a "fast-track" procedure available under the Act for premises that hold a club premises certificate under the Licensing Act 2003. Under the fast-track procedure there is no opportunity for objections to be made by the Gambling Commission or the Police, and the grounds upon which a Licensing Authority can refuse a permit are reduced. The grounds on which an application under this process may be refused are that:
- (a) the club is established primarily for gaming, other than gaming prescribed under schedule 12;
 - (b) in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
 - (c) a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

- 8.6 There are statutory conditions on club gaming permits that no child may use a Category B or C gaming machine on the premises and that the holder complies with any relevant provision of a Gambling Commission Code of Practice about the location and operation of gaming machines.

- 8.7 The Licensing Authority will need to satisfy itself that the club meets the requirements of the Gambling Act 2005 to hold a club gaming permit. In order to do this, it may require proof of additional information from the operator such as:
- is the primary activity of the club something other than gaming?
 - are the club's profits retained solely for the benefit of the club's members?
 - are there 25 or more members?
 - are the addresses of members of the club genuine domestic addresses and do most members live reasonably locally to the club?
 - do members participate in the activities of the club via the internet?
 - do guest arrangements link each guest to a member?
 - is the 48 hour rule being applying for membership and being granted admission being adhered to?
 - are there annual club accounts available for more than one year?
 - how is the club advertised and listed in directories and on the internet?
 - are children permitted in the club?

- does the club have a constitution and can it provide evidence that the constitution was approved by members of the club?
- is there a list of Committee members and evidence of their election by the club members?

8.8 When examining the club's constitution, the Licensing Authority would expect to see evidence of the following:

- Who makes commercial decisions on behalf of the club?
- Are the aims of the club set out in the constitution?
- Are there shareholders or members? Shareholders indicate a business venture rather than a non-profit making club.
- Is the club permanently established? (Clubs cannot be temporary).
- Can people join with a temporary membership? What is the usual duration of membership?
- Are there long term club membership benefits?

8.9 Aside from bridge and whist clubs, clubs may not be established wholly or mainly for the purposes of gaming. The Licensing Authority may consider such factors as:

- How many nights a week gaming is provided;
- How much revenue is derived from gambling activity versus other activity;
- How the gaming is advertised;
- What stakes and prizes are offered;
- Whether there is evidence of leagues with weekly, monthly or annual winners;
- Whether there is evidence of members who do not participate in gaming;
- Whether there are teaching sessions to promote gaming such as poker;
- Where there is a tie-in with other clubs offering gaming through tournaments and leagues;
- Whether there is sponsorship by gaming organisations;
- Whether participation fees are within limits.

PART E

Notices

1. 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 or with regards to tracks, betting.

2. Temporary Use Notices

2.1 This policy applies to applications for 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 gambling would include hotels, conference centres and sporting venues.

2.2 The Licensing Authority can only grant a Temporary Use Notice to a person or a company holding a relevant Operating Licence.

2.3 Currently, Temporary Use Notices can only be used to permit the provision of facilities for equal chance gaming, where the gaming is intended to produce a single overall winner.

2.4 The Licensing Authority, in considering applications for Temporary Use Notices, will consider whether gambling should take place, or should only take place with modifications to the TUN. In doing so, the Licensing Authority will consider:

- the suitability of the premises;
- the location of the premises, paying particular attention to its proximity to any schools, hostels

or other sensitive premises;

- the CCTV coverage within the premises;
- the ability of the premises to provide sufficient staff and/or licensed door supervisors for the notice period;
- whether the premises or the holder of the Operating Licence have given the Licensing Authority any cause for concern at previous events in relation to the licensing objectives, the guidance issued by the Gambling Commission, the relevant code of practice or this Statement of Principles.

3. Occasional Use Notices

- 3.1 The Licensing Authority has very little discretion on Occasional Use Notices for betting at tracks aside from ensuring the statutory limit of eight days a calendar year is not exceeded. The Licensing Authority will consider the definition of a “track” and whether the applicant can demonstrate they are responsible for the administration of the “track” or an occupier, and thus permitted to avail themselves of the notice. The definition of “track” in the Act is wider than dog tracks or horse racecourses and includes places where races or other sporting events take place. This could include major halls, hotels and other venues.
- 3.2 If notices are given for a single track which would permit betting to occur for more than eight days per year, the Licensing Authority is obliged to issue a counter notice preventing such a breach occurring.

