



City of Westminster

# Committee Agenda

Title: **Licensing Sub-Committee (4)**

Meeting Date: **Wednesday 16 February 2022**

Time: **10.00 am**

Venue: **Rooms 18.01 - 18.03 - 18th Floor, 64 Victoria Street, London, SW1E 6QP**

Members: **Councillors:**

Karen Scarborough (Chairman)  
Barbara Arzymanow  
Aicha Less

Members of the public are welcome to attend the meeting and listen to the discussion Part 1 of the Agenda.

Admission to the public gallery is via a visitor's pass which is available from the main ground floor reception at 64 Victoria Street from 9.00am.

If you have a disability and require any special assistance, please contact the Committee Officer (details listed below) in advance of the meeting.

If you require further information, please contact the Committee Officer, Sarah Craddock, Committee and Councillor Co-ordinator.

**Email:** [scraddock@westminster.gov.uk](mailto:scraddock@westminster.gov.uk)

**Corporate Website:** [www.westminster.gov.uk](http://www.westminster.gov.uk)

**Note for Members:** Members are reminded that officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. Regarding Item 2, guidance on Declarations of Interests is included in the Code of Governance. If Members and Officers have any questions, they should contact the Director of Law before the meeting please.

## AGENDA

### PART 1 (IN PUBLIC)

#### 1. MEMBERSHIP

To report any changes to the membership.

#### 2. DECLARATIONS OF INTEREST

To receive declarations by Members and Officers of the existence and nature of any pecuniary interests or any other significant interest in matters on this agenda.

#### Licensing Applications for Determination

#### 1. 38 BRUTON PLACE, W1J 6NX

(Pages 1 - 20)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
West End None* None **	38 Bruton Place, W1J 6NX	New Premises Licence	21/11580/LIPN
*Cumulative Impact Area ** Special Consideration Zone			

#### 2. SILVERTON AMUSEMENT LTD, 32 GERRARD STREET, W1D 6JA

(Pages 21 - 492)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
St James's None* None**	Silvertime Amusement Limited, 32 Gerrard Street, W1D 6JA	New Gambling Premises Licence	21/07775/LIGN
*Cumulative Impact Area ** Special Consideration Zone			

**Stuart Love**  
Chief Executive  
8 February 2022

In considering applications for Premises Licences under the Licensing Act 2003, the Sub Committee is advised of the following:

### **Policy Considerations**

The Licensing Sub-Committee is required to have regard to the City of Westminster statement of Licensing Policy, effective from January 2021.

### **Guidance Considerations**

The Licensing Sub-Committee is required to have regard to any guidance issued by the Secretary of State under Section 182 the Licensing Act 2003. The most recent version was published in April 2018.

### **Core hours When Customers Are Permitted to Be on The Premises**

Core hours, as set out in the Council's Statement of Licensing Policy 2021, are when customers are permitted to be on the Premises. The maximum opening hours permitted will not exceed the start time and terminal hour for each of the days where licensable activity is permitted.

**Note:** The core hours are for all licensable activities but if an application includes Late Night Refreshment, then the starting time for that licensable activity will be 11.00 pm.

#### **1. Casinos**

Up to 24 hours a day whilst Casino Gaming is permitted by a Premises Licence under the Gambling Act 2005.

#### **2. Cinemas, Cultural Venues and Live Sporting Premises**

Monday to Sunday: 09:00 hours to 24:00 hours

#### **3. Hotels**

Monday to Thursday: 09:00 hours to 23:30 hours

Friday and Saturday: 09:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

Sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours

#### **4. Off licences**

Monday to Saturday: 08:00 hours to 23:00 hours

Sunday: 09:00 hours to 22:30 hours

#### **5. Outdoor Spaces**

Monday to Thursday: 09:00 hours to 23:30 hours

Friday and Saturday: 09:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

#### **6. Pubs and bars, Fast Food and Music and Dance venues**

Monday to Thursday: 10:00 hours to 23:30 hours

Friday and Saturday: 10:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 12:00 hours to 24:00 hours

## **7. Qualifying Clubs**

Monday to Thursday: 09:00 hours to 24:00 hours  
Friday and Saturday: 09:00 hours to 24:00 hours  
Sunday: 09:00 hours to 22:30 hours  
Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

## **8. Restaurants**

Monday to Thursday: 09:00 hours to 23:30 hours  
Friday and Saturday: 09:00 hours to 24:00 hours  
Sunday: 09:00 hours to 22:30 hours  
Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

## **9. Sexual Entertainment Venues and Sex Cinemas**

Monday to Thursday: 09:00 hours to 23:30 hours  
Friday and Saturday: 09:00 hours to 24:00 hours  
Sunday: 09:00 hours to 22:30 hours  
Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours





City of Westminster

## Licensing Sub-Committee Report

Item No:	
Date:	16 February 2022
Licensing Ref No:	21/11580/LIPN - New Premises Licence
Title of Report:	38 Bruton Place London W1J 6NX
Report of:	Director of Public Protection and Licensing
Wards involved:	West End
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Roxsana Haq Senior Licensing Officer
Contact details	Telephone: 0207 641 6500 Email: rhaq@westminster.gov.uk

<b>1.</b>	<b>Application</b>		
<b>1-A</b>	<b>Applicant and premises</b>		
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	19 October 2021		
<b>Applicant:</b>	Tila Bruton Deli Ltd		
<b>Premises:</b>	Trading name to be confirmed		
<b>Premises address:</b>	38 Bruton Place London W1J 6NX	<b>Ward:</b>	West End
		<b>Cumulative Impact Area:</b>	None
		<b>Special Consideration Zone:</b>	None
<b>Premises description:</b>	According to the application the premises intend to operate as a delicatessen with the off sale of alcohol.		
<b>Premises licence history:</b>	This application is for a new premises, and therefore no premises licence history exists.		
<b>Applicant submissions:</b>	None		
<b>Applicant amendments:</b>	None		

<b>1-B</b>	<b>Proposed licensable activities and hours</b>						
<b>Sale by retail of alcohol</b>				<b>On or off sales or both:</b>			<b>Off sales</b>
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	08:00	08:00	08:00	08:00	08:00	08:00	09:00
<b>End:</b>	21:00	21:00	21:00	21:00	21:00	21:00	21:00
<b>Seasonal variations/ Non-standard timings:</b>		None					

<b>Hours premises are open to the public</b>							
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	08:00	08:00	08:00	08:00	08:00	08:00	09:00
<b>End:</b>	21:00	21:00	21:00	21:00	21:00	21:00	21:00
<b>Seasonal variations/ Non-standard timings:</b>		None					
<b>Adult Entertainment:</b>		None					

2.	Representations
2-A	Responsible Authorities
Responsible Authority:	Metropolitan Police Licensing Service
Representative:	PC David Morgan
Received:	04 November 2021 ( <i>Withdrawn 05 November 2021</i> )
<p>With reference to the above, I am writing to inform you that the Metropolitan Police Service as a Responsible Authority are objecting to this application on the basis that if granted, it would undermine the Licensing Objectives, namely The Protection of Children from Harm.</p> <p>Although you have provided a number of proposed conditions already, I would also like to see the following added:</p> <ul style="list-style-type: none"> <li>• A Challenge 21 or Challenge 25 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.</li> <li>• There shall be no self service of spirits on the premises, save for spirit mixtures less than 5.5% ABV.</li> </ul> <p>Please let me know if you are happy to accept these or wish to discuss them further.</p> <p><b><i>Following agreement of conditions, the Metropolitan Police Service withdrew their representation on 05 November 2021.</i></b></p>	

<b>2-B</b>	<b>Other Persons</b>		
<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	16 November 2021		
<p>We write on behalf of [REDACTED] to submit a vehement objection to the licensing application reference 21/11580/LIPN, which proposes the sale of alcohol at the premise. We recently submitted an objection to planning application reference 21/06509/FULL and listed building consent application reference 21/06510/LBC, which proposes the use of the ground floor as retail sales (Class E), specifically for the use as a delicatessen, internal alterations and other associated works. [REDACTED] to represent his views in writing. This written statement therefore provides an assessment of the issues arising from the licensing application and requests that the Council refuses the licence application.</p> <p>The application proposes the sale of alcohol Monday to Saturday between the hours of 08:00 to 21:00 and on Sunday between the hours 09:00 to 21:00. Encouraging the sale of alcohol at 8am or 9am will create unacceptable residential impacts for residents [REDACTED] at an unacceptable hours in the morning. It could attract customers that are buying for necessity rather than enjoyment. The availability of alcohol at the premises would add to the availability of alcohol in an area where there are already a number of licensed premises. The existing bars and restaurants are often in conflict with customers who spill onto the street, with those that live or work on the street. Allowing an alcohol license at this premise would have a cumulative impact on neighbouring residents, contrary to the licensing objectives set out under Section 182 of the Licensing Act 2003.</p> <p>The closest residential property, [REDACTED] Whether the sale of alcohol can be sustained in this location without adverse impacts on residential amenity must be considered. While the application is for the sale of alcohol to be consumed off site, the proposed license will very much alter the activity taking place within the unit. It also does not prevent a second licence application being submitted subsequently to extend the hours further to the great detriment of residents that live above and adjacent to the unit. The proposal will materially affect the neighbouring properties residential amenity due to the effects of people coming and going to the property on a daily basis. Noise levels will significantly increase. There is also nothing stopping people from loitering in the street once they have purchased alcohol. The proposal will therefore significantly impact the quiet enjoyment of residential property and is considered an inappropriate location for late night alcohol trade.</p> <p>There are a number of existing licenced premises on Bruton Place but none of them have residential occupants living directly above the premises. A licenced restaurant bar will be materially harmfully impacted by the noise of customers, the preparation of food and serving, from orders for pick up and take away (motorbikes, scooters and cars) and smokers that will have no choice but to smoke on the pavement outside the unit. These will all be materially harmful impacts on residents who live in [REDACTED], which will be intensified with licenced alcohol sales.</p> <p>Given the unit is on the ground floor, it is considered that it could be used as a takeaway or customers could order alcohol to be delivered and therefore the impact of delivery drivers must</p>			



be considered. If the business offers takeaway or deliveries, there is likely to be an increase in the number of small vehicles and motorbikes to the site particularly by noisy mopeds. The frequency of deliveries made from the site is likely to be most intense in the evening hours and has the potential to generate levels of noise and disturbance, which could harm the neighbouring residential amenity on a far greater scale. The owner as a chef, could seek to extend the use into the evening hours at great detriment to the existing residents, which is not acceptable and will not protect residential amenity.

For these reasons, it is considered that the sale of alcohol at the premise would be inappropriate and unacceptable for 38 Bruton Place due to the significant impact on residents amenity, the cumulative impact on the area and potential impacts that would arise from a takeaway service should the business morph into such a use. The Council is therefore asked to refuse the licence application in order to protect existing local residents amenity. This is not a town centre location but a mixed use mews where the finely balanced mix of businesses and residents must be considered and weighed in the balance.

Alongside the existing licenced premises, no 38 Bruton Place and 46 Bruton Place that has also applied for a licence this will tip the balance from a mixed residential mews to a commercial licenced trade location with unacceptable impacts on existing residents.

We would like to be kept informed about the progress of the application via the email addresses supplied below.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	15 November 2021		

[REDACTED]  
[REDACTED] As I am sure you are aware the West Garage, [REDACTED], is subject to a planning application to change the use to Retail. This proposal is highly relevant to me [REDACTED] the West Garage, and would materially adversely affect the appearance of my property, as well as my occupation and use of my property, and I believe it would also adversely affect my neighbour's properties as well.

I have commented in detail on this planning application via the Westminster portal, but in summary I object to the proposal based on several factors:

1. The change of use to retail will very adversely affect the appearance of a fine Listed Building, and neighbouring listed buildings, currently used for residential and garage
2. Bruton Place is already highly commercialised and under considerable strain from traffic (particularly delivery vans), noise pollution, and commercial waste disposal
3. Increasing commercialisation would appear at odds with the Mayfair Green Route proposal
4. Access to my property would be blocked or partially blocked for long periods during the day as [REDACTED]
5. The proposal is unlikely to be viable unless further commercialisation is intended, eg seating for customers and signage (which would further adversely change the appearance and use of the property) and/or via a high level of delivery services (adding to vehicle congestion and noise pollution).
6. The adverse environmental impact of noise and smells from the proposed retail sales and kitchens, with no plans whatsoever for extraction. The proposal is completely silent on Building Regulation issues, as well as Health & Safety and Fire risks.
7. I have taken legal advice and understand that the freeholder could well become in breach of its covenants to me on 'quiet enjoyment'.

In terms of a Licence to sell alcohol, I am concerned several of the above factors would make such a licence inappropriate and therefore I object, in particular:

- a. Increased noise and congestion in a mews which already suffers from traffic and noise pollution. And in particular this would directly and adversely affect occupation of my property. In addition:
- b. I am concerned about sales of alcohol during the day and in the evening will draw a variety of consumers, some of whom would be a threat to public safety. Bruton Place is not well lit and at times I do not feel completely safe, and so I am concerned the sale of alcohol will not help public safety, particularly for women and children living in the street.

For above reasons a change of use to Retail together with a License to sell alcohol would be completely inappropriate for this property, and I would be grateful if Westminster can please take these factors into consideration and reject the proposals.

3.	<b>Policy &amp; Guidance</b>
The following policies within the City of Westminster Statement of Licensing Policy apply:	
<b>Policy HRS1 applies</b>	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> <li>1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm.</li> <li>2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation.</li> <li>3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed.</li> <li>4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.</li> <li>5. The proposed hours when any music, including incidental music, will be played.</li> <li>6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises.</li> <li>7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.</li> <li>8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.</li> <li>9. The capacity of the premises.</li> <li>10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.</li> <li>11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.</li> <li>12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.</li> <li>13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying</li> </ol>

shorter hours in order to promote the licensing objectives.

14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.

C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:

**1. Casinos**

Up to 24 hours a day whilst casino gaming is permitted by a premises licence under the Gambling Act 2005.

**2. Cinemas, Cultural Venues and Live Sporting Premises**

Monday to Sunday: 9am to Midnight.

**3. Delivery Centres**

Monday to Saturday: 8am to 11pm.  
Sunday: 9am to 10.30pm.

**4. Hotels**

Monday to Thursday: 9am to 11.30pm.  
Friday and Saturday: 9am to Midnight.  
Sunday: 9am to 10.30pm.  
Sundays immediately prior to a bank holiday: 9am to Midnight.  
For the sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours.

**5. Outdoor Spaces**

Monday to Thursday: 9am to 11.30pm.  
Friday and Saturday: 9am to Midnight.  
Sunday: 9am to 10.30pm.  
Sundays immediately prior to a bank holiday: 9am to Midnight.

**6. Pubs and bars, Fast Food and Music and Dance venues**

Monday to Thursday: 10am to 11.30pm.  
Friday and Saturday: 10am to Midnight.  
Sunday: Midday to 10.30pm.  
Sundays immediately prior to a bank holiday: Midday to Midnight.

**7. Qualifying Clubs**

Monday to Thursday 9am to 11.30pm  
Friday and Saturday 9am to Midnight  
Sunday: 9am to 10.30pm  
Sunday immediately prior to a bank holiday: 9am to Midnight.

**8. Restaurants**

Monday to Thursday: 9am to 11.30pm.  
Friday and Saturday: 9am to Midnight.  
Sunday: 9am to 10.30pm.  
Sundays immediately prior to a bank holiday: 9am to Midnight.



	<p><b>9. Sexual Entertainment Venues and Sex Cinemas</b>  Monday to Thursday: 9am to 11.30pm.  Friday and Saturday: 9am to Midnight.  Sunday: 9am to 10.30pm.  Sundays immediately prior to a bank holiday: 9am to Midnight.</p> <p><b>10a. Shops (all licensable activities that are provided as ancillary to the primary use of the premises as a shop except the off sale of alcohol)</b>  Monday to Thursday: 9am to 11.30pm.  Friday and Saturday: 9am to Midnight.  Sunday: 9am to 10.30pm.  Sundays immediately prior to a bank holiday: 9am to Midnight.</p> <p><b>10b. Shops (off-sales of alcohol where it forms either the ancillary or primary use of the premises)</b>  Monday to Saturday: 8am to 11pm.  Sunday: 9am to 10.30pm.</p> <p>D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.</p> <p>E. For the purposes of this policy, ‘premises uses’ are defined within the relevant premises use policies within this statement.</p> <p>Note: The core hours are for all licensable activities but if an application includes late night refreshment then the starting time for that licensable activity will be 11pm.</p>
<p><b>Policy SHP1 applies</b></p>	<p><b>A. Applications for a shop outside the West End Cumulative Impact Zone will generally be granted subject to:</b></p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities are within the council’s Core Hours Policy HRS1.</li> <li>3. The operation of any delivery services for alcohol meeting the council’s Ancillary Alcohol and/or Late-night Refreshment Delivery Service Policy DEL1.</li> <li>4. 4. The applicant having taken account of the Special Consideration Zone Policy SCZ1 if the premises are located within a designated zone.</li> <li>5. The application and operation of the venue meeting the definition of a shop in Clause C.</li> </ol> <p><b>B. Applications for a shop inside the West End Cumulative Impact Zone will be considered on their own merits and subject to:</b></p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities are within the council’s Core Hours Policy HRS1.</li> <li>3. The operation of any delivery services for alcohol meeting the council’s Ancillary Alcohol and/or Late-night Refreshment Delivery Service Policy DEL1.</li> </ol>

	<ol style="list-style-type: none"> <li>4. The applicant having demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.</li> <li>5. The application and operation of the venue meeting the definition of a shop in Clause C.</li> </ol> <p><b>C. For the purposes of this policy:</b></p> <ol style="list-style-type: none"> <li>1. A shop is defined as a stall, vehicle, vessel, temporary structure, building or part of a stall, vehicle, vessel, temporary structure or building where the primary activity is the sale of goods or services to customers upon payment.</li> <li>2. The licensable activities for the sale of alcohol for consumption on the premises, regulated entertainment and/or late night refreshment must be ancillary to the primary use of the premises as a shop.</li> <li>3. The licensable activity of the sale of alcohol for consumption off the premises must be an ancillary function to the primary use of the premises unless that primary use is to sell alcohol for consumption off the premises, e.g. a traditional off licence.</li> </ol>
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#### 4. Equality Implications

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

<b>5.</b>	<b>Appendices</b>
<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Premises history
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Roxsana Haq Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 6500 Email: rhaq@westminster.gov.uk

<b>If you have any queries about this report or wish to inspect one of the background papers please contact the report author.</b>		
<b>Background Documents – Local Government (Access to Information) Act 1972</b>		
<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	1 <sup>st</sup> October 2021
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
<b>4</b>	Metropolitan Police Service ( <i>Withdrawn 5<sup>th</sup> November 2021</i> )	4 <sup>th</sup> November 2021
<b>5</b>	Interested Party 1	16 <sup>th</sup> November 2021
<b>6</b>	Interested Party 2	15 <sup>th</sup> November 2021



**Applicant Supporting Documents**

**Appendix 2**

There are no submissions from the applicant.

**Premises History**

**Appendix 3**

There is no licence or appeal history for the premises.

**CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE AND CONDITIONS PROPOSED BY A PARTY TO THE HEARING**

When determining an application for a new premises licence under the provisions of the Licensing Act 2003, the licensing authority must, unless it decides to reject the application, grant the licence subject to the conditions which are indicated as mandatory in this schedule.

At a hearing the licensing authority may, in addition, and having regard to any representations received, grant the licence subject to such conditions which are consistent with the operating schedule submitted by the applicant as part of their application, or alter or omit these conditions, or add any new condition to such extent as the licensing authority considers necessary for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as necessary for the promotion of the licensing objectives by a responsible authority or an interested party as indicated. These conditions have not been submitted by the licensing service but reflect the positions of the applicant, responsible authority or interested party and have not necessarily been agreed

**Mandatory Conditions**

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
  - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
    - (a) a holographic mark, or
    - (b) an ultraviolet feature.
- 5(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 5(ii) For the purposes of the condition set out in paragraph 5(i) above -

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -
- $$P = D + (D \times V)$$
- Where -
- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

5(iii). Where the permitted price given by Paragraph 5(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

- 5(iv). (1) Sub-paragraph 5(iv)(2) below applies where the permitted price given by Paragraph 5(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

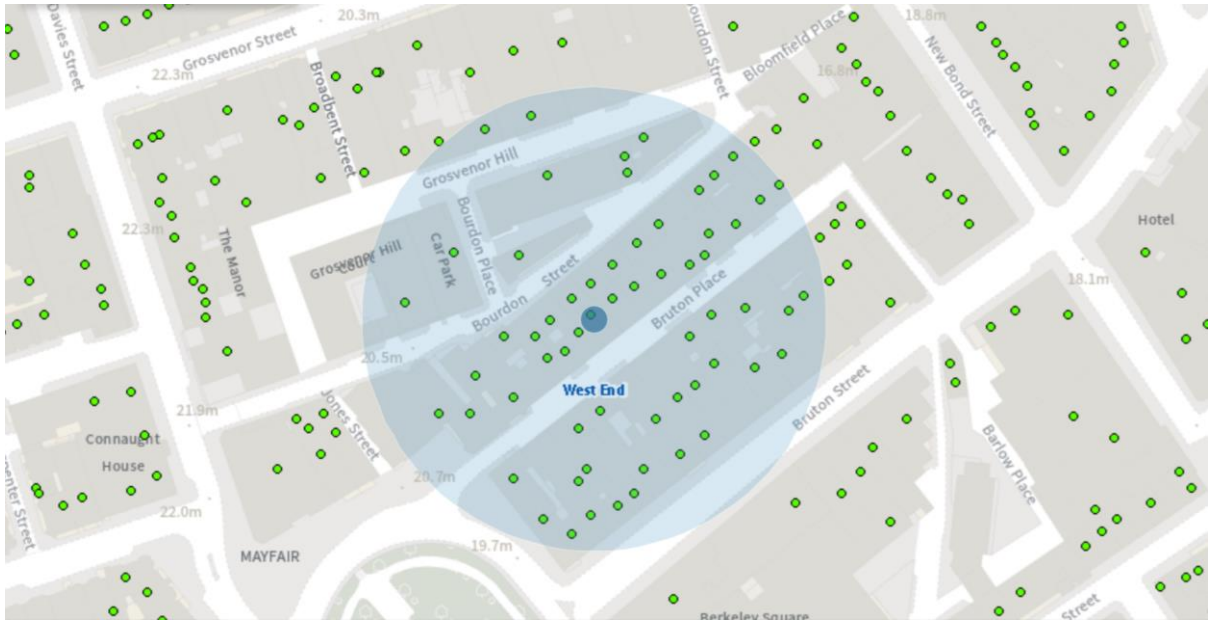


## Conditions consistent with the operating schedule

6. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises 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 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
7. 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 is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
8. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
9. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.
10. No more than (15)% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
11. No collections of waste or recycling materials (including bottles) from the premises shall take place between (23.00) and (07.00) on the following day.
12. No deliveries to the premises shall take place between (23.00) and (07.00) on the following day.
13. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
14. All key members of staff responsible for selling alcohol shall be trained on the hours the premises are permitted to sell alcohol to ensure no sales can take place outside the permitted hours.
15. No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined.
16. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
17. Before the premises are open to the public under the licence, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the work carried out. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

**Conditions proposed by the Metropolitan Police Service and agreed with the applicant so as to form part of the operating schedule.**

18. A Challenge 21 or Challenge 25 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.
19. There shall be no self service of spirits on the premises, save for spirit mixtures less than 5.5% ABV.



Resident Count: 125

**Licensed premises within 75 Metres of 38 Bruton Place, London W1J 6NX**

<b>Licence Number</b>	<b>Trading Name</b>	<b>Address</b>	<b>Premises Type</b>	<b>Time Period</b>
16/04087/LIPDPS	Guinea	30 Bruton Place London W1J 6NL	Public house or pub restaurant	Sunday; 10:00 - 23:30   Sunday; 08:00 - 00:00   Monday to Saturday; 08:00 - 01:00   Monday to Saturday; 10:00 - 00:00
21/04899/LIPN	Not Recorded	23 Bruton Place London W1J 6ND	Restaurant	Sunday; 12:00 - 22:30   Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00
21/01825/LIPN	Tila London	27 Bruton Place London W1J 6NQ	Restaurant	Sunday; 08:00 - 23:00   Monday to Saturday; 08:00 - 00:00
19/03055/LIPDPS	Babel London	Ground Floor 26 Bruton Place London W1J 6NG	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
13/05749/LIPV	Bellamy's	18-18A Bruton Place London W1J 6LY	Restaurant	Sunday; 10:00 - 00:00   Monday to Saturday; 08:00 - 00:30

Item No:	
Date:	16 February 2022
Licensing Ref No:	21/07775/LIGN - New Premises Licence
Title of Report:	Silvertime 32 Gerrard Street London W1D 6JA
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster statement of principles for gambling
Financial summary:	None
Report Author:	Jessica Donovan Senior Licensing Officer
Contact details	Telephone: 0207 641 6500 Email: Jessica.Donovan@westminster.gov.uk

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Gambling Premises Licence, Gambling Act 2005		
<b>Application received date:</b>	05 August 2021. This application was previously adjourned at a Licensing Sub-Committee on 13 January 2022.		
<b>Applicant:</b>	Silvertime Amusement Limited		
<b>Premises address:</b>	32 Gerrard Street London W1D 6JA	<b>Ward:</b>	St James's Ward
<b>Premises description:</b>	<p>According to the application, this premises plans to operate as an adult gaming centre (AGC). The application has been made under Section 159 of the Gambling Act 2005 (2005 Act).</p> <p>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 gaming machines general operating licence from the Gambling Commission (the Commission) and must seek a premises licence from the licensing authority.</p> <p>An AGC premises licence is entitled under the Act to make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises and any number of category C or D machines.</p> <p>The applicant has not specified the hours for trading in their application. The Council's Pleasure Fairs (Amusement Premises) Byelaw restricts the hours permitted for premises that provide amusement machines, such as AGC's within Westminster between the hours of 12 midnight and 9am.</p>		
<b>Premises licence history:</b>	This premises had the benefit of a licence under the Gambling Act 2005 as a betting shop. However, the licence was surrendered in November 2020. A full licence history can be seen at <b>Appendix 4</b> of this report.		
<b>Premises in the vicinity</b>	<p>Gerrard Street is located within the busy "Chinatown" area of Central London which consists of predominantly commercial licensed premises and is a short distance Leicester Square. The premises are situated on the ground floor of 32 Gerrard Street. The building is a 4 storey building with offices above.</p> <p>There are 2 hostels and 5 faith groups within a 250m radius of the premises. There are also 63 licences under the Gambling Act 2005, this includes 5 betting shops, 3 non-commercial society lotteries, 2 Adult Gaming Centres, 8 Casinos, 1 Bingo Hall and 44 gaming machine permits.</p> <p>There are 101 residential properties within a 75 metre radius of the premises.</p> <p>A full detailed list of gambling premises can be viewed at <b>Appendix 6</b> of this report.</p>		

<b>Applicant submissions:</b>	The applicant has submitted a supplementary bundle which can be found at <b>Appendix 2</b> of this report.
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## 2. Consultation

<b>Consultation procedures</b>
<p>2.1 The application was advertised in accordance with the Gambling Act 2005 (Premises Licence and Provisional Statement) Regulations 2007 both on the premises and in the local press. The 28 day consultation period started from the date the application was received.</p> <p>2.2 Local residents and businesses within a 50 metre radius of the proposed premises were written to outlining the application and how they can make representations to the Authority within the statutory period.</p> <p>2.3 Emails were also sent to each Ward Councillor whose wards are subject to these applications advising them of the application.</p>

## 2. Representations

<b>2-A Responsible Authorities</b>						
<table border="1"> <tr> <td><b>Responsible Authority:</b></td> <td>The Licensing Authority</td> </tr> <tr> <td><b>Representative:</b></td> <td>Kevin Jackaman</td> </tr> <tr> <td><b>Received:</b></td> <td>31 August 2021</td> </tr> </table>	<b>Responsible Authority:</b>	The Licensing Authority	<b>Representative:</b>	Kevin Jackaman	<b>Received:</b>	31 August 2021
<b>Responsible Authority:</b>	The Licensing Authority					
<b>Representative:</b>	Kevin Jackaman					
<b>Received:</b>	31 August 2021					
<p>I write in relation to the application submitted on behalf of Silvertime for a new Adult Gaming Centre for the above mentioned premises under the Gambling Act 2005 (the Act).</p> <p>As a responsible authority under section 157 of the Gambling Act the Licensing Authority has considered your application in full. The Licensing Authority has concerns relating to this application as minimal information has been provided that would show how this premises, if granted would promote the following licensing objectives:</p> <ul style="list-style-type: none"> <li>• Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime,</li> <li>• Ensuring that gambling is conducted in a fair and open way, and</li> <li>• Protecting children and other vulnerable persons from being harmed or exploited by gambling.</li> </ul> <p><u>Vulnerability</u></p> <p>The council's definition of vulnerable persons when considering applications of this types is that it relates to groups that include 'people who gambling 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, alcohol or drugs'.</p> <p>For the purposes of this application, it would be useful for the applicant to provide their definition of vulnerability and what it means to their operation.</p> <p>The Licensing Authority notes that this premises is situated within the busy "Chinatown" area with a large number of licensed premises in the immediate vicinity. The area is an attraction to vulnerable persons and in particular those with problems with gambling and/or alcohol or drug abuse problems. The Licensing Authority note that there are 2 hostels within 250 metres of the</p>						

premises catering for vulnerable people. Due to the premises location, the local area profile is something that should be considered when determining this application

Given the close proximity of the above, the Licensing Authority is of the view that the premises fall within a “sensitive location”.

#### Location and History of the Premises

Gerrard Street is located within the busy “Chinatown” area of Central London which consists of predominantly commercial licensed premises and is a short distance Leicester Square. The premises are situated on the ground floor of 32 Gerrard Street. The building is a 4 storey building with offices above. Attached is a Google map search of the area. (attached at appendix A)

After doing a 250 metre radius search of the premises the Licensing Authority has identified 1369 residents and 63 licences under the Gambling Act 2005, this includes 5 betting shops, 3 non-commercial society lotteries, 2 Adult Gaming Centres, 8 Casinos, 1 Bingo Hall and 44 gaming machine permits. A further search on our GIS mapping has revealed 2 hostels and 5 faith groups. (attached at appendix B and C)

The premises were previously licensed as a betting shop (Betfred) with a Betting Shop (Other) licence under the Gambling Act 2005 from October 2010. The licence was surrendered in November 2020.

#### Policy considerations

Policy LOC1 of Westminster’s Statement of Licensing Principles for Gambling states that ‘a sensitive location is defined as any premises which is within close proximity or on a main route to a school, educational institution, hostel or other sensitive locations where there is the potential for exposing children, young people or other vulnerable persons to gambling’. The proposed location of this new adult gaming centre must be considered as part of this application due to the local area profile and its potential to impact upon the promotion of the 3 gambling objectives.

Paragraph 27.1 of Westminster’s Statement of Licensing Principles for Gambling states ‘Adult gaming centres (AGCs) premises licences allow the holder of the licence to make gaming machines available for use on the premises. An AGC premises licence granted after the 13th July 2011 may make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises and any number of category C or D machines’.

Paragraph 27.2 goes on to state ‘Gaming machines are a form of gambling which is attractive to children and AGC’s will contain machines of a similar format to the Category D machines on which children are allowed to play. However, no-one under the age of 18 is permitted to enter an AGC and applicants must be aware of the location of and entry to AGC’s to minimise the opportunities for children to gain access’.

The Licensing Authority notes that within the risk assessment it states that Signage & window display not to attract under 18s, and advise under 18’s access is prohibited.

Can the applicant provide further submissions as to the placement of this signage in the windows to show its visibility from outside the premises and explain further what checks will be in place in terms of ID checks? Is it proposed for SIA door staff to be present and conduct these checks?

Paragraph 27.3 states ‘Because gaming machines provide opportunities for solitary play and immediate payouts, they are more likely to engender repetitive and excessive play. The council in considering 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 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.'

Paragraph 27.6 states: The council has created a Byelaw for Pleasure Fairs (Amusement Premises) in pursuance of section 75 of the Public Health Act 1961 (the 1961 Act) as amended by section 22 of the Local Government (Miscellaneous Provisions) Act 1976. These byelaws apply to Adult Gaming Centres as the premises are used to provide amusement with prizes machines (gaming machines) or entertainment machines which are used to play games where there are no chance of winning prizes.

A copy of the Pleasure Fairs (Amusement Premises) byelaws is attached for information as Appendix D.

As stated previously the Licensing Authority notes that this premises is situated in close proximity to a large number of licensed premises. Due to the nature of those businesses they can attract a variety of age groups including the vulnerable. Due to the premises location, the local area profile is something that should be considered when determining this application.

Policy AGC1 states 'Applications will be determined, subject to relevant criteria in policies OBJ1, OBJ2, OBJ3 and other policies within the Statement of Licensing Principles for Gambling'.

Policy OBJ1 states 'To prevent gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime, the Licensing Authority will apply the following criteria and take into account the following considerations, where relevant, in determining applications.

Paragraph 11.1 states 'Whether the premises make or will make a contribution to the levels of crime and disorder and whether the applicant has demonstrated that he has, or intends to, implement sufficient controls to prevent gambling from being a source of, and/or associated with crime or disorder, or being used to support crime, if the application is granted.'

Paragraph 11.1.1 states 'Where an area is known for high levels of crime the council will consider carefully 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, etc.'

Paragraph 11.1.4 states 'Whether the layout, lighting and fitting out of the premises have been designed so as to minimise conflict and opportunities for crime and disorder.'

Policy OBJ2 states 'To ensure that gambling is conducted in a fair and open way, the Licensing Authority will apply the following criteria and take into account the following considerations, where relevant, in determining applications.'

Paragraph 12.1.2 states 'Whether sufficient management measures are proposed or are in place to ensure that gambling is conducted in a fair and open way.'

Paragraph 12.1.3 states 'Whether the management and operation of the premises is open and transparent.'

Paragraph 12.1.4 states 'Whether the operators of the premises have been or will be fully cooperative with enforcement agencies.'

It would be useful for the applicant to provide further information into their operation of other licensed premises under the Gambling Act 2005 to obtain an understanding of their management and operation of such premises. Again this pertinent point has not been included

within the applicant submission and therefore clarity is needed.

Policy OBJ3 states 'To protect children and other vulnerable persons from being harmed or exploited by gambling, the Licensing Authority will apply the following criteria and take into account the following considerations, where relevant, in determining applications.'

Paragraph 13.1 states 'Whether there are appropriate measures in place to protect children and other vulnerable persons from being harmed or exploited by gambling.'

Paragraph 13.1.1 asks the Licensing Authority to consider whether the operator has a specific training programme for staff to ensure that they are able to identify children and vulnerable people and take appropriate action to be reasonably consistent with this objective to exclude them from the premises or parts of the premises.

The applicant has stated in the risk assessment that there will be training for staff. Although the applicant has advised this, there is no actual content about what measures or training staff undertake. Therefore it would be useful for the applicant to provide details of what training staff will undertake in terms of identifying vulnerable people and providing sufficient and effective support to those people?

The Licensing Authority notes within the risk assessment that the premises will have notices and leaflets promoting Gamcare which is a charity supporting those with gambling addictions. Information on the following points would be useful in assessing the considerations of paragraph 13.1.1 above:

- Does the applicant have a referral scheme in place, in regards to self-exclusion?
- Is the onus on the individual to self exclude from a premises? If so, how does an individual go about this?
- What links does the premises have with local services to provide support?
- Will the applicant propose to advertise any promotional material associated with the premises? This could encourage the use of the premises by children or young people.
- How will the applicant control customers from bringing alcohol onto the premises to consume whilst gaming? Or entering the premises in an intoxicated state?

Should this application for an Adult Gaming Centre be granted a list of Mandatory Conditions will be attached to the licence. These have been included with this representation as Appendix E.

The Licensing Authority require the applicant to confirm the number of machines/categories of those machines, that will be at the premises. It would also assist if the applicant could provide an updated plan showing the location of the machines and the location of CCTV cameras.

The Licensing Authority submit this as a formal representation to this application and look forward to receiving further submissions from the applicant on the points raised above

**Please see Appendix 3 for supporting documents to the Licensing Authority Representation.**



include control measures addressing the location of the premises and the number of licensed premises in the locality.

I have read the applicants Local Area Risk Assessment regarding control measures for protecting children and other vulnerable persons from being harmed or exploited by gambling and also the crime prevention control measures.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]

<b>Received:</b>	01 September 2021
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I object to Chinatown opening another gambling shop, it damages the family friendly image that businesses needs to attract visitors.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]

<b>Received:</b>	27 August 2021
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There are at least four bookies around china town already and I think is a bad image for tourists and others to see so many gambling shop in the heart of west end.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]

<b>Received:</b>	01 September 2021
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I strongly object for a gambling licence to be approved taking into account that there is many Casinos and betting shops already located in the area..  
This is right in the middle of Chinatown a betting/gambling premises is not promoting culture and certainly not a tourist attraction!!  
i believe this does not go well if a gambling licence is approved again in the area..  
Stake holders in Chinatown, Leicester Sq and Soho communities and getting together to protest against Westminster Council regarding this!!  
I strongly ask you to withdraw the approval on this licence..

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]

<b>Received:</b>	27 August 2021
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Too much gambling shop around here

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]

<b>Received:</b>	27 August 2021
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So many betting shops in Chinatown

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	27 August 2021
there are already too many gambling premises near chinatown already.	
<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	31 August 2021
<p>I am [REDACTED] we are submitting this comment on behalf of the [REDACTED] to oppose the opening of a new adult gaming centre in 32 Gerrard street. Ref: 21/07775/LIGN</p> <p>Many residents and shop owners feel that this new adult gaming centre will have negative impact to Chinatown. There are a lot of Adult gaming Centre and Casinos already in and around Chinatown, having another one right in the heart of Chinatown is detrimental to all.</p> <p>We do hope Westminster City Council can reject the application as this is not welcome to our community.</p>	
<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	27 August 2021
Too many gambling/betting sites already within Chinatown, we need to reduce this for the benefit of the community	
<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	31 August 2021
<p>We believe that an Adult Gaming Centre at this location in the middle of Chinatown would harm the licensing objectives especially protecting "vulnerable persons from being harmed or exploited by gambling".</p> <p>Although there was previously a betting shop on this site it was not open 24 hours 7 days a week and there were fewer gaming machines available. Both the longer opening hours and the increase in gaming machines are likely to attract vulnerable late at night and these people are more likely to be inebriated.</p> <p><b>A further representation was received on 01 September 2021:</b></p>	

We believe that an Adult Gaming Centre at this location in the middle of Chinatown would harm the licensing objectives especially protecting "vulnerable persons from being harmed or exploited by gambling".

Although there was previously a betting shop on this site it was not open 24 hours 7 days a week and there were fewer gaming machines available. Both the longer opening hours and the increase in gaming machines are likely to attract vulnerable late at night and these people are more likely to be inebriated.

The application form does not provide any information on how the premises will operate, number of machines etc. There is no Local Area Gambling Risk Assessment available on Public Access. We are not therefore able to assess to what extent the application is or is not in accordance with the codes of practice under Gambling Act 2005; relevant guidance under the Act; and the Council's Statement of Licensing Principles for Gambling. We reserve the right to expand on our objection in due course when this information is available.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	01 September 2021

[REDACTED] We have too many gambling establishments already in and around Chinatown, I don't need to tell you gambling is bad for the community, even my kids know it. I hope Westminster would be a responsible and ethical council on these matters.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	01 September 2021

gambling shop damaging the image of businesses in Chinatown. We need to encourage to attract visitors.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	27 August 2021

There are already too many gambling shops in Chinatown. We need to increase the family friendly reputation of Chinatown to attract tourists, not make vulnerable (poorly educated) workers get themselves into financial debt through gambling.

**Further submissions received from the interested party on 08 December 2021:**

I wish to reiterate that I object to any new gambling establishment being granted a license in Chinatown. There are already too many gambling shops there, the area needs to project a family friendly environment, not an area for gambling and addiction.

Many Chinese / East Asian / South East Asian workers in the area have limited English, so gambling can easily become their sole source of entertainment, with the resulting problems of getting into financial difficulties & accruing gambling debt. Some then get into further problems with loan sharks etc. Pls consult with the [REDACTED], who can advise more about the scourge of gambling in the area.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	27 August 2021
Too much gambling shop in Chinatown	
<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	01 September 2021
In my view, this is not the kind of establishment that is conducive to the family-friendly atmosphere that attracts most people to the area. I would suggest that this is exactly the kind of business that will deter people from visiting the area, and will negatively impact the impression people have of going there. I believe it may negatively affect other businesses.	
<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	01 September 2021
There is no need for another gambling establishment here. It damages the family friendly image and discourages needed tourism.	
<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	31 August 2021
Do not turn Chinatown into a gambling destination as it is an oasis for Chinese culture, tradition and businesses. The gaming shop will bring misery to the family of those low income workers , particularly the shop keepers , delivery men ,porters etc who work long hours . Turning to the slot machines for excitements destroy family lives and the family all suffer , the grandparents , the souses and children . The council turned down the application at the most prominent corner in Gerrard Street , next to the gate close to the entrance of Q Park . The whole country applauded its wise decision and all the whole Chinese community saluted the council !	
<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	27 August 2021
Chinatown has too many gambling shops already, and it's more important to promote the area as family friendly to attract tourists, rather than get vulnerable bored workers into financial debt through gambling	

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	01 September 2021
<p>Too many betting shops and casinos in such close proximity of each other. Too many gambling shops would increase gambling addictions, money laundering, people borrowing money to pay gambling debts and which leads to more dire consequences such as crimes and home violence.</p> <p>We don't need anymore gambling shops!</p>	



### 3. The Gambling Act 2005

- 3.1 The Licensing Authority must under Section 153(1) of the Act exercise its functions relating to premises licensing with an aim to permit the use of the premises for gambling in so far as it thinks fit and in accordance with the relevant codes of practice, guidance, reasonably consistent with the licensing objectives and in accordance with the Council's Statement of Principles.
- 3.2 The Licensing Authority can take into account a representations relating to an application for a premises licence from either an interested party (a person living sufficiently close to the premises to be likely to be affected by the authorised activity or has a business interest that may be affected or represents persons in either of these two groups) or a responsible authority (Licensing Authority, Gambling Commission, Police, Fire Authority, Environmental Health and HM Revenue and Custom). Any representations must be relevant and not frivolous or vexatious.
- 3.3 Section 152 of the Act provides that a premises licence may not be issued in respect of premises if a premises licence already has effect in relation to the premises, except for a track premises licences. The Explanatory Notes for section 152 state "The general position for premises licensing is that premises may only be subject to one premises licence at a time... The effect of this requirement is to limit the principal activity on the premises to the provision of facilities for a particular type of gambling activity."
- 3.4 The Act, via regulations also imposes mandatory and default conditions that promote the licensing objectives. A list of these Mandatory and Default conditions are attached at Appendix 5 to this report.
- 3.5 A premises licence issued by the Authority will be subject to the mandatory and default conditions for that licence type. However, paragraph 9.27 of the guidance states;

Section 169 of the Act gives licensing authorities:

"The ability to exclude from premises licences any default conditions that have been imposed under Section 168;" and "The power to impose conditions on the premises licences that they issue."

#### 4. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy OBJ1 applies</b>	<p>To prevent gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime, the Licensing Authority will apply the following criteria and take into account the following considerations, where relevant, in determining applications and reviews:</p> <p><b>Considerations:</b></p> <ol style="list-style-type: none"> <li>1. Where an area is known for high levels of crime the council will consider carefully 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, etc.</li> <li>2. Whether there is a history of crime or disorder associated with the premises or its use by those involved in crime to associate or dispose of the proceeds of crime.</li> <li>3. Whilst issues of nuisance are not included specifically in the gambling objectives, the council may consider, when making decisions on the applications for premising licenses, that extreme instances of public nuisance and persistent public nuisance may constitute disorder and criminal offences.</li> <li>4. Whether the layout, lighting and fitting out of the premises have been designed so as to minimise conflict and opportunities for crime and disorder.</li> <li>5. 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.</li> </ol>
<b>Policy OBJ2 applies:</b>	<p>To ensure that gambling is conducted in a fair and open way, the Licensing Authority will apply the following criteria and take into account the following considerations, where relevant, in determining applications and reviews:</p> <p><b>Considerations:</b></p> <ol style="list-style-type: none"> <li>1. 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.</li> <li>2. Whether sufficient management measures are proposed or are in place to ensure that gambling is conducted in a fair and open way.</li> <li>3. Whether the management and operation of the premises is open and transparent.</li> <li>4. Whether the operators of the premises have been or will be fully</li> </ol>

	<p>cooperative with enforcement agencies.</p> <p>5. Whether the Commissions Codes of Practice have been complied with.</p>
<b>Policy OBJ3 applies:</b>	<p>To protect children and other vulnerable persons from being harmed or exploited by gambling, the Licensing Authority will apply the following criteria and take into account the following considerations, where relevant, in determining applications and reviews.</p> <p><b>Considerations:</b></p> <ol style="list-style-type: none"> <li>1. Has the operator a specific training programme for staff to ensure that they are able to identify children and vulnerable people and take appropriate action to be reasonably consistent with this objective to exclude them from the premises or parts of the premises.</li> <li>2. If the premises is an adult only environment has the operator taken effective measures to implement an appropriate proof of age scheme to ensure that no one under the age of 18 is admitted to the premises or restricted areas.</li> <li>3. 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.</li> <li>4. Whether sufficient management measures are proposed or are in place to protect children and other vulnerable persons from being harmed or exploited by gambling.</li> <li>5. Whether any promotional material associated with the premises could encourage the use of the premises by children or young people.</li> </ol>
<b>Policy AGC1 applies:</b>	<p>Applications and reviews will be determined, subject to the relevant criteria in policies OBJ1, OBJ2, OBJ3 and other policies within this statement.</p>
<b>Policy LOC1 applies:</b>	<p>Applicants for new or variation applications of premises licences within a sensitive location must include detailed information as to how the proposals will be reasonably consistent with the gambling objectives and policies OBJ1, OBJ2 and OBJ3 A sensitive location is defined as any premises which is within close proximity or on a main route to a school, other educational institution, hostel or other sensitive locations where there is the potential for exposing children, young people or other vulnerable persons to gambling.</p>

## 5. Gambling Commission Guidance

5.1 The Gambling Commission have produced guidance for local authorities in relation to the 2005 Act. The information in this section of the report relates to the relevant points within the Guidance which members may wish to consider.

5.2 Paragraphs 7.5 of the GLA describes what may be considered as a premises, it states that:

“...There is no reason in principle why a single building could not 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. This approach has been taken to allow large, multiple unit premises such as pleasure parks, tracks, or shopping malls to obtain discrete premises licences, where appropriate safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-division of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.”

5.3 Paragraph 7.32 of the GLA states:

“...they [Licensing Authorities] should be aware of the following:

“Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not ‘drift’ into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit customers should be able to participate in the activity named on the premises licence.’

5.4 Paragraph 7.33 of the GLA sets out factors that the Licensing Authority can use to assist in determining whether premises are truly separate. These factors may include:

- Is a separate registration for business rates in place for the premises?
- Is the premises' neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from any other gambling premises?

5.5 The Gambling Commissions Guidance to Licensing Authorities (GLA) states in paragraph 7.20 that “The Gambling Act 2005 (Mandatory and Default Conditions) Regulations set out the access provisions for each type of premises. The broad principle is that there can be no access from one licensed gambling premises to another, except between premises which allow access to those under the age of 18 and with the further exception that licensed betting premises may be accessed from other licensed betting premises. Under-18s can go into FECs, tracks, pubs and some bingo clubs, so access is allowed between these types of premises.”

5.6 Paragraph 7.21 of the GLA states: “It should be noted that the Gambling Act 2005 (Mandatory and Default Conditions) Regulations define street as ‘including 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’. This is to allow access through areas which the public might enter for purposes other than gambling, for example, access to casinos from hotel foyers.”

- 5.7 Paragraph 7.22 of the GLA 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 cafe, which the public go to for purposes other than gambling, for there to be no direct access.”
- 5.8 The Committee can, if it feels minded impose conditions on the premises licence. Paragraph 9.28 of the Guidance states that
- “Licensing authorities should make decisions on conditions on a case-by-case basis, and in the context of the principles of s.153. They must aim to permit the use of premises for gambling and so should not attach conditions that limit their use except where it is necessary in accordance with the licensing objectives, the Commission’s codes of practice and this guidance, or their own statement of policy.”
- 5.9 The guidance goes further to state that authorities should not turn down applications for premises licences where relevant objections can be dealt with through the use of conditions. If the authority does decide that the only way to address a particular concern is through conditions it must be proportionate to the circumstances which they are seeking to address.
- 5.10 The guidance encourages licensing authorities to ensure that premises licence conditions are 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, or fairly and reasonably related to the scale and type of the premises and reasonable in all other respects (see paragraph 9.31 of the guidance).
- 5.11 Local authorities are also prevented from attaching conditions relating to certain matters. Paragraph 9.32 of the guidance sets out the relevant sections of the Act where conditions may not be imposed.

“...The relevant sections are:

- s.169(4) prohibits a licensing authority from imposing a condition on a premises licence which makes it impossible to comply with an operating licence condition
- s.172(10) provides that conditions may not relate to gaming machine categories, numbers, or method of operation
- s.170 provides that membership of a club or body cannot be required by attaching a condition to a premises licence (the Act specifically removed the membership requirement for casino and bingo clubs and this provision prevents it being reinstated)
- s.171 prevents a licensing authority imposing conditions in relation to stakes, fees, winnings or prizes.

## **6. The Council’s Statement of Principles**

- 6.1 The Licensing Authority’s Statement of Principles set out the council’s policy considerations in relation to applications made under the Gambling Act. The Statement reemphasises the Authority’s position in relation to Section 153 of the Act and sets out the principles and policies that the Authority will adopt when considering and determining Gambling Act applications.

- 6.2 The Council's Statement of Principles location policy (LOC 1) sets out that the authority will pay particular attention to the suitability of a location for gambling activity in terms of the objective of the protection of children and vulnerable persons from being harmed or exploited by gambling. It is the authority's view that the applicant should establish if there are any sensitive premises or locations within close proximity to the proposed gambling premises. Applicants should, in addition to their application submit information as to how they plan to promote this objective. A plan showing the location of schools, places of religious worship and hostels within a 250 metre radius of the premises is attached to this report as Appendix 6.
- 6.3 The Council's Policy relating to Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime (OBJ1) sets out the criteria as to whether the premises make or will make a contribution to the levels of crime and disorder 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".
- 6.4 The Council's policy relating to the Protection of children and other vulnerable people from being harmed or exploited (OBJ 3) sets out the criteria that the authority will consider when determining an application. The authority will have to be satisfied that the applicant has appropriate measures in place to protect children and other vulnerable persons from being harmed or exploited by gambling.

## **7. Options for Members**

- 7.1 When determining the application the Committee will need to consider the Gambling Act 2005, the relevant Guidance to Licensing Authorities, the policies contained within the Council's Statement of Principles and the licensing objectives.
- 7.2 Section 152 of the Act provides that a premises licence may not be issued in respect of premises if a premises licence already has effect in relation to the premises, except for a track premises licences. However, this section does not prohibit the Licensing Authority from determining the application.
- 7.3 Members need to be satisfied that if the application were to be granted there would be no breach of mandatory conditions and the granting of the application would not have a detrimental impact on the licensing objectives.

## **8. Equality Implications**

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

## 9. Appendices

<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant Supporting Documents
<b>Appendix 3</b>	Licensing Authority supporting documents
<b>Appendix 4</b>	Premises history
<b>Appendix 5</b>	Proposed conditions
<b>Appendix 6</b>	Residential map and list of premises in the vicinity

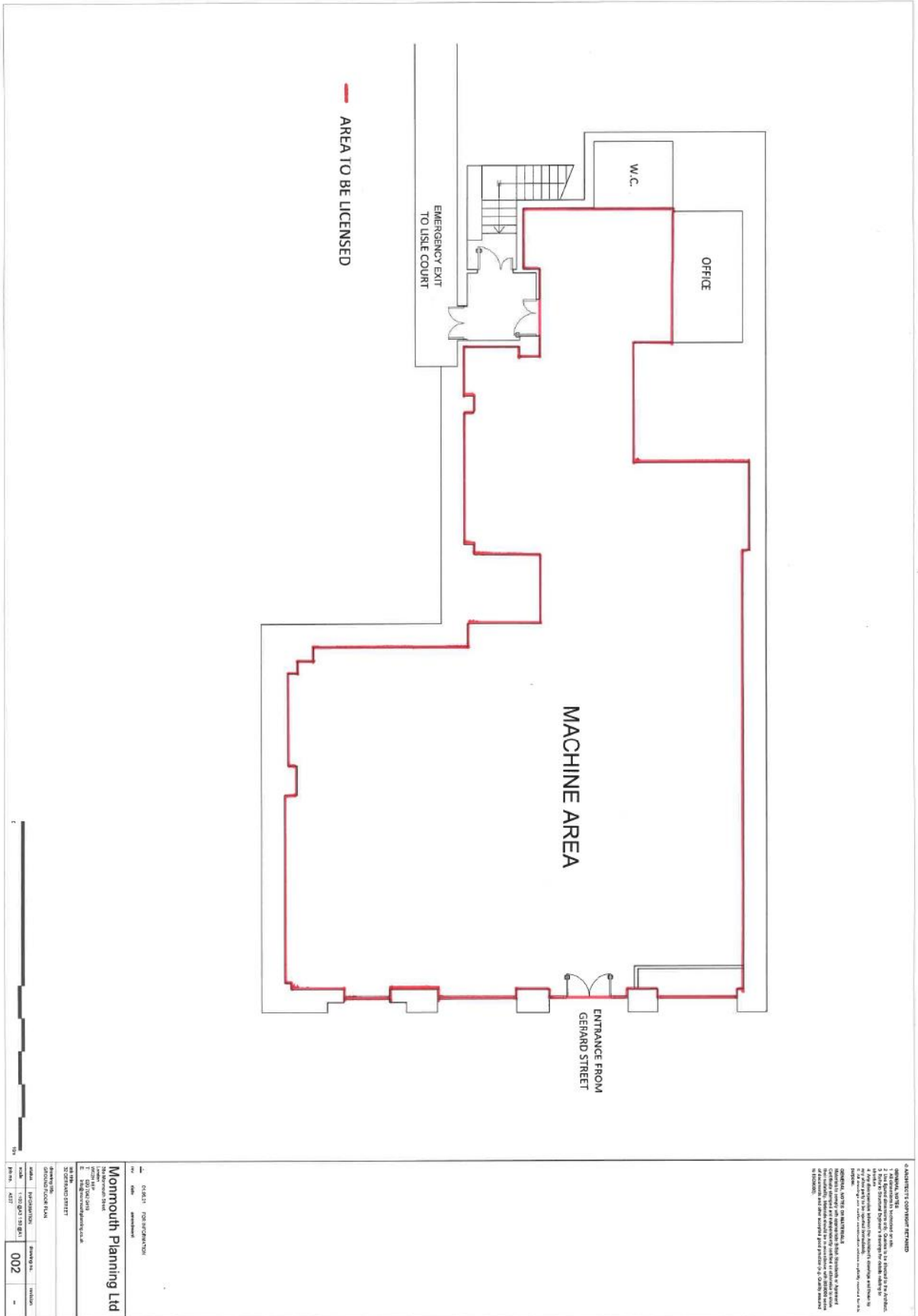
<b>Report author:</b>	Jessica Donovan Senior Licensing Officer
<b>Contact:</b>	Telephone: 0207 641 6500 Email: Jdonovan@westminster.gov.uk

**If you have any queries about this report or wish to inspect one of the background papers please contact the report author.**

**Background Documents – Local Government (Access to Information) Act 1972**

<b>1</b>	Gambling Act 2005	N/A
<b>2</b>	Statement of Principles for gambling in Westminster	31 January 2019
<b>3</b>	Gambling Act 2005 (Premises Licence and Provisional Statements) Regulations 2007	N/A
<b>4</b>	Guidance to Licensing Authorities	April 2021
<b>5</b>	Gambling Commission Licence conditions and codes of practice	March 2011
<b>6</b>	Licensing Authority Representation	31 August 2021
<b>7</b>	Representation 1	23 August 2021
<b>8</b>	Representation 2	24 August 2021
<b>9</b>	Representation 3	01 September 2021
<b>10</b>	Representation 4	27 August 2021
<b>11</b>	Representation 5	01 September 2021
<b>12</b>	Representation 6	27 August 2021
<b>13</b>	Representation 7	27 August 2021
<b>14</b>	Representation 8	27 August 2021
<b>15</b>	Representation 9	31 August 2021
<b>16</b>	Representation 10	27 August 2021
<b>17</b>	Representation 11	31 August 2021
<b>18</b>	Representation 12	01 September 2021
<b>19</b>	Representation 13	01 September 2021
<b>20</b>	Representation 14	27 August 2021
<b>21</b>	Representation 15	27 August 2021
<b>22</b>	Representation 16	01 September 2021
<b>23</b>	Representation 17	01 September 2021
<b>24</b>	Representation 18	31 August 2021
<b>25</b>	Representation 19	27 August 2021
<b>26</b>	Representation 20	01 September 2021





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**Silvertime Amusements Limited, 32  
Gerrard Street, London, W1D 6JA**

# Index

		Page(s)
1	32 Gerrard Street Skeleton	1 - 10
2	Silvertime - 32 Gerrard Street - AGC - Updated Proposed Conditions - 20.12...	11 - 15
3	Silvertime - 32 Gerrard Street Updated LARA - 20.12.21	16 - 48
4	Silvertime Response to LA Table - 05.11.21	49 - 64
5	Email from Bryan Lewis (Police) Confirming Agreement to Updated Conditions - 15.12.21	65 - 66
6	Email to Kevin Jackaman (Licensing Officer) - Sending Response to LA Questions & Follow Up	67 - 73
7	Email from WCC confirming circulation of Updated Conditions & LARA to Residents - 21.12.21	74 - 80
8	Copy of Licensing Plan of Premises	81
9	Silvertime - 32 Gerrard Street - Illustrative Machine & CCTV Layout Plan	82
10	Witness Statement of Byron Evans	83 - 92
11	Witness Statement of Edward Reed	93 - 103
12	Ed Reed W/s Exhibit 1 - Silvertime Whole Training Quizzes	104 - 112
13	Ed Reed W/s Exhibit 2 - BACTA Tool Kit	113 - 187
14	Ed Reed W/s Exhibit 3 - BACTA Social Responsibility Charter and Practice	188 - 197
15	Ed Reed W/s Exhibit 4 - BACTA Self-Exclusion Guide	198 - 218
16	Ed Reed W/s Exhibit 5 - GambleAware Staff Training Gambling Aware Brief Intervention Guide	219 - 258
17	Ed Reed W/s Exhibit 6 - GC - AGC Inspection Guide	259 - 265
18	Ed Reed W/s Exhibit 7 - Example Front Door	266
19	Ed Reed W/s Exhibit 8 - Stay in Control Poster	267
20	Ed Reed W/s Exhibit 9 - Think 25 Poster	268
21	Ed Reed W/s Exhibit 10 - AGC Customer Dispute Form	269 - 272
22	Ed Reed W/s Exhibit 11 - GamCare Poster and Leaflet	273 - 276
23	Silvertime - AGC Address List	277
24	Bet Fred - 37 Wardour Street - Premises Licence	278 - 279
25	Coral - 3 Newport Street -Premises Licence	280 - 281
26	Paddy Power - 40 Gerrard Street - Premises Licence	282 - 283
27	Crystal Rooms - Bingo Licence - 7-9 Cranbourn Street	284 - 286
28	Las Vegas - 89-91 Wardour Street - Premises Licence	287 - 289
29	Play2Win - 32 Wardour Street - Premises Licence	290 - 292

30	Little Vegas 3-5 Wardour Street - Summary Decision	293 - 298
31	Extract of Licence Conditions and Codes of Practice (LCCP) for Arcades	299 - 344
32	GC Guidance to Licensing Authorities	345 - 355
33	AGC - Mandatory & Default Conditions	356
34	Paterson's Licensing Acts 2021 - Extract	357 - 360

# TAB 1

**WESTMINSTER CITY COUNCIL**

**LICENSING SUB-COMMITTEE**

**13<sup>th</sup> January 2022**

**APPLICATION FOR ADULT GAMING CENTRE PREMISES LICENCE**

**SILVERTIME AMUSEMENTS LIMITED**

**32 GERRARD STREET, LONDON W1D 6JA**

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**SKELETON ARGUMENT ON BEHALF OF APPLICANT**

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*In this skeleton argument, all references to page numbers are to the applicant's bundle.*

**Introduction**

1. This is an application for an adult gaming centre premises licence. The premises were previously operated as a betting office by Bet Fred. This application is therefore to swap one gambling use for another.
2. If granted, the business will be subject to three sets of legal obligations to support the licensing objectives:
  - Gambling Commission's Licence Conditions and Codes of Practice.
  - Mandatory and default conditions attaching to adult gaming centre premises licences.
  - Proposed licence conditions for 32 Gerrard Street.
3. The proposed licence conditions are the result of:
  - A detailed local area risk assessment as required by the Gambling Commission's Licence Conditions and Codes of Practice and Westminster's Statement of Gambling Principles.

- Consideration of the policies in the Statement of Gambling Principles.
  - The public consultation exercise.
  - Discussion and agreement with the Metropolitan Police.
4. The agreed conditions go significantly beyond conditions on the licences of nearly all other gambling premises in the vicinity. There is no evidence before the Sub-Committee that those premises are harming the licensing objectives. There is therefore no reason to think that the proposed licence, if granted, will cause any greater concern.
5. As the Sub-Committee will be aware, the aim to permit in section 153 of the Act is explained by the Gambling Commission's Guidance to Licensing Authorities as follows:

*1.20 The Act places a legal duty on both the Commission and licensing authorities to aim to permit gambling, in so far as it is considered to be reasonably consistent with the pursuit of the licensing objectives. The effect of this duty is that both the Commission and licensing authorities must approach their functions in a way that seeks to regulate gambling by using their powers, for example, powers to attach conditions to licences, to moderate its impact on the licensing objectives rather than by starting out to prevent it altogether.*

6. These submissions will deal briefly with:
- (1) The suitability of the operator.
  - (2) The suitability of the premises.
  - (3) The area.
  - (4) The conditions.
  - (5) The law
7. The applicant will seek to demonstrate that:
- it is a competent operator;



- the premises are suitable for the purpose;
- provision of gambling in this area is not inimical to the licensing objectives;
- the conditions, and in particular the individual conditions formulated following the risk assessment process, are suitable and sufficient.

**(1) The applicant**

8. The applicant is an experienced operator of London adult gaming centres. Its owner, Edward Reed, joined the company 24 years ago. As his statement (page 93) and exhibits demonstrate, he is a conscientious, hands-on owner, who has built a competent, well-staffed organisation. The organisation has never suffered a licence refusal or a review.
9. The applicant has operated premises in Westminster, at 426 Edgware Road, for over 7 years without any issues. Westminster City Council has inspected the premises on three occasions over that period, without any problems noted.
10. The Sub-Committee will be aware of the Gambling Commission's Guidance that:

*5.10 Licensing authorities do not need to investigate the suitability of an applicant for a premises licence, including in relation to crime. The issue of suitability will already have been considered by the Commission, because any applicant (except occupiers of tracks who do not propose to offer gambling themselves) will have to hold an operating licence from the Commission before the premises licence can be issued.*

11. Nevertheless, in the light of the residential representations raised, the Sub-Committee may be reassured that the applicant is experienced, competent, conscientious and reputationally sound. At very least, it means that if there are any issues, the applicant will deal with them promptly and professionally.

## **(2) The premises**

12. The applicant submits that 32 Gerrard Street is suitable to be licensed as an adult gaming centre.
13. The premises was licensed by Westminster City Council as a betting office for many years.
14. The premises will be configured to be comfortable, sufficiently spacious for its purpose, well-lit, with good sightlines and a disabled-accessible WC. The premises will have a CCTV system configured to the requirements of the Metropolitan Police, with external cameras to help security in the immediate vicinity.
15. No reason has been suggested why the premises are not suitable for the proposed use.
16. Further, as Mr Reed and Mr Evans both emphasise, AGCs typically exert less impact on a locality than betting offices, due to a different client demographic, premises layout and product offering, meaning that loitering and low level street disorder, which sometimes go hand in hand with betting offices, are not associated with AGCs. This, together with the extensive suite of conditions offered, means that the Sub-Committee may be confident that there will not be exterior impact.

## **(3) The area**

17. As the Sub-Committee will be aware, the Gambling Commission's Guidance advises in paragraph 5.34 that:

*An authority's decision cannot be based on dislike of gambling, or a general notion that it is undesirable to allow gambling premises in an area (with the exception of the casino resolution powers).*

18. However, an authority can and should identify areas of higher risk and expect applicant's to assess area-based risks and seek to mitigate such risks through licence conditions.

19. According to the Geofutures index commissioned by Westminster City Council, the scale of composite risks runs from 0 – 75. The composite score for the application site is 34.7, and is therefore below the median point. Notably, the score is below that of the applicant's other Westminster site at 426 Edgware Road, which has traded without individual conditions and without evidence of harm for over 7 years.
20. As the licensing authority has observed, the premises fall within a sensitive area for the purpose of the current Statement of Gambling Principles. Accordingly, policy LOC1 states:
- Applicants for new or variation applications of premises licences within a sensitive location must include detailed information as to how the proposals will be reasonably consistent with the gambling objectives and policies OBJ1, OBJ2 and OBJ3*
21. The applicant has set out to provide extensive and detailed information so as to demonstrate reasonable consistency with these policies and the licensing objectives, and to propose a detailed and comprehensive suite of conditions in furtherance of those policies and objectives.
22. The conditions to be offered were in turn informed by the applicant's risk assessment, which was updated and revised following public consultation.
23. The applicant submits that the conditions proposed represent a thorough and conscientious response to the area/premises/operational risks identified in this case.
24. Westminster's consultation draft licensing policy is not yet in force. However, it is worth mentioning that that policy has introduced the concept of Gambling Vulnerability Zones. The application site does not fall within the West End Gambling Vulnerability Zone.

**(4) The conditions**

25. As the Sub-Committee will be aware, the gambling operation will be subject to the extensive requirements of the Gambling Commission's Licence Conditions and Codes of Practice (page 299) and Parliament's Mandatory and Default Conditions (page 356).
26. In addition to that, and following consideration of Westminster City Council's Statement of Gambling Principles, its own Local Area Risk Assessment (as updated and revised following consultation) and the views of the Metropolitan Police, it has advanced a comprehensive set of 30 conditions.
27. The Sub-Committee is respectfully referred to those conditions at page 11. While they speak for themselves, certain features will be noted:
- a. the applicant has taken particular care to promote liaison with local residents (conditions 1-3);
  - b. the applicant goes beyond the usual obligations in relation to protection of children and young people by providing for test purchasing on a regular basis (condition 11);
  - c. there will be an SIA-licensed door supervisor in the evenings and night-time, with provision risk-assessed at other times (condition 14);
  - d. the premises will be double-staffed at all times, so assisting surveillance, age-checking and customer interaction (condition 15);
  - e. to help to protect vulnerable people, there will be no ATM on the premises (condition 28);
  - f. although it is rare for AGCs to experience exterior loitering / disturbance / street drinking as betting offices sometimes do, the conditions make provision for mitigation of such risks by a variety of methods (see e.g. conditions 4a, 6, 7, 16, 17, 22-26, 29).
28. Naturally, should the Sub-Committee consider that further conditions are necessary, the applicant will be pleased to discuss this. As the Gambling Commission advises in its Guidance:

*5.31 Licensing authorities should not turn down applications for premises licences where relevant objections can be dealt with through the use of conditions.*

**(5) The law**

29. As the Sub-Committee will be aware, each piece of licensing legislation sets out a different approach to the question of grant. The approach relevant to gambling is in section 153 of the Gambling Act 2005:

*“In exercising their functions under this Part, a licensing authority shall aim to permit the use of premises for gambling in so far as the authority thinks it:*

*(a) in accordance with any relevant code of practice [issued by the Gambling Commission]*

*(b) in accordance with any relevant guidance issued by the Commission*

*(c) reasonably consistent with the licensing objectives (subject to (a) and (b))*

*(d) in accordance with the [authority’s statement of licensing policy] (subject to (a) to (c)).”*

30. The following points should be noted:

- a. The test is mandatory: *“a licensing authority shall ....”*
- b. The obligation to *“aim to permit”* where (a) – (d) are satisfied is described by the Gambling Commission in its Guidance as *“the licensing authority’s primary obligation”* (para 7.56).
- c. The *“aim to permit”* is explained in the leading textbook Patersons:

*“... it creates a presumption in favour of granting the premises licence since it is only if the licence is granted that the premises may lawfully be used for gambling. But the duty seems to go further than that. The*

*verb 'to aim' is defined by the OED as meaning 'To calculate one's course with a view to arrive (at a point); to direct one's course, to make it one's object to attain. Hence to have it as an object, to endeavour earnestly....' A person who 'aims' to achieve a result will usually take active steps to bring it about. The provision appears to place a duty upon the licensing authority to exercise their powers so far as is lawfully possible to achieve a position in which they can grant the premises licence and thus permit the premises to be used for gambling."*

- d. Conditions should only be added where it is necessary to do so, and even then such conditions need to be proportionate to the circumstances requiring a response, relevant, directly related, fair and reasonable (para 9.31).
- e. As the Guidance states: "*Any refusal should be for reasons which demonstrate that the licensing objectives will not or are unlikely to be met*" (para 5.34). That means demonstrate by evidence.
- f. Conversely, the following considerations are legally irrelevant to the determination of an application for a premises licence:
  - i. A dislike of gambling (para 5.34).
  - ii. A general notion that it is undesirable to allow gambling premises in an area (para 5.34).
  - iii. Moral or ethical objections to gambling (para 5.34).
  - iv. The demand for gambling premises (see s 153 Gambling Act 2005). As such, objections which state that there are enough gambling establishments in a locality may be relevant to planning, but they are irrelevant to licensing.
  - v. Planning considerations (see section 210 Gambling Act 2005), such as the tone or character of the area.
  - vi. Nuisance (see Gambling Commission Guidance para 5.5).

31. These observations are relevant in this case, since many of the objections raise points which:

- are not germane to the gambling licensing jurisdiction (such as demand and the character of the area) and/or
- are unsupported by specific evidence of harm caused by other gambling operations in the vicinity or by the applicant's premises anywhere; and/or
- relate to betting offices when this application is for an AGC, which will not produce the impacts sometimes associated with betting offices.

## **Conclusion**

32. In this case, there is no objection by the Police (who are the main source of advice on crime and disorder), any child protection or safeguarding body or any ward councillor.

33. This is broadly unsurprising, since the proposal is:

- to continue to use a premises for gambling which was used for gambling for many years,
- to fit out, equip, staff and supervise the premises in a manner consistent with the licensing objectives;
- to licence a competent operator which is experienced in London in general and Westminster in particular;
- to operate in an area which is not one of Westminster's high risk areas;
- to accept a detailed and comprehensive suite of conditions going far beyond the majority of other premises in the locality.

34. The applicant acknowledges the feelings of those local residents who have made objections, and if a licence is granted it will ensure that it liaises conscientiously with the residents in the future, in accordance with the conditions it has proposed.

35. The licensing authority points out that the premises are in a sensitive location. This is understood and has been fully analysed in the application, as the authority's policy requires. It is the reason why further conditions have been offered, in addition to the mandatory and default conditions and also the Licence Conditions and Codes of Practice. The sub-committee is invited to the view that based on a) the applicant's experience and competence, b) the legal obligations to which it is subject, and c) the compliance material submitted, the applicant can be trusted to protect the licensing objectives.
36. As the Sub-Committee will be aware, there is no "cumulative impact policy" for gambling. The policy rather requires appropriate information to be provided as to how the licensing objectives will be met. The applicant has sought to comply with this requirement.
37. Accordingly, it is submitted that the test in section 153 is fully met. Conversely, taking into account the competence and track record of the applicant, its legal obligations under the Act, Regulations and codes, and the comprehensive suite of individual licence conditions to which it is proposing to submit, it has not been demonstrated that the licensing objectives are unlikely to be met.
38. Accordingly, the Sub-Committee is respectfully invited to grant the application as asked.

**PHILIP KOLVIN QC**  
**4<sup>th</sup> January 2022**

**11 KBW**  
**Temple EC4**



# TAB 2

**AGC 32 Gerrard Street - SILVERTIME**

**APPLICATION FOR GAMBLING ACT 2005 PREMISES LICENCE**

Applicant's proposed conditions:

Local Residents

1. A direct telephone number to the manager of the premises will be available at all times the premises is open. This number shall be made available to residents and businesses in the vicinity.
2. The licensee will liaise with any residents who would like to be contacted quarterly to discuss the operation of the AGC and any issues.
3. The licensee shall organise and participate in a meeting for local residents and residents' associations to discuss the operation of the premises at least once every six months. The licensee shall directly notify local residents and residents' associations of the meeting date and venue at least two weeks before the meeting.

CCTV

4. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
  - (a) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
  - (b) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the gaming area, office, toilet entrance, any seating and external area immediately outside the premises entrance.
  - (c) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
  - (d) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
5. 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 is open. This staff member must be able to provide a Police or authorised council officer copies of recent

CCTV images or data with the absolute minimum of delay when requested.

6. The premises shall display notices near the entrance of the venue stating that CCTV is in operation.
7. A 'spotter monitor' shall be placed inside the premises near the front door showing CCTV images of customers entering ,exiting and whilst on the premises.

#### Children and Young People

8. A Challenge 25 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.
9. 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.
10. Prominent signage and notices advertising the Challenge 25 will be displayed showing the operation of such policy.
11. Third party testing on age restricted sales systems purchasing shall take at least twice a year and the results shall be provided to the Licensing Authority upon request.

#### Entrances and Doors

12. 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 by staff.
13. Staff will receive a notification when the front door opens.
14. Between 6pm and 6am there will be an SIA registered door person employed at the front door of the premises. The need for an SIA door person at other times will be risk assessed. They shall display their licence at all times in a yellow high visibility arm band.

#### Staffing levels

15. There shall be 2 members of staff present at all times the premises are open to the public.

#### Identification of Offenders or Problem Persons

16. The licensee shall implement a policy of banning any customers who engage in crime or disorder within or outside the premises.

17. The licensee will refuse entry to customers who appear to be under the influence of alcohol or drugs.

#### Alarms

18. The licensee shall install and maintain an intruder alarm on the premises.

19. The licensee shall install and maintain fixed panic buttons and in addition portable panic buttons will be worn by staff.

#### Toilets

20. The licensee will ensure that customer toilets are checked every hour for evidence of drug taking. Toilet checks are to be documented stating the time and member of staff who made the checks. Toilets will remain locked at all times with access being provided by staff.

#### Signage, Promotional Material and Notices

21. Prominent GamCare documentation will be displayed at the premises together with other notices promoting responsible gambling. All such documentation and notices will be provided in English and Mandarin Chinese.

#### Staff Training

22. The licensee shall:

- a. provide induction training to all staff working at the premises;
- b. provide refresher training to every member of staff at least every six months.

The training shall include the following:

- i. the specific local risks to the licensing objectives that have been identified for these premises;
- ii. drug and alcohol awareness training to include Homeless and Street Drinking.
- iii. Conflict Management Training. At least one of these training sessions each calendar year shall be provided by instructors qualified to a formally recognised national or equivalent standard on dealing with conflict.

23. Participation in the said training shall be formally recorded on each member of staff's training records which will be available for presentation to the Licensing Authority immediately upon request.
24. At least one member of staff working at the premises shall have a minimum of 6 months experience working in a licensed Adult Gaming Centre.

#### Homeless and Street Drinking

25. 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.
26. 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.

#### Recording of Incidents and Visits

27. 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;
  - a. All crimes reported to the venue;
  - b. Any complaints received regarding crime and disorder;
  - c. Any incidents of disorder;
  - d. Any faults in the CCTV system; and
  - e. Any visit by a relevant authority or emergency service.
  - f. All ejections of patrons;
  - g. All seizures of drugs or offensive weapons;

#### Facilities

28. There shall be no cash point or ATM facilities on the premises
29. Any tea/coffee/drinks facilities will be provided for playing customers only.
30. All seating within the premises shall be either secured to the floor or are weighted to prevent lifting.

**Mandatory conditions.**

31. A notice stating that no person under the age of 18 years is permitted to enter the premises shall be displayed in a prominent place at every entrance to the premises.
32. No customer shall be able to access the premises directly from any other premises in respect of which a licence issued under Part 8 of the Act, or a permit issued under Schedule 10, 12 or 13 to the Act, has effect.
33. Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to cease gambling at any gaming machine in order to do so.
34. (1) No alcohol shall be permitted to be consumed on the premises at any time during which facilities for gambling are being provided on the premises.  
  
(2) A notice stating the condition in sub-paragraph (1) shall be displayed in a prominent place at every entrance to the premises.

# TAB 3

**Premises**

Premises Name:	Silvertime
Premises Address:	32, Gerrard Street, London
Premises Post Code:	W1D 6JA
Premises Licence Number:	TBA
Category of Premises:	AGC

**Company**

Operating Company:	Silvertime Amusements Ltd
Operating Licence Number:	000-002913-N-103141-008

**Assessment Writer**

Name of Person Writing this Assessment:	Phil Wheeler - Operations Director
Date that Original Assessment was Written	July 2021 updated 19/10/21 and 20/12/21



### Requirement to Comply

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

Effective as at 6 April 2016

Social responsibility code provision 10.1.1

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

Ordinary code provision 10.1.2

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

The purpose of this document is to assist staff in understanding and carrying out their responsibilities in running the premises including alerting them to any special problems of which they need to be aware in carrying out their duties, for example awareness of children or potentially vulnerable individuals in the vicinity.

### **The Operator**

Silvertime Amusements Ltd is licensed by the Gambling Commission and is a long standing member of the AGC trade association BACTA. Silvertime Amusements Ltd is an extremely experienced operator of these types of premises, having been a family owned and run business for over 30 years.

It is familiar with the guidance and information contained in the London Borough of Westminster Statement of Licensing Principles for Gambling and the Guide to Undertaking Local Gambling Risk Assessments contained within the Statement of Licensing Principles.

Silvertime have operated other Adult Gaming Centre premises within the Borough of Westminster at 426 Edgware Road, W2 1EG for over 7 years.

We believe this Local Area Risk Assessment (and future updates) identifies all necessary steps required in both complying with the Statement of Licensing Principles for Gambling, upholding the Licence Conditions and Codes of Practice and promoting the 3 Licensing Objectives. The grid matrix at pages 9 to 27 also detail how the operator intends dealing with key relevant points identified in the Westminster Statement of Licensing Principles for Gambling.

## Local Area Profile

The premise is located on Gerrard Street in the West End of London within the local area known as 'Chinatown' that is controlled under the authority of Westminster City Council. In compiling this assessment we have considered the Council's 'Statement of Principles for Gambling, effective January 2019, and acknowledge the study together with Manchester City Council and Geofutures in 2015, to help understand key issues concerning gambling related harm so as to protect those that are vulnerable. We have utilised information from the study including the 'Gambling Risk Index' and other relevant indices.

The local population of Westminster is ethnically diverse and the social grade is equally mixed with the majority split being either administrative or unskilled/semi-skilled labour. There are approximately 250,000 residents increased by the workers (550,000 to over 47,000 businesses) and visitors bringing a combined total of over 1,000,000 people to the borough on a daily basis.

The site falls near to the northern edge of St James' Ward. The ward profile from 2018 shows a population of 11,495, 29% with dependent children, a median household income exceeding £45,000, 11,560 businesses and over 219,000 jobs (30% of the total for Westminster). The ward is among the 30-40% most deprived in the UK with 8.75% of the working age population claiming benefits. 28% of homes were socially rented at the last count in 2011. 85% of residents say their health is good, with only 5% saying it is bad, 1% less than the average for Westminster. 12.9% are affected by long term illness or disability, also 1% under the figure for Westminster.

As to crime and disorder, 98% of residents feel safe, and 96% feel safe after dark. 19% feel that crime affects their quality for life, the same figure as for Westminster as a whole. Similarly, 19% feel that anti-social behaviour affects the quality of their neighbourhood.

The local shops are dominated by the presence of restaurants and food dealers with a dedication to oriental cuisine. Chinatown is part of an area in the West End of London renowned for entertainment and night life.

