

Licensing Sub-Committee Report

Item No:	
Date:	14 January 2021
Licensing Ref No:	20/08158/LIGN – New Gambling Premises Licence
Title of Report:	Star Sports 357 Harrow Road London W9 3NA
Report of:	Director of Public Protection and Licensing
Wards involved:	Harrow Road
Policy context:	Statement of Licensing Principles for Gambling
Financial summary:	None
Report Author:	Jessica Donovan Senior Licensing Officer
Contact details	Telephone: 0207 641 6500 Email: Jdonovan@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Gambling Premises Licence, Gambling Act 2005		
Application received date:	10 September 2020		
Applicant:	Star Sports (On Course) Ltd		
Premises address:	Star Sports 357 Harrow Road London W9 3NA	Ward:	Harrow Road
		Cumulative Impact Area:	None
Premises description:	<p>According to the application, this premises plans to operate as betting shop.</p> <p>The application has been made under Section 187 of the Gambling Act 2005 (2005 Act).</p>		
Premises licence history:	<p>This premises were previously licensed under the Gambling Act 2005 as a betting shop (licence number 07/07253/WCCGAP). A full licence history can be seen at Appendix 4 of this report.</p>		
Premises in the vicinity	<p>Harrow Road has a mix of venues including retail, restaurants and fast-food takeaways.</p> <p>There are 23 licensed premises under the Licensing Act 2003, 6 live Gambling premises within a 300 metre radius; consisting of 2 Betting Shops and 3 premises with Gaming Machine Permits and 1 registration of non-commercial society. A full detailed list of these premises can be viewed at Appendix 6 of this report.</p> <p>There are 243 residents within a 75 metre radius of the premises.</p> <p>There are 7 hostels, 2 faith groups and 2 schools within a 300 metre radius of the premises.</p>		
Applicant submissions:	<p>The applicant has submitted the following;</p> <ul style="list-style-type: none"> Local Area Risk Assessment <p>The applicant's additional submissions and can be seen at Appendix 2 of this report.</p>		

2. Consultation

Consultation procedures

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.

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.

2.3 Emails were also sent to each Ward Councillor whose wards are subject to this application advising them of the application.

3. Representations

3-A Responsible Authorities

Responsible Authority:	Metropolitan Police Service (<i>Withdrawn 24 December 2020</i>)
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Representative:	PC Bryan Lewis
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Received:	30 September 2020
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With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, object to this application as it is our belief that if granted this application would undermine the Licensing Objectives contained within the 2005 Gambling Act for the following reasons:

- More information is required to properly assess this application
- Insufficient conditions offered to support the licensing objectives

Following agreement of conditions the Metropolitan Police withdrew their representation on 24 December 2020.

Responsible Authority:	The Licensing Authority
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Representative:	Kevin Jackaman
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Received:	30 September 2020
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I write in relation to the application submitted on behalf of Star Sports (On Course) Ltd for a new Betting Shop premises licence 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 welcomes the conditions that have been proposed by the applicant however concerns remain as to how the premises, if granted a licence would promote the licensing objectives, as set out below:

- 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.

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.

The Licensing Authority notes that this premises is situated between an off licence and a fast food establishment. The close proximity of a fast food premises can attract a variety of age groups including under 18's and the vulnerable. The close proximity of an off licence could also attract vulnerable persons. Due to the premises location, the local area profile is something that should be considered when determining this application.

Harrow Road is bordered by Maida Vale and Queens Park to the north and Westbourne to the South. This bustling shopping street hosts mainly independent retailers serving the ward's diverse population. The rest of the ward is mostly residential, with 3-4 storey terraced homes, many of which are converted into apartments.

After doing a 300 metre radius search of the premises there are 2 faith groups, 7 hostels and 2 schools within the 300 radius. (See appendix 1)

The Licensing Authority has identified 3216 residents and 5 licences under the Gambling Act 2005. This includes 2 betting shops and 3 gaming machine permits and a registration of non-commercial society. (See appendix 2)

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

The premises was previously a Betting Shop (William Hill) with a Betting Shop (Other) licence under the Gambling Act 2005 from August 2007 to October 2019 when the licence was surrendered.

The council's definition of vulnerable persons when considering applications of this type is that it relates to groups that include 'people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, 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.

Policy considerations

Policy LOC1

Paragraph 25.1 of Westminster's Statement of Licensing Principles for Gambling states This policy applies to applications for off-course betting premises. This is betting that takes place other than at a track, typically in a betting shop, and includes an entitlement to operate up to four gaming machines of category B2, B3, B4, C or D, and any number of betting machines.

Paragraph 25.2 goes on to state 'The council takes note of the Commission Guidance 2 concerning the powers that Licensing Authorities have under Section 181 of the Act enabling the restriction of the number of self-service betting terminals (SSBTs), their nature and the circumstances in which they are made available. The council will consider any proposals from the applicant on the offer of SSBTs within a premises and take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of both the SSBT and gaming machines made available for use on the premises.

Paragraph 25.3 states “The licensing authority must be satisfied that the primary use of the premises is to operate as betting premises in accordance with the principles outlined in paragraph 17 of this Statement. The applicant will be expected to demonstrate that they can offer sufficient facilities for betting upon application and that they have the right to occupy the premises.

Paragraph 25.4 states In determining whether the application meets the criteria in OBJ1, OBJ2, OBJ3 or other policies consideration will be given to appropriate measures/licensing conditions to address the matters listed below.

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

The Licensing Authority note that within the risk assessment that the premises will have notices and leaflets promoting Gamcare which is a charity supporting those with gambling addictions. The Licensing Authority seeks further details on the following points:

- 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?

The Licensing Authority note that within the risk assessment that the applicant is proposing to operate a Challenge 21 policy at the premises and advised that there will be CCTV coverage of the whole of the premises, including facial recognition at the entrance of the premises.

However, The Licensing Authority would seek further details on the training provided to staff in respect of the following:

- Safe guarding policy
- The training provided relating to signs of intoxication or drug use
- The training provided in dealing with rough sleepers and the homeless
- Staff training on identifying vulnerability and vulnerable persons
- The training that will be provided in respect of the Challenge 21 policy

Policy BET1

Policy: BET1 states: Applications and reviews will be determined, subject to the relevant criteria in Policies OBJ1, OBJ2, OBJ3 and other policies within this statement.

Policy OBJ1

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

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.'

Policy OBJ3

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.

Conditions

Should this application be granted a list of Mandatory Conditions will be attached to the licence. These have been included with this representation as Appendix 3.

The Licensing Authority note that the applicant has conditioned the application to limit the premises trading hours to:

- 08:00 and 22:00 on Monday to Saturday
- 08:30 and 22:00 on Sunday.

The above hours meet the default hours set in the conditions relating to a betting premises licence.

Conclusion

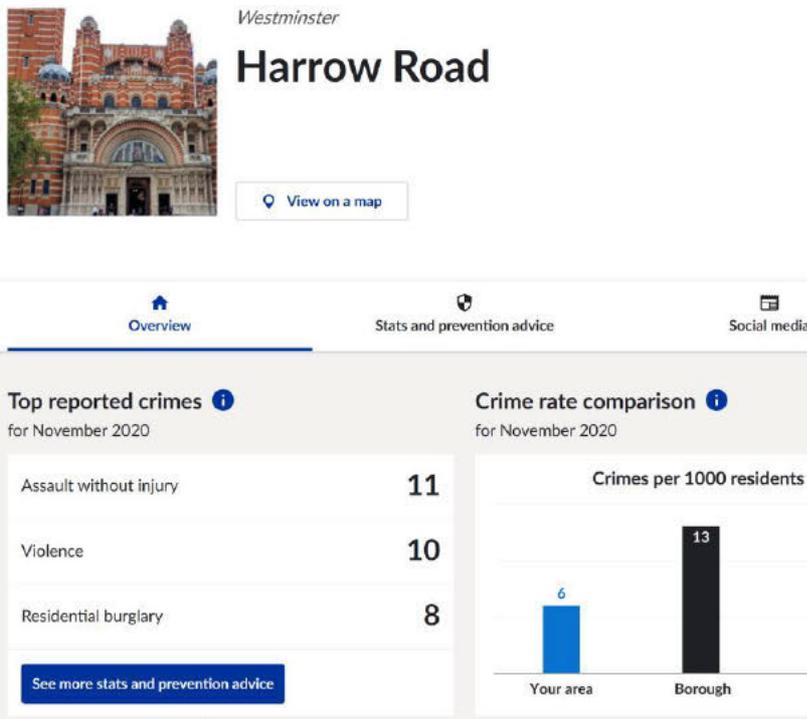
The Licensing Authority submit this as a formal representation to this application and look forward to receiving further submissions from the applicant on the points raised above.