PART F

Small Society Lotteries

1. The Gambling Act 2005 provides that promoting or facilitating a lottery is illegal, unless it falls into one of two categories of permitted lottery, namely:
- licensed lotteries – these are large society lotteries and lotteries run for the benefit of local authorities that are regulated by the Commission and require operating licences
 - exempt lotteries – there are four types of exempt lottery that are expressly permitted under Schedule 11 of the Act, including the small society lottery.
- 2. Definition of lottery**
- 2.1 A lottery is any arrangement that satisfies all of the criteria contained within the statutory description of either a simple lottery or a complex lottery, under s.14 of the Gambling Act 2005.
- 2.2 An arrangement is a simple lottery if:
- persons are required to pay to participate
 - one or more prizes are allocated to one or more members of a class
 - the prizes are allocated by a process which relies wholly on chance.
- 2.3 An arrangement is a complex lottery if:
- persons are required to pay to participate
 - one or more prizes are allocated to one or more members of a class
 - the prizes are allocated by a series of processes
 - the first of those processes relies wholly on chance.
- 3. Definition of society**
- 3.1 A ‘society’ is the society, or any separate branch of such a society, on whose behalf a lottery is to be promoted. Section 19 of the Gambling Act 2005 defines a society as such if it is established and conducted:
- for charitable purposes, as defined in s.2 of the Charities Act 2006
 - for the purpose of enabling participation in, or of supporting, sport, athletics or a cultural activity
 - for any other non-commercial purpose other than that of private gain.

3.2 It is inherent in this definition that the society must have been established for one of the permitted purposes as set out in s.19 of the Act, and that the proceeds of any lottery must be devoted to those purposes. It is not permissible to establish a society whose sole purpose is to facilitate lotteries.

3.3 Participation in a lottery is a form of gambling. Lotteries must be conducted in a socially responsible manner and in accordance with the Act.

3.4 The minimum age for participation in a lottery is sixteen. The holder of a small society lottery registration must take reasonable steps to ensure that all those engaged in the promotion of their lottery understand their responsibilities for preventing underage gambling, returning stakes and not paying prizes to underage customers.

4. **External Lottery Managers**

4.1 External lottery managers (ELM's) are required to hold a lottery operator's licence issued by the Gambling Commission to promote a lottery on behalf of a licensed society.

4.2 However, individuals or firms can and do provide services to a society or local authority lottery without assuming the role of an ELM. When determining whether a third party is a 'service provider' only, or has assumed the role of an ELM, the degree of management undertaken by both the promoter and the sub-contractor will be crucial factors. Key indicators will include:

- who decides how the lottery scheme will operate
- who appoints and manages any sub-contractors
- the banking arrangements for handling the proceeds of the lottery
- who sells the tickets and pays the prizes
- who controls promotional aspects of the lottery.

4.3 Societies employing an unlicensed ELM may be committing an offence and they will need to satisfy themselves that any ELM they employ holds the relevant operator's licence issued by the Commission. The Commission publishes a register of operating licences on its website at www.gamblingcommission.gov.uk.

5. **Lottery Tickets**

5.1 Lotteries may involve the issuing of physical or virtual tickets to participants (a virtual ticket being non-physical, for example in the form of an email or text message). All tickets must state:

- the name of the promoting society
- the price of the ticket, which must be the same for all tickets (e.g. there can be no option to 'buy two tickets, get one free')
- the name and address of the member of the society who is designated as having responsibility at the society for promoting small lotteries or, if there is one, the ELM
- the date of the draw, or information which enables the date to be determined.

5.2 The requirement to provide this information can be satisfied by providing an opportunity for the participant to retain the message electronically or print it.

5.3 The society should maintain written records of any unsold and returned tickets for a period of one year from the date of the lottery draw. The Licensing Authority may wish to inspect the records of the lottery for any purpose related to the lottery.

6. **Where tickets may be sold**

6.1 The Licensing Authority expects holders of small society lottery registrations not to sell lottery tickets to a person in any street. For these purposes 'street' includes any bridge, road, lane, footway, subway, square, court, alley or passage (including passages through enclosed premises such as shopping malls) whether a thoroughfare or not. Tickets may, however, be sold in a street from a static structure such as a kiosk or display stand. Tickets may also be sold door to door. Licensees must ensure that they have any necessary local authority permissions, such as a street trading licence, in order to do this.

7. Prizes

7.1 Prizes awarded in small society lotteries can be either cash or non-monetary. Prizes declared on returns must not exceed the limits on prizes set out by the Act - in effect that combined with any expenses incurred with the running of the lottery, such as managers' fees, they must not comprise more than 80% of the total proceeds of the lottery. Donated prizes would not be counted as part of this 80% (as no money would be withdrawn from the proceeds to cover their purchase) but are still subject to the limit on a single maximum prize of £25,000 and should be declared on the return following the lottery draw.

7.2 Alcohol should not be offered as a prize in a lottery without the society first ensuring that no Licensing Act 2003 consent is required for this from the Licensing Authority. If such consent is required, then alcohol shall not be offered as a prize unless such consent has been obtained.

8. Small Society Registration

8.1 The promoting society of a small society lottery must, throughout the period during which the lottery is promoted, be registered with a Licensing Authority. Parts 4 and 5 of Schedule 11 of the Act set out the requirements on both societies and Licensing Authorities with respect to the registration of small society lotteries.

8.2 The Licensing Authority with which a small society lottery is required to register must be in the area where their principal office is located.