There are a number of gambling establishments within 1/2 mile of the site in particular Casinos such as the Hippodrome, Grosvenor and Empire. Specifically there are 3 licensed bookmakers, 3 AGCs, and one Bingo premises within a 250 metre radius, as listed below:

Coral Bookmakers, 3 Newport Place. Opens 7am to 10pm

Paddy Power Bookmakers, 40 Gerrard Street. Opens 8am to 10pm

Bet Fred Bookmakers, 37 Wardour Street. Opens 7am to 10pm

Play2Win AGC, 32 Wardour Street, Opens 9am to 2am AGC

Las Vegas AGC, 89-91 Wardour Street. Opens 10am to 2am AGC

Little Macau, 3-5 Wardour Street. Opens 8am to midnight. AGC

The Crystal Rooms, Bingo Licence, 7-9 Cranbourn Street. Opens 24/7

The application premises previously operated as a 'BetFred' licensed betting office.

Leicester Square and Piccadilly Circus Underground Stations are within 500 metres of the property. There are 'Q-Park' car parks in Newport Place, China Town and Leicester Square.

(Source - City of Westminster Profile 2018, Metropolitan Police - Crime Data Dashboard, Westminster City Council - Statement for Gambling Principals 2021, Geofutures study with Westminster and Manchester City Councils)

### **Risks to the Vulnerable**

Further details regarding gambling vulnerability is set out at Appendix 1 to this risk assessment.

There are numerous premises within the area that cater for, or attract, children, the potentially vulnerable and the homeless.

**The nearest schools are:**

Soho Parish Primary School, Archer Street.

Westminster Kingsway College, Soho Centre, Hopkins Street.

**Support and Educational services for teenagers and young adults are provided at:**

The Young Westminster Foundation, 21 Wardour Street.

Mousetrap Theatre Project, 33 Shaftesbury Avenue.

**Facilities are provided for the homeless (including hostels) or potentially vulnerable at various locations within in Chinatown &**

**Soho and include:**

St Anne’s Church, Dean Street (Alcoholics Anonymous meet here 3 times a week).

Notre Dame de France, Leicester Place.

Orange Street Covenant Church, Orange Street.

Soho Housing Association, Chancel Court, Dean Street.

Turning Point - Westminster - Drug and Alcohol Wellbeing Service, 32A Wardour St.

DR Janina Janowska Lokalizacja, Psychotherapist, West End, London.

Staff will be made aware as part of their training that these and other facilities are nearby and that they should be constantly watchful and vigilant of attempts by children and the vulnerable to enter the premises. Before operating the premises, there will be both a Safeguarding Adults Policy and Procedure Document and a separate Safeguarding Children Policy and Procedure Document. This will include having policies and procedures in place in relation to the following risks: ‘The cognitive capacity of the person to make informed

decisions relating to their gambling' and 'Establishing the means to which a person can afford to gamble to the extent and frequency of their gambling activity'. Staff will be trained in these policies, training shall be formally recorded on each member of staff's training records which will be available for presentation to the Licensing Authority immediately upon request. The following conditions in relation to staff training have been offered:

*-The licensee shall:*

*a. provide induction training to all staff working at the premises;*

*b. provide refresher training to every member of staff at least every six months.*

*The training shall include the following:*

*i. the specific local risks to the licensing objectives that have been identified for these premises;*

*ii. drug and alcohol awareness training to include Homeless and Street Drinking.*

*iii. Conflict Management Training. At least one of these training sessions each calendar year shall be provided by instructors qualified to a formally recognised national or equivalent standard on dealing with conflict.*

page 70

The applicant will make contact with all of the above schools and facilities prior to opening in order to make themselves known and to provide materials on problem gambling.

**Faith Groups:**

Soho Islamic Centre (for Men), Berwick Street.

St Anne's Church, Dean Street.

Notre Dame de France, Leicester Place.

Trinity Church Central London, Orange Street



### Gambling Act 2005 – The Licensing Objectives

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

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

### Local Area Risks

Licensing Objective	Risk	Control System	Risk Management	Reviewed
<b>Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.</b>	<p>The Metropolitan Police Crime Data Dashboard reveals Westminster has the highest number of theft crimes of any borough in London. There are a large number of <u>alcohol-licensed premises in the local area.</u> <u>As the site of the main night time economy in the UK, together with large numbers of visitors and workers, anti-social behaviour and street homelessness remains an issue in the area, although not</u></p>	Physical	<p>Installation of maglock.</p> <p>HD CCTV – Monitored internally &amp; remotely, recordings held for 30 days.</p> <p>Cameras positioned for maximum facial visibility in all areas of arcade plus entrance, exits and nearby surrounding areas. Use of spotter screen.</p>	



	<p><u>particularly linked with gambling premises.</u></p>	<p>In relation to CCTV the following conditions have been offered:</p> <p><i>-The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.</i></p> <p><i>(a) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.</i></p> <p><i>(b) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the gaming area, office, toilet entrance, any seating and external area immediately outside the premises entrance.</i></p> <p><i>(c) All recordings shall be stored for a minimum period of 31 days with date and time stamping.</i></p> <p><i>(d) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.</i></p> <p><i>-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 is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.</i></p>	
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	<p><b>-The premises shall display notices near the entrance of the venue stating that CCTV is in operation.</b></p> <p><b>-A 'spotter monitor' shall be placed inside the premises near the front door showing CCTV images of customers entering, exiting and whilst on the premises.</b></p> <p><b>Security alarms and panic buttons. The following conditions are offered:</b></p> <p><b>-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 by staff.</b></p> <p><b>-Staff will receive a notification when the front door opens.</b></p> <p><b>-The licensee shall install and maintain fixed panic buttons and in addition portable panic buttons will be worn by staff.</b></p> <p><b>Fixed or weighted seating to prevent lifting. The following condition has been offered:</b></p> <p><b>-All seating within the premises shall be either secured to the floor or are weighted to prevent lifting.</b></p>	

			Toughened glass windows and doors.	
	<p><u>There are a number of casinos in the vicinity including but not limited to:</u></p> <ul style="list-style-type: none"> <li>-The Hippodrome Casino - Leicester Square.</li> <li>-The Grosvenor - Coventry St.</li> <li>-The Empire - Leicester Square.</li> </ul> <p><u>There are 3 AGC's</u></p> <ul style="list-style-type: none"> <li>-Play 2 Win – 32 Wardour Street.</li> <li>-Las Vegas – 89-91 Wardour Street.</li> <li>-Little Macau – 3-5 Wardour Street.</li> </ul> <p><u>There is a Bingo Premises, which operates in a similar fashion to the AGC's at:</u></p> <ul style="list-style-type: none"> <li>-The Crystal Rooms, Cranbourn Street.</li> </ul> <p><u>There are several bookmakers including but not limited to:</u></p> <ul style="list-style-type: none"> <li>-Corals - Newport Pl.</li> <li>-BetFred - Wardour St.</li> <li>-Paddy Power - Gerrard St.</li> </ul>	Design	Warning/Advice communication using signs displayed at entrance/exit produced to reflect local population, including signage in Mandarin Chinese.	

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Strong liaison with local residents, Police Local Safer Neighbourhood Team and Council Officers. The following conditions have been offered:

- A direct telephone number to the manager of the premises will be available at all times the premises is open. This number shall be made available to residents and businesses in the vicinity.
- The licensee will liaise with any residents who would like to be contacted quarterly to discuss the operation of the AGC and any issues.
- The licensee shall organise and participate in a meeting for local residents and residents' associations to discuss the operation of the premises at least once every six months. The licensee shall directly notify local residents and residents' associations of the meeting date and venue at least two weeks before the meeting.

Premises to be double-staffed at all times. The following condition has been offered:

- There shall be 2 members of staff present at all times the premises are open to the public.

Use of SIA supervisors to the extent required following risk assessment,

**Systems**

	<p>and in any case post- 6 p.m. The following condition has been offered:</p> <ul style="list-style-type: none"> <li>-Between 6pm and 6am there will be an SIA registered door person employed at the front door of the premises. The need for an SIA door person at other times will be risk assessed. They shall display their licence at all times in a yellow high visibility arm band.</li> <li>-The licensee shall install and maintain an intruder alarm on the premises.</li> </ul> <p>Staff training and refresher training including local issues and conflict avoidance.</p> <p>Warning and banning miscreants, preventing intoxicated persons from using premises. The following conditions have been offered:</p> <ul style="list-style-type: none"> <li>- The licensee shall implement a policy of banning any customers who engage in crime or disorder within or outside the premises.</li> <li>-The licensee will refuse entry to customers who appear to be under the influence of alcohol or drugs.</li> <li>-The Licensee shall take all reasonable steps to prevent street drinking of alcohol directly outside</li> </ul>	
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	<p><i>the premises and to ban from the premises those who do so.</i></p> <p><i>-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.</i></p> <p><i>- Any tea/coffee/drinks facilities will be provided for playing customers only.</i></p> <p><i>Toilet checking - every hour for evidence of drug taking. The following condition has been offered:</i></p> <p><i>-The licensee will ensure that customer toilets are checked every hour for evidence of drug taking. Toilet checks are to be documented stating the time and member of staff who made the checks. Toilets will remain locked at all times with access being provided by staff.</i></p> <p><i>Incident logs kept. The following condition has been offered:</i></p> <p><i>-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;</i></p> <p><i>a. All crimes reported to the venue;</i></p> <p><i>b. Any complaints received regarding crime and disorder;</i></p>	
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			<p>c. Any incidents of disorder;  d. Any faults in the CCTV system; and  e. Any visit by a relevant authority or emergency service.  f. All ejections of patrons;  g. All seizures of drugs or offensive weapons;</p> <p>Notices visible from the exterior of the premises stating that customers drinking alcohol outside the premises</p> <p>Regular inspections of websites:  <a href="http://www.met.police.co.uk/">www.met.police.co.uk/</a>  <a href="http://www.streetcheck.co.uk">www.streetcheck.co.uk</a>  <a href="http://www.crimestats.com">www.crimestats.com</a></p> <p>Crime bulletins from Bacta.</p> <p>Staff discussions (internal) and with neighbouring businesses.</p>	
<p>Ensuring that gambling is conducted in a fair and open way.</p>	<p>Managing Operation</p>	<p>Physical</p>	<p>Fully co-operative with Council requirements as evidenced by our other sites and in particular at 426 Edgware Road W2 1EG that is under the authority of Westminster City Council.</p>	

				<p>Terms and Conditions Signage produced in a variety of appropriate languages and displayed at entrance.</p> <p>Promotional activity clearly communicated in a variety of appropriate languages and displayed around the arcade.</p>	
	Communication	Design		<p>Compliant with Bacta codes of practice.</p> <p>Staff will be aware of the Terms and Conditions and relevant game rules associated with the gaming machines offered.</p>	
	Operation	Systems			
Protecting children and other vulnerable people from being harmed or exploited by gambling.	<p>There are a considerable number of educational facilities in the area including but not limited to within ½ mile of the site as follows:</p> <ul style="list-style-type: none"> <li>- Soho Parish Primary School</li> <li>- Westminster Kingsway College, Soho Centre, Hopkins Street.</li> <li>- St. Georges Hanover Sq. Primary School</li> <li>- All Souls C of E Primary School</li> <li>- St. Josephs Primary School</li> </ul>	Physical	<p>HD CCTV covering immediate external area, recordings available remotely and held for 30 days.</p> <p>Regular monitoring of external cameras/screens by staff, in line with council's CSE concerns.</p> <p>Window signs display notices prohibiting Under 18's produced in numerous appropriate languages including Mandarin Chinese. Emphasis on 'Challenge 25'.</p>		



	<p>- St. Clement Danes Primary School</p> <p><u>Student Accommodation including but not limited to:</u></p> <ul style="list-style-type: none"> <li>-International Students House - Great Portland St.</li> <li>-Host the Hub - S Lambeth Rd.</li> </ul> <p><u>Support and Educational services for teenagers and young adults are provided at:</u></p> <ul style="list-style-type: none"> <li>-The Young Westminster Foundation, 21 Wardour Street.</li> <li>-Mousetrap Theatre Project, 33 Shaftesbury Avenue.</li> </ul> <p><u>Facilities are provided for the homeless (including hostels) or potentially vulnerable at various locations within in Chinatown &amp; Soho and include:</u></p> <ul style="list-style-type: none"> <li>-St Anne's Church, Dean Street. (Alcoholics Anonymous meet here three times a week).</li> <li>-Notre Dame de France, Leicester Place.</li> <li>-Orange Street Covenant Church, Orange Street.</li> <li>-Soho Housing Association, Chancel Court, Dean Street.</li> <li>-Turning Point - Westminster - Drug and Alcohol Wellbeing Service, 32A Wardour St (Addiction Recovery Centre)</li> </ul>		<p>No promotional material associated with the premises will encourage the use of the premises by children or young people.</p>	
		<p>Design</p>	<p>Window signs display notices prohibiting Under 18's produced in numerous appropriate languages including Mandarin Chinese.</p> <p>There will be no view from the exterior of the premises of people playing gaming machines inside.</p> <p>Any external advertising will not include characters or images that are attractive to children.</p>	
		<p>Systems</p>	<p>Challenge 25 - including the keeping of a refusals register. The register will cover:</p> <ul style="list-style-type: none"> <li>a) challenges made under the age verification policy,</li> <li>b) the number of customers who failed a challenge under this policy,</li> <li>c) any breaches of the age verification policy by staff, and</li> <li>d) any incidents where a child or young person has accessed the premises or played on any adult gaming machines.</li> </ul> <p>Third party age verification testing.</p>	

<p>-DR Janina Janowska Lokalizacja, Psychotherapist, West End, London.</p> <p><u>Care Homes including but not limited to within 1 mile are:</u></p> <ul style="list-style-type: none"> <li>-Anchor Trust</li> <li>-Parigester Court</li> <li>-Hamberley</li> <li>-Shelbourne</li> <li>-Laurens Care Home</li> </ul> <p><a href="http://www.carehome.co.uk">http://www.carehome.co.uk</a></p> <p><u>Awareness of gambling care agencies in the local area.</u></p> <p>No facilities for problem gambling in the vicinity.</p> <p>Chinese Welfare Association  <a href="http://www.cwa-ni.org/">http://www.cwa-ni.org/</a>  Gamcare <a href="http://www.gamcare.org.uk">www.gamcare.org.uk</a>  <a href="http://www.gamblersanonymous.co.uk">www.gamblersanonymous.co.uk</a>  <a href="http://www.nhs.uk/live-well/healthy-body/gambling-addiction">www.nhs.uk/live-well/healthy-body/gambling-addiction</a></p> <p>Job centres/employment agencies in the close area:</p> <ul style="list-style-type: none"> <li>-Carnegie Consulting - Gerard St.</li> <li>-Bite Consulting - Bear St.</li> <li>-Leverage Partnership - Charing Cross Road.</li> <li>-St. Marylebone Job Centre - Lisson Grove.</li> </ul> <p><u>Family Service Centres</u></p> <ul style="list-style-type: none"> <li>-London Child &amp; Family Therapy Centre - Margaret St.</li> </ul>	<p>Any branded merchandise will not be intended for use by or promoted to children.</p> <p>The following conditions are offered:</p> <ul style="list-style-type: none"> <li>-A Challenge 25 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.</li> <li>-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.</li> <li>-Prominent signage and notices advertising the Challenge 25 will be displayed showing the operation of such policy.</li> <li>-Third party testing on age restricted sales systems purchasing shall take at least twice a year and the results shall be provided to the Licensing Authority upon request.</li> </ul> <p>Stay in Control leaflets and Gamcare posters and leaflets produced and displayed in languages appropriate to the local population, including Mandarin Chinese. The following condition has been offered:</p>
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		<p>- <b>Prominent GamCare documentation will be displayed at the premises together with other notices promoting responsible gambling. All such documentation and notices will be provided in English and Mandarin Chinese.</b></p> <p>- <b>There shall be no cash point or ATM facilities on the premises.</b></p> <p>Social responsibility measures from licence conditions and codes of practice, including customer interaction and self-exclusion.</p> <p>All leaflets and advice subject to stock control.</p> <p>Before operating the premises, there will be in place both a Safeguarding Adults Policy and Procedure Document and a separate Safeguarding Children Policy and Procedure Document.</p> <p>This will include having policies and procedures in place in relation to the following risks: 'The cognitive capacity of the person to make informed decisions relating to their gambling' and 'Establishing the means to which a person can afford to gamble to the extent and frequency of their gambling activity'.</p>
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**Gambling Operational Risks**

<b>Licensing Objective</b>	<b>Risk</b>	<b>Control System</b>	<b>Risk Management</b>	<b>Reviewed</b>
<p>Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.</p>	<p>Poor security leading to vulnerability to crime.</p>	<p>Physical</p>	<p>Use of SIA supervisors to the extent required following risk assessment, and in any case post- 6 p.m.</p> <p>Consistent and regular patrols of the property plus external areas.</p> <p>HD CCTV – Monitored internally &amp; remotely, recordings held for 30 days. Cameras positioned to cover all areas of the premise including key external areas.</p> <p>Intruder alarm with Red Care or similar security line.</p> <p>Panic button with external siren to Police.</p> <p>No cash point / ATM.</p>	

		<p><b>Design</b></p>	<p>Toughened and laminated glass used for all windows.</p> <p>Double doors with porch allow controlled and selective admission.</p> <p>Staffed 'Welcome desk'.</p> <p>Machine layout to eliminate blind spots.</p> <p>Magnetic door lock for controlled entry.</p>	
		<p><b>Systems</b></p>	<p>Machine door opening keys only available to management.</p> <p>Log maintained for history of Police attendance recorded on data hub.</p> <p>Premises to be double-staffed at all times.</p> <p>The operator will be fully cooperative with all enforcement agencies.</p> <p>The gambling Commission Codes of Practice will be fully complied with.</p>	

	Awareness of increased local crime in the area.	Systems	<p>Regular inspections of websites:  <a href="http://www.met.police.co.uk/">www.met.police.co.uk/</a>  <a href="http://www.streetcheck.co.uk">www.streetcheck.co.uk</a>  <a href="http://www.crimestats.com">www.crimestats.com</a></p> <p>Staff discussions (internal) and with neighbouring businesses.</p>	
	Failure to identify attempts to launder money on the premises (e.g. dye stained notes) and to follow correct reporting procedure.	Design	<p>HD CCTV Internal &amp; External monitored and recorded, data stored for 30 days accessed locally or remotely.</p> <p>Staff training on Anti-Money Laundering.</p>	
		Physical	Monitoring customers' behaviour by static and mobile staff.	
		Systems	<p>Fully compliant with LCCP requirements.</p> <p>Acknowledgement of new licence condition 15.1.3 (31/10/20) - reporting of systematic or organised money lending.</p> <p>Comply with Bacta's Policy &amp; Procedures guidance.</p>	

	Failure to manage acts of aggression from customers	Design	<p>HD CCTV Internal &amp; External monitored and recorded, data stored for 30 days accessed locally or remotely.</p> <p>Warning Posters (Non tolerance of aggression) displayed in a variety of appropriate languages including Mandarin Chinese.</p> <p>Staff training and refresher training including local issues and conflict avoidance.</p>	
		Physical	Monitoring customers' behaviour by static and mobile staff.	
Ensuring that gambling is conducted in a fair and open way.		Systems	Staff trained on company policy & procedure.	

	<p><b>Failure to deal with customers making complaints about the outcome of Gambling.</b></p>	<p><b>Physical</b></p>	<p>All machines purchased from manufactures/suppliers licensed by the Gambling Commission.</p> <p>Machines maintained by qualified engineers.</p> <p>Machines turned off should a fault occur.</p>	
		<p><b>Systems</b></p>	<p>The management and operation of the premises will be open and transparent.</p> <p>Complaints procedure &amp; forms available on premises.</p> <p>Regular staff training on company policy.</p> <p>Registered with ADR Entity – Bacta ADR Service.</p> <p>Compliant with Bacta Policies &amp; Procedures.</p> <p>The operator will be fully cooperative with all enforcement agencies.</p> <p>The gambling Commission Codes of Practice will be fully complied with.</p>	
	<p><b>Failure to provide information to players on responsible gambling.</b></p>	<p><b>Physical</b></p>	<p>Stay in control leaflets displayed and discretely available.</p> <p>Stay in Control Posters displayed.</p>	



							<b>Gambling Helpline contact displayed.</b>
					<b>Systems</b>		<b>Adhere to Bacta Procedure &amp; Policy.</b> Stock control method required for leaflets.
<b>Protecting children and other vulnerable people from being harmed or exploited by gambling.</b>							
				<b>Failure to recognise signs associated with problem gambling or substantial changes in gambling style.</b>	<b>Design</b>		<b>Players' positions and behaviour effectively monitored.</b>
					<b>Systems</b>		<b>Staffed trained in customer interaction in line with Bacta's guidance.</b> <b>Policy to record interaction and level of staff that are authorised to intervene.</b>
					<b>Physical</b>		<b>CCTV positioned at entrance to enhance ease of recognition of excluded customers. Including the use of spotter screen.</b>

				Regular staff employed to improve customer relationships.	
	Failure to properly administer and maintain the self-exclusion process.	Systems	Systems	Data regularly reviewed. Self exclusion process always available. Self-Excluded customer file kept on premises using the iHub.	
	Awareness of schools in the local area.	Systems	Systems	Reference local education authority. Obtain education welfare officer contact details and hold for referral.	
	Age Verification with customers wearing masks following Covid-19.	Physical	Physical	Following the virus outbreak customers may choose to wear a protective mask. Customers must be asked to remove mask for AV purposes before being allowed in.	

## **Appendix 1**

### **Geofutures analysis**

According to the Geofutures information available from Westminster City Council, the location scores 34.7 for the composite gambling risk index. The highest risk area in Westminster is near the University of Westminster Cavendish Campus with a location score of 74.2. The lowest risk score being 0.1 in the centre of Regent's Park.

The site scores lower than the applicant's site at 426 Edgware Road, which has a composite gambling risk index of 35.5. This site has been operating without incident for 7 years.

32 Gerrard Street has a 6.2 score for the people gambling at home risk and 28.5 for people gambling away from home risk. This is relatively low risk.

There are no gambling treatment centres nearby.

### **Geofutures report as follows:**

#### **Case study 3 – The West End**

The risk areas in the West End focus on two distinct spaces, one around Soho and the other to the north of Oxford Street, between Goodge Street and Great Portland Street. Like the area around about Paddington/Edgware Road, both areas are smaller geographically than the area of risk in the north west.

The risk in both areas is broadly driven by the types of services offered in each area. For example, three of the four locations of Gamblers Anonymous/GamCare treatment services (see Figure 29) are in these areas. These areas are also home to five supported housing facilities; these are especially concentrated in the area north of Oxford Street. There are at least three payday loan shops around the Soho area. To the south of the Soho area, there is a treatment support service for those with drugs and alcohol problems.

There is less evidence that the risk profile is being driven by the profile of local residents, though the area to the north of Oxford St has some higher numbers of economically inactive people (with typically 15 people per output area) and those from a minority ethnic background (typically more than 150 people per output area) (see Figures 30 and 31).

Interestingly, Soho did not display noticeably higher numbers of residents from minority ethnic groups, despite this being the location of Chinatown. Whilst the residents will be represented, our models do not include facilities like Chinatown to which Chinese and other minority ethnic

workers will gravitate. In this respect, the model around Soho is likely to be a conservative estimate of risk.

Figure 29: Location of GamCare treatment centres or GA meeting places in West End area

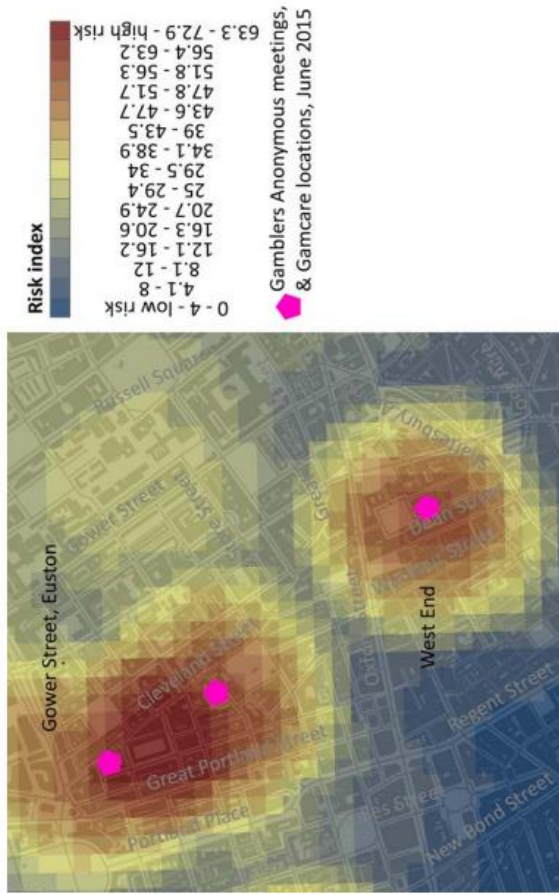


Figure 30: Number of residents unemployed (per output area) in West End area

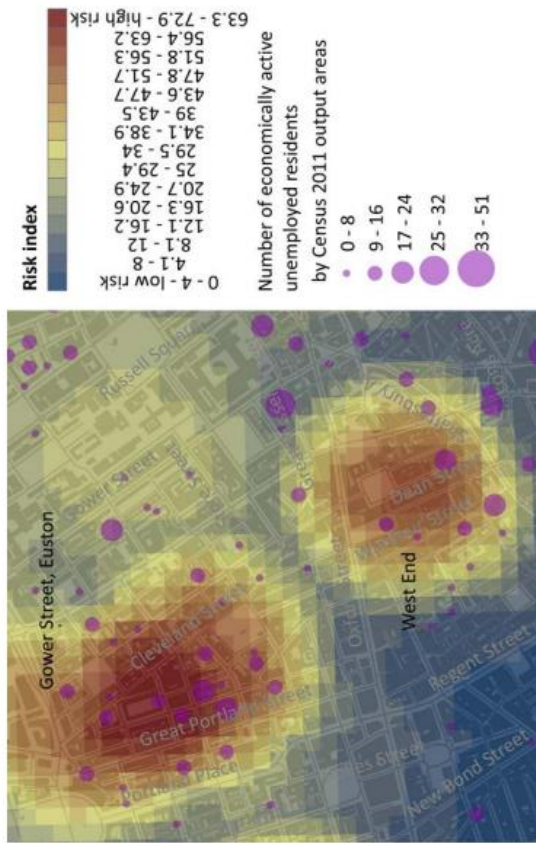
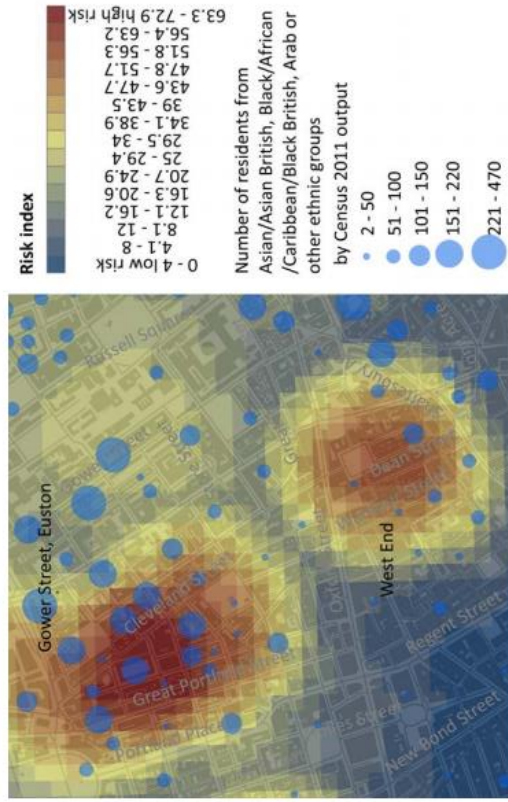


Figure 31: Number of residents from minority ethnic groups (per output area) in West End area



**Extract from the recent WCC Consultation Documents: Final Draft of LAP - Consultation Version - 27 September 2021**

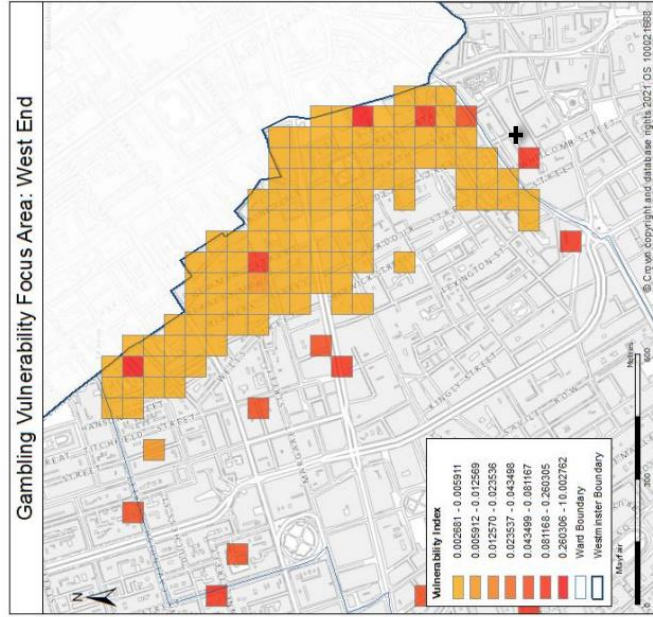
\*Please note Soho and Gerrard Street are not mentioned, this is for info only. Please also note that Gerrard Street sits outside the Gambling Vulnerability Focus Area: West End.

**Focus Area: West End**

5.45 The West End generally presents an ‘at home’ index score between 0.00268 – 0.0059, punctuated by three locations with a higher score up to 0.0125, and notably one between 0.08 – 0.26, the second highest risk level. The general level of vulnerability is caused by the area having the highest count of males between the ages of 25 and 44, a highly vulnerable group and of residents receiving mental health care packages. In the three locations where vulnerability is exacerbated, we find temporary accommodation properties and supported housing for young adults who are experiencing homelessness, as well as a slightly higher than average number (when comparing to the whole borough) of people deemed “at risk”, “struggling” or “in crisis” within the Lower Income Family Tracker.

5.46 From the 'away from home' index, the biggest contributors to the pockets of vulnerability are four payday loan shops, a pharmacy dispensing opiate substitutes or offering needle exchanges, two pawn shops, non-residential addiction centres and Gamblers Anonymous/GamCare meeting locations.

5.47 It should be noted that there is a pocket of vulnerability driven by the presence of a Gamblers Anonymous / GamCare meeting and a youth club to the south of Great Portland Street tube station, which therefore increases vulnerability according to the 'away from home' index.



✦ Indicates 32 Gerrard Street

**Extract from the recent WCC Consultation Documents:  
Draft Gambling Policy - V5.1 KS 21 September 2021 Final Consultation Version**

\*Please note Gerrard Street sits outside the West End (East) Gambling Vulnerability Zone



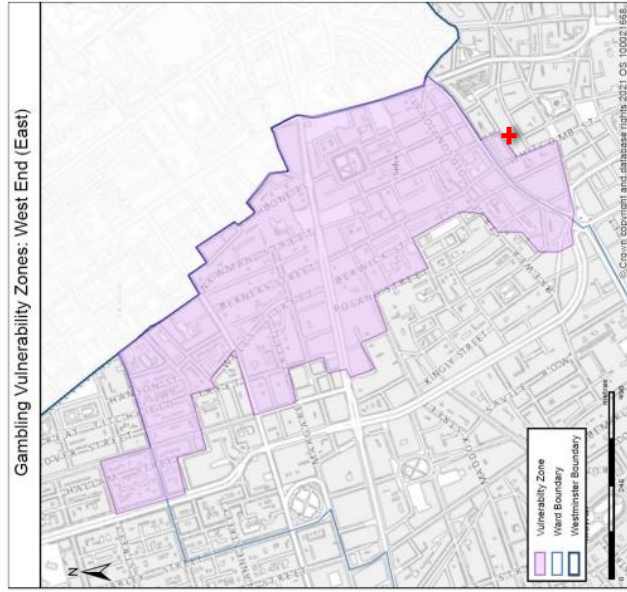
**West End (East)**

F2.14 The general level of vulnerability in the West End is caused by the area having the highest count of males between the ages of 25 and 44, a highly vulnerable group and of residents receiving mental health care packages. In the three locations where vulnerability is exacerbated, we find temporary accommodation properties and supported housing for young adults who are experiencing homelessness, as well as a slightly higher than average number (when comparing to the whole borough) of people deemed “at risk”, “struggling” or “in crisis” within the Lower Income Family Tracker.

F2.15 Also contributing to pockets of vulnerability are four payday loan shops, a pharmacy dispensing opiate substitutes or offering needle exchanges, two pawn shops, non-residential addiction centres and Gamblers Anonymous/GamCare meeting locations.

F2.16 It should be noted that there is a pocket of vulnerability driven by the presence of a Gamblers Anonymous / Gamcare meeting and a youth club to the south of Great Portland Street tube station.

**Gambling Vulnerability Zone: West End (East)**



+ Indicates 32 Gerrard Street



# TAB 4

## Silvertime Amusements Limited - Response to Licensing Authority Representation

LA Comment/Query	Silvertime Response
<p><b>Vulnerability</b></p> <p>The council's definition of vulnerable persons when considering applications of this types is that it relates to groups that include 'people who gambling 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, alcohol or drugs'.</p> <p><b>For the purposes of this application, it would be useful for the applicant to provide their definition of vulnerability and what it means to their operation.</b></p>	<p>The applicant agrees with the LA definition of 'vulnerable persons', as set out in paragraph 13.4 of its Policy.</p> <p>The applicant has policies and procedures in place to protect the vulnerable. All staff are fully trained on this matter including customer interaction and self-exclusion.</p> <p><b>Policies</b></p> <p>'Vulnerable persons' are covered in the relevant policies used by the applicant:</p> <ul style="list-style-type: none"> <li>-Bacta Toolkit;</li> <li>-Bacta Social Responsibility Charter and Code of Practice;</li> <li>-Bacta Self-Exclusion Services Application; and</li> <li>-GambleAware Brief Intervention Guide.</li> </ul> <p><b>Poster and Leaflets</b></p> <p>In addition there will be posters and leaflets within the premises in relation to 'staying in control' and where to find help.</p> <p><b>Training</b></p> <p>The staff are tested in relation to their understanding of 'vulnerable persons' at regular intervals, as part of their training programme.</p> <p><b>Licence conditions and codes of practice</b></p> <p>The applicant complies with its obligations in relation to vulnerable persons as required by the Gambling Commission's Licence Conditions and Codes of Practice, including the rules regarding customer interaction and self-exclusion.</p> <p><b>Additional Proposed Conditions</b></p> <p>The following additional conditions have also been offered in relation to 'vulnerable persons':</p>

**Silvertime Amusements Limited - Response to Licensing Authority Representation**

	<p>14. Between 10pm and 6am there will be an SIA registered door person employed at the front door of the premises. The need for an SIA door person at other times will be risk assessed.</p> <p>15. There shall be 2 members of staff present at all times the premises are open to the public.</p> <p>17. The licensee will refuse entry to customers who appear to be under the influence of alcohol or drugs.</p> <p>21. Prominent GamCare documentation will be displayed at the premises and other notices promoting responsible gambling.</p> <p>22. The licensee shall: 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. Periodically provide refresher training to all of its staff working at these premises on the specific local risks to the licensing objectives. 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> <p>23. New and seasonal staff must attend induction training and receive refresher training every six months.</p> <p>24. Staff will also undergo drug and alcohol awareness training.</p> <p>25. 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.</p> <p>26. 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.</p> <p>29. All Responsible Gambling posters and messaging will also be provided in Mandarin Chinese.</p>
<p>2 Chinatown Location - The area is an attraction to vulnerable persons and in particular those with problems with gambling and/or alcohol or drug abuse problems. The Licensing Authority note that there are 2 hostels within 250 metres of the premises catering for vulnerable people. Due to the premises location, the</p>	<p>The applicant acknowledges that the premises falls within a “sensitive location” and the uniqueness of Westminster as a location to operate. The risk assessment has been updated and the local area profile has been considered in detail. The applicant is experienced in operating Adult Gaming Centres close to similar premises and is experienced in dealing with any potential risk of vulnerable people trying to use its premises. This is</p>

## Silvertime Amusements Limited - Response to Licensing Authority Representation

	<p>Local area profile is something that should be considered when determining this application.</p> <p>Given the close proximity of the above, the Licensing Authority is of the view that the premises fall within a “sensitive location”.</p>	<p>evidenced by the fact that Silvertime have operated in Westminster for 7 years at their Edgware Road premises. In this period there have been at least three inspections by the Westminster licensing team in recent years and no issues have been noted.</p> <p>Please also see above in 1 for the steps that the applicant will adopt in relation to ‘vulnerable persons’.</p>
3	<p><b>Location and History of the Premises</b></p> <p>After doing a 250 metre radius search of the premises the Licensing Authority has identified 1369 residents and 63 licences under the Gambling Act 2005, this includes 5 betting shops, 3 non-commercial society lotteries, 2 Adult Gaming Centres, 8 Casinos, 1 Bingo Hall and 44 gaming machine permits. A further search on our GIS mapping has revealed 2 hostels and 5 faith groups.</p> <p>The premises were previously licensed as a betting shop (Betfred) with a Betting Shop (Other) licence under the Gambling Act 2005 from October 2010. The licence was surrendered in November 2020.</p>	<p>As covered above, the risk assessment has been updated and the local area profile has been considered in detail. Specific to vulnerable persons, as stated previously, Silvertime have operated in Westminster for 7 years at their Edgware Road premises. In this period there have been at least three inspections by the Westminster licensing team in recent years and no issues have been noted.</p> <p>The applicant is not aware that there were any issues with the operation of the premises as a Betting Shop.</p>
	<p><b>Policy Considerations</b></p> <p><b>LOC1</b></p>	
5	<p>Policy LOC1 of Westminster’s Statement of Licensing Principles for Gambling states that ‘a sensitive location is defined as any premises which is within close proximity or on a main route to a school, educational institution, hostel or other sensitive locations where there is the potential for exposing children, young people or other vulnerable persons to gambling’. The proposed location of this new adult gaming centre must be considered as part of this application due to the local area profile and its potential to impact upon the promotion of the 3 gambling objectives.</p>	<p>The applicant acknowledges that the premises falls within a ‘sensitive location’. The risk assessment has been updated and the local area profile has been considered in detail. The applicant is experienced in operating Adult Gaming Centres close to similar premises and is also experienced in dealing with any potential risk of under 18s trying to use its premises. As stated above, consideration has also been given to other vulnerable persons. The above is evidenced by the fact that Silvertime have operated in Westminster for 7 years at their Edgware Road premises. In this period there have been at least three inspections by the Westminster licensing team in recent years and no issues have been noted.</p>

**Silvertime Amusements Limited - Response to Licensing Authority Representation**

<p>The applicant has policies and procedures in place to protect children and young people. Again, all staff are fully trained in this area.</p> <p><b>Policies</b>          ‘children and young people’ are covered in the relevant policies used by the applicant:          -Bacta ToolKit; and          -Bacta Social Responsibility Charter and Code of Practice.</p> <p><b>Poster and Signage</b>          Please see attached documents. Signs are very clearly placed on the front door and are highly visible to those outside the shop stating: “it is against the law for persons under the age of 18 to enter the premises”. Challenge/Think 25 will be implemented inside the shop by staff who will be on the shop floor.</p> <p>As set out in the proposed further conditions below: “There shall be 2 members of staff present at all times the premises are open to the public”. This will ensure there is always a member of staff free to conduct these checks. There is also the proposed condition that: “Between 10pm and 6am there will be an SIA registered door person employed at the front door of the premises. The need for an SIA door person at other times will be risk assessed.”</p> <p><b>Window Signage</b>          The only promotional material used will be standard posters in the window. None of the promotional material will be of a type which would encourage the use of premises by children or young people. This would be wholly self-defeating as children and young people are not allowed access to the premises in any event. Further, the applicant complies with the Licence Conditions and Codes of Practice, which require compliance with the ASA’s advertising codes of practice.</p> <p><b>Training</b></p>	
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## Silvertime Amusements Limited - Response to Licensing Authority Representation

<p>The staff are tested in relation to their understanding of 'exposing children and young people to gambling' at regular intervals, as part of their training programme.</p> <p><b>Additional Proposed Conditions</b></p> <p>8. 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.</p> <p>9. Prominent signage and notices advertising the Challenge 25 will be displayed showing the operation of such policy.</p> <p>10. Third party testing on age restricted sales systems purchasing shall take at least twice a year and the results shall be provided to the Licensing Authority upon request.</p> <p>11. A Challenge 25 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.</p> <p>14. Between 10pm and 6am there will be an SIA registered door person employed at the front door of the premises. The need for an SIA door person at other times will be risk assessed.</p> <p>15. There shall be 2 members of staff present at all times the premises are open to the public.</p>	
<p>The applicant is aware of this requirement. Please see attached plan setting out the location of gaming machines within the premises. There will be 40 x Category D, 52 x Category C and 23 x Category B3 machines in the venue.</p> <p>The applicant's low stake Category D machine provision will provide an alternative to the several casinos in the area which offer large numbers of high stake and prize machines.</p>	<p>6</p> <p>Paragraph 27.1 of Westminster's Statement of Licensing Principles for Gambling states 'Adult gaming centres (AGCs) premises licences allow the holder of the licence to make gaming machines available for use on the premises. An AGC premises licence granted after the 13th July 2011 may make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises and any number of category C or D machines'.</p>

## Silvertime Amusements Limited - Response to Licensing Authority Representation

7	<p>Paragraph 27.2 goes on to state 'Gaming machines are a form of gambling which is attractive to children and AGC's will contain machines of a similar format to the Category D machines on which children are allowed to play. <b>However, no-one under the age of 18 is permitted to enter an AGC and applicants must be aware of the location of and entry to AGC's to minimise the opportunities for children to gain access.</b>'</p>	<p>The applicant is aware of this, please see 5 above.</p> <p>In the applicant's experience, children are not attracted to enter its premises in any event, but it has adequate safeguards to ensure that they do not.</p>
8	<p>The Licensing Authority notes that within the risk assessment it states that Signage &amp; window display not to attract under 18s, and advise under 18's access is prohibited.</p> <p><b>Can the applicant provide further submissions as to the placement of this signage in the windows to show its visibility from outside the premises and explain further what checks will be in place in terms of ID checks? Is it proposed for SIA door staff to be present and conduct these checks?</b></p>	<p>The applicant is aware of this, please see 5 above.</p>
9	<p>Paragraph 27.3 states 'Because gaming machines provide opportunities for solitary play and immediate payouts, they are more likely to engender repetitive and excessive play. The council in considering premises licences will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling <b>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.</b>'</p>	<p>The applicant is aware of this, please see 5 above.</p>
10	<p>Paragraph 27.6 states: The council has created a Byelaw for Pleasure Fairs (Amusement Premises) in pursuance of section 75 of the Public Health Act 1961 (the 1961 Act) as amended by section 22 of the Local Government (Miscellaneous Provisions) Act 1976. These byelaws apply to Adult Gaming Centres as the premises are used to provide amusement with prizes machines (gaming machines) or entertainment machines which are used to play games where there are no chance of winning prizes.</p>	<p>The applicant is advised that an adult gaming centre is not a pleasure fair within the meaning of section 75 of the Public Health Act 1961. However, the licensing and health and safety authority have sufficient power to regulate the operation to achieve the protective purposes of the byelaw in any event. If, contrary to its advice, the 1961 Act does apply to adult gaming centres, Silvertime will comply with it. This does not require to be resolved by the Licensing Sub-Committee as part of the application process.</p>

## Silvertime Amusements Limited - Response to Licensing Authority Representation

11	<p>As stated previously the Licensing Authority notes that this premises is situated in close proximity to a large number of licensed premises. Due to the nature of those businesses they can attract a variety of age groups including the vulnerable. Due to the premises location, the local area profile is something that should be considered when determining this application.</p>	<p>The applicant is aware and has reviewed the local area profile for the application premises. Having considered the local area profile and other relevant factors, further conditions have been offered in support of the application. These include the following specific related conditions:</p> <p>14. Between 10pm and 6am there will be an SIA registered door person employed at the front door of the premises. The need for an SIA door person at other times will be risk assessed.</p> <p>15. There shall be 2 members of staff present at all times the premises are open to the public.</p> <p>17. The licensee will refuse entry to customers who appear to be under the influence of alcohol or drugs.</p> <p>24. Staff will also undergo drug and alcohol awareness training.</p> <p>25. 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.</p> <p>26. 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.</p> <p>Additionally please see response 1 in relation to 'vulnerable persons'.</p>
	<b>AGC1</b>	
12	Policy AGC1 states 'Applications will be determined, subject to relevant criteria in policies OBJ1, OBJ2, OBJ3 and other polices within the Statement of Licensing Principles for Gambling'.	The applicant is aware of Policy AGC1, further information set out below considers policies OBJ1, OBJ2, OBJ3 and other polices within the Statement of Licensing Principles for Gambling.
	<b>OBJ1</b>	
13	Policy OBJ1 states 'To prevent gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime, the Licensing Authority will apply the following criteria and take into account the following considerations, where relevant, in determining applications.	The applicant is aware of OBJ1, please see responses below.



**Silvertime Amusements Limited - Response to Licensing Authority Representation**

13a	<p>Paragraph 11.1 states 'Whether the premises make or will make a contribution to the levels of crime and disorder and whether the applicant has demonstrated that he has, or intends to, implement sufficient controls to prevent gambling from being a source of, and/or associated with crime or disorder, or being used to support crime, if the application is granted.'</p> <p>Having considered the local area profile and other relevant factors, further conditions have been offered in support of the application. These include the following specific conditions relating to crime and disorder:</p> <ol style="list-style-type: none"> <li>3. A comprehensive CCTV system shall be installed and maintained on the premises as required by the Metropolitan Police Licensing Team. CCTV should cover the following:             <ol style="list-style-type: none"> <li>a) All entry and exit points to and from the premises enabling frontal identification of every person entering under any light conditions</li> <li>b) The areas of the premises to which the public have access (excluding toilets)</li> <li>c) Gaming machines and the counter area</li> </ol> </li> <li>4. The CCTV shall continue to record activities 24 hour a day for 31 days.</li> <li>5. CCTV shall be made available for the police viewing at any time with minimum delays when requested.</li> <li>6. The premises shall display notices near the entrance of the venue stating that CCTV is in operation.</li> <li>7. A 'spotter monitor' shall be placed inside the premises near the front door showing CCTV images of customers entering, exiting and whilst on the premises.</li> <li>12. 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 by staff.</li> <li>13. Staff will receive a notification when the front door opens.</li> <li>14. Between 10pm and 6am there will be an SIA registered door person employed at the front door of the premises. The need for an SIA door person at other times will be risk assessed.</li> <li>15. There shall be 2 members of staff present at all times the premises are open to the public.</li> <li>16. The Licensee shall implement a policy of banning any customers who engage in crime or disorder within or outside the premises.</li> <li>17. The licensee will refuse entry to customers who appear to be under the influence of alcohol or drugs.</li> </ol>
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## Silvertime Amusements Limited - Response to Licensing Authority Representation

		<p>18. The licensee shall install and maintain an intruder alarm on the premises.</p> <p>19. The premises shall install and maintain fixed panic buttons and in addition portable panic buttons will be worn by staff.</p> <p>20. The licensee will ensure that customer toilets are checked every hour for evidence of drug taking. Toilet checks are to be documented stating the time and member of staff who made the checks. Toilets will remain locked at all times with access being provided by staff.</p> <p>24. Staff will also undergo drug and alcohol awareness training.</p> <p>25. 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.</p> <p>26. 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.</p> <p>Recording of Incidents and Visits</p> <p>27. 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> <ol style="list-style-type: none"> <li>All crimes reported to the venue;</li> <li>Any complaints received regarding crime and disorder;</li> <li>Any incidents of disorder;</li> <li>Any faults in the CCTV system; and</li> <li>Any visit by a relevant authority or emergency service.</li> </ol>
13b	<p>Paragraph 11.1.1 states 'Where an area is known for high levels of crime the council will consider carefully 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, etc.'</p>	<p>Please see above in 13a, the proposed additional conditions offered in relation to crime and disorder concerns, including the specific CCTV, staffing and door staff conditions.</p>
13c	<p>Paragraph 11.1.4 states 'Whether the layout, lighting and fitting out of the premises have been designed so as to minimise conflict and opportunities for crime and disorder.'</p>	<p>As with all Silvertime premises the layout is such that there are good lines of sight over the gaming machines. All premises are well lit and the fit out is designed to minimise conflict and opportunities for crime and disorder.</p>

## Silvertime Amusements Limited - Response to Licensing Authority Representation

		<p>Additional measures also include the 'spotter monitor' being placed inside the premises near the front door showing CCTV images of customers entering, exiting and whilst on the premises.</p> <p>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 by staff. Staff will receive a notification when the front door opens, all of the above measures are contained in the proposed additional conditions.</p>
	<p><b>OBJ2</b></p>	<p>The applicant is aware of OBJ2, please see responses below.</p>
<p>14</p>	<p>Policy OBJ2 states 'To ensure that gambling is conducted in a fair and open way, the Licensing Authority will apply the following criteria and take into account the following considerations, where relevant, in determining applications.'</p> <p>Paragraph 12.1.2 states '<b>Whether sufficient management measures are proposed or are in place to ensure that gambling is conducted in a fair and open way.</b>'</p>	<p>Gambling in a 'fair and open way' is covered in both the risk assessment and Policies and Procedures.</p> <p><b>Risk Assessment</b></p> <p>The risk assessment sets out the following steps:</p> <ul style="list-style-type: none"> <li>-All machines purchased from manufactures/suppliers licensed by the Gambling Commission;</li> <li>-Machines maintained by qualified engineers;</li> <li>-Machines turned off should a fault occur;</li> <li>-Complaints procedure and forms available on premises;</li> <li>-Regular staff training on company policy;</li> <li>-Registered with ADR Entity – Bacta ADR Service;</li> <li>-Compliant with Bacta Policies &amp; Procedures;</li> <li>-Fully co-operative with Council requirements as evidenced by applicant's other sites and in particular at 426 Edgware Road W2 1EG that is under the authority of Westminster City Council;</li> <li>-Terms and Conditions Signage produced in a variety of appropriate languages and displayed at entrance;</li> <li>-Promotional activity clearly communicated in a variety of appropriate languages and displayed around the premises.</li> </ul>

**Silvertime Amusements Limited - Response to Licensing Authority Representation**

		<p><b>Policies</b> ‘Fair and open’ is covered in the Bacta Toolkit under ‘Fair and Open Practice and Dispute Resolution’ used by the applicant.</p> <p><b>Complaint Procedure</b> Please see attached the Complaint Procedure that clearly sets out how customers can make a complaint, should the need arise.</p> <p><b>Training</b> The staff are questioned in relation to their understanding of ‘ensuring that gambling is conducted in a fair and open way’ at regular intervals, as part of their training programme.</p>
14b	Paragraph 12.1.3 states <b>‘Whether the management and operation of the premises is open and transparent.’</b>	Please see above point 14 a and 14 c below. The applicant can also confirm that its ‘terms and conditions’ will be provided to customers in a clear, timely, intelligible, unambiguous, transparent, non-misleading and prominent manner, by being set out at the entrance to the premises. It can also be confirmed that the only promotional material used, will be standard posters in the window. No promotional material will be ‘off site’.
14c	Paragraph 12.1.4 states <b>‘Whether the operators of the premises have been or will be fully cooperative with enforcement agencies.’</b>	The applicant has and will always be fully co-operative with enforcement agencies. This is reflected in the liaison that will take place with PC Bryan Lewis, in relation to the proposed conditions, although no representation was received from the Police. In addition this can be evidenced by the fact that Silvertime have operated in Westminster for 7 years at their Edgware Road premises. In this period there have been at least three inspections by the Westminster licensing team in recent years and no issues have been noted. <p><b>Policies</b> ‘Cooperation with enforcement agencies’ is also covered in the Bacta Toolkit under ‘Access to Premises by the Gambling Commission’s Enforcement Officers’ used by the applicant. This relates specifically to Gambling Commission enforcement officers.</p>

## Silvertime Amusements Limited - Response to Licensing Authority Representation

		<p><b>Training</b> The staff are tested in relation to their understanding of 'access to the premises by the statutory authorities' at regular intervals, as part of their training programme.</p>
14d	<p>It would be useful for the applicant to provide further information into their operation of other licensed premises under the Gambling Act 2005 to obtain an understanding of their management and operation of such premises. Again this pertinent point has not been included within the applicant submission and therefore clarity is needed.</p>	<p>The applicant attaches a full list of all Adult Gaming Centres operated by them under the Gambling Act 2005. These are all in high street locations.</p> <p>The applicant is a small independent operator with the owner adopting a very hands on approach. There is also an operations manager and compliance manager to support the owner. Regulatory returns are submitted to the Gambling Commission.</p> <p>The applicant's Adult Gaming Centres operate without issues and operate as standard Adult Gaming Centres which promote the licensing objectives: through their policies and procedures including the BACTA tool kit, the training given to all staff, the Local Area Risk Assessments and other risk assessments undertaken and the strong management control implemented by the applicant.</p> <p>The applicant has first-hand experience of operating within Westminster, having operated its AGC on Edgware Road for seven years. These premises have been visited by Westminster Licensing Officers on a number of occasions and no negative comments about the operation have been made.</p> <p>The applicant has never been subject to enforcement action or had a premises licence review.</p>
15	<p><b>OBJ3</b> Policy OBJ3 states 'To protect children and other vulnerable persons from being harmed or exploited by gambling, the Licensing Authority will apply the following criteria and take into</p>	<p>The applicant is aware of OBJ3, please see responses above at 1 &amp; 5, as well as below.</p>

## Silvertime Amusements Limited - Response to Licensing Authority Representation

	account the following considerations, where relevant, in determining applications.'	
15a	Paragraph 13.1 states 'Whether there are appropriate measures in place to protect children and other vulnerable persons from being harmed or exploited by gambling.'	The applicant takes the protection of children and other vulnerable persons extremely seriously. All staff are trained in relation to this. The training is logged and recorded, with refresher training taking place every 6 months. Please see above responses to 1 & 5.
15b	Paragraph 13.1.1 asks the Licensing Authority to consider whether the operator has a specific training programme for staff to ensure that they are able to identify children and vulnerable people and take appropriate action to be reasonably consistent with this objective to exclude them from the premises or parts of the premises.	The applicant can confirm that it does have specific training programmes for staff to ensure that they are able to identify children and vulnerable people. Please see below response for further details on how training is delivered.
15c	The applicant has stated in the risk assessment that there will be training for staff. Although the applicant has advised this, there is no actual content about what measures or training staff undertake. Therefore it would be useful for the applicant to provide details of what training staff will undertake in terms of identifying vulnerable people and providing sufficient and effective support to those people?	<p>The training provided to staff is provided by each Venue Manager, with the overall responsibility being with the Compliance Manager. The applicant's policies and procedures, including the BACTA tool kit are relied on. Each new member of staff would also spend time working under an experienced manager in an existing shop as set out in the applicant's statement. Hands on training is given by the managers. This training provides that staff are given an understanding of identifying children and vulnerable people, gambling related harm, why people are gambling and how to protect the vulnerable.</p> <p>The training includes;</p> <ul style="list-style-type: none"> <li>• identifying children and Age Verification,</li> <li>• Identifying safe gambling,</li> <li>• identifying the signs of problem gambling,</li> <li>• staff detection of problem gambling and protection of the vulnerable,</li> <li>• implementation of know your customer,</li> <li>• staff trained to encourage customers to think about their gambling, directing customers to information about safer gambling and/or suggesting appropriate gambling management tools such as self-exclusion or specialist support from organisations which deal with advice and treatment,</li> </ul>



## Silvertime Amusements Limited - Response to Licensing Authority Representation

		<ul style="list-style-type: none"> <li>• information about safer gambling is readily available to customers,</li> <li>• how to interact with customers, record interactions and act on the written interactions providing the right help and support.</li> </ul> <p>Please see below responses. Please also note that an additional condition has been proposed to ensure this takes place:</p> <p>21. Prominent GamCare documentation will be displayed at the premises and other notices promoting responsible gambling.</p>
15d	<p>The Licensing Authority notes within the risk assessment that the premises will have notices and leaflets promoting Gamcare which is a charity supporting those with gambling addictions. Information on the following points would be useful in assessing the considerations of paragraph 13.1.1 above:</p> <p><b>Does the applicant have a referral scheme in place, in regards to self-exclusion?</b></p>	<p>Yes, the applicant has a self-exclusion referral scheme - the BACTA self-exclusion referral scheme. This self-exclusion referral scheme allows the applicant to input details of a self-excluder and then tell other operators nearby that a particular person has self-excluded and that they will in the usual way need to stop them entering the premises should they try. Any attempted breaches of a self-exclusion can be recorded on the system. The system uses a 1000 metre radius from the postcode of the AGC to determine which other AGCs are relevant.</p> <p><b>Policies</b></p> <p>‘Self Exclusion’ is covered in the relevant policies used by the applicant:</p> <ul style="list-style-type: none"> <li>-Bacta Toolkit;</li> <li>-Bacta Social Responsibility Charter and Code of Practice; and</li> <li>-Bacta Self -Exclusion Services Application.</li> </ul> <p><b>Training</b></p> <p>The staff are questioned in relation to their understanding of ‘Self-Exclusion’ at regular intervals, as part of their training programme.</p>
15e	<p><b>Is the onus on the individual to self-exclude from a premises? If so, how does an individual go about this?</b></p>	<p>The first point of contact for self-exclusion is the staff at the premises who are trained to approach and speak to/interact with any customer displaying any signs of problem gambling. Customers may directly request help themselves for a gambling related problem or be approached by staff who spot signs of problem gambling. Customers may ask to self-exclude or request details of gambling help services or they may speak to a member of staff and</p>
15f		

## Silvertime Amusements Limited - Response to Licensing Authority Representation

	indirectly refer to concerns about their gambling habits. Staff also are trained and have a duty of care towards customers who wish to self-exclude and staff will refer these individuals to other self-exclusion schemes operated by other gambling sectors as well as care agencies and helplines such as GamCare or Gamble Aware. Staff are trained to ensure that information about self-exclusion is provided in a discreet and confidential manner and the procedure is thoroughly explained. If a customer refuses to self-exclude and/or the staff believes that the customer is vulnerable or at risk then the customer will not be allowed to gamble at the premises. Staff are trained to identify, evaluate and interact.
15g	<p>What links does the premises have with local services to provide support?</p> <p>The applicant has already liaised with the local police and will continue to do so if the application is granted. The applicant approached all those who made representations through the Council and suggested a meeting; to date it has not received any response. The applicant will liaise with all support services to discuss what support can be given.</p>
15h	<p>Will the applicant propose to advertise any promotional material associated with the premises? This could encourage the use of the premises by children or young people.</p> <p>The only promotional material used will be standard posters in the window. No promotional material will be 'off site'. None of the promotional material will be of a type which would encourage the use of premises by children or young people. This would be wholly self-defeating as children and young people are not allowed access to the premises in any event. The applicant always ensures compliance with the LCCP on socially responsible advertising, which in turn imports the ASA's CAP code and industry codes.</p>
15j	<p>How will the applicant control customers from bringing alcohol onto the premises to consume whilst gaming? Or entering the premises in an intoxicated state?</p> <p>Staff patrol the shop floor and control the door at all times. Alcohol is not permitted by law. Any patrons bringing alcohol or attempting to bring alcohol into the premises will be immediately asked to leave. Staff are trained in drugs and alcohol awareness. Any patrons who appear under the influence will also not be allowed to enter the premises. There is clear signage on the front door and inside the venue stating no alcohol permitted. There is also a maglock in use at the discretion of the staff to control persons entering.</p>
16	<p>Should this application for an Adult Gaming Centre be granted a list of Mandatory Conditions will be attached to the licence. These have been included with this representation as Appendix E.</p> <p>The applicant is aware that the Mandatory Conditions will be attached to the licence and will comply with them.</p>



**Silvertime Amusements Limited - Response to Licensing Authority Representation**

17	The Licensing Authority require the applicant to confirm the number of machines/categories of those machines, that will be at the premises.	There will be 40 x Category D, 52 x Category C and 23 x Category B3 machines in the venue.
18	It would also assist if the applicant could provide an updated plan showing the location of the machines and the location of CCTV cameras.	Please see attached plan. The CCTV cameras will provide full internal and external coverage.

# TAB 5

From: Christopher Rees-Gay  
Sent: 04 January 2022 12:21  
To: Christopher Rees-Gay  
Subject: RE: AGC - Silvertime - 32 Gerrard Street, London W1D 6JA

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**From:** Lewis, Bryan: WCC [mailto:blewis1@westminster.gov.uk]  
**Sent:** 15 December 2021 10:32  
**To:** Christopher Rees-Gay  
**Cc:** Andrew Woods  
**Subject:** RE: AGC - Silvertime - 32 Gerrard Street, London W1D 6JA

Hi Chris

Looks like you have tidied up the setting-out of the conditions and not made any amendments that would have a detrimental effect. Therefore I am content with the changes.

Regards

**Bryan Lewis PC4161CW**  
**Westminster Police Licensing Team**  
**Westminster City Council**  
**15<sup>th</sup> Flr 64 Victoria Street**  
**SW1E 6QP**

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**From:** Christopher Rees-Gay <[chris@woodswhur.co.uk](mailto:chris@woodswhur.co.uk)>  
**Sent:** 15 December 2021 09:54  
**To:** Lewis, Bryan: WCC <[blewis1@westminster.gov.uk](mailto:blewis1@westminster.gov.uk)>  
**Cc:** andrew woods <[andrew@woodswhur.co.uk](mailto:andrew@woodswhur.co.uk)>  
**Subject:** RE: AGC - Silvertime - 32 Gerrard Street, London W1D 6JA

Morning Bryan,

Apologies for following up, I wondered have you had an opportunity to please look at the conditions (tracked and un-tracked attached again for ease).

I would be grateful if you could please confirm that this set of conditions are approved.

Many thanks,

Chris

Christopher Rees-Gay

Woods Whur 2014 Limited  
Tel: +44 (0)113 234 3055  
Mobile: 07516029758

[chris@woodswhur.co.uk](mailto:chris@woodswhur.co.uk)  
Woods Whur 2014 Limited, St James House, 28 Park Place, Leeds, LS1 2SP

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**From:** Lewis, Bryan: WCC [mailto:blewis1@westminster.gov.uk]  
**Sent:** 13 December 2021 19:08  
**To:** Christopher Rees-Gay <[chris@woodswhur.co.uk](mailto:chris@woodswhur.co.uk)>  
**Subject:** RE: AGC - Silvertime - 32 Gerrard Street, London W1D 6JA

Hi Chris

All received, will take a look when I have a moment

regards

Bryan

# TAB 6

From: Christopher Rees-Gay  
Sent: 04 January 2022 12:27  
To: Christopher Rees-Gay  
Subject: RE: Silvertime, 32 Gerrard Street, London, W1D 6JA - 21/07775/LIGN

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**From:** Christopher Rees-Gay  
**Sent:** 13 December 2021 15:00  
**To:** 'Jackaman, Kevin: WCC'  
**Cc:** Andrew Woods  
**Subject:** RE: Silvertime, 32 Gerrard Street, London, W1D 6JA - 21/07775/LIGN

Afternoon Kevin,

I hope you had a good weekend.

I wondered if you have had time yet please to look at our response to your questions on 5 November.

We have also been considering the new WCC Gambling Policy and would be grateful if you would confirm our thinking that 32 Gerrard Street sits just outside the Gambling Vulnerability Zone: West End (East), for ease I have attached the plan with the location of the premises indicated.

Many thanks

Chris

Christopher Rees-Gay

Woods Whur 2014 Limited  
Tel: +44 (0)113 234 3055  
Mobile: 07516029758

[chris@woodswhur.co.uk](mailto:chris@woodswhur.co.uk)

Woods Whur 2014 Limited, St James House, 28 Park Place, Leeds, LS1 2SP

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**From:** Christopher Rees-Gay  
**Sent:** 3 December 2021 09:18  
**To:** 'Jackaman, Kevin: WCC' <[kjackaman@westminster.gov.uk](mailto:kjackaman@westminster.gov.uk)>  
**Subject:** RE: Silvertime, 32 Gerrard Street, London, W1D 6JA - 21/07775/LIGN

Many thanks,

Chris

Christopher Rees-Gay

Woods Whur 2014 Limited  
Tel: +44 (0)113 234 3055  
Mobile: 07516029758

[chris@woodswhur.co.uk](mailto:chris@woodswhur.co.uk)

Woods Whur 2014 Limited, St James House, 28 Park Place, Leeds, LS1 2SP

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**From:** Jackaman, Kevin: WCC [<mailto:kjackaman@westminster.gov.uk>]  
**Sent:** 3 December 2021 09:15  
**To:** Christopher Rees-Gay <[chris@woodswhur.co.uk](mailto:chris@woodswhur.co.uk)> page 118

Cc: Andrew Woods <[andrew@woodswhur.co.uk](mailto:andrew@woodswhur.co.uk)>

Subject: RE: Silvertime, 32 Gerrard Street, London, W1D 6JA - 21/07775/LIGN

Hi Christopher

Sorry for the delay in responding. I confirm that the documents have been received.

I will review these and come back to you.

Kind regards

Kevin Jackaman  
Senior Licensing Officer  
Licensing Team  
Public Protection & Licensing Department  
Westminster City Council  
15th Floor  
64 Victoria Street  
London SW1E 6QP  
Direct Line: 07816217005  
Call Centre (for general queries): 0207 641 6500  
Email: [kjackaman@westminster.gov.uk](mailto:kjackaman@westminster.gov.uk)  
Web: [www.westminster.gov.uk](http://www.westminster.gov.uk)



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From: Christopher Rees-Gay <[chris@woodswhur.co.uk](mailto:chris@woodswhur.co.uk)>

Sent: 02 December 2021 11:04

To: Jackaman, Kevin: WCC <[kjackaman@westminster.gov.uk](mailto:kjackaman@westminster.gov.uk)>

Cc: andrew woods <[andrew@woodswhur.co.uk](mailto:andrew@woodswhur.co.uk)>

Subject: FW: Silvertime, 32 Gerrard Street, London, W1D 6JA - 21/07775/LIGN

Morning Kevin,

Can you please confirm that you received the email below and the attachments.

Many thanks

Chris

Christopher Rees-Gay

Woods Whur 2014 Limited  
Tel: +44 (0)113 234 3055  
Mobile: 07516029758

[chris@woodswhur.co.uk](mailto:chris@woodswhur.co.uk)

Woods Whur 2014 Limited, St James House, 28 Park Place, Leeds, LS1 2SP

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**From:** Christopher Rees-Gay  
**Sent:** 5 November 2021 14:13  
**To:** 'kjackaman@westminster.gov.uk' <[kjackaman@westminster.gov.uk](mailto:kjackaman@westminster.gov.uk)>  
**Cc:** Andrew Woods <[andrew@woodswhur.co.uk](mailto:andrew@woodswhur.co.uk)>  
**Subject:** RE: Silvertime, 32 Gerrard Street, London, W1D 6JA - 21/07775/LIGN

Dear Kevin,

I am assisting Andy Woods with this matter. As such please find attached the following in response to your questions below:

1. Silvertime Response Table;
2. Challenge 25 Signage;
3. Updated Plan;
4. A list of Silvertime premises;
5. A copy of the Complaint Procedure.

If you could please confirm receipt of this email and the attachments.

In addition, if there is anything we have not covered or if anything is not clear, please do contact me.

Many thanks

Chris

Christopher Rees-Gay

Woods Whur 2014 Limited  
Tel: +44 (0)113 234 3055  
Mobile: 07516029758

[chris@woodswhur.co.uk](mailto:chris@woodswhur.co.uk)

Woods Whur 2014 Limited, St James House, 28 Park Place, Leeds, LS1 2SP

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**From:** Jackaman, Kevin: WCC [<mailto:kjackaman@westminster.gov.uk>]  
**Sent:** Tuesday, August 31, 2021 17:21  
**To:** Andrew Woods <[andrew@woodswhur.co.uk](mailto:andrew@woodswhur.co.uk)>  
**Cc:** Gadd, Daisy: WCC <[dgadd@westminster.gov.uk](mailto:dgadd@westminster.gov.uk)>; Licensing: WCC <[Licensing@westminster.gov.uk](mailto:Licensing@westminster.gov.uk)>  
**Subject:** Silvertime, 32 Gerrard Street, London, W1D 6JA - 21/07775/LIGN

Dear Andrew

I write in relation to the application submitted on behalf of Silvertime for a new Adult Gaming Centre for the above mentioned premises under the Gambling Act 2005 (the Act).

As a responsible authority under section 157 of the Gambling Act the Licensing Authority has considered your application in full. The Licensing Authority has concerns relating to this application as minimal information has been provided that would show how this premises, if granted would promote the following licensing objectives:



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

### Vulnerability

The council's definition of vulnerable persons when considering applications of this types is that it relates to groups that include 'people who gambling 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, alcohol or drugs'.

For the purposes of this application, it would be useful for the applicant to provide their definition of vulnerability and what it means to their operation.

The Licensing Authority notes that this premises is situated within the busy "Chinatown" area with a large number of licensed premises in the immediate vicinity. The area is an attraction to vulnerable persons and in particular those with problems with gambling and/or alcohol or drug abuse problems. The Licensing Authority note that there are 2 hostels within 250 metres of the premises catering for vulnerable people. Due to the premises location, the local area profile is something that should be considered when determining this application

Given the close proximity of the above, the Licensing Authority is of the view that the premises fall within a "sensitive location".

### Location and History of the Premises

Gerrard Street is located within the busy "Chinatown" area of Central London which consists of predominantly commercial licensed premises and is a short distance Leicester Square. The premises are situated on the ground floor of 32 Gerrard Street. The building is a 4 storey building with offices above. Attached is a Google map search of the area. (attached at appendix A)

After doing a 250 metre radius search of the premises the Licensing Authority has identified 1369 residents and 63 licences under the Gambling Act 2005, this includes 5 betting shops, 3 non-commercial society lotteries, 2 Adult Gaming Centres, 8 Casinos, 1 Bingo Hall and 44 gaming machine permits. A further search on our GIS mapping has revealed 2 hostels and 5 faith groups. (attached at appendix B and C)

The premises were previously licensed as a betting shop (Betfred) with a Betting Shop (Other) licence under the Gambling Act 2005 from October 2010. The licence was surrendered in November 2020.

### Policy considerations

Policy LOC1 of Westminster's Statement of Licensing Principles for Gambling states that 'a sensitive location is defined as any premises which is within close proximity or on a main route to a school, educational institution, hostel or other sensitive locations where there is the potential for exposing children, young people or other vulnerable persons to gambling'. The proposed location of this new adult gaming centre must be considered as part of this application due to the local area profile and its potential to impact upon the promotion of the 3 gambling objectives.

Paragraph 27.1 of Westminster's Statement of Licensing Principles for Gambling states 'Adult gaming centres (AGCs) premises licences allow the holder of the licence to make gaming machines available for use on the premises. An AGC premises licence granted after the 13th July 2011 may make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises and any number of category C or D machines.

Paragraph 27.2 goes on to state 'Gaming machines are a form of gambling which is attractive to children and AGC's will contain machines of a similar format to the Category D machines on which children are allowed to play. However, no-one under the age of 18 is permitted to enter an AGC and applicants must be aware of the location of and entry to AGC's to minimise the opportunities for children to gain access'.

The Licensing Authority notes that within the risk assessment it states that Signage & window display not to attract under 18s, and advise under 18's access is prohibited.

Can the applicant provide further submissions as to the placement of this signage in the windows to show its visibility from outside the premises and explain further what checks will be in place in terms of ID checks? Is it proposed for SIA door staff to be present and conduct these checks?

Paragraph 27.3 states 'Because gaming machines provide opportunities for solitary play and immediate payouts, they are more likely to engender repetitive and excessive play. The council in considering 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 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.'

Paragraph 27.6 states: The council has created a Byelaw for Pleasure Fairs (Amusement Premises) in pursuance of section 75 of the Public Health Act 1961 (the 1961 Act) as amended by section 22 of the Local Government (Miscellaneous Provisions) Act 1976. These byelaws apply to Adult Gaming Centres as the premises are used to provide amusement with prizes machines (gaming machines) or entertainment machines which are used to play games where there are no chance of winning prizes.

A copy of the Pleasure Fairs (Amusement Premises) byelaws is attached for information as Appendix D.

As stated previously the Licensing Authority notes that this premises is situated in close proximity to a large number of licensed premises. Due to the nature of those businesses they can attract a variety of age groups including the vulnerable. Due to the premises location, the local area profile is something that should be considered when determining this application.

Policy AGC1 states 'Applications will be determined, subject to relevant criteria in policies OBJ1, OBJ2, OBJ3 and other policies within the Statement of Licensing Principles for Gambling'.

Policy OBJ1 states 'To prevent gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime, the Licensing Authority will apply the following criteria and take into account the following considerations, where relevant, in determining applications.

Paragraph 11.1 states 'Whether the premises make or will make a contribution to the levels of crime and disorder and whether the applicant has demonstrated that he has, or intends to, implement sufficient controls to prevent gambling from being a source of, and/or associated with crime or disorder, or being used to support crime, if the application is granted.'

Paragraph 11.1.1 states 'Where an area is known for high levels of crime the council will consider carefully 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, etc.'

Paragraph 11.1.4 states 'Whether the layout, lighting and fitting out of the premises have been designed so as to minimise conflict and opportunities for crime and disorder.'

Policy OBJ2 states 'To ensure that gambling is conducted in a fair and open way, the Licensing Authority will apply the following criteria and take into account the following considerations, where relevant, in determining applications.'

Paragraph 12.1.2 states 'Whether sufficient management measures are proposed or are in place to ensure that gambling is conducted in a fair and open way.'

Paragraph 12.1.3 states 'Whether the management and operation of the premises is open and transparent.'

Paragraph 12.1.4 states 'Whether the operators of the premises have been or will be fully cooperative with enforcement agencies.'

It would be useful for the applicant to provide further information into their operation of other licensed premises under the Gambling Act 2005 to obtain an understanding of their management and operation of such premises. Again this pertinent point has not been included within the applicant submission and therefore clarity is needed.

Policy OBJ3 states 'To protect children and other vulnerable persons from being harmed or exploited by gambling, the Licensing Authority will apply the following criteria and take into account the following considerations, where relevant, in determining applications.'

Paragraph 13.1 states 'Whether there are appropriate measures in place to protect children and other vulnerable persons from being harmed or exploited by gambling.'

Paragraph 13.1.1 asks the Licensing Authority to consider whether the operator has a specific training programme for staff to ensure that they are able to identify children and vulnerable people and take appropriate action to be reasonably consistent with this objective to exclude them from the premises or parts of the premises.

The applicant has stated in the risk assessment that there will be training for staff. Although the applicant has advised this, there is no actual content about what measures or training staff undertake. Therefore it would be useful for the applicant to provide details of what training staff will undertake in terms of identifying vulnerable people and providing sufficient and effective support to those people?

The Licensing Authority notes within the risk assessment that the premises will have notices and leaflets promoting Gamcare which is a charity supporting those with gambling addictions. Information on the following points would be useful in assessing the considerations of paragraph 13.1.1 above:

- Does the applicant have a referral scheme in place, in regards to self-exclusion?
- Is the onus on the individual to self exclude from a premises? If so, how does an individual go about this?
- What links does the premises have with local services to provide support?
- Will the applicant propose to advertise any promotional material associated with the premises? This could encourage the use of the premises by children or young people.
- How will the applicant control customers from bringing alcohol onto the premises to consume whilst gaming? Or entering the premises in an intoxicated state?

Should this application for an Adult Gaming Centre be granted a list of Mandatory Conditions will be attached to the licence. These have been included with this representation as Appendix E.

The Licensing Authority require the applicant to confirm the number of machines/categories of those machines, that will be at the premises. It would also assist if the applicant could provide an updated plan showing the location of the machines and the location of CCTV cameras.

The Licensing Authority submit this as a formal representation to this application and look forward to receiving further submissions from the applicant on the points raised above

Regards

Kevin Jackaman  
Senior Licensing Officer

Licensing Team  
Public Protection & Licensing Department  
Westminster City Council  
15th Floor  
64 Victoria Street  
London SW1E 6QP  
Direct Line: 07816217005  
Call Centre (for general queries): 0207 641 6500  
Email: [kjackaman@westminster.gov.uk](mailto:kjackaman@westminster.gov.uk)  
Web: [www.westminster.gov.uk](http://www.westminster.gov.uk)



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# TAB 7

From: Christopher Rees-Gay  
Sent: 04 January 2022 12:40  
To: Christopher Rees-Gay  
Subject: RE: Silvertime, 32 Gerrard Street - 21/07775/LIGN

---

**From:** Gadd, Daisy: WCC [mailto:dgadd@westminster.gov.uk]  
**Sent:** 21 December 2021 09:56  
**To:** Christopher Rees-Gay ; Abbott, Karyn: WCC ; Licensing: WCC  
**Cc:** Andrew Woods  
**Subject:** RE: Silvertime, 32 Gerrard Street - 21/07775/LIGN

Hi Chris

I have circulated this to all parties this morning and will let you know if I receive any responses.

If we don't speak, have a fabulous Christmas and new year!

Daisy

**Daisy Gadd**  
Senior Practitioner for Licensing  
Licensing Service  
Public Protection and Licensing

Westminster City Council  
15th Floor  
Westminster City Hall  
64 Victoria Street  
London SW1E 6QP

**07816 218 390**  
**0207 641 6500** (Contact Centre)  
[dgadd@westminster.gov.uk](mailto:dgadd@westminster.gov.uk)  
[Westminster.gov.uk](http://Westminster.gov.uk)

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**From:** Christopher Rees-Gay <[chris@woodswhur.co.uk](mailto:chris@woodswhur.co.uk)>  
**Sent:** 20 December 2021 12:17  
**To:** Gadd, Daisy: WCC <[dgadd@westminster.gov.uk](mailto:dgadd@westminster.gov.uk)>; Abbott, Karyn: WCC <[kabbott@westminster.gov.uk](mailto:kabbott@westminster.gov.uk)>; Licensing: WCC <[Licensing@westminster.gov.uk](mailto:Licensing@westminster.gov.uk)>  
**Cc:** andrew woods <[andrew@woodswhur.co.uk](mailto:andrew@woodswhur.co.uk)>  
**Subject:** RE: Silvertime, 32 Gerrard Street - 21/07775/LIGN

Hi Daisy,

I hope you are well. As per my previous email we said we would notify those that objected if there were any further changes to the proposed conditions. As such please find attached an updated LARA and proposed conditions.

Could I please ask that both documents are sent to those that submitted a representation, with the email below. As stated in the email below we would be more than willing to meet any/all residents to discuss matters.

Many thanks

Chris

*Dear Sir, Madam*

*We are instructed by Silvertime Amusements Limited ("Silvertime"), in relation to the application for a new Adult Gaming Centre premises licence at 32 Gerrard Street, London, W1D 6JA.*

*Further to our email in October, the Local Area Risk Assessment (LARA) has been revised and the proposed conditions have also been updated to reflect the changes made in the LARA (please see attached both documents). As stated previously, as a small independent operator, who understands the importance of community support, Silvertime are always keen to work with local residents.*

*Silvertime are more than happy to meet with you to discuss these concerns and the further updated proposed conditions. Please do let us know if you would like us to arrange a meeting. Please contact Chris Rees-Gay on the contact details below.*

*Many thanks,*

Christopher Rees-Gay

Woods Whur 2014 Limited  
Tel: +44 (0)113 234 3055  
Mobile: 07516029758

[chris@woodswhur.co.uk](mailto:chris@woodswhur.co.uk)

Woods Whur 2014 Limited, St James House, 28 Park Place, Leeds, LS1 2SP

---

**From:** Gadd, Daisy: WCC [<mailto:dgadd@westminster.gov.uk>]

**Sent:** 11 October 2021 12:39

**To:** Christopher Rees-Gay <[chris@woodswhur.co.uk](mailto:chris@woodswhur.co.uk)>

**Cc:** Andrew Woods <[andrew@woodswhur.co.uk](mailto:andrew@woodswhur.co.uk)>

**Subject:** RE: Silvertime, 32 Gerrard Street - 21/07775/LIGN

Hi Chris

Thanks for these – I have circulated to all objectors a long with a copy of the email.

I will let you know if I receive any responses.

Daisy

**Daisy Gadd**

Senior Practitioner for Licensing  
Licensing Service  
Public Protection and Licensing

Westminster City Council  
15th Floor  
Westminster City Hall  
64 Victoria Street  
London SW1E 6QP

**07816 218 390**

page 127

0207 641 6500 (Contact Centre)  
[dgadd@westminster.gov.uk](mailto:dgadd@westminster.gov.uk)  
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**From:** Christopher Rees-Gay <[chris@woodswhur.co.uk](mailto:chris@woodswhur.co.uk)>  
**Sent:** 07 October 2021 17:27  
**To:** Gadd, Daisy: WCC <[dgadd@westminster.gov.uk](mailto:dgadd@westminster.gov.uk)>  
**Cc:** andrew woods <[andrew@woodswhur.co.uk](mailto:andrew@woodswhur.co.uk)>  
**Subject:** RE: Silvertime, 32 Gerrard Street - 21/07775/LIGN

Hi Daisy,

Further to the below, please see attached proposed conditions.