3-B	Other Persons		
Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	15 September 2020		

The regeneration of this area will be put further back by opening yet another betting shop, which is completely unnecessary. There is already two betting shops in the immediate area at 381 Harrow Road (Coral) and 345-347 Harrow Road (Paddy Power). All this does is to further increase the crime and anti-social behaviour in an area that already has a higher crime rate than the average of London and suffers from shoplifting, violence and harassment. Opening this business will not benefit the local community in any way and will just exacerbate these crimes and anti-social behaviours.

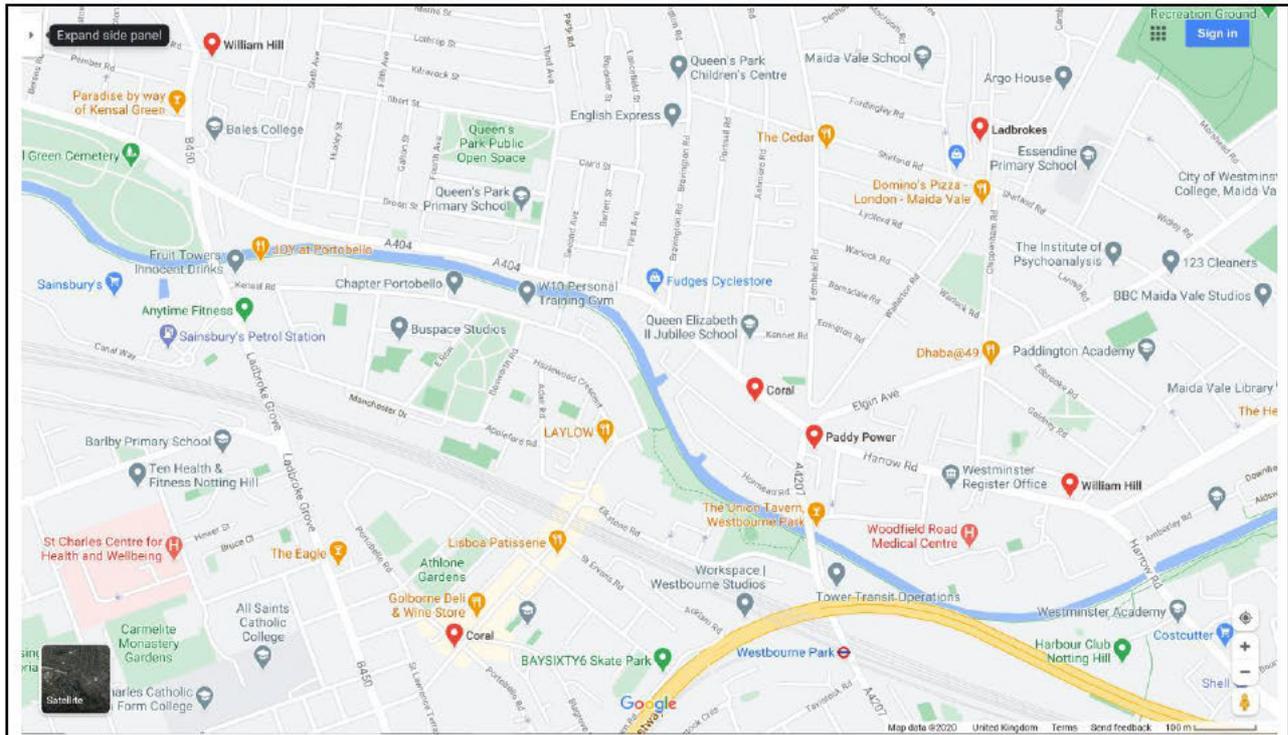
Met area crime report:

<https://www.met.police.uk/a/your-area/met/westminster/harrow-road/?tab=Overview>



Local betting shops:

<https://www.google.co.uk/maps/search/betting/@51.5251048,-0.2052675,16z>



Name: [Redacted]

Address and/or Residents Association: [Redacted]

Status: Valid **In support or opposed:** Opposed
Received: 18 September 2020

We are writing this complaint letter as we are against this premises being reopened due to a number of things. This betting store has caused not only us but many neighbours around them things such as social disturbance, loud noises, drug abuse and crowds. It is essential that all premises respect the right to quiet enjoyment of their neighbours. We would like to bring to your notice the ever-increasing problem of loud sounds and noises being made till 8-9 pm in the evening as many customers hang around in front of the premises. We hope you consider the above factors as a means to avoid this premises to be reopened again.

Name: [Redacted]

Address and/or Residents Association: [Redacted]

Status: Valid **In support or opposed:** Opposed
Received: 19 September 2020

I have read the risk assessment and feel that it is misleading in it's assessment in particular the description of the piazza & associated antisocial behaviour. There are 3 betting shops within 500m: 364 Harrow Rd, 345 Harrow Rd & 381 Harrow Rd. This is a fair concentration; there is no need to add to this. The surrounding areas are relatively bare of betting shops. This concentration surrounded by none suggests a target area by the betting shops. Any assessment needs to look deeper into this. A look out of the area confirms there is drinking, drug dealing, prostitution and associated crime. The junction sees groups of about 20 people gathering for long periods throughout the day & night drinking. This alongside the loss of the market shows an imbalance of the activities in the area & diversity of residents. This undermines the council's promise to preserve the architectural & cultural importance of this

junction. There is drug dealing & taking in the area. Police are often in the area & strip searching people. Another betting shop will exasperate this problem; the council could be seen to indirectly be adding to the same social problems they spend money tackling. Women approach men in the street suggesting prostitution. To combat this the council should be making decisions for socially positive business such as gyms which are relatively far away. From the risk assessment this area has relatively less adults & more children. It seems odd why a betting shop would be attracted to an areas with less adults.

The relatively high percentage of children in this area highlights that this area should be protected remembering that there are already three betting shops nearby. In addition there is Paddington Academy nearby. Immediately neighbouring at 359 there is a fast food take-away marketing to teenagers. This juxtaposition position seems odd.

Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	19 September 2020		

I object to the granting of this licence.

It was a relief for the neighbourhood when the William Hill shop closed. There are still a number of betting shops in close proximity to the location, such as the Paddy Power just over the road. The problems the William Hill shop previously experienced, such as congregations of rowdy, drunk men on the pavement in front of the shop, have not disappeared - Paddy Power is experiencing the same issues and appears to be unable to handle them.

The reduction in betting shops on/around Harrow Road over the last few years has made the area safer and more welcoming. The area is still experiencing issues such as regular fights in/around off licences and people congregating and causing disorder around premises which are open till late and on the market. A new betting shop will attract more of these problems.

Additionally this area of Westminster is very deprived - the median household income in this ward is quite low compared to other wards and in addition to that there are more families with children living here. A betting shop with mostly fixed odds betting terminals in an area where people simply do not have the means to gamble safely and where many children live is at odds with the licensing strategy around gambling venues.

The refusal of a licence for a betting venue in the former Prince of Wales pub, where instead a Costa Coffee was opened, has had an extremely positive effect on the local area and was a step in the right directions. The coffee shop is used by a wide variety of local residents and has not caused any problems for neighbours. Betting shops on the other hand are almost exclusively frequented by men and bring a host of problems with them. An additional betting shop here does not add any new amenities to the area and instead will just exacerbate existing problems.

Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	07 October 2020		

I strongly oppose the granting of a new betting licence to the premises in question.

There is already too many betting shops around this postcode in fact too close.

This premises in the past used to be a William hill. During that time I have seen so many breaches to the licencing conditions from drug dealing, fighting outside and inside the shop, prostitutes hanging around, alcohol consumption outside the shop [REDACTED] [REDACTED] never felt safe pushing my pram next to that shop.

At the moment there is dozens of people opposite this premises gathering at the piazza drinking alcohol, smoking drugs, and playing music, most of them used to hang inside and outside the previous William hill.

I am sure the council is aware of this issue, and trying hard to find a solution !!

But granting a betting licence will make the situation worse, the same people will come back, and the same licencing breaches will occur again.

I do not want to see the return of the previous anti-social behaviour [REDACTED] [REDACTED] I have kids, and I do not want them to be harmed and I do not want to get stressed again.

I hope the licensing committee will take the right decision which is to reject the application.

Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	07 October 2020		

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I hope the licensing committee will take the right decision which is to reject the application.

Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	07 October 2020		

This representation against the application of Star Sports for a licence to run a betting shop at 357 Harrow Road W9 3NA is made by the [REDACTED] in the City of Westminster. It is based on much experience of the detriment which having a betting shop at this location previously brought to the area and the risk which it posed to our children and vulnerable adults. It was a very great relief to us and to the residents of the area when that betting shop closed.

We are not in a position to take a view as to whether a betting shop run by Star Sports in this location would ensure that gambling is conducted in a fair and open way: any reputable operator is required to ensure that this is the case.

We make the following points in respect of the other two objectives of the Gambling Act 2005:

1. Crime and Disorder: We believe that reintroducing a betting shop at this location would once again attract crime and disorder, in the form of

- Anti-social behaviour brought about by customers and their associates gathering outside, ostensibly to smoke and socialise.
- Dealing in drugs and making prostitution arrangements by criminals and others attracted to those gatherings.

These activities, as well as some of them being criminal, would, as before, intimidate shoppers and passers-by and block their passage on this stretch of the Harrow Road pavement. They would take up police time, which is already much stretched, and also that of hard-pressed Council officers. At July 2020, criminal and related offences for the Harrow Road Ward were as follows:

- Anti-Social Behaviour - 75 cases
- Violence - 42 cases
- Drugs - 15 cases
- Public Order - 15 cases

Most of these took place in the vicinity of the application location. We have all - police, council officers, residents, shopkeepers, the churches and we councillors - been working to improve matters in respect of crime and anti-social behaviour in this area: the reintroduction of a betting shop here would set us back immeasurably.

2. Vulnerability: This is an area of families with children, many of them living in overcrowded accommodation. They are mainly poor and walk to nearby schools or take public transport. Many of those at primary schools will need to pass the application location as they walk, with parents or carers, as will those at secondary schools as they go to and from nearby bus stops.

In addition, only slightly further along the Harrow Road from the application location, the Westminster Society for People with Learning Disabilities runs a drop-in centre (in non-Covid-19 times) and Mind runs an advisory service nearby.

Further, there is a high ageing population in the area, many of whom are poor as well as being

physically vulnerable by virtue of age and negative health conditions.

All these groups are open to intimidation and exploitation, whether by virtue of their age - young or old -, their physical or mental frailty, or their poverty. They are faced with enough difficulties as it is: they do not need to be put at further risk, as we believe would be the case if a betting shop were, once again, to be opened at this location. It should also be noted that there are already two betting shops in Harrow Road itself within 400 metres of one another: Paddy Power at numbers 345/347 and Coral at number 381.

Therefore, on the grounds set out above, we urge that no licence be awarded to the applicant.

4. The Gambling Act 2005

- 4.1 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.
- 4.2 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.
- 4.3 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."
- 4.4 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.
- 4.5 A premises licence issued by the Authority will be subject to the mandatory and default conditions for that licence type. However, paragraph 9.26 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."

5. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy OBJ1 applies	<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>Considerations:</p> <ol style="list-style-type: none"> 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. 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. 3. Whilst issues of nuisance are not included specifically in the gambling objectives, the council may consider, when making decisions on the applications for premises licenses, that extreme instances of public nuisance and persistent public nuisance may constitute disorder and criminal offences. 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. 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.
Policy OBJ2 applies:	<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>Considerations:</p> <ol style="list-style-type: none"> 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. 2. Whether sufficient management measures are proposed or are in place to ensure that gambling is conducted in a fair and open way. 3. Whether the management and operation of the premises is open and transparent. 4. Whether the operators of the premises have been or will be fully

	<p>cooperative with enforcement agencies.</p> <p>5. Whether the Commissions Codes of Practice have been complied with.</p>
Policy OBJ3 applies:	<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>Considerations:</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>5. Whether any promotional material associated with the premises could encourage the use of the premises by children or young people.</p>
Policy BET1 applies:	<p>Applications and reviews will be determined, subject to the relevant criteria in Policies OBJ1, OBJ2, OBJ3 and other policies within this statement.</p>
Policy LOC1 applies:	<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>

6. Gambling Commission Guidance

- 6.1 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.
- 6.2 Children and young persons are not permitted to enter premises with a betting premises licence, although exemptions apply to tracks, as explained in Part 20 of the guidance for Licensing Authorities, and s.46 and s.47 of the Act set out offences of inviting, causing or permitting a child or young person to gamble, or to enter certain gambling premises. Social Responsibility (SR) code 3.2.7(3) in the Licence Conditions and Codes of Practice (LCCP) states that 'licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises' in order to prevent underage gambling. Children and young persons are not allowed to be employed at premises with a betting premises licence.
- 6.3 S.172(8) provides that the holder of a betting premises licence may make available for use up to four gaming machines of category B, C or D. Regulations state that category B machines at betting premises are restricted to sub-category B2, B3 and B4 machines (the terminals commonly in use are able to provide both B2 and B3 content).
- 6.4 S.235(2)(c) provides that a machine is not a gaming machine if it is designed or adapted for use to bet on future real events. Some betting premises may make available machines that accept bets on live events, such as horse racing, as a substitute for placing a bet over the counter. These SSBTs are not gaming machines and therefore neither count towards the maximum permitted number of gaming machines, nor have to comply with any stake or prize limits. SSBTs merely automate the process that can be conducted in person and the Act exempts them from regulation as a gaming machine.
- 6.5 However, where a machine is made available to take bets on virtual races (that is, results and/or images generated by computer to resemble races or other events) that machine is a gaming machine and counts towards the maximum permitted number of gaming machines, and must meet the relevant category limitations for the premises.
- 6.6 It is the Commission's view that the use of SSBTs is a form of remote communication and that a remote licence will be required if SSBTs are used to facilitate the making or accepting of bets by others. The advice note Betting: advice for remote, non-remote and betting intermediaries sets out the framework which the Commission applies when deciding whether it considers that a particular operator is offering betting or is acting as a betting intermediary and whether gambling is remote gambling or non-remote gambling.
- 6.7 S.181 contains an express power for licensing authorities to restrict the number of SSBTs, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence or to a casino premises licence (where betting is permitted in the casino). When considering whether to impose a condition to restrict the number of SSBTs in particular premises, the licensing authority, amongst other things, should take into account the ability of employees to monitor the use of the machines by children and young persons or by vulnerable people.
- 6.8 Where SSBTs include the functionality to be marketed or presented in foreign languages, licensing authorities may seek to ensure that the operator has considered

the ordinary code provision (3.3.2) about making the following information also available in those languages:

- the information on how to gamble responsibly and access to help referred to in the LCCP
- the players' guides to any game, bet or lottery required to be made available to customers under provisions in LCCP
- 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.

6.9 The Committee can, if it feels minded impose conditions on the premises licence. Paragraph 9.28 of the Guidance states that

"Licensing authorities should bear in mind their duty to act in accordance with the principles set out in Section 153. Since they should aim to permit the use of premises for gambling, they should not attach conditions that limit the use of premises for gambling except where it is necessary as a result of the requirement to act in accordance with the guidance, the Commissions codes of practice or the licensing policy statement; or in a way that is reasonably consistent with the licensing objectives."

6.10 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.

6.11 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 9.29 of the guidance).

6.12 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:

- Section 169(4), which prohibits the authority from imposing a condition on the premises licence which makes it impossible to comply with an operating licence condition;
- Section 172(10), which provides that conditions may not relate to gaming machines categories, numbers, or method of operation;
- Section 170, which provides that membership of a club or body cannot be required by attaching a condition to the premises licence (the Act specifically removes membership requirements for casino and bingo and this prevents it from being reinstated); and
- Section 171, which prevents an authority imposing conditions in relation to stake, fee, winning or prizes."

7. The Council's Statement of Principles

7.1 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.

- 7.2 The Council's Statement or 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 300 metre radius of the premises is attached to this report as **Appendix 6**.
- 7.3 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".
- 7.4 The council's policy relating to ensuring that gambling is conducted in a fair and open way (OBJ2) sets out the criteria that the authority will consider when determining an application. The authority will have to be satisfied that the applicant has taken the appropriate measures to address how they intend to ensure that gambling will be conducted fairly and openly.
- 7.5 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.
- 7.6 The Council's policy relating to betting premises (BET1) sets out the reasoning and considerations for the licensing authority. The licensing authority must be satisfied that the primary use of the premises is to operate as a betting premises in accordance with paragraph 17 of the Statement and applicants are expected to demonstrate that they can offer sufficient facilities for betting upon the application and that they have the right to occupy the premises. In any event, applications will be determined, subject to the relevant criteria in Policies OBJ1, OBJ2, OBJ3 and other policies within the Statement.

8. Options for Members

- 8.1 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.
- 8.2 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.
- 8.3 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.