8.3 Applications for small society lottery registrations must be in the form prescribed by the Secretary of State and be accompanied by both the required registration fee and all necessary documents required by the Licensing Authority to assess the application. This information shall include a copy of the society's terms and conditions and their constitution to establish that they are a non-commercial society.

8.4 Societies may not circumvent the requirement to hold a Gambling Commission Lottery Operating Licence by obtaining two or more registrations with the same or different Licensing Authorities. As set out previously, the Act states that a society lottery is a large lottery if the arrangements for it are such that its proceeds may exceed £20,000 in a single lottery, or if the aggregate proceeds in a calendar year exceed £250,000.

8.5 In cases where a society has separate branches with different aims and objectives, it is acceptable for them to hold more than one licence or registration. However, in cases where a society holds more than one registration and the aims and objectives of those societies are the same, this may constitute a breach of the threshold limits for small society lotteries set out in Schedule 11 of the Act.

8.6 By virtue of Schedule 11 paragraph 31(5) of the Act, societies may not hold an Operating Licence with the Gambling Commission and a local authority registration with the same aims and objectives at the same time. This paragraph also provides for a statutory period of three years during which a large society cannot convert to small society status.

8.7 Registrations run for an unlimited period, unless the registration is cancelled.

8. Refusal of Registration

9.1 The Licensing Authority may propose to refuse an application for any of the following reasons:

- An operating licence held by the applicant for registration has been revoked or an application for an operating licence made by the applicant for registration has been refused, within the past five years. The Commission will be able to advise the details of people and organisations that have been refused an operating licence or have had an operating licence revoked in the past five years. Licensing Authorities should consult the Commission as part of their consideration process.
- The society in question cannot be deemed non-commercial.
- A person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence, listed in Schedule 7 of the Act.
- Information provided in or with the application for registration is found to be false or misleading.

9.2 The Licensing Authority may only refuse an application for registration after the society has had the opportunity to make representations. These can be taken at a formal hearing or via correspondence. The Licensing Authority shall inform the society of the reasons why it is minded to refuse registration and provide it with at least an outline of the evidence on which it has reached that preliminary conclusion, in order to enable representations to be made.

9. Revocation of a small society's registered status

10.1 The Licensing Authority may revoke the registration of a society if it thinks that they would have had to, or would be entitled to, refuse an application for registration if it were being made at that time. The Licensing Authority will inform the society of the reasons why it is minded to revoke the registration and provide them with the evidence on which it has reached that preliminary conclusion.

10. Administration and returns

11.1 The Act requires that a minimum proportion of the money raised by the lottery is channelled to the goals of the society that promoted the lottery. If a small society lottery does not comply with these limits it will be in breach of the Act's provisions, and consequently be liable to prosecution.

11.2 The limits are as follows:

- at least 20% of the lottery proceeds must be applied to the purposes of the society (Schedule 11, paragraph 33)
- no single prize may be worth more than £25,000 (Schedule 11, paragraph 34)
- rollovers between lotteries are only permitted where every lottery affected is also a small society lottery promoted by the same society, and the maximum single prize is £25,000 (Schedule 11, paragraph 35)
- every ticket in the lottery must cost the same and the society must take payment for the ticket fee before entry into the draw is allowed (Schedule 11, paragraph 37).

11.3 Paragraph 39 of Schedule 11 in the Act sets out the information that the promoting society of a small society lottery must send as returns to the Licensing Authority with which it is registered, following each lottery held. This information allows Licensing Authorities to assess whether financial limits are being adhered to and to ensure that any money raised is applied for the proper purpose. The following information must be submitted:

- the arrangements for the lottery - specifically the date on which tickets were available for sale or supply, the dates of any draw and the value of prizes, including any donated prizes and any rollover
- the total proceeds of the lottery
- the amounts deducted by the promoters of the lottery in providing prizes, including prizes in accordance with any rollovers
- the amounts deducted by the promoters of the lottery in respect of costs incurred in organising the lottery
- the amount applied to the purpose for which the promoting society is conducted (this must be at least 20% of the proceeds)
- whether any expenses incurred in connection with the lottery were not paid for by deduction from the proceeds, and, if so, the amount of expenses and the sources from which they were paid.

11.4 Paragraph 39 of Schedule 11 in the Act also requires that returns must:

- be sent to the Licensing Authority no later than three months after the date of the lottery draw, or in the case of ‘instant lotteries’ (scratchcards) within three months of the last date on which tickets were on sale
- be signed (electronic signatures are acceptable if the return is sent electronically) by two members of the society, who must be aged 18 or older, are appointed for the purpose in writing by the society or, if it has one, its governing body, and be accompanied by a copy of their letter or letters of appointment.

11.5 The Gambling Commission may inspect a society’s returns, although it will not routinely do so. The Licensing Authority is required to retain returns for a minimum period of three years from the date of the lottery draw. They must also make them available for inspection by the general public for a minimum period of 18 months following the date of the lottery draw. Returns can be viewed by contacting the Licensing Authority, licensing@lewisham.gov.uk.