Please note, these are the current proposed conditions which may added to. We will notify you of any amendments.

Many thanks

Chris

Christopher Rees-Gay

Woods Whur 2014 Limited  
Tel: +44 (0)113 234 3055  
Mobile: 07516029758

[chris@woodswhur.co.uk](mailto:chris@woodswhur.co.uk)  
Woods Whur 2014 Limited, St James House, 28 Park Place, Leeds, LS1 2SP

---

**From:** Andrew Woods  
**Sent:** 7 October 2021 12:53  
**To:** Gadd, Daisy: WCC <[dgadd@westminster.gov.uk](mailto:dgadd@westminster.gov.uk)>; Christopher Rees-Gay <[chris@woodswhur.co.uk](mailto:chris@woodswhur.co.uk)>  
**Subject:** RE: Silvertime, 32 Gerrard Street - 21/07775/LIGN

Hi Daisy

We are still finalising the conditions - will get them over to you ASAP.

page 128



Hope all well!

Andy

**Andrew Woods**

Woods Whur 2014 Ltd  
Tel: +44 (0)113 234 3055  
Mobile: 07738 170138

[andrew@woodswhur.co.uk](mailto:andrew@woodswhur.co.uk)

St James House, 28 Park Place, Leeds LS1 2SP

---

**From:** Gadd, Daisy: WCC [<mailto:dgadd@westminster.gov.uk>]  
**Sent:** Thursday, October 7, 2021 12:40  
**To:** Christopher Rees-Gay <[chris@woodswhur.co.uk](mailto:chris@woodswhur.co.uk)>  
**Cc:** Andrew Woods <[andrew@woodswhur.co.uk](mailto:andrew@woodswhur.co.uk)>  
**Subject:** RE: Silvertime, 32 Gerrard Street - 21/07775/LIGN

Hi Christopher

Sorry, me again! Have you got the additional conditions that you have offered that I can include with the email please? I can't see a copy of them on our records.

Daisy

**Daisy Gadd**  
Senior Practitioner for Licensing  
Licensing Service  
Public Protection and Licensing

Westminster City Council  
15th Floor  
Westminster City Hall  
64 Victoria Street  
London SW1E 6QP

**07816 218 390**  
**0207 641 6500** (Contact Centre)  
[dgadd@westminster.gov.uk](mailto:dgadd@westminster.gov.uk)  
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**From:** Christopher Rees-Gay <[chris@woodswhur.co.uk](mailto:chris@woodswhur.co.uk)>  
**Sent:** 05 October 2021 17:49  
**To:** Gadd, Daisy: WCC <[dgadd@westminster.gov.uk](mailto:dgadd@westminster.gov.uk)>  
**Cc:** andrew woods <[andrew@woodswhur.co.uk](mailto:andrew@woodswhur.co.uk)>  
**Subject:** FW: Silvertime, 32 Gerrard Street - 21/07775/LIGN

Dear Daisy,

Silvertime Amusements Limited would like to reach out to all those members of the public that submitted a representation. I have looked at the representations attached and unfortunately there are no email addresses for us to contact them on. Could you please let me have email addresses for every person who submitted a representation on the attached list. Alternatively, could I please ask that you pass on the below email to each of them.

Many thanks,

Chris

*Dear Sir, Madam*

*We are instructed by Silvertime Amusements Limited ("Silvertime"), in relation to the application for a new Adult Gaming Centre premises licence at 32 Gerrard Street, London, W1D 6JA.*

*Silvertime is an independent operator of Adult Gaming Centres which holds an operating licence issued by the Gambling Commission. Silvertime currently holds nine premises licences issued under the Gambling Act 2005, in and around London.*

*As a small independent operator, who understands the importance of community support, Silvertime are always keen to work with local residents. Due to the representations that have been received and taking on board the concerns made in those representations by locals; Silvertime have offered further conditions to deal with these concerns.*

*Silvertime are more than happy to meet with you to discuss these concerns and the further proposed conditions. Please do let us know if you would like us to arrange a meeting. Please contact Chris Rees-Gay on the contact details below.*

*Many thanks,*

*Christopher Rees-Gay*

Woods Whur 2014 Limited  
Tel: +44 (0)113 234 3055  
Mobile: 07516029758

[chris@woodswhur.co.uk](mailto:chris@woodswhur.co.uk)  
Woods Whur 2014 Limited, St James House, 28 Park Place, Leeds, LS1 2SP

---

**From:** Gadd, Daisy: WCC [<mailto:dgadd@westminster.gov.uk>]  
**Sent:** 8 September 2021 09:13  
**To:** Carole Collingwood <[carole@woodswhur.co.uk](mailto:carole@woodswhur.co.uk)>  
**Cc:** Andrew Woods <[andrew@woodswhur.co.uk](mailto:andrew@woodswhur.co.uk)>  
**Subject:** RE: Silvertime, 32 Gerrard Street - 21/07775/LIGN

Hi Carole

Please see attached the details of all public representations received in relation to this application.

Kind regards

**Daisy Gadd**  
Senior Practitioner for Licensing  
Licensing Service  
Public Protection and Licensing

Westminster City Council  
15th Floor  
Westminster City Hall  
64 Victoria Street  
London SW1E 6QP

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**From:** Carole Collingwood <[carole@woodswhur.co.uk](mailto:carole@woodswhur.co.uk)>  
**Sent:** 06 September 2021 10:02  
**To:** Gadd, Daisy: WCC <[dgadd@westminster.gov.uk](mailto:dgadd@westminster.gov.uk)>  
**Cc:** andrew woods <[andrew@woodswhur.co.uk](mailto:andrew@woodswhur.co.uk)>  
**Subject:** FW: Silvertime, 32 Gerrard Street - 21/07775/LIGN

Good morning Daisy

We note the last date for representations has now passed and we are aware of the local authority representation. I should be grateful if you would confirm whether any further representations have been received.

Kind regards

Carole Collingwood

Woods Whur 2014 Limited  
Tel: +44 (0)113 234 3055

[carole@woodswhur.co.uk](mailto:carole@woodswhur.co.uk)  
Woods Whur 2014 Limited, St James House, 28 Park Place, Leeds, LS1 2SP

---

**From:** Gadd, Daisy : WCC [<mailto:dgadd@westminster.gov.uk>]  
**Sent:** Thursday, August 5, 2021 11:35  
**To:** Andrew Woods <[andrew@woodswhur.co.uk](mailto:andrew@woodswhur.co.uk)>  
**Subject:** Silvertime, 32 Gerrard Street - 21/07775/LIGN

Dear Mr Woods

**PREMISES:** Silvertime, 32 Gerrard Street, London, W1D 6JA

I write to acknowledge receipt of the application and fee of £2000 which was received on the 5 August 2021 for the above named premises.

The last date for representation for this application will be 1 September 2021.

The licence will be issued by the Licensing Authority within a timely manner after the expiry of the consultation period subject to volume of applications being received by the service. If the application is opposed then the application will have to be referred to a public hearing.

For all future correspondence relating to this application please quote the following reference number 21/07775/LIGN.

Kind regards

**Daisy Gadd**

Senior Practitioner for Licensing  
Licensing Service  
Public Protection and Licensing

Westminster City Council  
15th Floor  
Westminster City Hall  
64 Victoria Street  
London SW1E 6QP

**07816 218 390**

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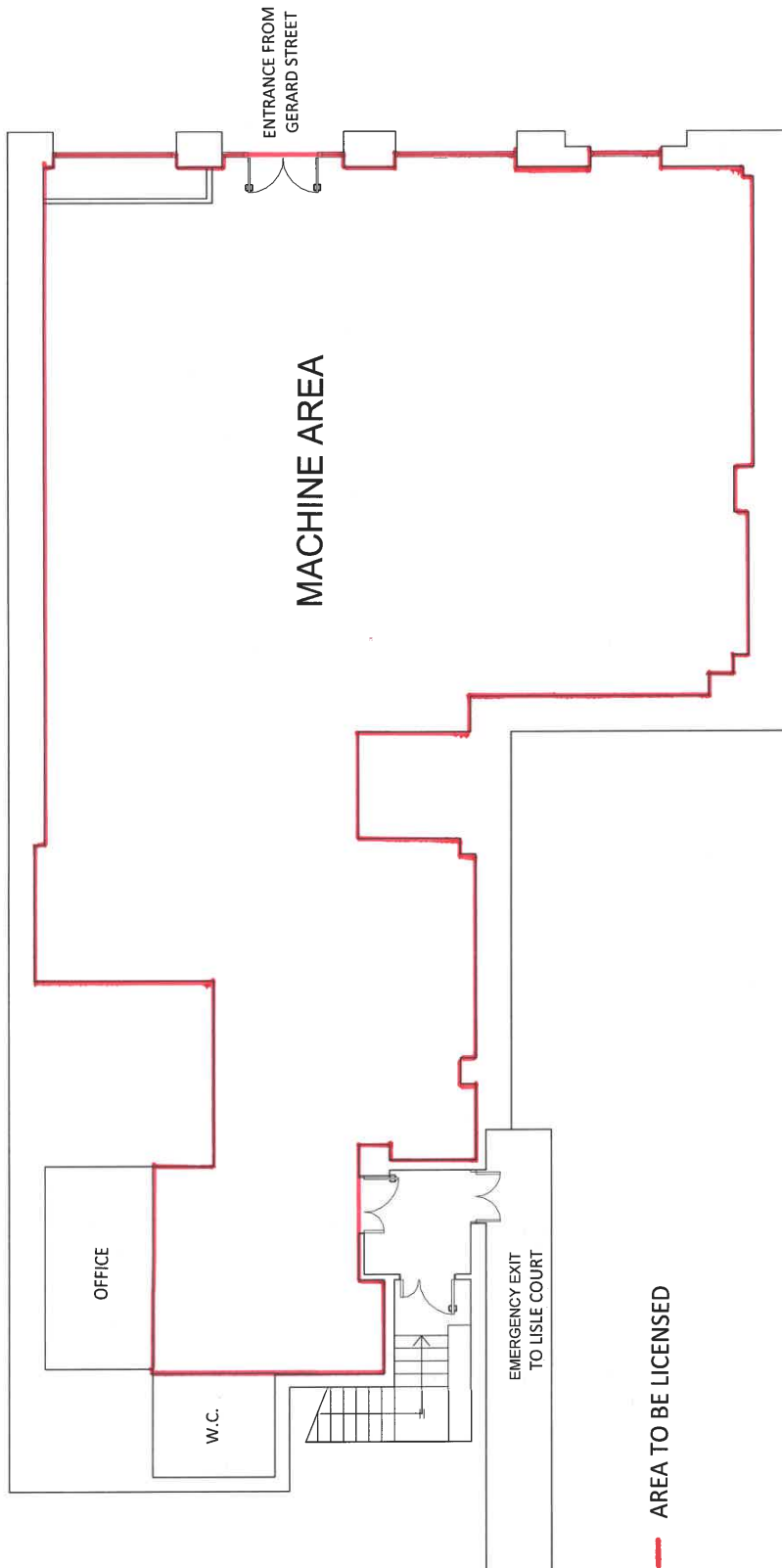


GOLD ANIMAL ACTIVITY LICENSING 2020

# TAB 8

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- GENERAL NOTES**
1. The drawing shall be read in conjunction with the Architect's Specification, Structural Engineer's drawings for details relating to structure, and any other drawings forming part of the contract.
  2. Use of fixed dimensions only. Curves to be depicted by the Architect.
  3. All dimensions shall be in millimetres.
  4. Any discrepancies between the Architect's drawings and those by the Structural Engineer shall be referred to the Architect.
  5. All drawings are not for construction unless explicitly marked for this purpose.
- GENERAL NOTES ON MATERIALS**
- Materials to comply with appropriate British Standards or Agreement. Where a material is specified by trade name, the contractor shall ensure that its suitability. Materials should be in accordance with BS5800 where applicable. Materials shall be of a quality equivalent to that specified in BS5800, and other accepted good practice (e.g. Quality assured materials).



FOR INFORMATION	
rev	date
amendment	

**Monmouth Planning Ltd**  
30a Monmouth Street  
WCH2 9EP  
T: 01292 254145  
E: info@monmouthplanning.co.uk

JOB TITLE	
30 GERARD STREET	
DRAWING TITLE	
GROUND FLOOR PLAN	
STATUS	
INFORMATION	revision
DRAWING NO.	
1109 @A3 100 @A1	
JOB NO.	
A527	
DRAWING NO.	
002	



# TAB 9





# TAB 10

# **SILVERTIME AMUSEMENTS LTD AND THE LONDON BOROUGH OF WESTMINSTER.**

## **APPLICATION FOR AN ADULT GAMING CENTRE PREMISES LICENCE AT,**

**32 GERRARD STREET, LONDON W1D 6JA**

### **EVIDENCE FROM BYRON EVANS**

#### **Byron Evans – background and experience.**

1. My name is Byron Evans and I am a self-employed consultant working in the UK gaming sector. During the last 32 years I have worked in the Commercial function at director level of Rank Amusements, RAL Ltd, Talarius and Praesepe. At various times each of these companies has been the largest Adult Gaming Centre (AGC) operator in the UK. Since the inception of the Gambling Act 2005 in 2007 I have been involved in over 250 Premises Licence applications.
2. I was until recently a member of the Compliance Committees of both the British Amusement Catering Trade Association and the Bingo Association. I hold a Personal Management Licence issued by the Gambling Commission and a Personal Liquor Licence. I have spoken frequently at conferences in both the UK and in Europe on Compliance and Social Responsibility and am regarded as an expert in this field.
3. As a consultant I have been instructed by the Directors of Silvertime Amusements (“the applicant”) on three separate occasions (February 2019, February 2020 and September 2021). I was instructed to carry out Compliance Audits at each of their trading venues in order to test the policies and procedures and to test the staff on their knowledge of the Licence Conditions and Codes of Practice.
4. I have worked in and around the West End for a number of years and am very familiar with the area and the relevant licensed gambling premises.

#### **Silvertime Amusements Ltd.**

5. The applicant holds an Operating Licence issued by the Gambling Commission. To be granted an Operating Licence the applicant must, amongst other things, demonstrate a certain level of financial security and that they have operating procedures that fulfil the required levels of Compliance and Social Responsibility set out in the Licence Conditions and Codes of Practice as set out by the Gambling Commission.

6. The applicant currently operates nine AGC and bingo premises in Greater London, predominantly in north and west London. All these locations have been granted the appropriate Premises Licence by the relevant Local Authority. One of these premises sits within the London Borough of Westminster, where the applicant has traded for 7 years without issue.
7. The applicant is a family owned and run business and has been trading for over 30 years.
8. Research undertaken on the Gambling Commissions web site shows that no sanctions or regulatory action has been taken against the applicant or its directors.
9. Research also shows that no regulatory action has been taken against applicant or its directors by any Local Authority in whose jurisdiction they trade.
10. They are members of both the amusement arcade trade body BACTA and the Bingo Association. Both BACTA and the Bingo Association have a Members Charter that requires, as a condition of membership, that all member companies operate to the required level of compliance and social responsibility.
11. They operate a Challenge 25 Policy whereby any customer that looks under the age of 25 is challenged to produce identification. The AGC trade association BACTA routinely carries out unannounced age verification visits on its members' premises.
12. In the last 2 months I have visited all 9 of the Silvertime premises and would suggest that they are a wholly responsible operator, quite capable of operating AGC premises in Westminster and elsewhere.
13. Silvertime have operated premises at 426 Edgware Road, W2 1EG, in the London Borough of Westminster, for over 7 years. The Council have made at least three inspections of the premises and at no stage have the policies and procedures of Silvertime been found wanting or deficient in any way.

### **Visits to the area**

14. During the last 4 weeks I have visited the area around the application site on numerous occasions and at different times of day. The earliest I have been in the Gerrard Street area is 7am and the latest is 1.30am.
15. The subject premises are in the centre of Gerrard Street, opposite the Macclesfield Street turning, which leads up to Shaftesbury Avenue. The subject premises are surrounded by restaurants and Chinese supermarkets. The area is constantly busy, either with the steady flow of delivery vehicles during the morning, moving on to the

lunchtime dining trade and then later to evening dining, groups using the numerous local pubs and of course a constant flow of tourists and visitors to Chinatown.

16. There are a number of schools, churches and meeting places for the homeless or vulnerable groups in the immediate area. As an example, Alcoholics Anonymous groups meet regularly at St Anne's Church in Dean Street, c/o of the Soho Recovery Centre (SRC). SRC also provide support for a number of other addictive vulnerable groups, although not gambling.
17. I also noted that Notre Dame de France, the Roman Catholic Church in Leicester Place, offers a safeguarding service for children and vulnerable adults.
18. I have visited all of the licensed gambling premises listed below at various times of the day. The 3 bookmakers appear to have a constant and steady flow of customers from 7am enjoying their peak trade at lunchtimes and early afternoon and then early evening.
19. The two AGCs and the Bingo premises (which operate in a very similar fashion to the AGCs) appear slower in trade during the day, but become much busier in late afternoon and throughout the evening.
20. During my visits to the 2 AGCs and Bingo premises, between 11pm and 1.30am on October 12<sup>th</sup>/13<sup>th</sup>, only the Crystal Rooms (Bingo Licence) had door supervision via an SIA operative. This door supervision appears to be in place at all times (as per the licence conditions). I have not seen any door supervision in any of the other premises listed below.
21. At 1.30am the area is still very busy yet, in my opinion, non-threatening. People in the main were leaving restaurants and appeared to be having a good time. There was a noticeable police presence which may have been due to the fact that England had been playing at Wembley early in the evening and there were numerous football supporters (both English and Hungarian) in evidence.
22. On October 27<sup>th</sup>, between 10pm and 11.30 pm I visited the 2 AGCs in the vicinity as well as the bingo licensed premises at the Crystal Rooms. At no time did I see anyone who I would consider either vulnerable or homeless in any of these 3 premises, or nearby to them.

### **Licensed gambling premises in the area.**

23. There are currently 7 licensed gambling premises within an approximate 250 metre radius of the application site, other than the licensed Casinos, which for the sake of this Statement I have ignored.

Coral Bookmakers, 3 Newport Place. Opens 7am to 10pm  
Paddy Power Bookmakers, 40 Gerrard Street. Opens 8am to 10pm  
Bet Fred Bookmakers, 37 Wardour Street. Opens 7am to 10pm.  
The Crystal Rooms, Bingo Licence, 7-9 Cranbourn Street. Opens 24/7  
Play2Win AGC, 32 Wardour Street. Opens 9am to 2am  
Las Vegas AGC, 89-91 Wardour Street. Opens 10am to 2am  
Little Macau AGC, 3-5 Wardour Street. Opens 8am to midnight

24. In their Representation the Council mistakenly say that there are 5 bookmakers within a 250 metre radius. This is incorrect. In their number they appear to have included the application premises which were previously a Bet Fred bookmakers and another premises that perhaps has closed.
25. In my visits to all of these locations (morning, afternoon and late evening), I did not see any examples of customers who I would have been classed as vulnerable, under the influence of drugs or alcohol, nor under 18 – even in the early hours of the morning.
26. It should be noted that each of the three bookmakers in the immediate area operate a “Challenge 21” age policy, but that the applicant along with the other three listed premises operate a “Think 25” age policy.
27. I noted that the level of on-site supervision at the Crystal Rooms was exceedingly good with an SIA door supervisor on site at all times plus at least one member of staff.
28. The bookmakers varied between one and two members of staff, as did the 2 AGCs. It should be noted that the applicant have offered a condition to have two members of staff on duty at all times the premises are open for business. Only one of the other licensed premises that I have listed have this condition.

### **Differences between Adult Gaming Centres and Betting shops.**

29. In reviewing the various Representations made by local residents and business owners I believe that a fundamental misconception has been made in assuming that Adult Gaming Centres (AGCs) are the same as betting shops. These Representations make various references to “*another betting shop*” or “*four bookies is enough*” or “*so many betting shops*” They are not the same and I would make these observations:

30. AGCs are frequently referred to by both the trade and Gambling Commission as the “Low Stake, High Volume” sector of UK Gambling. The average AGC will have a mix of Category B, C and D machines, played on standard gaming machines and tablets. Thus offering the customer a choice of different styles of machines with differing price of play and prizes, ranging from 10p play up to the maximum permitted £2 play. Tablets are invariably lower stake Category D type gaming, that extend the offering for customers. The maximum legal prize available on a gaming machine in an AGC is £500, these are Category B machines and as dictated by law, only 20% of the total number of machines and tablets will be of this category. Customers tend to come and go throughout the day, spending relatively short periods of time on the premises.
31. In comparison there is no limit to the amount of money that may be staked on an over the counter bet in a betting shop.
32. Betting shop staff are invariably located behind a counter or screen where they take customer bets. They do not circulate on the shop floor and the only interaction with the customers is when the customers approach the counter to place a bet. AGC staff deliberately circulate on the shop floor in order to monitor more closely those who enter the premises and to interact more readily with the customers. This interaction could be as simple as offering refreshments or possibly the monitoring of a customer to see if they are displaying signs of experiencing difficulty with their gambling.
33. By way of example, during my visits to the 3 betting shops, on numerous occasions and on different dates; I have never seen a member of staff move out from behind their counter. I spent at least 15 minutes in each premises on 5 separate occasions. On October 12<sup>th</sup> I sat in Paddy Power for 25 minutes watching the England versus Hungary football match. I did not place a bet, but just sat and watched the TV screens. At no time did a member of staff come out from behind the counter to interact with me or to see what I was doing. In comparison, when I visited the applicant’s premises at Edgware Road at 6.30pm on the same day; there were two staff circulating on the shop floor. Having wandered around the AGC for a while I was very politely asked to leave if I had no intention of playing the machines.
34. Betting shops invariably have a number of TV screens available for customers to watch various sporting events. In the bookmakers in close proximity to the subject premises the number of TV screens capable of showing sporting events ranges from 20 in Paddy Power to 14 in Bet Fred. Not surprisingly, these screens and the variety of events on show will cause customers to stay for long periods of time. AGCs rarely have TV screens and the applicant is not planning to install any at all in the proposed premises.

35. Along with traditional over the counter bets, betting premises are allowed 4 gaming machines. Until April 2019 these 4 machines would most likely have been the Category B2 or Fixed Odds Betting Terminals, with a maximum stake of up to £100 per spin. The problems associated with the Fixed Odds Betting Terminals are very well documented and have been the subject of numerous television and radio documentaries, violence towards betting shop staff; damage to betting shops premises and sadly even customer suicides. These problems lead to a high-profile campaign in Parliament to have the maximum stake of the Fixed Odds Betting Terminal reduced to £2. These B2 or FOBT machines have never been allowed in AGC premises and in my opinion AGC operators never wanted them due to the problems they were causing in betting shops.

### **Westminster Gambling Policy 2019 - 2022.**

36. The Council updated their Gambling Policy in January 2019. The Statement includes *a Guide to Undertaking Local Gambling Risk Assessments*.
37. I have read this Guide thoroughly and would suggest that, where appropriate and relevant, the applicant has taken into account the information contained within the Guide when preparing their own Local Area Risk Assessment or within the Conditions that they have proposed. Those conditions are extensive and, in my view, relevant, proportionate and appropriate.
38. At 11.1.1 of the Policy the Council say they: *“will consider whether gambling premises are suitable to be located there and whether additional conditions may be necessary”*. I would suggest that having previously granted a premises licence to Bet Fred for these premises that they have already accepted that the premises and location are suitable.
39. When considering all of Paragraph 13 of the Policy, which deals with: *“Protecting children and other vulnerable persons from being harmed or exploited by gambling”*, I would again suggest that the applicant adequately covers all of this section via the Local Area Risk Assessment or the list of Conditions proposed.
40. At Paragraph 15 *“Location Policy”* the Council confirm that: *“issues of demand cannot be considered either at a citywide or more local scale. However it considers that the location of gambling premises can be a major factor on the licensing objectives”*. I would refer back to my Point 40 above where it seems to me that the Council have already accepted that this an acceptable location for gambling premises.
41. At Paragraph 30 of the Policy the Council consider Door Supervisors and the applicant has offered a Condition to have an SIA registered door person on duty between the

hours of 6pm and 6am. They would further risk assess the potential need for door supervision once they were open and trading.

42. The applicant has considered all relevant sections of the Council's Statement of Principles for Gambling when preparing its application and appears to have taken all appropriate action.

## **Representations.**

43. There are 18 Representations from local residents or local business owners. 12 of these Representations make a general point that there are already enough or too many gambling premises. However, we have established at Paragraph 40 above that the Council cannot take issues of demand into account when considering an application.
44. Four of these Representations are under the impression that this is an application for another betting shop. It is not and I hope that I have established at Paragraphs 29-35 that there are considerable differences between AGCs and betting shops.
45. [REDACTED] takes issue with the fact that the application will not promote culture and tourism. There is of course no legal obligation on the operator other than to promote the licensing objectives. In any event I would suggest that these are planning issues, not licensing.
46. [REDACTED] feels that the new adult gaming centre will have a negative impact to Chinatown..... and that it will be detrimental to all. Unfortunately, he does not suggest how or why it will be negative and detrimental.
47. [REDACTED] says that there are, amongst other things, two Youth Centres in the proximity. This is true, but I believe that the local Area Risk Assessment and additional information provided by the applicant clearly demonstrate what actions will be taken to ensure that the AGC premises will not be attractive to, or encourage young people to enter. It is also true that there is a school and a facility for young people very close to the applicant's premises in Edgware Road. There is no evidence to suggest that the Edgware Road AGC causes any issues whatsoever to the children or young people in that part of Westminster.
48. The Representation from the Council says at Paragraph 2 that they have concerns relating to this application as minimal information has been provided to show how, if granted, these premises would promote the licensing objectives. I believe that the application contained all of the information required by the regulations. However



additional information relating to staff training, signage and notices and the layout of the premises has been provided. I have read that information and consider that it represents a proper and adequate response to the matters raised.

49. The Council state, incorrectly that there are 5 betting shops within a 250 metre radius of the application site. There are in fact three, which are listed at my Paragraph 23.

## **Conditions**

50. Silvertime Amusements have provided a list of 30 suggested Conditions to be appended to the licence. These are over and above the Mandatory Conditions that are present on every AGC licence. They have been specifically formulated having regard to the local area risk assessment, to provide comprehensive assurance as to the operation of the premises in a manner consistent with the licensing objectives.
51. The existing AGC premises in this area certainly do not carry this number of conditions, in fact there are no conditions on the licence for the Las Vegas premises at 89-91 Wardour Street and the licence for the Play2Win premises at 32 Wardour Street only contains the Mandatory conditions. The exception to this is the recently granted Little Vegas premises at 3-5 Wardour Street.
52. The Bingo premises licence for the Crystal Rooms contains a list of 14 conditions (in addition to the Mandatory Conditions), 6 of which relate to the distribution of flyers. In my opinion the conditions offered by Silvertime with this application go over and above those attached to any of the premises listed at my Point 20, with the exception of the Little Vegas premises at 3-5 Wardour Street.
53. The suggested level of conditions would indicate that the applicant has taken into account the concerns raised regarding the protection of children and the vulnerable and the potential for the premises to be a source of crime and disorder.
54. The identification of “vulnerable persons” is not clearly defined in the Gambling Act 2005 nor in the Licence Conditions and Codes of Practice (LCCP). I do, however, agree with the Westminster policy approach to such definition, which is also used by the applicant.
55. I am satisfied that the applicant’s approach to protecting vulnerable people is a rigorous one, both through its staff training systems, its commitment to double-staffing by staff who will circulate on the trading floor, its compliance with licence conditions and codes of practice (including conditions relating to customer interaction and self-exclusion) and the further conditions it has offered in this case.

56. It is important to view the conditions collectively rather than individually and also to note that a breach of any one of the 30 conditions offered or the Mandatory Conditions could potentially trigger a review of the licence by the Council, or the imposition of further conditions.

## **Conclusions**

57. In conclusion, having reviewed all of the representations, it seems that many of those making representations have assumed that AGCs and licensed betting premises are one and the same. That any problems or incident associated with the latter will immediately be experienced by the former. This is not the case.

58. Also, many of the representations simply say, as a generalisation, enough is enough, or no more gambling premises. The Council's own policy makes it clear, as does the legislation, that the question of demand cannot be taken into account when considering a licensing application.

59. The licensing authority was concerned regarding the quantum of information initially supplied. I believe that, by responding comprehensively to the authority and by providing further information in the form of proposed conditions, an updated risk assessment and witness evidence, sufficient information has now been supplied. The Council say that the applicant should provide information as to how they trade elsewhere in order for them to better understand Silvertime's management and operation of such premises. Silvertime have been operating elsewhere in Westminster for over 7 years (without any concerns or intervention from Westminster Licensing offices) as well as in other very busy high street areas across London, as is covered in their Local Area Risk Assessment.

60. The applicant has proposed a most comprehensive list of conditions which address the concerns of both the Council and those submitting representations and go way beyond any conditions imposed on the existing licensed betting shops, AGCs and Bingo premises operating in the immediate area, with the exception of the AGC licence recently granted to Chongie Entertainment at 3-5 Wardour Street, who have very similar conditions.

61. Having given careful consideration, from my experience of operating arcades, as well as through my involvement in Adult Gaming Centre and Bingo licensing applications, it is my view that granting the application would be consistent with the pursuant of the licensing objective.

## **Statement of Truth**

I believe the contents of this statement are true to the best of my belief.



Date: December 18 2021

# TAB 11

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**WITNESS STATEMENT OF EDWARD REED**

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I, **EDWARD REED**, of [REDACTED] **STATE AS**

**FOLLOWS** in connection with an application for an Adult Gaming Centre Gambling Act 2005 Premises Licence at 32 Gerrard Street:

**FAMILY BACKGROUND**

1. My family has been in the gaming industry since the 1990s, when my father set up Silvertime Amusements Limited (“**Silvertime**”). At this time, they were not AGCs, but were amusement arcades. I joined the family company 24 years ago, when I was the age of 20. My father, Ian Reed, is still a director of the company and maintains an advisory role within it.

**SILVERTIME AMUSEMENTS LIMITED**

2. As stated, Silvertime was established 30 years ago by my father, Ian Reed. Silvertime obtained its operating licence from the Gambling Commission (“GC”) on 1 January 2009. All of our policies, procedures, business plans, management structure and training proposals were approved by the GC in the course of this application. By this time, I had considerable experience working in AGCs as I had been working in them previously with my father for 12 years.
3. In all the time that Silvertime has been operating, it has never had a gambling application refused or a premises licence reviewed.

**CHRONOLOGY OF VENUES WITHIN THE BUSINESS**

4. The first Silvertime venue was an amusement arcade at Watling Avenue, Burnt Oak. This venue was then moved to 116A Burnt Oak, Broadway, Burnt Oak, Edgware HA8 0BB, into the old

Barclay's bank. Whereby it was converted into an amusement centre on the bottom floor, and the upstairs floors were converted into flats. Silvertime are the freeholders of this premises.

5. The second Silvertime venue in Harlesden was opened 24 years ago, when I joined the company. Initially, we had 10 Bank Buildings, Harlesden, NW10 4LT, but this was moved to 53 High Street, Harlesden, NW10 4NJ. Again, it was an old bank. A similar conversion took place, in the fact that there was an amusement arcade on the ground floor and then flats above it, with the company being the landlord. The lease for 10 Bank Buildings, Harlesden, was given up and, for a period of 10 years, it was just 53 High Street, Harlesden and 116A Burnt Oak, Broadway venues that were in operation.
6. In 2008, we leased 10 Pembridge Rd, Notting Hill, W11 3HL, having bought it off an operator and we leased this site, that was already an AGC.
7. In 2011, we bought the freehold of 446 High Road, Wembley, HA9 7RP, which was an old Woolwich bank, and again, we put flats above it and are the landlord. This premises is run under a bingo premises licence.
8. In 2012, we leased 10 Bank Buildings, Harlesden back from the landlord. This premises is operated as an AGC.
9. In 2013, we took the lease of 527 High Road, Wembley, HA0 2DH. This premises is operated as an AGC.
10. In 2014, we took the lease for 426 Edgware Road, London, W2 1EG, from an existing operator. We have traded there for 7 years now without any issues and so have significant experience of trading successfully within Westminster.
11. In 2018, we leased 169 Earls Court Rd, London SW5 9RF from an operator. This premises is operated as an AGC.
12. In March 2020, just prior to lockdown, we leased 509 High Road, Wembley, HA0 2DH off an operator in Wembley. This premises is operated as an AGC.

13. Silvertime is a member of BACTA (British Amusement Catering Trade Association) which is a trade association for amusements and gaming machines covering pubs, clubs, family entertainment centres, bingo halls and Adult Gaming Centres. We adopt and agree to their policies and procedures in the same way that most national operators do. I attend and am involved in the BACTA meetings.
14. I am the 100% shareholder and director of Silvertime, and have been hands on from the beginning, fitting out the venues, sorting supplies, hiring staff, ensuring compliance and training is always up to date, visiting sites regularly and understanding any local issues. I am still extremely hands on, but our business structure has evolved.
15. As the estate grew in order to fulfil and promote the licensing objectives, the management and compliance team grew. Seven years ago, Phil Wheeler was appointed as the Compliance Manager for Silvertime; he is currently responsible for compliance as a whole for the company, including health and safety and contracting with staff.
16. There is an Operations Manager who covers all 9 sites; this is Meto Parmacki, and he has now been with the company for 10 years. We have recently appointed Eden Abraha as a Compliance Manager specific to 'gambling regulation'. Eden has been with the company for 8 years and is currently also the manager of 53 High Street, Harlesden.
17. The general staffing arrangements for each premises include 1 Venue Manager, 1 Deputy Manager, 1 Assistant manager and Cashiers. This is a similar structure to others in the industry; however, we don't have layers of middle management between myself, compliance and these managers.
18. In today's industry, an individual cannot possibly manage a venue unless they have experience and have trained under another manager. This also allows us to use our managers as part of our training process. In terms of recruitment, this is all done internally and people progress up the chain. For example, they start as Cashiers, then move to Assistant Manager, then to Deputy Manager and then to Venue Manager. Those exceptional Venue Managers will then be brought

in to do additional tasks as has happened with Phil Wheeler, Meto Parmacki and Eden Abraha.

The way the system works is that our experienced managers train up deputy managers until those deputy managers are ready to take over their own premises.

19. A venue will always have an experienced member of management. This is how all of our venues operate. 32 Gerrard Street will be no exception. We intend to move an existing senior manager from one of our other sites to become the manager of this site. In the first instance, the manager will be supported by staff with at least 6 months experience in AGCs, and I would expect to visit the venue daily for the first couple of months to make doubly sure that all is being done correctly.
20. In terms of my hands-on approach, I ensure that I visit all venues across the estate at least once a week.

#### **STAFF TRAINING**

21. Staff are initially trained by spending 3 to 4 weeks training in an existing venue under an experienced manager. However, due to the importance of this site, as already stated, experienced staff at all levels will be employed.
22. Training on policies and procedures, the licensing objectives and all ancillary legislation is carried out by Venue Managers. Training is conducted by presentation format, quiz tests and one to one interaction with staff. Once the presentations and training has taken place, both the relevant manager and member of staff sign off the paperwork to demonstrate understanding.
23. Refresher training is provided at regular intervals, normally every 3 months. Again, this is conducted by the Venue Managers. A quiz will be done by the member of staff to ensure that they have understood the training. There are a number of different quizzes that staff undertake.

The following Exhibit contains all of the quizzes:

#### **Exhibit 1 - Silvertime Whole Training Quizzes**

The completed tests are signed off by both the venue manager and member of staff. These are then kept in the training files on the premises. The reason being that, in the event that these



premises are then visited by any responsible authorities, records are available for inspection in line with company policy.

24. Eden Abraha is the custodian of all training materials and it is her and my responsibility to ensure that it is kept up to date. Eden Abraha uses amongst other things the following documents which form part of the staff training:

Exhibit 2 - BACTA Tool Kit

Exhibit 3 - BACTA Social Responsibility Charter and Practice

Exhibit 4 - BACTA Self-Exclusion Guide

Exhibit 5 - GambleAware Staff Training Gambling Aware Brief Intervention Guide

25. I have the overall control and responsibility and ensure that training is conducted as best as it can be. I have achieved this by employing Phil Wheeler to begin with, and now Eden Abraha, to execute the day to day gambling related compliance at the optimum level. The protection of the vulnerable and prevention of children entering the premises is of paramount importance to myself and the company. These objectives are strongly emphasised within our training. Training is also provided on the presence of drugs and alcohol. Hypothetical situations are used to test staff.

26. All of our policies and procedures were initially approved when we applied for and were granted our operating licence. We have had no Gambling Commission requests for updated material, nor as part of any general assessment. We believe that it is because we operate at the highest levels without regulatory concern.

27. As a member of BACTA, we utilise the BACTA age verification testing, which is commissioned by them.

28. Eden Abraha will conduct our own company venue audits to ensure compliance. During a venue audit, Eden will attend in person to that venue, and use the Gambling Commission AGC Inspection Guide (Exhibit 6) to inspect the premises as if she were 'in the shoes' of a licensing

officer. For example, she will check the CCTV, the signage, that the licence is on displayed, everything that would be looked at during a local authority inspection.

### **SIGNAGE WITHIN VENUES**

29. All of our venues have very clear signage on the exterior which is replicated within the venues themselves, for example front door signage.

Exhibit 7 - Example Front Door

As can be seen, these stress: no smoking, no alcohol and over 18s only. We also have leaflets and posters throughout the venue highlighting the Challenge 25 policy and staying in control, including:

Exhibit 8 - Stay in Control Poster

Exhibit 9 - Think 25 Poster

Exhibit 10 - AGC Customer Dispute Form

Exhibit 11 - GamCare Poster and Leaflet.

30. My uniform experience of working in AGCs for 24 years and indeed of those of my competitors, is that this type of premises just does not attract children and those under 18. The reasons being that there are no televisions to watch, no events taking place, no places to hang about, no comfortable seating, no loud noises or music, no video games etc. Neither the atmosphere of the premises nor the products are congenial in nature to minors. With members of staff trained to prevent U-18s from entering and regularly floor-walking (not sitting behind desks). In addition, loitering of any kind is not permitted and just does not occur. There are simply the machines which customers use.

31. The standard of management is high and children wouldn't be able to get past the front door even if they did approach. It should be made clear that AGCs are very different to betting venues in that there is no counter or screens that staff sit behind. In AGCs, they are on the floor walking and monitoring the customers. It is a company policy and common across the industry that the

moment you walk into an AGC venue a member of staff comes straight over to greet you and, if required, request proof of age.

32. We are highly experienced operators in dealing with what can be perceived to be difficult locations. In all of our venues, we ensure that a risk assessment is undertaken and where deemed necessary, we employ SIA trained door staff.
33. A risk assessment has been carried out in relation to 32 Gerrard Street, and as can be seen in the proposed conditions, a SIA door supervisor condition has been offered. The condition states that between 6 pm and 6am there will be an SIA registered door person employed at the front door of the premises. The need for an SIA door person at other times will be risk assessed. We take this issue very seriously and, unlike other operators, ensure that where required, SIA supervisors are employed.

#### **OTHER AGCs IN THE AREA**

34. There are three other AGCs in the vicinity:
- a. Play 2 Win at 32 Wardour Street, this premises licence has no additional conditions attached to it;
  - b. Las Vegas, 89 - 91 Wardour Street, this premises licence has no additional conditions attached to it.
  - c. Little Vegas, 3-5 Wardour Street, the most recently granted premises licence, that does contain conditions offered by the operator.

#### **THIS APPLICATION**

35. We have proposed an additional 30 conditions. As the Sub-Committee will be aware, there is no police representation, but we have been liaising with Brian Lewis in relation to these conditions.
36. In support of the application, we have prepared a CCTV plan showing the locations of the cameras, including two externally to cover the front door. There is a "spotter monitor" placed inside the premises near the front door showing the CCTV images of customers entering, exiting and whilst on the premises. The machine layout plan shows the proposed layout of where the machines will be going.

37. There will be a magnetic locking device, commonly referred to as a Maglock, which will be installed and maintained on the main entrance/exit to the premises which will be operable by staff only. The premises will also benefit from installed and maintained fixed panic buttons, and in addition, portable panic buttons will be worn by staff.
38. The site was previously a BetFred for many years, which held a Gambling Act 2005 Betting premises licence without issues, so far as we are aware. I would say that betting premises tend to have more issues than AGCs, for the simple reason that we do not attract anti-social behaviour and street loitering in the same way that betting premises sometimes do. No-one has ever referred to any issues at all with this site having a Gambling Act 2005 premises licence. Indeed, the police did not submit a representation for this specific site. I anticipate no issues here.
39. The Westminster Gambling Risk Index for the application premises is 34.7. Risk scores for Westminster vary between 0 and 72.9. This location has its unique sensitivities and the local area risk assessment is a live document which will be amended as and when needed. However, in the overall context, this location is not a very high risk location, it is around the middle with its score of 34.7. The full Westminster Gambling Risk Index analysis can be found in the updated LARA.
40. It has been mentioned above that we have operated without issue on the Edgware Road for many years. The 'Exploring area-based vulnerability to gambling-related harm: Developing the gambling-related harm risk index' document confirms that there are four main areas of greater risk to gambling-related harm identified in Westminster. One of these areas is the area around the Edgware Road in the north central part of Westminster. The point being that we have experience in operating within Westminster, in an area that is deemed to be an area of greater risk.
41. This venue, along with all of the estate, will have GamCare posters up (in English, Mandarin and other languages deemed to be required), and staff will interact with customers as they have been trained to do. The customer interactions are 3 step: identify, interact and evaluate. These

interactions may result in self-exclusion being suggested, and if the customer refuses to self-exclude, but the member of staff feels the customer is at risk, they will bar them.

42. If a customer self-excludes from a Silvertime site, they are also excluded from all AGCs in the locality. We appreciate the need and understand the locality surrounding our premises, and always strive to ensure our risk assessment reflects this.

#### **LOCAL NEIGHBOURHOOD LIAISON**

43. We have written to all residents that made a representation to the application in order to confirm the history of the company and our experience in running successful, compliant AGCs. We also sent them a copy of the proposed additional conditions we are offering. As with all our sites, I am very keen to work with local residents and the neighbourhood to ensure that we form part of the local community.

#### **WESTMINSTER CITY COUNCIL NEW GAMBLING POLICY**

44. We are aware from operating in Westminster and as part of the application process that Westminster are looking to adopt a new Gambling Policy. It is not certain when or what elements of the proposed new policy will be adopted. However, we have considered the version of the new policy that has been consulted on and in particular pages 48-57 that relates to the three licensing objectives and pages 170-191 that relate to AGCs.
45. Above and beyond our normal operating procedures and the bespoke further conditions offered, I can confirm that as an operator we would be able to meet the following requirements of the new policy. In particular:
- a) The undertaking of a Terrorism Threat Risk Assessment (TTRA) and providing an Action Counter Terrorism security plan. Plus making sure SIA Door Staff are provided training on emergency procedures associated with a bomb threat.
  - b) To designate one or more staff members within the organisation and to train staff in relation to wider non gambling related child protection issues. It is most likely that Phil Wheeler or myself would undertake this and ensure that it is incorporated in staff training.

- c) By having policies and procedures in place in relation to the following risks: *'The cognitive capacity of the person to make informed decisions relating to their gambling'* and *'Establishing the means to which a person can afford to gamble to the extent and frequency of their gambling activity'*.
- d) All new staff contracts will contain a clause ensuring that disciplinary action will be taken against members of staff who fail in their role to protect children from harm.
- e) In terms of protecting adults who may not be partaking in a gambling activity at the premises. We have clear interaction policies that would mean that anyone not playing on the machines would be spoken to and asked to leave.
- f) Before operating the premises, we have both a Safeguarding Adults Policy and Procedure Document and a separate Safeguarding Children Policy and Procedure Document.
- g) Although gaming machines cannot be remotely disabled by staff, due to the way that staff interact with customers and are always on the floor, should an issue be spotted a gaming machine would be disabled by turning of the power off at source.

## **CONCLUSION**

- 46. I have considered carefully all of the representations and prior to making this application, have considered in detail previous decisions of the Licensing Sub-Committee for this area. I wanted to ensure that all matters within the representations, especially that of the Licensing Authority, were dealt with.
- 47. Specifically, you will note there are 30 additional conditions offered that ensure that the 3 licensing objectives are not only met, but are promoted.
- 48. Considerable liaison has taken place with the local residents, including an initial email sent by the licensing authority on our behalf on 11 October 2021 setting out proposed conditions and an offer to meet. This was then followed up by the licensing authority sending a further email on 21

December 2021 containing the updated LARA and updated conditions to all those that submitted a representation. As at the time of my statement, we have not been asked for a meeting.

49. We are not aware of any evidence that suggests that this style of premises has had any significant issues within the area.

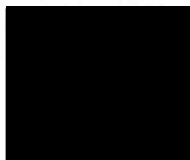
50. We do not experience issues with those under the age of 18 and will have our most experienced staff at these premises who understand how to deal with the young and the vulnerable.

51. This premises licence application is in accordance with the Gambling Commission Guidance and the licence conditions and codes of practice. I am certain that the premises will have no impact on the 3 licensing objectives and indeed will promote them.

#### **STATEMENT OF TRUTH**

I believe that the facts stated in this witness statement are true. I understand that proceedings for contempt of court may be brought against anyone who makes, or causes to be made, a false statement in a document verified by a statement of truth without an honest belief in its truth.

Name: Edward Reed  
Signature:  
Date:



# TAB 12



Name:

Date:

## 1. ACCESS TO GAMBLING BY CHILDREN AND YOUNG PERSONS

### 1. What is Challenge 25? (Tick 1 box)

- A bonus game of Bingo
- Part of the Gambling Act 2005
- Challenging anyone who looks under 25 to prove that they are over 18

### 2. What proof of age documents are acceptable? (Tick 3 boxes)

- Passport
- National Insurance Card
- European Photograph Driving Licence
- Bank Card
- PASS Accredited Proof of Age Scheme (Citizen Card)

### 3. What are you looking for when checking proof of age documents? (Tick 5 boxes)

- Does the ID clearly show a Date of Birth (D.O.B)?
- What is the date of issue?
- Does the ID document look as if it has been tampered with?
- Is there a Hologram?
- Is there a photograph?
- Is there an address shown?

### 4. You ask someone to provide ID, but they have none. What do you do? (Tick 1 box)

- Let them carry on playing but ask them to bring their ID in next time
- Ask them politely to leave and come back with their ID.
- Call the Police.

### 5. An under-age person places money (stake) into a gaming machine and then wins? What do you do? (Tick 2 boxes)

- Permit them to play off the credits, collect any winnings and ask them to leave.
- Ask them to leave straight away and give them nothing
- Stop them from playing the machine immediately and return any money staked and withhold any winnings they may have accumulated, then politely ask them to leave
- Record the incident on the AV Log on the smart Tablet.

### 6. How can we prevent under-age people from entering licenced premises? (Tick 3 boxes)

- Being aware of all customers within our premises.
- Pro-actively thinking 'Challenge 25' and asking for proof of age when necessary
- Standing by the cash desk at all times, away from the front door/s
- Ignoring customers and forgetting to ask for proof of age
- By adhering to the 'staff rotation method' and having one member of staff continually by the front door

### 7. You refuse entry to a customer because they have no ID that can prove their age. What could you give them? (Tick 1 box)

- Advice on how to look older
- A Let's Keep It Fun leaflet (located at the front door)



**2. ACCESS TO PREMISES BY THE STATUTORY AUTHORITIES**

**8. What must you do if someone from the Statutory Authorities visits the shop? (Tick 3 boxes)**

- Check their ID
- Be polite and co-operative towards them and ask them to sign in
- Ignore them and then ask them to come back another time
- Notify Management asap after they have left

**9. Who are the 3 Statutory Authorities? (Complete the three lines below)**

- 1. ....
- 2. ....
- 3. ....

**10. One of these bodies may ask to see your Premises Licence. Where is this kept? (print below)**

.....  
.....

**3. ADVERTISING STANDARDS AND MARKETING**

**11. When dressing our windows, should we be mindful that we do not use marketing materials that could be perceived to be attractive to young persons. (Tick 1 box)**

- Yes
- No

**12. Is it permissible to use children in our advertising material? (Tick 1 box)**

- Yes
- No

**4. CUSTOMER INTERACTION**

**13. What two things should you do if a customer asks where to get help or information about their gambling? (Tick 2 boxes)**

- Ignore them and tell them to come back when the Manager is on duty
- Give them a Let's Keep It Fun leaflet
- Give them some Free Plays
- Make a record within the Smart Interaction app on the Smart Tablet.

**14. How would you approach someone who might be considered vulnerable? (Tick 1 box)**

- Start talking to them and ask if they are OK
- Ask them to leave
- Give the helpline number and tell them they have a gambling problem
- Turn their machine off

15. What actions should always be recorded on the Smart Tablet within the Smart Interaction app? (Tick 2 boxes)

- Complaints related to Gaming Machines
- Faulty air-conditioning
- Damage to machines by an aggressive customer
- Giving help or advice in relation to problem gambling (customer interaction)

16. Where should we keep the Stay in Control leaflets? (Tick 2 boxes)

- At the front door
- In all customer/public toilets
- In the cash desk cupboard

17. Is the same customer able to have multiple Interactions logged on the Smart Tablet? (Tick 1 box)

- Yes
- No

18. Whose responsibility is it to deal with customer Interactions (Tick 1 box)

- The Operations Manager
- All staff members
- The venue Manager
- Not mine

## 5. EMPLOYMENT OF CHILDREN AND YOUNG PERSONS

19. What is the Minimum age for employees to work in an AGC/Bingo premises? (Tick 1 box)

- Twenty Five years of age
- Eighteen years of age

20. Gaming machines in Licensed Premises should be switched off, if children and/or young persons are working on the premises, outside the normal opening hours? (Tick 1 box)

- True
- False

21. You are in the shop working and a friend, a member of your family, or one of your work colleagues arrives with their baby/children with them. Can they 'pop in' to see you for a few minutes? (Tick 1 box)

- Yes
- No
- Sometimes

## 6. FAIR AND OPEN PRACTICE AND DISPUTE RESOLUTION

22. What should you do if a customer makes a complaint about a gambling related issue? (Tick 1 box)

- Ignore them
- Ask them to leave because they are not allowed to complain
- Take details and complete an IRF form, then notify your line manager accordingly



23. If a Supervisor/Duty Manager is unable to resolve a complaint, who would the customer be referred to? (Tick 1 box)

- The Supervisor/Duty Manager's Line Manager
- Arbitrator
- Gambling Commission
- The local Council

24. In the event of a customer complaint relating to gambling, what else should you do? (Tick 1 box)

- Tell other customers
- Ensure a record is made on the Smart Tablet.
- Do nothing at all

25. Where should we keep the leaflets regarding the company's Complaints & Disputes Policy? (Tick 1 boxes)

- On the wall at the front entrance
- In the customer toilets
- In the cash desk, not in public view, but readily available

26. Complete the following four sentences by filling in the blank spaces, using each of these words:

Thank / customer / apologise / four / manager / resolution  
solution / gaming / positive / record / operations manager / listen

The Gambling Commission requires the company to ..... all complaints that are specifically about AGC's and FEC's. If it is the case that the complaint cannot be resolved in the first instance we operate a ..... Stage complaints procedure. Should a ..... wish to complain about any aspect of the ..... Operation, you should deal with it.

Firstly ....., then ..... for the experience. It is important to find out what the customer would like as a ..... and do what you can to achieve a ..... outcome. If the customer is happy then ..... them and return to your work. If the customer is not happy at this stage of the complaints procedure then you must call your ..... who will attempt to resolve the issue at the second stage.

Should the customer still be unhappy, they are asked to complete a complaint or dispute form. This must also be recorded in the log at the shop. The customer is then given a copy of the complaints leaflet which gives the details of the .....

If the complaint is not satisfactorily resolved, the final stage is one where an Alternative Dispute Resolution entity will talk to the customer in an attempt to negotiate a ..... to the complaint.

**7. INFORMATION ON HOW TO GAMBLE RESPONSIBLY AND HELP FOR GAMBLERS WITH PROBLEMS**

27. Which leaflet could you give a customer to give them advice on problem gambling? (Tick 1 box)

- Yellow Citizen Card application form
- Let's Keep It Fun leaflet
- Complaints and Disputes leaflet

# SilverTime

**28. A vulnerable person is someone who may potentially experience problems with their gambling. You may be concerned about someone who...**

(Tick 3 boxes)

- Is laughing and joking all the time
- Looks agitated
- Is shouting and swearing at the gaming machine
- Is visibly upset

**29. If a customer asks for help because they are concerned about their gambling, where should you report this?**

(Tick 2 boxes)

- Leave a message on a blank piece of paper
- Inform the duty manager
- Complete the Incident Report Form (IRF) within the Smart Interaction app on the Smart Tablet

**30. Which of the following may indicate a problem gambler? (Tick 1 boxes)**

- Agitated and argumentative
- Borrowing money from other players
- Excessive spending
- All of the above

**31. To ensure the company promotes Responsible Gambling, what else should we do? (Tick 1 box)**

- Ensure appropriate leaflets are available at all entrances
- Ensure appropriate leaflets are available in all customer toilets
- Display posters at all entrances and on digital screens (where possible)
- All of the above

**32. What does ADR stand for? (Tick 1 box)**

- Any Different Response
- All Day Racing
- Alternative Dispute Resolution
- A Different Reason

## **8. MONEY LAUNDERING**

**33. Who would you notify if you suspected a customer of money laundering? (Tick 1 box)**

- Everybody
- No one
- Your Duty Manager

**34. Who is the Money Laundering Officer (MLO) for the company? (Write your answer below)**

.....

**35. How can you help prevent gaming machine fraud? (Tick 3 boxes)**

- Be mindful of 'new' faces playing the gaming machines
- Ignoring customers and failing to be observant to customers in the shop
- Avoid groups of players gathering around one machine
- Ensure that gamblers are not placing their legs up on the pay-out trays

36. Where should all incidents of potential Money Laundering be recorded? (Tick 1 box)

- On a paper form
- We don't bother recording them
- Within the AML app on the Smart Tablet
- All of the above

37. What attention must be paid during all cash transactions? (Tick 1 box)

- Authenticity of notes and coins
- Notes undamaged and not "dyed"
- Sudden increases to spending patterns of customers
- All of the above

## 9. SELF-EXCLUSION

38. Where do we record Self Exclusions? (Tick 1 box)

- Fill in a paper Self Exclusion form
- On the Smart Tablet
- On a scrap of paper

39. What is the minimum length of time a customer can choose for self-exclusion? (Tick 1 box)

- 3 months
- 6 months

40. What is the maximum length of time a customer can choose for self-exclusion? (Tick 1 box)

- 12 months
- 12 years
- Life

41. When a customer excludes from a Bingo licensed premises they are excluded from all Bingo premises in the UK. Is this

the same for AGC's? (Tick 1 Box)

- Yes
- Sometimes
- No

42. How often should the tablet be checked for Self-Exclusion information updates? (Tick 1 box)

- Once per week
- Once per day
- Every session

43. Who is responsible for checking the tablet for Self-Exclusion updates and ensuring the battery is charged? (Tick 1 box)

- Just the Manager
- Supervisors
- All staff on duty

# SilverTime

**44. A customer who is Self Excluded enters your premises and tries to play a machine, but you stop them. Where do you**

**Record this breach of Self Exclusion? (Tick 1 box)**

- On the appropriate paper form
- Don't record it, just ask them to leave.
- On the Smart Tablet within the Self Exclusion app.

**45. A customer is complaining/shouting about a gaming machine and states they wish to Self-Exclude, what do you do? (Tick 1 box)**

- Do nothing at all and ask them to leave
- Refuse the Self-Exclusion process – Explaining to them that because they are making a complaint relating to gaming, we must follow the complaint in-line with the company's four stage complaints procedure policy
- Shout back at them

**46. In-line with the above what else would you do? (Tick 3 boxes)**

- Empathise and listen to what the customer has to say, remaining calm and collected at all times
- Tell them to get stuffed, it's not your job to help them
- Pull them to one side and try to have a meeting with them as discreet as possible and away from other customers
- Hand them a Let's Keep It Fun leaflet and explain exactly what Self-Exclusion process applies

**47. A customer wishes to return to gambling after a Self-Exclusion has expired. How long is a "cooling off" period? (tick 1 box)**

- 24 hours
- 48 hours
- There is no cooling off period
- 72 hours

**48. The tablet incurs a fault and blocks you from completing the Self-Exclusion process. What do you do now? (Tick 2 boxes)**

- Nothing as the tablet will be fine later in the day
- Report ASAP to the Area/Operations Manager, explaining the fault with the tablet
- Complete a manual Self-Exclusion Form (noting day, date, time, plus brief description of customer)
- Ask the customer to return at a time convenient to them

**49. When a customer Self Excludes in a Silvertime AGC or Bingo premises can they also Exclude from Betting Shops at the same time, whilst in our venue? (Tick 1 box)**

- Yes
- No

**50. When a Self-Exclusion is requested, who is the person that should control all of the information on the tablet/form?**

(Tick 1 box)

- The Customer
- Duty Manager/Supervisor (or member of staff)
- The customers friend

51. A customer asks you about where they can obtain information to give help and advice for anyone with concern over their gambling, what do you do? (Tick 2 boxes)

- Ask them to come back another day when the Manager is on duty
- Inform them and show them where the Let's Keep It Fun leaflets are kept
- Record this Customer Interaction within the App on the Smart Tablet

52. A customer has been playing a gaming machine for a long period of time, part of our obligations in operating gambling facilities is to be 'aware' of who is playing and for how long. By going over to customers and asking if they are ok this simply opens a line of conversation. From their response back to us, what should we be looking for in the customer?

(Tick 1 box)

- Do they look agitated
- Did they reply to you in an aggressive manner
- Did they appear to be calm and polite and in control
- All of the above

## 10. LARA

53. The LARA is located where? (Tick 1 box)

- At head office
- In the cash desk somewhere
- The Compliance Manual (Back of House)

54. An after-school club opens up very close to the AGC/Bingo Club, should this be noted within the LARA? (Tick 1 box)

- Yes
- No

55. What does LARA stand for?

(Tick 1 box)

- Losses Are Rarely Acceptable
- Local Area Risk Assessment
- A character in an old video game

56. Supposing you notice that a 'Gamblers Anonymous' meeting room has opened very close to the AGC/Bingo club where you work. What do you do upon discovering this? (Tick 1 box)

- Nothing at all because you don't have the need for Gamblers Anonymous
- Report to the Operations Manager immediately so the Local Area Risk Assessment can be updated accordingly.

## 11. SHOP SECURITY & GENERAL KNOWLEDGE

57. What could you do if you think someone is trying to tamper with a gaming machine? (Tick 3 boxes)

- Notify the duty manager (or senior management team)
- Turn a blind eye to the situation and do nothing at all until they have left
- Approach them and ask them what they are doing
- Watch them discreetly using the CCTV system, to observe their behaviour





58. What can happen if you don't follow the company policy and procedures relating to gaming operations? (Tick 1 box)

- Company could lose operating licence and individual staff could be fined
- You would be praised for having done such a good job
- None of the above

59. If a customer comes in wearing a cap/hat, what should you do? (Tick 1 box)

- Say nothing at all
- Politely ask the customer to remove their hat/cap
- Inform them you like their hat and ask them to leave it on

60. Should we be mindful, not to be talking too loudly about money on the shop floor and how much we have in our floats?

(Tick 1 box)

- Yes, it is important that we are not 'broadcasting' information to any customers whatsoever
- No, it doesn't really matter if any customers hear us

61. How should you react in best practice, in order to deal with an aggressive/argumentative customer? (Tick 2 boxes)

- Shout loudly back at them and tell them to get out
- Tell them they are barred
- Empathise, listen to their complaint and take some details from them (including contact information)
- Advise them that you will follow up on their complaint and try to resolve for them

62. Can members of staff participate in any forms of gambling, within Silvertime premises? (Tick 1 box)

- Yes
- No

63. A customer has a big machine win and offers you a tip. Are you allowed to accept gratuities (tips)? (Tick 1 box)

- Yes
- No

64. A Licensing Officer from the Council visits the shop whilst you are working and asks to see the Compliance Folder. Where is it kept? (Tick 1 box)

- Cash desk
- Staff room
- Managers office

.....  
.....

Score: ..... / 64

Percentage % .....

Pass: YES NO

Trainers Signature: .....

Re-test Date if needed: .....

# TAB 13



**TOOLKIT FOR**

**POLICY & PROCEDURE  
SYSTEMS**

**AGCs & FEC ADULT AREAS**

**COMPREHENSIVE GUIDE TO LCCP  
REQUIREMENTS**

**VERSION 16 – July 2016  
EFFECTIVE AS AT 31<sup>st</sup> OCTOBER 2016**



GAMBLING ACT 2005  
Licence Conditions and Codes of Practice  
Adult Gaming  
&  
Licensed Family Entertainment Centres  
*Policy Procedure Documents, Logs, Forms & Records*

***Source of Reference***  
***Gambling Commission***  
***Gambling Codes of Practice***  
***Consolidated for all forms of gambling***  
***July 2016***

***2016 July***  
***Version 16: Update 1***

# Introduction

Your Operating Licence is subject to certain conditions and codes of practice (LCCP) that must be complied with to protect your licence.

## Codes of practice are either:

- **social responsibility code** provisions which **must be adhered to** by all licence holders

*Therefore any breach of them by an operator may lead the Commission to review the operator's licence with a view to suspension, revocation or the imposition of a financial penalty and would also expose the operator to the risk of prosecution.*

- **ordinary code** provisions – these do not have the status of licence conditions but failure to take account of them can be **used as evidence in criminal or civil proceedings**.

There are four types of licence condition, and they have different status in law, but you need to comply with them all:

- General licence conditions can be applied by the Gambling Commission to an individual operating licence or a class of operating licence (for example, all AGC operating licences).
- Individual licence conditions can be applied by the Gambling Commission to an individual operating licence. They are likely to address matters concerning an individual operator and their activities.
- Conditions imposed by the Secretary of State may be applied to a class of operating licence using statutory instruments (amendments to the law).
- Statutory conditions imposed by the Gambling Act 2005 may be applied to a class of operating licence.

This toolkit is designed to incorporate the conditions for licensees to ensure compliance with any relevant social responsibility provision of a code of practice issued by the Gambling Commission and is applicable to:

### **Gaming Machine General: Adult Gaming Centre Licences, and Gaming Machine General: Family Entertainment Centre Licences**

All key requirements necessary to ensure compliance are incorporated but it is important that you also refer to the most up-to-date LCCP version published by the Commission, currently:

<http://www.gamblingcommission.gov.uk/PDF/LCCP/LCCP-sector-summary-for-arcades.pdf>

It is absolutely right that licensees themselves should determine how to apply LCCP requirements when formulating their company policies and procedures and how to assimilate into operational systems. This toolkit suggests policy and procedure documents that incorporate requirements, together with a series of logs for the necessary recording of incidents. In addition, there are suggested procedures and forms for dealing with and recording complaints and disputes, suspicious monetary transaction and other relevant matters.

The toolkit is amended from time to time, reflecting changes made to LCCP by the Commission, therefore it is imperative that operators ensure they have the most up-to-date version, currently:

**PS/2016/Oct31/v16 01**

The version reference is printed at the bottom left corner of the cover page and repeated on each page of the toolkit. All previous versions are not fit for purpose and should be deleted from files and systems.

The toolkit is principally intended for licensees and senior management. A staff training booklet - more appropriate for junior members of staff who interface with customers - is available separately from bacta.

**Additional documents available from bacta**

- 1. Local Risk Assessment**
- 2. Money Laundering Risk Assessment**

# INDEX

	<b>Page(s)</b>
<b>COVER PAGES</b>	1 - 2
<b>INTRODUCTION</b>	3 – 4
<b>INDEX</b>	5 - 7
<b>POLICY DOCUMENTS</b>	
Access to Gambling by Children and Young Persons.....	8
Age Verification Testing .....	9
Access to Premises by the Gambling Commission’s Enforcement Officers .....	10 - 11
Advertising Standards and Marketing .....	12
Customer Interaction .....	13
Employment of Children and Young Persons .....	14
Fair and Open Practice and Dispute Resolution .....	15
Information on how to Gamble Responsibly and Help for Problem Gamblers .....	16
Money Laundering, Cash Handling & Suspicious Transactions .....	17 - 18
Self-Exclusion .....	19 - 20
<b>LOGS</b>	
Attempts by Children and Young Persons to Gamble .....	21
Customer Interaction .....	22
Incidents Requiring Police Assistance .....	23
Self-Exclusion .....	24
Staff Training Summary .....	25
<b>STAFF RECORD OF TRAINING DOCUMENTS</b>	
Access to Gambling by Children and Young Persons .....	26
Access to Premises by the Gambling Commission’s Enforcement Officers .....	27
Advertising Standards and Marketing .....	28
Customer Interaction .....	29
Employment of Children and Young Persons .....	30

Fair and Open Practice and Dispute Resolution .....	31
Information on how to Gamble Responsibly and Help for Problem Gamblers .....	32
Money Laundering, Cash Handling & Suspicious Transactions .....	33
Self-Exclusion .....	34 - 35

## **FORMS & STATEMENTS**

**Page(s)**

The Licensing Objectives .....	36
Principal Concepts .....	37
Complaint Policy & Procedure Document and Terms & Conditions.....	38 – 40
Complaint Form .....	41 - 42
Record of Complaints & Disputes .....	43
Record of Suspicious Monetary Transactions .....	44
Self-Exclusion Form .....	45
Self-Exclusion Review Form .....	46

## **EVALUATIONS**

Questionnaires .....	47 - 54
----------------------	---------

## **CODE PROVISIONS**

Responsibility for Third Parties (Code Provision 1.1.2) .....	55
---	----

## **GENERAL CONDITIONS**

Qualified Persons .....	56
Personal Licences .....	57 - 58

## **KEY EVENTS**

Operator Status .....	59
Relevant Persons and Positions .....	59 - 60
Financial Events .....	60
Legal or regulatory proceedings or reports.....	60 - 61



Gambling Facilities .....	61 - 62
Other Reportable Events .....	62
<b>GENERAL &amp; REGULATORY RETURNS</b> .....	62
 <b>PROTECTION OF CUSTOMER FUNDS</b>	
Disclosure to Customers .....	63
 <b>PAYMENT</b>	
Cash and Cash Equivalents, Payment Methods and Services .....	63
Provision of Credit by Licensees and the use of Credit Cards .....	63
 <b>REPORTING SUSPICION OF OFFENCES</b> .....	64
 <b>RESPONSIBLE PLACEMENT OF DIGITAL ADVERTS</b> .....	64
 <b>APPENDIX A</b>	
Gaming General Terms and Conditions (Customer Notice) .....	65
 <b>APPENDIX B</b>	
Guide to the bacta Self-Exclusion Services Scheme .....	66 - 70
 <b>APPENDIX C</b>	
System Checklist ,.....	71 – 72
 <b>OPERATOR NOTES</b> .....	73

## GAMBLING ACT 2005

### Licence Conditions and Codes of Practice

#### ACCESS TO GAMBLING BY CHILDREN AND YOUNG PERSONS

*It is illegal for any person who is under 18 years of age to be permitted entry to an Adult Gaming Centre or Adult Gaming Area.*

#### Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

#### Policy and Procedures

- Our policies and procedures with regard to age restriction take into account the structure and layout of our gambling premises so as to prevent access to gambling by children and young persons, and that our facilities do not appeal to children and young persons.
- Clear and prominent signage is placed at the entrance(s) to our Adult Gaming Centre(s) and adult area(s) stating that it is illegal for persons under the age of 18 years to enter and for the Company to permit entry.
- It is a matter of gross misconduct if a member of staff knowingly allows entry by any person who is under the age of 18 years to our Adult Gaming Centre(s) or Adult Gaming Area(s).
- Any person known to be under 18 years of age is refused entry.
- Any person who appears to be under 18 years of age, and has not previously provided satisfactory proof to the contrary, is asked to provide appropriate identification when it comes to the attention of staff and before an attempt to gamble. *Members of staff are trained to 'think 21' as a minimum.*
- If the person admits to being under the age of 18, they are refused entry.
- Should they claim to be 18 or over and there is still doubt, satisfactory proof of age is requested and has to be provided before entry is allowed. *Incidents involving suspected forged documents will be recorded and reported.*
- Proof of age documents must contain a photograph from which the individual can be identified; state the individual's date of birth; be valid, and legible. It should bear no visible signs of tampering or reproduction. *Acceptable forms of identification include those that carry the PASS logo (e.g. Citizencard); a driving licence (including a provisional licence) with photograph, a passport and military identification cards.*
- Where there is still doubt and the person cannot produce proof of age, they are advised that they will not be permitted to enter until such time as they provide such proof.
- They will be shown, have explained to them, and be given a 'proof of age card' application form or offered an explanation on how to apply for a card.
- Should the person then refuse to leave, they are advised that the age restriction is a legal requirement.
- If they still will not leave, the Duty Manager is immediately contacted to take over the situation.
- Any attempts by under-18s to enter the premises or designated adult area(s) and gamble are brought to the attention of the Duty Manager immediately and recorded as an entry on a log retained on the premises for this purpose. *Details of entry to include date, time, identity of the individual if known - or detailed description if unknown – member of staff dealing, action taken, the outcome and measures put in place to prevent a re-occurrence. Log to be countersigned by the Duty Manager.*
- Service is refused in all circumstances where any adult is accompanied by a child or young person.
- All gaming machines, other than category 'D' machines, are inscribed with a notice prohibiting play by persons under the age of 18 years.
- Stakes are returned to under-18s where they have been identified as gambling in AGCs or adult-only areas, and are not permitted to retain any monetary prize.
- Members of staff are trained as part of their induction process in the understanding of, and the strict adherence to this policy and accompanying log, and required to sign to this effect retaining a copy for their future reference; the original being retained on the employee's personnel file. Staff training policy covers all relevant prohibitions against inviting children or young persons to gamble or to enter gambling premises, and refresher training is carried out at appropriate intervals.

**Company:**

**Registered Address:**

**Date:**

**GAMBLING ACT 2005**  
**Licence Conditions and Codes of Practice**

**ACCESS TO GAMBLING BY CHILDREN AND YOUNG PERSONS**

**AGE VERIFICATION TESTING**

**Companies in Operating Licence fee category C or higher, whereby they are permitted to operate sixteen (16) or more AGCs, or sixteen (16) or more licenced FEC premises.**

- It is a requirement to conduct ongoing age verification testing or take part in collective age verification testing programs so as to provide reasonable assurance that policies and procedures to prevent underage gambling are effective.
- It is a further requirement that the results of age verification tests carried out by the Company are provided to the Gambling Commission.

**Companies in Operating Licence fee category A & B, whereby they are only permitted to operate up to fifteen (15) AGCs, or up to fifteen (15) licenced FECs.**

- It is a requirement that Licensees should consider how they monitor the effectiveness of their policies and procedures for preventing underage gambling, for example through collective test purchasing programs, and be able to explain their approach.

It is a condition of bacta membership that age verification tests are carried out by all AGC licensees, and that the results of testing are shared with the Commission.

Bacta's protocol for age verification testing is accredited by a Unitary Authority (Reading Borough Council).

## **GAMBLING ACT 2005**

### *Licence Conditions and Codes of Practice*

#### **ACCESS TO PREMISES BY THE GAMBLING COMMISSION'S ENFORCEMENT OFFICERS**

##### Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

##### Policy and Procedures:

The Company acknowledges its obligation to ensure that staff openly co-operate with the Gambling Commission in the proper performance of their compliance functions and that they are made aware of those officers' rights of entry to premises contained under Part 15 (S.303 to S.326) of the Gambling Act 2005 (refer to page 2 of this document) and that:

- The Company must provide the Gambling Commission with any information that the Commission would reasonably need to be aware of in exercising its regulatory functions or suspect may relate to the commission of an offence under the Act, including an offence resulting from a breach of a licence condition or a code of practice provision having the effect of a licence condition. Changes in key circumstances must be reported within five days of their occurrence in accordance with the terms set out in the Operating Licence.
- The Company must provide the Gambling Commission with such information as the Commission may require from time to time about the use of facilities provided such as:
  - (i) the numbers of people making use of the facilities and the frequency of such use;
  - (ii) the range of gambling activities provided by the licensee and the number of staff employed in connection with them; and
  - (iii) the licensee's policies in relation to, and experience of, problem gambling.
- The Company must submit a Regulatory Return to the Gambling Commission containing such information as the Commission may require from time to time, and provide evidence that the terms on which gambling is offered are not unfair under the Unfair Terms in Consumer Contracts Regulations 1999 and, where applicable, meet the reasonableness test under the Unfair Contract Terms Act 1977.
- The Appointed Manager will be informed immediately a Gambling Commission Enforcement Officer properly identifies himself on the premises, and will attend to the Officer without undue delay. Staff will co-operate at all times with the Commission's Enforcement Officers.
- Members of staff are trained as part of their induction process in the understanding of, and the strict adherence to this policy, and required to sign to this effect retaining a copy for their future reference. The original is retained on the employee's personnel file.

**Company:**

**Registered Address:**

**Date:**

## **GAMBLING ACT 2005**

### **PART 15**

Members of staff are to co-operate at all times with the Commission's enforcement officers in the proper performance of their compliance functions.

The officers' rights of entry to premises are contained in Part 15 of the Act which deals with inspection (Sections 303 to 326). A constable, enforcement officer or authorised person under the Act may enter premises for the purpose of assessing compliance or assessing whether an offence is being committed. A constable or enforcement officer can enter a premises if he reasonably suspects that an offence may be being committed or is about to be committed (Section 306). Entry may also be for the purpose of discovering whether facilities for gambling are being provided, to determine whether an operating licence or premises licence is held and to determine whether facilities are being provided in accordance with terms and conditions of an operating licence (Section 307).

Entry may also be made to assess the likely effects of activity when application has been made for a premises licence. A constable or enforcement officer may require the holder of an operating licence to produce, within a specified period, a copy of the authorisation (Section 316). Failure to comply without reasonable excuse to a request to produce a copy of the authorisation may result in an offence and be liable on summary conviction to a fine not exceeding level 2. Section 317 sets out powers of the constable, enforcement office or authorised person and include inspection of any part of the premises or any machine on anything on the premises, questioning any person, access to written or electronic records, remove or retain evidence of committing an offence or breach of terms and conditions. Section 20 provides that the power of inspection must be exercised only at a reasonable time. The enforcement officer or authorised person must provide evidence of his identify and authority (Section 321). Section 323 provides that a constable, enforcement officer or authorised person may use reasonable force to enter a premises. Section 326 provides that it is an offence to obstruct a constable, enforcement officer or authorised person in carrying out their duties.

**GAMBLING ACT 2005**  
*Licence Conditions and Codes of Practice*  
**ADVERTISING STANDARDS AND MARKETING**

Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

Policy and Procedure

All advertising and marketing by the Company complies with standards set by the Committee of Advertising Practice (CAP) and the Broadcast Committee of Advertising Practice (BCAP). We ensure that our marketing communications, advertisements, and invitations to purchase (within the meaning of the Consumer Protection from Unfair Trading Regulations 2008), including 'free bet' offers, do not amount to or involve misleading actions or misleading omissions within the meaning of those regulations.

We adopt the general principles that our advertising is:

- legal, decent, honest and truthful;
- prepared with a sense of responsibility to consumers and to society;
- respectful to the principles of fair competition generally accepted in business; and
- not intended to bring advertising into disrepute.

Specifically, we ensure that:

- advertising contains nothing that is likely to lead people to adopt styles of gambling that are unwise;
- advertisements and promotions are socially responsible and do not encourage excessive gambling;
- care is taken not to exploit the young, the immature or those who are mentally or socially vulnerable;
- advertising is not directed at people under the age of 18 years through the selection of media, style of presentation, content or context in which they appear. No medium is used to advertise gambling if more than 20% of its audience is under 18 years old;
- persons shown gambling are not, nor do they appear to be, under 25 years of age;
- there is honesty at all times with regard to the chances of winning, the likelihood of a big win, and the odds or payout ratio that applies to the gambling on offer;
- advertising and promotional material carries a reference for the need to keep gambling under control;
- it is never suggested or implied that gambling is a means of getting out of financial difficulty.
- Advertising and marketing material should not appear on any primary web page/screen or micro-site that provides advice or information on responsible gambling

Marketing and Promotion

Any incentive or reward scheme or other arrangement under which the customer may receive money, goods, services or other advantage (including the discharge in whole or in part of any liability (the benefit)) the scheme is designed to operate, and be operated, in such a way that neither the receipt nor the value or amount of the benefit is:

- (a) dependent on or calculated by reference to the length of time for or the frequency with which the customer gambles or has at any time gambled; or
- (b) dependent on the customer gambling for a pre-determined length of time or with a pre-determined frequency.

If the value of the benefit increases with the amount the customer spends it does so at a rate no greater than that at which the amount spent increases. Incentives and rewards are proportional to the type and level of the customer's gambling.

Members of staff, as appropriate, are trained as part of their induction process in the understanding of, and the strict adherence to this policy, and required to sign to this effect retaining a copy for their future reference. The original is retained on the employee's personnel file.

**Company:**

**Registered Address:**

**Date:**

## GAMBLING ACT 2005

### *Licence Conditions and Codes of Practice*

#### CUSTOMER INTERACTION IN RELATION TO IDENTIFYING CUSTOMERS WHO MAY BE SUSCEPTIBLE TO GAMBLING HARM

##### Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

##### Policy and Procedures

The Company makes use of all relevant sources of information to ensure effective customer interaction and decision making in relation to identifying possible gambling disorders; equally to identify at-risk customers who may not be displaying obvious signs of problem gambling, and in respect of customers designated 'high value' or 'VIP'. We work together with other operators to share experience and deliverance of good practice through bacto.

If members of staff have concerns that a customer's behaviour may be related to having problems with gambling, the Duty Manager is to be informed at the earliest available opportunity. Indicative behaviour may include signs of distress, agitation, aggression, intense mood swings, hysteria, remorse and perhaps even damage to property and violence or the threat of violence to staff or other customers.

Notwithstanding any initial urgent action taken to deal with the customer's behaviour, the Duty Manager is required thereafter to observe the individual and make a judgement as to whether it is appropriate to suggest to the customer that they might want to be provided with information regarding where they can seek professional advice about the nature of their gambling activity or have the process of self-exclusion explained for consideration.

If the customer refuses such information and continues to behave in a manner which could reasonably be considered to be disruptive or puts the staff or other customers in potential danger, the Duty Manager will implement the Company's procedures for dealing with antisocial situations.

The Duty Manager may give consideration to refusing service or barring the customer from the premises and, in extreme situations, contacting police for assistance. *Whenever police are called to the premises for assistance in handling any incident, a log entry will be made whether police attend or not.*

Notwithstanding any other action that may have to be taken immediately to prevent an incident from worsening, the Duty Manager will log all such reports which may result in future customer interaction or where it has been ruled out where otherwise it would have taken place. The interaction is conducted between the appointed manager and the customer in a confidential and meaningful manner.

Members of staff are aware of the appointed Manager who is specifically designated to deal with requests for self-exclusion, and are aware of where customers can be directed for confidential advice should they be directly approached for assistance.

This policy and procedure is consistent with, and implemented with due regard to the Company's duty in respect of the health and safety of members of staff.

Members of staff are trained as part of their induction process in the understanding of, and the strict adherence to this policy and accompanying log, and required to sign to this effect retaining a copy for their future reference. The original is retained on the employee's personnel file.

**Company:**

**Registered Address:**

**Date:**



## GAMBLING ACT 2005

### *Licence Conditions and Codes of Practice*

#### EMPLOYMENT OF CHILDREN AND YOUNG PERSONS

##### Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

##### Policy and Procedures

It is an offence for children (under-16s) and young persons (those aged 16 and 17) to be engaged, or permitted to be engaged in:

- Providing facilities for gambling.
- Performing any function (including cleaning) in connection with a gaming machine at any time.
- Carrying out any other function on Adult Gaming Centre licensed premises, whether directly employed or not, whilst any gambling activity is being carried on in reliance on the premises licence.

All relevant staff, including children and young persons, employed by this Company have been trained about the laws relating to access to gambling by children and young persons.