9. 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.

10. Appendices

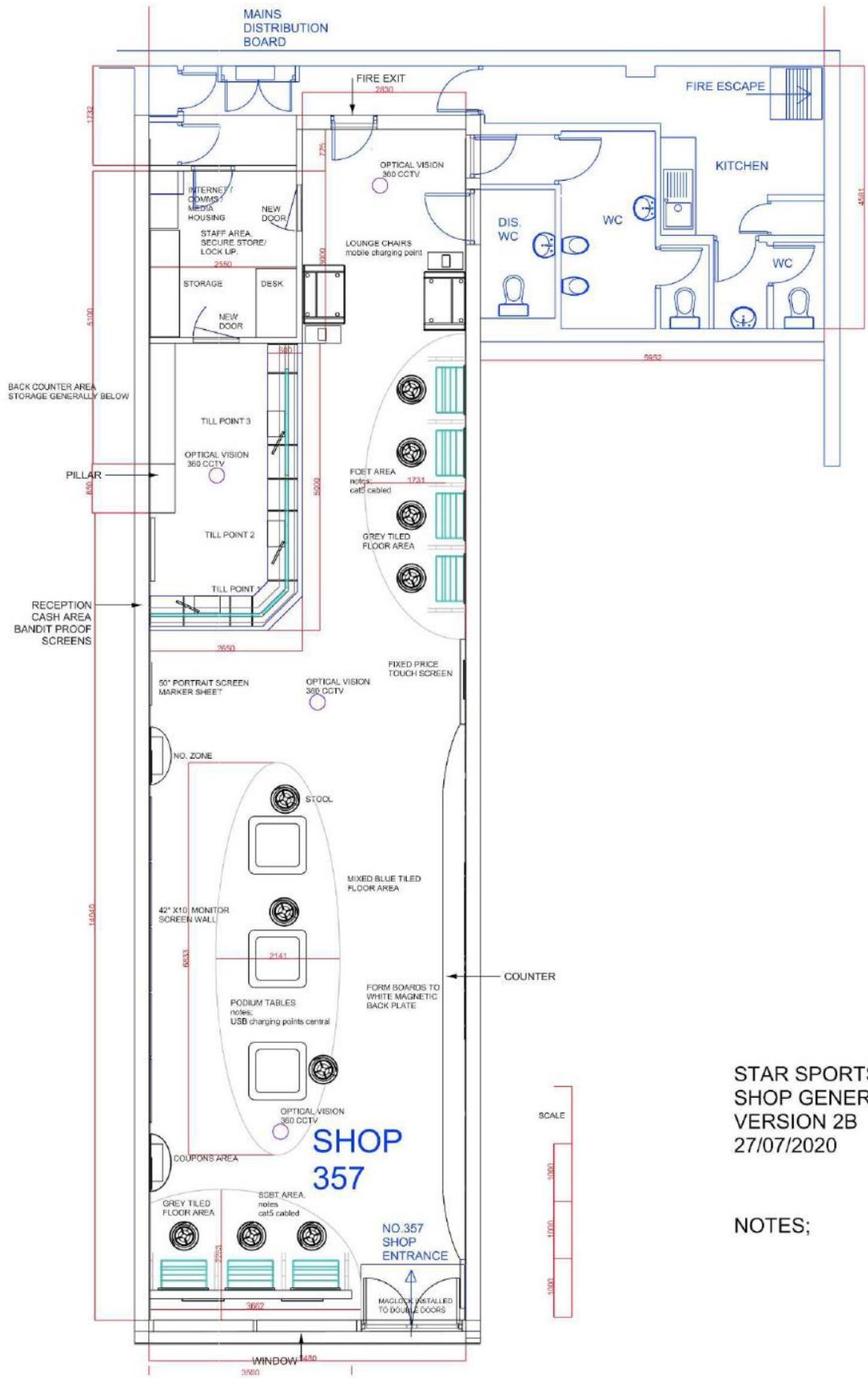
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Licensing Authority supporting documents
Appendix 4	Premises history
Appendix 5	Proposed conditions
Appendix 6	Residential map and list of premises in the vicinity

Report author:	Jessica Donovan Senior Licensing Officer
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If you have any queries about this report or wish to inspect one of the background papers please contact the report author.

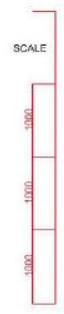
Background Documents – Local Government (Access to Information) Act 1972

1	Gambling Act 2005	N/A
2	Statement of Principles for gambling in Westminster	31 January 2019
3	Gambling Act 2005 (Premises Licence and Provisional Statements) Regulations 2007	N/A
4	Guidance to Licensing Authorities 5 th Edition	September 2015
5	Gambling Commission Licence conditions and codes of practice	October 2020
6	Metropolitan Police Service Representation <i>(Withdrawn 24 December 2020)</i>	30 September 2020
7	Licensing Authority Representation	30 September 2020
8	Interested Party 1	15 September 2020
9	Interested Party 2	18 September 2020
10	Interested Party 3	19 September 2020
11	Interested Party 4	19 September 2020
12	Interested Party 5	07 October 2020
13	Interested Party 6	07 October 2020
14	Interested Party 7	07 October 2020



STAR SPORTS
SHOP GENERAL PLAN
VERSION 2B
27/07/2020

NOTES;





Local Gambling Risk Assessment

Starsportsbet

357, Harrow Road, London, W9

Premises number or licence number:	New Application for existing betting shop premises.
Region (if applicable):	
Area (if applicable):	Westminster
Premises Address:	357 Harrow Road London W9 3NA
Name of Assessor:	Adrian Studd, Independent Licensing Consultant.

Date of assessment:	03/08/2020
Review date:	On opening with premises staff and annually thereafter.

Introduction.

1. Starsportsbet is an independent bookmaker that offers on track betting together with a small number of betting shops that provide customers with the opportunity to meet socialise and gamble in a safe and controlled environment. They currently run a successful betting shop in Westminster at 4-6 Deanery St as well as another in Reading.
2. The operator is committed to providing a safe and enjoyable environment for all customers to gamble including the use of various machines and Fixed Odds Betting Terminals. In order to do this they have engaged Adrian Studd, an independent licensing expert, to conduct the Local Area Gambling Risk Assessment to consider a bespoke assessment for this premises taking account of the local issues.
3. I attach a summary of expertise for Adrian Studd at the end of this report for information.

Licensing Objectives under the Gambling Act 2005

4. All licensed gambling premises are required to fulfil the following 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
 - protecting children and other vulnerable persons from being harmed or exploited by gambling.

Overview of premises and local area.

5. The premises at 357 Harrow Road is currently vacant but until recently was operated by William Hill as a betting shop. The following statistical information is taken from the latest available open source information at:
<https://www.westminster.gov.uk/sites/default/files/harrow-road-ward-profile.pdf>
<https://www.met.police.uk/a/your-area/met/westminster/harrow-road/>
<http://mapcase.geofutures.com/gamblingriskindex/westminster/>
6. As a result of previous work for William Hill at the premises I have a good knowledge of the issues in the area and in conducting this Risk Assessment I have developed that knowledge through further observations, open source research using the Met.police and Police.uk websites and reference to the Council's own research and mapping in their 'Geofutures mapcase' document.

7. This Risk Assessment is specific to 357 Harrow Road, takes account of Westminster Statement of Gambling Policy and is directed at the local issues relevant to the specific premises and location. I have also taken account of relevant guidance from the Gambling Commission, the history of gambling premises in the area and the changes brought about by changes to legislation affecting betting shop premises.

Ward Profile.

8. The premises is located on Harrow Road ward. I do not intend to reproduce the full ward profile in this report. Westminster has a recent ward profile completed in 2018 and available on their website at:
<https://www.westminster.gov.uk/sites/default/files/harrow-road-ward-profile.pdf>
I will examine the key areas as they relate to this application and add the most recent crime statistics available from the Metropolitan police and Police.UK websites.
9. Harrow Road is a bustling shopping street that hosts mainly independent retailers serving the diverse population. The rest of the ward is mostly residential, with 3-4 storey terraced homes, many of which are converted into apartments. Paddington Academy (in the East of the ward) was opened by The Princess Royal in 2009.
10. The premises subject of this application is close to the southern edge of Harrow Road ward and in the local risk assessment below I have taken account not only of the population and social facilities in Harrow Road ward but included those in the vicinity of the premises as some fall outside this ward but are never-the-less relevant to the application.

Population.