11.6 The Licensing Authority will monitor the cumulative totals of returns to ensure that societies do not breach the annual monetary limit of £250,000 on ticket sales. The Licensing Authority must notify the Commission if returns reveal that a society’s lotteries have exceeded the values permissible, and such notifications will be copied to the society in question. The Gambling Commission will contact the society to determine if they are going to apply for a lottery operator’s licence, thereby enabling them to run large society lotteries lawfully, and will inform the Licensing Authority of the outcome of its exchanges with the society.

PART G

Applications & Delegations

1. Applications & Fees

1.1 Applications must be made in the prescribed form as laid out in Regulations. They should be made with all prescribed documents and fee to Licencing Authority, Crime, Enforcement & Regulation Service, 9 Holbeach Road, Catford SE6 4TW, Telephone 020 8314 7237. All the responsible authorities must receive copies at the same time. Application and guidance packs are available from the above address or on the council website.

1.2 Premises licence fees will be set via a series of bands, with a prescribed maximum in each band. The authority will select precise fees from within the bands, limited to cost recovery.

1.3 A Register will be maintained in the prescribed form.

2. Delegation

2.1 The Council is involved in a wide range of licensing decisions and functions and has established a Licensing Committee to administer them. The powers under the Act also allow for delegation of power/functions to Licensing Sub-Committees or to one or more officers.

2.2 Appreciating the need to provide a speedy, efficient and cost effective service to all parties involved in the licensing process, the Council has taken advantage of these powers and has established a Licensing Committee/Sub-Committees.

2.3 Many of the decisions and functions are largely administrative in nature such as the grant of non-contentious applications, including for example those licenses and certificates where no representations have been made. These will be delegated to Council officers. All such matters dealt with by officers will be reported for information to the next Licensing Committee meeting.

2.4 Applications where there are relevant representations will be dealt with by the Licensing Committee/Sub-Committee, unless such representations are considered irrelevant, frivolous or vexatious or unless the Council, the applicant and everyone who has made representations agree that a hearing is not necessary (usually after successful mediation).

2.4 The agreed delegation of decisions and functions of the Licensing Committee, Sub-Committees and officers are Outlined in Appendix 1. The various delegations include delegation to impose appropriate conditions.

Appendix 1 - Delegation of Functions

Matter to be dealt with	Full Council	Licensing Committee	Officers
Full approval of three year licensing policy	All cases		
Policy not to permit casinos	All cases		
Fee setting (when appropriate)		Within Statutory brackets	
Application for premises licence		Where a relevant representation has been made and not withdrawn	If no relevant representations made / or have been withdrawn
Application for a variation to a Licence		Where a relevant representation has been made and not withdrawn	If no relevant representations made / or have been withdrawn
Application for transfer of a Licence		Where representations have been received from the Commission	Where no representations have been received from the Commission
Application for a provisional statement		Where representations have been received from the Commission	Where no representations have been received from the Commission
Review of premises licence		All cases	
Application for club gaming / club machine permits		Where representations have been received from the Commission	Where no representations have been received from the Commission
Cancellation of club gaming / club machine permits		All cases	
Application for other permits			All cases
Cancellation of licensed premises gaming machine permits			All cases
Consideration of Temporary Use Notice			All cases
Decision to give counter notice to a Temporary Use Notice		All cases	

This scheme of delegations is without prejudice to the right of relevant parties to refer an application to a Licensing Sub-Committee or the full Licensing Committee if considers appropriate in the circumstances of any particular case. Unless there are compelling reasons to the contrary, the Council will require the Licensing Committee or any of its Sub-Committees to meet in public, although Members can retire into private session to consider their decision.

Appendix 2 - Consultation

A public consultation was carried out in respect of this Statement of Principles from 10 October 2018- 21 November 2018. The draft document was available to view on the council's website for 6 weeks during this consultation period and at the Licensing Authority's Offices on Holbeach Road, SE6. As well as sending consultation letters and emails to responsible authorities outlined in section 6, Part A and to the parties mentioned in appendix 3, a public notice was displayed at the Council offices at Civic Centre, Catford Road, SE6 4RX for the duration of the consultation and an advertisement of the consultation was published in News Shopper on 24 October 2018.

12 written responses were received to the consultation. An outline of these responses was included in the Full Council paper heard on 23 January 2019 and can be viewed at www.lewisham.gov.uk.

This Statement of Principles was referred to the Licensing Committee in December 2018, considered by Mayor and Cabinet on 16 January 2019 and approved by Full Council on 23 2019.

A notice will be published on the Council's website and at the Civic Suite, Catford Road, SE6 following approval stating where the Statement of Principles could be inspected (including the internet address), the date the Statement of Principles would be published, and the date it would take effect (28 days after approval by Full Council).