It is strict Company policy that:

- Children and young persons are not employed to carry out any work in an adult-only area of family entertainment licensed premises at a time when any gambling is taking place.
- Gaming machines sited in Adult Gaming Centres or adult gaming areas are turned off if children and/or young persons are working on the premises outside the hours when the premises are open for business.
- Due diligence is given to verifying the age of all new members of staff where there is reason to doubt authenticity of birth dates supplied.
- The movement of children and young persons employed on the premises are carefully monitored and supervised so as to ensure compliance.

Members of staff are trained as part of their induction process in the understanding of, and the strict adherence to this policy, and required to sign to this effect retaining a copy for their future reference. The original is retained on the employee's personnel file.

**Company:**

**Registered Address:**

**Date**

## GAMBLING ACT 2005

### *Licence Conditions and Codes of Practice*

#### FAIR AND OPEN PRACTICE ~ COMPLAINT AND DISPUTE RESOLUTION

##### Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

##### Complaints Procedure

The Company is committed to providing a high quality, accessible and responsive service to customers and the local community. However, dissatisfied customers may communicate a complaint to us either verbally or in writing. All complaints are taken seriously, investigated thoroughly and handled in a confidential manner. If the complaint cannot be resolved to the satisfaction of both parties on site, a copy of our written procedure for dealing with complaints, together with a complaint form, is supplied to the complainant at the earliest opportunity together with the name and status of the Company representative delegated to deal with the complaint.

Complainants should provide us with a comprehensive description and nature of the complaint; whether it is an original complaint, or where the outcome of a previous complaint was found unacceptable, and their name and postal address including a contact telephone number.

A 'complaint' means a complaint about any aspect of the Company's conduct of the licensed activities, and a 'dispute' is any complaint which:

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

In the first instance, the Company will endeavour to resolve the complaint to the satisfaction of both parties within fifteen working days. Should this not be possible we will explain why and provide a date by which the complainant can expect a full response.

In the event of a complaint relating to the outcome of a customer's gambling is unable to be satisfactorily resolved between the Company and the complainant, the complainant will be given contact details of an Alternative Dispute Resolution (ADR) entity.

- Complainants also have the means and opportunity of submitting their own version of events.
- The dispute is investigated in full by the ADR entity.
- Both parties are notified in writing of the review outcome with suggestions of a resolution if appropriate.
- This procedure may, but need not, provide for the ADR entity's resolution of the dispute to be binding on both parties.

The Company is obliged to keep a record of all complaints and disputes, other than those considered to be trivial, including all disputes referred to the ADR entity that are not resolved at the initial stages of the complaints procedure. There is a requirement to submit reports of the outcome of disputes referred to the ADR entity to the Gambling Commission at intervals determined by the Commission either by the ADR entity or by the Company.

The Company is satisfied that the terms on which gambling is offered are not unfair within the meaning of the Consumer Rights Acts 2015 and is compliant with those terms.

An accurate summary of the contractual terms on which gambling is offered is available to customers who are notified of material changes to terms before they come into effect.

**Company:**

**Registered Address:**

**Date:**

## GAMBLING ACT 2005

### Licence Conditions and Codes of Practice

#### INFORMATION ON HOW TO GAMBLE RESPONSIBLY AND HELP FOR GAMBLERS WITH PROBLEMS

##### Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

##### Stay in control advice

*Without breaching the principle that customers are responsible for their own gambling, the nature of the activity suggests that they should be reminded of the need to exercise caution. Accordingly, signage in the form of an appropriate number of posters or other appropriate means is displayed on our premises:*

- Giving clear guidance that in order to keep gambling a fun social activity the customer needs to 'stay in control'.
- Drawing attention to further information, such as leaflets that are available on the premises.
- Indicating sources of help such as the National Gambling Helpline operated by GamCare.
- Large enough and written in language so as to be easily seen and understood.
- Prominently displayed.
- Maintained in a clean and tidy condition, preferably within a glass fronted frame.

##### Advertising sources of help

*At the core of exercising a duty of care is the principle of assisting customers who may wish to express concern about their gambling. This tenet is drawn to the attention of customers on our premises in the following ways:*

- The prominent display of 'Responsible Gambling' or 'Stay in Control' information.
- There are holders or racks containing leaflets in appropriate places that emphasise the need to keep gambling under control and where to seek help should anyone be concerned about their own or a family member's gambling. These leaflets are available to be taken away from the premises without the necessity of having to ask for them.
- The leaflets are available at all times for customers to take discreetly without having to ask a member of staff, and are located in the gambling area either near to exit doors, ATMs or toilets. We endeavour to maintain an effective stock control system to ensure that such leaflets are always available to supply. Signposting Information may also be made available through the use of links for online or smart technology.
- Details of GamCare, giving the National Helpline telephone number is inscribed on all appropriate categories of gaming machines.

##### Protecting those who seek assistance

*Responding to someone who admits to having a problem with their gambling is a delicate matter that has to be timely and needs to be approached sensitively. It is our policy that:*

- rules and procedures relating to a policy of responding to problem gamblers are clearly formulated and incorporated into our day-to-day operation;
- at least one member of staff who has been trained to deal with situations that might require a response is on duty at any one time, or available without undue delay;
- a positive response including communicating sources of help and the possibility of self-exclusion is offered to any customer who admits to having lost control of their gambling;
- the facility of a self-exclusion policy for customers who wish to voluntarily self-exclude themselves from these premises, and other premises offering the same style of gambling in the locality, that stipulates a minimum exclusion period of six months - with a further 24-hour 'cooling off' period thereafter;
- we draw to the attention of relatives who express concern about a family member's gambling the options available to that person should they wish to address the extent of their gambling;
- members of staff do not collude with customers when asked to lie on their behalf, and
- where services are marketed in one or more foreign languages, we make available information on how to gamble responsibly, access to help, guides to the playing of any game, and a summary of the contractual terms on which gambling is offered in that, or those, foreign languages.

**Company:**

**Registered Address:**

**Date:**

**GAMBLING ACT 2005**  
*Licence Conditions and Codes of Practice*  
**MONEY LAUNDERING, CASH HANDLING AND SUSPICIOUS TRANSACTIONS**

Introduction

As part of its procedures for compliance with the requirements in respect of the prevention and detection of money laundering in the Proceeds of Crime Act 2002 and the Terrorism Act 2000, the Company takes into account the Commission's advice on the Proceeds of Crime Act 2002, *Duties and responsibilities under the proceeds of Crime Act 2002 – Advice for operators (excluding Casino operators)*.

Money Laundering Definition

Money laundering is a process by which the proceeds of crime are converted into assets which appear to have a legitimate origin, so that they can be retained permanently or recycled into further criminal enterprises. This definition of money laundering means that potentially any employee could contravene the Regulations if they were to become aware of or suspect the existence of criminal property and continue to be involved in a matter which relates to that property without reporting their concerns.

Policy

- The Company is committed to ensuring that all necessary safeguards are in place with regard to the receipt of money in order to avoid it being used to launder money that may originate from the proceeds of crime.
- The Company has appointed a Designated Money Laundering Officer (MLO)
- All relevant staff are trained on the requirements of the Regulations and told of the need to report any suspicious cash transactions to the MLO for the purpose of informing the relevant authorities.

Disclosure Procedure

- Where it is suspected by a member of staff that money laundering activity is taking/has taken place, a disclosure must be made to the MLO as soon as possible. Because of the importance attached to the process, notification should normally take place immediately by telephone or, where that is not possible, by any other expedient means.
- No discussion will take place with colleagues as confidentiality is paramount.
- The MLO will determine whether or not to submit - online or otherwise - a suspicious activity report (SAR) to the National Crime Agency (NCA) and will maintain records of all notifications received detailing the method of verification used to identify the suspected person.

Cash Handling

Operating policies and procedures are in place with regard to accounting practices and record keeping in respect of:

- (i) Monetary stakes introduced to machines (gross takings),
- (ii) Money introduced to re-float machines
- (iii) Token transactions
- (iv) Customer refunds due to machine malfunctions.
- (v) Money removed from machines (net takings)

Members of staff, where appropriate, are trained as part of their induction process in the understanding of, and the strict adherence to this policy, and required to sign to this effect retaining a copy for their future reference. The original is retained on the employee's personnel file.

**Company:**

**Registered Address:**

**Date:**

## Anti-Money Laundering

### Prevention of money laundering and terrorist financing

#### Licence Condition 12.1.1

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

As part of their procedures for compliance with the requirements in respect of the prevention and detection of money laundering in the Proceeds of Crime Act 2002 and the Terrorism Act 2000, licensees should take into account the Commission's advice on the Proceeds of Crime Act 2002, *Duties and responsibilities under the Proceeds of Crime Act 2002 - Advice for operators (excluding casino operators)*.

HM Treasury has decided to exempt all gambling sectors from the EU 4<sup>th</sup> Anti-Money Laundering Directive with the exception of non-remote and remote casinos.

This means that only remote and non-remote casinos will have to comply with the new Money Laundering Regulations which will be introduced in June 2017.

**GAMBLING ACT 2005**  
*Licence Conditions and Codes of Practice*

**SELF-EXCLUSION**

Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

Policy and Procedures

*Whilst most customers are able to enjoy and control their gambling, this Company recognises its duty of care to those who cannot. Accordingly, we provide a self-exclusion process for those customers who seek to prevent their own access to our premises and others in the locality offering a similar style of gambling as defined by the premises licence.*

- When a customer has requested that they be refused entry to our premises, the customer and the appointed manager will formally acknowledge and document the request on a self-exclusion request form, or directly on the web-based AGC national self-exclusion scheme. This will be preceded by a meaningful discussion about the terms and conditions applicable to the scheme and will include other options available to assist a person having a gambling disorder, including being signposted to counselling and support services. A copy of the terms and conditions will be signed by the excluder as acknowledgement of understanding and consent. Customers are given the opportunity of discussing self-exclusion in private where possible.
- Photo identification and signature of the excluder is required for self-exclusion agreements except where an alternative means of identification is at least as effective. Photographs, preferably of the passport style, should be full-faced and a good likeness both initially and throughout the duration of the self-exclusion agreement.
- The Duty Manager will offer the exclusion for a minimum duration of not less than six months, nor more than twelve months; the customer thereafter may request to extend the length of the self-exclusion for one or more further periods of at least six months, reliant on the Company's ability to manage longer agreements. The Company will not allow the excluder admittance to the premises during the term of the self-exclusion agreement, and will have in place procedures for preventing self-excluded individuals from gambling during the period of the self-exclusion agreement including taking into account the internal structure and layout of the premises.
- It is made clear to the customer that they may not revoke the self-exclusion during the agreed period and that if found either in the gambling area or attempting to gamble they will be asked to leave. Members of staff are trained to be alert to self-excluded individuals attempting to breach agreements and instances of them getting another person to gamble on their behalf. It is a requirement that staff regularly pay heed to self-exclusion agreement records that are currently active (particularly photographs) in order to stay alert to the identity of those excluded in the locality of the premises.
- Self-excluders have the opportunity of also excluding from other premises owned by the Company without necessarily having to enter areas licenced for gambling. Where the self-exclusion agreement is extended to other Company's premises we will consider any specific requests made by a customer in setting the bounds of the exclusion area.
- The Company will offer customers with whom they enter into a self-exclusion agreement in respect of facilities for any kind of gambling we offer, the ability to exclude from facilities for the same kind of gambling offered in our locality by any other holder of an operating licence to whom this provision applies, by participating in one or more available multi-operator self-exclusion schemes. In addition, the Company is participating in the possible development of a multi-operator self-exclusion scheme that will apply to all styles of gambling.
- A self-exclusion log is maintained on the premises for recording detail of those currently excluded in addition to records stored digitally.

- Those self-excluded will be removed from any marketing databases held by this Company within two days of receiving the completed self-exclusion form, but we will take all reasonable steps to prevent details being knowingly sent as soon as practicable.
- At the end of the self-exclusion period, the exclusion will remain in place for a further six months, unless the customer takes positive action in order to gamble again.
- At the end of the exclusion period, the Duty Manager and customer will, together, review the terms of agreement either by telephone or in person. The review process is recorded on a self-exclusion review form.
- Where a customer chooses not to extend the self-exclusion and makes a positive request to begin gambling again, the customer is offered a 24-hour 'cooling off' period before being allowed access to the gambling facilities.
- Customers are given the opportunity to discuss self-exclusion in private where possible.
- The Company retains self-exclusion records for the length of the agreement plus a further 6 months.
- Members of staff are trained both on induction and refresher sessions thereafter in the understanding of, and the strict adherence to this policy and accompanying log, and required to sign to this effect retaining a copy for their future reference. The original is retained on the employee's personnel file.

**Company:**

**Registered Address:**

**Date:**

**Attempts by Children and Young Persons to enter an Adult Gaming Centre or Adult Gaming Area to Gamble**

Note: This log is used where it is established that a person, known to be under the age of 18 years, enters an adult gaming centre or adult gaming area, and attempts to gamble therein. Instances where proof of age has been sought by staff, and verified as being over 18 years, may be recorded for other purposes on a 'customer refusal register'.

Date	Time	Circumstances including at what stage the young person was asked for identification	Identity or Description	Action, outcome & preventative measures adopted	Member of Staff requesting identification	Duty Manager Informed (signature)



Company: \_\_\_\_\_

Site Ref: \_\_\_\_\_

Serial No. \_\_\_\_\_

/

**GAMBLING ACT 2005**

*Licence Conditions and Codes of Practice*

**Customer Interaction in Relation to Identifying Customers who may have a Gambling Disorder or the Potential of Developing Difficulty with their Gambling**

To be completed in circumstances when a customer has either requested information on who to contact for help with a gambling disorder, or where a member of staff considers it appropriate to interact with a customer who is showing signs of distress associated with their gambling, or where it is suspected that a customer's gambling style is no longer under control. It should also be recorded where interaction has been subsequently ruled out, where otherwise it would have taken place.

An entry should also be made where an approach has been made by a relative or friend of a customer considered by them to be experiencing difficulties with their gambling.

Date	Time	Circumstances including signs of distress or where it is suspected that a customer's gambling is no longer in control.	Identity or Description of Customer	Limited Exposure Offered (Y/N)	Referred to GamCare (Y/N)	Self-Exclusion Explained (Y/N)	Notes of outcome including where interaction has been ruled out.	Duty Manager Informed (signature)
page 193								

**TO BE RETAINED ON THE PREMISES**

To be used in conjunction with the Company's policy and procedure concerning 'Customer Interaction'.

Company:

Site Address:

Site Ref:

Serial No. /

**GAMBLING ACT 2005**

*Licence Conditions and Codes of Practice*

**Incidents Requiring Police Assistance**

Ref	Date	Time	Nature of Incident	Time Police Called	Time Police Arrived	Outcome	Duty Manager
1							
2							
3							
4							
5							
6							
7							
8							

page 194

**TO BE RETAINED ON THE PREMISES**

To be used when police are called to the premises to assist the licensee whether they attend or not.

Company: Site Address: Site Ref: Serial No. /

GAMBLING ACT 2005  
Licence Conditions and Codes of Practice

SELF-EXCLUSION LOG FOR RECORDING DETAIL IF NO IMMEDIATE ACCESS TO THE BACTA WEB-BASED SCHEME

Ref	Name	Start Date	Attempts to Enter Date(s)	Attempts to Gamble Date(s)	Preventative Measures Deployed	End Date	'Cooling off' (Y/N)	Resumed Gambling Y/N
1								
2								
3								
4								
5								
6								
7								
8								
9								
10								
11								
12								
13								
14								
15								
16								
17								
18								

TO BE RETAINED ON THE PREMISES

To be used in conjunction with the Company's policy and procedure concerning 'Self-Exclusion'.

Company: Site Address: Site Ref: Serial No. /

**GAMBLING ACT 2005**  
*Licence Conditions and Codes of Practice*

**SUMMARY OF STAFF TRAINING**

Management and Staff, as appropriate, declare that they have read and understood the following documents, are fully aware of Company policy and procedures and their own respective requirements in relation to them:

- |  |  |
|--|--|
| <ul style="list-style-type: none"> <li>1. Access to Gambling by Children and Young Persons</li> <li>2. Access to Premises by the Gambling Commission's Enforcement Officers</li> <li>3. Advertising Standards and Marketing</li> <li>4. Customer Interaction</li> <li>5. Employment of Children and Young Persons</li> </ul> | <ul style="list-style-type: none"> <li>6. Fair and Open Practice and Dispute Resolution</li> <li>7. Information on how to Gamble Responsibly and Help for Gamblers with problems</li> <li>8. Money laundering, Cash handling &amp; Suspicious Transactions</li> <li>9. Self-Exclusion</li> </ul> |
|--|--|

Name	Position	Interval not to exceed 7 days			Signature	Leave Date	Tick against relevant Policies													
		Joining Date	Training Date				1	2	3	4	5	6	7	8	9					

To be retained ON THE PREMISES

To be used for recording staff training carried out by the Company.

**ACCESS TO GAMBLING BY CHILDREN AND YOUNG PERSONS**

***It is illegal for any person who is under 18 years of age to be permitted entry to an Adult Gaming Centre or Adult Gaming Area.***

Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

Policy and Procedures

- Our policies and procedures with regard to age restriction take into account the structure and layout of our gambling premises so as to prevent access to gambling by children and young persons, and that our facilities do not appeal to children and young persons.
- Clear and prominent signage is placed at the entrance(s) to our Adult Gaming Centre(s) and adult area(s) stating that it is illegal for persons under the age of 18 years to enter and for the Company to permit entry.
- It is a matter of gross misconduct if a member of staff knowingly allows entry by any person who is under the age of 18 years to our Adult Gaming Centre(s) or Adult Gaming Area(s).
- Any person known to be under 18 years of age is refused entry.
- Any person who appears to be under 18 years of age, and has not previously provided satisfactory proof to the contrary, is asked to provide appropriate identification when it comes to the attention of staff and before an attempt to gamble occurs. *Members of staff are trained to 'think 21' as a minimum.*
- If the person admits to being under the age of 18, they are refused entry.
- Should they claim to be 18 or over and there is still doubt, satisfactory proof of age is requested and has to be provided before entry is allowed. *Incidents involving suspected forged documents will be recorded and reported.*
- Proof of age documents must contain a photograph from which the individual can be identified; state the individual's date of birth; be valid, and legible. It should bear no visible signs of tampering or reproduction. *Acceptable forms of identification include those that carry the PASS logo (e.g. CitizenCard); a driving licence (including a provisional licence) with photograph, a passport and military identification cards.*
- Where there is still doubt and the person cannot produce proof of age, they are advised that they will not be permitted to enter until such time as they provide such proof.
- They will be shown, have explained to them, and be given a 'proof of age card' application form or offered an explanation on how to apply for a card.
- Should the person then refuse to leave, they are advised that the age restriction is a legal requirement.
- If they still will not leave, the Duty Manager is immediately contacted to take over the situation.
- Any attempts by under-18s to enter the premises or designated adult area(s) and gamble are brought to the attention of the Duty Manager immediately and recorded as an entry on a log retained on the premises for this purpose. *Details of entry to include date, time, identity of the individual if known - or detailed description if unknown – member of staff dealing, action taken, the outcome and measures put in place to prevent a re-occurrence. Log to be countersigned by the Duty Manager.*
- Service is refused in all circumstances where any adult is accompanied by a child or young person.
- All gaming machines, other than category 'D' machines, are inscribed with a notice prohibiting play by persons under the age of 18 years.
- Stakes are returned to under-18s where they have been identified as gambling in AGCs or adult-only areas, and under-18s are not allowed to retain any monetary prize.

Members of staff are trained as part of their induction process in the understanding of, and the strict adherence to this policy and accompanying log, and required to sign to this effect retaining a copy for their future reference. The original is retained on the employee's personnel file. Staff training policy covers all relevant prohibitions against inviting children or young persons to gamble or to enter gambling premises, and refresher training is carried out at appropriate intervals.

**I have read, understood and agree to implement the provisions of the above Company Policy and Procedures.**

**Signed:** .....

**Name: (please print)** ..... **Date:** .....

**Company:** ..... **Position:** .....

**A copy of this signed document must be given to the employee for on-going reference; the original document to be retained on the employee's personnel file for the duration of his/her employment.**

**GAMBLING ACT 2005**

*Licence Conditions and Codes of Practice*

**ACCESS TO PREMISES BY THE GAMBLING COMMISSION’S ENFORCEMENT OFFICERS**

Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

Policy and Procedures:

The Company acknowledges its obligation to ensure that staff openly co-operate with the Gambling Commission in the proper performance of their compliance functions and that they are made aware of those officers’ rights of entry to premises contained under Part 15 (S.303 to S.326) of the Gambling Act 2005 (refer to page 2 of the Company policy document) and that:

- The Company must provide the Gambling Commission with any information that the Commission would reasonably need to be aware of in exercising its regulatory functions or suspect may relate to the commission of an offence under the Act, including an offence resulting from a breach of a licence condition or a code of practice provision having the effect of a licence condition. Changes in key circumstances must be reported within five days of their occurrence in accordance with the terms set out in the Operating Licence.
- The Company must provide the Gambling Commission with such information as the Commission may require from time to time about the use of facilities provided such as:
  - (a) the numbers of people making use of the facilities and the frequency of such use;
  - (b) the range of gambling activities provided by the licensee and the number of staff employed in connection with them; and
  - (c) the licensee’s policies in relation to, and experience of, problem gambling.
- The Company must submit a Regulatory Return to the Gambling Commission containing such information as the Commission may require from time to time, and provide evidence that the terms on which gambling is offered are not unfair under the Unfair Terms in Consumer Contracts Regulations 1999 and, where applicable, meet the reasonableness test under the Unfair Contract Terms Act 1977.
- The Appointed Manager will be informed immediately a Gambling Commission Enforcement Officer properly identifies himself on the premises, and will attend to the Officer without undue delay. Staff will co-operate at all times with the Commission’s Enforcement Officers.
- Members of staff are trained as part of their induction process in the understanding of, and the strict adherence to this policy, and required to sign to this effect retaining a copy for their future reference. The original is retained on the employee’s personnel file.

**I have read, understood and agree to implement the provisions of the above Company Policy and Procedures.**

**Signed:** .....

**Name: (please print)** ..... **Date:** .....

**Company:** ..... **Position:** .....

**A copy of this signed document must be given to the employee for on-going reference; the original document to be retained on the employee’s personnel file for the duration of his/her employment.**

**GAMBLING ACT 2005**  
*Licence Conditions and Codes of Practice*  
**ADVERTISING STANDARDS AND MARKETING**

Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

Policy and Procedure

All advertising and marketing by the Company complies with standards set by the Committee of Advertising Practice (CAP) and the Broadcast Committee of Advertising Practice (BCAP). We ensure that our marketing communications, advertisements, and invitations to purchase (within the meaning of the Consumer Protection from Unfair Trading Regulations 2008), including 'free bet' offers, do not amount to or involve misleading actions or misleading omissions within the meaning of those regulations.

We adopt the general principles that our advertising is:

- legal, decent, honest and truthful;
- prepared with a sense of responsibility to consumers and to society;
- respectful to the principles of fair competition generally accepted in business; and
- not intended to bring advertising into disrepute.

Specifically, we ensure that:

- advertising contains nothing that is likely to lead people to adopt styles of gambling that are unwise;
- advertisements and promotions are socially responsible and do not encourage excessive gambling;
- care is taken not to exploit the young, the immature or those who are mentally or socially vulnerable;
- advertising is not directed at people under the age of 18 years through the selection of media, style of presentation, content or context in which they appear. No medium is used to advertise gambling if more than 20% of its audience is under 18 years old;
- persons shown gambling are not, nor do they appear to be, under 25 years of age;
- there is honesty at all times with regard to the chances of winning, the likelihood of a big win, and the odds or payout ratio that applies to the gambling on offer;
- advertising and promotional material carries a reference for the need to keep gambling under control; and
- it is never suggested or implied that gambling is a means of getting out of financial difficulty.
- Advertising and marketing material should not appear on any primary web page/screen or micro-site that provides advice or information on responsible gambling

Marketing and Promotion

Any incentive or reward scheme or other arrangement under which the customer may receive money, goods, services or other advantage (including the discharge in whole or in part of any liability (the benefit)) the scheme is designed to operate, and be operated, in such a way that neither the receipt nor the value or amount of the benefit is:

- (a) dependent on or calculated by reference to the length of time for or the frequency with which the customer gambles or has at any time gambled; or
- (b) dependent on the customer gambling for a pre-determined length of time or with a pre-determined frequency.

If the value of the benefit increases with the amount the customer spends it does so at a rate no greater than that at which the amount spent increases. Incentives and rewards are proportional to the type and level of the customer's gambling.

Members of staff, as appropriate, are trained as part of their induction process in the understanding of, and the strict adherence to this policy, and required to sign to this effect retaining a copy for their future reference. The original is retained on the employee's personnel file.

**I have read, understood and agree to implement the provisions of the above Company Policy and Procedures.**

Signed: .....

Name: (please print) ..... Date: .....

Company: ..... Position: .....

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**GAMBLING ACT 2005**  
*Licence Conditions and Codes of Practice*

**CUSTOMER INTERACTION IN RELATION TO IDENTIFYING CUSTOMERS WHO MAY BE SUSCEPTIBLE TO GAMBLING HARM**

Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

Policy and Procedures

The Company makes use of all relevant sources of information to ensure effective customer interaction and decision making in relation to identifying possible gambling disorders; equally to identify at-risk customers who may not be displaying obvious signs of problem gambling, and in respect of customers designated 'high value' or 'VIP'. We work together with other operators to share experience and deliverance of good practice through BACTA.

If members of staff have concerns that a customer's behaviour may be related to having problems with gambling, the Duty Manager is to be informed at the earliest available opportunity. Indicative behaviour may include signs of distress, agitation, aggression, intense mood swings, hysteria, remorse and perhaps even damage to property and violence or the threat of violence to staff or other customers.

Notwithstanding any initial urgent action taken to deal with the customer's behaviour, the Duty Manager is required thereafter to observe the individual and make a judgement as to whether it is appropriate to suggest to the customer that they might want to be provided with information regarding where they can seek professional advice about the nature of their gambling activity or have the process of self-exclusion explained for consideration.

If the customer refuses such information and continues to behave in a manner which could reasonably be considered to be disruptive or puts the staff or other customers in potential danger, the Duty Manager will implement the Company's procedures for dealing with antisocial situations.

The Duty Manager may give consideration to refusing service or barring the customer from the premises and, in extreme situations, contacting police for assistance. *Whenever police are called to the premises for assistance in handling any incident, a log entry will be made whether police attend or not.*

Notwithstanding any other action that may have to be taken immediately to prevent an incident from worsening, the Duty Manager will log all such reports which may result in future customer interaction or where it has been ruled out where otherwise it would have taken place. The interaction is conducted between the appointed manager and the customer in a confidential and meaningful manner.

Members of staff are aware of the appointed Manager who is specifically designated to deal with requests for self-exclusion, and are aware of where customers can be directed for confidential advice should they be directly approached for assistance.

This policy and procedure is consistent with, and implemented with due regard to the Company's duty in respect of the health and safety of members of staff.

Members of staff are trained as part of their induction process in the understanding of, and the strict adherence to this policy and accompanying log, and required to sign to this effect retaining a copy for their future reference. The original is retained on the employee's personnel file.

**I have read, understood and agree to implement the provisions of the above Company Policy and Procedures.**

**Signed:** .....

**Name: (please print)** ..... **Date:** .....

**Company:** ..... **Position:** .....

**A copy of this signed document must be given to the employee for on-going reference; the original document to be retained on the employee's personnel file for the duration of his/her employment.**



**EMPLOYMENT OF CHILDREN AND YOUNG PERSONS**

Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

Policy and Procedures

It is an offence for children (under-16s) and young persons (those aged 16 and 17) to be engaged, or permitted to be engaged in:

- Providing facilities for gambling.
- Performing any function (including cleaning) in connection with a gaming machine at any time.
- Carrying out any other function on Adult Gaming Centre licensed premises, whether directly employed or not, whilst any gambling activity is being carried on in reliance on the premises licence.

All relevant staff, including children and young persons, employed by this Company have been trained about the laws relating to access to gambling by children and young persons.

It is strict Company policy that:

- Children and young persons are not employed to carry out any work in an adult-only area of family entertainment licensed premises at a time when any gambling is taking place.
- Gaming machines sited in Adult Gaming Centres or adult gaming areas are turned off if children and/or young persons are working on the premises outside the hours when the premises are open for business.
- Due diligence is given to verifying the age of all new members of staff where there is reason to doubt authenticity of birth dates supplied.
- The movement of children and young persons employed on the premises are carefully monitored and supervised so as to ensure compliance.

Members of staff are trained as part of their induction process in the understanding of, and the strict adherence to this policy, and required to sign to this effect retaining a copy for their future reference. The original is retained on the employee's personnel file.

**I have read, understood and agree to implement the provisions of the above Company Policy and Procedures.**

Signed: .....

Name: (please print) ..... Date: .....

Company: ..... Position: .....

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**GAMBLING ACT 2005**

*Licence Conditions and Codes of Practice*

**FAIR AND OPEN PRACTICE ~ COMPLAINT AND DISPUTE RESOLUTION**

Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

Complaints Procedure

The Company is committed to providing a high quality, accessible and responsive service to customers and the local community. However, dissatisfied customers may communicate a complaint to us either verbally or in writing. All complaints are taken seriously, investigated thoroughly and handled in a confidential manner. If the complaint cannot be resolved to the satisfaction of both parties on site, a copy of our written procedure for dealing with complaints, together with a complaint form is supplied to the complainant at the earliest opportunity together with the name and status of the Company representative delegated to deal with the complaint.

Complainants should provide us with a comprehensive description and nature of the complaint; whether it is an original complaint, or where the outcome of a previous complaint was found unacceptable, and their name and postal address including a contact telephone number.

A 'complaint' means a complaint about any aspect of the Company's conduct of the licensed activities, and a 'dispute' is any complaint which:

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

In the first instance, the Company will endeavour to resolve the complaint to the satisfaction of both parties within fifteen working days. Should this not be possible we will explain why and provide a date by which the complainant can expect a full response.

In the event of a complaint relating to the outcome of a customer's gambling is unable to be satisfactorily resolved between the Company and the complainant, the complainant will be given contact details of an Alternative Dispute Resolution (ADR) entity.

- Complainants have the means and opportunity of submitting their own version of events.
- The dispute is reviewed in full by the ADR entity.
- Both parties are notified in writing of the review outcome with suggestions of a resolution if appropriate.
- This procedure may, but need not, provide for the ADR entity's resolution of the dispute to be binding on both parties.

The Company is obliged to keep a record of all complaints and disputes, other than those considered to be trivial, including all disputes referred to the ADR entity that are not resolved at the initial stages of the complaints procedure. There is a requirement to submit reports of the outcome of disputes referred to the ADR entity to the Gambling Commission at intervals determined by the Commission either by the ADR entity or by the Company.

The Company is satisfied that the terms on which gambling is offered are not unfair within the meaning of the Consumer Rights Act 2015 and is compliant with those terms

An accurate summary of the contractual terms on which gambling is offered is available to customers who are notified of material changes to terms before they come into effect.

**I have read, understood and agree to implement the provisions of the above Company Policy and Procedures.**

**Signed:** .....

**Name: (please print)** ..... **Date:** .....

**Company:** ..... **Position:** .....

**A copy of this signed document must be given to the employee for on-going reference; the original document to be retained on the employee's personnel file for the duration of his/her employment.**

**GAMBLING ACT 2005**

*Licence Conditions and Codes of Practice*

**INFORMATION ON HOW TO GAMBLE RESPONSIBLY AND HELP FOR GAMBLERS WITH PROBLEMS**

Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

Stay in control advice

*Without breaching the principle that customers are responsible for their own gambling, the nature of the activity suggests that they should be reminded of the need to exercise caution. Accordingly, signage in the form of an appropriate number of posters or other appropriate means is displayed on our premises:*

- Giving clear guidance that in order to keep gambling a fun social activity the customer needs to ‘stay in control’.
- Drawing attention to further information, such as leaflets that are available on the premises.
- Indicating sources of help such as the National Gambling Helpline operated by GamCare.
- Large enough and written in language so as to be easily seen and understood.
- Prominently displayed.
- Maintained in a clean and tidy condition, preferably within a glass fronted frame.

Advertising sources of help

*At the core of exercising a duty of care is the principle of assisting customers who may wish to express concern about their gambling. This tenet is drawn to the attention of customers on our premises in the following ways:*

- The prominent display of ‘Responsible Gambling’ or ‘Stay in Control’ information.
- There are holders or racks containing leaflets in appropriate places that emphasise the need to keep gambling under control and where to seek help should anyone be concerned about their own or a family member’s gambling. These leaflets are available to be taken away from the premises without the necessity of having to ask for them.
- The leaflets are available at all times for customers to take discreetly without having to ask a member of staff, and are located in the gambling area either near to exit doors, ATMs or toilets. We endeavour to maintain an effective stock control system to ensure that such leaflets are always available to supply. Signposting Information may also be made available through the use of links for online or smart technology.
- Details of GamCare, giving the National Helpline telephone number is inscribed on all appropriate categories of gaming machines.

Protecting those who seek assistance

*Responding to someone who admits to having a problem with their gambling is a delicate matter that has to be timely and needs to be approached sensitively. It is our policy that:*

- rules and procedures relating to a policy of responding to problem gamblers are clearly formulated and incorporated into our day-to-day operation;
- at least one member of staff who has been trained to deal with situations that might require a response is on duty at any one time, or available without undue delay;
- a positive response including communicating sources of help and the possibility of self-exclusion is offered to any customer who admits to having lost control of their gambling;
- the facility of a self-exclusion policy for customers who wish to voluntarily self-exclude themselves from these premises, and other premises offering the same style of gambling in the locality, that stipulates a minimum exclusion period of six months - with a further 24-hour ‘cooling off’ period thereafter;
- we draw to the attention of relatives who express concern about a family member’s gambling the options available to that person should they wish to address the extent of their gambling;
- members of staff do not collude with customers when asked to lie on their behalf, and
- where services are marketed in one or more foreign languages, we make available information on how to gamble responsibly, access to help, guides to the playing of any game, and a summary of the contractual terms on which gambling is offered in that, or those, foreign languages.

**I have read, understood and agree to implement the provisions of the above Company Policy and Procedures.**

Signed: .....

Name: (please print) ..... Date: .....

Company: ..... Position: .....

**A copy of this signed document must be given to the employee for on-going reference; the original document to be retained on the employee’s personnel file for the duration of his/her employment.**

**GAMBLING ACT 2005**  
*Licence Conditions and Codes of Practice*  
**MONEY LAUNDERING, CASH HANDLING AND SUSPICIOUS TRANSACTIONS**

Introduction

As part of its procedures for compliance with the requirements in respect of the prevention and detection of money laundering in the Proceeds of Crime Act 2002 and the Terrorism Act 2000, the Company takes into account the Commission's advice on the Proceeds of Crime Act 2002, *Duties and responsibilities under the proceeds of Crime Act 2002 – Advice for operators (excluding Casino operators)*.

Money Laundering Definition

Money laundering is a process by which the proceeds of crime are converted into assets which appear to have a legitimate origin, so that they can be retained permanently or recycled into further criminal enterprises. This definition of money laundering means that potentially any employee could contravene the Regulations if they were to become aware of or suspect the existence of criminal property and continue to be involved in a matter which relates to that property without reporting their concerns.

Policy

- The Company is committed to ensuring that all necessary safeguards are in place with regard to the receipt of money in order to avoid it being used to launder money that may originate from the proceeds of crime.
- The Company has appointed a Designated Money Laundering Officer (MLO)
- All relevant staff are trained on the requirements of the Regulations and told of the need to report any suspicious cash transactions to the MLO for the purpose of informing the relevant authorities.

Disclosure Procedure

- Where it is suspected by a member of staff that money laundering activity is taking/has taken place, a disclosure must be made to the MLO as soon as possible. Because of the importance attached to the process, notification should normally take place immediately by telephone or, where that is not possible, by any other expedient means.
- No discussion will take place with colleagues as confidentiality is paramount.
- The MLO will determine whether or not to submit - online or otherwise - a suspicious activity report (SAR) to the National Crime Agency (NCA) and will maintain records of all notifications received detailing the method of verification used to identify the suspected person.

Cash Handling

Operating policies and procedures are in place with regard to accounting practices and record keeping in respect of:

- Monetary stakes introduced to machines (gross takings),
- Money introduced to refloat machines
- Token transactions
- Customer refunds due to machine malfunctions.
- Money removed from machines (net takings)

Members of staff, where appropriate, are trained as part of their induction process in the understanding of, and the strict adherence to this policy, and required to sign to this effect retaining a copy for their future reference. The original is retained on the employee's personnel file.

**I have read, understood and agree to implement the provisions of the above Company Policy and Procedures.**

**Signed:** .....

**Name: (please print)** ..... **Date:** .....

**Company:** ..... **Position:** .....

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## GAMBLING ACT 2005

### *Licence Conditions and Codes of Practice*

#### SELF-EXCLUSION

##### Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

##### Policy and Procedures

*Whilst most customers are able to enjoy and control their gambling, this Company recognises its duty of care to those who cannot. Accordingly, we provide a self-exclusion process for those customers who seek to prevent their own access to our premises and others in the locality offering a similar style of gambling as defined by the premises licence.*

- When a customer has requested that they be refused entry to our premises, the customer and the appointed manager will formally acknowledge and document the request on a self-exclusion request form, or directly on the web-based AGC national self-exclusion scheme. This will be preceded by a meaningful discussion about the terms and conditions applicable to the scheme and will include other options available to assist a person having a gambling disorder, including being signposted to counselling and support services. A copy of the terms and conditions will be signed by the excluder as acknowledgement of understanding and consent. Customers are given the opportunity of discussing self-exclusion in private where possible.
- Photo identification and signature of the excluder is required for self-exclusion agreements except where an alternative means of identification is at least as effective. Photographs, preferably of the passport style, should be full-faced and a good likeness both initially and throughout the duration of the self-exclusion agreement.
- The Duty Manager will offer the exclusion for a minimum duration of not less than six months, nor more than twelve months; the customer thereafter may request to extend the length of the self-exclusion for one or more further periods of at least six months, reliant on the Company's ability to manage longer agreements. The Company will not allow the excluder admittance to the premises during the term of the self-exclusion agreement, and will have in place procedures for preventing self-excluded individuals from gambling during the period of the self-exclusion agreement including taking into account the internal structure and layout of the premises.
- It is made clear to the customer that they may not revoke the self-exclusion during the agreed period and that if found either in the gambling area or attempting to gamble they will be asked to leave. Members of staff are trained to be alert to self-excluded individuals attempting to breach agreements and instances of them getting another person to gamble on their behalf. It is a requirement that staff regularly pay heed to self-exclusion agreement records that are currently active (particularly photographs) in order to stay alert to the identity of those excluded in the locality of the premises.
- Self-excluders have the opportunity of also excluding from other premises owned by the Company without necessarily having to enter areas licenced for gambling. Where the self-exclusion agreement is extended to other Company's premises we will consider any specific requests made by a customer in setting the bounds of the exclusion area.
- The Company will offer customers with whom they enter into a self-exclusion agreement in respect of facilities for any kind of gambling we offer, the ability to exclude from facilities for the same kind of gambling offered in our locality by any other holder of an operating licence to whom this provision applies, by participating in one or more available multi-operator self-exclusion schemes. In addition, the Company is participating in the possible development of a multi-operator self-exclusion scheme that will apply to all styles of gambling.
- A self-exclusion log is maintained on the premises for recording detail of those currently excluded in addition to records stored digitally.

- Those self-excluded will be removed from any marketing databases held by this Company within two days of receiving the completed self-exclusion form, but we will take all reasonable steps to prevent details being knowingly sent as soon as practicable.
- At the end of the self-exclusion period, the exclusion will remain in place for a further six months, unless the customer takes positive action in order to gamble again.
- At the end of the exclusion period, the Duty Manager and customer will, together, review the terms of agreement either by telephone or in person. The review process is recorded on a self-exclusion review form.
- Where a customer chooses not to extend the self-exclusion and makes a positive request to begin gambling again, the customer is offered a 24-hour 'cooling off' period before being allowed access to the gambling facilities.
- Customers are given the opportunity to discuss self-exclusion in private where possible.
- The Company retains self-exclusion records for the length of the agreement plus a further 6 months.
- Members of staff are trained both on induction and refresher sessions thereafter in the understanding of, and the strict adherence to this policy and accompanying log, and required to sign to this effect retaining a copy for their future reference. The original is retained on the employee's personnel file.

**I have read, understood and agree to implement the provisions of the above Company Policy and Procedures.**

**Signed:** .....

**Name: (please print)** ..... **Date:**.....

**Company:** ..... **Position:** .....

**A copy of this signed document must be given to the employee for on-going reference; the original document to be retained on the employee's personnel file for the duration of his/her employment.**

# **GAMBLING ACT 2005**

## **The Licensing Objectives**

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

**GAMBLING ACT 2005**  
*Licence Conditions and Codes of Practice*

**PRINCIPAL CONCEPTS**

Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

Licensing Objectives

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

Policy and Procedures

We put into effect policies and procedures intended to promote socially responsible gambling that includes making an annual financial contribution for education and research into the prevention and treatment of gambling-related harm, the development of harm prevention measures and the treatment of those with gambling related disorders.

- We operate an on-going training program for staff to ensure awareness and compliance of our social responsibility and other statutory requirements. Individual written policies and procedures are in place and adhered to in respect of:
  - (a) Access to Gambling by Children and Young Persons
  - (b) Access to Premises by the Gambling Commission's Enforcement Officers
  - (c) Advertising Standards and Marketing
  - (d) Customer Interaction
  - (e) Employment of Children and Young Persons
  - (f) Fair and Open Practice and Dispute Resolution
  - (g) Information on how to Gamble Responsibly and Help for Problem Gamblers
  - (h) Suspicious Monetary Transactions and Cash Handling
  - (i) Self-Exclusion
- We operate our business with integrity, due care and diligence with necessary systems in place to combat crime and disorder. Written policies and procedures are in place concerning the handling of cash and cash equivalents designed to minimise the risk of crime, such as money laundering and the avoidance of illicit credit.
- Conflicts of interest between the Company and our customers are managed transparently and fairly, and, where complaints related to the outcome of gambling are not resolved to the satisfaction of both parties, we will refer the complainant to an approved alternative dispute resolution (ADR) entity.
- Gaming machines comply with the Gambling Commission's technical standards; exhibit the applicable maximum stake and monetary prize levels, and the chances of winning. Gambling general terms and conditions are displayed.
- We do not provide credit in connection with gambling nor participate in, arrange, permit or knowingly facilitate the giving of credit in connection with gambling.
- We seek to prevent systematic or organised money lending between customers on the premises, and staff are trained to be alert to such practice, and to report any instances of substantial money lending to the Duty Manager should they become aware of such instances.
- It is prohibited to consume alcohol on our premises.

**Company:**



**Registered Address:**

**Date:**

# GAMBLING ACT 2005

Licence Conditions and Codes of Practice

## Customer Complaints

### Terms & Conditions

#### Policy & Procedure

These are the Company's Terms and Conditions by which customer complaints are dealt with. Also included is the Company's policy and procedure document and complaint form. Copies of the complaint procedure and form are available on site for the benefit of customers making a complaint about the outcome of their gambling where the complaint has not been resolved on-site in the initial stages.

A 'complaint' means a grievance about any aspect of the licensee's conduct of the licensed gambling activities, and should be raised with the company as follows:

- The complaint should initially be raised with an available member of staff at the venue at the time of the incident giving cause for complaint. **Stage 1**
- If the member of staff approached is unable to deal with the complaint or the matter is not resolved to the customer's satisfaction, then it should be directed to the duty manager at the venue at the earliest opportunity. **Stage 2**
- Should the matter still not be resolved, the customer will be provided with a copy of the policy & procedure document, together with a complaint form that should be completed by the customer and submitted to the Company for consideration by a director or appointed senior manager. **Stage 3**
- If the matter remains unresolved, the customer should be referred to an alternative dispute resolution (ADR) entity with whom the Company has registered. The complaint will not be considered by the ADR entity unless:
  - **the matter relates to the outcome of the complainant's gambling transaction; and**
  - **it is not resolved during the three-stage complaint procedure as outlined above.**

It is permissible for an ADR entity to have terms enabling it to reject complaints referred for dispute resolution if the complaint is frivolous or vexatious, but the Company will not refuse to refer disputes on those grounds.

#### The Company will ensure that:

1. information about the complaint procedure is set out in these terms and conditions;
2. such information is readily accessible on our gambling premises to be taken away;
3. information includes details of how to make a complaint to the Company and the identity and contact details of the person deputed to handle the complaint;
4. the information names the ADR entity to whom disputes can normally be referred and, where necessary, details of any limitation on the nature and subject matter of disputes with which a particular ADR entity deals.
5. customers are given a copy of the complaint policy and procedure document on request or on making a complaint; and
6. all complaints are handled in accordance with the procedure.

Should the Company refer a complaint to ADR entity other than one in respect of which contact details were given in accordance with 1 to 6 above it will, at the same time as making the reference, inform the Commission of the reference and reason for selection of the ADR entity concerned.

The Company keeps a record of all complaints that are not resolved at the initial three-stage complaint procedure.

The Company arranges for a copy of the decision on, or a note of the outcome of, each dispute referred to an ADR entity to be provided to the Commission, either by the ADR entity or by the Company. This information is provided in such format and within such timescale as the Commission may from time to time specify.

The Company also arranges for any outcome adverse to the Company of any proceedings taken against the licensee (in whatever jurisdiction) by a customer in relation to a gambling transaction to be notified to the Commission as a key event; but excluding proceedings allocated to the County Court small claims track or equivalent in jurisdictions outside England and Wales.

**Under no circumstances are members of staff put in physical danger** nor will they be subjected to abuse. If a customer is threatening, then that person will be offered the complaint policy & procedure document together with a complaint form, and be referred to the Company's strict policy of 'No Abuse'. If the customer continues to be threatening the circumstances will be treated in accordance with a disturbance on the premises, and the person will be asked to leave, and the police contacted to assist if necessary.

### **Which complaints are covered?**

A complaint, in the context of the LCCP, means a complaint solely about the conduct of the Company's activities. A dispute means a complaint which has not been resolved by the operator's complaints procedure to the satisfaction of both parties, and relates to the outcome of a gambling transaction.

### **Responsibility of the Employer.**

The Company has a written procedure in place to:

- advise employees of the name of the appointed person who is to be contacted about complaints;
- ensure that all complaints are handled in accordance with the procedure throughout the investigative process;
- have arrangements in place for reference by a customer of a dispute to an alternative dispute resolution service for disputes (an 'ADR entity'); and
- maintain a record of all complaints, and those that evolve into disputes. All instances where the complaint is referred to an ADR entity will also be recorded together with the outcome.

### **Responsibility of the Employee**

Members of staff not authorised to deal with complaints, or where the customer is not satisfied with the initial outcome, will ensure that:

- the complainant is informed of the name of the appointed Company representative who will deal with the complaint, together with the appropriate contact details of that person;
- the complainant is issued with the Company's complaint policy & procedure document and complaint form;
- the circumstances are recorded as contemporaneous notes as soon as possible following the incident and the notes are signed, dated and timed by the member of staff dealing. The notes are to be comprehensive and a true record of events, and
- members of staff, unless properly authorised by the Company, are not allowed to voice their own opinion as to the merits or otherwise of a complaint. Procedure is strictly adhered to.

# Complaint Procedure

The Company endeavours to provide a high quality service to its customers and members of staff are trained how to deal with complaints at the initial stage. However, if you believe that things have gone wrong and your complaint was not resolved to your satisfaction at our premises, then please inform us as we take such reports seriously.

The Company will review your complaint and will be dealt with by:

(name)..... who is (job title) .....

at (address).....  
.....

Email Address: .....

## How to make a complaint

- Complaints, which we will deal with confidentially, should be submitted in writing, by letter or e-mail.
- The attached form should be used to record and submit complaints.
- Give as much detail as possible including details of independent witnesses and any other relevant information in order to assist the Company in the investigative process.

## What happens next?

The Company will investigate and provide a full explanation of what we have done within **15 working days** of receiving a complaint. If this is not possible we will explain why and give a date by which a full response can be expected.

## If you are not satisfied with our response

If you are still not satisfied with our response to the complaint, you may consider writing to an alternative dispute resolution (ADR) entity requesting that the matter be reviewed, enclosing all previous correspondence relating to the complaint including the original complaint form. The ADR entity will acknowledge receipt of your correspondence without undue delay and, after review, inform you of its findings and recommendations, usually within **60 days**. The review process is thorough and based upon the information that both parties and other independent sources provide.

## This Company is registered with the following ADR entity:

Name of ADR Entity: **bacta ADR Service**

Email Address: [enqs@bactaadrservice.org.uk](mailto:enqs@bactaadrservice.org.uk)

Website: [www.bactaadrservice.org.uk](http://www.bactaadrservice.org.uk)

Postal Address: **29-30 Ely Place, London EC1N 6TD**

**It is highly recommended that you visit the ADR entity's website (as above) so that you are fully aware of the procedural rules and other related information.**

# Complaint Form

## CUSTOMER

Name: .....

Address: .....

..... Postcode .....

Daytime Telephone No .: .....

E-mail address: .....

Signature: ..... Date: .....

Is this an initial complaint or a follow up to a previous incident?

.....

.....

## VENUE WHERE COMPLAINT OCCURRED

Reference (if known):.....

Company: .....

Name of Premises: .....

Address: .....

.....

Name(s) of staff member(s) that you initially raised your complaint with: .....

.....

.....

Date of Incident: .....

Time of Incident: .....

Names & Addresses or contact telephone numbers of any **independent** witnesses.

.....

.....

.....

Name and Category of Gambling Machine subject of complaint: .....

**A clear and comprehensive account of the complaint and what you are seeking as redress to resolve the matter:**

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.....*Please use continuation sheet(s) if required.*

Signed..... (Complainant) ..... (date)

-----  
**For Office Use Only**

Appointed Manager dealing: ..... (Mobile Number)

Complaint Acknowledged (Y/N): ..... (date)

Details of action to resolve taken by Company: .....

**If complaint still unresolved by Company**

Complainant referred to ADR Entity (Y/N); .....(date)

Name of ADR Entity: .....

Company Complaint Policy & Procedure Document given to Complainant(Y/N): .....(date)

# RECORD OF COMPLAINTS

Date of Complaint	Name of Complainant	Date Complaint Resolved by Company	Date Referred to BACTA ADR Service (if not resolved)	Date Complaint resolved to satisfaction of both parties	Outcome and Gambling Commission informed

To be retained on Site Company:

Site Reference:

Serial No. /

**Record of Suspicious Monetary Transactions**

TIME	LOCATION	CIRCUMSTANCES	REPORTED TO MLO	SAR SENT TO NCA	OUTCOME
Day:  Date:  Time:	Site:  Address:  Ref:	Notes:  Photographs/CCTV  Y/N  Identity, if known, or description:	Day:  Date:  Time:	Day:  Date:  Time:	Notes:
Day:  Date:  Time:	Site:  Address:  Ref:	Notes:  Photographs/CCTV  Y/N  Identity, if known or description:	Day:  Date:  Time:	Day:  Date:  Time:	Notes:

**To be retained on Site**

**Company:**

**Site Reference:**

**Serial No. /**





**GAMBLING ACT 2005**

**SELF-EXCLUSION REVIEW FORM FOR RECORDING DETAIL IF NO IMMEDIATE ACCESS TO THE BACTA WEB-BASED SCHEME**

Company: .....

Site Name: .....

Site Address: .....

.....

Post Code: .....

Customer Name: .....

Customer Date of Birth: .....

Customer Address: .....

.....

Post Code: .....

Review of self-exclusion agreement on: ..... (date)

Customer's Decision: .....  
.....

Signature: ..... (Customer)                      Date: .....

Signature: ..... (Appointed Manager)                      Date: .....

**Request to resume access and gambling following the self-exclusion period.**

I confirm that I voluntarily no longer wish to be self-excluded from this site and other venues in the locality to which the agreement applies; that all options have been explained to me by the Company, and that I have experienced a cooling off period of at least 24 hours.

Signature: ..... (Customer)                      Date: .....

Signature: ..... (Appointed Manager)                      Date: .....

**To be retained on Site**

**Company:**    **Site Reference:**    **Serial No. /**

**GAMBLING ACT 2005**  
*Licence Conditions and Codes of Practice*  
**COMPLIANCE EVALUATION**

**Section 1 - Observation**

**Company:**.....

**Site:** ..... **Date:** ..... **Time:** .....

*Please circle either 'Y' (yes) or 'N' (no) as appropriate*

- |     |  |          |          |
|-----|--|----------|----------|
| 1.  | Are age restriction signs displayed prominently at the entrances to Adult Gaming Centers, (AGCs) clearly stating that it is illegal for persons under the age of 18 years to enter the premises or, equally prominent with the same clear message, at the entrances to adult gaming areas within a Licensed Family Entertainment Centre (Lic. FECs)? | <b>Y</b> | <b>N</b> |
| 2.  | Are entrances to AGCs and/or adult gaming areas appropriate so as not to attract children or young persons from entering?  | <b>Y</b> | <b>N</b> |
| 3.  | Are the entrances to AGCs or adult gaming areas effectively monitored, controlled and supervised taking into account the structure and layout of the premises so as to ensure that age restriction is adhered to?  | <b>Y</b> | <b>N</b> |
| 4.  | Are the barriers separating different licensed premises within the parameters of one 'building' of a solid construction, including the unlicensed areas separating different licensed premises?  | <b>Y</b> | <b>N</b> |
| 5.  | Are 'Stay in Control' posters prominently displayed, preferably framed, so as to be easily seen and read by all customers?   | <b>Y</b> | <b>N</b> |
| 6.  | Are 'Stay in Control' leaflets available in a dedicated rack, preferably below a 'Stay in Control' poster and discretely accessible to customers without the need to be asked for, and available for taking away?  | <b>Y</b> | <b>N</b> |
| 7.  | Are approved 'Proof of Age' application forms readily available for distribution, or are alternative and suitable schemes adopted to assist with compliance of age restriction policy?   | <b>Y</b> | <b>N</b> |
| 8.  | Do advertising, marketing and promotional notices comply with advertising standards?   | <b>Y</b> | <b>N</b> |
| 9.  | Is the Premises Licence clearly displayed (summary is sufficient)?   | <b>Y</b> | <b>N</b> |
| 10. | Is the Company registered for MGD?   | <b>Y</b> | <b>N</b> |
| 11. | Are machines correctly and clearly labeled according to category of machine?   | <b>Y</b> | <b>N</b> |
| 12. | Are 'No Alcohol' signs clearly displayed?  | <b>Y</b> | <b>N</b> |
| 13. | Are 'No Smoking' signs clearly displayed?  | <b>Y</b> | <b>N</b> |

- |     |  |   |   |
|-----|--|---|---|
| 14. | Is the operation fully compliant with gaming legislation and other regulatory requirements, e.g. only the correct category of gaming machines provided on site; stake and prize levels appropriate for the type of premises; correct number of machines? | Y | N |
| 15. | Is the National Gambling Helpline telephone number on all categories of machines?  | Y | N |
| 16. | Are labels displayed on gaming machines (with the exception of Category 'D' machines located in Licensed FECs) stating that under 18s are prohibited from playing?   | Y | N |

**Comment:**

***Please comment on all instances where 'N' is circled, giving a full explanation and what measures are to be adopted so as to comply with requirements.***

**GAMBLING ACT 2005**  
*Licence Conditions and Codes of Practice*  
**COMPLIANCE EVALUATION**

**Section 2 - Management**

**Company:**.....

**Site:** ..... **Date:**..... **Time:** .....

**Manager:** ..... **Length of Service:** .....

***Please circle either 'Y' (yes) or 'N' (no) as appropriate***

- |   |          |          |
|---|----------|----------|
| 1. Are you aware of, and understand, the three licensing objectives?  | <b>Y</b> | <b>N</b> |
| 2. Are you aware of procedures on how to respond to 'authorised persons' who properly identify themselves on the premises.                          | <b>Y</b> | <b>N</b> |
| 3. Are the following Licence Conditions and Codes of Practice written policy and procedure documents fully understood and available for inspection? |          |          |
| • Principal Concepts  | <b>Y</b> | <b>N</b> |
| • Access to gambling by children and young persons  | <b>Y</b> | <b>N</b> |
| • Access to premises by the GC's Enforcement Officers   | <b>Y</b> | <b>N</b> |
| • Advertising standards and marketing   | <b>Y</b> | <b>N</b> |
| • Customer interaction  | <b>Y</b> | <b>N</b> |
| • Employment of children and young persons  | <b>Y</b> | <b>N</b> |
| • Fair and open practice and dispute resolution   | <b>Y</b> | <b>N</b> |
| • Information on how to gamble responsibly and help for those with problems   | <b>Y</b> | <b>N</b> |
| • Money laundering, cash handling and suspicious transactions   | <b>Y</b> | <b>N</b> |
| • Self-exclusion  | <b>Y</b> | <b>N</b> |
| 4. Are the following logs up-to-date and available for inspection?  |          |          |
| • Attempted child or young person entry   | <b>Y</b> | <b>N</b> |
| • Customer interaction  | <b>Y</b> | <b>N</b> |
| • Incidents requiring police assistance   | <b>Y</b> | <b>N</b> |
| • Self-exclusion  | <b>Y</b> | <b>N</b> |
| • Staff training summary  | <b>Y</b> | <b>N</b> |
| 5. Are the following systems in place to demonstrate staff training and awareness of Company policies and procedures?                               |          |          |
| • Written policy and procedure records signed by staff  | <b>Y</b> | <b>N</b> |
| • Complaints and dispute resolution records   | <b>Y</b> | <b>N</b> |
| • Training attendance certificates  | <b>Y</b> | <b>N</b> |

6. Can the Company demonstrate robust risk assessment of age-verification and restriction by regularly conducting test purchases or other satisfactory and appropriate methods?	Y	N
7. Is age restriction policy strictly adhered to, and are members of staff effectively trained in its implementation?	Y	N
8. Are members of staff aware that it may be construed to be an act of 'gross misconduct' should they knowingly allow persons under the age of 18 years to enter an Adult Gaming Centre or adult gaming area(s) within a Licensed FEC, and is this a clause included in their contract of employment?	Y	N
8. Has a 'proof of age' scheme been adopted, and are approved application forms available?	Y	N
9. Are customers not inappropriately encouraged to play on gaming machines?	Y	N
10. Is there is a policy in place that precludes staff colluding with customers who ask them to lie on their behalf?	Y	N
11. Is it company policy to allow customers to change coins back to notes?	Y	N
12. Are relevant staff members trained to respond positively to customers who exhibit distress, say they have a problem with their gambling, or wish to be self-excluded?	Y	N
13. Is it accepted that the initial minimum period for self-exclusion is not less than 6 months, nor more than 12 months and are you aware of the requirement of implementing a 24-hour 'cooling off' period thereafter?	Y	N
14. Are all members of staff who interface with customers familiar with the AGC sector self-exclusion web-based scheme and know what to do if a self-excluded person attempts to enter the gaming area or attempts to gamble before the period of the self-exclusion agreement expires?	Y	N
15. Do stock control procedures ensure that 'Stay in Control' leaflets are always in the rack(s) and that a reserve supply is always available?	Y	N
16. Are you aware of how to order new stocks of 'Stay in Control' leaflets and posters?	Y	N
17. Are you aware of the requirements relating to advertising, marketing and promotions?	Y	N
18. Are copies of self-exclusion request forms retained on site and readily available for supply should the web-based system fail for any reason?	Y	N
19. Are all members of staff aware of requirements concerning young Persons who may be employed by the Company?	Y	N

20. Can you demonstrate that annual financial contributions (RET) are being paid to GambleAware or other appropriate care agencies?	Y	N
21. Are you aware of the requirement to submit an annual regulatory Return to the Gambling Commission, and what information is required?	Y	N
22. Are you aware of procedures necessary under money laundering laundering regulations, and has the Company appointed a designated money laundering officer (MLO)?	Y	N
23. Has the Company participated in a recognised social responsibility awareness course?	Y	N
24. Are you aware that stakes must be returned to under-18s who have gambled in AGCs and adult areas and that they are not permitted to retain any monetary prize paid out?	Y	N
25. With regard to customer complaints and disputes, do you have a written policy and complaint form available to be handed to a complainant, and have you registered with an approved ADR entity?	Y	N
26. Are you aware of the importance of ensuring the ongoing process of staff training in respect of adhering to the requirements of the LCCP, and the need to train new members of staff if when they are recruited to the Company?	Y	N
27. Are you aware of your obligations to inform the Gambling Commission should there be any 'key event' changes to your Operating Licence?	Y	N
28. Has a Local Risk Assessment Document been written and is it available on site for Inspection if requested?	Y	N
29. Has an Anti-Money Laundering Risk Assessment been written and is it available on site for the benefit of staff and inspection if requested?	Y	N

**Comment:**

***Please comment on all instances where 'N' is circled, giving a full explanation and what measures are to be adopted so as to comply with requirements.***

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**GAMBLING ACT 2005**  
*Licence Conditions and Codes of Practice*  
**COMPLIANCE EVALUATION**

**Section 3 - Members of Staff**

**Company:** .....

**Site:**..... **Date**.....**Time:** .....

**Member of Staff:** .....**Length of Service:** .....

*Please circle either 'Y' (yes) or 'N' (no) as appropriate*

1. Do you have a good understanding of the following Licensing Conditions and Codes of Practice written policies and procedures where they are relevant to your particular duties?
  - Access to gambling by children and young persons Y    N
  - Access to premises by the GC's Enforcement Officers Y    N
  - Customer interaction Y    N
  - Employment of children and young persons Y    N
  - Fair and open practice and dispute resolution Y    N
  - Information on how to gamble responsibly Y    N
  - Money laundering Y    N
  - Self-exclusion Y    N
  
2. Are you aware of and understand the content and maintenance of the following logs?
  - Attempted child entry Y    N
  - Customer interaction Y    N
  - Incidents requiring police assistance Y    N
  - Self-exclusion Y    N
  - Staff training summary Y    N
  
3. Do you understand the systems in place to demonstrate staff training and awareness of the following Company policies and procedures?
  - Written policy and procedure records signed by staff Y    N
  - Staff training summary sheet Y    N
  - Complaints and dispute resolution records Y    N
  
4. Is age restriction policy known to you and applied? Y    N
  
5. What 'Proof of Age' scheme is in use and are you aware of where the application forms are located? Y    N
  
6. Are you instructed that customers are not inappropriately encouraged to play on gaming machines? Y    N



7. Are you aware that you must not collude with customers who ask you to lie on their behalf?	Y	N
8. Are you aware that it is an act of 'gross misconduct' if you knowingly allow a person under the age of 18 years to enter an Adult Gaming Centre or adult gaming area(s) within a FEC?	Y	N
9. Do your instructions permit that a customer may change coins back into notes?	Y	N
10. Are you aware of what your actions should be if you were to be approached by a customer who asks for help to deal with a gambling problem to do with themselves or with a relative or friend?	Y	N
11. Do you know which member of staff has been appointed by the Company to supervise 'customer interaction' and 'self-exclusion' issues?	Y	N
12. Are you aware of what behavior might be characteristic in a person whose gambling is out of control, and what your actions should be if you observe a customer displaying such behavior?	Y	N
13. Are you aware that the Company offers a web-based self-exclusion scheme for customers who are experiencing difficulties with their gambling; that the minimum period of self-exclusion is 6 months and that excluders can also be excluded from other company premises offering a similar style of gambling in the locality, and have you been shown and understand the guide to the self-exclusion scheme?	Y	N
14. Are you aware of the requirement of a 24-hour 'cooling off' period following a term of self-exclusion?	Y	N
15. Are you aware of what your actions must be should a self-excluded customer enter the gambling area or attempt to gamble during the course of their self-exclusion period?	Y	N
16. Are you aware that 'Stay in Control' leaflets should always be available in the racks, and where replacement stock is stored?	Y	N
17. Are you aware of where the self-exclusion request forms are kept in the event that the web-based scheme cannot be accessed? ?	Y	N
18. Do you know what your actions must be when a Gambling Commission enforcement officer or other authorized person enters the premises?	Y	N
19. Are you aware of the employment limitations with regard to children and young persons employed by the Company?	Y	N
20. Are you aware of procedures required under the money laundering regulations and who the Company appointed MLO is?	Y	N
21. Have you received LCCP training?	Y	N

- |  |   |   |
|--|---|---|
| 22. Are you aware that stakes must be returned to under-18s who you have identified as having gambled in the AGC (or adult area) and that they are not permitted to retain any monetary prize? | Y | N |
| 23. Are you aware of the company's policy in dealing with complaints and disputes and where written copies of this policy and complaint forms are kept?  | Y | N |
| 24. Do you know what the three Licensing Objectives are?   | Y | N |
| 25. Do you feel that you have received sufficient training in what is expected of you in respect of knowledge and implementation of gambling law requirements?                                 | Y | N |
| 26. Do you have copy of the staff training booklet provided by bacta and have you Completed the training modules?  | Y | N |
| 27. Have you been shown and understand the local risk assessment and money Laundering risk assessment documents?   |   |   |

**Comment:**

*Please comment on all instances where 'N' is circled, giving a full explanation and what measures are to be adopted so as to comply with requirements.*

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## Responsibility for Third Parties

Licensees must take responsibility for third parties with whom they contract for the provision of any aspect of the licensee's business related to the licensed activities and ensure that the terms on which they contract with such third parties:

- a) require the third party to conduct themselves in so far as they carry out activities on behalf of the licensee as if they were bound by the same licence conditions and subject to the same codes of practice as the licensee
- b) oblige the third party to provide such information to the licensee as they may reasonably require in order to enable the licensee to comply with their information reporting and other obligations to the Commission
- c) enable the licensee, subject to compliance with any dispute resolution provisions of such contract, to terminate the third party's contract promptly if, in the licensee's reasonable opinion, the third party is in breach of contract (including in particular terms included pursuant to this code provision) or has otherwise acted in a manner which is inconsistent with the licensing objectives.

### **Notes:**

- The Commission is not interested in cleaning activities etc unless that has an impact on the licensed activities.
- Operators must also build in terms to those contracts to enable termination of the contract when things go wrong.
- There can be dispute resolution procedures which apply when these termination clauses are invoked.

## Qualified Persons

1. In this condition the terms 'small-scale operator', 'qualifying position' and 'qualified person' have the meanings respectively ascribed to them by the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006.
2. Schedule X lists those individuals notified to the Commission as qualified persons.
3. If, whilst the licensee remains a small-scale operator, an individual begins or ceases to occupy a qualifying position in relation to the licensee, the licensee must within 28 days apply to the Commission under section 104(1)(b) of the Act for amendment of the details of the licence set out in Schedule X.
4. An application for amendment under section 104(1)(b) of the Act may be made in advance of an individual beginning or ceasing to occupy a qualifying position provided it specifies the date from which the change to which it relates is to be effective.
5. In this condition 'qualified person' has the same meaning as in the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006.

## PERSONAL LICENCES

1. Subject to 6 and 7 below, licensees must ensure:
  - that each individual who occupies one of the management offices specified in 2 below in respect of the licensee or in connection with the licensed activities holds a personal licence authorising the performance of the functions of that office (hereafter ‘a personal management licence’); and
  - that at least one person occupies at least one of those offices.
2. The specified management offices are those offices (whether or not held by a director in the case of a licensee which is a company, a partner in the case of a licensee which is a partnership or an officer of the association in the case of a licensee which is an unincorporated association) the occupier of which is by virtue of the terms of their appointment responsible for:
  - a) the overall management and direction of the licensee’s business or affairs
  - b) the licensee’s finance function as head of that function
  - c) the licensee’s gambling regulatory compliance function as head of that function. The Commission makes explicit the approach that the head of compliance will not normally occupy (without Commission approval) any other specified management office, such as head of marketing. This LCCP requirement does not apply to small scale operators
  - d) the licensee’s marketing function as head of that function
  - e) the licensee’s information technology function as head of that function in so far as it relates to gambling-related information technology and software
  - f) oversight of the day to day management of the licensed activities at an identified number of premises licensed under Part 8 of the Act or across an identified geographical area
  - g) in the case of casino and bingo licences only, oversight of the day to day management of a single set of premises licensed under Part 8 of the Act.
3. **The person responsible for the licensee’s gambling regulatory compliance function as head of that function shall not, except with the Commission’s express approval, occupy any other specified management office.**
4. Licensees must take all reasonable steps to ensure that anything done in the performance of the functions of a specified management office is done in accordance with the terms and conditions of the holder’s personal management licence.
5. Where an individual is authorised by a personal licence and that licence comes under review under section 116(2) of the Act, the operating licensee must comply with any conditions subsequently imposed on that licence by the Commission about redeployment, supervision, or monitoring of the individual’s work and any requirements of the Commission in respect of such matters applicable during the period of the review.

6. Paragraphs 1 to 5 above shall not apply to a licensee for so long as the licensee is a 'small-scale operator' as defined in the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006 ('the Regulations').
7. During the period of 3 years commencing with the date on which a licensee ceases to be a small-scale operator paragraphs 1 to 6 above shall apply subject to the proviso that the phrase 'each individual' in paragraph 1a shall not include any individual who was a 'qualified person' (as defined in the Regulations) in relation to the licensee 28 days immediately prior to the licensee ceasing to be a small-scale operator.

## Key Events

A key event is an event that could have a significant impact on the nature or structure of a licensee's business. Licensees must notify the Commission, or ensure the Commission is notified, in such form or manner as the Commission may from time to time specify, of the occurrence of any of the following key events as soon as reasonably practicable and in any event within five working days of the licensee becoming aware of the event's occurrence.

### Operator status

1. In the case of licensees which are companies, a petition being presented for their winding up or the winding up of any group company of theirs, or they or any group company being placed in administration or receivership or their directors proposing to creditors a composition in satisfaction of its debts or a scheme of arrangement of its affairs.
2. In the case of licensees which are bodies corporate, but not companies, any event substantially equivalent to those listed at 1 above.
3. In the case of a licensee who is an individual (or a partner in a partnership licensee) their being presented with a petition for their bankruptcy or sequestration or their entering into an individual voluntary arrangement.

### Relevant persons and positions

4. In the case of licensees who are companies or other bodies corporate having a share capital, the name and address of any person who (whether or not already a shareholder or member) becomes a shareholder or member holding 3% or more of the issued share capital of the licensee or its holding company.
5. Any investment in a licensee which is not by way of subscription for shares.
6. The taking of any loan by the licensee, or by a group company who then makes an equivalent loan to the licensee, from any person not authorised by the Financial Conduct Authority: a copy of the loan agreement must be supplied.
7. The entering into an arrangement whereby a third party provides services to, or grants any licence concession or permission to, the licensee other than for full value: full details of the arrangements must be supplied.
8. The appointment of a person to, or a person ceasing to occupy, a 'key position': a 'key position' in relation to a licensee is:
  - a) in the case of a small-scale operator, a 'qualifying position' as defined in the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006
  - b) in the case of an operator which is not a small-scale operator, a 'specified management office' as set out in (current) LCCP licence condition 1.2

- c) a position the holder of which is responsible for the licensee's anti-money laundering procedures, including suspicious activity reporting
  - d) any other position for the time being designated by the Commission as a 'key position'. (Notification is required whether or not the person concerned is required to hold a personal management licence and whether or not the event notified requires the licensee to apply for a variation to amend a detail of their licence.)
9. Any change to the structure or organisation of the licensee's business which affects a 'key position' or the responsibilities of its holders

### **Financial events**

- 10. Any material change in the licensee's banking arrangements, in particular the termination of such arrangements or a particular facility and whether by the licensee or the provider of the arrangements.
- 11. Any breach of a covenant given to a bank or other lender.
- 12. Any default by the licensee or, where the licensee is a body corporate, by a group company in making repayment of the whole or any part of a loan on its due date.
- 13. Any court judgments (in whatever jurisdiction) against the licensee or, where the licensee is a body corporate, a group company, remaining unpaid 14 days after the date of judgment.
- 14. Where the licensee is required to have their accounts independently audited, any qualification to an auditors' report; and any unplanned change of auditor including a change prompted by a dispute or resulting from auditors being unable or unwilling to sign an unqualified audit report.
- 15. Any change in the licensee's arrangements for the protection of customer funds in accordance with the general licence condition 4 relating to the protection of customer funds (where applicable).
- 16. Where the licensee holds customer funds in a separate bank account, any deficit on reconciliation of such bank account.
- 17. Any change in the licensee's arrangements as to the methods by which, and/or the payment processors through which, the licensee accepts payment from customers using their gambling facilities (this key event applies to remote casino, bingo and betting operating licences, except ancillary and remote betting intermediary (trading room only) licences).

### **Legal or regulatory proceedings or reports**

- 18. The grant, withdrawal or refusal of any application for a licence or other permission made by the licensee, or in the case of a licensee which is a body corporate, any group company of theirs, to a gambling regulator in another jurisdiction. In the case of a withdrawal or refusal of the application, the licensee must also notify the reasons for such withdrawal or refusal. (This condition does not apply to applications for licences or other permissions to carry on activities which would fall outside the scope of a Gambling Commission operating licence if carried out in Britain or with customers in Great Britain.)



- 19a. Any investigation by a professional, statutory, regulatory or government body (in whatever 10 jurisdiction) into the licensee's activities, or the activities in relation to the licensed entity of a personal licence holder or a person occupying a qualifying position employed by them, where such an investigation could result in the imposition of a sanction or penalty which, if imposed, could reasonably be expected to raise doubts about the licensee's continued suitability to hold a Gambling Commission licence.
- 19b. Any criminal investigation by a law enforcement agency in any jurisdiction in relation to which:
- the licensee is involved (including, but not limited to investigations of crimes allegedly committed against the licensee or involving the gambling facilities provided under the licence), AND
  - the circumstances are such that the Commission might reasonably be expected to question whether the licensee's measures to keep crime out of gambling had failed.
- Notification of the event must occur as soon as practicable after the licensee becomes aware of any such investigation in which the licensee is involved and measures may have failed.
20. The receipt of any report from a professional, statutory or other regulatory or government body (in whatever jurisdiction) of the outcome of a compliance assessment in relation to the gambling activity of the licensee or, where the licensee is a body corporate, of any group company in which at least one person who holds a key position in or in respect of the licensee holds a key position: a copy of the report should be provided where available to the licensee.
21. The referral to the licensee's Board, or persons performing the function of an audit or risk committee, of material concerns raised by a third party (such as an auditor) about the provision of facilities for gambling which are expressed (in whatever terms) as requiring attention as a high priority: a summary of the nature of the concerns must be provided.
22. The imposition by the licensee of a disciplinary sanction, including dismissal, against the holder of a personal licence or a person occupying a qualifying position for gross misconduct; or the resignation of a personal licence holder or person occupying a qualifying position following commencement of disciplinary proceedings in respect of gross misconduct against that person.
23. The commencement (in whatever jurisdiction) of any material litigation against the licensee or, where the licensee is a body corporate, a group company: the licensee must also notify the outcome of such litigation.
24. The making of a disclosure pursuant to section 330, 331, 332 or 338 of the Proceeds of Crime Act 2002 or section 19, 20, 21, 21ZA, 21ZB or 21A of the Terrorism Act 2000 (a suspicious activity report): the licensee should inform the Commission of the unique reference number issued by the United Kingdom Financial Intelligence Unit of the National Crime Agency in respect of each disclosure and for the purposes of this key event the five working day period referred to above runs from the licensee's receipt of the unique reference number.

### **Gambling facilities**

25. Any breach in the licensee's information security that adversely affects the confidentiality of customer data or prevents customers from accessing their accounts for longer than 24 hours.
26. Any change in the identity of the ADR entity or entities for the handling of customer disputes, as required by the social responsibility code provision on complaints and disputes.

27. The reference of a dispute to an ADR entity other than one in respect of which contact details were given in accordance with the social responsibility code provision on complaints and disputes; the reason for selection of that ADR entity should be given.
28. In the case of remote gambling, the commencement or cessation of trading on website domains (including mobile sites or mobile device applications) or broadcast media through which the licensee provides gambling facilities.

**In this condition:**

- 'body corporate' has the meaning ascribed to that term by section 1173 of the Companies Act 2006 or any statutory modification or re-enactment thereof
- in respect of a company, 'holding company' and 'subsidiary' have the meaning ascribed to that term by section 1159 of the Companies Act 2006 or any statutory modification or re-enactment thereof
- a 'group company' is any subsidiary or holding company of the licensee and any subsidiary of such holding company. 1 Key events can be reported securely online at the Commission's website through our eServices system [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)
- Alternatively, for operators unable to access this system, you can report a key event by email to: [key.events@gamblingcommission.gov.uk](mailto:key.events@gamblingcommission.gov.uk)

## **Other Reportable Events**

Licensees must also notify the Commission in such form or manner as the Commission may from time to time specify, or ensure that the Commission is so notified, as soon as reasonably practicable of the occurrence of any of the following events:

- a the conclusion of a dispute referred to an ADR entity and in such case providing the Commission with a copy of the decision or note of the outcome.
- b any outcome adverse to the licensee of any proceedings taken against the licensee (in whatever jurisdiction) by a customer in relation to a gambling transaction; but excluding proceedings allocated to the County Court small claims track or equivalent in jurisdictions outside England and Wales.
- c their becoming aware that a group company which is not a Commission licensee is advertising remote gambling facilities to those residing in a jurisdiction in or to which it has not previously advertised.

## **General and Regulatory Returns**

1. On request, licensees must provide the Commission with such information as the Commission may require about the use made of facilities provided in accordance with this licence, and the manner in which gambling authorised by this licence and the licensee's business in relation to that gambling are carried on, including in particular information about:
  - a) the numbers of people making use of the facilities and the frequency of such use
  - b) the range of gambling activities provided by the licensee and the numbers of staff employed in connection with them
  - c) the licensee's policies in relation to, and experiences of, problem gambling.

- 2 In particular within 28 days of the end of each quarterly period or, for those only submitting annual returns, within 42 days of the end of each annual period, licensees must submit a Regulatory Return to the Commission containing such information as the Commission may from time to time require.

## **Protection of Customer Funds**

### **Disclosure to Customers**

#### **Licence condition 4.2.1,**

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

## **Payment**

### **Cash and cash equivalents, payment methods and services**

#### **Licence condition 5.1.1**

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

## **Provision of Credit by Licensees and the Use of Credit Cards**

### **Licence Condition 6.1.1**

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

## **Reporting Suspicion of Offences**

### **Licence Condition 15.1.1**

2. Licensees must as soon as reasonably practicable provide the Commission or ensure that the Commission is provided with any information that they know relates to or suspect may relate to the commission of an offence under the Act, including an offence resulting from a breach of a licence condition or a code provision having the effect of a licence condition.

## **Responsible Placement of Digital Adverts**

### **Licence Condition 16.1.1**

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

# Customer Notice

## Gaming General Terms & Conditions

These Terms and Conditions (the “Generic Terms”) apply to all gaming transactions entered into on these premises (the “Premises”) *except for Promotions which are covered by separate terms and conditions available on the premises.*

Any gaming transactions entered into on the premises shall be between the customer taking part in the particular transaction (the “Customer”) (1) and ..... (the “Company”) (2)

In these General Terms, the terms/conditions/rules displayed on the particular gaming machine are referred to as the “Specific Terms”.

Customers are strongly advised to read the Specific Terms. By entering into any gaming transaction by use of the particular gaming machine, the Customer shall be deemed to have read and accepted the Specific Terms applying.

Minimum and maximum stakes and maximum prizes/wins are those displayed on the gaming machine in the Specific Terms.

Members of staff have no authority to vary or amend the General Terms or the Specific Terms and any assistance or advice offered by them in relation to any gaming transaction shall be without prejudice to that position.

In the event of a disputed outcome to any game, the Company complaint procedure will apply, a copy of which is available from a member of staff or from the Company at the address below:

.....  
.....  
.....  
.....

## **APPENDIX B - GUIDE TO THE BACTA SELF-EXCLUSION SERVICES SCHEME**

### **INTRODUCTION**

In 2015, the Gambling Commission revised the Licence Conditions and Codes of Practice. As part of that revision, the way in which the gambling industry is expected to handle those customers who wished to self-exclude was changed.

Whereas previously operators simply self-excluded a customer in ways dependent upon the gambling premises, the change requires operators to offer self-excluders the opportunity to self-exclude from other premises offering similar gambling facilities in the locality. Self-exclusion lasts between six and twelve months but can be extended by the self-excluder.

The relevant section of the LCCP can be found at: <http://www.gamblingcommission.gov.uk/pdf/Latest-LCCP-and-Extracts/Licence-conditions-and-codes-of-practice.pdf>

What this means in practice is that an AGC has to allow someone to also self-exclude from other AGCs nearby without the excluder having to visit them.

Bacta has worked with a software company to build a web-based application that will allow this process to be automated. The scheme is administered via a separate company called Bacta Self-Exclusion Services Ltd (BSESL).