11. The ward population is 13,401 and 50% of the families have dependent children. Median household income is £35,400 and median property price is £600,000. 96% of residents feel safe and 91% feel they get on well together.
 - 9% of the population is 65 or older, less than Westminster's average,
 - 68% are between 18 and 64, less than the borough average,
 - 22% are under 18, greater than the borough average.
12. 66% of the households English is spoken, average for Westminster, and 52% were born in the UK.

Deprivation.

13. Westminster's local areas are among both the most and least deprived in London according to the 2015 index of multiple Deprivation (IMD). This index articulates deprivation of households as an accumulation of seven discrete dimensions: Living Environment, Barriers to housing and services, crime and disorder, income, employment, health and disability, and

education and skills training. Harrow Road is within the 10 – 20% most deprived in the UK for the average overall rank.

14. 14.31% of the wards working age population claim benefits and 80% of these claim out-of-work benefits. Of the two main out of work benefits 1.88% claim job seekers allowance (compared to Borough average of .55%) and 8.25% claim Employment and Support allowance or incapacity benefit (compared to Borough average of 2.65%).

Economically active population.

15. In 2011 69% of Harrow Road's population were economically active which was equal to the boroughs economically active rate of 69%. 10% were unemployed which is worse than the borough average of 7%. 39% of Harrow Road is defined as being workless which is more than the Westminster average of 37%.

Crime and Disorder.

16. In the 2018 ward profile 96% of residents at Harrow Road felt safe and 83% felt safe after dark. 20% felt that crime impacted their quality of life which is slightly greater than the borough average of 19%.

17. Looking at the current crime rate in Harrow Road ward from the latest Met Police statistics <https://www.met.police.uk/a/your-area/met/westminster/harrow-road/>
The crime rate in Harrow Road ward for June 2020 was 7 per 1000 residents which is low compared to the Westminster average of 12 per 1000 and equals the London average of 7 per 1000.

18. The top reported crimes on the ward were:

- Harassment 19, Harassment in this context relates mainly to stalking, 80 % of victims are female and most know their stalker. This is not an offence that is commonly associated with betting shops.
- Violence 11, Violence offences can take place anywhere but are commonly associated with alcohol licensed premises and the effects of consuming alcohol.
- Shoplifting 8. Shoplifting is not an offence connected to betting shop premises.

19. The local Safer neighbourhood team is led by Police Sergeant Lawrence Knight, includes PC Olivia Bumpus, PC Hugo Drenth and PC James Pullen and is supported by PCSO Tony Mgbeokwere.

20. Residents are encouraged to voice their concerns about what is going on their local area. For Harrow Road ward no concerns were voiced for July, in the previous three months the concerns voiced were Littering or fly-tipping, people loitering, violence with injury, street drinking, drugs and weapons.
21. I am aware that historically this premise has suffered from issues caused by street drinkers and rough sleepers attracted to the area, in part, by the Maida Hill market opposite and the Prince of Wales public house close by at 351 Harrow Road.
22. The public house was notorious locally for disorder and the market area attracted drinkers, rough sleepers and others to come to, and loiter in, the area. The bookmakers, at that time run by William Hill, had inexperienced staff and struggled to manage these issues and part of the evidence used at the review referred to a male seen drinking from a can of super strength lager inside the shop. A local MP had also witnessed problems of street drinking in the market area.
23. The public house was closed by police at the end of 2014 due to the disorder and has never re-opened. It has now been refurbished as a Costa Coffee and is a well-regarded, good quality, coffee shop. Maida Hill market, in common with many street markets, has declined in popularity in recent years. While nominally still operating everyday there are often no stalls present and I saw no stalls when observing in the area in February 2020 and again in July 2020. The Maida Hill café was open and busy but in contrast to when I visited in 2015 the customers were a more diverse and good natured group.
24. While the open area of the market and street furniture still attracted individuals to loiter in the area during my most recent observations overall there were fewer of the people who appeared to spend their whole day on the street. There were fewer rough sleepers and street drinkers and I did not observe the extensive evidence of alcohol consumption in the street I witnessed in 2015 or the associated nuisance in the vicinity. Zargros the grocers on the corner was flourishing with outside stalls and the vicinity has a better atmosphere.
25. The local crime assessment does not indicate any issues that will be adversely affected if this application is permitted.

Compliance with Westminster localised gambling risk index (2017).

26. The Westminster composite gambling risk index score for the immediate vicinity of the premises at 357 Harrow Road is 41.3. The highest value in Westminster is '65 or more' and the lowest 'less than 4.2' so the composite local gambling risk is medium to high. The features that lead to this score and the control measures designed to address those specific local risks are detailed below.

Local Area			
Licensing Objective	Risks	Existing Control Measures	Further Controls Recommended
1.1	<p><u>Protecting children and other vulnerable persons from being harmed or exploited by gambling.</u></p> <p><u>Local risks.</u></p> <p><i>Education institutions with students of 13-24 years in vicinity:</i></p> <p>Relative to other areas in Westminster the North West has greater numbers of people aged 10-24 though it does not have as many educational establishments as other parts of Westminster.</p> <p>The 'mapcase.geofutures.com' identifies the immediate vicinity to 357 Harrow Road as medium risk for residents aged 10-24 years (score 51-110 with fewer than 36 being lowest and 221 or more the highest in the wider Westminster area).</p> <p><u>Schools:</u></p> <ol style="list-style-type: none"> 1. Queen Elizabeth II Jubilee School. Community Special School. Kennet Road, W9. 2. <i>Catering for children with severe educational needs. This appears to present low risk for vulnerable persons to be exploited by gambling.</i> 3. Elgin Pre School. 36a, Elgin Ave, 	<ul style="list-style-type: none"> • Challenge 21 in place at premises: Anyone who appears to be under 21 will be required to show acceptable ID proving they are over the age of 18. • All staff trained on Challenge 21, training records kept and available for inspection. • Signage at entrance warning that no one under 18 is permitted and that Challenge 21 is in place. • Comprehensive CCTV in place on premises including frontal identification of all persons entering the premises. • Magnetic door lock controlled by staff to ensure everyone entering premises is monitored. • All staff working at the premises will have at least 6 months experience working in a licenced betting office. • FOBT's will be located immediately adjacent or opposite to the counter 	

Local Area

Licensing Objective	Risks	Existing Control Measures	Further Controls Recommended
	<p>W9.</p> <p>4. St Peters Church of England Primary School. Chippenham Mews, W9.</p> <p>5. ARK Atwood Primary Academy. Amberley Road, W9.</p> <p>6. The St Marylebone Church of England Bridge School. 23 Third Ave, W9.</p> <p>7. Paddington Academy. 50 Marylands Road, W9.</p> <p><u>Student accommodation:</u></p> <p>1. Chapter Portobello, Alderson Street, W10.</p> <p><u>Family and Social.</u></p> <p>1. Paddington Arts, youth club. Woodfield Road, W9.</p> <p>2. W.E.C.H Community Centre. 36A Elgin Ave.</p>	<p>where persons playing them can be directly supervised.</p> <ul style="list-style-type: none"> • The counter has been moved from its location at the far end of the premises to a central location. This allows for far greater supervision of the premises by counter staff and in particular for the better supervision of the gaming machines that are located close to the new counter location. • Only experienced staff will be employed at the premises that are trained and familiar with the challenge 21 policy, ID requirements and local issues. They will supervise the entrance and use of machines from the counter, by patrolling the premises and through the use of extensive CCTV. • Age verification log will be completed for all 'challenges' and log will be available for inspection by police or council officers. • Staff to be trained in safeguarding policy. 	

Local Area

Licensing Objective	Risks	Existing Control Measures	Further Controls Recommended
	<p>3. St Marylebone jobcentre. Lisson Grove, NW1.</p> <p>4. Paddington recreation Ground. Randolph Ave, W9.</p> <p>5. Harbour Club, Notting hill, W2.</p> <p>6. North Paddington Food Bank. Selbourne House, Elgin Ave, W9.</p> <p>7. Allstars boxing gym, 576 Harrow Road, W10.</p> <p>8. Al Manaar Muslim and Cultural Heritage Centre, 244, Acklam Road, W10.</p> <p><u>Employment and support.</u></p> <p>1. North Kensington Job Centre Plus. Kensal Road, W9.</p> <p>2. Alcoholics Anonymous meetings: Maida vale AA meets at Elgin Ave, and Queens Park AA in Fernhead Road.</p>	<ul style="list-style-type: none"> • 'Gamcare' leaflets prominently displayed in trading area and close to toilets. • Self-exclusion information to be available throughout premises and staff trained on self-exclusion policy and implementation. 	