Appendix 3 List of Consultees

- Lewisham Police – Borough Commander and Licensing Officer
- London Fire Brigade
- Environmental Health
- LBL Planning Authority
- Local Safeguarding Children’s Board
- LBL Children’s Services
- LBL Public Health Board
- HM Revenue and Customs
- Gambling Commission
- Lewisham Elected Councillors
- Lewisham MPs
- Greater London Authority Members
- Lewisham Council Directors
- London Borough of Southwark - Licensing Authority & Chief Executive
- London Borough of Bromley - Licensing Authority & Chief Executive
- London Borough of Croydon - Licensing Authority & Chief Executive
- Royal Borough of Greenwich - Licensing Authority & Chief Executive
- All Gambling Premises in the Borough
- GamCare
- Age Concern Lewisham
- CGL Lewisham
- Lewisham Prevention and Inclusion Team
- Safer London
- Lewisham Disability Coalition
- Lewisham Irish Centre
- Citizens Advice Bureau
- Lewisham Victim Support
- Refuge
- Lewisham Faith Groups
- NSPCC South London
- Metro Centre Greenwich
- Samaritans Lewisham
- 2000 Community Action Centre
- New Cross Betwatch
- Local Assemblies
- Betfred – Head Office
- William Hill – Head Office
- Ladbrookes – Head Office
- Coral – Head Office

Appendix 4 – Glossary of Terms

‘the Act’ means the Gambling Act 2005

‘the Council’ means the Council of the London Borough of Lewisham

‘the Commission’ means the Gambling Commission established under the Gambling Act of 2005

‘the Guidance’ means the Guidance to Licensing Authorities published by the Gambling Commission

‘Licensing Authority’ means the Council of the London Borough of Lewisham

‘Licensing Committee’ refers to the Committee of the London Borough of Lewisham to consider licensing matters

‘licensable activities’ means those activities that are required to be licensed by the Council under the Gambling Act 2005

‘Licensing Sub Committee’ refers to a Sub Committee of the Licensing Committee to consider licence applications

‘relevant representations’ means a representation conforming to the legal requirements of the Licensing Act 2003

‘Regulations’ refers to Regulations under the Licensing Act 2003 issued by the Secretary of State

‘responsible authority’ means the bodies designated under the Gambling Act 2005 and described in the Introduction to this Statement of Principles

‘the Statement’ refers to this Statement of Principles for Gambling

‘Gambling’ is defined in the Act as either gaming, betting, or taking part in a lottery.

‘Gaming’ means playing a game of chance for a prize.

‘Betting’ means making or accepting a bet on the outcome of a race, competition, or any other event; the likelihood of anything occurring or not occurring; or whether anything is true or not.

A **‘lottery’** is where persons are required to pay in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process, which relies wholly on chance.

Appendix 5 - Model Conditions

The following model conditions can be used by the applicant of a new premises licence, provisional statement or licensee varying their application. The applicant or licensee can select the conditions that they feel will enable them to demonstrate how they will ensure that the premises will operate so as not to impact one or more of the licensing objectives.

Gambling operators are recommended during their local risk assessment process to identify control measures, such as conditions to mitigate the impact on the licensing objectives by that premises. These models conditions can be selected to address the risk of impacts identified in these assessments.

These model conditions can also be used by responsible authorities or interested parties when making representations regarding applications submitted to the Licensing Authority. The Licensing Sub-Committee when determining applications will have regard to these conditions and may choose to add one or more conditions or variations of them depending on the concerns raised during the determination process.

The model conditions are not intended to be used as blanket conditions applied to each premises licence. It may appear from the list of model conditions are repetitive, however there are subtle differences so gambling operators; responsible authorities and interested parties are advised to find the most appropriate condition to mitigate the identified risk.

The model conditions set out in this section are not an exhaustive list and new or amended versions of model conditions can be produced to meet the specific requirements of that application.

The model conditions have been put under general topic headings to assist in identifying particular conditions that may address specific issues raised. By the side of each condition a reference to the relevant licensing objective that they relate is indicated. The codes used for the licensing objectives are:

CD - preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime.

FO - ensuring that gambling is conducted in a fair and open way.

CV - protecting children and other vulnerable persons from being harmed or exploited by gambling.