This software allows operators to input details of a self-excluder and then tell other operators nearby that a particular person has self-excluded and that they will need to stop them entering the premises should they try. Attempted breaches of a self-exclusion can also be recorded on the system. The system uses a radius from the post code of the AGC to determine which other AGCs are notified.

The scheme is for use by those operators who possess an Adult Gaming Centre premises licence. A separate scheme is available for those using a bingo licence. Details of that scheme are available from the Bingo Association.

Motorway Service Areas (MSAs) that operate AGCs use this scheme but self-excluders will be able to select individual service areas or multiple service areas on particular motorways or A roads, rather than using a radius from a postcode.

A self-excluder wishing to exclude themselves from High Street AGCs and from AGCs on Motorway Service Areas, need to do so separately.

A separate guide to the software package has been produced and is available from bacta.

It is important to emphasise that self-exclusion is a last resort for an individual who wishes to stop gambling. It is one of the tools available to them to help. Operators have a duty of care towards those who wish to self-exclude and should seek to point those individuals to other self-exclusion schemes operated by other gambling sectors, as well as to care agencies and helplines such as GamCare or GambleAware.

### **BRIEF DESCRIPTION OF THE SCHEME**

- a. In order to offer the scheme to customers, operators need to register with BSESL by signing a contract that sets out the nature of the service BSESL is providing and the obligations BSESL and operators must fulfil.
- b. A login and password to the system is provided and operators need to upload details of their company and their sites onto the system.
- c. Operators need to give relevant members of staff their own login and password.
- d. Operators are able to customize the software to suit their businesses.

- e. Once the registration process is complete the operator is able to upload details of any self-excluder using a screen for that purpose.
- f. The screen requires key information to be provided.
- g. It is necessary to upload a copy of a photograph of the self-excluder.
- h. It is also necessary to obtain consent from the self-excluder to their details being used for the purposes of ensuring they are self-excluded from the premises from which they choose to be excluded.<sup>1</sup>
- i. Once the details of the self-excluder have been uploaded, namely their photograph and details of from where they wish to be excluded (either using a radius from a post code in the case of AGCs or individually in the case of MSAs), the system alerts the operators of those other premises that someone has excluded themselves from the source premises.
- j. Those operators then have to access the system and implement whatever procedures they have in place to ensure that person cannot enter the premises. For example, at an MSA vehicle number plate recognition can in some circumstances alert staff that a person who has self-excluded is coming on site. AGCs may simply use staff recognition.
- k. For people who do not wish to visit an AGC or MSA operators should provide a contact telephone number to the relevant person within their organization who can then fill in the details of the self-excluder remotely. Acceptance of the Terms and Conditions needs to be given by the self-excluder in writing, either by post or by hand.
- l. All records can be printed off and stored securely by the operator.
- m. When a self-exclusion period comes to an end, the person who has self-excluded has to visit the AGC from which they originally excluded themselves either to extend their self-exclusion or to notify the operator that they wish to start gambling again. A screen needs to be completed and an alert to other operators is generated so everyone is aware that the self-exclusion agreement has come to an end. There is a 24-hour cooling off period before this can become active.
- n. A self-excluder that does not notify the operator that they either wish to gamble again or that they wish to extend their self-exclusion period will automatically be deleted from the system after six months from the end of the self-exclusion period they originally selected. Again, an alert is generated at that time by the system to all relevant operators advising that the particular self-excluder is no longer on the database and staff no longer need to be aware of their potential to enter the premises.

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<sup>1</sup> The information about a self-excluder is likely to be regarded as “sensitive personal data” under the Data Protection Act. As a result the Act requires additional safeguards in the processing and securing of that data, which would extend to a person’s photograph. Policies and procedures within the company to do this should be written down and understood by members of staff. Further advice is given under the FAQ Section of this Guide but please note that it is ultimately your responsibility to ensure that you are complying with the Data Protection Act.

## THE ROLE OF STAFF

The role of members of staff interfacing with customers is crucial in the successful implementation of the self-exclusion scheme. It is expected therefore that staff will be well versed in the necessary conversations that need to be had with those wishing to exclude and the way to have them.

It is nevertheless important to remember that in all cases a safety-first policy must be adopted; staff members should never put themselves, customers or colleagues at risk.

This might be when a particular customer has become agitated or potentially violent. Staff members should not put themselves in a position where they are alone with an individual whether on site or off site. If necessary, they should ensure another member of staff is present to witness that no inappropriate behavior occurs.

Staff must be told that it is imperative that they behave at all times in a way that does not jeopardize the confidentiality of the information about an individual that they have been given either as the member of staff handling the self-exclusion or as a member of staff policing the system.

Here are some do's and don'ts around sensitive personal information of this kind:

- Limit staff access to the data to those who need to enforce the self-exclusion scheme.
- Do not allow anyone to remove self-exclusion data from the premises or to refer to any individuals opting into the scheme outside of an immediate and necessary work context.
- If staff members attach a photograph of a self-excluder to the wall in the office, make sure it cannot be seen by any members of the public (e.g. if the door is opened).
- Treat as gross misconduct the sharing of any personal data with any third party.
- Obtain independent verification that your business is operating in compliance with data protection and privacy laws.
- Members of staff should never use their own mobile devices to take photographs of self-excluders.

## TERMS AND CONDITIONS

The terms and conditions, to which every self-excluder needs to understand and agree to, is provided to operators separately. These T&Cs are designed to minimise liability in the event that someone who has self-excluded successfully enters your premises undetected and gambles, and claims damages from you for not properly exercising your duty of care to keep them from the premises and any damages they may be seeking as a result.

This does not mean that operators can ignore the need for robust and proper policies and procedures to enforce a self-exclusion. That is a key requirement of the LCCP and is contained in the terms and conditions BSESL has with operators. If policies and procedures are not sufficiently robust, an excluder could be successful in an action irrespective of the fact they have signed a copy of the standard terms and conditions.

Some scheme members may wish to amend the self-excluder terms and conditions. They do so at their own risk. Whatever BSESL's contract with you requires, should you amend the standard terms then you must include what we regard as certain minimum or mandatory conditions. BSESL cannot warrant that the self-excluder terms and conditions will meet the Gambling Commission's requirements nor that they will protect you from all claims. You need to obtain your own legal advice before using the self-excluder terms and conditions.

Operators are recommended to keep and store signed copies of the terms and conditions.



## FREQUENTLY ASKED QUESTIONS

### **Do High Street bingo operators have to join the BSESL scheme?**

Operators that have a bingo licence have to use the Bingo Association self-exclusion scheme. That scheme does not exclude someone from AGCs. To do that they will need to initiate a separate self-exclusion using the BSESL self-exclusion scheme for AGCs

### **Why are the details of people deemed sensitive information?**

The processing of personal data is both defined and regulated by the Data Protection Act. You will need a registration in any case with the Information Commissioner ([www.ico.org.uk](http://www.ico.org.uk)) if you process any personal data. Most companies will be registered already.

In addition there is another category of personal data which is called sensitive personal data and is defined as any data fulfilling certain requirements, such as data relating to medical conditions. Given that self-exclusion potentially relates to problem gambling it should be treated as sensitive data. This means operators must ensure that they have robust policies and procedures in place to ensure that data relating to self-excluders is not used for any other purpose than ensuring the self-exclusion is effective. Also, the data must not be disclosed to those that are not involved in making the self-exclusion effective. All members of staff must understand this.

Operators must make sure that they remove access to the system by any member of staff that leaves their employ.

### **How do Holiday Parks deal with self-exclusions?**

If a self-excluder is going on holiday to a holiday park and wishes to self-exclude from the AGC(s) on the Holiday Park whilst there, they should contact the Park direct to ensure that for the duration of their holiday they are prevented from entering the AGC. Each Holiday Park will have to devise appropriate arrangements to give effect to the self-exclusion in light of their unique circumstances.

### **I am having trouble registering a self-exclusion. Is there anyone I can call?**

In the first instance please call 0207 730 6444.

### **What should I do if I notice someone attempting to breach their self-exclusion?**

Firstly, the person attempting to breach should be approached to remind them that they have self-excluded from the premises and you are bound to ask them to leave the premises. Again, safety must come first and if a situation escalates then company procedures should be followed.

All attempted breaches should be recorded on the BSESL system. A form is available on the system for this purpose. You will also need to record this on your self-exclusion incident log.

**What if someone won't agree to sign the terms and conditions or have their photograph taken?**

Simply put, the system cannot be used and they cannot be self-excluded from premises in the locality. You can continue to self-exclude them from your premises in the usual way if that can be arranged under your existing system.

**What if someone comes to an MSA in a friend's car**

Whilst number plate recognition can be used by MSA's to identify a self-excluder's car if that information has been provided, it clearly will not identify a friend's car. The use of number plate recognition technology is not part of the BSESL scheme but provides a potential tool MSA operators can use to help them, alongside other procedures, to prevent a self-excluder from entering the AGC located at the MSA.

## APPENDIX C – SYSTEM CHECKLIST

### Premises Signage

	Yes (tick)	No (tick)	N/A (tick)	Notes
No Under 18s				
No Alcohol				
No Smoking				
BACTA Membership				

<b>Machine Signage</b>				
Under 18s				
GamCare				
Category Labels				
Legacy Labels				

### Posters (P) & Leaflets (L)

Stay in Control (P)				
Stay in Control (L)				
Proof of Age Scheme				
Think 21/25 Material				

### Licences

Premises Licence				
Operating Licence				
Personal Licence				
Link Licence				

### Forms

Self-Exclusion				
Complaints & Dispute				

### Policy & Procedure Documents

Access by C & YP				
Access by G C				
Advertising				
Employment of C & YP				
Customer Interaction				
Fair & Open				
Signposting Information				
Money Laundering				
Self-Exclusion				

**Logs**

	Yes (tick)	No (tick)	N/A tick)	Notes
Attempts to Gamble C & YP				
Customer Interaction				
Police Assistance				
Self-Exclusion				
Staff Training				

**Entitlement**

B3 Numbers				
Stakes & Prizes				

**Misc.**

Age Verification Tests				
Contribution to RET				
Notifying Key Events				
Regulatory Return				
Knowledge of MLO				
Advertising Practice				
Payment of MGD				
ADR Entity				
Licensing Objectives				
Attractive to Children				
Supervision				
Self-Exclusion Scheme				
Return to Player (%)				
Responsibility for 3 <sup>rd</sup> Parties				
Register of Machines				

**Risk Assessment Documents**

Local Risk				
Money Laundering				
Guide to bacta SE Scheme				

**Registrations**

ADR Entity				
Self-Exclusion Scheme				
Age Verification Testing				
Primary Authority				

**OPERATOR NOTES:**

# TAB 14



# **SOCIAL RESPONSIBILITY CHARTER AND CODE OF PRACTICE**

**2018**

## **1. Introduction**

Bacta represents the British amusement machine industry. This includes seaside amusement arcades, inland Adult Gaming Centres, suppliers to pubs, bingo halls and clubs and amusement machine manufacturers. There are about 350,000 amusement machines of one kind or another sited in the UK. Of these 132,000 are gaming machines with stakes ranging from 2p to £2. Higher stake machines in Licensed Betting Offices or Casinos are not covered by this Charter. The British amusement machine industry is integral to the UK's entertainment, hospitality and leisure sector and already offers high levels of effective staffing, monitoring and supervision to protect those vulnerable to gambling-related harm. We employ a dedicated team of compliance officers to assist members in complying with the Gambling Commission's Licence Conditions and Codes of Practice.

Bacta is both committed to Social Responsibility and committed to sustainable growth across each sector represented by its members.

Bacta entered into partnership with GamCare in 1997, drawing up a unified social responsibility code and jointly evaluating compliance thereafter by the introduction of a training, assessment and certification package. This Charter embodies that work into a series of commitments to which the Association's membership is pledged to uphold.

For most people gambling is fun and an integral part of the British leisure scene. British amusement premises have millions of visitors every year; customers in pubs and clubs enjoy billions of machine plays a year. Our commercial objective is to offer a modern and diverse range of gambling products for an exciting and enjoyable experience in the safest environments.

We recognise that for some people gambling can become a problem which affects the gambler and the people closest to them.

Though the incidence of problem gambling in the UK is among the lowest in the world, the industry is not complacent: we accept our responsibility to *all* our customers.

Providing responsible gambling is a dynamic process that evolves alongside changes in gaming products, monitoring technologies, and public attitudes and expectations of gambling.

Customers who play in amusement centres and other licensed premises are served by trained staff in a highly regulated industry to ensure that gambling is closely and expertly supervised. A small percentage of customers gambling can find that they have a problem so we operate a range of social responsibility measures including provision of information regarding responsible gambling, staff training, detailed licence condition policies and procedures and voluntary self-exclusion schemes to help customers who perceive they might be at risk to help themselves. We also support research, education and treatment by donating financial contributions. We keep what we do under constant review.

Our members who supply machines are also licensed to do so and take steps to inform and educate their customers about social responsibility. Our manufacturers are also all licensed to make and sell gaming machines.

This Charter is one of the ways the industry seeks to ensure it is achieving high levels of social responsibility.



## 2. Our Values

Bacta and its members adhere to the following set of values:

- Ethical
- Sustainable
- Modern
- Professional
- Partnering
- Open and Transparent

It is therefore incumbent upon Bacta and its members to place social responsibility at the heart of what we do to meet the three Licensing Objectives contained in the 2005 Gambling Act:

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

Bacta and its members will mediate decisions through appropriate regard to social responsibility obligations, which will be based on regular risk assessment against the LCCP and this Charter. We believe this will make us a better organisation and better businesses.

## 3. Executive Commitment

***We, the Chief Executives/owners of Bacta member companies, accept ownership of the licensing objectives and commit to delivering gambling products responsibly while continuing to innovate and grow our businesses.***

***We commit to increase the visibility of the ways in which we put in place social responsibility and demonstrate its effectiveness.***

***This Social Responsibility Charter and Code of Practice will be reflected in the way we run our businesses, the care we take in offering and marketing our products and by the resources we devote to this initiative. As business leaders we are proud to continue making social responsibility a precondition to profitability.***

#### **4. Our commitments in detail**

Some responsible gambling measures are required by law and regulatory requirements; others have evolved as good practice or are conditions of being a bacta member. For example:

- Premises Licence Conditions
- Licence Conditions & Codes of Practice
- Trained staff
- Accreditation by bacta or a relevant third party
- Evaluation of Compliance
- Alternative Dispute Resolution (ADR)
- Age-verification testing

Bacta members commit to adhere to the following pledges (numbers in brackets refer to the Division of bacta to which the commitment applies):

##### **Pledge 1 Putting the Customer at the heart of what we do**

The Licence Conditions and Codes of Practice (LCCP) Social Responsibility Code requires us to ensure all our employees are regularly trained and aware of our obligations to our customers and to our regulators. Bacta has developed a national system of social responsibility training and compliance with the LCCP.

It is a condition of membership that members comply with this Social Responsibility Charter. We commit to make its provisions a central part of our business. (1,2,3,4)

##### **Pledge 2 Informed customers and trained employees**

We will ensure that gambling on amusement machines is both delivered and physically supervised by well-trained and experienced staff, skilled in customer interaction and identifying problem gambling issues, and reacting appropriately. (1,3)

We will ensure, through trained staff, that our customers are informed about our obligations under this Code. We will help our customers maintain and improve where appropriate the actions they take on social responsibility. (2,4)

##### **Pledge 3 Accreditation**

Validating our confidence in our own customer care measures is important to us.

Bacta certifies all its members to ensure that they are compliant with the law and LCCP. We will ensure that this is the minimum we will achieve in order to comply with this Code. (A copy of the Bacta accreditation check list is attached at Appendix A) (1,3)

##### **Pledge 4 Self-exclusion**

We will utilise the Bacta self-exclusion scheme (or equivalent) to ensure those customers who wish to address their gambling-related problems have an easy-to-use way of excluding themselves from our premises. (1,3)

### **Pledge 5 Promoting and supporting research, education and treatment**

We recognise the importance of providing support for people who have problems associated with gambling.

As a condition of Bacta membership, we will make an appropriate financial contribution of not less than 0.1% of our company's GGY to research, education and treatment of problem gamblers. (1,2,3,4)

### **Pledge 6 - Using our technology**

As manufacturers we will ensure that responsible gambling objectives are fundamental to design innovation and we will always follow the Gambling Commission Technical Standards. (4)

### **Pledge 7 Making sure young people are excluded from adult only premises and adult only machines**

Trained staff will do everything they can to ensure that anyone under the age of 18 is prevented from entering adult only premises or adult only areas or playing adult only machines. We operate as a minimum a rigorous 'Challenge 25' policy and display clear signs prohibiting entry by people under the age of 18.

It is a condition of Bacta membership that all relevant members conduct age verification testing at least once per year and if requested share the results with the Gambling Commission. Bacta has its own internal age-verification test programme available for use by members.

We will continuously monitor our age verification performance and will immediately rectify any shortcomings that we identify. (1,3)

We will encourage our customers to put in place policies, procedures and evaluation protocols to ensure no one under the age of 18 plays adult only machines for example in pubs or clubs (2).

### **Pledge 8 Helping people to gamble responsibly**

We provide information both directly and indirectly, about responsible gambling in a range of ways depending upon the type of premises and the best way to communicate to our customers.

We will continuously review our provision of information to our customers to ensure it is readily available, easily understood and effective, whether in electronic or physical form and where appropriate can be taken away from the premises. (1,2,3,4)

### **Pledge 9 Not bringing the industry into disrepute**

We will behave in relation to government officials, other bacta members and to our customers in a way that does not bring the industry or bacta into disrepute. (1,2,3,4)

### **Pledge 10 Safe-guarding of children. young people and the vulnerable**

In addition to our legal obligations, we will put in place policies and procedures to ensure that children, young people and the vulnerable are safe-guarded from any potential harm. (1,2,3,4)

We will ensure that no unaccompanied school children are allowed on our premises during school hours. (1)

### **Pledge 11 Amusement Device Inspection Procedure Scheme (ADIPS)**

All manufactures, distributors and operators of children's rides will ensure compliance with the Amusement Devices Inspection Procedures Scheme (1,2,4)

### **Pledge 12 Quality Premises**

Operators will ensure that their premises are well kempt and in a state of good maintenance and repair. (1,3)

### **Pledge 13 Evaluation**

We will evaluate as appropriate new business, product or process initiatives within our business for their impact on our customers and in particular for gambling products in relation to their potential to increase or decrease the risk of gambling-related harm.

## **5. Summary**

1. We will make this Charter central to our business
2. We will inform our customers and train our staff
3. We will seek accreditation for what we do with bacta certification as a minimum
4. We will ensure that customers who wish to self-exclude can do so easily
5. We will make an appropriate financial contribution to Research Education and Treatment
6. We will use our technology power of technology where we can to help us manage our social responsibility obligations
7. We will do everything we can to ensure no one under the age of 18 plays a machine or enters premises from which they are prohibited
8. We will help people gamble responsibly through the provision of appropriate information/interventions
9. We will not bring the industry into disrepute
10. We will safe-guard children and young people
11. We will adhere to the ADIPS
12. We will ensure we operate a quality environment
13. We will evaluate what we do.

Bacta will monitor, amend and update this Charter from time to time.

## **6. Failure to Comply**

**Bacta members who fail to comply with the terms of this Charter will be subject to the Disciplinary Procedure attached at Appendix B**

**APPENDIX A – BACTA’S PREMISES EVALUATION CHECK LIST**

**Premises Signage**

	Yes (tick)	No (tick)	N/A (tick)	Notes
No Under 18s				
No Alcohol				
No Smoking				
BACTA Membership				

**Machine Signage**

No Under 18s				
GamCare				
Category Labels				
Legacy Labels				

**Posters (P) & Leaflets (L)**

Stay in Control (P)				
Stay in Control (L)				
Proof of Age Scheme				
Think 21/25 Material				

**Licences**

Premises Licence				
Operating Licence				
Personal Licence				
Link Licence				

**Forms**

Self-Exclusion				
Complaints & Dispute				

**Policy & Procedure Documents**

Access by C & YP				
Access by G C				
Advertising				
Employment of C & YP				
Customer Interaction				
Fair & Open				
Signposting Information				
Money Laundering				
Self-Exclusion				

**Logs**

	Yes (tick)	No (tick)	N/A tick)	Notes
Attempts to Gamble C & YP				
Customer Interaction				
Police Assistance				
Self-Exclusion				
Staff Training				

**Entitlement**

B3 Numbers				
Stakes & Prizes				

**Misc.**

Age Verification Tests				
Contribution to RET				
Notifying Key Events				
Regulatory Return				
Knowledge of MLO				
Advertising Practice				
Payment of MGD				
ADR Entity				
Licensing Objectives				
Attractive to Children				
Supervision				
Self-Exclusion Scheme				
Return to Player (%)				
Responsibility for 3 <sup>rd</sup> Parties				
Register of Machines				

**Risk Assessment Documents**

Local Risk				
Money Laundering				

**Registrations**

ADR Entity				
Self-Exclusion Scheme				
Age Verification Testing				
Primary Authority				

**Administration**

Company	
Address	
Division	
Representative	
Telephone Number	
Email Address	
Date	
RCO	
Reference Number	
Compliant	
Report Issued (Y/N)	
Certificate Issued (Y/N)	

**Notes**

## APPENDIX B – CHARTER DISCIPLINARY PROCEDURE

1. Should any individual or company wish to allege that a member of Bacta has failed to comply with the requirements of this Charter they should in the first instance write to the Chief Executive of Bacta at its Head Office detailing the nature of the alleged breach.
2. The Chief Executive will in so far as is possible in the circumstances seek to establish the facts of the allegation within 15 working days from receipt of the written allegation and then put the allegation to the company against whom the breach is alleged.
3. The member Company concerned will respond to the allegation within 15 working days and may accept the validity of the alleged breach and agree with the Chief Executive a course of action to rectify the breach and to ensure it does not re-occur. The member may alternatively reject the allegation.
4. Where the company accepts the validity of the alleged breach, the agreed course of action will be communicated in writing to the individual or company alleging the breach within 15 working days.
5. Should the individual or company alleging the breach be dissatisfied with the agreed course of action, they may appeal the decision within 15 working days from receipt of the letter detailing that action by writing to the Chief Executive of Bacta stating that they wish to appeal. The matter will then be referred to the Bacta Social Responsibility Committee which will within 15 working days from the date of receipt of the appeal by the Chief Executive select from amongst its number a panel of three individuals who have no connection to the case or any conflict of interest arising from it. The panel will meet within 20 working days from its selection to consider the appeal.
6. On hearing the appeal the panel shall take such further evidence as it sees fit either in person or in writing and its decision whether to allow the appeal or dismiss it will be final.
7. Where the appeal is allowed the panel will detail the action the member against whom the allegation was made must take to rectify the breach and may require further undertakings related to the breach to be made.
8. If, following step 4 above, the company rejects the validity of the alleged breach of the Charter, the matter will be referred to the Bacta Social Responsibility Committee within 15 days of receipt of the notice from the company that they do not accept the validity of the alleged breach, and the process described in paragraph 6 will be followed.
9. All members of the Bacta Social Responsibility Committee undertake to declare any conflict of interest or perceived conflict of interest before any panel is selected to hear any allegations made under this Charter.



# TAB 15



# **Bacta Self-Exclusion Services Application**

## **USER MANUAL GUIDE**

---

## **Purpose of the document**

This document describes the bacta self-exclusion services application. Each section below describes and showcases specific functionality and provides instructions on how to use the application.

This document is intended to guide Supervisor and User access level to use the application.

The application is always accessible at url: <https://www.bacta-selfexclusion.org.uk>

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## Contents






<b>PURPOSE OF THE DOCUMENT</b>	<b>2</b>
<b>1. PRESENTATION OF THE SOLUTION</b>	<b>4</b>
1.1 Brief description	4
1.2 Descriptive Icons	4
1.3 Support	4
<b>2. CONNECTING TO THE APPLICATION</b>	<b>4</b>
2.1 Address	4
2.2 Authentication	4
<b>3. STRUCTURING OF THE APPLICATION</b>	<b>6</b>
3.1 Layout	6
3.2 Functionalities	6
<b>4. ADD/UPDATE SITES</b>	<b>7</b>
<b>5. ADD / UPDATE USERS</b>	<b>10</b>
<b>6. DATA CUSTOMISATION</b>	<b>12</b>
<b>7. ADD EXCLUSION</b>	<b>13</b>
<b>8. PHOTO GALLERY</b>	<b>15</b>
<b>9. RECORD BREACH</b>	<b>17</b>
<b>10. REINSTATE EXCLUSION</b>	<b>19</b>
<b>11. FORGOT PASSWORD</b>	<b>21</b>

## 1. PRESENTATION OF THE SOLUTION

### 1.1 BRIEF DESCRIPTION

The bacta Self-Exclusion Services Application is an online portal used to exclude customers from their and other operator AGCs / MSAs.

### 1.2 DESCRIPTIVE ICONS

	Edit Record
	Add New Record
	Delete Record / Close Window
	Save Record
	Cancel Changes

All Mandatory fields in the application are marked with \*

### 1.3 SUPPORT

For any support request please contact bacta.

## 2. CONNECTING TO THE APPLICATION

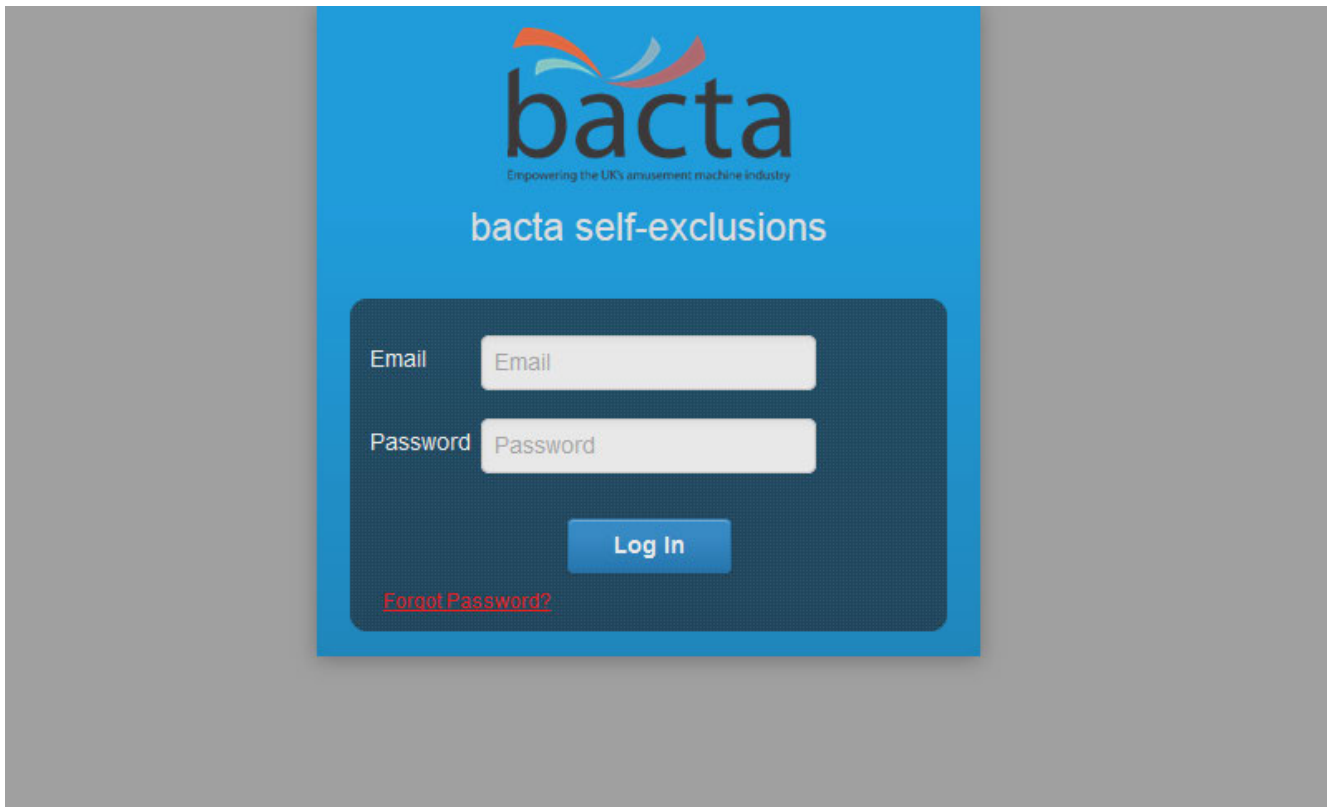
### 2.1 ADDRESS

You must connect to the application using the following address:

<https://www.bacta-selfexclusion.org.uk>

### 2.2 AUTHENTICATION

For Authentication user should enter their registered email id for the user name and password.



If the access is unauthorized an error message is displayed in red.

When you have signed the T&C's with bacta Self-Exclusion Services Ltd (BSESL) a Supervisor user account is created for your organisation and you will be informed of the login credentials.

At the time of first login you will be prompted to change the temporary password provided by bacta.

## Change Password

Password Expired / You changed password externally

Current Password:

New Password:

Confirm New Password:

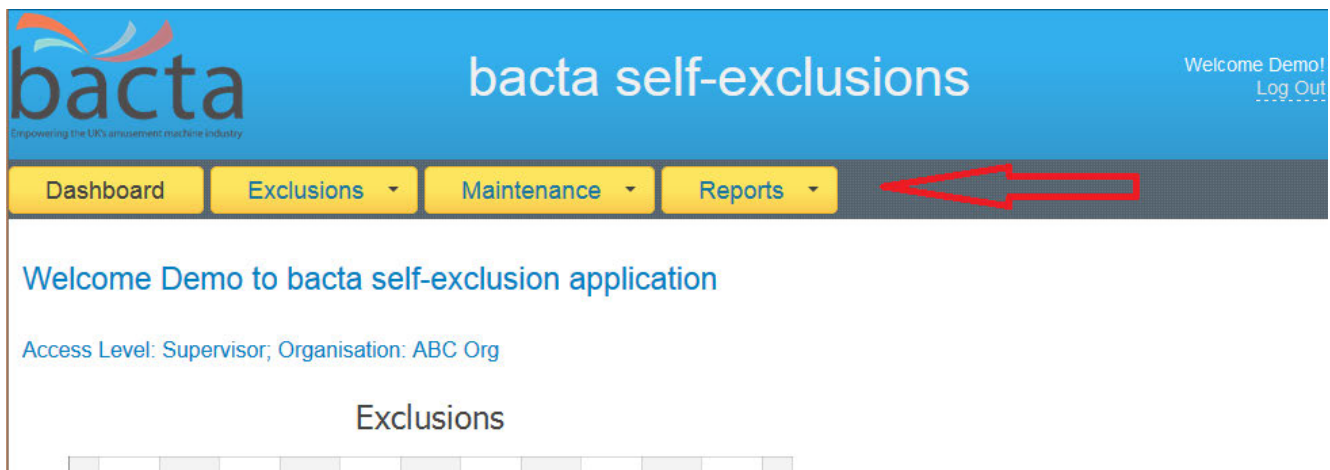
Change Password

## 3. STRUCTURING OF THE APPLICATION

---

### 3.1 LAYOUT

All modules of the application can be accessed from the top menu. Based on your access level the menu will show more or less items.



### 3.2 FUNCTIONALITIES

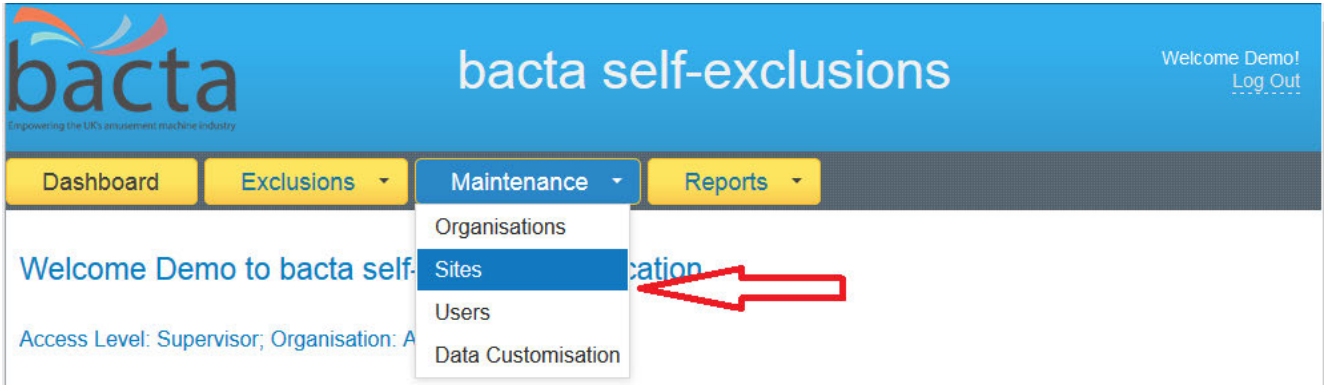
The functionalities that will be described in this document are:

- Maintenance
  - Add/Update Sites
  - Add/Update Users
  - Data Customisation
- Exclusions
  - Adding New Exclusion
  - Recording Breach
  - Reinstatement
  - Photo Gallery
- Reporting
- Forgot Password

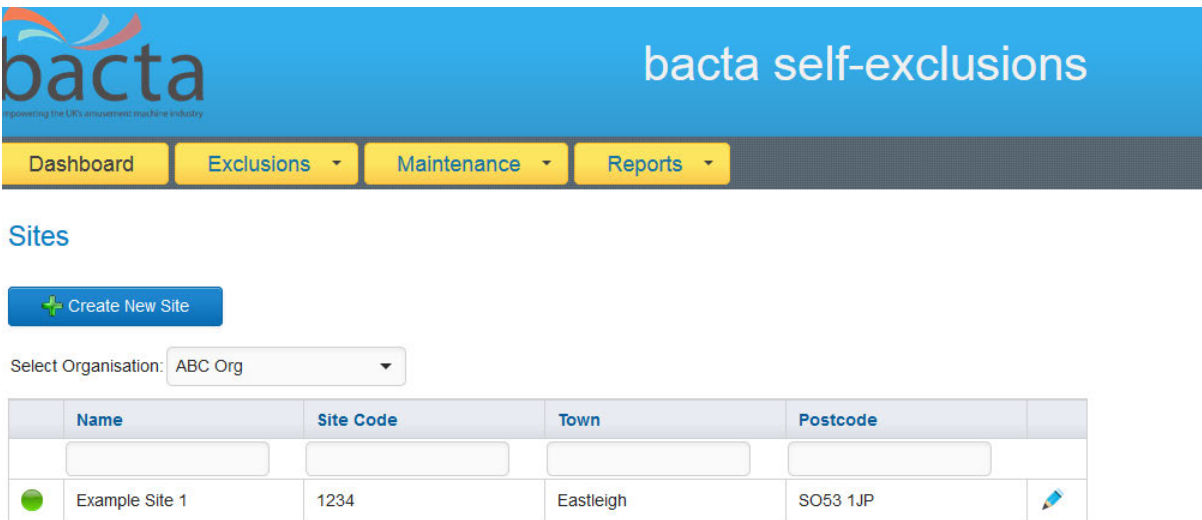
## 4. ADD/UPDATE SITES

Only Supervisor users can add / update site information for their organization

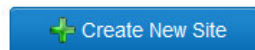
**STEP 1:** Navigate to Maintenance > Sites in the top menu of the application



**STEP 2:** The screen will now show a list of all sites that have been added for your organizations



**STEP 3:** Click on the button "Create New Site"



**STEP 4:** Enter the details of the site in the form displayed



## New Site

[← Back to Sites List](#)

Details	Address	Opening Times
Site Name*: <input type="text" value="Example Site 2"/>	Postcode*: <input type="text" value="SO53 1JP"/>	Sunday: <input type="text"/> To <input type="text"/>
Site Code*: <input type="text" value="1122"/>	Address 1*: <input type="text"/>	Monday: <input type="text"/> To <input type="text"/>
Organisation*: <input type="text" value="ABC Org"/>	Address 2: <input type="text"/>	Tuesday: <input type="text"/> To <input type="text"/>
Site Type*: <input type="text" value="AGC"/>	Address 3: <input type="text"/>	Wednesday: <input type="text"/> To <input type="text"/>
Location Code*: <input type="text"/>	Town/City*: <input type="text"/>	Thursday: <input type="text"/> To <input type="text"/>
Status*: <input type="text" value="Open"/>	County: <input type="text"/>	Friday: <input type="text"/> To <input type="text"/>
Region Code: <input type="text"/>		Saturday: <input type="text"/> To <input type="text"/>
District Code: <input type="text"/>		

When you enter the postcode, a pop up will display a list of addresses for the postcode entered. Select the address of your site and click on the button "Use Selected Address". On doing so, the address will be populated automatically.

- Site Code is the unique reference of your site used within the organisation. If you do not have one please enter a unique code like 1, 2, 3 etc for all site you need to add.
- Location code is mandatory for MSA Organisation Sites
- Region Code can be used if you would like your supervisors to have access only to certain sites. More details can be found in the Add User section

Enter all your site information and click on save button. On successful save, the browser will display the success message. If not an error message is displayed by highlighting the fields that require correction. You will need to hover on the icon to see the error relating to the field

**STEP 5:** Add any site contacts by clicking on Add new contact button. When new exclusions are added and if the exclusion is in the site vicinity then an alert email will be sent out to these contacts.

## Update Site Details

[← Back to Sites List](#)

### Details

Site Name\*:

Site Code\*:

Organisation\*:

Site Type\*:

Location Code\*:

Status\*:

Region Code:

District Code:

### Address

Postcode\*:

Address 1\*:

Address 2\*:

Address 3\*:

Town/City\*:

County:

### Opening Times

Sunday:  To

Monday:  To

Tuesday:  To

Wednesday:  To

Thursday:  To

Friday:  To

Saturday:  To



Site Contacts						
Title	First Name	Surname	Position	Email	Telephone	Mobile
No contacts found for this site.						

### To Update Site Details:

- Navigate to Maintenance > Sites
- In the listing screen click on the edit icon

## Sites

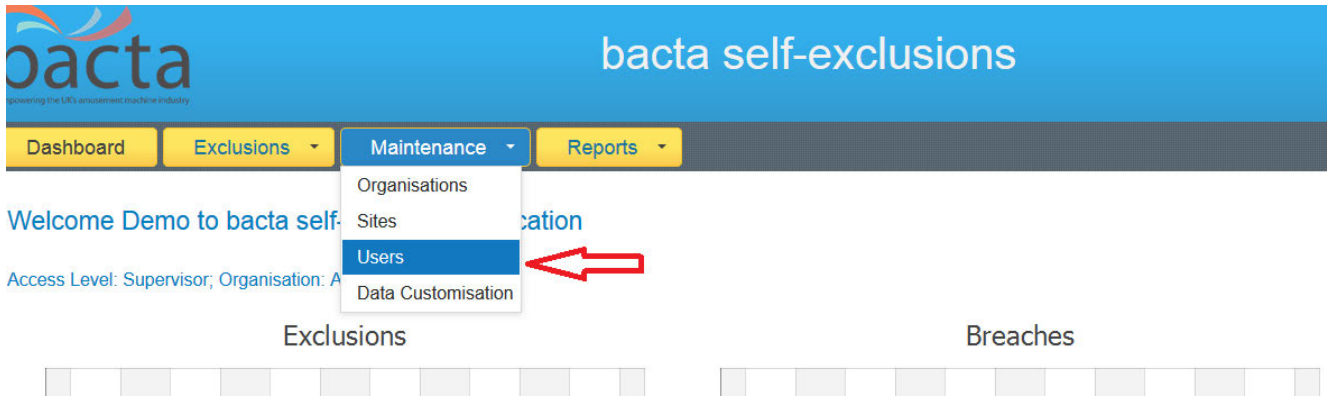
Select Organisation:

	Name	Site Code	Town	Postcode	
	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
●	Example Site 1	1234	Eastleigh	SO53 1JP	
●	Example Site 2	1122	Eastleigh	SO53 1JP	

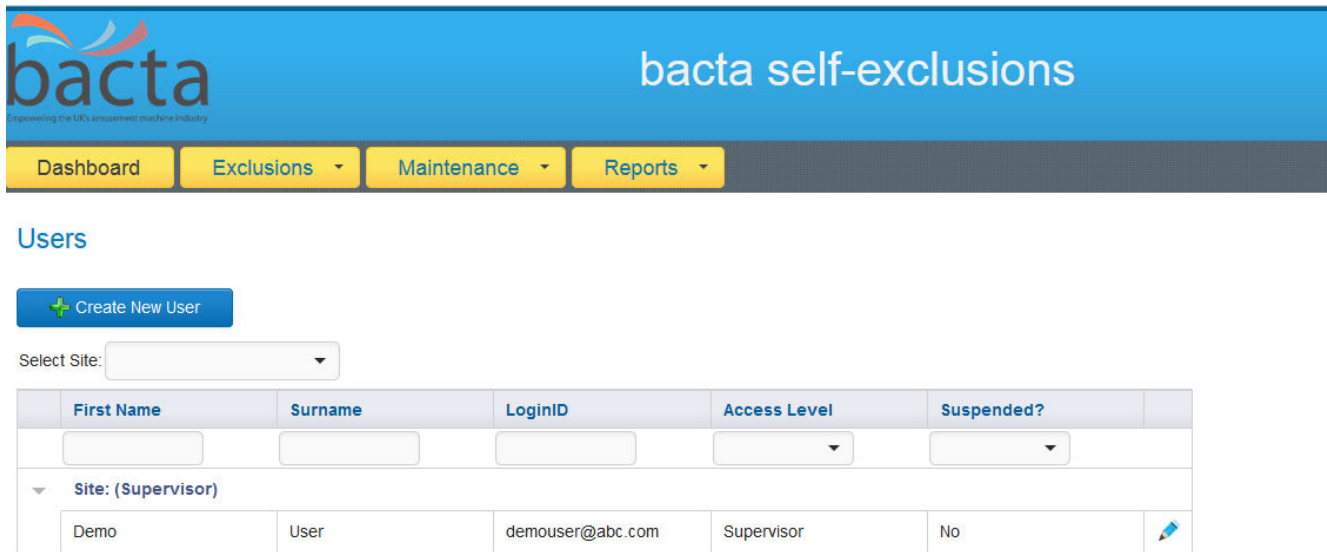
## 5. ADD / UPDATE USERS

Only Supervisors can add other users.

**STEP 1:** Navigate to Maintenance > Users in the top menu of the application



**STEP 2:** The screen will now show a list of all users that have been added for your organizations / Sites. This listing will be shown only to supervisors. If you have only 'User' access level then the screen will display your user account information rather than the listing screen.



**STEP 3:** Click on the button "Create New User"



**STEP 4:** Enter the details of the user in the form displayed

**Details**

Title*:	<input type="text"/>	First Name*:	<input type="text"/>
Surname*:	<input type="text"/>	Access Level*:	User <input type="text"/>
Organisation*:	ABC Org <input type="text"/>	Site*:	<input type="text"/>
Email*:	<input type="text"/>	Delegate Email*:	<input type="text"/>
Telephone*:	<input type="text"/>	Mobile:	<input type="text"/>
Position*:	<input type="text"/>	Region Code:	<input type="text"/>
Suspended*:	No <input type="text"/>		

**Login Details**

Username*:	<input type="text"/>	Password:	<input type="text"/>
Confirm Password:	<input type="text"/>		

**Features**

<input type="checkbox"/> Add Self-Exclusion	<input type="checkbox"/> Record Breach
<input type="checkbox"/> Reinstatement	<input type="checkbox"/> Photo Gallery

**Reports**

<input type="checkbox"/> Excluded Customer Photo Gallery	<input type="checkbox"/> Excluded Customers List	<input type="checkbox"/> Self-Excluded Breaches List
<input type="checkbox"/> Self-Exclusion Breaches Volume	<input type="checkbox"/> Excluded Customers Volume By Week	<input type="checkbox"/> Lapsed / Reinstatements Volume

 Save

**NOTES:**

- Supervisors will be able to set up other users with access level either Supervisor or User.
- For User access level, it is mandatory to select the site as well
- Email is the user name for the user account
- Delegate Email should be the email of higher authority in the organisations who can monitor the alerts and user account for this user.
- Region code can be used only for Supervisor user account. When used, the user will be able to see only the sites with matching Region Code as described in the earlier section.
- The Password has to be 6 to 10 characters with at least one uppercase, one lowercase alphabet and one number.
- Select all the features that the user can do when logged in
- Select the reports that a user can have access to.

Enter all information and click on save button. On successful save, the browser will display the success message. If not an error message is displayed by highlighting the fields that require correction. You will need to hover on the icon to see the error relating to the field.

**To Update User Details:**

- Navigate to Maintenance > Users
- In the listing screen click on the edit icon

**Users**

[+ Create New User](#)

Select Site:

First Name	Surname	LoginID	Access Level	Suspended?	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	
▼ Site: (Supervisor)					
Demo	User	demouser@abc.com	Supervisor	No	

**6. DATA CUSTOMISATION**



Only Supervisors set the customisation of the fields that need to be displayed / mandatory when entering a self-exclusion.

**STEP 1:** Navigate to Maintenance > Data Customisation in the top menu of the application

The screenshot shows the application's top navigation bar with the following items: Dashboard, Exclusions, Maintenance (selected), and Reports. A dropdown menu is open under 'Maintenance', listing 'Organisations', 'Sites', 'Users', and 'Data Customisation' (highlighted with a red arrow). Below the navigation bar, the page content includes a welcome message, access level information, and two empty bar charts for 'Exclusions' and 'Breaches' spanning from April 2015 to March 2016.



**STEP 2:** In the listing screen, set which ever field you would like display/hide or to make mandatory/non-mandatory by clicking on the edit icon

**Example 1: Setting Birth Date As Non Mandatory**

- a) Click on the Edit icon 
- b) Set Mandatory to No
- c) Click on Save icon 

On doing so, when entering an exclusion the user will not be prompted to enter Birth Date. The field is completely optional to be used by the user.

**Example 2: Setting Birth Date Not To Display**

- a) Click on the Edit icon 
- b) Set Display to No (Mandatory field automatically changes to No and is not editable)
- c) Click on Save icon 

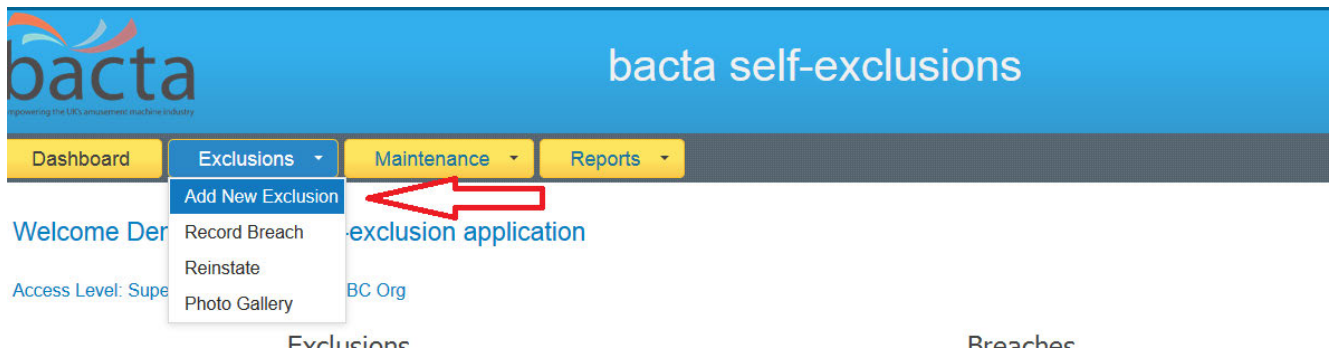
On doing so, the birth date field is not displayed in the exclusion form and hence this information cannot be recorded for the exclusion.

Follow the same process for the other fields you wish to display or not and which you wish to make mandatory or not.

**7. ADD EXCLUSION**

This feature is available only if the user account is enabled to use this feature.  
To add a new exclusion:

**STEP 1:** Navigate to Exclusions > Add New Exclusion



**STEP 2:** Enter all exclusion details in the form displayed

## New Exclusion

### Customer Details

Title\*:  Gender:

First Name\*:  Surname\*:

Birth Date\*:  Mobile\*:

Telephone\*:  Email\*:

Car Reg\*:  Other Info\*:

### Photo

Add/Change Photo

- Passport Style
- Full Face in View
- Head & Shoulders

### Customer Address

Postcode\*:  Line 1\*:

Line 2:  Line 3:

Town/City\*:  County:

### Exclusion Details

Start Date\*:  Period In Months\*:

Exclusion Reason\*:

Exclude From	Exclude	Plan to Exclude
Bingo	<input type="checkbox"/>	<input type="checkbox"/>
Casino	<input type="checkbox"/>	<input type="checkbox"/>
Betting Shop	<input type="checkbox"/>	<input type="checkbox"/>
Online	<input type="checkbox"/>	<input type="checkbox"/>

### Exclusion Zone

Organisation\*:  ABC Org

Site\*:

Radius\*:

### Declaration

ID Check\*:   Email Confirmation\*:

T&C\*:  I CONFIRM MY SELF-EXCLUSION\*:

Signature\*:

Redo Signature

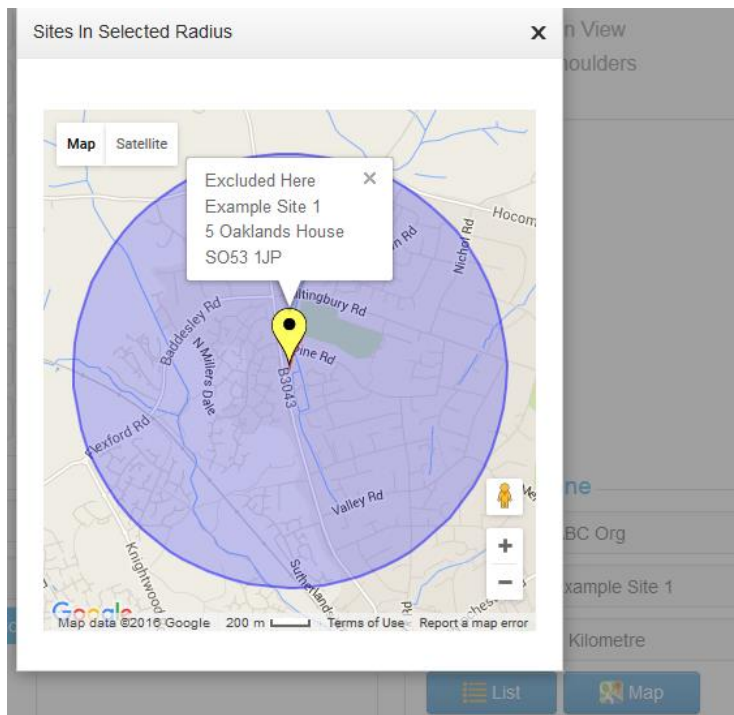
START EXCLUSION

Print

**NOTES:**

- When postcode is entered a pop up is shown with all address for that postcode. You can either select an address from the list or enter the address manually.
- Use the map/list button to see which all sites the user will be excluded from





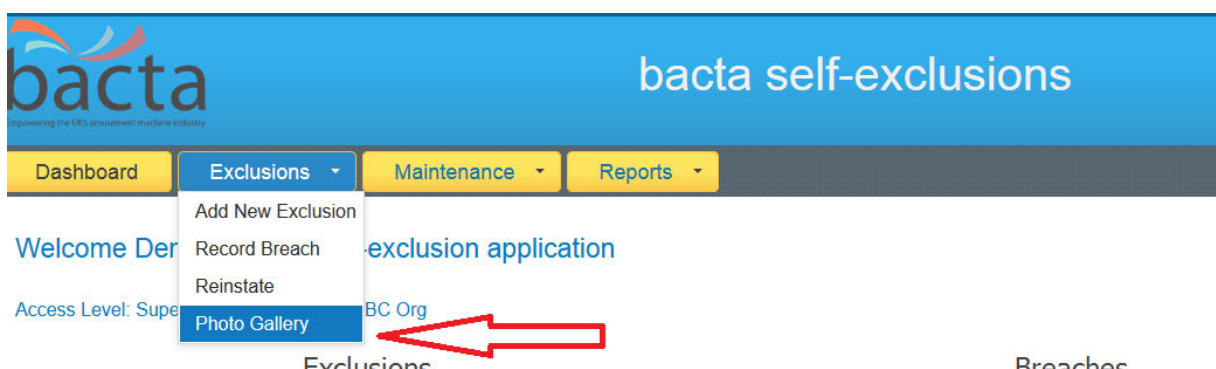
- To write the signature on a tablet, just click on the signature panel and draw your signature pattern
- To write the signature on personal computer, move the mouse cursor into the signature panel, right click (do not release the click) and draw a pattern.
- Use the print button to view a printable form of the exclusion with Terms and Conditions. You can even export the document to PDF/XLS format. Please see reporting section to use these tools

Enter all information and click on Start Exclusion button. On successful save, the browser will display the success message. If not an error message is displayed by highlighting the fields that require correction. You will need to hover on the icon to see the error relating to the field.

## 8. PHOTO GALLERY

This feature is available only if the user account is enabled to use this feature. All excluded customer photos for your site can be viewed in this screen

Photo Gallery can be accessed from Exclusions > Photo Gallery





All excluded customer photos at your site will be displayed for 'User access level'. For supervisors, you need to select the site and click on Go button.

### Excluded Customers Photo Gallery

Organisation: 
 Site: 
 Sort Order:



You can view more information about the excluded customer by clicking on the name/reference displayed on the photo. A screen will pop up as shown below. You can do further actions to Record Breach / Reinstate / Print all information about the exclusion.



## Mr Lion Zoo

Ref: 5J2643L614  
 Building 1000  
 Lakeside North Harbour  
 Western Road  
 Portsmouth  
 PO6 3EZ  
 HAMPSHIRE  
 07885151910  
 lion@zoo.com  
 Exclusion: 24/03/2016 - 24/11/2016  
 Site: Example Site 1, SO53 1JP

Click on the Close button to view the gallery back.

**NOTES:**

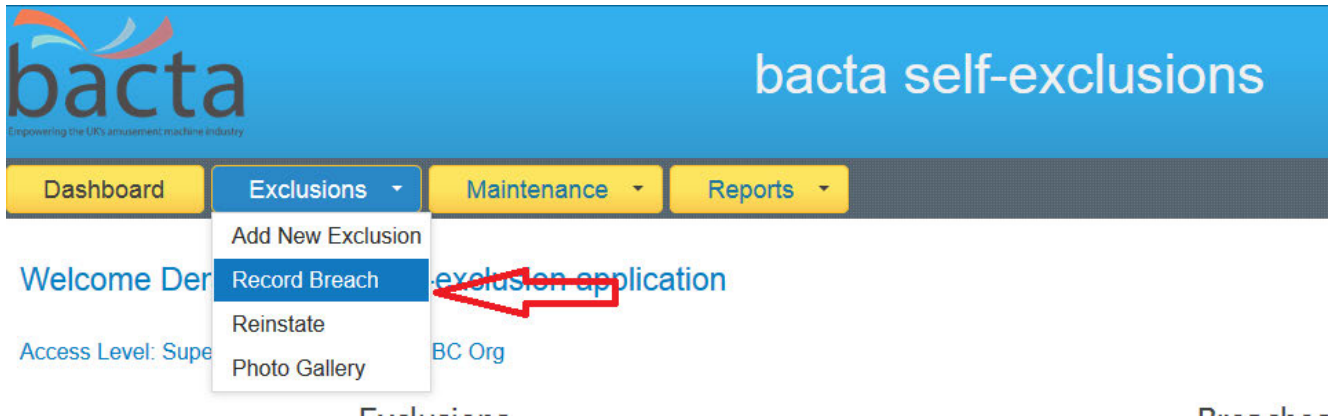
- Any new up to 5 days will be shown in green back ground colour in the gallery
- Any exclusions with breaches will be highlighted with red border in the gallery
- Any exclusions in the hiatus period will be shown in blue back ground colour in the gallery. Users can then reinstate this customer if they wish to do so.
- It is possible to sort the gallery items by Most Recent / Location (Nearest first)/ Surname (A – Z)
- Detailed information is only available to Supervisors

## 9. RECORD BREACH

This feature is available only if the user account is enabled to use this feature.

IMPORTANT: A breach can be recorded from the photo gallery as described in the earlier section or from the top menu as described below

**STEP 1:** Navigate to Exclusions > Record Breach



**STEP 2:** Search for the exclusion either by using reference number or by details

### Search Exclusions to Record Breach

**Search By Reference**

Self-Exclusion Reference:

OR

**Search By Details**

Surname:  Birth Date:

Postcode:  Mobile:


Ref: 5J2643L614  
 Mr Lion Zoo  
 Building 1000  
 Lakeside North Harbour  
 Western Road  
 Portsmouth  
 PO6 3EZ  
 HAMPSHIRE  
 07885151910  
 lion@zoo.com  
 Exclusion: 24/03/2016 - 24/11/2016  
 Site: Example Site 1, SO53 1JP

If the exclusion is in your vicinity, then the exclusion is displayed as above.

**STEP 3:** Click on the record you wish to record as a breach. Then click on the Record Breach button.

**STEP 4:** The Application provides you with a form on which to record the breach.

## Record Breach



Ref: 5J2643L6I4  
Mr Lion Zoo  
Building 1000  
Lakeside North Harbour  
Western Road  
Portsmouth  
PO6 3EZ  
HAMPSHIRE  
07885151910  
lion@zoo.com  
Exclusion: 24/03/2016 - 24/11/2016  
Site: Example Site 1, SO53 1JP

### Breach Details

Organisation\*: ABC Org  
Site\*:  
Breach Date\*:  
Breach Time\*: 00:00  
Duration\*: 00:00  
Played\*:

Breach Details:

[Record Breach](#) [Cancel](#)

Enter the details and click on the Record Breach button. On successful save, the browser will display the success message. If not an error message is displayed by highlighting the fields that require correction. You will need to hover on the icon to see the error relating to the field.

Now when you navigate to the photo gallery you should be able to see a red border on the customer photo as below:

## Excluded Customers Photo Gallery

Organisation: ABC Org Site: -- All Sites -- Sort Order: Recent [Go](#)

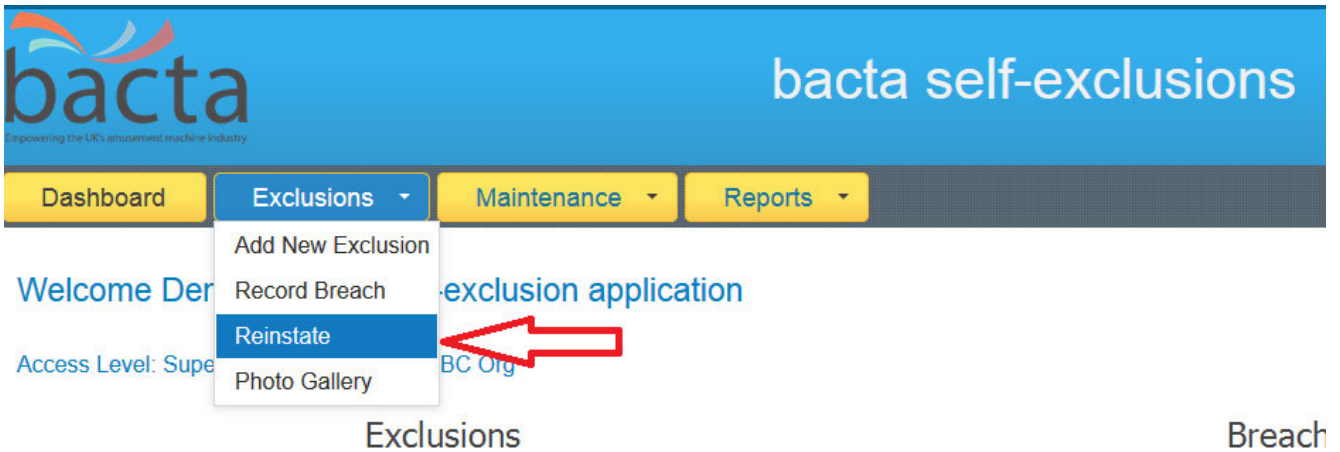


## 10. REINSTATE EXCLUSION

This feature is available only if the user account is enabled to use this feature.

IMPORTANT: A Reinstatement can be recorded from the photo gallery as described in the Photo Gallery section or from the top menu as described below

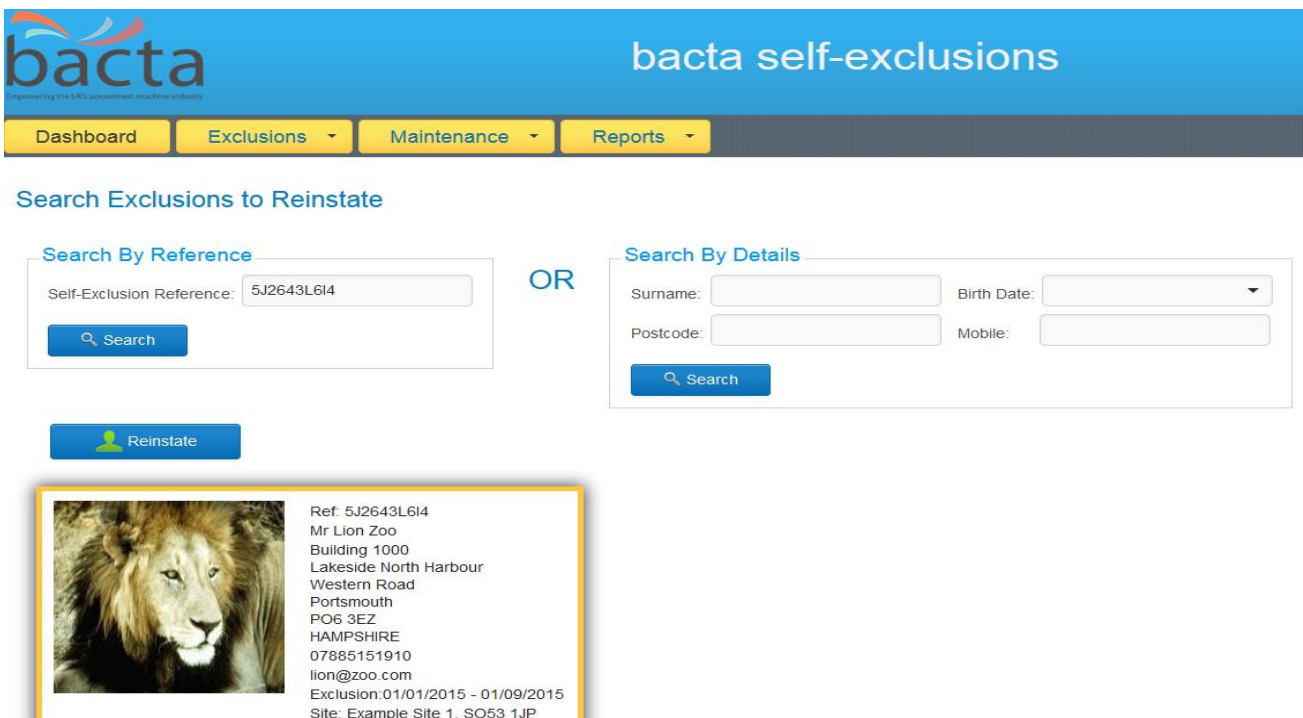
**STEP 1:** Navigate to Exclusions > Reinstatement



**STEP 2:** Search for the exclusion either by using the reference number or by details


If the exclusion is in your vicinity and is in the hiatus period, then the exclusion is displayed.

**STEP 3:** Click on the record you wish to Reinstatement. Then click on Reinstatement button.



**STEP 4:** The Application provides you with a form on which to record the reinstatement details.

Reinstate Self-Exclusion



Ref: 5J2643L6I4  
Mr Lion Zoo  
Building 1000  
Lakeside North Harbour  
Western Road  
Portsmouth  
PO6 3EZ  
HAMPSHIRE  
07885151910  
lion@zoo.com  
Exclusion: 01/01/2015 - 01/09/2015  
Site: Example Site 1, SO53 1JP

**Reinstatement Details**

Organisation\*:

Site\*:

Considered Implications of Gambling Again?\*

Understand 24 hour cooling off period?\*

Interview Mode\*:

Interview Date\*:

Reinstatement Date:

Reason for Reinstatement:

**Interviewed By**

First Name\*:


Surname\*:

**Declaration**

Receive Email Confirmation?

I CONFIRM MY REINSTATEMENT\*

Signature:

 Redo Signature

Reinstatement

Print

Cancel

Enter the details and click on the Reinstatement button. On successful save, the browser will display the success message. If not an error message is displayed by highlighting the fields that require correction. You will need to hover on the icon to see the error relating to the field.

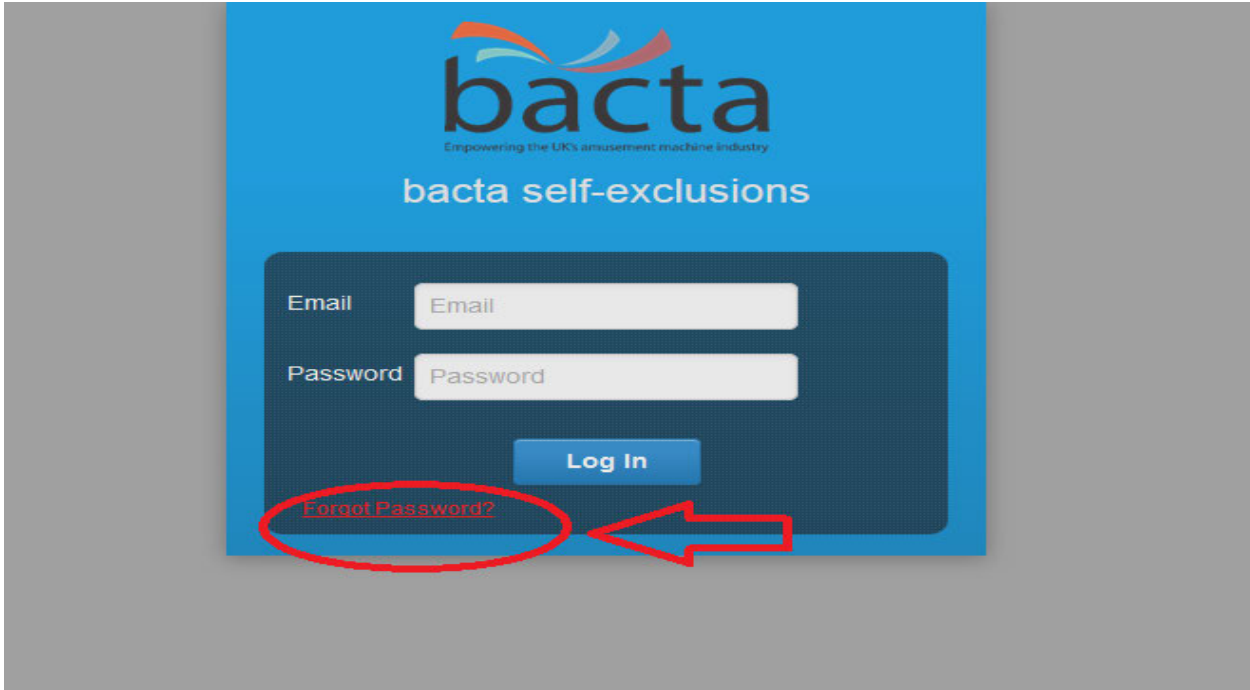
Now when you navigate to photo gallery this exclusion will no longer be displayed

**LAST BUT NOT THE LEAST: ALWAYS LOG OUT FROM THE APPLICATION**

## 11. FORGOT PASSWORD

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If you forget your password click on the Forgot Password link in the login screen.



Then enter your login email address and your bacta organisation reference number. Click on Email me new password. The new temporary password will be sent to you.

When you login with this new temporary password you will be forced to change your password for the first time.

NOTE: Other than this the user password will expire every 60 days. When you login, you will be forced to change your password

**End of document**

# TAB 16

# BRIEF INTERVENTION GUIDE

Addressing risk and harm related to gambling



page 280

**GambleAware**





page 281

# ACKNOWLEDGEMENTS

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## **Disclaimer**

The Guidelines in this document should not be considered exhaustive, exclusive or a substitute for individualised care and treatment decisions.

## **Access**

Copies may be obtained electronically via [infohub.gambleaware.org](http://infohub.gambleaware.org)

# CONTENTS

<b>Introduction to the Guide</b>	<b>3</b>	<b>Important considerations</b>	<b>22</b>
Who is the Brief Intervention Guide for?	3	Cultural considerations and brief intervention	22
Sections within the Guide	3	Overcoming potential barriers to brief intervention	22
What is Brief Intervention?	4		
Why offer brief intervention?	5	<b>Responding to family and affected others</b>	<b>24</b>
Brief intervention is part of the spectrum of effective responses	5	Resources for family and affected others	24
Brief intervention evidence base	5	The 5-Step Method	24
		<b>Brief intervention requirements at an organisational level</b>	<b>26</b>
<b>Key concepts in screening and brief intervention</b>	<b>6</b>	Project initiation	26
Screening as a basis for brief intervention	6	Consulting within the organisation	28
		Project planning	28
<b>Before offering brief intervention</b>	<b>8</b>	Implementation	30
Preparation	8	Ongoing improvement	30
The knowledge base	9		
Training	9	<b>References</b>	<b>31</b>
		<b>Appendix 1</b>	<b>32</b>
<b>How to provide brief intervention</b>	<b>10</b>	Lie/Bet Questionnaire	32
		The NODS/CLiP Short Problem Gambling Screen	32
<b>Elements of brief intervention: FRAMES</b>	<b>10</b>	Problem Gambling Severity Index	33
Motivation and brief intervention	11	<b>Appendix 2</b>	<b>34</b>
Bring together the stages of change and a motivational response	12	<b>Organisations that provide help and advice</b>	<b>37</b>
Stages of brief intervention at a glance	13		
Introduce the subject	14		
Screen	15		
Provide feedback and brief advice	16		
Listen for readiness and confidence	18		
Provide further intervention (as appropriate)	20		

# INTRODUCTION TO THE GUIDE

## Who is the Brief Intervention Guide for?

The **Brief Intervention Guide** has been developed as a resource to assist workers to provide brief intervention to address risks and harms related to problematic gambling. Additionally, it is a resource to assist organisational leaders to set up and implement the processes necessary to support workers to provide brief intervention.

The **Brief Intervention Guide** is aimed at professionals who do not specialise in the treatment of gambling problems. Within the terms of this Guide, the term “brief intervention” refers specifically to an intervention carried out by professionals not from the problem gambling treatment sector.

The Guide aims to clarify what brief intervention is, where brief intervention sits in the spectrum of intervention and to address a lack of guidance available to those working in social and criminal justice settings, for example social workers, employment advisers, probation officers, community workers, counsellors, GPs, nurses and psychologists. The Guide is also likely to be useful for others working in primary care and other health settings.

## Sections within the Guide

The first six chapters of the **Brief Intervention Guide** focus on practical ‘how to’ instruction aimed directly at the worker providing the intervention, building on their overall professional values, knowledge and skills. There is an assumption that the worker undertaking the intervention is bound by an appropriate code of ethics.

The final chapter, **Brief intervention: requirements at an organisational level**, outlines the key steps that organisations need to undertake in order to support brief interventions being implemented in a service. This section is aimed at managers, leaders and others who are responsible for an organisation.

Appendix 1 lists readily available gambling screening tools.

### What is Brief Intervention?

Brief intervention has many definitions in research literature and practice guidelines. In this Guide, brief intervention refers to:

**“A short, purposeful, non-confrontational, personalised conversation with a person about an issue related to gambling.”**

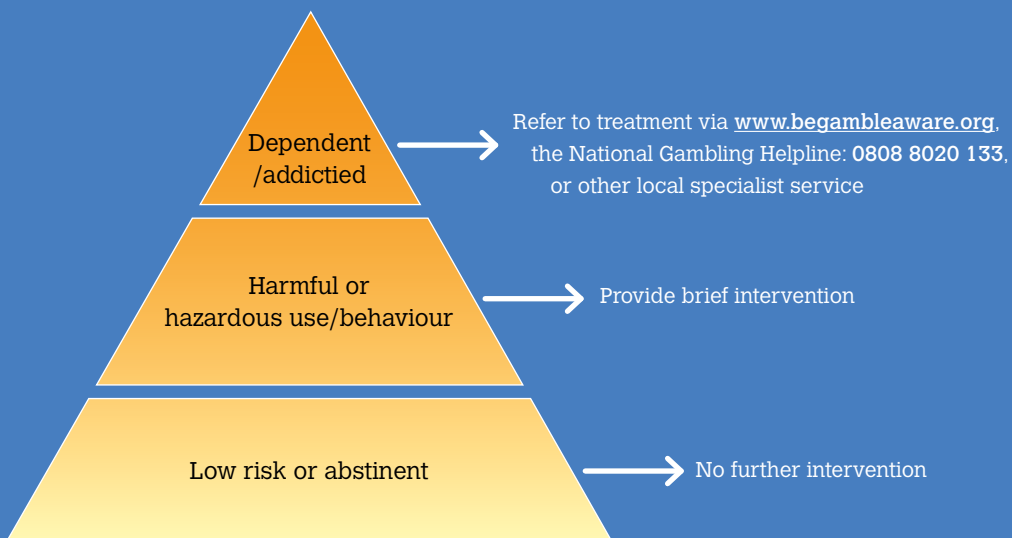
The purpose is to support the person to think about their behaviour, assisting them to make a connection between their behaviour and any associated risks and harms (adapted from NHS Health Scotland, 2009).

From there, the nature of the intervention depends on the level of risk and/or harm and the person’s readiness to change.

The key word here is brief. Brief intervention generally takes as little as 5 to 15 minutes. This does not take into account the time that is needed to establish rapport and engagement with the person before a brief intervention is carried out. Failing to engage with the person will undermine the effectiveness of the brief intervention.

Brief intervention is most effective for people whose behaviour is hazardous or harmful, in other words people who are at risk of developing or people who are experiencing current harm related to gambling. Brief interventions are not designed to treat people who are dependent or addicted, although they are considered to be useful to improve motivation to seek more intensive treatment. Those people with more severe problems are likely to benefit from more comprehensive assessment and intervention and the role of the brief intervention worker is to refer this group of people to specialist treatment services for further assessment. Levels of harm and corresponding intervention types are shown in Figure 1 overleaf.

**Figure 1. Level of risk/harm and corresponding intervention types**



Source: Adapted from Substance Abuse and Mental Health Services Administration (2007)

## Why offer brief intervention?

Problematic gambling often contributes to other problems such as financial, employment, health, family-related and legal issues. In other words, the issues people present with in social, justice and health service settings may often be linked to gambling. Brief intervention provided in these service contexts can have a significant positive impact for service users and can enhance the benefits of the services being provided.

### Harms from gambling

Problematic gambling directly affects an estimated 430,000 people in Britain, with a further 1,985,000 deemed as being at risk of developing a gambling problem. An estimated 5-8 other people are affected by someone else's gambling problem. This makes gambling a significant social issue.

- > Gambling can be related to poor health (Petry et al., 2005; Morasco et al., 2006)
- > Gambling can be related to employment problems (Reed in Partnership, 2016)
- > Gambling can be related to family problems (Holdsworth et al., 2013)
- > Gambling can be related to criminal activity (Banks, 2013)
- > People experiencing gambling problems may be over-represented in certain groups, e.g. young men, some minority ethnic groups.

## Brief intervention is part of the spectrum of effective responses

The risks and harms from gambling may go undetected for many people despite their contact with health and social services. Brief intervention provided in generalist settings is a key component within an effective spectrum of responses. It is particularly important in those settings where the prevalence of problems is known to be high, for example in criminal justice service settings. To effectively tackle the risks and harms related to gambling these problems must become the business of all social, justice and health services.

## Brief intervention evidence base

Research indicates that brief intervention can be both effective and efficient for those with hazardous or harmful substance use and/or gambling problems. The evidence supporting brief intervention is strongest in relation to primary health settings and alcohol use, however evidence to support the effectiveness of brief intervention for gambling is emerging and beginning to provide guidance for further development (Petry et al, 2008; Abbott et al., 2013; CADTH, 2015; Neighbors, et al., 2015) There is growing support for brief intervention to be provided in other non-health settings, such as criminal justice and social work settings (Bliss & Pecukonis, 2009; Brown, Newbury-Birch, McGovern, Phinn & Kaner, 2010; Hopkins & Sparrow, 2006; McGovern, Newbury-Birch, Deluca & Drummond, 2012).

Additionally more guidance and tools are emerging which focus on providing brief intervention to address a wider range of issues (McQueen et al., 2015; Orr et al., 2015; Mitchell et al., 2015).

# KEY CONCEPTS IN SCREENING AND BRIEF INTERVENTION

## Screening as a basis for brief intervention

Brief intervention is generally provided after a screening process has been undertaken. The results of a screening process provide an opportunity for a service user to consider the effects of gambling on their lives, depending on the scope of the screening.

Screening is not assessment or diagnosis. It is a structured process that provides an indication that a problem may exist and, depending on the tool or questions used, an indication of the potential severity of the problem. The results of a screening process assist the worker to determine whether intervention is required and the level of intervention that is likely to be of most benefit to the person (see Table 1 below).

A screening result that indicates a potential problem should be followed up with a brief intervention, referral to a specialist service or with a more detailed assessment of the problem potentially identified.



**Table 1: Screening result and level of intervention**

Screening result	Level of intervention
No problem indicated	Provide positive affirmation. Offer information to support continued no/low risk
Hazardous or harmful use/behaviour indicated	Provide brief intervention
Possible dependence or addiction indicated	Advise need for specialist treatment and refer to specialist

Screening can occur in variety of ways, from asking simple questions to administering a screening tool. The selection of screening method depends on the purpose or focus of the brief intervention, the population being screened, and the setting in which screening takes place. Some screening tools can be self-administered; others are administered by the worker in a collaborative interview style. A standardised screening tool provides more accurate information for the person being screened and can be particularly useful for a generalist who does not have specialist knowledge. A list of commonly used screening tools is provided in Appendix 1.

Most screening tools and brief intervention resources have been designed for use within a specific context. For example, in a general health setting it may be feasible to screen opportunistically for a range of potential health issues and to provide brief intervention or further assessment for those issues that the service user is willing to discuss further. Alternatively an organisation may decide to screen separately for gambling as this is more likely to be prevalent within the population served and/or is more feasible in the service context. Information to guide selection of screening tools is provided in the **Brief intervention requirements at an organisational level** chapter of this guideline.



# BEFORE OFFERING BRIEF INTERVENTION

## Preparation

For the worker embarking on brief intervention it is essential to ensure that approval and support from the organisation is in place. Commitment at organisational governance and management levels is essential to support workers to provide brief intervention.

Once organisational policy, systems and processes are in place minimum preparation requirements for the worker include:

- > Familiarity with the selected screening process or processes.
- > Understanding of the selected brief intervention systems and processes, including those for referring to specialist assessment and treatment.
- > Having the resources needed to support brief intervention, these include self-help materials, handouts, reference materials and a list of local providers for when referral is indicated. (See Box 1).
- > Practice screening and providing brief intervention.
- > Knowing who to consult regarding any problems that are encountered, e.g. line manager support where appropriate.

### **Box 1: Resources for brief intervention**

The GambleAware website has helpful information and a range of self-help material, including printable leaflets targeted at identifying a problem, preparing to change, gambling triggers, warning signs etc. More substantial self-help booklets are also available. There is also material aimed to support family and friends who are concerned about someone else's gambling. This material is available at: [www.begambleaware.org](http://www.begambleaware.org)



## The knowledge base

It is not necessary to be an expert in gambling to provide brief intervention. A basic understanding of risks and harms and a working knowledge of simple interventions to reduce harm, including referral options, are the essential requirements. Those providing brief intervention for harmful use of gambling need to know basic facts about the effects that harmful gambling can have on the individual and their family and friends, steps that those at risk of, or experiencing, gambling-related harm can take to reduce the risk (e.g. self-exclusion, limit setting) and knowledge of specialist agencies to refer people with significant problems to.

Key information is available at the website listed in Box 1 adjacent, and is also included in Appendix 2.

## Training

Training in brief intervention is recommended. Evidence consistently suggests that training increases the rate at which brief intervention is provided (Johnson, Jackson, Guillaume, Meier & Goyder, 2010). There are a number of training providers offering short courses in brief intervention and motivational interviewing. Addiction studies courses at graduate and postgraduate level include screening, brief intervention and motivational interviewing. There are also online training courses and videos available.

It is important to check out whether the training offered is sufficiently aligned with the workers and/or organisation's aims and approach.

# HOW TO PROVIDE BRIEF INTERVENTION

## Elements of brief intervention: **FRAMES**

Regardless of the approach to brief intervention, there are key elements that apply in all contexts. These can be summarised by the acronym **FRAMES**:

**F****EEDBACK**: about personal risk or level of current harm, as indicated by the screening process.

**R****ESPONSIBILITY**: responsibility for choices and change sits with the person. It is not the role of the professional to confront or persuade. Respect the person's autonomy.