Local Area			
Licensing Objective	Risks	Existing Control Measures	Further Controls Recommended
	<p>3. DAWS drug and alcohol services at Conlan Street.</p>		
<p>1.2 <u>Preventing Gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.</u></p>	<p><u>Local Issues.</u> <u>Street drinkers/Rough sleepers.</u></p> <p>The premises may be used by street drinkers, such as those who in the past have caused problems in and around Maida Hill market opposite, or those taking or selling drugs.</p> <p>Other crime and disorder may take place in or around the premises; The premises could be used for money laundering.</p> <p><u>Westminster People at home gambling</u></p>	<p><u>Local Control Measures.</u></p> <ul style="list-style-type: none"> • Only experienced and trained staff will be employed at the premises and training will be directed at the local risks identified in this assessment. All staff training will be documented and retained for inspection by relevant authorities. • The premises management will establish a single point of contact for liaison with neighbourhood police and local authority officers to ensure any issues that do arise are dealt with at a high level in a timely manner. 	

Local Area

Licensing Objective	Risks	Existing Control Measures	Further Controls Recommended
	<p><u>risk.</u></p> <p>Score 37.5. Ranging from 0 to 49.8 this is in the higher risk range.</p> <p><u>Westminster People away from home risk.</u></p> <p>At 2.5 this is low risk.</p> <p>Residents from relevant ethnic groups. From 88 to 200 in the vicinity, medium to high risk.</p> <p><u>Mental Health.</u></p> <p>Mental health recorded on GP register. This appears to be high for the area generally and medium to high in the immediate vicinity of the premises. Doctors surgeries in the vicinity:</p> <ol style="list-style-type: none"> 1. Elgin clinic, 40 Elgin Avenue. 	<ul style="list-style-type: none"> • Staff will be behind a clear protective screen and protected by mag lock controlled access and have access to a 'safe haven' to the rear of the counter. The decline of the Maida Hill market and other local developments such as the Prince of Wales public house becoming a Costa Coffee appears to have led to a decline in local street drinkers and the associated issues. • No one will be permitted to bring alcohol into the premises or consume alcohol on the premises. Only drinks purchased on the premises will be permitted to be consumed on the premises. No one who is drunk will be permitted on the premises. • 'Starbette' will place signs visible outside the premises and as far as is reasonably possible prevent drinking outside the premises. Anyone who does drink outside the premises, congregate or cause a nuisance will not be permitted access to the premises and will be banned. 	

Local Area			
Licensing Objective	Risks	Existing Control Measures	Further Controls Recommended
	<p>2. Half Penny Steps Health Centre, Harrow Road.</p> <p>3. Srikrishnamurthy Harrow Road Surgery.</p> <p>4. Drs Garfield and Sarnicki. Shirland Road.</p> <p>5. The Goldbourne Medical centre, 7 Goldbourne Road.</p> <p>6. Woodfield Road Medical Centre, 7E Woodfield Road.</p> <p>7. Randolph Surgery, Elgin Avenue.</p> <p>8. Maida Vale medical centre, Biddulph mansions, Elgin Ave.</p> <p>9. Meanwhile Gardens medical centre, Elkstone Road, W10.</p> <p><u>Payday Loan premises.</u></p> <p>There are no pay day loan premises close to the premises.</p> <p><u>Nearby Gambling Premises.</u></p>	<ul style="list-style-type: none"> • There will be CCTV coverage of the whole premises including facial recognition at the entrance. Entry to the premises will be controlled by a mag lock controlled by staff. • Signage at the entrance will advise customers that drinking and drunkenness is not permitted and anyone who is drunk or in possession of alcohol will not be permitted entry. • Anyone found with alcohol on the premises or behaving in a disorderly manner will be ejected and banned from the premises. This will be enforced through the use of CCTV. • Starbetting adopts a 'zero tolerance' approach to drug misuse, anyone found on the premises in possession or dealing drugs will be banned and police called. • Staff will be trained to look out for signs of drink or drug abuse. They are trained on how to deal with rough sleepers or homeless people seeking refuge. 	

Local Area

Licensing Objective	Risks	Existing Control Measures	Further Controls Recommended
	<p>There has been a 50% reduction in gambling premises (betting shops) in the area since the Westminster geofutures research in 2017. At the time of that research there were eight premises and now the four William Hill premises are closed. Three of them permanently closed down and one which is shown as temporarily closed but has no indication when it may reopen.</p> <p>The permanently closed premises are at:</p> <ul style="list-style-type: none"> • 357 Harrow Road (subject of this application). • 364 Harrow Road. • 9 Goldbourne Road. <p>The one temporarily closed is at:</p> <ul style="list-style-type: none"> • 57 Shirland Road. <p>Betting shops still open are:</p> <ul style="list-style-type: none"> • Paddy Power, 345/347 Harrow Road, W9. • Tote betting, 346 Harrow Road, W9. • Ladbrokes 1/3 Malvern Road, NW6. 	<ul style="list-style-type: none"> • Starbetting is committed to dealing with everyone in a fair manner appropriate to their individual circumstances and not judging people by their appearance or demeanour. The betting shop premises are used by a wide and diverse range of customers who not only wish to bet or play the gaming machines but are also seeking a warm welcoming atmosphere with companionship. Staff are trained to facilitate this while identifying those who may be vulnerable and treating them with dignity and providing assistance. • Access to the customer toilet is at the staff discretion and will be monitored by the staff using a mag lock entry system. The toilet will incorporate an ultra violet lighting system and be regularly checked for evidence of drug misuse. Any such evidence will be brought to the attention of managers and appropriate steps taken to prevent such use. • The front window to the premises will be at least 50% clear allowing a clear 	

Local Area

Licensing Objective	Risks	Existing Control Measures	Further Controls Recommended	
		<ul style="list-style-type: none">• William Hill, 45 Chippenham Road, W9.	<p>view into and out of the premises.</p> <ul style="list-style-type: none">• There will be no ATM on the premises.• All incidents will be recorded in an incident book that will be available for police and local authority officers to inspect on reasonable request.• There will be a named person who will act as contact with the authorities and ensure information is shared in a constructive manner.• The premises will be permitted to operate between 08.00 and 22.00 Monday to Saturday and 08.30 and 22.00 on Sunday.• Badly behaved customers and any that do not comply with the operating standards of the premises will be excluded.	

Local Area			
Licensing Objective	Risks	Existing Control Measures	Further Controls Recommended
<p>1.3 <u>Ensuring that gambling is conducted in a fair and open way.</u></p>	<p><u>Local issues.</u></p> <p>Local customers can be prejudiced by rules and practices which are not fair and/or not transparent to them due to language, lack of appropriate information or failure to provide information in accessible format.</p> <p>Inappropriate advertising and promotions on front window can be attractive to those under 18 or other vulnerable people.</p> <p>Lack of Gamcare and other responsible gambling literature.</p> <p>Information only provided in English or languages that cannot be understood by customers.</p> <p>Failure to have complaints policy or deal effectively with complaints.</p> <p>A machine not operating correctly or not in accordance with advertised standards allowed to continue in use after fault has been detected.</p>	<p><u>Local Control Measures.</u></p> <ul style="list-style-type: none"> • All conditions and policies will be displayed openly inside the premises in languages suitable for local communities and the premises will adhere to industry and Gamcare standards. • Game rules and gambling care providers information provided in appropriate languages throughout premises. • Responsible gambling literature to be widely available inside the premises in English and other languages appropriate to local population. • Staff will be trained on how to deal with individuals who appear to have been drinking or taking drugs and rough sleepers seeking refuge in the premises. • The Provision of leaflets will be checked every day prior to opening and restocked as required. 	

Local Area

Licensing Objective	Risks	Existing Control Measures	Further Controls Recommended
		<ul style="list-style-type: none">• Windows to be 50% transparent and all advertising and posters to be approved by managers and not attractive to persons under 18 or other vulnerable individuals.• Information on complaints procedure widely available inside the premises in languages appropriate to local community.• Complaints policy clearly displayed for customers inside premises and all complaints will be fully investigated in accordance with policy and referred to nominated ADR 3rd party as required.• All machines provided by licensed supplier, properly labelled, regularly maintained and switched off if a fault occurs.• Clear and transparent policy for making refunds.• Machine instructions, odds and winning combinations to be clearly shown on machines.	