Hours

GMC1	No facilities for gambling shall be provided on the premises between the hours of [insert time] on one day and [insert time] on the next day.	CD, FO & CV
GMC2	No facilities for gambling shall be provided on the premises between the hours of [insert time] and [insert time] on any	CD, FO
GMC3	The premises shall not provide gambling facilities between the hours of [insert time] and [insert time].	CD, FO & CV
GMC4	There shall be no admittance or re-admittance to the premises after [enter time].	CD & CV

CCTV

GMC5	<p>The venue shall install and maintain a comprehensive CCTV system at the premises as per the minimum requirements of the Metropolitan Police Licensing Team. This system should cover:</p> <p>a) All entry and exit points to and from the premises enabling frontal identification of every person entering under any light conditions. b) The areas of the premises to which the public have access (excluding toilets) c) Gaming machines and the counter area</p> <p>The CCTV system shall continually record whilst the venue is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of thirty one days with date and time visible. Recordings shall be immediately arranged by a member of staff for handover to Police or authorised officer following their request.</p>	CD
GMC6	A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to arrange for Police to view recent data or footage with the absolute minimum of delay when requested.	
GMC7	There shall be [insert number] external cameras which will provide live images to staff in the service counter area.	CD
GMC8	Notices indicating that CCTV is in use at the premises shall be placed at or near the entrance to the premises and within the premises.	CD
GMC9	A monitor shall be placed inside the premises above the front door showing CCTV images of customers entering exiting the premises.	CD
GMC10	<p>The licensee shall:</p> <p>a) provide training on the CCTV system and how to access the footage if requested to do so by the police or other authorised officers as part of the staff induction training programme or when the system is changed, and b) periodically provide refresher training to all of its staff working at these premises on the CCTV viewing process.</p> <p>Participation in this training shall be formally recorded on each member of staffs training records which, if requested will be presented to the Police or Licensing Authority as soon as practicable.</p>	CD

Door Supervision

GMC11	At least [enter number] SIA licensed door supervisors shall be on duty at every entrance and exit to the premises at all times whilst it is operating under this licence.	CD & CV
GMC12	A minimum of [insert number] SIA licensed door supervisors shall be on duty at the premises at all times whilst it is open for business.	CD & CV
GMC13	At least [insert number] SIA licensed door supervisors shall be on duty at every public entrance and exit of the premises at all times whilst it is open for business.	CD & CV
GMC14	[insert number] of SIA Licensed Door Supervisors are to be on duty at the premises during the whole of permitted hours	CD & CV
GMC15	No patrons shall be admitted or re-admitted to the premises after [enter time] unless they have passed through a metal detecting search arch	CD & CV

	and, if the search arch is activated or at the discretion of staff, then physically searched, which will include a 'pat down search' and a full bag search.	
GMC16	All persons entering or re-entering the premises shall be searched by an SIA trained member of staff and monitored by the premises CCTV system.	CD & CV
GMC17	All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests.	CD & CV
GMC18	The licence holder shall ensure that the outside areas of the premises are monitored so as to ensure there is no crime, disorder, public nuisance or obstruction of the public highway.	CD & CV

Children and Young People

GMC19	The Licensee shall maintain a bound and paginated 'Challenge 25 Refusals' register at the premises. The register shall be produced to the police or licensing authority forthwith on request.	CV
GMC20	Prominent signage and notices advertising the Challenge 25 will be displayed showing the operation of such policy	CV
GMC21	Third party testing on age restricted sales systems shall be carried out on the premises a minimum of [insert frequency] a year.	CV
GMC22	Third party testing on age restricted sales systems purchasing shall take at least [insert frequency] a year and the results shall be provided to the Licensing Authority upon request.	CV
GMC23	The licensee shall not allow their logos or other promotional material to appear on any commercial merchandising which is designed for use by children.	CV
GMC24	All tills shall automatically prompt staff to ask for age verification identification when placing a bet.	CV
GMC25	A Challenge [21/25 delete as appropriate] proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.	CV
GMC26	The licensee will ensure, through regular checks and intervention, that customer's children are not left unsupervised outside the premises	CV
GMC27	The licensee will ensure, though regular checks and intervention that children will not congregate outside the premises.	CV

Documents Provided to the Licensing Authority

GMC28	The licensee shall provide the Licensing Authority with their compliance/operating manual which sets out all of the premises policies to meet the regulatory requirements under the Gambling Act 2005 and shall provide a copy of any update or revision as soon as practicable following the implementation of that change.	CD, FO & CV
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Entrances and Doors

GMC29	A magnetic locking device, commonly referred to as a Maglock will be installed and maintained on the main entrance/exit to the premises which will be operable from the ground floor cashier counter by staff.	CD & CV
GMC30	An Infra-Red Beam connected to a sounder will be installed and maintained at the entrance of the premises so as to notify staff when a customer enters or exits the premises.	CD & CV

Staffing Levels

GMC31	There shall be no pre-planned single staffing at any time.	CD & CV
GMC32A	There shall be no pre-planned single staffing after 20:00. Should the premises be single staffed after this time the magnetic door locking system must be in constant use.	CD & CV
GMC32B	No pre-planned single staffing after 8pm and, when this is unavoidable, a Maglock shall be in constant use on the entrance/exit door.	CD & CV
GMC33	There will be a minimum of [enter number] staff will be present at all times when the premises is open.	CD & CV
GMC34	There will be a minimum of two members of staff after 10pm.	CD & CV
GMC35	A minimum of two members of staff will be on duty for the duration of the period in which licensable activities are taking place on the premises.	CD & CV