**A****DVICE**: increase the person's awareness of the costs and consequences of their behaviour and provide advice to support positive change.

**M****ENU**: outline options or strategies to support positive change; help with goals and action planning if appropriate to the person.

**E****MPATHY**: listen and reflect; maintain rapport; use an empathic communication style.

**S****ELF-EFFICACY**: convey optimism and strengthen the person's self-belief in their ability to change.

**FRAMES** does not describe stages of brief intervention. The elements in **FRAMES** are not presented in order. Rather, **F**, **A**, and **M** describe **WHAT** is provided in brief intervention; **R**, **E** and **S** describe **HOW** brief Intervention is provided (NHS Scotland, 2009).

The elements in **FRAMES** can be applied to working with young people (Christie, 2008).

## Motivation and brief intervention

It is useful to have an understanding of the 'stages of change' model and motivational interviewing as a background to providing brief intervention (Prochaska & DiClemente, 1983). However it is important not to be overly concerned with assigning people to a stage of change and applying specific motivational techniques. Having a general understanding of the stages of change can help the worker listen for readiness to change and ensure that their response is in step with the person.

Applying the broad principles of motivational interviewing (see Box 2 below) can enhance motivation to change. Attempting to persuade and argue for change can be ineffective and counter-productive. A person who doesn't see their behaviour as problematic is unlikely to respond to ideas about changing the behaviour. When the worker is out of step with the person resistance is a likely outcome. While responsibility for change sits with the person the worker is responsible for engaging the person and maximising their opportunity to consider change.

There are three broad elements of motivational interviewing that are helpful in brief intervention:

- > **Collaboration** (rather than confrontation): the process is undertaken in partnership. The views and experiences of the person are central. Both the person and the worker have expertise to share. The process involves mutual understanding. The person is a primary resource in finding answers and solutions.
- > **Evocation** (drawing out rather than imposing ideas): the worker's role is to draw out the person's ideas, goals, plans and skills to make positive change. These are not imposed. The person presents the arguments for change.
- > **Autonomy** (rather than authority): the power for change rests with the person. The person determines what and how change will occur.

### Box 2. Key Principles of Motivational Interviewing

**Express Empathy:** show acceptance and develop rapport. Ambivalence to change is normal. The worker listens to and accepts what is important to the person. Empathy and rapport make space for gentle challenge.

**Develop Discrepancy:** Change is motivated by a perceived discrepancy between a person's current behaviour and their important personal goals and values.

**Roll with Resistance:** Resistance is a signal for the worker to respond differently. Avoid arguing for change.

**Support Self-efficacy:** If a person believes they can change, the likelihood of change occurring is greatly increased. A person's belief in the possibility of change is an important motivator.

Source: Adapted from Miller and Rollnick (2012).

## Bring together the stages of change and a motivational response

A guide to the stages of change (adapted from NHS Scotland, 2009) and associated motivational responses are provided in Table 2 below. Brief intervention is usually focused on people who are in Pre-contemplation, Contemplation and Preparation.

**Table 2. Stages of change and motivational responses**

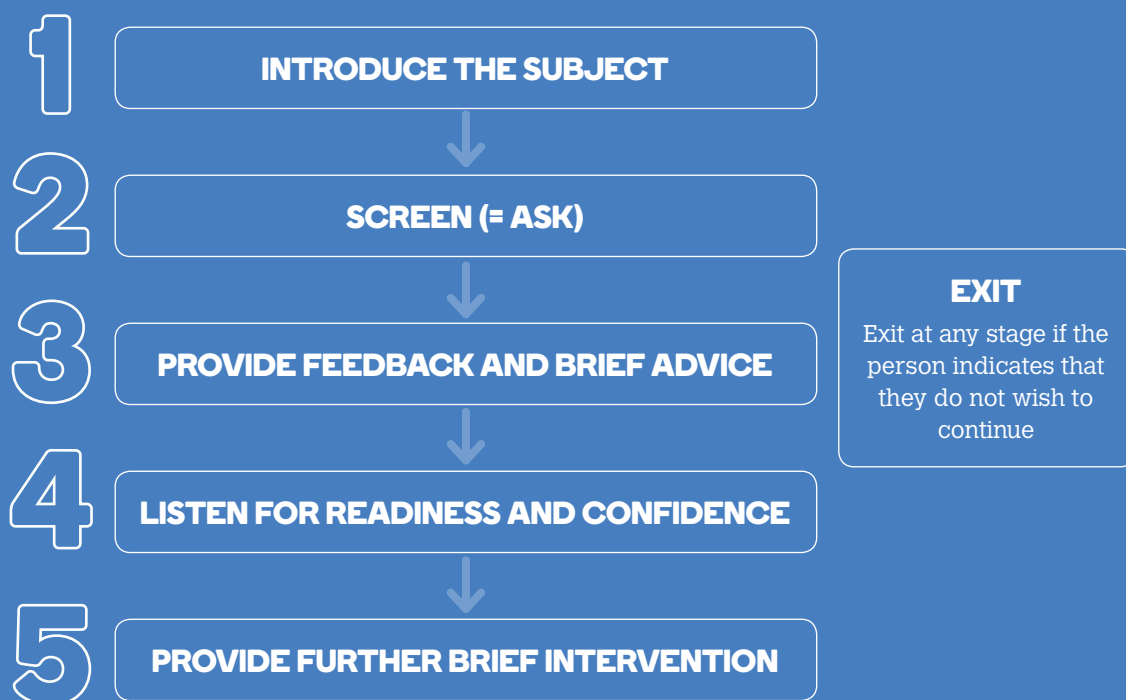
Stage	Response
<b>Pre-contemplation</b> – not thinking about change; don't see a problem "My brother gambles and he hasn't got any problems, it's no big deal"	Work towards engendering motivation Provide information and advice (with permission) on the benefits of change
<b>Contemplation</b> – thinking about change; maybe I have a problem; ambivalent "Sometimes I think about all the money I spend in casinos"	Enhance motivation Explore concerns, explore benefits of change
<b>Preparation/decision making</b> – actively planning change "I want to stop."	Provide menu of options Build confidence
<b>Action</b> – making changes, new behaviour not yet established "I haven't been to a bookies for eight days. Self-exclusion is helping."	Build confidence Affirm success
<b>Maintenance</b> – new behaviour established "I get nervous when I go out with my friends, I might just have a drink and then place a bet without even thinking."	Build confidence Assist with problem solving and planning
<b>Relapse</b> – return to patterns of old behaviour "I blew it."	Build confidence Enhance motivation

For further information on Motivational Interviewing the Motivational Interviewing website is a good start. This is available at: [www.motivationalinterviewing.org](http://www.motivationalinterviewing.org)

## Stages of brief intervention at a glance

The key stages of brief intervention are shown in Figure 2 below.

Figure 2. Stages of brief intervention



Source: Adapted from Center for Substance Abuse Treatment (1999)

Each stage of brief intervention is outlined in some detail below. Objectives, actions and examples corresponding to each action are provided. Relevant elements of FRAMES are shown for each stage.

Examples are provided as simple scripts that the worker can adapt to suit their own style and context. The stages, objectives and actions are provided as a guide only. In practice some may blend and overlap. It may not be necessary to follow each action or stage for every person.

Tips are provided for each stage as a further aid.

Where appropriate, specific tips are provided for working with young people. Those working within youth service settings or within youth focussed roles are encouraged to use a resource which is tailored specifically for working with young people.



## Introduce the subject

In a general setting, where a person is not expecting to talk about gambling etc., introducing the subject can be the biggest hurdle for the worker. Several examples are provided below to cover a range of options for different circumstances. The key is for the worker to be clear, confident and relaxed in talking about these issues and to normalise the process.

### OBJECTIVES

- > **To respectfully obtain consent to explore specific behaviour/s**
- > **To maintain rapport and convey empathy, regardless of the person’s decision to consent or not**

### Responsibility sits with the person

### Empathy: listen and reflect; maintain rapport

Actions	Examples
Ask permission to talk about the behaviour	<p>“Would it be ok to have a quick discussion about gambling? We like to cover this with all of our clients. It’s an opportunity to have a think about how gambling fits in to your life. Do you gamble at all?”</p> <p>“While we’re discussing what you like to do with your free time, could we talk about gambling?”</p> <p>“You’ve mentioned that you were arrested for a crime related to gambling. Could we talk a bit more about where gambling fits in for you?”</p> <p>“You sound a bit worried about how much you’ve been gambling lately? Could we talk a bit more about that?”</p> <p>“We’re trying to improve our service and offer people a bit more. We’re offering screening for a range of things - including gambling. Are you interested in finding out more; it only takes a few minutes?”</p>
Explain your role in relation to the behaviour/s to be explored	<p>“If you are interested we can work through a few quick questions. We use a process called a gambling screen. The screen provides you with your personal result. What you do with that information is your choice.”</p>
Clarify confidentiality issues	<p>“We have already discussed confidentiality but I just want to restate that this discussion will be confidential, in the same way as any other information about you.”</p>
Reinforce and respect the person’s choice	<p>“It’s up to you.”</p> <p>“What do you think you might want to do next?”</p> <p>“It is your choice whether you want to take up this opportunity.”</p>

## TIPS

- > Your own values and behaviour are not the focus and should not interfere with your efforts to support people to reduce harm from gambling.
- > When working with people of cultures other than your own ensure that you convey respect for cultural difference. Use cultural support and expertise to assist in providing an effective service. Pay attention to cultural norms in relation to rapport building. Taking the time to effectively engage with people and building a trusting relationship will increase the likelihood of being able to provide an effective intervention.
- > With young people: It is generally important to develop rapport before you introduce the issues i.e., by talking about topics other than gambling. Clarity about confidentiality is especially important to develop trust.

# 2

## Screen

### OBJECTIVES

- > **To gather personalised information about potential levels of risk or harm resulting from selected behaviours**
- > **To determine whether intervention could be useful**
- > **To determine the level of intervention that is indicated**

Responsibility sits with the person

Empathy: listen and reflect; maintain rapport

Action	Example
Administer the screening tool OR Ask screening questions	"This is the screening questionnaire. Shall we work through the questions together?"  "This is the gambling questionnaire. It will give you an indication about whether gambling might be causing problems for you."  "Do you gamble?"  "How soon after you wake up do you usually check your betting account?"
Score the screening tool	"What we do now is look at your responses and total them up. One of the good things about this is that it's an objective measure – a bit like a blood test."



## TIPS

- > Be familiar and comfortable with the screening questions and/or tools.
- > Defer screening when other needs are clearly more immediate, for example, the person is highly agitated, in need of urgent medical attention etc.
- > Emphasise the objective nature of the tool.
- > Be sensitive to literacy levels and adjust accordingly e.g. work through the tool with the person.
- > Be sensitive to language issues where English is not the person's first language. Ensure this does not become a barrier.
- > **If the person says no or changes their mind mid-way through the process respect their choice and exit the brief intervention process.** Consider whether it could be an option to revisit the issue at a later date and if so flag this as your systems allow.
- > With young people: Use a screening tool or process that has been validated for use with young people, for example The Substances and Choices Scale (SACS) available at [www.sacsinfo.com](http://www.sacsinfo.com).

# 3

## Provide feedback and brief advice

### OBJECTIVES

- > **To provide personalised information about levels of risk and harm (the screening results and interpretation of these)**
- > **To facilitate reflection and review of behaviour**
- > **To provide tailored advice to assist with reducing risk and/or harm**

**Feedback:** about personal risk or level of current harm, as indicated by the screening process

**Responsibility** sits with the person

**Advice:** provide advice

**Empathy:** listen and reflect; maintain rapport

Actions	Examples
Review screening data in collaboration with the person Check for level of risk/harm:	<p>“The PGSI score shows that your gambling is unlikely to cause problems.</p> <p>If your circumstances change, say you are planning to buy a house, then it might be helpful to stop gambling.”</p>
hazardous, harmful or dependent	<p>“The screening test suggests that you are gambling at a harmful level.</p>
Give personalised brief advice (as appropriate)	<p>This means there are risks for your mental health, your finances, and potentially for your family relationships. The best thing you can do is to try to stop gambling. There would also be other immediate benefits. I know it is not an easy thing to do. There are a number of options that could support you to stop.”</p>
Note: encourage referral to specialist service where there is a need for further assessment	<p>“Given your result, there would be significant benefits if you were to cut down on gambling.”</p>
	<p>“Your score shows that your gambling is well above normal participation levels for someone your age and gender. This is worth getting checked out further and it’s likely to be linked to some of the issues you’re facing right now. I recommend that you see a specialist for an assessment to find out more. I can arrange for you to contact the National Gambling Helpline or [insert local service name]. There is no charge for the service. At a minimum you will get some more information. What you do with it will be up to you.”</p>

### TIPS

- > Brief intervention can stop at this point if there is insufficient time to provide any further intervention.
- > Check in with the person about how they are finding the process. Make space for them to ask questions.
- > If the person becomes withdrawn, argumentative or resistant take this as a sign to back up. Avoid arguing and/or persuading, avoid presenting reasons for change, maintain rapport and simply reflect back what the person is saying to you.
- > If there are indications of dependence or addiction recommend and support referral for further assessment or more intensive assistance.
- > If there are indications of other health problems, including mental health problems, recommend and support referral to appropriate services.
- > With young people: look for opportunities to provide positive feedback, focus on their strengths and achievements as much as possible. Avoid the discussion becoming overly problem-saturated (Christie, 2008a).

# 4

## Listen for readiness and confidence

### OBJECTIVES

- > **To check out the person’s readiness to change their behaviour**
- > **To support consideration of the connection between behaviour, risk and/or harm**

**Feedback:** about personal risk or level of current harm

**Responsibility** sits with the person

**Empathy:** listen and reflect; maintain rapport

**Self efficacy:** convey optimism about their ability to change.

Action	Example
Check out how the person is responding	<p>“What are your thoughts about the screening result?”</p> <p>“It’s a lot to take in. Are you surprised about your score?”</p> <p>“I know you weren’t necessarily expecting to be looking at this today, but I wonder what you think about how gambling fits in with some of the other issues that have brought you here today?”</p>
Explore readiness to make changes:	<p>“What are your thoughts at this point? Are there any concerns that you have?”</p>
Does change seem to be worthwhile to the person?	<p>“Have you considered cutting down on your gambling?”</p> <p>“Can you think of any benefits if you were to stop gambling?”</p>
Are they confident about their ability to change?	<p>“What connections do you see between your gambling and the stresses in your life right now?”</p>
Try to elicit change talk	<p>“On a scale of 1-10, if 1 is not ready at all and 10 is totally ready, how ready are you to make changes to your gambling?... What are some of your reasons for giving this rating?” OR “why did you rate 5 instead of 3?”</p>



Reflect the person's views on change back to them

Person is not indicating readiness to change

"Thanks for agreeing to check out your gambling. It sounds like right now you can't see any benefits in cutting back on your gambling? If you decide you want to talk about this again, you can let me know. Would it be all right if we talk about it again in a few months' time to see if anything has changed for you?"

"From what you're telling me, it sounds as though you are not interested in stopping gambling right now. Would it be useful to talk about some ways to put limits in place to try to reduce the impact of your gambling?"

Person is ambivalent about change

"So, if I'm hearing you correctly, you can see that cutting back on gambling would help keep you out of trouble but you can't see your friends letting you get away with it. How do you think things will turn out for you?"

"What are the pros and cons with your gambling?"

"On balance would it be worth having a go at stopping?"

"What are some things that could help you stop?"

"What are some of the barriers that might prevent you from limiting your gambling?"

Person wants to change, lacks confidence

"You want to stop gambling but you've tried many times and it hasn't worked out. You just don't think you can manage to do it. Would you be interested in looking at some strategies to help with this?"

"What would need to happen for you to become more confident to make a change?"

"What would be helpful to you at this point?"

"You said that you stopped gambling for a short time about a year ago? How did you achieve that? Could you use some of the same strategies that were successful then to help with cutting down on gambling now?"

**TIPS**

- > Avoid arguing, persuading and/or presenting reasons for change and maintain rapport.
- > Respect the person's views and don't assume that the intervention has not been helpful if they choose to close the subject.
- > Remember responsibility for change sits with the person themselves.
- > Encourage the person to explore and articulate their own reasons for change.
- > Listen carefully for what the person is prepared to work on at this time and focus on that.
- > Use the readiness scale/ruler to quickly elicit change talk. Available at [www.adultmeducation.com/downloads/Readiness-to-Change TOOL.pdf](http://www.adultmeducation.com/downloads/Readiness-to-Change_TOOL.pdf)
- > With young people: don't discount or minimise the young person's experiences of the good things about gambling. Let them talk about the good things before gently guiding/inviting them to explore the downsides. Avoid coming up with the downsides, let the young person tell you from their own experience.

**5**

**Provide further intervention (as appropriate)**

**OBJECTIVES**

- > **To facilitate reflection and review of behaviour**
- > **To support change if the person is seeking change**

**Feedback:** about personal risk or level of current harm

**Responsibility** sits with the person

**Empathy:** listen and reflect; maintain rapport

**Menu of options:** outline options or strategies

**Self efficacy:** convey optimism about their ability to change

Action	Example
For people who are considering change or wanting support to change, select an appropriate approach (one or more):	<b>Provide information: focus on the benefits of change:</b> “Would you like more information? I have a leaflet here that you could take home. It might be interesting to read about some of the benefits other people have experienced after cutting back.”
Provide information	<b>Facilitate goal setting and explore menu of options:</b> “Could you consider setting yourself a goal in relation to gambling?”
Goal/s and Menu of options	“What are some changes that you are interested in trying out?”
Build confidence	“Would it be helpful to look at some options that have been helpful for other people? There are some effective strategies available to help people stop gambling, such as letting a loved one take care of your finances for a while or self-exclusion. It could be helpful to look at whether any of these are worth trying for you.”
Enhance motivation	“There are lots of options for cutting down on gambling, you are the best judge of what is likely to work for you. Would it be helpful to talk about some ideas and then, if you want to, set a goal for yourself to try out?”  “It sounds like the smartphone gambling is your main concern because it is impacting on your family time. We could explore some practical options and you could make a plan, then if you think it’s worth a go you could try it out. If it doesn’t work out we could look at some other ideas next time we meet.”

### TIPS

- > Keep it personalised, relevant and achievable. The change goal must be something that is worthwhile and “doable” for the person. Avoid the lure of encouraging goal setting that does not meet these criteria.
- > Encourage the person to come up with their own strategies and/or explore in detail how strategies will fit into the person’s situation. People are more likely to try things out if they come up with their own ideas.
- > Spend time looking at a range of options. It is important to convey that there is more than one way to address issues and improve situations. This helps generate self-efficacy.
- > Listen carefully for what the person is prepared to work on at this time and focus on that.

# IMPORTANT CONSIDERATIONS

## Cultural considerations and brief intervention

Throughout the process of screening and brief intervention workers are encouraged to be mindful of the social and cultural context of the people they are working with. Effective engagement, assessment and goal setting may be affected by a person's 'ethnocultural identity'. The way a person might identify themselves and 'see the world' may impact on the ways they might express distress; the way in which they might perceive problems or solutions and/or their communication styles. Workers have an important role in ensuring that the people they are working with understand information well enough to be able to make informed choices or decisions. Clients may have poor literacy. This may mean giving some thought to how screening information is interpreted and communicated. Comprehension may be improved by putting it into a relevant context as well as considering the content of any message.

## Overcoming potential barriers to brief intervention

There are a number of well identified barriers to the provision of brief intervention in generalist settings. The more prevalent of these are outlined below along with some suggestions as to how these barriers can be overcome or managed. These barriers and potential solutions relate to both the organisational level and the worker.

**Causing offence:** Both workers and organisational leaders are often concerned that service users, who are generally not expecting to be talking about these issues, may be annoyed or offended if they are asked about them. The evidence suggests that this is rarely the case (NHS Health Scotland, 2009).

Within the approach presented in this Guide all issues are raised with empathy and respect for the autonomy of the person and if a person does not want to engage in brief intervention then that choice should always be respected. Such an approach minimises perceptions of judgment and intrusiveness.

Workers are more likely to overcome their concern by actually providing brief interventions, seeing that service users are not offended and seeing the benefits brief intervention can provide. Organisational leaders can support and encourage workers to overcome any initial reservations by ensuring staff have access to training to build their skills and confidence. Leaders can also ensure that staff have access to ongoing supervision and support. Additionally, it is useful to set realistic targets for brief intervention in the early stages, recognising that it may take some time for staff to become sufficiently comfortable to more routinely introduce the subject etc.

**The issue of coercion:** In settings where service users are facing or undergoing legally imposed sanctions e.g. justice and some social service settings, workers can be concerned about imposing screening and brief intervention. It is important to note that the principles and stages of brief intervention do not change in these contexts. Respect for the autonomy of the person, empathy and collaboration are integral to brief intervention and help to ensure the intervention is not imposed.

**Own behaviour and values:** It is not uncommon for a worker who gambles to feel open to being judged as hypocritical when talking with others about these issues.

In this circumstance it is important that workers and organisational leaders are mindful that brief intervention is provided to assist service users to make informed choices. The worker's own patterns of use and behaviour are not relevant and should not be a barrier to providing brief intervention.

Using standardised screening tools and a structured approach to brief intervention will help to ensure that the worker's own values and choices do not prevent them from providing effective brief intervention to service users.

**Outside of the scope of worker's role:** Some generalists believe that providing brief intervention is outside of the scope of their role. This is understandable as many are not well informed about brief intervention or trained in providing it.

Organisational leaders have a role to play in overcoming this barrier by ensuring that workers are well informed and supporting them to learn about their potential role in brief intervention. It is important to stress that many people who are at risk of or experiencing harm will never see a specialist and brief intervention provided by a generalist may be of huge benefit to them. Increasingly it is recognised that the substantial harms that can arise from alcohol, tobacco, other drugs and gambling make these issues everybody's business. However it is important to consider professional boundaries carefully and to ensure that there is organisational support with approved processes, training and ongoing back up for the provision of brief intervention.

**Competing priorities:** The demands on time within a service environment may present one of the most significant barriers to brief intervention. It is common to hear workers and leaders comment on the burden of expectations placed on them to address a wide range of issues. This is a challenge for both the worker and the organisation and there is no simple answer. However, focus and commitment at all levels are required to implement and maintain brief intervention.

It is up to the organisation and the worker to determine what services can be provided within resource constraints.



# RESPONDING TO FAMILY AND AFFECTED OTHERS

## Resources for family and affected others

Many people are adversely affected by others' gambling. Sometimes these effects are identified in the course of health and social service delivery.

There is a range of resources available to assist families including self-help resources such as:

**Concerned About Someone Else's Gambling.** Produced by the Gambling Helpline for families seeking help with gambling issues. Available at: [www.gamblinghelpline.co.nz/data/media/documents/Concerned\\_about\\_someones\\_gambling.pdf](http://www.gamblinghelpline.co.nz/data/media/documents/Concerned_about_someones_gambling.pdf)

## The 5-Step Method

The 5-Step Method (Orford, Templeton, Patel, Velleman & Copello, 2007) for helping affected family members offers a simple and effective approach for responding to family members. It is a non-blaming approach to working with families and others affected by substance use or gambling. It can be delivered by a range of workers in a range of settings. The approach is designed to assist families to develop effective coping strategies and access effective social support.

The 5 steps are shown below and further explained adjacent.



### Figure 3 The Five-Step method

- 1 Listen carefully to the experience of the family member/s to develop an understanding of how they are affected. Explore their concerns. Provide reassurance that others also have these experiences. Convey empathy and non-judgement.
- 2 Provide relevant information about substance use/gambling/addiction as relevant. Provide information about other relevant issues tailored to the concerns raised e.g. child care, financial assistance etc. Targeted information helps family members to gain a sense of having some control in their lives.
- 3 Explore coping responses. Research associated with the model has identified three broad coping responses:
  - > Engaged – Standing up to
  - > Tolerant – Putting up with
  - > Withdrawn – WithdrawingExplore the current responses and discuss what is effective and what is less effective? Explore alternatives.
- 4 Explore social support. Draw a network diagram to determine current support. Work on strategies to increase positive support and decrease negative support.
- 5 Explore further options for help and support. Check out further needs, provide information, refer as necessary and arrange follow up if required.

Research indicates that families from a range of cultures have found that brief intervention provided within the 5-Step model in a range of settings has helped them to:

- > Focus on their own needs.
- > Be assertive in communication.
- > Calm down and find different ways of dealing with frustration and anger.
- > Have a better understanding of the drinking /drug taking behaviour and the links with their own health.

(Orford et al., 2007).

# BRIEF INTERVENTION REQUIREMENTS AT AN ORGANISATIONAL LEVEL

This section offers guidance to support effective planning, set up, implementation and monitoring of brief intervention within an organisational context. The guidance provided here is generic and will need to be tailored and adapted to the specific conditions within each organisational context.

Evidence suggests that organisational factors can limit or enable implementation of brief interventions (Johnson et al., 2010). Successful implementation of brief intervention programmes is more likely when the programme is championed at management and/or leadership level (McGovern et al., 2012). Commitment at organisational governance and management levels is essential to support workers to provide brief intervention.

The implementation of brief intervention within an organisation is best approached as a project.

Key steps in planning and implementing brief intervention for a large organisation are outlined below. The steps are set out in a chronological order, however in practice they are likely to overlap, particularly the second and third steps. In summary the steps are:

- > Project initiation
- > Consulting within the organisation
- > Project planning
- > Implementation
- > Ongoing improvement

## Project initiation

Key actions at the outset include:

- > Developing a project brief (or charter) specifying goals, key objectives, deliverables, resources available, costs, risks and benefits of the project.
- > Assigning a project leader to manage and coordinate the implementation of brief intervention.
- > Determining if a project team is required to assist implementation (usually this is best, particularly in medium to large organisations) and if so assigning membership and roles.
- > Preparing an information sheet on brief intervention (see Box 3 below for suggestions on what to include).

Once these actions above are completed, the implementation of brief intervention should be announced within the organisation. Preferably the announcement is made by a senior person to indicate the importance of the project within the organisation.

The announcement can be made via email, staff bulletin, team meeting etc., depending on the organisational communication systems already in place and the size of the organisation.

After the project is announced provide an information sheet to all staff to begin the process of developing a shared understanding of brief intervention and fostering enthusiasm for the initiative.

### **Box 3. Inform and educate**

Provide an information sheet for staff outlining the intention to develop a brief intervention initiative within the organisation, explaining what brief intervention is and why it is a worthwhile activity for the organisation i.e. how it will benefit service users. Ideally, this information is tailored to your organisation and sector.

The information sheet should cover the following:

#### **A brief description of brief intervention (as provided in this Guide):**

A clear definition, how brief intervention is delivered and who it is most effective for.

A statement emphasising the brevity of the intervention and that it is not addiction treatment.

#### **The key reasons for offering brief intervention in your organisation, for example:**

Information on the harms associated with gambling as these relate to the service user population.

Evidence for the effectiveness of brief intervention.

#### **Information promoting the role of the generalist:**

A clear message that brief intervention does not require significant or in-depth understanding of the issue/s and that the issues are everybody's business.

A statement emphasising that brief intervention will potentially provide significant benefit to service users who might otherwise miss out on assistance for their issues.

A brief statement regarding training and support.

#### **Contact details of the project leader**

Encouragement of questions, comments and ideas.

### Consulting within the organisation

Ensure key people within the organisation are informed and involved as necessary. This is a process of both informing and gaining information from various perspectives about the organisational barriers and enablers to implementing brief intervention. Early input from key people can foster engagement and help identify both snags and shortcuts.

It is important that key people and groups within the organisation develop a common understanding of the project including what is likely to be expected of them, how they can contribute and how they will be supported to make their contribution.

Consulting can happen via meetings, telephone and email discussions, providing documents for feedback etc.

It is likely that the following people will need to be consulted with: team leaders, supervisors, trainers (if you have these in your organisation), front line staff likely to be providing brief intervention, human resources staff, IT people, administration staff etc.

In determining who to consult the following could be considered:

- > Who is most likely to be delivering brief intervention? Who are the leaders and supervisors of this group?
- > Is HR input needed?
- > Are there specific IT requirements?
- > How will records be kept? Who manages records for the service?
- > Will administrative processes need to be adjusted?
- > Are there any policy changes required?
- > Are there any accounting requirements e.g. invoicing for services provided?

### Project planning

Develop a detailed project plan including objectives, structure, processes, milestones, key responsibilities, reporting and costs. A communications plan may be required as part of the overall plan.

The planning should incorporate the following key requirements specific to brief intervention:

- > The brief intervention approach and pathway: define this thoroughly i.e. the scope.
- > The screening tools (See Box 4 for further guidance on selecting screening tools).
- > The steps in the intervention and the timing of these within the business of the organisation.
- > Referral sources and resources that the organisation will use.
- > The population to be screened and any exclusions.

- > Policy and procedures for confidentiality and consent.
- > The personnel delivering brief intervention: key considerations will include feasibility within the role i.e. are service users likely to accept brief intervention from those in this role, time available, workload, knowledge, skills and attitudes.
- > Training and support requirements: specify requirements to enable personnel to understand and deliver brief intervention and integrate this into their role.
- > Administrative systems and IT requirements.
- > Data requirements (see Box 5 overleaf) including reporting, monitoring and ongoing quality improvement processes.
- > Review the plan with others in the organisation as relevant. Ensure sign off by senior management.

#### **Box 4. Key considerations in selecting screening methods**

**The make-up of the population/group to be screened:** what are the issues that this population may be experiencing?

**Whether to screen for single issues or multiple issues:** what is optimal given the needs of service users and the expertise and resources available within the service?

**Setting:** what is realistic in the service setting i.e. if office based then computer-based or pen and paper and more in-depth screening may be possible. If in the field (e.g. working with homeless population) there may only be opportunity to ask a couple of key questions with record keeping occurring at a later time.

**Systems for responding to screening results:** the level at which the organisation can respond to those whose screening results are positive and in particular those whose results indicate the potential for a significant problem is an important consideration in selecting a tool. Where workers have time and an ongoing relationship with the service user it may be optimal to use a tool that provides information about presence and levels of problem (e.g. AUDIT or ASSIST); where there is limited time a short screen such as AUDIT-C which focuses on the presence/absence of a problem may be more appropriate.

**The time available to screen and provide intervention and any associated costs:** what can the service optimally provide?

**The expertise of the staff:** what level of knowledge and skill is required to screen and respond appropriately based on the screening result?

**The level of management support:** is there management approval for the process? Do management support staff training and ongoing staff support?

**Box 5. Data considerations for organisational monitoring**

The following measures are suggested for monitoring brief intervention:

Number of service users in the brief intervention target population: i.e. the number of people that would be expected to be screened.

Percentage screened: i.e. the number of service users screened divided by the number in the target population. It is recommended that a realistic target is set initially.

Number and percentage of “positive” screens: i.e. the percentage of service users whose screening results indicate that intervention is required.

The percentage of “positives” receiving an intervention (including a subset of those who are referred for specialist intervention).

Source: Adapted from Higgins-Biddle, Hungerford, & Cates-Wessel (2009).

## Implementation

- > Ensure the roll out of brief intervention is well notified to all relevant people in the organisation.
- > Provide regular communication to encourage, remind and support people at this early stage; for example, thanking people for their work in getting the project off the ground.
- > Ensure that help and support is readily available during the early implementation stage to increase uptake.
- > Actively monitor implementation and address any issues that arise.

## Ongoing improvement

- > Gather and provide feedback regarding progress. It is useful to do this on an ongoing basis to keep up the momentum and embed the change in practice.
- > Review data and other feedback to determine improvements. Manage the requirements for embedding improvements.

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# APPENDIX

## Appendix 1

### Lie/Bet Questionnaire

The Lie/Bet Questionnaire is a two question screening tool for pathological gambling, useful in determining if a longer screening tool or further assessment is appropriate.

Lie/Bet Questionnaire:

1. Have you ever had to lie to people important to you about how much you gambled?
2. Have you ever felt the need to bet more and more money?

Administer Lie/Bet Questionnaire:

“Yes” response to one or both items: Further assessment is needed. Refer to [www.begambleaware.org](http://www.begambleaware.org) or the National Gambling Helpline: 0808 8020 133

“No” response to both questions: No referral necessary for problem gambling services.

### The NODS-CLiP Short Problem Gambling Screen

Have there ever been periods lasting 2 weeks or longer when you spent a lot of time thinking about your gambling experiences or planning out future gambling ventures or bets?

Yes ?/ No?

Have you ever tried to stop, cut down, or control your gambling?

Yes?/ No?

Have you ever lied to family members, friends, or others about how much you gamble or how much money you lost on gambling?

Yes?/ No?

If “Yes” to one or more questions, further assessment is advised refer via [www.begambleaware.org](http://www.begambleaware.org) or the National Gambling Helpline: 0808 8020 133

## Problem Gambling Severity Index

When you think of the past 12 months, have you bet more than you could really afford to lose?

0: Never      1: Sometimes      2: Most of the time      3: Almost always

Still thinking about the last 12 months, have you needed to gamble with larger amounts of money to get the same feeling of excitement?

0: Never      1: Sometimes      2: Most of the time      3: Almost always

When you gambled, did you go back another day to try to win back the money you lost?

0: Never      1: Sometimes      2: Most of the time      3: Almost always

Have you borrowed money or sold anything to get money to gamble?

0: Never      1: Sometimes      2: Most of the time      3: Almost always

Have you felt that you might have a problem with gambling?

0: Never      1: Sometimes      2: Most of the time      3: Almost always

Has gambling caused you any health problems, including stress or anxiety?

0: Never      1: Sometimes      2: Most of the time      3: Almost always

Still thinking about the last 12 months, have you needed to gamble with larger amounts of money to get the same feeling of excitement?

0: Never      1: Sometimes      2: Most of the time      3: Almost always

Have people criticized your betting or told you that you had a gambling problem, regardless of whether or not you thought it was true?

0: Never      1: Sometimes      2: Most of the time      3: Almost always

Has your gambling caused any financial problems for you or your household?

0: Never      1: Sometimes      2: Most of the time      3: Almost always

Have you felt guilty about the way you gamble or what happens when you gamble?

0: Never      1: Sometimes      2: Most of the time      3: Almost always

### Total score:

The higher the score, the greater the risk that your gambling is a problem.

**Score of 0:** Non-problem gambling.

**Score of 1 or 2:** Low level of problems with few or no identified negative consequences.

**Score of 3 to 7:** Moderate level of problems leading to some negative consequences.

**Score of 8 or more:** Problem gambling with negative consequences and a possible loss of control

## Appendix 2

This section highlights strategies that can be used by a person directly experiencing or at risk of gambling-related harm. Further information can be found at [www.begambleaware.org](http://www.begambleaware.org).

### The Money, Access, Time Triangle

An effective way to reduce or stop gambling is to put barriers in place that limit your ability to gamble – specifically barriers to Money, Access and Time. No barrier is infallible but if you have the right barriers they can certainly slow you down enough for you to take a look at what you're doing and decide whether or not you really want to do it.

#### Limit Access

- > Customers may self-exclude from gambling establishments (see below).
- > Avoiding places with a high density of betting shops or casinos can be helpful so take care to plan your route before heading out the door. A little planning goes a long way when it comes to avoiding unexpected triggers like the sight of a flashing casino sign.
- > If you're an online gambler you can add blocking software such as "betfilter" which will remove access to all gambling websites from your PC. Depending on which blocking software is used a password may be needed so ask for help from a friend or family member to set it up for you so you remain unaware of the password and unable to remove the software. If you gamble on a phone or iPad please contact your network provider to discuss the possibility of setting up parental controls to exclude gambling sites. If all else fails, you may need to consider the possibility of getting a low spec phone capable of making and receiving calls, and not having a computer for a while.
- > Think about times and places when you may be at your most vulnerable and ensure that someone you trust is either available at the end of the phone or able to be physically with you at these times. These could be times of emotional upset, or on pay days or anniversaries but looking at how you may be affected and planning for it can save you a lot of heartache.

#### Filling Time previously spent gambling

- > Explore the type of things that interest you and in particular things you can enjoy doing with friends or family members rather than seeking isolated pursuits. You may also want to look at projects you can undertake such as decorating a room or working on the garden.
- > Ensuring that you are engaging with a routine can be very helpful so include yourself in day to day tasks around the house so you feel like a valued part of family life.
- > Filling time with positive activities away from gambling can help you to feel productive and healthy and it can strengthen relationship bonds that have previously been neglected.

## Money

- > Often the understanding of money and its value becomes warped whilst in the grip of a gambling addiction. Effective budgeting can restore an understanding of the value of money and it may also help to improve a negative financial situation brought on by gambling.
- > Ask a friend or family member to take control of your finances during the early stages of recovery. This can be done by giving away any debit or credit cards you may have (If you've memorised the card numbers be honest about that and get replacements before you hand them over). If you're budgeting effectively you'll be able to inform the person managing your finances of exactly how much you will need on any given day and receipts can be provided as evidence of your purchases.

## Self-Exclusion

The following information is produced by the Gambling Commission, the body responsible for licencing gambling operators in Britain. It describes the role of licenced gambling operators in assisting people who no longer wish to gamble to exclude themselves for a defined period of time. Regulations may change and therefore readers may wish to consult up to date information at the following address:

[www.gamblingcommission.gov.uk/for-the-public/Safer-gambling/Self-exclusion.aspx](http://www.gamblingcommission.gov.uk/for-the-public/Safer-gambling/Self-exclusion.aspx)

If you think you are spending too much time or money gambling in an arcade, betting shop, bingo venue or casino, then ask staff for information about their self-exclusion scheme.

Self-exclusion is when you can ask a gambling company or operator to stop you from gambling with them for an amount of time. It usually lasts for at least six months. It is mainly used by people who think they have a problem with gambling and want help to stop. It is up to you to stick to a self-exclusion agreement with a gambling company, but the company should help you do that.

If you want to self-exclude from an online (remote) gambling company then you will need to contact each of the companies with which you hold an account. This can usually be done on the responsible gambling pages of the website.

If you are worried about online gambling then you can download a 'site blocker' such as Gamblock or Netnanny, which can block access to on line gambling sites. However there may be a charge for this.

### **Although I have self-excluded, my gambling operator has allowed me to gamble. What should I do?**

A self-exclusion agreement may not always work properly and you might want to complain about this. Gambling operators must have a system they follow when a customer wants to complain. You should be able to find information on how to complain to the gambling operator on their website or by talking direct to a member of staff in the betting shop, arcade, bingo hall or casino where you have self-excluded.

If you wish to seek compensation from the operator because you feel that they haven't taken reasonable steps to prevent you from gambling then you will have to raise this as a civil matter through the courts.

The Gambling Commission's role is to make sure that the gambling companies follow the rules. Those rules include helping customers who want to stop gambling and have self-excluded. We will look into any concerns that that company may have broken the rules and investigate whether its self-exclusion system is working properly. If we think a company is not doing what it should, we have ways to make them improve. This can include, as a last resort, taking away the company's licence.

If you believe that the operator has broken the self-exclusion rules, we will need the following information:

- > When did you enter into the self-exclusion agreement?
- > How did you let the operator know you wanted to self exclude?
- > What did the operator give you to confirm that the self-exclusion was in place?
- > What period did you self-exclude for?
- > What date were you able to gamble even though you believe you had a self-exclusion agreement in place?
- > Can you provide details of any contact you have had with the operator since you gambled with them?

We will need your permission to contact the operator with your details but you should note that this will not be helping in getting your money back.

### **Limit setting**

Most gambling operators will have facilities that allow you to set limits on the amount of time or money you spend gambling. Speak to a member of staff if you would like further information regarding limit setting.

### **Referring to specialist services**

The National Gambling Helpline on 0808 8020 133 and [www.begambleaware.org](http://www.begambleaware.org) act as the first port of call for people affected by problem gambling. These services provide immediate advice and support, and from there people who need further help can be referred on to specialist services for further interventions.

# ORGANISATIONS THAT PROVIDE HELP AND ADVICE

## **GAMBLEAWARE**

[begambleaware.org](http://begambleaware.org)

A website that gives advice on gambling responsibly – this means making choices based on all the facts, and staying in control of how much time and money you spend.

## **NATIONAL GAMBLING HELPLINE:**

**0808 8020 133**

## **CENTRAL AND NORTH WEST LONDON NHS FOUNDATION TRUST**

[www.cnwl.nhs.uk/cnwl-national-problem-gambling-clinic](http://www.cnwl.nhs.uk/cnwl-national-problem-gambling-clinic)

**Tel: 020 7534 6699 / 6687**

Treats problem gamblers in England and Wales who are aged 16 and over. It assesses the needs of problem gamblers as well as those of their partners and family members, and offers evidence based treatments as well as interventions to assist with financial, employment, social and relationship difficulties.

## **GAM-ANON**

[www.gamanon.org.uk](http://www.gamanon.org.uk)

Support to those affected by another person's gambling. A fellowship of men and women who are husbands, wives, relatives or close friends who have been affected by problem gambling.

## **GAMBLERS ANONYMOUS**

[www.gamblersanonymous.org.uk](http://www.gamblersanonymous.org.uk)

A fellowship of men and women who have joined together to do something about their own gambling problem and to help other compulsive gamblers do the same.

## **GAMCARE**

[www.gamcare.org.uk](http://www.gamcare.org.uk)

A registered charity that takes a non-judgemental approach to gambling, and a leading authority on the provision of information, advice and practical help in addressing the social impact of gambling.

## **GORDON MOODY ASSOCIATION**

[www.gordonmoody.org.uk](http://www.gordonmoody.org.uk)  
**01384 241292**

Provides residential treatment for severely addicted gamblers, as well as providing outreach support and internet counselling service.

## **CONSUMER SUPPORT:**

### **CITIZENS ADVICE**

[www.citizensadvice.org.uk](http://www.citizensadvice.org.uk)

Helps people resolve their legal, money and other problems by providing free information and advice, and by influencing policymakers.

## **DEBT SUPPORT ORGANISATIONS:**

### **MONEY ADVICE SERVICE**

[www.moneyadviceservice.org.uk](http://www.moneyadviceservice.org.uk)

An independent service, set up by government, to help people manage their money.

### **NATIONAL DEBTLINE**

[www.nationaldebtline.org](http://www.nationaldebtline.org)

**National helpline number: 08088 084000**

Provides free confidential and independent advice on how to deal with debt problems.

### **STEPCHANGE DEBT CHARITY**

[www.stepchange.org](http://www.stepchange.org)  
**0800 138 1111**

A debt advice organisation offering free, confidential and impartial debt help to anyone who needs it, available online 24 hours a day.

## **OTHER SUPPORT ORGANISATIONS:**

### **SAMARITANS**

[www.samaritans.org](http://www.samaritans.org)  
**116 123**

A 24 hours a day service providing confidential emotional support for people who are experiencing feelings of distress or despair, including those which may lead to suicide.

GambleAware is the leading charity in Britain committed to minimising gambling-related harm. As an independent national charity, GambleAware funds education, prevention and treatment services and commissions research to broaden public understanding of gambling-related harm. The aim is to stop people getting into problems with their gambling, and ensure those that do develop problems receive fast and effective treatment and support.

**GambleAware**  
7 Henrietta St  
London  
WC2E 8PS

[about.gambleaware.org](http://about.gambleaware.org)  
[info@gambleaware.org](mailto:info@gambleaware.org)  
+44 (0) 20 7287 1994

# GambleAware



# TAB 17



## Inspection guide - Adult Gaming Centres



Premises name and address	
Premises person(s) present	
Authorised Officer(s)	
Signature of Authorised Officer(s)	
Date and time of the assessment	
	Please tick sections completed
1. Pre-Assessment Checks	
2. Visual Assessment	
3. Operator Policies - Protection of Children	
4. Operator Policies – Customer Interaction	
5. Additional Questions	
6. Action Points	

### 1) Pre-assessment checks

<p>1.1) <u>Relevant when assessing policies for preventing Under Age Gambling (SRCP 3.2)</u> <b>(England and Wales only) Has the operator formed a Primary Authority partnership with another Local Authority? If so, who is the Primary Authority?</b></p>	<p>Primary Authority Name:</p>
<p> If the operator has agreed a National Inspection Plan or primary authority advice in place, officers do not need to review policies and procedures relating to age verification. However, they are encouraged to ask questions/ test knowledge to check that children are protected from being harmed or exploited by gambling.</p>	
<p> A list of current Primary Authority Partnerships relating to gambling operators is available on the Gambling Commission website</p>	
<p>1.2) Reviewing the following documents may be useful when preparing for an assessment:</p> <ul style="list-style-type: none"> <li>• <b>The premises licence and any attached conditions</b></li> <li>• <b>The premises plan attached to the licence</b></li> <li>• <b>The operator’s Local Risk Assessment (if a copy has been submitted to you)</b></li> </ul>	

## 2) Visual Assessment





Compliance with these provisions can usually be established through a visual assessment, but may require further information from staff members

<p><u>2.1) Plan (MC - SI 2007 / 1409/SSI 2007/266)</u>  <b>Does the plan match the layout of the premises?</b></p>		Yes	0	<input type="checkbox"/>
		No	10	<input type="checkbox"/>
<p> Plans must include: the boundary of the premises, external and internal walls, points of exit and entry (plus a description of where exit leads to and entry leads from). A variation application (s.187 of the Gambling Act 2005), along with an updated Local Risk Assessment, will be required if there has been a 'material change' to the layout since the licence was last issued.</p>				
<p><u>2.2) Premises Summary Display (MC – SI 2007 / 1409/SSI 2007/266)</u>  <b>Is a summary of the premises licence displayed in a prominent place within the premises?</b></p>		Yes	0	<input type="checkbox"/>
		No	10	<input type="checkbox"/>
<p><u>2.3) Under 18 Notices (MC - SI 2007 / 1409/SSI 2007/266)</u>  <b>Is there a notice stating that no person under the age of 18 is permitted to enter the premises and is the notice displayed in a prominent place at every entrance?</b></p>		Yes	0	<input type="checkbox"/>
		No	10	<input type="checkbox"/>
<p><u>2.4) No Alcohol Signage (MC - SI 2007 / 1409/SSI 2007/266)</u>  <b>Is there a notice explaining that no alcohol shall be consumed on the premises when facilities for gambling are being provided? In Scotland this notice must also specifically state that the sale of alcohol is prohibited.</b></p>		Yes	0	<input type="checkbox"/>
		No	10	<input type="checkbox"/>
<p><u>2.5) Problem Gambling Materials (SRCP 3.3)</u>  <b>Is information readily available to customers on how to gamble responsibly and seek help in respect of problem gambling?</b>                      Things to consider and evidence:</p>		Yes	0	<input type="checkbox"/>
		Improvement Needed	5	<input type="checkbox"/>
		No	10	<input type="checkbox"/>
<p>Is information displayed prominently on posters appropriate to the size and layout of the premises? <span style="float: right;"><input type="checkbox"/></span></p>				
<p>Is information contained in leaflets that may be taken away or through the use of links for online or smart technology? <span style="float: right;"><input type="checkbox"/></span></p>				
<p>Can information be obtained by customers discreetly? <span style="float: right;"><input type="checkbox"/></span></p>				
<p><u>2.6) Lottery Tickets (MC - SI 2007 / 1409/SSI 2007/266)</u>  <b>Is the premises being used to sell tickets for a lottery?</b></p>		Yes	10	<input type="checkbox"/>
		No	0	<input type="checkbox"/>
<p> The mandatory conditions attached to premises confirm that neither National Lottery products nor tickets in a private lottery may be sold on the premises. In England and Wales tickets for customer lotteries also cannot be sold. Operators can sell society lottery tickets subject to the society holding the relevant permission (an operating licence from the Commission if a large society lottery or a local authority registration if a small society lottery.) In some instances, the operator may also require an External Lottery Manager licence from the Commission (for more detail see para 34.15 of the GLA 5th edition).</p>				

<p><u>2.7) Gaming Machines Available for Use</u></p> <p>AGC premises licences in existence before 13 July 2011:</p> <p><b>Is the premises offering a maximum of 4 Category B3/B4 Machines <u>or</u> do Category B3/B4 Machines make up no more than 20% of the total number of machines?</b></p> <p>AGC premises licences granted on or after 13 July 2011:</p> <p><b>Do Category B3/B4 Machines make up no more than 20% of the total number of machines?</b></p> <p>Premises can also offer any number of Category C and D machines</p>	<table border="1"> <tr> <td>Yes</td> <td>0</td> <td><input type="checkbox"/></td> </tr> <tr> <td>No</td> <td>10</td> <td><input type="checkbox"/></td> </tr> </table>	Yes	0	<input type="checkbox"/>	No	10	<input type="checkbox"/>
Yes	0	<input type="checkbox"/>					
No	10	<input type="checkbox"/>					
<p><b>i</b> You may find that the premises has a number of hand-held devices containing gaming machine content. These devices are defined as gaming machines. They can be counted towards the total number of machines when calculating whether no more than 20% of the machines are of category B3/B4. However, for this to apply the devices must be 'available for use' i.e. if a player could take steps to use the device without the assistance of the operator.</p> <p><b>i</b> Stakes may be paid by cash or non-cash forms of payment, except that credit cards cannot be used directly or indirectly to pay for any gaming machine use. Debit cards may only be used as an indirect form of payment e.g. to purchase a token or smart card that is subsequently put in the machine. (SI 2007 / 2158 and SI 2007 / 2319).</p>							
<p><u>2.8) Gaming Machine Display Requirements SI 2007 / 2319 and SI 2007 / 2320</u></p> <p><b>Do all gaming machines display:</b></p> <ul style="list-style-type: none"> <li>• What category it is?</li> <li>• The name and telephone number for assistance with problem gambling?</li> <li>• That the machine is not to be used by child/ young person unless it is a category D?</li> <li>• The percentage return to player?</li> </ul>	<table border="1"> <tr> <td>Yes</td> <td>0</td> <td><input type="checkbox"/></td> </tr> <tr> <td>No</td> <td>10</td> <td><input type="checkbox"/></td> </tr> </table>	Yes	0	<input type="checkbox"/>	No	10	<input type="checkbox"/>
Yes	0	<input type="checkbox"/>					
No	10	<input type="checkbox"/>					
<p><b>i</b> The information above needs to be readily accessible by a person using the machine. It may be found on the machine cabinet or within the information shown on screen.</p>							
<p><u>2.9) ATM Location (MC - SI 2007/1409/SSI 2007/266)</u></p> <p><b>Is the ATM located in a place that requires any customer who wishes to use it to cease gambling at any gaming machine in order to do so?</b></p>	<table border="1"> <tr> <td>Yes/ N/A</td> <td>0</td> <td><input type="checkbox"/></td> </tr> <tr> <td>No</td> <td>10</td> <td><input type="checkbox"/></td> </tr> </table>	Yes/ N/A	0	<input type="checkbox"/>	No	10	<input type="checkbox"/>
Yes/ N/A	0	<input type="checkbox"/>					
No	10	<input type="checkbox"/>					
<p><u>2.10) Access Between Licensed Premises (MC - SI 2007/1409/SSI 2007/266)</u></p> <p><b>Is there access to the AGC from premises with:</b></p> <ul style="list-style-type: none"> <li>• <b>An unlicensed family entertainment centre gaming machine permit?</b></li> <li>• <b>A club gaming or club machine permit?</b></li> <li>• <b>An alcohol licensed premises with a gaming machine permit?</b></li> </ul>	<table border="1"> <tr> <td>Yes</td> <td>10</td> <td><input type="checkbox"/></td> </tr> <tr> <td>No</td> <td>0</td> <td><input type="checkbox"/></td> </tr> </table>	Yes	10	<input type="checkbox"/>	No	0	<input type="checkbox"/>
Yes	10	<input type="checkbox"/>					
No	0	<input type="checkbox"/>					
<p><u>2.11) Hours of Operation (DC - SI 2007 / 1409/SSI 2007/266)</u></p> <p>There are no statutory restrictions on opening hours for AGCs, but individual premises may have different hours as conditions attached by the licensing authority</p> <p><b>Is the premises compliant?</b></p>	<table border="1"> <tr> <td>Yes</td> <td>0</td> <td><input type="checkbox"/></td> </tr> <tr> <td>No</td> <td>10</td> <td><input type="checkbox"/></td> </tr> </table>	Yes	0	<input type="checkbox"/>	No	10	<input type="checkbox"/>
Yes	0	<input type="checkbox"/>					
No	10	<input type="checkbox"/>					
<p><u>2.12) Christmas Day (GA05 Section 183)</u></p> <p>The premises shall not be used to provide facilities for gambling on Christmas day.</p> <p><b>Is the premises compliant?</b></p>	<table border="1"> <tr> <td>Yes</td> <td>0</td> <td><input type="checkbox"/></td> </tr> <tr> <td>No</td> <td>10</td> <td><input type="checkbox"/></td> </tr> </table>	Yes	0	<input type="checkbox"/>	No	10	<input type="checkbox"/>
Yes	0	<input type="checkbox"/>					
No	10	<input type="checkbox"/>					

### 3) Operator Policies - Protection of Children

Establishing compliance will require viewing policies and discussion with staff members

<p><b>3.1) Policies for preventing Under Age Gambling (SRCP 3.2)</b>   England and Wales please also check Primary Authority status before asking these questions (see section 1.1 above)</p> <p><b>Does the licensee have and put into effect policies and procedures designed to prevent underage gambling?</b></p>	<table border="1"> <tr> <td>Yes</td> <td>0</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Improvement needed</td> <td>5</td> <td><input type="checkbox"/></td> </tr> <tr> <td>No</td> <td>10</td> <td><input type="checkbox"/></td> </tr> </table>	Yes	0	<input type="checkbox"/>	Improvement needed	5	<input type="checkbox"/>	No	10	<input type="checkbox"/>
Yes	0	<input type="checkbox"/>								
Improvement needed	5	<input type="checkbox"/>								
No	10	<input type="checkbox"/>								
<p>Things to consider and evidence when answering the question above:</p>										
<p>Are staff members trained on the prevention of underage gambling on induction to the company? <input type="checkbox"/></p>										
<p>Is training regularly updated – can this be evidenced within staff training logs? <input type="checkbox"/></p>										
<p>Are checks of age carried out on apparently underage customers? Can this be evidenced? <input type="checkbox"/></p>										
<p>Is service refused to adults accompanied by a child or young person? <input type="checkbox"/></p>										
<p>Are only suitable forms of I.D. accepted by the operator? (Driving Licence, Passport, Military I.D, PASS Logo I.D?) <input type="checkbox"/></p>										
<p>Is there an awareness of the legal requirements on returning stakes and not paying prizes to underage customers? <input type="checkbox"/></p>										
<p>Does staff training cover all relevant prohibitions against inviting children or young persons to gamble or to enter gambling premises? (GA05 sections 46 and 47) <input type="checkbox"/></p>										
<p><b>3.2) Test Purchasing (SRCP 3.2)</b>                  Larger Operators  <ul style="list-style-type: none"> <li>• <b>Does the licensee conduct test purchasing or take part in collective test purchasing programmes?</b></li> </ul>                 Smaller Operators  <ul style="list-style-type: none"> <li>• <b>Does the licensee monitor the effectiveness of their policies and procedures for preventing underage gambling?</b></li> </ul> </p>	<table border="1"> <tr> <td>Yes</td> <td>0</td> <td><input type="checkbox"/></td> </tr> <tr> <td>No</td> <td>10</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Staff unable to answer/ Unknown</td> <td></td> <td><input type="checkbox"/></td> </tr> </table>	Yes	0	<input type="checkbox"/>	No	10	<input type="checkbox"/>	Staff unable to answer/ Unknown		<input type="checkbox"/>
Yes	0	<input type="checkbox"/>								
No	10	<input type="checkbox"/>								
Staff unable to answer/ Unknown		<input type="checkbox"/>								
<p> Smaller operators could monitor effectiveness through participation in collective test purchasing programmes.</p>										
<p> A distinction between larger and smaller operators is made based on their operating licence fee category within SRCP 3.2. This information may not be available at the time of assessment. Please contact your local Gambling Commission Compliance Manager if clarification is needed.</p>										
<p><b>3.3) Under 18s Employment</b></p> <p><b>Is the operator employing anyone under the age of 18 to carry out the functions shown below?</b></p>	<table border="1"> <tr> <td>Yes</td> <td>10</td> <td><input type="checkbox"/></td> </tr> <tr> <td>No</td> <td>0</td> <td><input type="checkbox"/></td> </tr> </table>	Yes	10	<input type="checkbox"/>	No	0	<input type="checkbox"/>			
Yes	10	<input type="checkbox"/>								
No	0	<input type="checkbox"/>								
<p> It is an offence to employ:</p> <ul style="list-style-type: none"> <li>• a person under 18 to provide facilities for gambling (GA05 Section 51)</li> <li>• a person under 18 to perform any function on the premises where gaming machines are sited or in connection with a gaming machine (GA05 Section 54)</li> <li>• a person under 18 to perform any function on the premises where a premises licence has effect and where the gambling activity is being carried on (GA05 Section 55)</li> </ul>										
<p><b>3.4) Supervision</b></p> <p><b>Is the premises appropriately supervised to ensure that children are prevented from entering/ participating in gambling?</b></p>	<table border="1"> <tr> <td>Yes</td> <td>0</td> <td><input type="checkbox"/></td> </tr> <tr> <td>Improvement Needed</td> <td>5</td> <td><input type="checkbox"/></td> </tr> <tr> <td>No</td> <td>10</td> <td><input type="checkbox"/></td> </tr> </table>	Yes	0	<input type="checkbox"/>	Improvement Needed	5	<input type="checkbox"/>	No	10	<input type="checkbox"/>
Yes	0	<input type="checkbox"/>								
Improvement Needed	5	<input type="checkbox"/>								
No	10	<input type="checkbox"/>								

**4) Operator Policies – Customer interaction/Protection of customers**  
 Establishing compliance will require viewing policies and discussion with staff members


<b>4.1) Policies for Customer Interaction (SRCP 3.4.1)</b> <b>Has the licensee put into effect policies and procedures for customer interaction where they have concerns that a customer may be at risk of or experiencing harms associated with gambling</b> Things to consider and evidence:	Yes	0	<input type="checkbox"/>
	Improvement needed	5	<input type="checkbox"/>
	No	10	<input type="checkbox"/>
Are staff members trained on the protection of customers on induction to the company? <input type="checkbox"/>			
Is training regularly updated – can this be evidenced within staff training logs? <input type="checkbox"/>			
Are employees trained in recognising types of behaviour that may be indicative of being-at risk of or experiencing harms associated with gambling? <input type="checkbox"/>			
Are staff members trained to deal with customers showing signs of distress? <input type="checkbox"/>			
Does the licensee use all available sources of information to identify customers who may be at risk of or experiencing harm? <input type="checkbox"/>			
Is the licensee able to evidence that customer interaction has been undertaken in appropriate circumstances? <input type="checkbox"/>			
Do records show circumstances where customer interaction has been ruled out? <input type="checkbox"/>			
Are staff members able to talk about how a customer interaction has had a positive impact? <input type="checkbox"/>			
Is the licensee able to evidence that there is an evaluation process to understand the impact of customer interaction? <input type="checkbox"/>			
<b>4.2) Policies for Self Exclusion (SRCP 3.5)</b> <b>Does the licensee have and put into effect procedures for self-exclusion?</b> These procedures must include:	Yes	0	<input type="checkbox"/>
	Improvement needed	5	<input type="checkbox"/>
	No	10	<input type="checkbox"/>
Employee induction and refresher training to ensure the system is enforced <input type="checkbox"/>			
A register of those excluded, with appropriate records (i.e. name, address) <input type="checkbox"/>			
Photo ID (or an effective alternative) and a signature <input type="checkbox"/>			
Signposting to counselling and support services <input type="checkbox"/>			
The removal of excluded persons found on the premises <input type="checkbox"/>			
Consideration of the premises layout - Is the premises appropriately supervised to ensure that customers are protected? <input type="checkbox"/>			
Minimum exclusion period of between 6 and 12 months with the option to extend for periods of at least 6 months <input type="checkbox"/>			
Following a period of self-exclusion, customers who make a request to begin gambling again must be given one day to cool off before being allowed access to gambling facilities. The contact must be made via telephone or in person <input type="checkbox"/>			
Removal of customer from marketing databases during period of exclusion <input type="checkbox"/>			
Policy to guard against self-excluded individuals using another person to gamble on their behalf <input type="checkbox"/>			
Informing staff of individuals who have breached agreements <input type="checkbox"/>			
<b>4.3) Multi-Operator Self-Exclusion Scheme (SRCP 3.5.6)</b> <b>Does the licensee offer the ability for customers to exclude from similar local venues through participation in a multi-operator exclusion scheme?</b>	Yes	0	<input type="checkbox"/>
	No	10	<input type="checkbox"/>

4.4) <u>Advising Employees on Socially Responsible Gambling (SRCP 7)</u> <b>Has the licensee ensured that employees involved in the provision of facilities for gambling are made aware of advice on socially responsible gambling and where to get help should their own gambling become hard to control?</b>	Yes	0	<input type="checkbox"/>
	No	10	<input type="checkbox"/>

**5) Additional Questions**

5.1) <u>Premises Licence Availability (GA05 s185)</u> <b>Is the premises licence (including the premises plan) kept on the premises and available on request?</b>	Yes	0	<input type="checkbox"/>
	No	10	<input type="checkbox"/>

5.2) <u>Reward Schemes – Terms and Conditions (SRCP 5)</u> <b>Are the terms and conditions of any customer incentive or reward schemes clearly set out and readily available to customers?</b>	Yes	0	<input type="checkbox"/>
	No	10	<input type="checkbox"/>

 Things to consider:

- Marketing and advertising must not be misleading
- ‘Free bet’ or ‘bonus’ offers must comply with the CAP/BCAP ‘Guidance on the rules for gambling advertisements
- Terms and conditions must be made available for their duration of the promotion
- Staff members should be able to explain the terms and conditions of incentives and reward schemes offered to customers.

5.3) <u>Complaints and Disputes (SRCP 6)</u> <b>Has the licensee put into effect appropriate policies and procedures for accepting and handling customer complaints and disputes in a timely, fair open and transparent manner?</b> Things to consider and evidence:	Yes	0	<input type="checkbox"/>
	Improvement needed	5	<input type="checkbox"/>
	No	10	<input type="checkbox"/>


Can customers refer any dispute to an Alternative Dispute Resolution (ADR) entity if not resolved to their satisfaction within 8 weeks?

Is dispute resolution free of charge for customers?

Terms must not restrict the customer’s right to bring court proceedings against the licensee. Terms may provide for the resolution to be binding on both parties if the customer agrees to a resolution with the assistance of an ADR.

There must be clear and accessible information on how to make a complaint, the complaints procedure, timescales for responding and the escalation procedure.

Policies and procedures must be implemented effectively and kept under review


 In this Code, ‘ADR entity’ means a person offering alternative dispute resolution services whose name is on the Gambling Commission’s list of approved providers. The list is on the Commission’s website and is updated from time to time.

5.4) Local Risk Assessment (SRCP 10)

<b>Can the operator evidence policies, procedures and control measures to mitigate risks identified within the Local Risk Assessment?</b>	Yes	0	<input type="checkbox"/>
	No	10	<input type="checkbox"/>

<b>Has the operator taken into account relevant matters identified in the licensing authority’s policy statement?</b>	Yes/ N/A	0	<input type="checkbox"/>
	No	10	<input type="checkbox"/>

5.5) <u>Licensing Authority Conditions</u> <b>Is the premises adhering to any additional premises licence conditions?</b>	Yes/ N/A	0	<input type="checkbox"/>
	No	10	<input type="checkbox"/>

 Licensing Authorities may have requested/ received further information relating to physical aspects of the premises during the application stage (for example: CCTV, supervision of gaming machines, floor staff location). The appropriateness of these arrangements can be checked at assessment.



Where a condition is attached to a premises licence to require door supervisors, if the Private Security and Industry Act 2001 means that they must be SIA registered then that also becomes a condition of the premises licence (GA05 Section 178).



Registration of S.I.A licence holders can be found at [www.sia.homeoffice.gov.uk](http://www.sia.homeoffice.gov.uk)

**Assessment Score:**

...../ 260

**6) Action Points**

Question Number	Issue/ Resolution



'Assessment outcome letters' are available for you to use and can be downloaded from the LLEP website. Where possible, please share this letter, or the notes shown above, with your Gambling Commission Compliance Manager.

# TAB 18



# SilverTime

**WELCOME**  
Please help us keep you  
and our staff safe.

Sanitise your hands

Distance to other people  
as you enter the premises  
where there is staff on duty

Choose to wear  
face coverings

Keep a safe distance  
from others



**IF YOU ARE UNDER 25  
YOU WILL BE ASKED FOR ID**

**CHALLENGE 25**

**We will not tolerate abuse!**  
Staff & Customers have the right  
to work in & use our facilities  
without threat of physical or  
verbal assault.  
Offenders will be prosecuted.

**It is illegal  
for  
ANY ALCOHOL  
to be consumed  
on these premises.**

**NO SMOKING**  
It is against the law  
to smoke in these premises

**18**  
It is against the law  
for persons under the age of 18  
to enter these premises

**STAY IN CONTROL**  
The Golden Rules of playing Fruit Machines

- Play machines legally by not breaking rules
- Play machines for fun, not for profit
- Play machines for a limited time
- Play machines with a maximum stake
- Play machines with a maximum bet
- Play machines with a maximum bet

Gold Rules: 0203 030 3030 www.gamcare.org.uk

**CCTV is operation  
for your safety. 24 hour video  
recording is in operation**

**NO MOBILE PHONES**  
To be used  
within these premises

**Staying COVID-secure**

We confirm we have complied with the government's guidance on managing the risk of COVID-19

**FIVE STEPS TO SAFER WORKING TOGETHER**

- We have carried out a COVID-19 risk assessment and shared the results with the people who work here
- We have cleaning, handwashing and hygiene procedures in line with guidance
- We have taken all reasonable steps to help people work safely from a COVID-19 Secure workplace or work from home
- We have taken all reasonable steps to manage 2m distances in the workplace. Where people cannot be 2m apart we have ensured at least a 1m distance and kept all the mitigating actions possible to manage transmission risk
- We have taken all reasonable steps to provide adequate ventilation in enclosed spaces

**LET'S HELP STOP THE SPREAD OF CORONAVIRUS**

Scan this QR code with your NHS COVID-19 App to check-in

**NHS**  
Test and Trace

# TAB 19



# STAY IN CONTROL

## The Golden Rules of playing Fruit Machines

- Playing machines is buying fun, NOT investing money
- Only play with money you can AFFORD to lose
- Set LIMITS on how much you will spend
- Playing within your means can be FUN and exciting
- Spending outside your means can create PROBLEMS for yourself and others

A leaflet with more guidance is available here. If you feel you are in difficulty with your gambling or know someone who is and would like help, call GamCare lo-call helpline

**GamCare:** 0808 802 0133

**gamcare.org.uk**



# TAB 20

Remember we are obliged to ask for proof of age - it's a legal requirement

# Think **25**



If you are lucky enough to look under 25 you will be asked to prove that you are over

**18**

when you enter this area

Accepted ID



Driving License



Passport



Citizen Card



Military ID

**bacta**  
Empowering the UK's amusement machine industry  
[www.bacta.org.uk](http://www.bacta.org.uk)

**SilverTime**

If you feel you are in difficulty with your gambling or know someone who is and would like to help call the national helpline operated by GamCare 080 8020 133 or chat online at [www.gamcare.org.uk](http://www.gamcare.org.uk)

# TAB 21

# Complaint Procedure

The Company endeavours to provide a high quality service to its customers and members of staff are trained how to deal with complaints at the initial stage. However, if you believe that things have gone wrong and your complaint was not resolved to your satisfaction at our premises, then please inform us as we take such reports seriously.

The Company will review your complaint and will be dealt with by:

(name)..... who is (job title) .....

at (address).....

.....

Email Address: .....

## How to make a complaint

- Complaints, which we will deal with confidentially, should be submitted in writing, by letter or e-mail.
- The attached form should be used to record and submit complaints.
- Give as much detail as possible including details of independent witnesses and any other relevant information in order to assist the Company in the investigative process.

## What happens next?

The Company will investigate and provide a full explanation of what we have done within **15 working days** of receiving a complaint. If this is not possible we will explain why and give a date by which a full response can be expected.

## If you are not satisfied with our response

If you are still not satisfied with our response to the complaint, you may consider writing to an alternative dispute resolution (ADR) entity requesting that the matter be reviewed, enclosing all previous correspondence relating to the complaint including the original complaint form. The ADR entity will acknowledge receipt of your correspondence without undue delay and, after review, inform you of its findings and recommendations, usually within **60 days**. The review process is thorough and based upon the information that both parties and other independent sources provide.

## This Company is registered with the following ADR entity:

Name of ADR Entity: **bacta ADR Service**

Email Address: [enqs@bactaadrservice.org.uk](mailto:enqs@bactaadrservice.org.uk)

Website: [www.bactaadrservice.org.uk](http://www.bactaadrservice.org.uk)

Postal Address: **29-30 Ely Place, London EC1N 6TD**

It is highly recommended that you visit the ADR entity's website (as above) so that you are fully aware of the procedural rules and other related information.

# Complaint Form

## CUSTOMER

Name: .....

Address: .....

..... Postcode .....

Daytime Telephone No .: .....

E-mail address: .....

Signature: ..... Date: .....

Is this an initial complaint or a follow up to a previous incident?

.....

.....

## VENUE WHERE COMPLAINT OCCURRED

Reference (if known):.....

Company: .....

Name of Premises: .....

Address: .....

.....

Name(s) of staff member(s) that you initially raised your complaint with: .....

.....

.....

Date of Incident: .....

Time of Incident: .....

Names & Addresses or contact telephone numbers of any **independent** witnesses.

.....

.....

.....

Name and Category of Gambling Machine subject of complaint: .....







# TAB 22

# STAYING IN CONTROL



**The Golden Rules  
of playing Fruit Machines**



# WHO CAN HELP?

If you are in difficulty with your gambling or know someone who is, and would like to help:

**Call GamCare free or chat online**

**0808 8020 133**

**[www.gamcare.org.uk](http://www.gamcare.org.uk)**

GamCare is the national centre for information, advice and practical help regarding the social impact of gambling.

The national helpline is answered by trained staff. They can offer counselling, information and advice to problem gamblers, family members and to friends of a gambler. Information regarding counselling for problem gamblers is available on request.

Created with Scanner Pro



## CALCULATING THE RISK

- Gambling is a fun and exciting form of entertainment, which provides an enjoyable experience.
- Playing slot machines is an attractive way of taking a risk as long as the risk taking is kept under control.
- The great majority of people who play slot machines or gamble in other ways enjoy the experience without any problems, but a very small number lose control of what they are doing.
- For these players gambling ceases to be fun.
- Their life can be dominated by gambling.

## CHECKING IT OUT

Someone who thinks they might have a gambling problem should ask themselves if:

- They lose time from education or work because of gambling.
- They gamble to get money to pay debts or solve financial difficulties.
- After losing they feel they must return as soon as possible to win back losses.
- They gamble until their last pound has gone.
- They borrow to finance their gambling.
- They are reluctant to use 'gambling money' for normal expenditure.
- They have ever committed, or considered committing an illegal act in order to finance their gambling.
- They have ever considered self-destructive behaviour as a result of their gambling.



## PROBLEM GAMBLING

Problem gamblers will continue playing whether winning or losing. They will use their own and other people's money in order to keep playing. As gambling takes over their life, many other things can suffer: family life, their job, and other interests.

Gambling becomes a problem when you:

- Gamble until all your money has gone.
- Borrow or steal money to continue gambling.
- Gamble to chase your losses.
- Neglect other interests, family and friends to gamble.

## STAYING IN CONTROL

Whenever you play machines it is wise to remember that:

- You are buying entertainment, not investing your money.
- You should only spend money you can afford to lose.
- In advance of playing you should set strict limits on how much you will spend.
- Problems will arise if playing machines becomes the most important part of your life.
- Playing should take up only a relatively small amount of your time and interest.
- Playing within your means is likely to be fun and exciting.
- Spending outside your means is likely to create problems for you and others.
- You shouldn't play to escape from worries or pressures.

# TAB 23



SilverTime  
116-118, BURNT OAK BROADWAY  
BURNT OAK, EDGWARE. HA8 0BB

SilverTime  
527 HIGH ROAD  
WEMBLEY HA0 2DH

SilverTime  
53 HIGH STREET  
HARLESDEN NW10 4NJ

SilverTime  
426 EDGWARE ROAD  
London W2 1EG

SilverTime  
10 PEMBRIDGE ROAD  
LONDON W11 3HL

SilverTime  
10 BANK BUILDINGS  
HARLESDEN NW10 4LT

SilverTime  
446 HIGH ROAD (Corner Park Lane)  
WEMBLEY HA9 6AH

SilverTime  
169 Earls Court Road  
London SW5 9RF

SilverTime  
509 HIGH ROAD  
WEMBLEY HA0 2DH

# TAB 24



## City of Westminster

64 Victoria Street, London, SW1E 6QP

**No:** 17/07823/LIGT

**Original Ref:** 07/07337/WCCGAP

### **PROVIDING FACILITIES FOR OTHER BETTING PREMISES LICENCE**

*This licence is issued under section 164 of the Gambling Act 2005 by*

City of Westminster

#### **Part 1 – Details of person to whom licence is issued**

The premises licence is issued to:

Done Brothers (Cash Betting) Limited T/A Betfred

of the following address:

Spectrum  
56-58 Benson Road  
Birchwood  
Warrington  
WA3 7PQ

who holds an operating licence which has been given the following operating licence number by the Gambling Commission:

000-001058-N-102469-001

#### **Part 2 – Details of the premises in respect of which the licence is issued**

Facilities for gambling may be provided in accordance with this licence on the following premises:

Betfred  
39 Wardour Street  
London  
W1D 6PX

### Part 3 – Premises licence details

This licence came into effect on:

01.09.2007

This licence is of unlimited duration.

This licence has been re-issued following the grant of an application to transfer the licence.

The transfer of the licence takes effect on:

24.07.2017

The following conditions have been attached to the licence by the issuing authority under section 169(1) of the Gambling Act 2005:

No facilities for gambling shall be provided on the premises between the hours of midnight on one day and 7am on the next day.

The following conditions, which would otherwise have been attached to the licence by virtue of regulations made under section 168 of the Gambling Act 2005, have been excluded by the issuing authority under section 169(1)(b) of that Act:

No facilities for gambling shall be provided on the premises between the hours of 10pm on one day and 7am on the next day.

A scale plan is attached as an annex to this licence.

**Date:** 7 February 2018

**Signed:** pp



**Director – Public Protection & Licensing**

# TAB 25



## City of Westminster

64 Victoria Street, London, SW1E 6QP

**No:** 19/02391/LIGT

**Original Ref:** 07/06210/LIGCF

### **PROVIDING FACILITIES FOR OTHER BETTING PREMISES LICENCE**

*This licence is issued under section 164 of the Gambling Act 2005 by*

City of Westminster

#### **Part 1 – Details of person to whom licence is issued**

The premises licence is issued to:

Ladbrokes Betting And Gaming Limited

of the following address:

One Stratford Place  
Montfichet Road  
London  
E20 1EJ

who holds an operating licence which has been given the following operating licence number by the Gambling Commission:

000-001611-N-102408-018

#### **Part 2 – Details of the premises in respect of which the licence is issued**

Facilities for gambling may be provided in accordance with this licence on the following premises:

Coral  
1-3 Newport Place  
London  
WC2H 7JR

### Part 3 – Premises licence details

This licence came into effect on:

31.08.2007

This licence is of unlimited duration.

This licence has been re-issued following the grant of an application to transfer the licence.

The transfer of the licence takes effect on: 22.03.19

The following conditions have been attached to the licence by the issuing authority under section 169(1) of the Gambling Act 2005:

No facilities for gambling shall be provided on the premises between the hours of midnight on one day and 7am on the next day.

The following conditions, which would otherwise have been attached to the licence by virtue of regulations made under section 168 of the Gambling Act 2005, have been excluded by the issuing authority under section 169(1)(b) of that Act:

No facilities for gambling shall be provided on the premises between the hours of 10pm on one day and 7am on the next day.

A scale plan is attached as an annex to this licence.

Date: \_\_\_\_\_

Signed: pp



Operational Director - Premises Management

# TAB 26





**City of Westminster**  
64 Victoria Street, London, SW1E 6QP

**No:** 20/11829/LIGV

**Original Ref:** 09/02742/LIGN

**PROVIDING FACILITIES FOR OTHER BETTING PREMISES  
LICENCE**

*This licence is issued under section 164 of the Gambling Act 2005 by*

City of Westminster

**Part 1 – Details of person to whom licence is issued**

The premises licence is issued to:

Power Leisure Bookmakers Limited

of the following address:

Waterfront Hammersmith Embankment  
Chancellors Road  
London  
W6 9HP

who holds an operating licence which has been given the following operating licence number by the Gambling Commission:

000-001034-N-103643-001

**Part 2 – Details of the premises in respect of which the licence is issued**

Facilities for gambling may be provided in accordance with this licence on the following premises:

Paddy Power  
Ground Floor 40 Gerrard Street  
London  
W1D 5QE

### Part 3 – Premises licence details

This licence came into effect on:

16.06.2009

This licence has been re-issued following the grant of an application to vary the licence. The variations to the licence take effect on 14<sup>th</sup> January 2021

This licence is of unlimited duration.

The following conditions have been attached to the licence by the issuing authority under section 169(1) of the Gambling Act 2005:

No facilities for gambling shall be provided on the premises between the hours of midnight and 7am.

The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.

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 is open. This staff member must be able to arrange to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

The following conditions, which would otherwise have been attached to the licence by virtue of regulations made under section 168 of the Gambling Act 2005, have been excluded by the issuing authority under section 169(1)(b) of that Act:

No facilities for gambling shall be provided on the premises between the hours of 10pm on one day and 7am on the next day.

**Date: 27 April 2021**

**This licence has been authorised by Kevin Jackaman on behalf of the Director - Public Protection and Licensing.**

# TAB 27



**City of Westminster**  
64 Victoria Street, London, SW1E 6QP

**No:** 18/15825/LIGV

**Original Ref:** 09/07172/LIGN

**FACILITIES FOR THE PLAYING OF BINGO PREMISES LICENCE**

*This licence is issued under section 164 of the Gambling Act 2005 by*

City of Westminster

**Part 1 – Details of person to whom licence is issued**

The premises licence is issued to:

Hippodrome Casino Limited

of the following address:

Hippodrome Casino  
Cranbourn Street  
London  
WC2H 7JU

who holds an operating licence which has been given the following operating licence number by the Gambling Commission:

000-29471-N-311289-008

**Part 2 – Details of the premises in respect of which the licence is issued**

Facilities for gambling may be provided in accordance with this licence on the following premises:

Crystal Rooms  
Basement and Part Ground Floor  
7 - 9 Cranbourn Street  
London  
WC2H 7AG

### Part 3 – Premises licence details

This licence came into effect on:

20.11.2009

This licence is of unlimited duration.

This licence has been re-issued following the grant of an application to vary the licence.

The variation of the licence takes effect on: 3 January 2019

The following conditions have been attached to the licence by the issuing authority under section 169(1) of the Gambling Act 2005:

1. A minimum of 1 SIA licensed door supervisors shall be on duty at the premises at all times whilst it is open for business.
2. Should any coffee machine or refreshment facility be installed for use by customers, signage shall be placed stating that this facility is for use by customers of the Crystal Rooms only and persons loitering by these facilities may be required to leave the premises.
3. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. All cash machines, tills, and their environs will also be covered. The CCTV system shall continually record whilst the premises is open for business. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
4. 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 is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
5. Clear CCTV signage to be placed around the premises, particularly around cash machines.

6. A proof of age scheme, such as Challenge 21, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
7. Signage will be displayed at the premises stating that no more than 1 person may be at any machine at any given time.
8. Gaming machines are available for use only on days when facilities for playing bingo are available for use.
9. Uniformed employees of the premises licence holder may be permitted to distribute flyers or leaflets advertising or promoting the premises or any of its events, facilities, goods or services, within 25 metres of any entrance to the Hippodrome Casino, but shall not do so in a manner which may cause an obstruction of the highway nor a nuisance to any passer-by.
10. The pavement within 25 metres of the entrances to the premises shall be kept free of litter or debris arising from the premises and its operation at all times to the satisfaction of the Council.
11. No flyers to be distributed after 21.00 hours or before 08.00 hours.
12. Any flyers distributed outside the premises shall contain no reference to any activity licensed at the premises for the purposes of the Sexual Entertainment licence.
13. Distributors of the flyers will operate a "Think 25" policy.
14. No more than two persons may distribute flyers at any one time.