Gambling Operation & Physical Design (Internal and External)

Licensing Objective	Risks	Existing Control Measures	Further Controls Recommended	
2.1	<p>Protecting children and other vulnerable persons from being harmed or exploited by gambling.</p>	<p>Children and vulnerable people being attracted to the premises and being able to access the premises and take part in gambling.</p>	<ul style="list-style-type: none"> • All staff trained on Challenge 21, training records kept and available for inspection. • Signage at entrance warning that no one under 18 is permitted and that Challenge 21 is in place. • Staff counter moved from rear of premises to central location that will enable better supervision of the whole premises by staff behind the counter. • FOBT machines adjacent to new counter position to enable close supervision. • Comprehensive CCTV in place on 	

Gambling Operation & Physical Design (Internal and External)

Licensing Objective	Risks	Existing Control Measures	Further Controls Recommended
		<p>premises including all entry and exit points and frontal identification of all persons entering the premises.</p> <ul style="list-style-type: none"> • Magnetic door lock controlled by staff to ensure everyone entering premises is monitored. • All staff working at the premises will have at least 6 months experience working in a licenced betting office. • FOBT's will be located immediately adjacent or opposite to the counter where persons playing them can be directly supervised. • The front window to the premises will be at least 50% clear allowing a clear view into and out of the premises. • No advertising that is attractive to children or young people under 18 will be permitted in the front window. 	

Gambling Operation & Physical Design (Internal and External)

Licensing Objective	Risks	Existing Control Measures	Further Controls Recommended	
2.2	<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>Design and layout of premises.</p> <p>Street drinkers and rough sleepers congregating in and around premises.</p> <p>Customer behaviour in and close to premises.</p> <p>Security and support of staff at the premises.</p> <p>Covid 19 Measures.</p>	<ul style="list-style-type: none"> • Premises has been designed and modified to ensure there are no blind spots for staff or CCTV. • Counter moved to more central location to enable better supervision of customers by staff. • FOBT machines located close to counter area where they can be closely supervised. • Staff 'safe haven' at premises inaccessible to customers to allow staff to take refuge if required. • No cash point or ATM on site. • Regular patrol of premises by staff including observation of outside areas and smoking. Any persons causing nuisance will be banned and not permitted to enter or remain in premises. • Toughened glass in windows and counter area. • Mag lock on front door that can be 	

Gambling Operation & Physical Design (Internal and External)

Licensing Objective	Risks	Existing Control Measures	Further Controls Recommended
		<p>locked/unlocked by staff from counter area.</p> <ul style="list-style-type: none"> • Timer locked safe. • Intruder alarm and panic alarm linked to central station and/or police. • Premises front window will be 50% transparent to allow visibility in and out the premises. • Covid 19. All staff are trained on Covid 19 guidelines and the premises implements in full Government guidelines on access to the premises and social distancing, the use of face coverings and hand sanitizing. 	
2.3	<p>Ensuring that gambling is conducted in a fair and open way</p>	<p>Customers can be prejudiced by rules and practices which are not fair and/or not transparent.</p> <p>Inappropriate advertising and promotions on front window attractive to those under 18 or other vulnerable people.</p>	<ul style="list-style-type: none"> • Conditions and policies displayed openly inside the premises. Adherence to industry and Gamcare standards. • Windows to be 50% transparent and all advertising and posters to be approved by managers and not attractive to

Gambling Operation & Physical Design (Internal and External)

Licensing Objective	Risks	Existing Control Measures	Further Controls Recommended
	<p>Lack of Gamcare and other responsible gambling literature.</p> <p>Information only provided in English or languages that cannot be understood by customers.</p> <p>Failure to have complaints policy or deal effectively with complaints.</p> <p>A machine not operating correctly or not in accordance with advertised standards allowed to continue in use after fault has been detected.</p>	<p>persons under 18 or other vulnerable individuals.</p> <ul style="list-style-type: none"> • Responsible gambling literature to be widely available inside the premises in English and other languages appropriate to locality. Provision of leaflets to be checked every day prior to opening and restocked as required. • Information on complaints procedure widely available inside the premises. • UV lighting in toilets and regular inspections and cleaning to deter and detect any drug misuse. • All machines provided by licensed supplier, regularly maintained and switched off if they have a fault. • Staff to have full understanding of machine operation, stakes and prizes and odds of all machines inside the premises. • Regular compliance audits. • Public Liability insurance in force at 	

Gambling Operation & Physical Design (Internal and External)

Licensing Objective	Risks	Existing Control Measures	Further Controls Recommended
		premises.	

Action Plan

Local Area (insert number)	Gambling Operation and Physical Design (insert number)	Question	Action Required	By Whom (name)	By When (date)	Date Completed

--	--	--	--	--	--

Assessment Review			
Frequency of Review (enter time period e.g. 12 months)	Annually on anniversary of licence grant.	Date Review Due	
Completed Risk Assessment brought to the attention of:			
Name (person responsible for premises and/or implementing control measures)	Position	Signature	Date the this assessment was brought to this persons attention

Summary of Expertise – Adrian Studd.

I retired from the police service on 2nd November 2012 having completed 31 years exemplary service with the Metropolitan Police in London. Between January 2012 and my retirement I was employed as the Chief Inspector in charge of licensing for the London Olympic Games 2012. In this role I headed up a team of officers with responsibility for supervision of licensing compliance at all the Olympic venues, including the Olympic park. In addition I was responsible for ensuring that any associated events were properly licensed, sufficiently staffed and operated in accordance with the licensing legislation and best practice in order to ensure the safe and effective delivery of the Olympic Games. In addition to leading my team I visited and worked with both the Olympic park management and many other venues, reviewing their policies and procedures and ensuring that the Games were delivered safely and securely. The success of this operation not only protected the reputation of the MPS but provided positive benefits for the profile of the MPS and the United Kingdom. I have been awarded an Assistant Commissioners Commendation for this work.

Prior to this role, between Jan 2002 and January 2012, I was employed first as an Inspector and then as a Chief Inspector on the MPS Clubs and Vice Unit (Now SCD9 Serious and Organised crime command). My responsibilities over this period focussed on licensing and included day to day supervision of the licensing team that had a London wide remit to support the Boroughs with licensing activity. Providing both Overt and Covert support for policing problem licensed premises across London. My team worked with premises when licensing issues were identified in order to address these problems through the use of action plans in order to raise their standards. Where this failed I would support the Boroughs with evidence for use at review hearings if required.

I devised and implemented the MPS strategy 'Safe and Sound' which seeks to improve the safety of customers at licensed premises by reducing violent and other crime, in particular gun crime and the most serious violence. I also developed the Promoters Forum and risk assessment process, together these initiatives contributed to an overall reduction in violence in London of 5% and of the most serious violence and gun crime at licensed premises by 20% whilst I was there.

From 2004 until 2008 my role included representing the MPS and ACPO licensing lead both in London and nationally. In this role I developed key partnerships with industry, NGOs and Government departments in order to improve the standards at licensed premises. I sat on the British Institute of Inkeeping working party and helped develop the national training for Door Supervisors. I worked with the national regulator the Security Industry Authority to successfully introduce the new regime under the Private Security Industry Act 2001 within London. I sat on a number of Government working parties and worked closely with the alcohol harm reduction team on identifying best practice and ensuring this was used both within London and nationally by police and local authorities. I worked with Government on the drafting of SEV legislation and gave evidence to the House of Commons Select Committee in 2009 on the impact of premises providing sexual entertainment.

I have been involved with Best Bar None, a national voluntary scheme of accreditation for safe licensed premises, for a number of years and have successfully helped a number of boroughs implement the initiative. I am a trained Best Bar none assessor and until my retirement sat on the Board for Best Bar None in the Royal Borough of Kensington and Chelsea. I am also a trained assessor for Purple Flag, the national voluntary awards scheme for safe, diverse and accessible town centres. For the five years prior to my retirement I was in charge of licensing for the Notting Hill Carnival, the largest street carnival in Europe. During this time I contributed to a reduction in violence overall at the Carnival and delivered increased seizures of illegal alcohol, reduction of unlicensed alcohol sales and a reduction in alcohol related violence. In addition to the above I attended a large number of internal MPS training and qualification courses, I am trained in conducting health and safety risk assessments and hold the National Certificate for Licensing Practitioners, issued by the British Institute of Inn keeping.