Cashier Counters and Safe Havens

GMC36	The licensee shall maintain a full height polycarbonate or 11.5mm minimum thickness laminated glass security screen counter on the ground floor of the premises.	CD
GMC37	A full-height security screen shall be installed at the cashiers counter.	CD
GMC38	Full height security bars which are spaced at adequate intervals to prevent a person from reaching through will be installed at the cashiers counter	CD
GMC39	The licensee shall install a Safe Haven [add location of safe haven] which includes a secure door with peephole, CCTV Monitor, Telephone, Safe Guard system, maglock control button and any other systems deemed appropriate by the licensee.	CD

Identification of Offenders or Problem Persons

GMC40	The licensee shall provide Spit Kits within the premises and provide staff training on the use of these kits.	CD
GMC41	If at any time (whether before or after the opening of the premises), the police or licensing authority supply to the premises names and/or photographs of individuals which it wishes to be banned from the premises, the licensee shall use all reasonable endeavours to implement the ban through staff training.	CD
GMC42	The Licensee shall implement a policy of banning any customers who engage in crime or disorder within or outside the premises.	CD
GMC43	The licensee will refuse entry to customers who appear to be under the influence of alcohol or drugs.	CD

Seating

GMC44A	The licensee shall ensure that all seating within the premises are either secured to the floor or are weighted to prevent lifting	CD
GMC44B	The licensee shall ensure that all gaming machine seating within the premises are weighted to prevent lifting	CD

Alarms (Premises and Personal)

GMC45A	Each member of staff will be provided and required to carry on their person a personal fob alarm which will activate the alarm if pressed by the member of staff or that staff member is lying horizontal for a pre-determined period of time.	CD
GMC45B	Lone working staff will be provided and required to carry on their person a personal fob alarm which will activate the alarm if pressed by the member of staff or that staff member is lying horizontal for a pre-determined period of time.	CD
GMC46	The licensee shall install and maintain an intruder alarm on the premises.	CD
GMC47	The premises shall install and maintain a panic button behind the cashiers counter.	CD
GMC48	The premises shall install and maintain a panic button behind the cashiers counter that will alert the premises security once pressed.	CD
GMC49	An attack alarm shall be installed and maintained behind the cashier counter which would alert [operator name] Security and the police.	CD
GMC50	An attack alarm shall be installed and maintained behind the cashier counter which would alert the police.	CD

Toilets

GMC51	A Maglock device will be installed and maintained on the customer toilet door which will be operated by a member of staff from the cashiers counter.	CD & CV
GMC52	The Licensee shall install and maintain an ultraviolet lighting system in the customer toilet.	CD & CV

GMC53	The licensee will ensure that customer toilets are checked [insert time interval] for evidence of drug taking.	CD & CV
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Restrictions on Food and Beverages

GMC54	Only refreshments purchased or supplied on the premises may be consumed on the premises	CV
GMC55	The hot refreshment vending machine and refreshment facilities shall be provided for customers and staff use only.	CV

Signage, Promotional Materials and Notices

GMC56	<p>The licensee shall place and maintain a sign at the entrance of the premises stating that access to the premises will be excluded to the following people:</p> <ul style="list-style-type: none"> a) Anyone who is under the age of 18, b) Anyone who appears to be under the age of 21 and is unable to provide proof of age that they are over the age of 18, c) Only refreshments purchased or supplied on the premises may be consumed on the premises,* d) Anyone who is barred from the premises, and e) Anyone who has alcohol on their person or appears to be under the influence of alcohol or substances. <p>* Only to be added if model condition GMC54 is proposed.</p>	CD & CV
GMC57	<p>The Licensee shall place and maintain a sign at the entrance which states that 'only refreshments purchased on the premises may be consumed on the premises'.</p> <p><i>Only to be added if model condition GMC54 is proposed.</i></p>	CV
GMC58	All notices regarding gambling advice or support information must be translated into both simplified and traditional Chinese.	FO & CV
GMC59	All public signage/documentation relating to age restrictions, gambling advice and gambling support information (e.g. GamCare or similar support service) is displayed or provided on the premises in written English and Chinese (Simplified and Traditional).	FO & CV
GMC60	All public signage/documentation relating to age restrictions, gambling advice and gambling support information (e.g. GamCare or similar support service) is displayed or provided on the premises in written English and [insert language relevant to the local population].	FO & CV

Enticement Promotions

GMC64	The licensee shall not offer any enticement promotions, such as happy hours during which gaming machines stakes are reduced.	FO & CV
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Staff Training

GMC65	<p>The licensee shall:</p> <p>a) provide training on the specific local risks to the licensing objectives that have been identified for these premises as part of the staff induction training programme.</p> <p>b) periodically provide refresher training to all of its staff working at these premises on the specific local risks to the licensing objectives.</p> <p>Participation in this training shall be formally recorded on each member of staffs training records which, if requested will be presented to the Licensing Authority as soon as practicable.</p>	CD, FO & CV
GMC66	<p>a) The Licensee shall train staff on specific issues related to the local area and shall conduct periodic refresher training.</p> <p>b) Participation in this training shall be formally recorded and the records produced to the police or licensing authority upon request.</p>	CD, FO & CV
GMC67	New and seasonal staff must attend induction training and receive refresher training every six months.	CD, FO & CV