The following conditions, which would otherwise have been attached to the licence by virtue of regulations made under section 168 of the Gambling Act 2005, have been excluded by the issuing authority under section 169(1)(b) of that Act:

N/A

**Date:** 7 January 2020

**Signed:** pp **Miss Daisy Gadd**  
**Operational Director - Premises Management**

# TAB 28



## City of Westminster

64 Victoria Street, London, SW1E 6QP

**No:** 16/06711/LIGCH

**Original Ref:** 07/07589/LIGCF

### **OPERATION OF AN ADULT GAMING CENTRE PREMISES LICENCE**

*This licence is issued under section 164 of the Gambling Act 2005 by*

City of Westminster

#### **Part 1 – Details of person to whom licence is issued**

The premises licence is issued to:

Family Leisure Holdings Limited

of the following address:

89 - 91 Wardour Street  
London  
W1F 0UB

who holds an operating licence which has been given the following operating licence number by the Gambling Commission:

000-001875-N-102630-001

#### **Part 2 – Details of the premises in respect of which the licence is issued**

Facilities for gambling may be provided in accordance with this licence on the following premises:

Las Vegas  
89-91 Wardour Street  
London  
W1F 0UB



### Part 3 – Premises licence details

This licence came into effect on:

01.09.2007

This licence is of unlimited duration.

The following conditions have been attached to the licence by the issuing authority under section 169(1) of the Gambling Act 2005:

N/A

The following conditions, which would otherwise have been attached to the licence by virtue of regulations made under section 168 of the Gambling Act 2005, have been excluded by the issuing authority under section 169(1)(b) of that Act:

N/A

A scale plan is attached as an annex to this licence.

Date:

20 September 2016

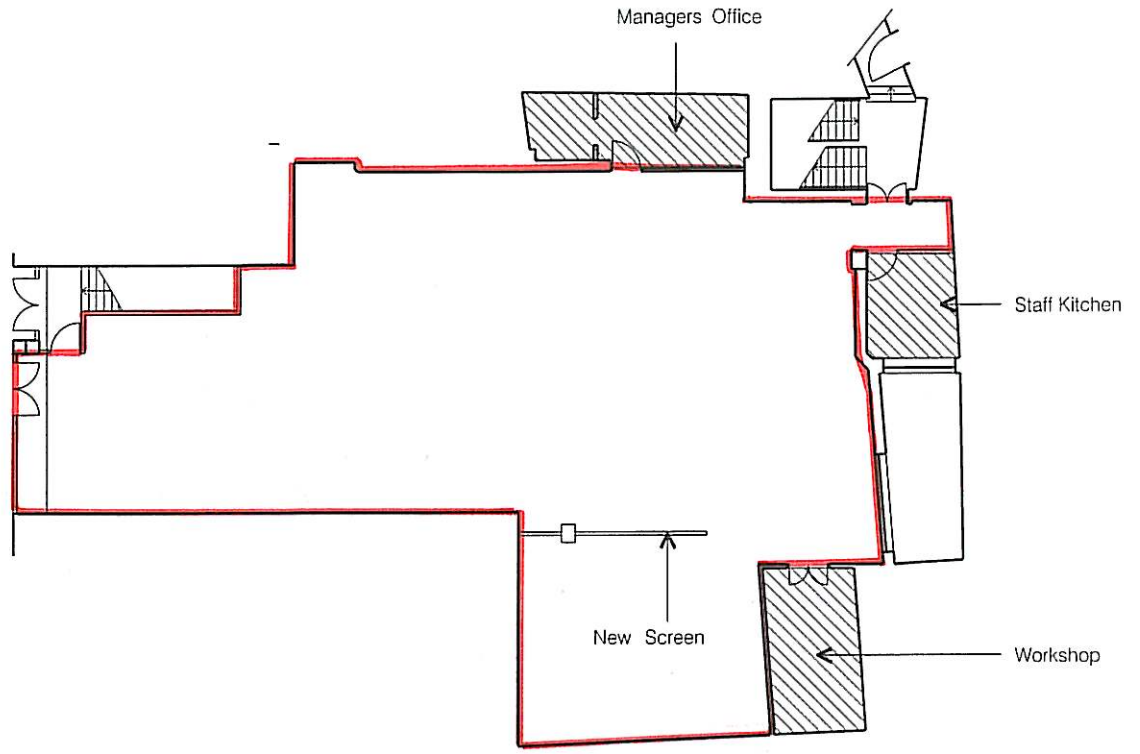
Signed:

pp

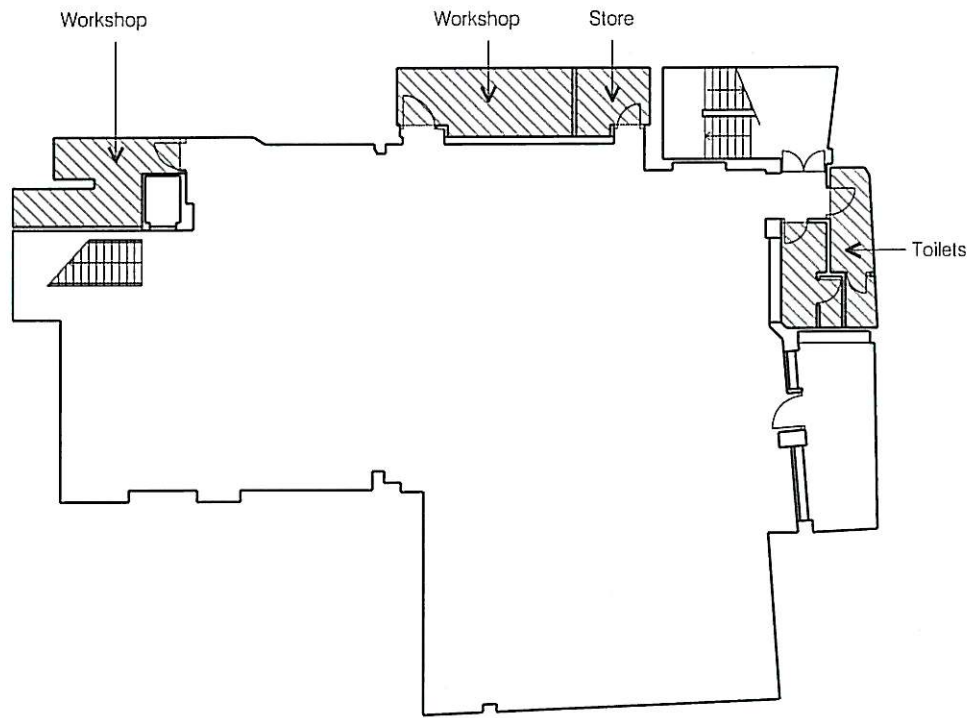


Director – Public Protection and Licensing

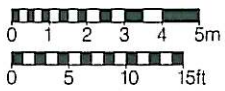
Ground Floor Level



Basement Level



SCALE



PROJECT LAS VEGAS 80-91 WARDOUR STREET LONDON, W1V 3HE		90 BOROUGH HIGH STREET LONDON SE1 1LL Tel: 020 7407 3700 - Fax: 020 7407 3500 email - proun@proun.co.uk					
DRAWING TITLE EXISTING GROUND AND BASEMENT PLANS		ARCHITECTS • DESIGNERS • PLANNERS					
SCALE 1:200 @ A4		DATE : NOVEMBER 2011		DRAWING No. 2371/E /01		REV. A - Front doors shown, 10.01.12	

# TAB 29



## City of Westminster

64 Victoria Street, London, SW1E 6QP

**No:** 16/06710/LIGCH

**Original Ref:** 07/08107/WCCGAP

### **OPERATION OF AN ADULT GAMING CENTRE PREMISES LICENCE**

*This licence is issued under section 164 of the Gambling Act 2005 by*

City of Westminster

#### **Part 1 – Details of person to whom licence is issued**

The premises licence is issued to:

Family Leisure Holdings Limited

of the following address:

89 - 91 Wardour Street  
London  
W1F 0UB

who holds an operating licence which has been given the following operating licence number by the Gambling Commission:

000-001875-N-102630-001

#### **Part 2 – Details of the premises in respect of which the licence is issued**

Facilities for gambling may be provided in accordance with this licence on the following premises:

Play 2 Win  
32 Wardour Street  
London  
W1D 6QP

### Part 3 – Premises licence details

This licence came into effect on:

01.09.2007

This licence is of unlimited duration.

The following conditions have been attached to the licence by the issuing authority under section 169(1) of the Gambling Act 2005:

N/A

The following conditions, which would otherwise have been attached to the licence by virtue of regulations made under section 168 of the Gambling Act 2005, have been excluded by the issuing authority under section 169(1)(b) of that Act:

N/A

A scale plan is attached as an annex to this licence.

Date:

24 February 2017

Signed:

pp



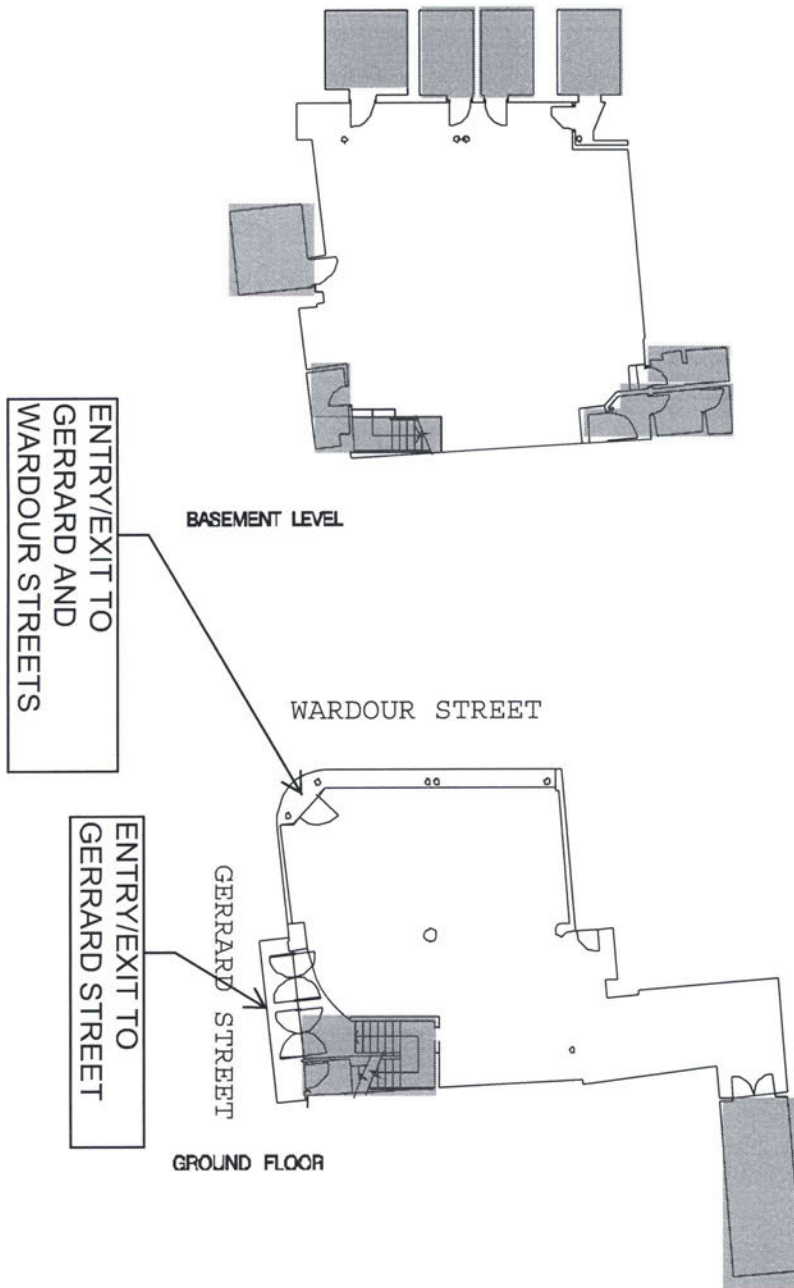
Director – Public Protection and Licensing



CITY OF WESTMINSTER  
27 JUL 2007

W.C.-LICENSING SERVICE

Gaming machine to be made available throughout the premises  
except shaded areas



PROJECT 25 GERRARD STREET, LONDON, W1		90 BOROUGH HIGH STREET LONDON SE1 1LL Tel: 020 2437 8988 - Fax: 020 2437 8920 www.prounplanners.co.uk		<b>PROUN</b> ARCHITECTS • DESIGNERS • PLANNERS <small>This drawing is the copyright of Proun Architects, any copyright notice shall be the property of Proun Architects, all drawings to be checked on site prior to commencement of work. The drawing shall not be used for any other purpose without the written consent of Proun Architects.</small>
DRAWING TITLE BASEMENT AND GROUND FLOOR PLAN		<input type="radio"/>		
SCALE 1:200 @ A4	DATE: JUNE 2007	DRAWING No. 2108/GS/01	REV.	

# TAB 30

**WESTMINSTER CITY COUNCIL LICENSING SUB-COMMITTEE NO. 3**  
**("The Committee")**

Thursday 12 August 2021

Membership: Councillor Jim Glen (Chairman), Councillor Susie Burbridge and Councillor Aziz Toki

**Application for a New Premises Licence – Little Vegas 3-5 Wardour Street London W1D 6PB - 21/02686/LIGN**

**Summary Decision**

**Case Summary**

The Sub-Committee has determined an application for a new Gambling Premises Licence under the Gambling Act 2005 ("The Act"). The Premises have had the benefit of a Gambling Act Premises Licence from April 2015 to August 2020. The Premises were previously a Betting Shop (Joe Jennings Bookmakers). The Applicant seeks to operate as an adult gaming centre (AGC) effectively allowing for gaming machines available for use on the premises.

The Premises are situated in the St James's Ward and are within the West End Cumulative Impact Area.

The Sub-Committee carefully considered the objections received from the Licensing Authority and the Metropolitan Police Service.

The Sub-Committee in its determination of the matter considered the agenda papers and the additional information submitted by the Applicant in the Additional Information Pack which included a Case Outline submitted prior to the hearing by the Applicant's legal representative, Mr Paddy Whur.

The Applicant also offered a raft of conditions, including the conditions agreed with the Metropolitan Police Service as set out on pages 147-149 of the Agenda Pack. The Sub-Committee placed particular reliance on the fact that the Applicant had agreed to a number of additional conditions and informatives during the hearing.

**Applicant**

Chongie Entertainment Limited

**Summary Decision**

The Sub-Committee considered the evidence before it and whether the three licensing objectives are reasonably consistent with the application so as to permit the use of the Premises for Gambling. Section 1 of the Act sets out the three objectives as follows:



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

The Sub-Committee decided that the Applicant had provided valid reasons as to why the application should be granted given the extra conditions to the licence agreed by the Applicant with the relevant authorities and the Licensing Sub-Committee. The Sub-Committee was satisfied that the test as set out in the provisions of the Act had been met.

The Sub-Committee applied the principles it should follow under section 153 of the Act and the Gambling Commission's Licence Conditions and Codes of Practices as well as the City Council's Statement of Principles for Gambling Policy when considering the application. The application was duly considered on its individual merits.

Having carefully considered the committee papers and the submissions made by the parties, both orally and in writing, **the Sub-Committee decided**, after taking into account all the individual circumstances of this case and the requirements of section 153 of the Act which includes consideration of the three licensing objectives:

1. To grant permission for **an Adult Gaming Centre Premises Licence for the following hours: Monday to Sunday 06:00 to 06:00 hours**
2. To grant permission for **the Hours the Premises are open to the Public: Monday to Sunday 06:00 to 06:00 hours**
3. The Licence is subject to any relevant mandatory conditions.
4. The Licence is also subject to the following additional conditions and **Informatives** imposed by the Sub-Committee which are considered appropriate and proportionate to comply with Section 153 of the Act. It was the Sub-Committee's view that the Conditions imposed on the Licence together with the various established policies and procedures to be implemented by the Applicant, as set out in the application, and supporting documentation, provided to the Sub-Committee in advance of the hearing, which included the promotion of responsible gambling and its day to day management of the running of the Premises would mitigate the concerns raised by the Licensing Authority and the Metropolitan Police Service, in addition to the high level of regulation the Premises are already subjected to by the Gambling Commission.

**Conditions imposed by the Committee after a hearing (with the agreement of the Applicant)**

5. There shall be a minimum of one SIA licensed door supervisor from 18:00 to 06:00 hours daily, and the licence holder shall risk assess the requirement for a SIA door supervisor at all other times as required. The licensed door supervisors shall predominantly manage the door to the premises so as to

monitor customers entering and exiting the premises and display their licence at all times in a yellow hi viz arm band.

6. The licence holder will contact the local police and local councillors quarterly to discuss the operation of the premises and any issues.
7. A direct telephone number for the manager at the premises shall be publicly available at all times the premises are open. This telephone number is to be made available to residents and businesses in the vicinity.
8. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises and will include the gaming area, office, toilet entrance, any seating and external area immediately outside the premises entrance. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
9. A member of senior management from the company who is conversant with the operation of the CCTV system shall be available to provide the police or authorised council officers with copies of recent CCTV images or data within 24 hours of a request.
10. The entry and egress doors at the front of the premises shall be kept closed at all times except for the immediate entry and exit of patrons and staff.
11. The premises shall display notices near the entrance of the venue stating that CCTV is in operation.
12. A 'spotter monitor' shall be placed inside the premises near the front door showing CCTV images of customers entering, exiting and whilst on the premises.
13. A CCTV monitor shall be placed inside the staff room so that staff can view live CCTV images of customers within the premises as well as those entering and exiting.
14. The Licence holder 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.
15. Prominent signage and notices advertising the Challenge 25 will be displayed showing the operation of such policy.
16. Third party testing on age restricted sales systems purchasing shall take place at least twice a year and the results shall be provided to the Licensing Authority upon request.

17. A Challenge 25 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.
18. 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 by staff.
19. Staff will receive a notification when the front door opens.
20. There shall be no less than 2 staff members, excluding the SIA door supervisor present at all times the premises are open to the public.
21. The Licence holder shall implement a policy of banning any customers who engage in crime or disorder within or outside the premises.
22. The licence holder will refuse entry to customers who appear to be under the influence of alcohol or drugs.
23. At least one member of staff working at the premises shall have a minimum of 6 months experience working in licensed gambling premises.
24. The licence holder shall ensure that all seating within the premises is either secured to the floor or are weighted to prevent lifting.
25. The licence holder shall install and maintain an intruder alarm on the premises.
26. The premises shall install and maintain fixed panic buttons and in addition portable panic buttons will be worn by staff.
27. Gaming machines shall not be emptied whilst customers are present on the premises and the doors are unlocked.
28. The licence holder will ensure that customer toilets are checked every hour for evidence of drug taking. Toilet checks are to be documented stating the time and member of staff who made the checks. Toilets will remain locked at all times with access being provided by staff.
29. 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).
30. All notices regarding gambling advice or support information must be translated into both simplified and traditional Chinese.
31. The licence holder shall: 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, periodically provide refresher training to all of its staff working at these premises on the specific local risks to the licensing objectives. 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.

32. All front of house staff will receive Conflict Management Training, provided by instructors qualified to a formerly recognised national standard on dealing with conflict.
33. New and seasonal staff must attend induction training and receive refresher training every six months.
34. Staff will also undergo drug and alcohol awareness training to include Homeless and Street Drinking.
35. The licence holder 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.
36. Customers shall not be permitted to leave bags or other belongings at the premises.
37. The licence holder shall place a notice visible from the exterior of the premises stating that customers drinking alcohol outside the premises will not be permitted to enter the premises and those who attempt do so will be banned from the premises.
38. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system
  - (g) any visit by a relevant authority or emergency service.
39. There shall be no cash point or ATM facilities on the premises.
40. The licence holder 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 the Little Vegas premises.

**INFORMATIVES:**

41. The Applicant is reminded that they should comply with the Council's Byelaws, namely, the operation of the premises as an Adult Gaming Centre and the making of gaming machines available for use will be subject to Westminster City Council's Pleasure Fairs (Amusement Premises) Byelaws made in pursuance of Section 75 of the Public Health Act 1961, as amended by Section 22 of the Local Government (Miscellaneous Provisions) Act 1976, which will have the effect of reducing the opening hours of the business from those permitted under the Gambling Act 2005 and so granted by this licence.

42. The Applicant's representative gave an Undertaking to submit an amended plan of the premises to the Licensing Authority within 21 days of the grant of the Licence. The said plan must show the following:

- That the screen is removed from the front of the premises.
- That the ATM is removed.
- CCTV cameras except covert cameras.
- Location of any cashing out machine.
- A room (private area) where the Police can have access to CCTV recordings that have been made by the premises CCTV system.

**This is a summary of the decision reached by the Licensing Sub-Committee. The fully reasoned decision will be sent out to all parties as soon as possible.**

**Licensing Sub-Committee  
12 August 2021**

# TAB 31

# **Extract of Licence Conditions and Codes of Practice (LCCP) for Arcades**

**Version effective from 31 October 2020**

### 1.1.1 - Qualified persons – qualifying position

**Applies to:**

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

1. In this condition the terms 'small-scale operator', 'qualifying position' and 'qualified person' have the meanings respectively ascribed to them by the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006.
2. Schedule X<sup>1</sup> lists those individuals notified to the Commission as qualified persons.
3. If, whilst the licensee remains a small-scale operator, an individual begins or ceases to occupy a qualifying position in relation to the licensee, the licensee must within 28 days apply to the Commission under section 104(1)(b) of the Act for amendment of the details of the licence set out in Schedule X<sup>1</sup>.
4. An application for amendment under section 104(1)(b) of the Act may be made in advance of an individual beginning or ceasing to occupy a qualifying position provided it specifies the date from which the change to which it relates is to be effective.
5. In this condition 'qualified person' has the same meaning as in the Gambling Act 2005(Definition of Small-scale Operator) Regulations 2006.

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<sup>1</sup> The schedules mentioned here will be attached to individual licences.



## 4.2.1 - Disclosure to customers

### Applies to:

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

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

### 5.1.1 - Cash and cash equivalents

**Applies to:**

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

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

### 6.1.1 - Provision of credit

**Applies to:**

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

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

### 7.1.1 - Fair and transparent terms and practices

**Applies to:**

All operating licences except gaming machine technical and gambling software licences

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

### 12.1.1 - Anti-money laundering - Prevention of money laundering and terrorist financing

**Applies to:**

All operating licences except gaming machine technical and gambling software licences

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

### 14.1.1 - Access to premises

**Applies to:**

All operating licences

1. Licensees must have and put into effect policies and procedures (including staff training programmes) designed to ensure that their staff co-operate with the Commission's enforcement officers in the proper performance of their compliance functions and are made aware of those officers' rights of entry to premises contained in Part 15 of the Act.

### 15.1.1 - Reporting suspicion of offences etc – non-betting licences

**Applies to:**

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

1. Licensees must as soon as reasonably practicable, in such a form or manner as the Commission may from time to time specify, provide the Commission with any information that they know relates to or suspect may relate to the commission of an offence under the Act, including an offence resulting from a breach of a licence condition or a code provision having the effect of a licence condition.<sup>1</sup>

Read additional guidance on the information requirements contained within this section.

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<sup>1</sup> These matters are to be reported to us online via our 'eServices' digital service on our website

### 15.1.3 - Reporting of systematic or organised money lending

**Applies to:**

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

1. Licensees must as soon as reasonably practicable, in such form or manner as the Commission may from time to time specify, provide the Commission with any information relating to cases where they encounter systematic, organised or substantial money lending between customers on their premises, in accordance with the ordinary code provisions on money lending between customers.<sup>1</sup>

Read additional guidance on the information requirements contained within this section.

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<sup>1</sup> These matters are to be reported to us online via our 'eServices' digital service on our website

## 15.2.1 - Reporting key events

### Applies to:

All operating licences

A key event is an event that could have a significant impact on the nature or structure of a licensee's business. Licensees must notify the Commission, in such form or manner as the Commission may from time to time specify, of the occurrence of any of the following key events as soon as reasonably practicable and in any event within five working days of the licensee becoming aware of the event's occurrence<sup>1</sup>.

### Operator status

1. Any of the following applying to a licensee, any person holding a key position for a licensee, a group company or a shareholder or member (holding 3% or more of the issued share capital of the licensee or its holding company):
  - presenting of a petition for winding up
  - making of a winding up order
  - entering into administration or receivership
  - bankruptcy (applying to individuals only)
  - sequestration (applicable in Scotland), or
  - an individual voluntary arrangement.

### Relevant persons and positions

2. In the case of licensees who are companies or other bodies corporate having a share capital, the name and address of any person who (whether or not already a shareholder or member) becomes a shareholder or member holding 3% or more of the issued share capital of the licensee or its holding company.
3. The taking of any loan by the licensee, or by a group company who then makes an equivalent loan to the licensee, from any person not authorised by the Financial Conduct Authority: a copy of the loan agreement must be supplied.
4. The appointment of a person to, or a person ceasing to occupy, a 'key position' (including leaving one position to take up another). A 'key position' in relation to a licensee is:
  - a. in the case of a small-scale operator, a 'qualifying position' as defined in the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006
  - b. in the case of an operator which is not a small-scale operator, a 'specified management office' as set out in (current) LCCP licence condition 1.2
  - c. a position where the holder of which has overall responsibility for the licensee's anti-money laundering and/or terrorist financing compliance, and/or for the reporting of known or suspected money laundering or terrorist financing activity.
  - d. any other position for the time being designated by the Commission as a 'key position'. (Notification is required whether or not the person concerned is required to hold a personal management licence and whether or not the event notified requires the licensee to apply for a variation to amend a detail of their licence.)

### Financial events

5. Any material change in the licensee's banking arrangements, in particular the termination of such arrangements or a particular facility and whether by the licensee or the provider of the arrangements.
6. Any breach of a covenant given to a bank or other lender.
7. Any default by the licensee or, where the licensee is a body corporate, by a group company in making repayment of the whole or any part of a loan on its due date.
8. Any change in the licensee's arrangements as to the methods by which, and/or the payment processors through which, the licensee accepts payment from customers using their gambling facilities (this key event applies to remote casino, bingo and betting operating licences, except ancillary and remote betting intermediary (trading room only) licences).

#### Legal or regulatory proceedings or reports

9. The grant, withdrawal or refusal of any application for a licence or other permission made by the licensee, or in the case of a licensee which is a body corporate, any group company of theirs, to a gambling regulator in another jurisdiction. In the case of a withdrawal or refusal of the application, the licensee must also notify the reasons for such withdrawal or refusal. (This condition does not apply to applications for licences or other permissions to carry on activities which would fall outside the scope of a Gambling Commission operating licence if carried out in Britain or with customers in Great Britain.)
10. Any investigation by a professional, statutory, regulatory or government body (in whatever jurisdiction) into the licensee's activities, or the activities of a person in a 'key position', where such an investigation could result in the imposition of a sanction or penalty which could reasonably be expected to raise doubts about the licensee's continued suitability to hold a Gambling Commission licence.
11. Any criminal investigation by a law enforcement agency in any jurisdiction in which the licensee, or a person in a 'key position' related to the licensee, is involved and where the Commission might have cause to question whether the licensee's measures to keep crime out of gambling had failed.
12. The referral to the licensee's Board, or persons performing the function of an audit or risk committee, of material concerns raised by a third party (such as an auditor, or a professional, statutory or other regulatory or government body (in whatever jurisdiction)) about the provision of facilities for gambling: a summary of the nature of the concerns must be provided.
13. The imposition by the licensee of a disciplinary sanction, including dismissal, against the holder of a personal licence or a person occupying a qualifying position for gross misconduct; or the resignation of a personal licence holder or person occupying a qualifying position following commencement of disciplinary proceedings in respect of gross misconduct against that person.
14. The commencement (in whatever jurisdiction) of any material litigation against the licensee or, where the licensee is a body corporate, a group company: the licensee must also notify the outcome of such litigation.
15. The making of a disclosure pursuant to section 330, 331, 332 or 338 of the Proceeds of Crime Act 2002 or section 19, 20, 21, 21ZA, 21ZB or 21A of the Terrorism Act 2000 (a suspicious activity report): the licensee should inform the Commission of the unique reference number issued by the United Kingdom Financial Intelligence Unit of the National Crime Agency in

respect of each disclosure and for the purposes of this key event the five working day period referred to above runs from the licensee's receipt of the unique reference number. The licensee should also indicate whether the customer relationship has been discontinued at the time of the submission.

#### Gambling facilities

16. Any security breach to the licensee's environment that adversely affects the confidentiality of customer data; or prevents the licensee's customers, staff, or legitimate users from accessing their accounts for longer than 12 hours.
17. Where a gaming system fault has resulted in under or overpayments to a player (this includes instances where a fault causes an incorrect prize/win value to be displayed).
18. In the case of remote gambling, the commencement or cessation of trading on website domains (including mobile sites or mobile device applications) or broadcast media through which the licensee provides gambling facilities (including domains covered by 'white label' arrangements). In this condition: 'body corporate' has the meaning ascribed to that term by section 1173 of the Companies Act 2006 or any statutory modification or re-enactment thereof
  - a. in respect of a company, 'holding company' and 'subsidiary' have the meaning ascribed to that term by section 1159 of the Companies Act 2006 or any statutory modification or re-enactment thereof
  - b. a 'group company' is any subsidiary or holding company of the licensee and any subsidiary of such holding company.

Read additional guidance on the information requirements contained within this section.

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<sup>1</sup>Key events are to be reported to us online via the 'eServices' digital service on our website.



## 15.2.2 - Other reportable events

### Applies to:

All operating licences

1. Licensees must also notify the Commission in such form or manner as the Commission may from time to time specify, as soon as reasonably practicable of the occurrence of any of the following events<sup>1</sup>:
  - a. any material change in the licensee's arrangements for the protection of customer funds in accordance with licence condition 4 (protection of customer funds) (where applicable)
  - b. any change in the identity of the ADR entity or entities for the handling of customer disputes, as required by the social responsibility code provision on complaints and disputes.
  - c. their becoming aware that a group company which is not a Commission licensee is advertising remote gambling facilities to those residing in a jurisdiction in or to which it has not previously advertised, or their becoming aware of a sustained or meaningful generation of 3% or 10% of group Gross Gambling Yield being exceeded by the group in that jurisdiction.
  - d. any actual or potential breaches by the licensee of the requirements imposed by or under Parts 7 or 8 of the Proceeds of Crime Act 2002, or Part III of the Terrorism Act 2000, or any UK law by which those statutes are amended or superseded.

In this condition:

- a. 'group company' has the same meaning as in condition 15.2.1; and
- b. without prejudice to section 327 of the Gambling Act 2005, 'advertising' includes: having a home page directed towards a jurisdiction and written in, or in one of, that jurisdiction's official language(s), having arrangements enabling that jurisdiction's currency to be selected for gambling or the use of payment methods available only in that jurisdiction, and providing a specific customer service facility referable to that jurisdiction.

Read additional guidance on the information requirements contained within this section.

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<sup>1</sup> Other reportable events are to be reported to us online via the 'eServices' digital service on our website.

## 15.3.1 - General and regulatory returns

### Applies to:

All operating licences

1. On request, licensees must provide the Commission with such information as the Commission may require, in such a form or manner as the Commission may from time-to-time specify, about the use made of facilities provided in accordance with this licence and the manner in which gambling authorised by this licence and the licensee's business in relation to that gambling are carried on.
2. In particular within 28 days of the end of each quarterly period or, for those only submitting annual returns, within 42 days of the end of each annual period, licensees must submit an accurate Regulatory Return to the Commission containing such information as the Commission may from time to time specify.<sup>1</sup>

Read additional guidance on the information requirements contained within this section.

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<sup>1</sup> Regulatory returns are to be submitted to us online via the 'eServices' digital service on our website.

### Ordinary code

These do not have the status of operator licence conditions but set out good practice. Operators may adopt alternative approaches to those set out in ordinary code provisions if they have actively taken account of the ordinary code provision and can demonstrate that an alternative approach is reasonable in the operator's particular circumstances; or that to take an alternative approach would be acting in a similarly effective manner.

Ordinary codes of practice are admissible in evidence in criminal or civil proceedings and must be taken into account in any case in which the court or tribunal think them relevant, and by the Commission in the exercise of its functions; any departure from ordinary code provisions by an operator may be taken into account by the Commission on a licence review, but cannot lead to imposition of a financial penalty.

### Social responsibility code

Compliance with these is a condition of licences; therefore any breach of them by an operator may lead the Commission to review the operator's licence with a view to suspension, revocation or the imposition of a financial penalty and would also expose the operator to the risk of prosecution.

## 1.1.1 - Cooperation with the Commission

### Ordinary code

#### Applies to:

All licences

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

## 1.1.2 - Responsibility for third parties – all licences

### Social responsibility code

#### Applies to:

All licences

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

## 1.1.3 - Responsibility for third parties – remote

### Social responsibility code

#### Applies to:

All remote licences

1. Remote licensees must ensure in particular:
  - a. that third parties who provide user interfaces enabling customers to access their remote gambling facilities:
    - i. include a term that any such user interface complies with the Commission's technical standards for remote gambling systems; and
    - ii. enable them, subject to compliance with any dispute resolution provisions of such contract, to terminate the third party's contract promptly if, in the licensee's reasonable opinion, the third party is in breach of that term.

## 2.1.2 - Anti-money laundering – other than casino

### Ordinary code

#### Applies to:

All licences except casino licences

1. As part of their procedures for compliance with the requirements in respect to the prevention and detection of money laundering in the Proceeds of Crime Act 2002 and the Terrorism Act 2000, licensees should take into account the Commission's advice on the Proceeds of Crime Act 2002, \*Duties and responsibilities under the Proceeds of Crime Act 2002 – Advice for operators (excluding casino operators). \*

## 3.1.1 - Combating problem gambling

### Social responsibility code

#### Applies to:

All licences

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

### 3.2.3 - AGC SR code

#### Social responsibility code

##### Applies to:

All adult gaming centre licences

1. Licensees must have and put into effect policies and procedures designed to prevent underage gambling, and monitor the effectiveness of these.
2. This must include procedures for:
  - a. checking the age of apparently underage customers
  - b. removing anyone who appears to be under age and cannot produce an acceptable form of identification
  - c. taking action when there are attempts by under-18s to enter the premises.
3. Licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises.
4. Licensees must not deliberately provide facilities for gambling in such a way as to appeal particularly to children or young people, for example by reflecting or being associated with youth culture.
5. In premises restricted to adults, service must be refused in any circumstances where any adult is accompanied by a child or young person.
6. Licensees must take all reasonable steps to ensure that all staff understand their responsibilities for preventing underage gambling. This must include appropriate training which must cover all relevant prohibitions against inviting children or young persons to gamble or to enter gambling premises, and the legal requirements on returning stakes and not paying prizes to underage customers.
7. Licensees must only accept identification which:
  - a. contains a photograph from which the individual can be identified
  - b. states the individual's date of birth
  - c. is valid
  - d. is legible and has no visible signs of tampering or reproduction.
8. Licensees in fee category C or higher must conduct test purchasing or take part in collective test purchasing programmes, as a means of providing reasonable assurance that they have effective policies and procedures to prevent underage gambling, and must provide their test purchase results to the Commission, in such a form or manner as the Commission may from time to time specify.

Read additional guidance on the information requirements contained within this section.

### 3.2.4 - AGC ordinary code

#### Ordinary code

#### Applies to:

All adult gaming centre licences

1. The Commission considers acceptable forms of identification to include any identification carrying the PASS logo (for example Citizencard or Validate); a military identification card; a driving licence (including a provisional licence) with photocard; or a passport.
2. Licensees should put into effect procedures that require their staff to check the age of any customer who appears to them to be under 21.
3. Licensees should consider permanent exclusion from premises for any adult accompanied by a child or young person on more than one occasion to premises restricted to adults, or if there is reason to believe the offence was committed knowingly or recklessly.
4. Procedures should be put into effect for dealing with cases where a child or young person repeatedly attempts to gamble on premises restricted to adults, including oral warnings, reporting the offence to the Gambling Commission<sup>1</sup> and the police, and making available information on problem gambling.
5. Licensees in fee categories A or B should consider how they monitor the effectiveness of their policies and procedures for preventing underage gambling (for example by taking part in a collective test purchasing programme) and should be able to explain to the Commission or licensing authority what approach they have adopted.
6. In providing training to staff on their responsibilities for preventing underage gambling, licensees should have, as a minimum, policies for induction training and refresher training.

Read additional guidance on the information requirements contained within this section.

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<sup>1</sup> These matters are to be reported to us online via our 'eServices' digital service on our website.



## 3.2.5 - Bingo and FEC SR code

### Social responsibility code

#### Applies to:

All non-remote bingo and family entertainment centre licences

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



Read additional guidance on the information requirements contained within this section.

### 3.2.6 - Bingo and FEC ordinary code

#### Ordinary code

#### Applies to:

All non-remote bingo and family entertainment centre licences

1. The Commission considers acceptable forms of identification to include: any identification carrying the PASS logo (for example Citizencard or Validate); a military identification card; a driving licence (including a provisional licence) with photocard; or a passport.
2. Licensees should require a person who appears to relevant staff to be under the age of 21 to be asked to produce proof of age, either at the point of entry to the gambling area or as soon as it comes to the attention of staff that they wish to access gambling facilities.
3. Licensees should have procedures for dealing with cases where an adult knowingly or recklessly allows a child or young person to gamble. These procedures might include refusing to allow the adult to continue to gamble, removing them from the premises, and reporting the incident to the police or local authorities, or taking action where forged identification is produced.
4. Procedures should be put into effect for dealing with cases where a child or young person repeatedly attempts to gamble on their premises, including oral warnings, reporting the offence to the Gambling Commission<sup>1</sup> and the police, and making available information on problem gambling to the child or young person concerned.
5. Where it is likely that customers' young or otherwise vulnerable children will be left unattended on or adjacent to their premises, licensees should consider reminding customers of their parental responsibilities and assess whether there is a need to develop procedures for minimising the risk to such children.
6. Licensees in fee categories A or B should consider how they monitor the effectiveness of their policies and procedures for preventing underage gambling (for example by taking part in a collective test purchasing programme) and should be able to explain to the Commission or licensing authority what approach they have adopted.
7. In providing training to staff on their responsibilities for preventing underage gambling, licensees should have, as a minimum, policies for induction training and refresher training.

Read additional guidance on the information requirements contained within this section.

<sup>1</sup> These matters are to be reported to us online via our 'eServices' digital service on our website.

### 3.2.11 - Remote SR code

#### Social responsibility code

##### Applies to:

All remote licences (including ancillary remote betting licences in respect of bets made or accepted by telephone or email), except lottery licences, gaming machine technical, gambling software, host, ancillary remote casino, and ancillary remote bingo licences

1. Licensees must have and put into effect policies and procedures designed to prevent underage gambling and monitor the effectiveness of these.
2. Such procedures must include:
  - a. Verifying the age of a customer before the customer is able to:
    - i. deposit any funds into their account;
    - ii. access any free-to-play versions of gambling games that the licensee may make available; or
    - iii. gamble with the licensee using either their own money or any free bet or bonus.
  - b. warning potential customers that underage gambling is an offence;
  - c. regularly reviewing their age verification systems and implementing all reasonable improvements that may be made as technology advances and as information improves;
  - d. ensuring that relevant staff are properly trained in the use of their age verification procedures; in particular customer services staff must be appropriately trained in the use of secondary forms of identification when initial verification procedures fail to prove that an individual is of legal age; and
  - e. enabling their gambling websites to permit filtering software to be used by adults (such as parents or within schools) in order to restrict access to relevant pages of those sites.

### 3.2.12 - Remote ordinary code

#### Ordinary code

#### Applies to:

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

1. Licensees should, and should request their contracted partners to, draw attention to parental responsibility as part of the purchasing process of facilities such as mobile phones and interactive television.

### 3.3.1 - Responsible gambling information

#### Social responsibility code

##### Applies to:

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

1. Licensees must make information readily available to their customers on how to gamble responsibly and how to access information about, and help in respect of, problem gambling.
2. The information must cover:
  - a. any measures provided by the licensee to help individuals monitor or control their gambling, such as restricting the duration of a gambling session or the amount of money they can spend
  - b. timers or other forms of reminders or 'reality checks' where available
  - c. self-exclusion options
  - d. information about the availability of further help or advice.
3. The information must be directed to all customers whether or not licensees also make available material which is directed specifically at customers who may be 'problem gamblers'.
4. For gambling premises, information must be available in all areas where gambling facilities are provided and adjacent to ATMs. Information must be displayed prominently using methods appropriate to the size and layout of the premises. These methods may include the use of posters, the provision of information on gambling products, or the use of screens or other facilities in the gambling premises. Information must also be available in a form that may be taken away and may also be made available through the use of links to be accessed online or using smart technology. Licensees must take all reasonable steps to ensure that this information is also readily accessible in locations which enable the customer to obtain it discreetly.

### 3.3.2 - Foreign languages

#### Ordinary code

##### Applies to:

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

1. Licensees who market their services in one or more foreign languages should make available in that, or those, foreign languages:
  - a. the information on how to gamble responsibly and access to help referred to above
  - b. the players' guides to any game, bet or lottery required to be made available to customers under provisions in this code
  - c. the summary of the contractual terms on which gambling is offered, which is required to be provided to customers as a condition of the licensee's operating licence.

### 3.3.4 - Remote time-out facility

#### Social responsibility code

##### Applies to:

All remote licences except: any remote lottery licence the holder of which does not provide facilities for participation in instant win lotteries, ancillary remote betting licences, remote betting (remote platform), gaming machine technical, gambling software, host, ancillary remote bingo, ancillary remote casino and remote betting intermediary (trading room only) licences

- 1 Licensees must offer a 'time out' facility for customers for the following durations:
  - a. 24 hours
  - b. one week
  - c. one month or
  - d. such other period as the customer may reasonably request, up to a maximum of 6 weeks.

### 3.4.1 - Customer interaction

#### Social responsibility code

##### Applies to:

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

1. Licensees must interact with customers in a way which minimises the risk of customers experiencing harms associated with gambling. This must include:
  - a. identifying customers who may be at risk of or experiencing harms associated with gambling.
  - b. interacting with customers who may be at risk of or experiencing harms associated with gambling.
  - c. understanding the impact of the interaction on the customer, and the effectiveness of the Licensee's actions and approach.
2. Licensees must take into account the Commission's guidance on customer interaction.

### 3.5.1 - Self exclusion – Non-remote and trading rooms SR code

#### Social responsibility code

##### Applies to:

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

1. Licensees must have and put into effect procedures for self-exclusion and take all reasonable steps to refuse service or to otherwise prevent an individual who has entered a self-exclusion agreement from participating in gambling.
2. Licensees must, as soon as practicable, take all reasonable steps to prevent any marketing material being sent to a self-excluded customer.
3. Licensees must take steps to remove the name and details of a self-excluded individual from any marketing databases used by the company or group (or otherwise flag that person as an individual to whom marketing material must not be sent), within two days of receiving the completed self-exclusion notification.
4. This covers any marketing material relating to gambling, or other activities that take place on the premises where gambling may take place. However, it would not extend to blanket marketing which is targeted at a particular geographical area and where the excluded individual would not knowingly be included.
5. Licensees must close any customer accounts of an individual who has entered a self-exclusion agreement and return any funds held in the customer account. It is not sufficient merely to prevent an individual from withdrawing funds from their customer account whilst still accepting wagers from them. Where the giving of credit is permitted, the licensee may retain details of the amount owed to them by the individual, although the account must not be active.
6. Licensees must put into effect procedures designed to ensure that an individual who has self-excluded cannot gain access to gambling. These procedures must include:
  - a. a register of those excluded with appropriate records (name, address, other details, and any membership or account details that may be held by the operator);
  - b. photo identification (except where the Licensee can reasonably satisfy themselves that in the circumstances in which they provide facilities for gambling an alternative means of identification is at least as effective) and a signature;
  - c. staff training to ensure that staff are able to administer effectively the systems; and
  - d. the removal of those persons found in the gambling area or attempting to gamble from the premises.
7. Licensees must ensure that their procedures for preventing access to gambling by self-excluded individuals take account of the structure and layout of the gambling premises.
8. Licensees must, when administering the self-exclusion agreement, signpost the individual to counselling and support services.



### 3.5.2 - Self-exclusion – non-remote ordinary code

#### Ordinary code

#### Applies to:

All non-remote licences and remote betting intermediary (trading rooms only) licences, but not gaming machine technical and gambling software licences

1. Self-exclusion procedures should require individuals to take positive action in order to self-exclude. This can be a signature on a self-exclusion form.
2. Individuals should be able to self-exclude without having to enter gambling premises.
3. Before an individual self-excludes, licensees should provide or make available sufficient information about what the consequences of self-exclusion are.
4. Licensees should take all reasonable steps to extend the self-exclusion to premises of the same type owned by the operator in the customer's local area. In setting the bounds of that area licensees may take into account the customer's address (if known to them), anything else known to them about the distance the customer ordinarily travels to gamble and any specific request the customer may make.
5. Licensees should encourage the customer to consider extending their self-exclusion to other licensees' gambling premises in the customer's local area.
6. Customers should be given the opportunity to discuss self-exclusion in private, where possible.
7. Licensees should take steps to ensure that:
  - a. the minimum self-exclusion period offered is of a duration of not less than 6 nor more than 12 months
  - b. any self-exclusion may, on request, be extended for one or more further periods of at least 6 months each
  - c. a customer who has decided to enter a self-exclusion agreement is given the opportunity to do so immediately without any cooling-off period. However, if the customer wishes to consider the self-exclusion further (for example to discuss with problem gambling groups), the customer may return at a later date to enter into self-exclusion
  - d. at the end of the period chosen by the customer, the self-exclusion remains in place for a further 6 months, unless the customer takes positive action in order to gamble again
  - e. where a customer chooses not to renew the self-exclusion, and makes a positive request to begin gambling again during the 6 month period following the end of their initial self-exclusion, the customer is given one day to cool off before being allowed access to gambling facilities. The contact must be made via telephone or in person
  - f. notwithstanding the expiry of the period of self-exclusion chosen by a customer, no marketing material should be sent to them unless and until they have asked for or agreed to accept such material.



8. The licensee should retain the records relating to a self-exclusion agreement at least for the length of the self-exclusion agreement plus a further 6 months.
9. Please note that the Commission does not require the licensee to carry out any particular assessment or make any judgement as to whether the previously self-excluded individual should again be permitted access to gambling. The requirement to take positive action in person or over the phone is purely to a) check that the customer has considered the decision to access gambling again and allow them to consider the implications; and b) implement the one day cooling-off period and explain why this has been put in place.
10. Licensees should have, and put into effect, policies and procedures which recognise, seek to guard against and otherwise address, the fact that some individuals who have self-excluded might attempt to breach their exclusion without entering a gambling premises, for example, by getting another to gamble on their behalf.
11. Licensees should have effective systems in place to inform all venue staff of self-excluded individuals who have recently attempted to breach a self-exclusion in that venue, and the licensees neighbouring venues.
12. In providing training to staff on their responsibilities for self-exclusion, licensees should have, as a minimum, policies for induction training and refresher training.

### 3.5.3 - Self-exclusion – remote SR code

#### Social responsibility code

##### Applies to:

All remote licences except: gaming machine technical, gambling software, host, ancillary remote bingo, ancillary remote casino, betting intermediary (trading room only) and remote betting (standard) (remote platform) licences. Paragraph 8 does not apply to ancillary remote betting licences, remote general betting (limited), or any remote lottery licence the holder of which does not provide facilities for participation in instant win lotteries

1. Licensees must have and put into effect procedures for self-exclusion and take all reasonable steps to refuse service or to otherwise prevent an individual who has entered a self-exclusion agreement from participating in gambling.
2. Licensees must, as soon as practicable, take all reasonable steps to prevent any marketing material being sent to a self-excluded customer.
3. Licensees must take steps to remove the name and details of a self-excluded individual from any marketing databases used by the company or group (or otherwise flag that person as an individual to whom marketing material must not be sent), within two days of receiving the completed self-exclusion notification.
4. This covers any marketing material relating to gambling. However, it would not extend to blanket marketing which is targeted at a particular geographical area and where the excluded individual would not knowingly be included.
5. Licensees must close any customer accounts of an individual who has entered a self-exclusion agreement and return any funds held in the customer account. It is not sufficient merely to prevent an individual from withdrawing funds from their customer account whilst still accepting wagers from them. Where the giving of credit is permitted, the licensee may retain details of the amount owed to them by the individual, although the account must not be active.
6. Licensees must put into effect procedures designed to ensure that an individual who has self-excluded cannot gain access to gambling. These procedures must include:
  - a. a register of those excluded with appropriate records (name, address, other details, and any membership or account details that may be held by the operator);
  - b. a record of the card numbers to be excluded;
  - c. staff training to ensure that staff are able to administer effectively the systems; and
  - d. the removal of access from those persons found to have gambled or who have attempted to gamble on the facilities.
7. Licensees must when administering the self-exclusion signpost the individual to counselling and support services.
8. Customers must be given the opportunity to self-exclude by contacting customer services and in addition by entering an automated process using remote communication. In order to avoid

inadvertent self-exclusion it is acceptable for an automated process to include an additional step that requires the customer to confirm that they wish to self-exclude. The licensee must ensure that all staff who are involved in direct customer service are aware of the self-exclusion system in place, and are able to direct that individual to an immediate point of contact with whom/which to complete that process.

### 3.5.4 - Self-exclusion – Remote ordinary code

#### Ordinary code

##### Applies to:

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

1. Self-exclusion procedures should require individuals to take positive action in order to self-exclude:
  - a. over the internet; this can be a box that must be ticked in order to indicate that they understand the system
  - b. by telephone; this can be a direct question asking whether they understand the system.
2. Before an individual self-excludes, licensees should provide or make available sufficient information about what the consequences of self-exclusion are.
3. Licensees should encourage the customer to consider extending their self-exclusion to other remote gambling operators currently used by the customer.
4. Within the licensee's information about self-exclusion policies, the licensee should provide a statement to explain that software is available to prevent an individual computer from accessing gambling internet sites. The licensee should provide a link to a site where further information is available.
5. Licensees should take all reasonable steps to ensure that:
  - a. the minimum self-exclusion period offered is of a duration of not less than 6 nor more than 12 months;
  - b. any self-exclusion may, on request, be extended for one or more further periods of at least 6 months;
  - c. the self-exclusion arrangements give customers the option of selecting a self-exclusion period of up to at least five years;
  - d. a customer who has decided to enter a self-exclusion agreement is given the opportunity to do so immediately without any cooling-off period. However, if the customer wishes to consider the self-exclusion further (for example to discuss with problem gambling groups) the customer may return at a later date to enter into self-exclusion;
  - e. at the end of the period chosen by the customer, self-exclusion remains in place, for a minimum of 7 years, unless the customer takes positive action to gamble again;
  - f. where a customer chooses not to renew, and makes a positive request to begin gambling again, during the 7 year period following the end of their initial self-exclusion, the customer is given one day to cool off before being allowed to access gambling facilities. Contact must be made via phone or in person; re-registering online is not sufficient; and
  - g. notwithstanding the expiry of the period of self-exclusion chosen by a customer, no marketing material should be sent to them unless and until they have asked for or agreed to accept such material.

6. The licensee should retain the records relating to a self-exclusion agreement for as long as is needed to enable the self-exclusion procedures set out in paragraph 5 above to be implemented.
7. Please note that the Commission does not require the licensee to carry out any particular assessment or make any judgement as to whether the previously self-excluded individual should again be permitted access to gambling. The requirement to take positive action in person or over the phone is purely to a) check that the customer has considered the decision to access gambling again and allow them to consider the implications; and b) implement the one day cooling-off period and explain why this has been put in place.
8. In providing training to staff on their responsibilities for self-exclusion, licensees should have, as a minimum, policies for induction training and refresher training.

### 3.5.5 - Remote multi-operator SR code

#### Social responsibility code

##### Applies to:

All remote licences except: any remote lottery licence the holder of which does not provide facilities for participation in instant win lotteries, ancillary remote betting, remote general betting (remote platform), remote betting intermediary (trading room only), remote general betting (limited), gaming machine technical, gambling software, host, ancillary remote bingo, and ancillary remote casino licences

1. Licensees must participate in the national multi-operator self-exclusion scheme.

### 3.5.6 - Multi-operator non-remote SR code

#### Social responsibility code

##### Applies to:

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

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

### 3.6.5 - AGCs

#### Ordinary code

#### Applies to:

All adult gaming centre licences

1. Licensees who employ children (under-16-year-olds) and young persons (those aged 16 and 17) should be aware that it is an offence:
  - a. to employ them to provide facilities for gambling;
  - b. if gaming machines are sited on the premises, for their contracts of employment to require them, or for them to be permitted, to perform a function in connection with a gaming machine at any time; and
  - c. to employ them to carry out any other function on adult gaming centre licensed premises while any gambling activity is being carried on in reliance on the premises licence.
2. As to 1b, it should be noted that in the Commission's view the relevant provision of the Act applies to any function performed in connection with a gaming machine. This includes servicing or cleaning such a machine.
3. Accordingly, licensees should have and put into effect policies and procedures designed to ensure that:
  - a. children and young persons are never asked to perform tasks within 1a or 1b, above
  - b. all staff, including those who are children or young persons themselves, are instructed about the laws relating to access to gambling by children and young persons.
4. Licensees should consider adopting a policy that:
  - a. children and young persons are not employed to work on adult gaming centre licensed premises at any time when the premises are open for business
  - b. gaming machines are turned off if children and young persons are working on the premises outside the hours when the premises are open for business.

### 3.6.6 - FECs

#### Ordinary code

#### Applies to:

All family entertainment centre licences

1. Licensees who employ children (under-16-year-olds) and young persons (those aged 16 and 17) should be aware that it is an offence:
  - a. to employ them to provide facilities for gambling; and
  - b. if gaming machines are sited on the premises, for their contracts of employment to require them, or for them to be permitted, to perform a function in connection with a gaming machine at any time.
2. As to 1b, it should be noted that in the Commission's view the relevant provision of the Act applies to any function performed in connection with a gaming machine. This includes servicing or cleaning such a machine.
3. Accordingly, licensees should have and put into effect policies and procedures designed to ensure that:
  - a. children and young persons are never asked to perform tasks within 1a or 1b, above; and
  - b. all staff, including those who are children or young persons themselves, are instructed about the laws relating to access to gambling by children and young persons.
4. Licensees should consider adopting a policy that:
  - a. children and young persons are not employed to carry out any work in an adult-only area of family entertainment licensed premises at a time when any gambling is taking place; and
  - b. gaming machines sited in adult-only areas are turned off if children and young persons are working on the premises outside the hours when the premises are open for business.



### 3.8.2 - Money-lending – other than casinos

#### Ordinary code

#### Applies to:

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

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

### 3.9.1 - Identification of individual customers - remote

#### Social responsibility code

##### Applies to:

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

1. Licensees must have and put into effect policies and procedures designed to identify separate accounts which are held by the same individual.
2. Where licensees allow customers to hold more than one account with them, the licensee must have and put into effect procedures which enable them to relate each of a customer's such accounts to each of the others and ensure that:
  - a. if a customer opts to self-exclude they are effectively excluded from all gambling with the licensee unless they make it clear that their request relates only to some forms of gambling or gambling using only some of the accounts they hold with the licensee;
  - b. all of a customer's accounts are monitored and decisions that trigger customer interaction are based on the observed behaviour and transactions across all the accounts;
  - c. where credit is offered or allowed the maximum credit limit is applied on an aggregate basis across all accounts; and
  - d. individual financial limits can be implemented across all of a customer's accounts.
3. Licensees which are companies or other bodies corporate must take all reasonable steps to comply with the above provision as if reference to a customer holding more than one account with them included a reference to a customer holding one or more accounts with them and one or more accounts with a group company.
4. A company is a 'group company' in relation to a licensee if it is the holding company of, subsidiary of, or shares a common holding company with, the licensee. For these purposes 'holding company' and 'subsidiary' have the meanings ascribed to them by section 1159 of the Companies Act 2006 or any statutory modification or re-enactment thereof.

## 4.1.1 - Fair terms

### Social responsibility code

#### Applies to:

All licences, except gaming machine technical and gambling software licences

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

## 5.1.1 - Rewards and bonuses – SR code

### Social responsibility code

#### Applies to:

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

1. If a licensee makes available to any customer or potential customer any incentive or reward scheme or other arrangement under which the customer may receive money, goods, services or any other advantage (including the discharge in whole or in part of any liability of his) ('the benefit') the scheme must be designed to operate, and be operated, in such a way that:
  - a. the circumstances in which, and conditions subject to which, the benefit is available are clearly set out and readily accessible to the customers to whom it is offered;
  - b. neither the receipt nor the value or amount of the benefit is:
    - i. dependent on the customer gambling for a pre-determined length of time or with a pre-determined frequency; or
    - ii. altered or increased if the qualifying activity or spend is reached within a shorter time than the whole period over which the benefit is offered.
  - c. if the value of the benefit increases with the amount the customer spends it does so at a rate no greater than that at which the amount spent increases; and further that:
  - d. if the benefit comprises free or subsidised travel or accommodation which facilitates the customer's attendance at particular licensed premises the terms on which it is offered are not directly related to the level of the customer's prospective gambling.
2. If a licensee makes available incentives or reward schemes for customers, designated by the licensee as 'high value, 'VIP' or equivalent, they must be offered in a manner which is consistent with the licensing objectives.

Licensees must take into account the Commission's guidance on high value customer incentives.

## 5.1.2 - Proportionate rewards

### Ordinary code

#### Applies to:

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

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

## 5.1.6 - Compliance with advertising codes

### Social responsibility code

#### Applies to:

All licences, except lottery licences

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

## 5.1.8 - Compliance with industry advertising codes

### Ordinary code

#### Applies to:

All licences

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

## 5.1.9 - Other marketing requirements

### Social responsibility code

#### Applies to:

All licences

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

### 5.1.10 - Online marketing in proximity to information on responsible gambling

#### Ordinary code

#### Applies to:

All licences

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

### 5.1.11 - Direct electronic marketing consent

#### Social responsibility code

#### Applies to:

All licences

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



## 6.1.1 - Complaints and disputes

### Social responsibility code

#### Applies to:

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

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

In this Code, 'ADR entity' means

- a. a person offering alternative dispute resolution services whose name appears on the list maintained by the Gambling Commission in accordance with The Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015 and,
- b. whose name appears on the list of providers that meet the Gambling Commission's additional standards found in the document 'Alternative dispute resolution (ADR) in the gambling industry – standards and guidance for ADR providers'.

Both lists are on the Commission's website and will be updated from time to time.

Read additional guidance on the information requirements contained within this section.



## 7.1.2 - Responsible gambling information for staff

### Social responsibility code

#### Applies to:

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

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

## 8.1.1 - Ordinary code

### Ordinary code

#### Applies to:

All licences

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

Read additional guidance on the information requirements contained within this section.

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<sup>1</sup> These matters are to be reported to us online via our 'eServices' digital service on our website.

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

## 10.1.1 - Assessing local risk

### Social responsibility code

#### Applies to:

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

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

<sup>1</sup>This is the statement of licensing policy under the Gambling Act 2005.

## 10.1.2 - Sharing local risk assessments

### Ordinary code

#### Applies to:

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

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



# TAB 32

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## **Part 5: Principles to be applied by licensing authorities**

### **Licensing objectives**

**5.1** In exercising their functions under the Act, particularly in relation to premises licences, temporary use notices and some permits, licensing authorities must have regard to the licensing objectives set out in s.1 of the Act, namely:

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

**5.2** It is expected that the licensing authority will have set out their approach to regulation in their policy statement, having taken into account local circumstances. This is dealt with in more detail at Part 6.

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

**5.3** Among other matters, licensing authorities may need to consider the location of premises in the context of this licensing objective. For example,

in considering an application for a premises licence or permit that is in an area noted for particular problems with disorder, organised criminal activity etc, the licensing authority should think about what, if any, controls might be appropriate to prevent those premises being associated with or used to support crime. That might include conditions on the premises licence, such as a requirement for door supervisors. The requirement for conditions might be determined by the operator's own risk assessment or the local area profile carried out by the licensing authority, as detailed in Part 6. A non-exhaustive list of licence conditions is provided at Appendix F.

**5.4** A licensing authority will need to consider questions raised by the location of gambling premises when:

- formulating its statement of licensing policy
- receiving relevant representations to an application
- dealing with applications as a responsible authority in its own right considering applications before it.

**5.5** In the context of gambling premises licences, 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 see or hear 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.

**5.6** Regulatory issues arising from the prevention of disorder are likely to focus almost exclusively on premises licensing, rather than on operating licences. However, if there are persistent or serious disorder problems that an operator could or should do more to prevent, the licensing authority should bring this to the attention of the Commission so that it can consider the continuing suitability of the operator to hold an operating licence.

**5.7** Of course, licensing authorities are experienced in making judgements in relation to the suitability of premises, particularly those for which they have responsibilities under the Licensing Act 2003 (opens in new tab) /Licensing (Scotland) Act 2005 (opens in new tab), in which context they have wider powers to also take into account measures to prevent nuisance.

**5.8** In relation to preventing disorder, licensing authorities have the ability under s.169 of the Act to attach additional conditions to premises licences, and are entitled to include a requirement for door supervision, as provided

for in s.178 of the Act. If a person employed on door supervision would be required to hold a licence issued by the Security Industry Authority (opens in new tab) (SIA), that requirement will have force as though it were a condition on the premises licence. Further information on conditions on premises licences can be found in Part 9 of this guidance.

**5.9** There are a number of voluntary initiatives that the gambling industry participates in to address issues such as underage access, staff safety and security. These change from time to time and licensing authorities are advised to check with local operators, for example when conducting inspections, as to which (if any) scheme the operator is a part of. For example, The Safe Bet Alliance's Voluntary Code of Safety and Security National Standards for Bookmakers. Further information can often be found on the websites of industry trade associations.

**5.10** Licensing authorities do not need to investigate the suitability of an applicant for a premises licence, including in relation to crime. The issue of suitability will already have been considered by the Commission, because any applicant (except occupiers of tracks who do not propose to offer gambling themselves) will have to hold an operating licence from the Commission before the premises licence can be issued. However, if the licensing authority receives information during the course of considering a premises licence application or at any other time, that causes it to question the suitability of the applicant to hold an operating licence, these concerns should be brought to the attention of the Commission without delay.

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## **Objective 2 : Ensuring that gambling is conducted in a fair and open way**

**5.11** Generally the Commission would not expect licensing authorities to find themselves dealing with issues of fairness and openness frequently. Fairness and openness is likely to be a matter for either the way specific gambling products are provided and therefore subject to the operating licence, or will be in relation to the suitability and actions of an individual and therefore subject to the personal licence. However, if licensing authorities suspect that gambling is not being conducted in a fair and open



way this should be brought to the attention of the Commission so that it can consider the continuing suitability of the operator to hold an operating licence or of an individual to hold a personal licence.

**5.12** In relation to the licensing of tracks, the licensing authority's role will be different from other premises in that track owners will not necessarily have an operating licence. In those circumstances the premises licence may need to contain conditions to ensure that the environment in which betting takes place is suitable. Further information can be found in Part 20 of this guidance.

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## **Objective 3 : Protecting children and other vulnerable persons from being harmed or exploited by gambling**

**5.13** In exercising their powers under s.153, licensing authorities should consider whether staff will be able to adequately supervise the gambling premises, as adequate staffing levels is a factor to consider regarding the prevention of underage gambling. The Commission would expect the operator and the licensing authority to work together to consider how any impediments to the supervision of premises might be most appropriately remedied. Supervision also applies to premises that are themselves not age-restricted (eg bingo and family entertainment centre (FEC) premises) but which make gambling products and facilities available.

**5.14** Where a licensing authority considers the structure or layout of premises to be an inhibition or potential inhibition to satisfying this licensing objective, the licensee should consider what changes are required to ensure the risk is mitigated. Such changes might include the positioning of staff or CCTV, the use of floor-walkers and the relocation of the staff counter to enable direct line of sight. Licensing authorities will need to consider the proportionality of changes to the physical layout in relation to other measures that could be put in place.

**5.15** If the operator fails to satisfy the licensing authority that the risks are sufficiently mitigated, it may be appropriate to conduct a review of the premises licence.

**5.16** In relation to casinos, the Commission has issued a code of practice on access to casino premises by children and young persons, as provided for by s.176 of the Act. The code of practice is available as part of the Licence conditions and codes of practice (LCCP) or as Gambling codes of practice. In accordance with s.176 of the Act, adherence to the code will be a condition of the premises licence. Further information can be found in Parts 9 and 17 of this guidance.

**5.17** The Act does not seek to prohibit particular groups of adults from gambling in the same way that it prohibits children. The Commission does not seek to define 'vulnerable persons' but it does, for regulatory purposes, assume that this group includes 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, for example, mental health, a learning disability or substance misuse relating to alcohol or drugs.

**5.18** Licensing authorities need to consider, in relation to particular premises, whether any special considerations apply in relation to the protection of vulnerable persons. This could be a local risk that is reflected in the licensing authority's policy statement. Any such considerations need to be balanced against the authority's objective to aim to permit the use of premises for gambling.

## Section 153 principles

**5.19** S.153 of the Act provides that, in exercising its functions under Part 8 of the Act, a licensing authority shall aim to permit the use of premises for gambling in so far as it thinks it is:

- a. in accordance with any relevant code of practice under s.24 (the LCCP)
- b. in accordance with any relevant guidance issued by the Commission under s.25 (this guidance)
- c. reasonably consistent with the licensing objectives (subject to a and b above)
- d. in accordance with the licensing authority's statement of licensing policy (policy statement) (subject to a to c above).

**5.20** Whilst there is a presumption in favour of permitting the relevant premises to be used for gambling, the licensing authority may not do so

unless satisfied that such use would be in accordance with this guidance, any relevant Commission code of practice, its own statement of licensing policy, and the licensing objectives.

**5.21** In the unlikely event that a licensing authority perceives a conflict between a provision of a Commission code of practice or this guidance, and its own policy statement or view as to the application of the licensing objectives, the structure of s.153 makes it clear that the Commission's codes and this guidance take precedence.

**5.22** In determining applications for premises licences, the Act explicitly sets out two principles that licensing authorities should **not** have regard to:

- s.153 makes it clear that in deciding whether or not to grant a licence, a licensing authority must not have regard to the expected demand for gambling premises that are the subject of the application
- s.210 (1) of the Act states that 'in making a decision in respect of an application...a licensing authority should not have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with law relating to planning or building'.

**5.23** A licensing authority is therefore afforded significant scope to exercise its powers under s.153 on the grounds that it does not encroach on the two principles set out above.

**5.24** The requirements in s.153 are subject to the licensing authority's power under s.166 to resolve not to issue casino premises licences. This means that a resolution not to issue a casino premises licence applies regardless of the matters set out in s.153.

## Codes of practice

**5.25** The LCCP sets out the Commission's general licence conditions and associated codes of practice provisions under the Act. The codes of practice are set out within the second part of the LCCP.

**5.26** To assist licensing authorities in determining premises applications and inspecting premises, all the codes of practice) are also available as a single document. The codes specify a number of requirements, many of which relate to social responsibility issues and these may be of particular interest where a licensing authority has concern about matters such as protection of the young and vulnerable. It should be noted that the codes also apply to situations in which the gambling being offered is not normally the responsibility of an operating licence holder. Examples include the code

of practice for equal chance gaming and the code for gaming machines in clubs and premises with an alcohol licence.

## Good practice in regulation

**5.27** Under the Legislative and Regulatory Reform Act 2006 (opens in new tab), any person exercising a specified regulatory function has a legal duty to have regard to the statutory principles of good regulation in the exercise of the function (Legislative and Regulatory Reform Act 2006 (opens in new tab), section 21). These provide that regulatory activities should be carried out in a way which is transparent, accountable, proportionate, and consistent and should be targeted only at cases in which action is needed. The Commission has regard to these principles in relation to its responsibilities and also has regard to the requirements of the Regulators' Code (previously the Regulators' Compliance Code), Department of Business, Innovation and Skills<sup>5</sup>, 2014, issued under section 23 of the Legislative and Regulatory Reform Act 2006 (opens in new tab). The purpose of the Code is to promote efficient and effective approaches to regulatory inspection and enforcement which improve regulatory outcomes without imposing unnecessary burdens on business.

**5.28** The statutory principles of good regulation and the Code also apply to local authorities, who are under a statutory duty to have regard to them when fulfilling their regulatory functions under the Act. The Legislative and Regulatory Reform (Regulatory Functions) Order 2007 (opens in new tab), was amended by the Legislative and Regulatory Reform (Regulatory Functions) (Amendment) Order 2009 (opens in new tab), which, amongst other things, extended the application of the 2007 Order to local authorities in Wales and Scotland exercising regulatory functions under the Gambling Act 2005 (opens in new tab) - see Parts 3 and 7.

**5.29** Guidance produced by Regulatory Delivery now replaced by the Office of Product Safety and Standards seeks to assist local authorities in interpreting the requirements of the Regulator's Code for example in delivering risk-based regulation in relation to age restrictions.

Age-restricted products and services framework (opens in new tab)<sup>6</sup> sets out an agreed set of shared responsibilities and reasonable expectations for young people, their parents and carers, businesses, employees and regulators with regards to access to age restricted products and services. The document forms the foundations of the Age-restricted products and services: a code of practice for regulatory delivery (opens in new tab)<sup>7</sup>.

# Human Rights Act 1998

**5.30** The Secretary of State has certified that the Act is compatible with the European Convention on Human Rights. In considering applications, and taking enforcement action under the Act, licensing authorities should bear in mind that they are subject to the Human Rights Act 1998 (opens in new tab) and in particular:

- Article 1, Protocol 1 – peaceful enjoyment of possessions. A licence is considered a possession in law and people should not be deprived of their possessions except in the public interest
- Article 6 – right to a fair hearing
- Article 8 – respect for private and family life. In particular, removal or restriction of a licence may affect a person's private life
- Article 10 – right to freedom of expression.

## Other considerations

**5.31** Licensing authorities should not turn down applications for premises licences where relevant objections can be dealt with through the use of conditions. In determining applications for premises licences and permits, a licensing authority may request as much information as it requires to satisfy itself that all the requirements set out at s.153 of the Act are met.

**5.32** Licensing authorities must ensure that the application is in accordance with the relevant codes of practice, this guidance, the licensing objectives and the licensing authority's own policy statement. There is, therefore, significant scope for licensing authorities to request additional information from the applicant where they have concerns about both new applications and variations.

**5.33** Where concerns remain, licensing authorities may choose to attach conditions to the premises licence. Further details are provided in Part 9 and a non-exhaustive list of licence conditions is included at Appendix F of this guidance.

**5.34** Licensing authorities should be aware that other considerations such as moral or ethical objections to gambling are not a valid reason to reject applications for premises licences. In deciding to reject an application, a licensing authority should rely on reasons that demonstrate that the licensing objectives are not being, or are unlikely to be, met, and such objections do not relate to the licensing objectives. An authority's decision cannot be based on dislike of gambling, or a general notion that it is

undesirable to allow gambling premises in an area (with the exception of the casino resolution powers).

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## Making a decision

**7.56** As explained earlier, the licensing authority's primary obligation under s.153(1) is to permit the use of premises in so far as it thinks that to do so is:

- a. in accordance with any relevant code of practice issued by the Commission
- b. in accordance with any relevant guidance issued by the Commission
- c. reasonably consistent with the licensing objectives (subject to a and b above)
- d. in accordance with the licensing authority's statement of licensing policy (policy statement) (subject to a to c above).

**7.57** Further information and guidance as to the meaning and effect of s.153 is set out at paragraph 5.19 above.

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# Default conditions

**9.27** S.169 of the Act gives licensing authorities:

- the ability to exclude from premises licences any default conditions that have been imposed under s.168
- the power to impose conditions on premises licences that they issue.

**9.28** Licensing authorities should make decisions on conditions on a case-by-case basis, and in the context of the principles of s.153. They must aim to permit the use of premises for gambling and so should not attach conditions that limit their use except where it is necessary in accordance with the licensing objectives, the Commission's codes of practice and this guidance, or their own statement of policy. Conversely, licensing authorities should not turn down applications for premises licences where relevant objections can be dealt with through the use of conditions.

**9.29** Licensing authority statements of policy will need to consider the local circumstances which might give rise to the need for conditions. Where there are specific risks associated with a particular locality, the licensing authority might decide to attach conditions to the premises licence to mitigate those risks. For example, local issues associated with a high crime rate may put a premises at risk of not being consistent with the licensing objectives, and specific conditions may be necessary to address the risk.

**9.30** Where there are risks associated with a specific premises or class or premises, the licensing authority may consider it necessary to attach conditions to the licence to address those risks, taking account of the local circumstances.

**9.31** Conditions imposed by the licensing authority must be proportionate to the circumstances which they are seeking to address. In particular, licensing authorities should ensure that the premises licence conditions are:

- relevant to the need to make the proposed building suitable as a gambling facility
- directly related to the premises (including the locality and any identified local risks) and the type of licence applied for
- fairly and reasonably related to the scale and type of premises
- reasonable in all other respects.



# TAB 33

UK Parliament SIs 2000-2009/2007/1401-1450/Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007 (SI 2007/1409)/SCHEDULE 3 Mandatory Conditions Attaching to Adult Gaming Centre Premises Licences

### SCHEDULE 3 MANDATORY CONDITIONS ATTACHING TO ADULT GAMING CENTRE PREMISES LICENCES

#### Regulation 12

1

A notice stating that no person under the age of 18 years is permitted to enter the premises shall be displayed in a prominent place at every entrance to the premises.

2

No customer shall be able to access the premises directly from any other premises in respect of which a licence issued under Part 8 of the Act, or a permit issued under Schedule 10, 12 or 13 to the Act, has effect.

3

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

4

(1) No alcohol shall be permitted to be consumed on the premises at any time during which facilities for gambling are being provided on the premises.

(2) A notice stating the condition in sub-paragraph (1) shall be displayed in a prominent place at every entrance to the premises.

#### NOTES

##### Initial Commencement

##### *Specified date*

Specified date: 21 May 2007: see reg 1(1).

Document information
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Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales)

Regulations 2007

**Date made**

05/05/2007

# TAB 34

**PATERSON'S LICENSING ACTS 2021**

**PART 5 GAMBLING ACT 2005**

**PART 8: PREMISES LICENCES**

**Determination of application**

[5.158]

In determining an application the licensing authority must hold a hearing<sup>1</sup> if:

- representations have been made by an interested party or responsible authority and have not been withdrawn;
- the authority intend to use their discretion under s 169(1) to attach a condition to a licence; or
- the authority intend to use their discretion under s 169 to exclude a default condition (ie a condition automatically attached to the licence under s 168 unless excluded by the authority in its discretion)<sup>2</sup>.

A hearing may, however, be dispensed with if the applicant and any interested party or responsible authority who have made representations consents to this course<sup>3</sup>, or the authority think that the representations are vexatious or frivolous or will certainly not influence their determination of the application<sup>4</sup>. If the authority do propose to dispense with a hearing on these latter grounds they must as soon as is reasonably practicable notify the person who made the representations<sup>5</sup>, presumably to enable him to seek a remedy by way of judicial review if so advised.

Where the applicant for the premises licence is an applicant for an operating licence<sup>6</sup> the authority cannot determine the application until the relevant operating licence has been issued<sup>7</sup>.

On considering an application for a premises licence (whether at a hearing or not) the licensing authority must either grant it or reject it<sup>8</sup>. In making that determination the licensing authority will be subject to the provisions of s 153 which sets out the principles to be applied by the authority in exercising all their functions under Part 8 GA 2005 (ie including, but not limited to, the grant or refusal of an application for a premises licence). Section 153(1) provides as follows:

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

- (a) in accordance with any relevant code of practice under s 24,
- (b) in accordance with any relevant guidance issued by the Commission under s 25,
- (c) reasonably consistent with the licensing objectives (subject to paras (a) and (b)), and
- (d) in accordance with the statement published by the authority under s 349 (subject to paras (a) to (c))."

The subsection starts by imposing a general duty on the authority to 'aim to permit the use of premises for gambling' and then sets out a series of four factors which may, in any individual case, qualify or override the general duty. The first point to note is that the provision imposes a duty on the licensing authority: it must, subject to the qualifying factors, aim to permit the use of premises for gambling. What is the scope of this duty? It is suggested that there are two elements: first, it creates a presumption in favour of granting the premises licence since it is only if the licence is granted that the premises may lawfully be used for gambling. But the duty seems to go further than that. The verb 'to aim' is defined by the OED9 as meaning: '5. To calculate one's course with a view to arriving (at a point); to direct one's course, to make it one's object to attain. Hence fig To have it as an object, to endeavour earnestly'. The Shorter OED10 defines it as: '3. Direct one's course, make it one's object to attain, intend, try'. A person who 'aims' to achieve a result will usually take active steps to bring it about. The provision appears to place a duty upon the licensing authority to exercise their powers so far as is lawfully possible to achieve a position in which they can grant the premises licence and thus permit the premises to be used for gambling. The most obvious way in which the authority will be able to exercise their powers in this way will be by an imaginative use of their power to frame and impose conditions (see para 5.159 below) so as to overcome objections to the application which might, in the absence of suitable conditions, lead to the application being rejected. No doubt the authority could also, in a case where a licence application gave rise to issues which could not be addressed by suitably drafted conditions, seek to consider with the applicant whether amendments to the application might overcome the objections and enable it to be granted. However, it is also necessary to recognise that the language of s 153(1) stops short of being mandatory; 'aim to permit' provides a strong steer to look favourably on an application, but no more.

As to the list of qualifying factors, these are set out in s 153(1)(a)–(d). Section 153(1)(a) qualifies the duty to aim to permit use of premises for gambling to the extent that such use must be in accordance with any relevant code of practice issued by the Gambling Commission under s 24. That section requires the Gambling Commission to issue codes of practice about the manner in which facilities for gambling are to be provided (whether by the holder of a licence or by another person). In issuing a code of practice the Gambling Commission will be subject to a duty under s 22 to promote the licensing objectives. Accordingly any code of practice should be consistent with those objectives. Section 153(1)(b) qualifies the licensing authority's duty to aim to permit the use of premises for gambling to the extent that such use must be in accordance with any relevant guidance issued by the Gambling Commission under s 25. This section requires the Gambling Commission to issue guidance to local authorities<sup>11</sup> as to the manner in which they are to exercise their functions under the Act and the principles that they should apply in exercising those functions. Again the effect of s 22 is that in issuing such guidance the Commission will be under a duty to promote the licensing objectives, so again such guidance should be consistent with those objectives. The effect of all this is that any code of practice and any guidance to local authorities ought to promote the licensing objectives and no inconsistencies between the two should arise. On that basis codes of practice and guidance are placed (by s 153(1)(a) and (b)) as enjoying equal importance at the top of the hierarchy of factors set out in s 153(1)(a)–(d).

Next comes s 153(1)(c): this provides that the duty of the licensing authority to aim to permit the use of premises for gambling is qualified to the extent that such use must be reasonably consistent with the licensing objectives, but it goes on to provide that this condition is 'subject to paras (a) and (b)'. In principle there should, of course, be no conflict between (a) and (b) (which will both reflect the Gambling Commission's duty to promote the licensing objectives) and (c) (which will reflect the

licensing authority's view of what the licensing objectives require). However the effect of the legislation appears to be that should there be any conflict between the two then the guidance set out in codes of practice or guidance emanating from the Gambling Commission will 'trump' any factors which the licensing authority themselves would otherwise have taken into account as relevant to the licensing objectives under s 153(1)(c).

Finally, s 153(1)(d) provides that the duty of a licensing authority to aim to permit the use of premises for gambling is qualified to the extent that such use must be in accordance with the authority's own statement issued under s 349. In preparing that statement the authority are not themselves expressly required to have regard to the licensing objectives, but they are obliged to have regard to guidance issued by the Gambling Commission under s 25 and such guidance deals, amongst other things, with the formulation by the authority of their licensing policy. Since the s 25 guidance must itself promote the licensing objectives the effect should be that the authority's licensing policy will itself be consistent with those objectives so that it should not conflict with any code of practice or guidance issued by the Commission nor with the licensing objectives themselves. However, s 153(1)(d) provides that consideration of the licensing authority's own policy is 'subject to paras (a) to (c)' which appears to mean that in the case of an inconsistency a relevant Commission code of practice, relevant guidance or the licensing objectives themselves would 'trump' the authority's licensing policy.

In determining the application the authority may not have regard to the expected demand for the facilities which it is proposed to provide<sup>12</sup>, nor may they have regard to the question whether or not the proposal is likely to be granted planning permission or building regulation approval<sup>13</sup>. Where the authority have resolved under s 166 not to issue casino premises licences an application for such a licence will, of course, necessarily fail and be rejected<sup>14</sup>.

Where the application is granted the authority must as soon as reasonably practicable give notice of the grant in the form prescribed to the applicant, the Commission, any person who made representations, the chief officer of police for any area in which the premises are wholly or partly situated and HMRC<sup>15</sup> and must issue the licence to the applicant and must give him a summary of the terms and conditions in the prescribed form. If they have attached a condition to the licence under s 169(1)(a) or have excluded a default condition<sup>16</sup> they must give their reasons<sup>17</sup>. If representations were made by an interested party or a responsible authority they must give their response to the representations<sup>18</sup>.

Where the application is rejected the authority must as soon as reasonably practicable give notice of the rejection in the form prescribed to the applicant and to the same parties as are entitled to be notified of a grant<sup>18</sup>. The notice must give the authority's reasons for rejecting the application<sup>19</sup>.

1 As to procedure at hearings in relation to applications see SI 2007/173.

2 GA 2005, s 162. See further para 5.159 below.

3 GA 2005, s 162.

- 4 GA 2005, s 162(3).
- 5 GA 2005, s 162(4).
- 6 le under GA 2005, s 159(3)(b).
- 7 GA 2005, s 163(2).
- 8 GA 2005, s 163(1).
- 9 The Oxford English Dictionary (2nd edn, 1989).
- 10 (5th Edn, OUP).
- 11 See 'Guidance to Licensing Authorities'.
- 12 GA 2005, s 153(2).
- 13 GA 2005, s 210.
- 14 GA 2005, s 153(3), 166.
- 15 GA 2005, s 164 and see SI 2007/459, regs 17 and 19.
- 16 le a condition under GA 2005, s 168.
- 17 GA 2005, s 164(2)(b).
- 18 GA 2005, s 164(2)(c).
- 19 GA 2005, s 165 and SI 2007/459, regs 18 and 19.

**From:** Christopher Rees-Gay  
**To:** Donovan, Jessica: WCC  
**Cc:** Abbott, Karyn: WCC; Meloyan, Emanuela: WCC; Haq, Roxsana: WCC  
**Subject:** RE: 21/07775/LIGN-Silvertime, 32 Gerrard Street, London, W1D 6JA  
**Date:** 07 February 2022 10:39:07  
**Attachments:** image005.png  
[Silvertime - 32 Gerrard Street Updated LARA 04.02.22-CRG2022020710190869....pdf](#)  
[32 Gerrard Street - Essential Reading List-CRG20220207102328771.pdf](#)

Morning Jessica,

Further to our call this morning, I can confirm that all documents in Appendix 1 and 2 of the original main LSC report are contained in our additional submissions bundle.

In terms of additional material, please see attached:

1. Updated 'LARA' dated 04.02.22. This contains changes to Page 4 to confirm that the WCC 'Revised' Gambling Policy is now in force and that the Crystal Rooms is no longer trading.
2. An essential reading list. I have not added page numbers at this stage as I am aware Democratic Services will paginate all documents. For ease I can re-circulate the essential reading list when this has been done.

#### **Midnight Terminal Hour**

In addition, I can confirm that we will be agreeing to and proposing a midnight terminal hour for the premises. This accords with both the granted planning permission and the bye-law.

#### **Notification of Attendance**

The following will be attending:

The following will be attending:

[REDACTED]

I should be grateful if you would please acknowledge receipt of this email and the attachments.

Many thanks  
Chris

Christopher Rees-Gay

Woods Whur 2014 Limited  
Tel: +44 (0)113 234 3055  
Mobile: 07516029758

[chris@woodswhur.co.uk](mailto:chris@woodswhur.co.uk)

Woods Whur 2014 Limited, St James House, 28 Park Place, Leeds, LS1 2SP



**WESTMINSTER CITY COUNCIL**

**LICENSING SUB-COMMITTEE**

**16<sup>th</sup> FEBRUARY 2022**

**APPLICATION FOR ADULT GAMING CENTRE PREMISES LICENCE**

**SILVERTIME AMUSEMENTS LIMITED**

**32 GERRARD STREET, LONDON W1D 6JA**

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**ESSENTIAL READING LIST**

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1. 32 Gerrard Street Skeleton
2. Silvertime - 32 Gerrard Street - AGC - Updated Proposed Conditions - 20.12.21
3. Email from Bryan Lewis (Police) Confirming Agreement to Updated Conditions - 15.12.21
4. Witness Statement of Edward Reed (Not Exhibits)
5. Witness Statement of Byron Evans (Not Exhibits)
6. Silvertime Response to Licensing Authority Table - 05.11.21
7. Silvertime - 32 Gerrard Street Updated Local Area Risk Assessment - 04.02.22

**Premises**

Premises Name:	Silvertime
Premises Address:	32, Gerrard Street, London
Premises Post Code:	W1D 6JA
Premises Licence Number:	TBA
Category of Premises:	AGC

page 442

**Company**

Operating Company:	Silvertime Amusements Ltd
Operating Licence Number:	000-002913-N-103141-008

**Assessment Writer**

Name of Person Writing this Assessment:	Phil Wheeler - Operations Director
Date that Original Assessment was Written	July 2021 updated 19/10/21 and 20/12/21 and 04/02/22

## Requirement to Comply

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

Effective as at 6 April 2016

Social responsibility code provision 10.1.1

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

Ordinary code provision 10.1.2

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

The purpose of this document is to assist staff in understanding and carrying out their responsibilities in running the premises including alerting them to any special problems of which they need to be aware in carrying out their duties, for example awareness of children or potentially vulnerable individuals in the vicinity.

### **The Operator**

Silvertime Amusements Ltd is licensed by the Gambling Commission and is a long standing member of the AGC trade association BACTA. Silvertime Amusements Ltd is an extremely experienced operator of these types of premises, having been a family owned and run business for over 30 years.

It is familiar with the guidance and information contained in the London Borough of Westminster Statement of Licensing Principles for Gambling and the Guide to Undertaking Local Gambling Risk Assessments contained within the Statement of Licensing Principles.

Silvertime have operated other Adult Gaming Centre premises within the Borough of Westminster at 426 Edgware Road, W2 1EG for over 7 years.

We believe this Local Area Risk Assessment (and future updates) identifies all necessary steps required in both complying with the Statement of Licensing Principles for Gambling, upholding the Licence Conditions and Codes of Practice and promoting the 3 Licensing Objectives. The grid matrix at pages 9 to 27 also detail how the operator intends dealing with key relevant points identified in the 'Revised' Westminster Statement of Licensing Principles for Gambling.

## Local Area Profile

The premise is located on Gerrard Street in the West End of London within the local area known as 'Chinatown' that is controlled under the authority of Westminster City Council. In compiling this assessment we have considered the Council's 'Revised Gambling Policy', effective 31 January 2022. In particular, attention has been paid to the Geofutures reports, as well as, several other research studies that have been undertaken into the impact of gambling on the vulnerable. This has helped us understand the key issues concerning gambling related harm so as to protect those that are vulnerable. We have utilised the Local Area Profile findings, as well as, the 'Gambling Risk Index' and other relevant indices.

The local population of Westminster is ethnically diverse and the social grade is equally mixed with the majority split being either administrative or unskilled/semi-skilled labour. There are approximately 250,000 residents increased by the workers (550,000 to over 47,000 businesses) and visitors bringing a combined total of over 1,000,000 people to the borough on a daily basis.

The site falls near to the northern edge of St James' Ward. The ward profile from 2018 shows a population of 11,495, 29% with dependent children, a median household income exceeding £45,000, 11,560 businesses and over 219,000 jobs (30% of the total for Westminster). The ward is among the 30-40% most deprived in the UK with 8.75% of the working age population claiming benefits. 28% of homes were socially rented at the last count in 2011. 85% of residents say their health is good, with only 5% saying it is bad, 1% less than the average for Westminster. 12.9% are affected by long term illness or disability, also 1% under the figure for Westminster.

As to crime and disorder, 98% of residents feel safe, and 96% feel safe after dark. 19% feel that crime affects their quality for life, the same figure as for Westminster as a whole. Similarly, 19% feel that anti-social behaviour affects the quality of their neighbourhood.

The local shops are dominated by the presence of restaurants and food dealers with a dedication to oriental cuisine. Chinatown is part of an area in the West End of London renowned for entertainment and night life.

There are a number of gambling establishments within 1/2 mile of the site in particular Casinos such as the Hippodrome, Grosvenor and Empire. Specifically there are 3 licensed bookmakers, 3 AGCs, and one Bingo premises within a 250 metre radius, as listed below:

Coral Bookmakers, 3 Newport Place. Opens 7am to 10pm

Paddy Power Bookmakers, 40 Gerrard Street. Opens 8am to 10pm

Bet Fred Bookmakers, 37 Wardour Street. Opens 7am to 10pm

Play2Win AGC, 32 Wardour Street, Opens 9am to 2am AGC

Las Vegas AGC, 89-91 Wardour Street. Opens 10am to 2am AGC

Little Macau, 3-5 Wardour Street. Opens 8am to midnight. AGC

The application premises previously operated as a 'BetFred' licensed betting office.

Leicester Square and Piccadilly Circus Underground Stations are within 500 metres of the property. There are 'Q-Park' car parks in Newport Place, China Town and Leicester Square.

(Source - City of Westminster Profile 2018, Metropolitan Police - Crime Data Dashboard, Westminster City Council - Statement for Gambling Principals 2021, Geofutures study with Westminster and Manchester City Councils)

### **Risks to the Vulnerable**

Further details regarding gambling vulnerability is set out at Appendix 1 to this risk assessment.

There are numerous premises within the area that cater for, or attract, children, the potentially vulnerable and the homeless.

**The nearest schools are:**

Soho Parish Primary School, Archer Street.

Westminster Kingsway College, Soho Centre, Hopkins Street.

**Support and Educational services for teenagers and young adults are provided at:**

The Young Westminster Foundation, 21 Wardour Street.

Mousetrap Theatre Project, 33 Shaftesbury Avenue.

**Facilities are provided for the homeless (including hostels) or potentially vulnerable at various locations within in Chinatown & Soho and include:**

St Anne's Church, Dean Street (Alcoholics Anonymous meet here 3 times a week).

Notre Dame de France, Leicester Place.

Orange Street Covenant Church, Orange Street.

Soho Housing Association, Chancel Court, Dean Street.

Turning Point - Westminster - Drug and Alcohol Wellbeing Service, 32A Wardour St.

DR Janina Janowska Lokalizacja, Psychotherapist, West End, London.

Staff will be made aware as part of their training that these and other facilities are nearby and that they should be constantly watchful and vigilant of attempts by children and the vulnerable to enter the premises. Before operating the premises, there will be both a Safeguarding Adults Policy and Procedure Document and a separate Safeguarding Children Policy and Procedure Document. This will include having policies and procedures in place in relation to the following risks: 'The cognitive capacity of the person to make informed decisions relating to their gambling' and 'Establishing the means to which a person can afford to gamble to the extent and frequency of their gambling activity'. Staff will be trained in these policies, training shall be formally recorded on each member of staff's training

records which will be available for presentation to the Licensing Authority immediately upon request. The following conditions in relation to staff training have been offered:

*-The licensee shall:*

- a. provide induction training to all staff working at the premises;*
- b. provide refresher training to every member of staff at least every six months.*

*The training shall include the following:*

- i. the specific local risks to the licensing objectives that have been identified for these premises;*
- ii. drug and alcohol awareness training to include Homeless and Street Drinking.*
- iii. Conflict Management Training. At least one of these training sessions each calendar year shall be provided by instructors qualified to a formally recognised national or equivalent standard on dealing with conflict.*

The applicant will make contact with all of the above schools and facilities prior to opening in order to make themselves known and to provide materials on problem gambling.

**Faith Groups:**

Soho Islamic Centre (for Men), Berwick Street.

St Anne's Church, Dean Street.

Notre Dame de France, Leicester Place.

Trinity Church Central London, Orange Street

Orange Street Congregational Church, Orange Street





## Gambling Act 2005 – The Licensing Objectives

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

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

page 450

Local Area Risks				
Licensing Objective	Risk	Control System	Risk Management	Reviewed
<p><b>Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.</b></p>	<p>The Metropolitan Police Crime Data Dashboard reveals Westminster has the highest number of theft crimes of any borough in London.  <u>There are a large number of alcohol-licensed premises in the local area.</u>  <u>As the site of the main night time economy in the UK, together with large numbers of visitors and workers, anti-social behaviour and street homelessness remains an issue in the area, although not</u></p>	<p>Physical</p>	<p>Installation of maglock.</p> <p>HD CCTV – Monitored internally &amp; remotely, recordings held for 30 days.</p> <p>Cameras positioned for maximum facial visibility in all areas of arcade plus entrance, exits and nearby surrounding areas. Use of spotter screen.</p>	

	<p><u>particularly linked with gambling premises.</u></p>	<p>In relation to CCTV the following conditions have been offered: <i>-The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.</i> <i>(a) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.</i> <i>(b) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the gaming area, office, toilet entrance, any seating and external area immediately outside the premises entrance.</i> <i>(c) All recordings shall be stored for a minimum period of 31 days with date and time stamping.</i> <i>(d) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.</i></p> <p><i>-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 is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.</i></p>	
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			<p><b><i>-The premises shall display notices near the entrance of the venue stating that CCTV is in operation.</i></b></p> <p><b><i>-A 'spotter monitor' shall be placed inside the premises near the front door showing CCTV images of customers entering ,exiting and whilst on the premises.</i></b></p> <p><b>Security alarms and panic buttons. The following conditions are offered:</b></p> <p><b><i>-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 by staff.</i></b></p> <p><b><i>-Staff will receive a notification when the front door opens.</i></b></p> <p><b><i>-The licensee shall install and maintain fixed panic buttons and in addition portable panic buttons will be worn by staff.</i></b></p> <p><b>Fixed or weighted seating to prevent lifting. The following condition has been offered:</b></p> <p><b><i>-All seating within the premises shall be either secured to the floor or are weighted to prevent lifting.</i></b></p>	
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			<p>Toughened glass windows and doors.</p>	
	<p><b><u>There are a number of casinos in the vicinity including but not limited to:</u></b>          -The Hippodrome Casino - Leicester Square.          -The Grosvenor - Coventry St.          -The Empire - Leicester Square.</p> <p><b><u>There are 3 AGC's</u></b>          -Play 2 Win – 32 Wardour Street.          -Las Vegas – 89-91 Wardour Street.          -Little Macau – 3-5 Wardour Street.</p> <p><b><u>There is a Bingo Premises, which operates in a similar fashion to the AGC's at:</u></b>          -The Crystal Rooms, Cranbourn Street.</p> <p><b><u>There are several bookmakers including but not limited to:</u></b>          -Corals - Newport Pl.          -BetFred - Wardour St.          -Paddy Power - Gerrard St.</p>	<p>Design</p>	<p>Warning/Advice communication using signs displayed at entrance/exit produced to reflect local population, including signage in Mandarin Chinese.</p>	

		<p><b>Systems</b></p> <p><b>Strong liaison with local residents, Police Local Safer Neighbourhood Team and Council Officers. The following conditions have been offered:</b></p> <p><i>-A direct telephone number to the manager of the premises will be available at all times the premises is open. This number shall be made available to residents and businesses in the vicinity.</i></p> <p><i>-The licensee will liaise with any residents who would like to be contacted quarterly to discuss the operation of the AGC and any issues.</i></p> <p><i>- The licensee shall organise and participate in a meeting for local residents and residents' associations to discuss the operation of the premises at least once every six months. The licensee shall directly notify local residents and residents' associations of the meeting date and venue at least two weeks before the meeting.</i></p> <p><b>Premises to be double-staffed at all times. The following condition has been offered:</b></p> <p><i>-There shall be 2 members of staff present at all times the premises are open to the public.</i></p> <p><b>Use of SIA supervisors to the extent required following risk assessment,</b></p>	
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		<p>and in any case post- 6 p.m. The following condition has been offered:</p> <p><i>-Between 6pm and 6am there will be an SIA registered door person employed at the front door of the premises. The need for an SIA door person at other times will be risk assessed. They shall display their licence at all times in a yellow high visibility arm band.</i></p> <p><i>-The licensee shall install and maintain an intruder alarm on the premises.</i></p> <p>Staff training and refresher training including local issues and conflict avoidance.</p> <p>Warning and banning miscreants, preventing intoxicated persons from using premises. The following conditions have been offered:</p> <p><i>- The licensee shall implement a policy of banning any customers who engage in crime or disorder within or outside the premises.</i></p> <p><i>-The licensee will refuse entry to customers who appear to be under the influence of alcohol or drugs.</i></p> <p><i>-The Licensee shall take all reasonable steps to prevent street drinking of alcohol directly outside</i></p>	
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		<p><i>the premises and to ban from the premises those who do so.</i></p> <p><i>-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.</i></p> <p><i>- Any tea/coffee/drinks facilities will be provided for playing customers only.</i></p> <p>Toilet checking - every hour for evidence of drug taking. The following condition has been offered:</p> <p><i>-The licensee will ensure that customer toilets are checked every hour for evidence of drug taking. Toilet checks are to be documented stating the time and member of staff who made the checks. Toilets will remain locked at all times with access being provided by staff.</i></p> <p>Incident logs kept. The following condition has been offered:</p> <p><i>-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;</i></p> <ul style="list-style-type: none"><li><i>a. All crimes reported to the venue;</i></li><li><i>b. Any complaints received regarding crime and disorder;</i></li></ul>	
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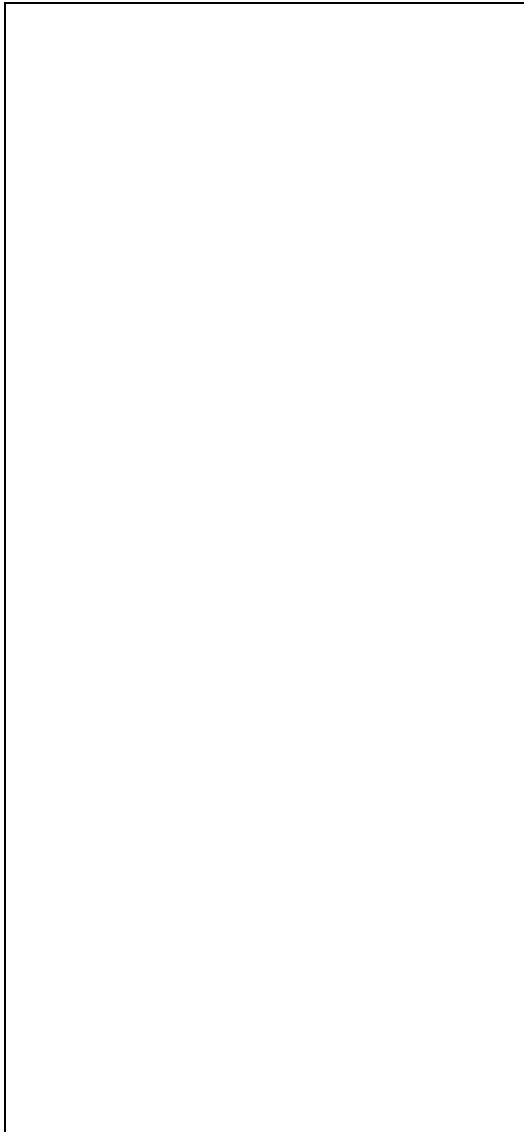


			<p><i>c. Any incidents of disorder;</i>  <i>d. Any faults in the CCTV system; and</i>  <i>e. Any visit by a relevant authority or emergency service.</i>  <i>f. All ejections of patrons;</i>  <i>g. All seizures of drugs or offensive weapons;</i></p> <p>Notices visible from the exterior of the premises stating that customers drinking alcohol outside the premises</p> <p>Regular inspections of websites:  <a href="http://www.met.police.co.uk/">www.met.police.co.uk/</a>  <a href="http://www.streetcheck.co.uk">www.streetcheck.co.uk</a>  <a href="http://www.crimestats.com">www.crimestats.com</a></p> <p>Crime bulletins from Bacta.</p> <p>Staff discussions (internal) and with neighbouring businesses.</p>	
<b>Ensuring that gambling is conducted in a fair and open way.</b>				
	<b>Managing Operation</b>	<b>Physical</b>	<b>Fully co-operative with Council requirements as evidenced by our other sites and in particular at 426 Edgware Road W2 1EG that is under the authority of Westminster City Council.</b>	

	<b>Communication</b>	<b>Design</b>	<p><b>Terms and Conditions Signage produced in a variety of appropriate languages and displayed at entrance.</b></p> <p><b>Promotional activity clearly communicated in a variety of appropriate languages and displayed around the arcade.</b></p>	
	<b>Operation</b>	<b>Systems</b>	<p><b>Compliant with Bacta codes of practice.</b></p> <p><b>Staff will be aware of the Terms and Conditions and relevant game rules associated with the gaming machines offered.</b></p>	
<b>Protecting children and other vulnerable people from being harmed or exploited by gambling.</b>				
	<p><u><b>There are a considerable number of educational facilities in the area including but not limited to within ½ mile of the site as follows:</b></u></p> <ul style="list-style-type: none"> <li>-Soho Parish Primary School</li> <li>- Westminster Kingsway College, Soho Centre, Hopkins Street.</li> <li>- St. Georges Hanover Sq. Primary School</li> <li>- All Souls C of E Primary School</li> <li>- St. Josephs Primary School</li> </ul>	<b>Physical</b>	<p><b>HD CCTV covering immediate external area, recordings available remotely and held for 30 days.</b></p> <p><b>Regular monitoring of external cameras/screens by staff, in line with council's CSE concerns.</b></p> <p><b>Window signs display notices prohibiting Under 18's produced in numerous appropriate languages including Mandarin Chinese. Emphasis on 'Challenge 25'.</b></p>	

	<p>- St. Clement Danes Primary School</p> <p><u>Student Accommodation including but not limited to:</u></p>		<p>No promotional material associated with the premises will encourage the use of the premises by children or young people.</p>	
	<p>-International Students House - Great Portland St. -Host the Hub - S Lambeth Rd.</p> <p><u>Support and Educational services for teenagers and young adults are provided at:</u></p> <p>-The Young Westminster Foundation, 21 Wardour Street. -Mousetrap Theatre Project, 33 Shaftesbury Avenue.</p> <p><u>Facilities are provided for the homeless (including hostels) or potentially vulnerable at various locations within in Chinatown &amp; Soho and include:</u></p>	<p>Design</p>	<p>Window signs display notices prohibiting Under 18's produced in numerous appropriate languages including Mandarin Chinese.</p> <p>There will be no view from the exterior of the premises of people playing gaming machines inside.</p> <p>Any external advertising will not include characters or images that are attractive to children.</p>	
	<p>-St Anne's Church, Dean Street. (Alcoholics Anonymous meet here three times a week). -Notre Dame de France, Leicester Place. -Orange Street Covenant Church, Orange Street. -Soho Housing Association, Chancel Court, Dean Street. -Turning Point - Westminster - Drug and Alcohol Wellbeing Service, 32A Wardour St (Addiction Recovery Centre)</p>	<p>Systems</p>	<p>Challenge 25 - including the keeping of a refusals register. The register will cover:</p> <p>a)challenges made under the age verification policy, b) the number of customers who failed a challenge under this policy, c) any breaches of the age verification policy by staff, and d) any incidents where a child or young person has accessed the premises or played on any adult gaming machines.</p> <p>Third party age verification testing.</p>	

<p>-DR Janina Janowska Lokalizacja, Psychotherapist, West End, London.</p> <p><u>Care Homes including but not limited to within 1 mile are;</u></p> <p>-Anchor Trust -Parigester Court -Hamberley -Shelbourne -Laurens Care Home <a href="http://www.carehome.co.uk">http://www.carehome.co.uk</a> <u>Awareness of gambling care agencies in the local area.</u></p> <p>No facilities for problem gambling in the vicinity.</p> <p>Chinese Welfare Association <a href="http://www.cwa-ni.org/">http://www.cwa-ni.org/</a> Gamcare <a href="http://www.gamcare.org.uk">www.gamcare.org.uk</a> <a href="http://www.gamblersanonymous.co.uk">www.gamblersanonymous.co.uk</a> <a href="http://www.nhs.uk/live-well/healthy-body/gambling-addiction">www.nhs.uk/live-well/healthy-body/gambling-addiction</a></p> <p><u>Job centres/employment agencies in the close area:</u></p> <p>-Carnegie Consulting - Gerard St. -Bite Consulting - Bear St. -Leverage Partnership - Charing Cross Road. -St. Marylebone Job Centre - Lisson Grove.</p> <p><u>Family Service Centres</u></p> <p>-London Child &amp; Family Therapy Centre - Margaret St.</p>	<p>Any branded merchandise will not be intended for use by or promoted to children.</p> <p>The following conditions are offered:</p> <p><i>-A Challenge 25 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.</i></p> <p><i>-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.</i></p> <p><i>-Prominent signage and notices advertising the Challenge 25 will be displayed showing the operation of such policy.</i></p> <p><i>-Third party testing on age restricted sales systems purchasing shall take at least twice a year and the results shall be provided to the Licensing Authority upon request.</i></p> <p>Stay in Control leaflets and Gamcare posters and leaflets produced and displayed languages appropriate to the local population, including Mandarin Chinese. The following condition has been offered:</p>	
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	<p><b>- Prominent GamCare documentation will be displayed at the premises together with other notices promoting responsible gambling. All such documentation and notices will be provided in English and Mandarin Chinese.</b></p> <p><b>- There shall be no cash point or ATM facilities on the premises.</b></p> <p><b>Social responsibility measures from licence conditions and codes of practice, including customer interaction and self-exclusion.</b></p> <p><b>All leaflets and advice subject to stock control.</b></p> <p><b>Before operating the premises, there will be in place both a Safeguarding Adults Policy and Procedure Document and a separate Safeguarding Children Policy and Procedure Document.</b></p> <p><b>This will include having policies and procedures in place in relation to the following risks: 'The cognitive capacity of the person to make informed decisions relating to their gambling' and 'Establishing the means to which a person can afford to gamble to the extent and frequency of their gambling activity'.</b></p>	
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## Gambling Operational Risks

Licensing Objective	Risk	Control System	Risk Management	Reviewed
<p>Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.</p>	<p>Poor security leading to vulnerability to crime.</p>	<p>Physical</p>	<p>Use of SIA supervisors to the extent required following risk assessment, and in any case post- 6 p.m.</p> <p>Consistent and regular patrols of the property plus external areas.</p> <p>HD CCTV – Monitored internally &amp; remotely, recordings held for 30 days. Cameras positioned to cover all areas of the premise including key external areas.</p> <p>Intruder alarm with Red Care or similar security line.</p> <p>Panic button with external siren to Police.</p> <p>No cash point / ATM.</p>	

		<b>Design</b>	<p><b>Toughened and laminated glass used for all windows.</b></p> <p><b>Double doors with porch allow controlled and selective admission.</b></p> <p><b>Staffed 'Welcome desk'.</b></p> <p><b>Machine layout to eliminate blind spots.</b></p> <p><b>Magnetic door lock for controlled entry.</b></p>	
		<b>Systems</b>	<p><b>Machine door opening keys only available to management.</b></p> <p><b>Log maintained for history of Police attendance recorded on data hub.</b></p> <p><b>Premises to be double-staffed at all times.</b></p> <p><b>The operator will be fully cooperative with all enforcement agencies.</b></p> <p><b>The gambling Commission Codes of Practice will be fully complied with.</b></p>	

	Awareness of increased local crime in the area.	Systems	Regular inspections of websites: <a href="http://www.met.police.co.uk/">www.met.police.co.uk/</a> <a href="http://www.streetcheck.co.uk">www.streetcheck.co.uk</a> <a href="http://www.crimestats.com">www.crimestats.com</a>  Staff discussions (internal) and with neighbouring businesses.	
	Failure to identify attempts to launder money on the premises (e.g. dye stained notes) and to follow correct reporting procedure.	Design	HD CCTV Internal & External monitored and recorded, data stored for 30 days accessed locally or remotely.  Staff training on Anti-Money Laundering.	
		Physical	Monitoring customers' behaviour by static and mobile staff.	
		Systems	Fully compliant with LCCP requirements. Acknowledgement of new licence condition 15.1.3 (31/10/20) - reporting of systematic or organised money lending.  Comply with Bacta's Policy & Procedures guidance.	



	<b>Failure to manage acts of aggression from customers</b>	<b>Design</b>	<p>HD CCTV Internal &amp; External monitored and recorded, data stored for 30 days accessed locally or remotely.</p> <p>Warning Posters (Non tolerance of aggression) displayed in a variety of appropriate languages including Mandarin Chinese.</p> <p>Staff training and refresher training including local issues and conflict avoidance.</p>	
		<b>Physical</b>	Monitoring customers' behaviour by static and mobile staff.	
		<b>Systems</b>	Staff trained on company policy & procedure.	
<b>Ensuring that gambling is conducted in a fair and open way.</b>				

	<b>Failure to deal with customers making complaints about the outcome of Gambling.</b>	<b>Physical</b>	<p><b>All machines purchased from manufactures/suppliers licensed by the Gambling Commission.</b></p> <p><b>Machines maintained by qualified engineers.</b></p> <p><b>Machines turned off should a fault occur.</b></p>	
		<b>Systems</b>	<p><b>The management and operation of the premises will be open and transparent.</b></p> <p><b>Complaints procedure &amp; forms available on premises.</b></p> <p><b>Regular staff training on company policy.</b></p> <p><b>Registered with ADR Entity – Bacta ADR Service.</b></p> <p><b>Compliant with Bacta Policies &amp; Procedures.</b></p> <p><b>The operator will be fully cooperative with all enforcement agencies.</b></p> <p><b>The gambling Commission Codes of Practice will be fully complied with.</b></p>	
	<b>Failure to provide information to players on responsible gambling.</b>	<b>Physical</b>	<p><b>Stay in control leaflets displayed and discretely available.</b></p> <p><b>Stay in Control Posters displayed.</b></p>	

			<b>Gambling Helpline contact displayed.</b>	
		<b>Systems</b>	<b>Adhere to Bacta Procedure &amp; Policy.</b> <b>Stock control method required for leaflets.</b>	
<b>Protecting children and other vulnerable people from being harmed or exploited by gambling.</b>				
	<b>Failure to recognise signs associated with problem gambling or substantial changes in gambling style.</b>	<b>Design</b>	<b>Players' positions and behaviour effectively monitored.</b>	
		<b>Systems</b>	<b>Staffed trained in customer interaction in line with Bacta's guidance.</b> <b>Policy to record interaction and level of staff that are authorised to intervene.</b>	
		<b>Physical</b>	<b>CCTV positioned at entrance to enhance ease of recognition of excluded customers. Including the use of spotter screen.</b>	

			<b>Regular staff employed to improve customer relationships.</b>	
	<b>Failure to properly administer and maintain the self-exclusion process.</b>	<b>Systems</b>	<b>Data regularly reviewed. Self exclusion process always available. Self-Excluded customer file kept on premises using the iHub.</b>	
	<b>Awareness of schools in the local area.</b>	<b>Systems</b>	<b>Reference local education authority. Obtain education welfare officer contact details and hold for referral.</b>	
	<b>Age Verification with customers wearing masks following Covid-19.</b>	<b>Physical</b>	<b>Following the virus outbreak customers may choose to wear a protective mask. Customers must be asked to remove mask for AV purposes before being allowed in.</b>	

## Appendix 1

### Geofutures analysis

According to the Geofutures information available from Westminster City Council, the location scores 34.7 for the composite gambling risk index. The highest risk area in Westminster is near the University of Westminster Cavendish Campus with a location score of 74.2. The lowest risk score being 0.1 in the centre of Regent's Park.

The site scores lower than the applicant's site at 426 Edgware Road, which has a composite gambling risk index of 35.5. This site has been operating without incident for 7 years.

32 Gerrard Street has a 6.2 score for the people gambling at home risk and 28.5 for people gambling away from home risk. This is relatively low risk.

There are no gambling treatment centres nearby.

### Geofutures report as follows:

#### Case study 3 – The West End

The risk areas in the West End focus on two distinct spaces, one around Soho and the other to the north of Oxford Street, between Goodge Street and Great Portland Street. Like the area around about Paddington/Edgware Road, both areas are smaller geographically than the area of risk in the north west.

The risk in both areas is broadly driven by the types of services offered in each area. For example, three of the four locations of Gamblers Anonymous/GamCare treatment services (see Figure 29) are in these areas. These areas are also home to five supported housing facilities; these are especially concentrated in the area north of Oxford Street. There are at least three payday loan shops around the Soho area. To the south of the Soho area, there is a treatment support service for those with drugs and alcohol problems.

There is less evidence that the risk profile is being driven by the profile of local residents, though the area to the north of Oxford St has some higher numbers of economically inactive people (with typically 15 people per output area) and those from a minority ethnic background (typically more than 150 people per output area) (see Figures 30 and 31).

Interestingly, Soho did not display noticeably higher numbers of residents from minority ethnic groups, despite this being the location of Chinatown. Whilst the residents will be represented, our models do not include facilities like Chinatown to which Chinese and other minority ethnic

workers will gravitate. In this respect, the model around Soho is likely to be a conservative estimate of risk.

Figure 29: Location of GamCare treatment centres or GA meeting places in West End area

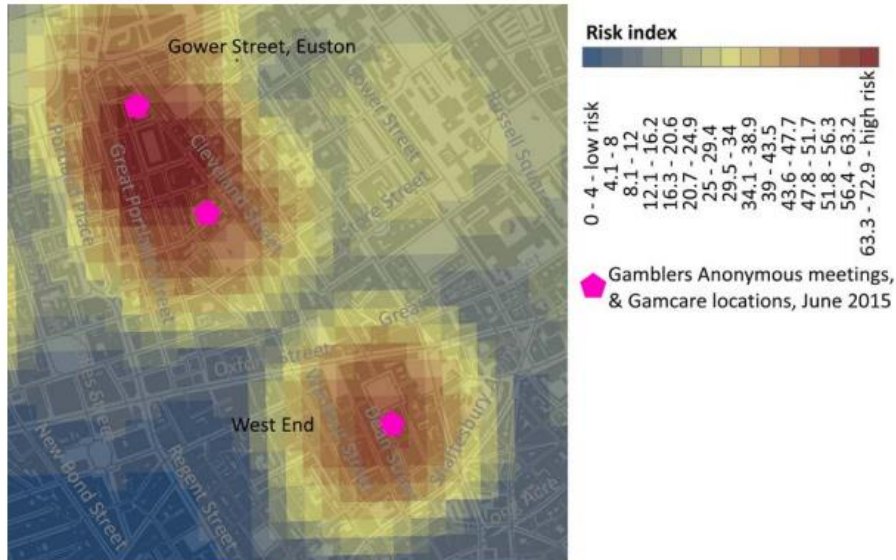


Figure 30: Number of residents unemployed (per output area) in West End area

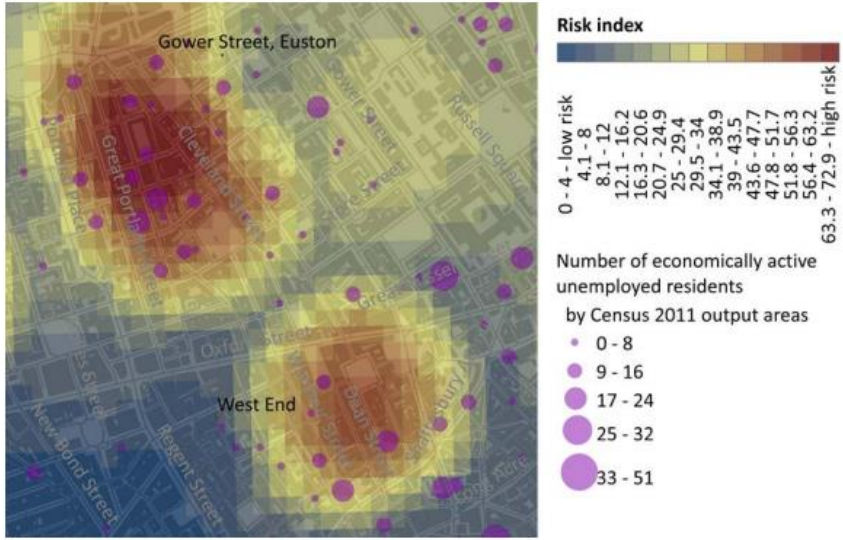
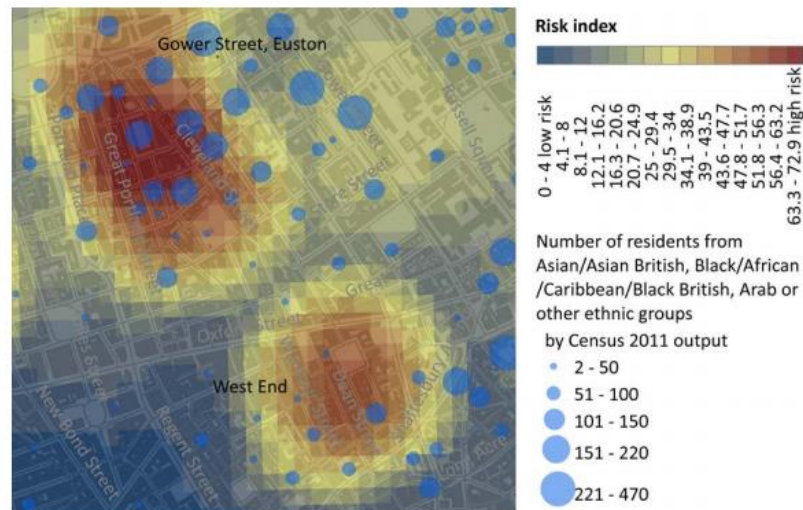


Figure 31: Number of residents from minority ethnic groups (per output area) in West End area



**Extract from the recent WCC Consultation Documents:  
Final Draft of LAP - Consultation Version - 27 September 2021**

\*Please note Soho and Gerrard Street are not mentioned, this is for info only. Please also note that Gerrard Street sits outside the Gambling Vulnerability Focus Area: West End.

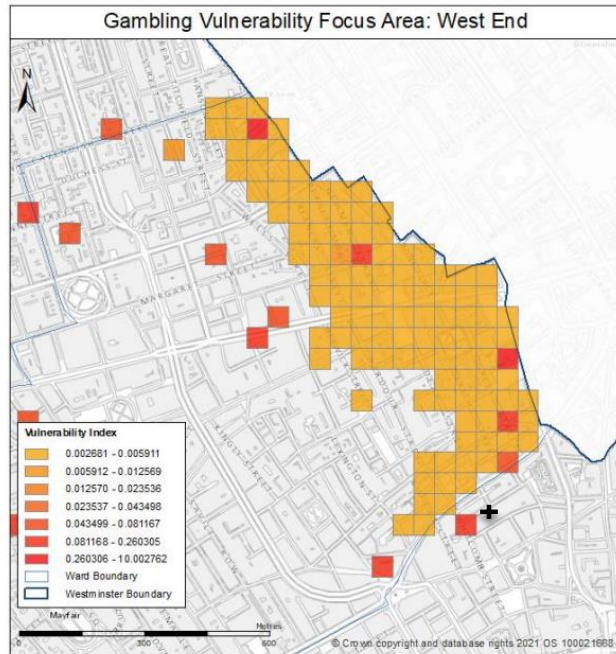
**Focus Area: West End**

5.45 The West End generally presents an ‘at home’ index score between 0.00268 – 0.0059, punctuated by three locations with a higher score up to 0.0125, and notably one between 0.08 – 0.26, the second highest risk level. The general level of vulnerability is caused by the area having the highest count of males between the ages of 25 and 44, a highly vulnerable group and of residents receiving mental health care packages. In the three locations where vulnerability is exacerbated, we find temporary accommodation properties and supported housing for young adults who are experiencing homelessness, as well as a slightly higher than average number (when comparing to the whole borough) of people deemed “at risk”, “struggling” or “in crisis” within the Lower Income Family Tracker.



5.46 From the 'away from home' index, the biggest contributors to the pockets of vulnerability are four payday loan shops, a pharmacy dispensing opiate substitutes or offering needle exchanges, two pawn shops, non-residential addiction centres and Gamblers Anonymous/GamCare meeting locations.

5.47 It should be noted that there is a pocket of vulnerability driven by the presence of a Gamblers Anonymous / GamCare meeting and a youth club to the south of Great Portland Street tube station, which therefore increases vulnerability according to the 'away from home' index.



+ Indicates 32 Gerrard Street

**Extract from the recent WCC Consultation Documents:  
Draft Gambling Policy - V5.1 KS 21 September 2021 Final Consultation Version**

\*Please note Gerrard Street sits outside the West End (East) Gambling Vulnerability Zone

### West End (East)

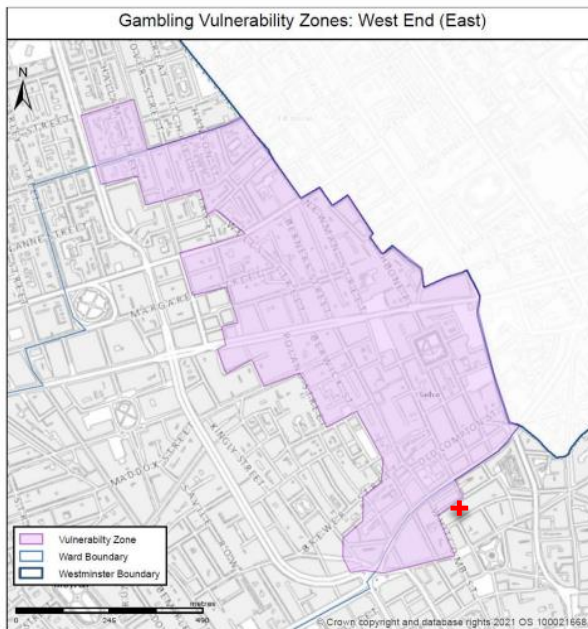
F2.14 The general level of vulnerability in the West End is caused by the area having the highest count of males between the ages of 25 and 44, a highly vulnerable group and of residents receiving mental health care packages. In the three locations where vulnerability is exacerbated, we find temporary accommodation properties and supported housing for young adults who are experiencing homelessness, as well as a slightly higher than average number (when comparing to the whole borough) of people deemed “at risk”, “struggling” or “in crisis” within the Lower Income Family Tracker.

F2.15 Also contributing to pockets of vulnerability are four payday loan shops, a pharmacy dispensing opiate substitutes or offering needle exchanges, two pawn shops, non-residential addiction centres and Gamblers Anonymous/GamCare meeting locations.

F2.16 It should be noted that there is a pocket of vulnerability driven by the presence of a Gamblers Anonymous / Gamcare meeting and a youth club to the south of Great Portland Street tube station.

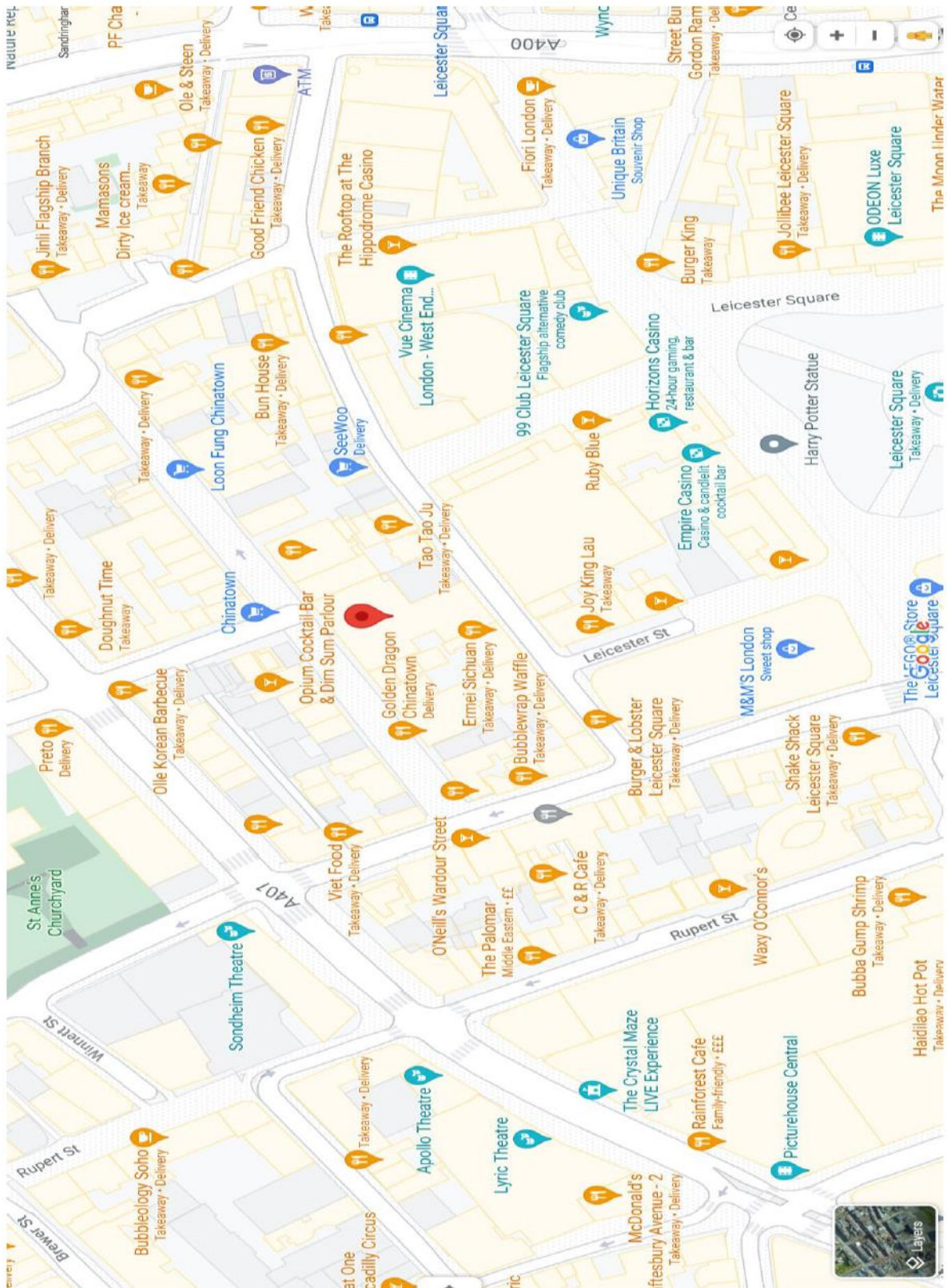
page 474

### Gambling Vulnerability Zone: West End (East)



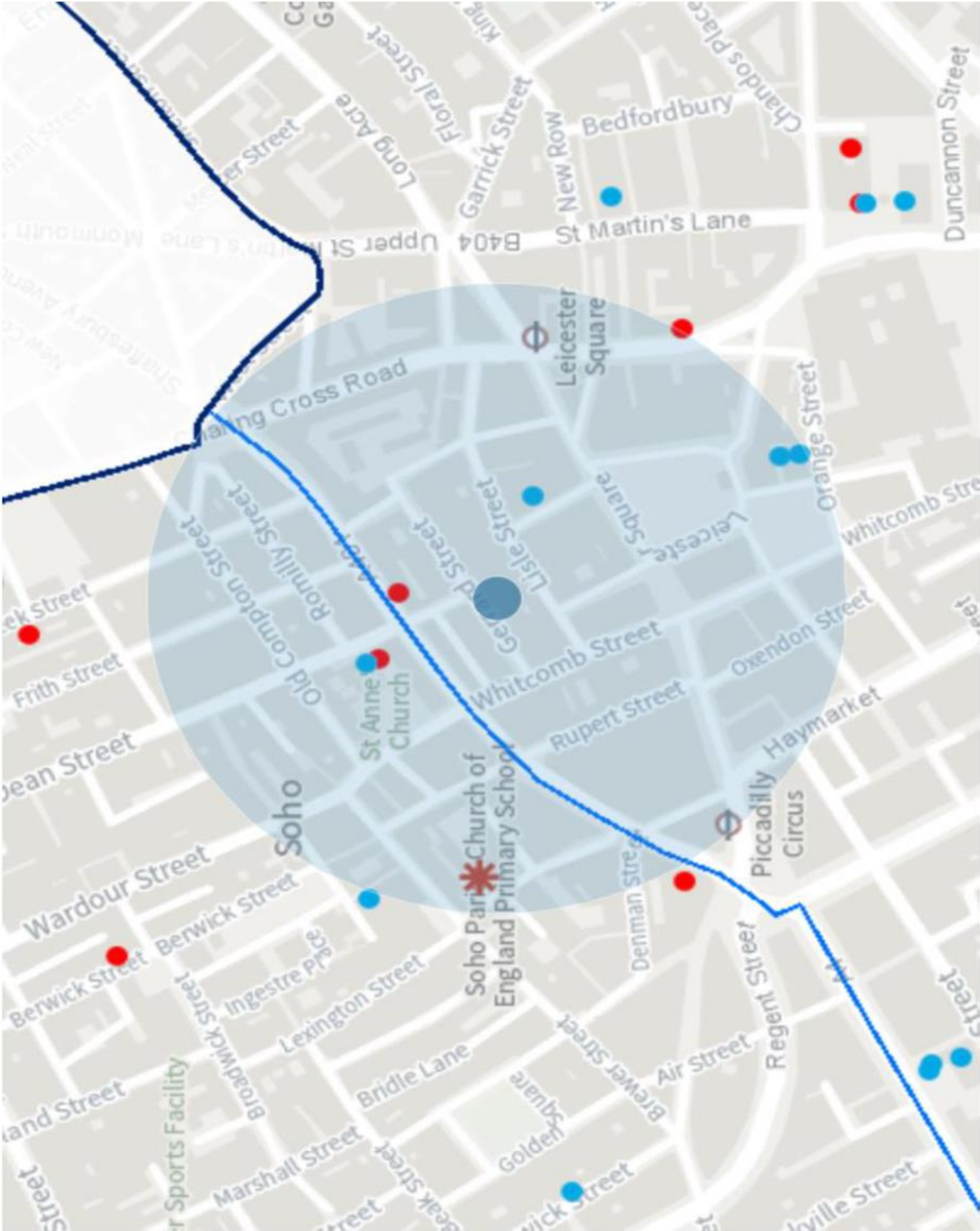
+ Indicates 32 Gerrard Street

Appendix A

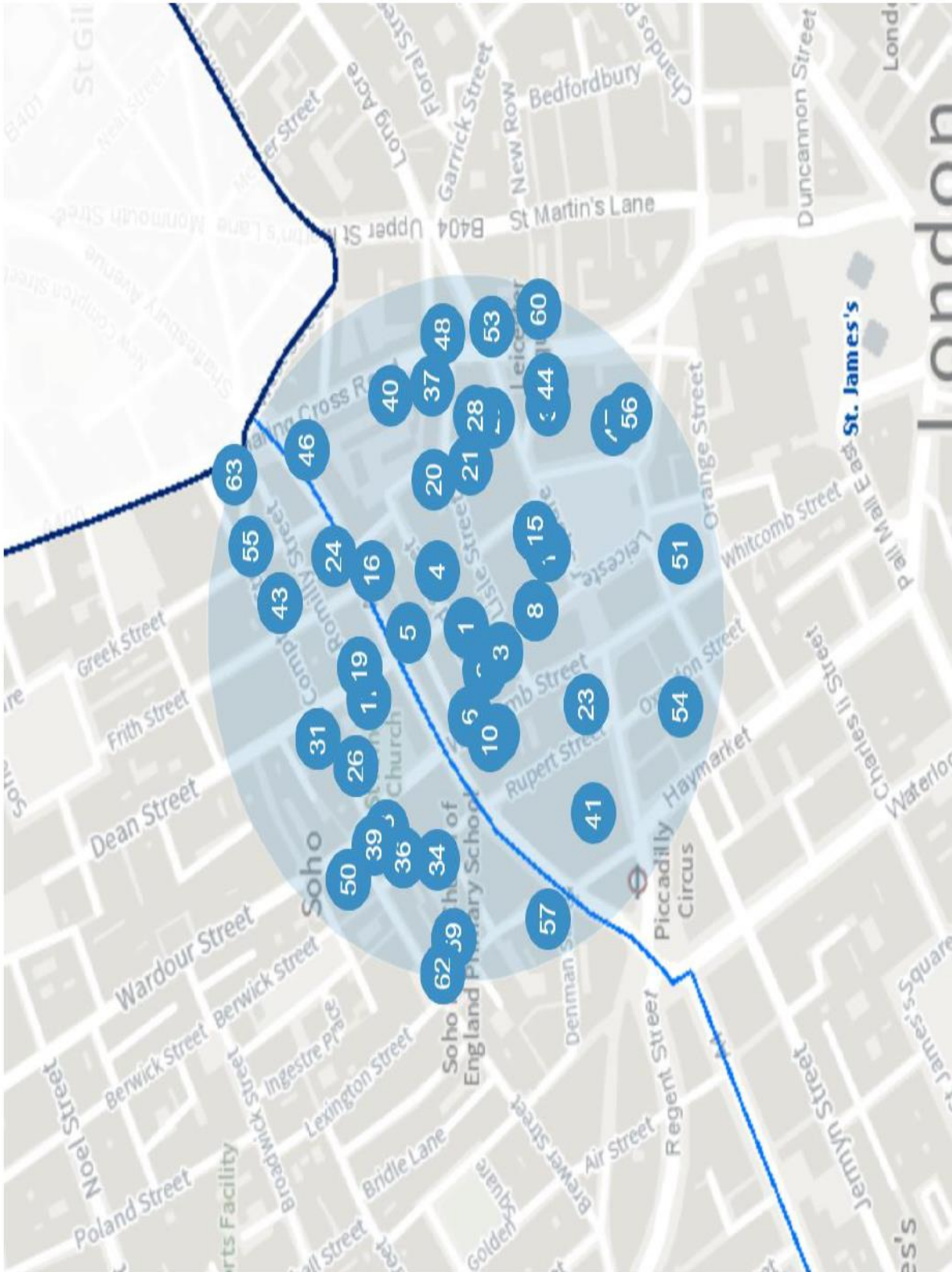




Appendix B



**Appendix C**



## **Appendix D**

### **Pleasure Fairs (Amusement Premises) Byelaw**

Byelaws for the regulation of hours during which amusement premises may be open to the public; for the securing of safe and adequate means of ingress to and egress from amusement premises; for the prevention and suppression of nuisances and for the preservation of sanitary conditions, cleanliness, order and public safety at amusement premises; for the prevention of outbreaks of fire which might endanger structures used or intended for use in connection with amusement premises, and for reducing the risk of, and the spread of fire from, such outbreaks; made by the Westminster City Council in pursuance of Section 75 of the Public Health Act 1961, as amended by Section 22 of the Local Government (Miscellaneous Provisions) Act 1976.

1. (a) These byelaws shall apply only to pleasure fairs within the meaning of Section 75(2) of the Public Health Act 1961 which are amusement premises:  
(b) These byelaws shall not apply to premises licensed or registered under Part II of the Gaming Act 1968 or to members clubs and miners welfare institutes registered under Part III of that Act.
2. In these byelaws, except where the context otherwise requires, the following expressions have the following meanings respectively, that is to say:
  - (a) "Amusement premises" means any place used wholly or mainly to provide entertainments within the meaning of Section 75(3)(f) of the Public Health Act 1961, and shall include any stationary vehicle, vessel, stall, caravan, trailer or tent where the above applies.
  - (b) "The Council" means the Westminster City Council.
  - (c) "Manager" means the person having control of the entertainments provided within the meaning of Section 75(3)(f) at the amusement premises.

### **Regulation of opening hours**

3. (1) The manager shall not keep the amusement premises open between the hours of 12 midnight and 9am.  
(2) The Council, may by resolution, fix a later hour in substitution for the hour of 12 midnight in this byelaw for the closing of amusement premises or specified classes of amusement premises on specified dates or during specified periods or generally.
4. (1) The manager shall give to the proper officer of the Council at least 5 days prior notice in writing of the intention to use any amusement premises specifying therein the dates and place at which such amusement premises are to be used.  
(2) The notice to be given under this byelaw shall be in addition to and not in substitution for any notice required to be given under any other enactment.  
(3) In this byelaw "proper officer" means an officer appointed for the purpose of the Council.
5. (1) The manager shall take such steps as are reasonably practicable to ensure that there are provided such entrances and exits to the amusement premises as will enable persons using the amusement premises (including disabled persons) to be safe and free from risks to health and while such persons are present on the premises every exit provided for their use shall be unsecured and free from obstruction.  
(2) The manager shall cause to be exhibited over each exit from the amusement premises a notice bearing the word 'EXIT' in letters of sufficient size to ensure it is legible at the maximum viewing distance.
6. No person shall place or cause to be placed any obstruction in any exit or gangway provided in accordance with these byelaws while any persons are using the amusement premises.  
Nuisances, sanitary conditions, cleanliness, order and public safety

7. The manager shall ensure that at all times when the amusement premises are open for business, there is in operation such lighting as is adequate to enable persons using the premises to be safe.

8. The manager shall ensure that the internal parts of the amusement premises are maintained in good repair and condition in order that persons using the premises shall be safe at all times when the premises are open for business.

9. The manager shall take such steps as are reasonably practicable to ensure that:-

(a) a sufficient number of unobstructed gangways are provided and maintained in the amusement premises;

(b) amusement machines, seats and other furnishings and structures are distributed in order that the amusement premises shall, at all times when they are open for business, be safe for persons using the premises (including disabled persons).

10. The manager shall ensure that all parts of the premises (including sanitary accommodation) are kept as clean as is reasonably practicable.

11. The manager shall take such steps as are reasonably practicable to ensure that every machine provided at the amusement premises is properly and safely installed.

12. The manager shall not knowingly permit:-

(a) the amusement premises to be used for soliciting for the purpose of prostitution nor as a habitual resort or place of meeting of reputed prostitutes but this does not prohibit the manager from permitting such persons to remain on the premises for the purpose of using the amusement machines for such time as is necessary for that purpose.

(b) any person who is drunk or disorderly to enter or remain on the amusement premises.

13. The manager shall take such steps as are reasonably practicable to ensure that the external doors to the amusement premises suppress noise emanating from those premises where by means of the doors being fitted with a device for automatic closure or by any other similar means.

14. The manager shall ensure that the amusement premises are under the supervision of at least one responsible person at all times when those premises are open for business.

Fire protection.

15. (1) The manager shall:

(a) Consult the fire authority regarding a means of fighting fire for use in the amusement premises; and

(b) Provide and maintain reasonable means of fighting fire having regard to all the circumstances including the size, nature and age of the amusement premises; and

(c) Keep the means for fighting fire in a place where it is readily available for use.

(2) In this byelaw 'maintain' means to maintain in an efficient state in efficient working order and in good repair.

### **Penalty**

16. Any person offending against any of the foregoing byelaws shall be liable on summary conviction to a fine not exceeding £400.

### **Defence**

17. It shall be a defence for a person to prove that he had taken all reasonable precautions and exercised all due diligence to prevent the commission of an offence under these byelaws.

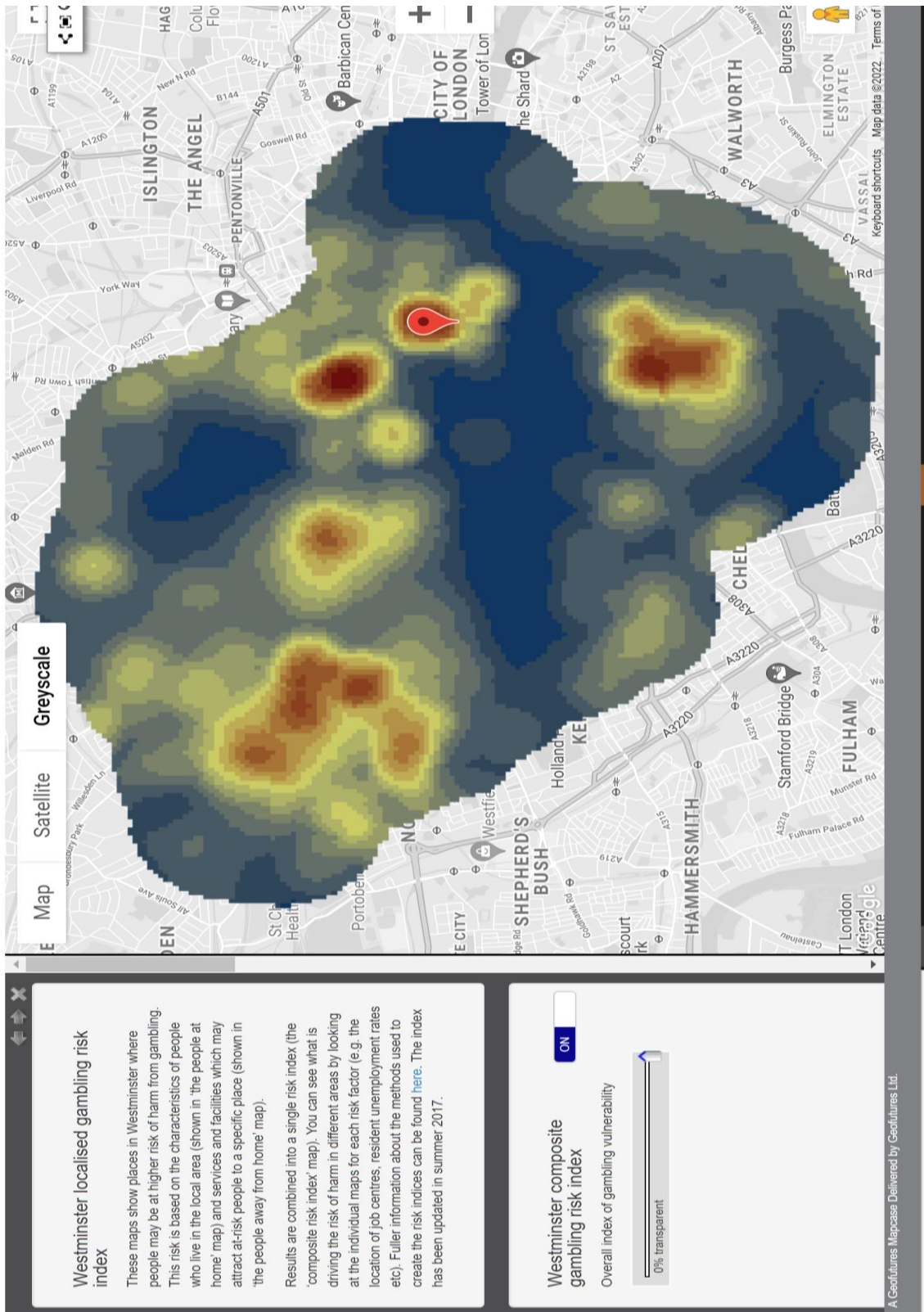
## **Appendix E**

These are the mandatory conditions for an AGC:

1. A notice must be displayed at all entrances to AGCs stating that no person under the age of 18 years will be admitted to the premises.
2. There can be no direct access between an AGC and any other premises licensed under the Act or premises with a family entertainment centre (FEC), club gaming, club machine or alcohol licensed premises gaming machine permit. (England and Wales only). There is no definition of 'direct access' in the Act or regulations, although licensing authorities may consider that there should be an area separating the premises concerned, such as a street or cafe, which the public go to for purposes other than gambling, for there to be no direct access.
3. Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to cease gambling at any gaming machine in order to do so.
4. The consumption of alcohol in AGCs is prohibited at any time during which facilities for gambling are being provided on the premises. Additionally in Scotland the sale of alcohol on the premises is specifically prohibited. A notice stating this should be displayed in a prominent place at every entrance to the premises.



## Westminster Localised Gambling Index (as of 2017)



**Premises History****Appendix 4**

<b>Licence Number</b>	<b>Application Type</b>	<b>Date Determined</b>	<b>Decision</b>
09/08556/LIGPN	Gaming Machine Permit	02.11.2009	Granted under Delegated Authority
10/06211/LIGN	New Gambling premises licence	28.10.2010	Granted by Licensing Sub-Committee
11/12461/LIGV	Gambling Variation application	06.02.2012	Granted under Delegated Authority
15/10449/LIGD	Request for a duplicate licence	17.11.2015	Granted under Delegated Authority  <b>Surrendered November 2020</b>

**CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE AND CONDITIONS PROPOSED BY A PARTY TO THE HEARING**

When determining an application for a new premises licence under the provisions of the Licensing Act 2003, the licensing authority must, unless it decides to reject the application, grant the licence subject to the conditions which are indicated as mandatory in this schedule.

At a hearing the licensing authority may, in addition, and having regard to any representations received, grant the licence subject to such conditions which are consistent with the operating schedule submitted by the applicant as part of their application, or alter or omit these conditions, or add any new condition to such extent as the licensing authority considers necessary for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as necessary for the promotion of the licensing objectives by a responsible authority or an interested party as indicated. These conditions have not been submitted by the licensing service but reflect the positions of the applicant, responsible authority or interested party and have not necessarily been agreed

**Mandatory Conditions**

1. A notice must be displayed at all entrances to AGCs stating that no person under the age of 18 years will be admitted to the premises.
2. There can be no direct access between an AGC and any other premises licensed under the Act or premises with a family entertainment centre (FEC), club gaming, club machine or alcohol licensed premises gaming machine permit. (England and Wales only). There is no definition of 'direct access' in the Act or regulations, although licensing authorities may consider that there should be an area separating the premises concerned, such as a street or cafe, which the public go to for purposes other than gambling, for there to be no direct access.
3. Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to cease gambling at any gaming machine in order to do so.
4. The consumption of alcohol in AGCs is prohibited at any time during which facilities for gambling are being provided on the premises. Additionally in Scotland the sale of alcohol on the premises is specifically prohibited. A notice stating this should be displayed in a prominent place at every entrance to the premises.

**Conditions consistent with the operating schedule**

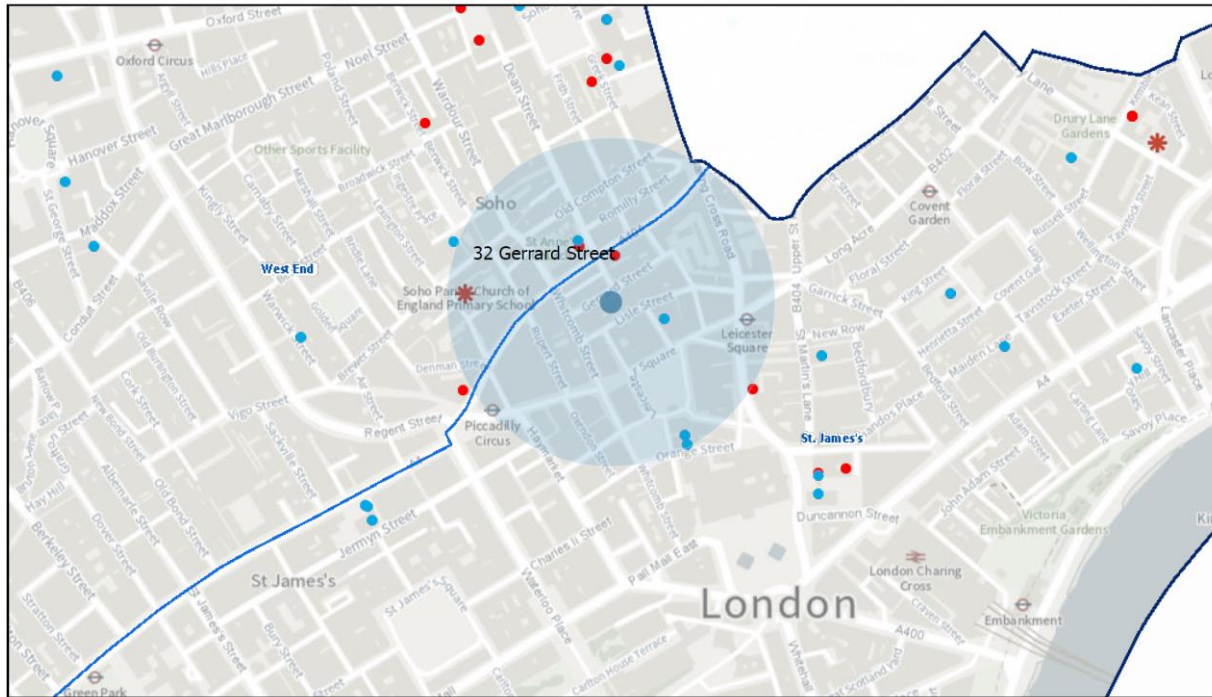
5. A direct telephone number to the manager of the premises will be available at all times the premises is open. This number shall be made available to residents and businesses in the vicinity.
6. The licensee will liaise with any residents who would like to be contacted quarterly to discuss the operation of the AGC and any issues.
7. The licensee shall organise and participate in a meeting for local residents and residents' associations to discuss the operation of the premises at least once every six months. The licensee shall directly notify local residents and residents' associations of the meeting date and venue at least two weeks before the meeting.

8. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
  - (a) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
  - (b) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the gaming area, office, toilet entrance, any seating and external area immediately outside the premises entrance.
  - (c) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
  - (d) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
9. 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 is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
10. The premises shall display notices near the entrance of the venue stating that CCTV is in operation.
11. A 'spotter monitor' shall be placed inside the premises near the front door showing CCTV images of customers entering, exiting and whilst on the premises.
12. A Challenge 25 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.
13. 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.
14. Prominent signage and notices advertising the Challenge 25 will be displayed showing the operation of such policy.
15. Third party testing on age restricted sales systems purchasing shall take at least twice a year and the results shall be provided to the Licensing Authority upon request.
16. 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 by staff.
17. Staff will receive a notification when the front door opens.
18. Between 6pm and 6am there will be an SIA registered door person employed at the front door of the premises. The need for an SIA door person at other times will be risk assessed. They shall display their licence at all times in a yellow high visibility arm band.
19. There shall be 2 members of staff present at all times the premises are open to the public.
20. The licensee shall implement a policy of banning any customers who engage in crime or disorder within or outside the premises.
21. The licensee will refuse entry to customers who appear to be under the influence of alcohol or drugs.
22. The licensee shall install and maintain an intruder alarm on the premises.

23. The licensee shall install and maintain fixed panic buttons and in addition portable panic buttons will be worn by staff.
24. The licensee will ensure that customer toilets are checked every hour for evidence of drug taking. Toilet checks are to be documented stating the time and member of staff who made the checks. Toilets will remain locked at all times with access being provided by staff.
25. Prominent GamCare documentation will be displayed at the premises together with other notices promoting responsible gambling. All such documentation and notices will be provided in English and Mandarin Chinese.
26. The licensee shall:
  - a. provide induction training to all staff working at the premises;
  - b. provide refresher training to every member of staff at least every six months. The training shall include the following:
    - i. the specific local risks to the licensing objectives that have been identified for these premises;
    - ii. drug and alcohol awareness training to include Homeless and Street Drinking.
    - iii. Conflict Management Training. At least one of these training sessions each calendar year shall be provided by instructors qualified to a formally recognised national or equivalent standard on dealing with conflict.
27. Participation in the said training shall be formally recorded on each member of staff's training records which will be available for presentation to the Licensing Authority immediately upon request.
28. At least one member of staff working at the premises shall have a minimum of 6 months experience working in a licensed Adult Gaming Centre.
29. 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.
30. 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.
31. 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;
  - a. All crimes reported to the venue;
  - b. Any complaints received regarding crime and disorder;
  - c. Any incidents of disorder;
  - d. Any faults in the CCTV system; and
  - e. Any visit by a relevant authority or emergency service.
  - f. All ejections of patrons;
  - g. All seizures of drugs or offensive weapons;
32. There shall be no cash point or ATM facilities on the premises
33. Any tea/coffee/drinks facilities will be provided for playing customers only.

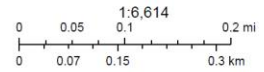
34. All seating within the premises shall be either secured to the floor or are weighted to prevent lifting.

Silvertime, 32 Gerrard Street, London, W1D 6JA



06/12/2021, 11:56:32

- Borough Boundary - Mask
- Borough Boundary - Detailed
- ★ Academy
- ★ Special
- Ward Boundaries
- Hostels - Special Needs Schemes
- ★ Primary
- ★ Independent
- Ward Labels
- Schools
- ★ Free School
- ★ Nursery
- ★ Others



**Resident Count within a 75 metre radius: 101**

<b>Licensed premises within a 250m radius of 32 Gerrard Street, London, W1D 6JA</b>			
<b>Licence Number</b>	<b>Trading Name</b>	<b>Address</b>	<b>Application Type</b>
09/08556/LIGPN	Exchange Bar	32 Gerrard Street London W1D 6JA	Gambling Permit - LPGM Notification
12/01762/LILN	Chinese Community Centre	Second Floor 28 - 29 Gerrard Street London W1D 6JW	New Lotteries Registration
11/08754/LIGPN	Slug And Lettuce	Ground 5 Lisle Street London WC2H 7BF	Gambling Permit - LPGM Notification
20/11829/LIGV	Paddy Power	Basement And Ground Floor 40 Gerrard Street London W1D 5QE	Gambling Act - Variation
08/03570/LIGPN	De Hems Public House	11 Macclesfield Street London W1D 5BW	Gambling Permit - LPGM Notification
21/13101/LIGCH	Play 2 Win	32 Wardour Street London W1D 6JJ	Gambling Act - Change Licensee Dets
09/10170/LIGPN	The Imperial	5 Leicester Street London WC2H 7BL	Gambling Permit - LPGM Notification
08/00690/LIGPN	The Imperial	5 Leicester Street London WC2H 7BL	Gambling Permit - LPGM Notification
11/00378/LIGPPC	O'Neill's	33 - 37 Wardour Street London W1D 6PT	Gambling Permit - LPGMP Conversion
17/07823/LIGT	Betfred	39 Wardour Street London W1D 6PX	Gambling Act - Transfer
19/16970/LIGV	The Empire Poker Room	Basement To Second Floor 5 - 6 Leicester Square London WC2H 7NA	Gambling Act - Variation
20/01525/LIGT	Caesar's Mayfair	Second Floor 5 - 6 Leicester Square London WC2H 7NA	Gambling Act - Transfer
19/13579/LIGV	The Casino At The Empire	Basement To Second Floor 5 - 6 Leicester Square London WC2H 7NA	Gambling Act - Variation
11/00803/LIGPN	Not Recorded	1 Leicester Place London WC2H 7BP	Gambling Permit - LPGM Notification
19/02395/LIGV	Horizons	Basement 1	Gambling Act -



		Leicester Place London WC2H 7BP	Variation
09/07972/LIGPS	Ladbrokes	118-120 Shaftesbury Avenue London W1D 5EP	Gambling Act - Provisional Statement
20/03860/LILR	The Soho Society	55 Dean Street London W1D 6AF	Renewal of a Lotteries Registration
09/01117/LIGPN	Golden Lion Public House	51 Dean Street London W1D 5BH	Gambling Permit - LPGM Notification
08/10018/LIGPPR	Golden Lion Public House	51 Dean Street London W1D 5BH	Gambling Permit - LPGMP Renewal
19/02391/LIGT	Coral	1-3 Newport Place London WC2H 7JR	Gambling Act - Transfer
07/10189/LIGPN	Vue Cinemas West End	3 Cranbourn Street London WC2H 7AL	Gambling Permit - LPGM Notification
18/11176/LIGCHT	The Rialto Casino Piccadilly	3 - 4 Coventry Street London W1D 6BL	Gambling Act - Change Trading Name
11/02779/LIGV	G Casino Piccadilly	3 - 4 Coventry Street London W1D 6BL	Gambling Act - Variation
13/05696/LIGV	Genting Casino London China Town	93-107 Shaftesbury Avenue London W1D 5DY	Gambling Act - Variation
17/05555/LIGPN	Comptons	51 - 53 Old Compton Street London W1D 6HN	Gambling Permit - LPGM Notification
11/00218/LIGPN	Not Recorded	51 - 53 Old Compton Street London W1D 6HN	Gambling Permit - LPGM Notification
18/15825/LIGV	Crystal Rooms	Basement And Part Ground Floor 7 - 9 Cranbourn Street London	Gambling Act - Variation
19/11852/LIGV	The Hippodrome Casino	The Hippodrome Cranbourn Street London WC2H 7JH	Gambling Act - Variation
15/08625/LIGPN	Duke Of Wellington	77 Wardour Street London W1D 6QA	Gambling Permit - LPGM Notification
08/00099/LIGPN	Duke Of Wellington	77 Wardour	Gambling Permit

		Street London W1D 6QA	- LPGM Notification
15/08621/LIGPN	Admiral Duncan	54 Old Compton Street London W1D 4UD	Gambling Permit - LPGM Notification
17/07818/LIGPPV	Not Recorded	54 Old Compton Street London W1D 4UD	Licensed Premises Gaming Machine Permit
10/03167/LIGPN	White Horse Public House	45 Rupert Street London W1D 7PB	Gambling Permit - LPGM Notification
08/04614/LIGPN	Rupert Street Cafe Bar	50 Rupert Street London W1D 6DR	Gambling Permit - LPGM Notification
11/00180/LIGPN	Not Recorded	50 Rupert Street London W1D 6DR	Gambling Permit - LPGM Notification
12/02196/LIGV	William Hill	18 Newport Court London WC2H 7JS	Gambling Act - Variation
10/05314/LIGPN	The Zoo Bar And Club	Basement And Ground Floor Cameo House 13 - 17 Bear Street London WC2H 7AS	Gambling Permit - LPGM Notification
18/12908/LIGPPN	Village Bar	Basement Ground Floor And Part First Floor 81 Wardour Street London W1D 6QD	Gambling Permit - LPGMP New
08/00436/LIGPPN	Not Recorded	Second Floor Trocadero 13 Coventry Street London W1W 7DH	Gambling Permit - LPGMP New
11/06403/LIGPN	Not Recorded	79 Charing Cross Road London WC2H 0NE	Gambling Permit - LPGM Notification
18/12904/LIGPPN	Bar Soho	23 - 25 Old Compton Street London W1D 5JL	Gambling Permit - LPGMP New
10/05315/LIGPN	Bar Soho	23 - 25 Old Compton Street London W1D 5JL	Gambling Permit - LPGM Notification
11/00343/LIGPPC	Not Recorded	10 - 12 Bear Street London WC2H 7AX	Gambling Permit - LPGMP Conversion
07/10089/LIGPN	Walkabout	136 Shaftesbury Avenue London W1D 5EZ	Gambling Permit - LPGM Notification

09/08090/LIGPN	Walkabout	136 Shaftesbury Avenue London W1D 5EZ	Gambling Permit - LPGM Notification
09/06763/LIGPPC	Moon Under Water	28 Leicester Square London WC2H 7LE	Gambling Permit - LPGMP Conversion
07/10627/LIGPN	The Porcupine Public House	48 Charing Cross Road London WC2H 0BS	Gambling Permit - LPGM Notification
21/10187/LIGPUR	Funland	89 - 91 Wardour Street London W1F 0UB	Gambling Permit - unFEC Renewal
16/06717/LIGPUD	Funland	89 - 91 Wardour Street London W1F 0UB	Gambling Permit - unFEC Duplicate/Update
21/13102/LIGCH	Las Vegas	89 - 91 Wardour Street London W1F 0UB	Gambling Act - Change Licensee Dets
07/10251/LIGPN	Odeon Cinema	Ground Floor To Upper Floor 40 Leicester Square London WC2H 7LE	Gambling Permit - LPGM Notification
16/02117/LIGPN	Comedy	Basement To Second Floor 7 Oxendon Street London SW1Y 4EE	Gambling Permit - LPGM Notification
10/02886/LIGPN	The Brewmaster	37 Cranbourn Street London WC2H 7AD	Gambling Permit - LPGM Notification
10/02873/LIGPN	The Brewmaster	37 Cranbourn Street London WC2H 7AD	Gambling Permit - LPGM Notification
08/04587/LIGPN	Three Greyhounds Public House	The Three Greyhounds Public House 25 Greek Street London W1D 5DD	Gambling Permit - LPGM Notification
11/08749/LIGPPT	Yates Wine Lodge	Ground Floor 29 - 30 Leicester Square London	Gambling Permit - LPGMP Transfer
09/03961/LIGPN	St James' Tavern Public House	45 Great Windmill Street London	Gambling Permit - LPGM Notification
09/08642/LILN	Soho Parish School	Soho Parish Primary School 23 Great Windmill Street London W1D 7LF	New Lotteries Registration
12/03930/LILN	Soho Parish School	Soho Parish Primary School 23 Great	New Lotteries Registration

		Windmill Street London W1D 7LF	
09/09960/LIGPN	Round Table Public House	26-27 St Martin's Court London WC2N 4AL	Gambling Permit - LPGM Notification
10/03168/LIGPN	Duke Of Argyll Public House	37 Brewer Street London W1F 0RY	Gambling Permit - LPGM Notification
08/04635/LIGPN	Duke Of Argyll Public House	37 Brewer Street London W1F 0RY	Gambling Permit - LPGM Notification
10/00266/LIGPN	Cambridge Hotel	93 Charing Cross Road London WC2H 0DP	Gambling Permit - LPGM Notification