Recording of Incidents and Visits

GMC68	<p>An incident log shall be kept for the premises and made available on request to an authorised officer of the City Council or the Police which will record the following;</p> <p>a) All crimes reported to the venue;</p> <p>b) Any complaints received regarding crime and disorder;</p> <p>c) Any incidents of disorder;</p> <p>d) Any faults in the CCTV system; and</p> <p>e) Any visit by a relevant authority or emergency service.</p>	CD
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Customer Bags and Belongings

GMC69	Customer shall not be permitted to leave bags or other belongings at the premises.	CV
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Homeless and Street Drinking

GMC70	The licensee will contact the local homeless hostels/shelters and offer to provide information on problem gambling support services and how their residents can self-exclude from [operator name] premises.	CV
GMC71	The Licensee shall take all reasonable steps to prevent street drinking of alcohol directly outside the premises and to ban from the premises those who do so.	CD & CV

GMC72	The Licensee shall place a notice visible from the exterior of the premises stating that customers drinking alcohol outside the premises is not permitted and those who do so will be banned from the premises.	CD & CV
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Police Reporting Protocols and Crime Prevention

GMC73	The Licensee shall develop and agree a protocol with the police as to incident reporting, including the type and level of incident and mode of communication, so as to enable the police to monitor any issues arising at or in relation to the premises.	CD
GMC74	Prior to opening the Licensee shall meet with the Crime Prevention Officer in order to discuss any additional measures to reduce crime and disorder.	CD

ATMs

GMC75	There shall be no cash point or ATM facilities on the premises.	CD & CV
GMC76	The ATM shall be located so that the staff behind the cashiers desk has direct line of sight to the machine and customers using it.	CD & CV
GMC77	Signage shall be placed on or immediately next to the ATM to warn customers to cover the keypad when entering their PIN number	CD

Gaming Machines and Self Service Betting Terminals

GMC78	Gaming machines shall be sited in the locations specified on the premises plans	CD & CV
GMC79	Gaming machines shall be sighted so that the cashiers from all counter positions have direct line of sight of the machines and the customers using them.	CD & CV
GMC80A	Gaming machines shall not be emptied whilst customers are present on the premises and the doors are unlocked.	CD
GMC80B	Self Service Betting Terminals shall not be emptied whilst customers are present on the premises and the doors are unlocked.	CD
GMC80C	Gaming Machines and Self Service Betting Terminals shall not be emptied whilst customers are present on the premises and the doors are unlocked.	CD
GMC81A	Gaming Machines shall not be emptied when there is only one member of staff on the premises.	CD
GMC81B	Self Service Betting Terminals shall not be emptied when there is only one member of staff on the premises.	CC
GMC81C	Gaming Machines and Self Service Betting Terminals shall not be emptied when there is only one member of staff on the premises.	CD
GMC82	The number of Self Service Betting Terminals (SSBT's) permitted on the premises is [insert number]	CV

GMC83	The over 18 area containing the category C gaming machines will be enclosed with a floor to ceiling partition wall with one point for egress and ingress.	CV
GMC84	Privacy screening, known as a 'gaming machine pod' shall not enclose the customer to such a degree that would restrict the customer's peripheral vision of the premises when playing the machine in either a standing or sitting position and prevent a member of staff from observing that person.	CD & CV

Multiple Storey Venues

GMC86	Access to the [floor number] floor of the premises will be controlled by members of staff and a door which can only be operated by members of staff will be positioned at the bottom of the stairs thereby restricting access to only those with staff approval.	CD
GMC87	A minimum of one member of staff shall be present at all times when the [floor number] floor is being used by customers.	CD & CV
GMC88	The licensee shall install and maintain an internal intercom/phone system to enable staff to communicate with one another on all floors of the premises.	CD & CV
GMC89	The licensee shall install monitors within the staff cashier counter areas on all floors that will display live CCTV footage from inside and outside the premises.	CD & CV
GMC80C	Gaming Machines and Self Service Betting Terminals shall not be emptied whilst customers are present on the premises and the doors are unlocked.	CD
GMC90	An attack alarm shall be installed and maintained behind the ground and first floor cashier counters which would alert [operator name] Security and the police.	CD
GMC91	A magnetic locking (Maglock) device will be installed and maintained on the customer toilet door on the [floor number] floor which will be operated by a member of staff from the cashiers counter on the [floor number] floor.	CD & CV

Betwatch Scheme

GMC92	As soon as possible, and in any event within 1 month from the grant of this licence, the premises shall join the City of Westminster Betwatch scheme	CV & CD
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