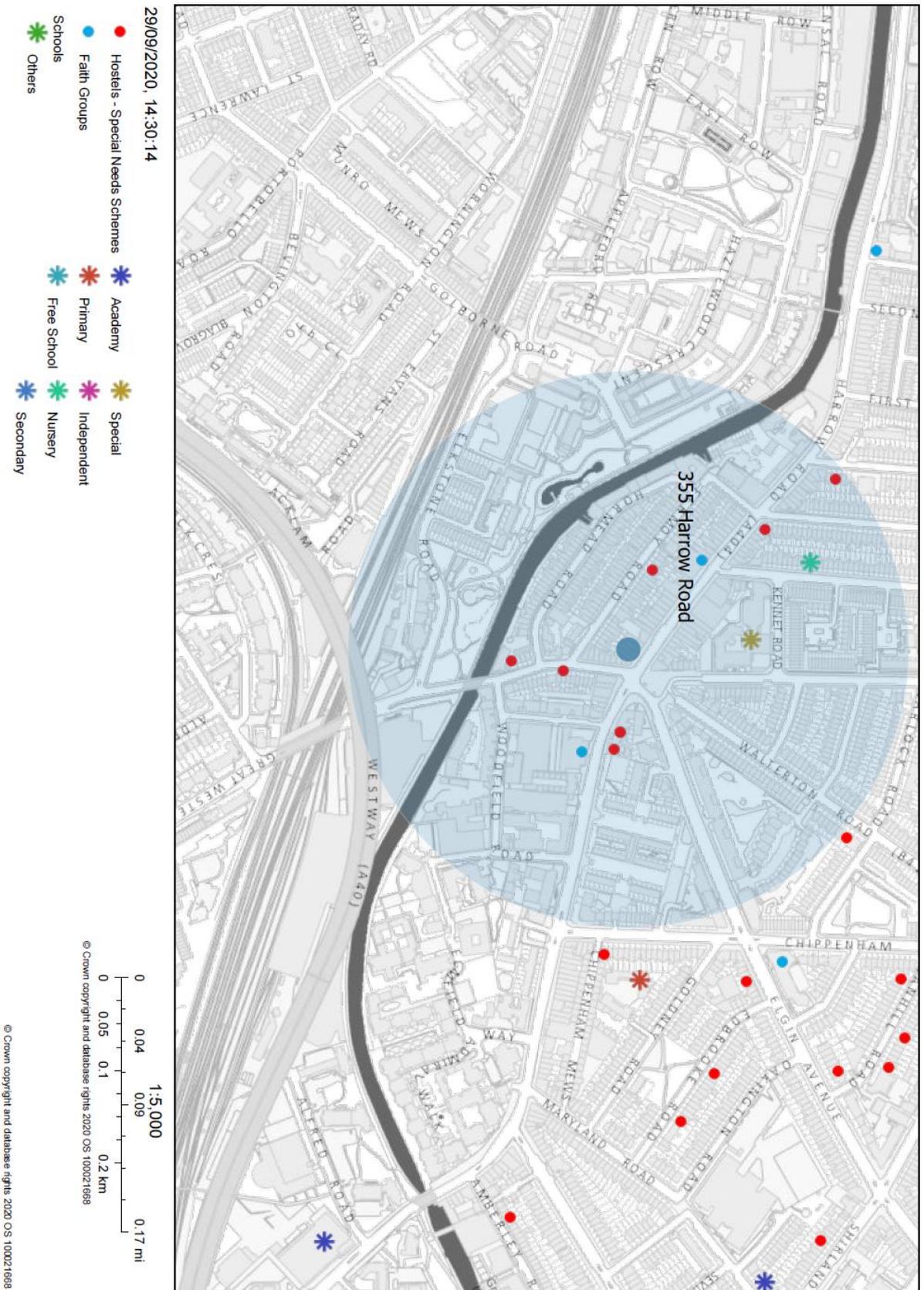
Following my retirement I established 'Clubsafe Services Ltd' to provide independent compliance support and advice for premises and events requiring a local authority licence. Since then I have provided evidence gathering services, advice and support to a broad range of licensed premises on a variety of issues, including crime and disorder, street drinking, rough sleepers and age related product issues. I have also provided support to bars and shops at events such as Nottinghill Carnival and provided support and advice for high profile clubs such as Fabric in London. This work has involved premises that benefit from a variety of local authority licences including alcohol on and off licences, betting premises licences and late night refreshment. I regularly provide expert independent witness evidence at both local authority and appeal court hearings.

Adrian Studd,

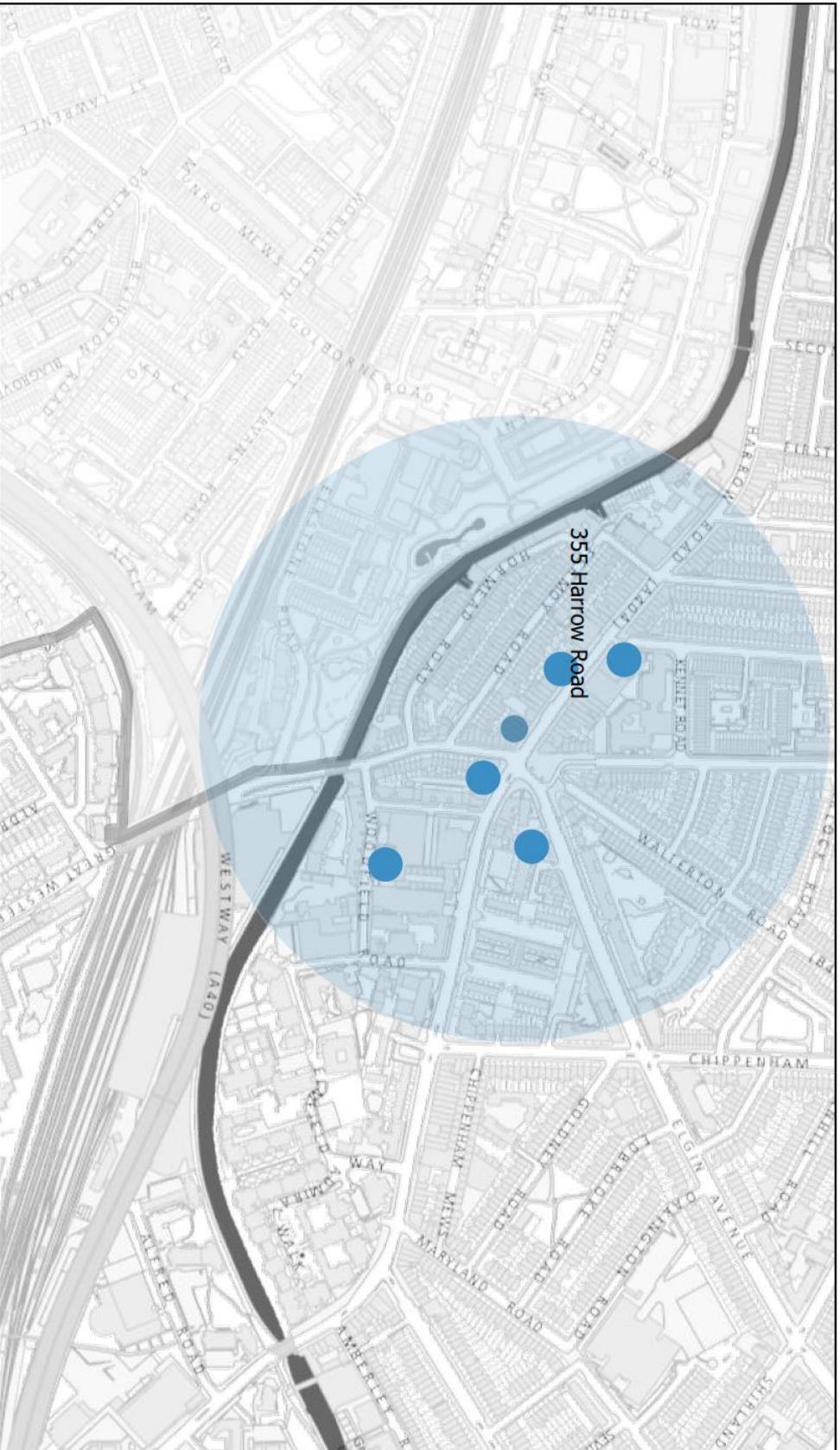
Independent Licensing Expert,

03/08/2020.

Appendix 1



Appendix 2



29/09/2020, 14:36:03

 Borough Boundary - Mask

1:5,000
0 0.04 0.09 0.17 mi
0 0.05 0.1 0.2 km
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Licensing Authorities Appendix 3

Mandatory conditions

19.12 A notice shall be displayed at all entrances to the betting premises stating that no person under the age of 18 will be admitted. The notice should be clearly visible to people entering the premises.

19.13 There must be no access to betting premises from other premises that undertake a commercial activity (except from other premises with a betting premises licence including tracks). Except where it is from other licensed betting premises, the entrance to a betting shop should be from a street (defined as including any bridge, road, lane, footway, subway, square, court, alley or passage - including passages through enclosed premises such as shopping centres - whether a thoroughfare or not).

19.14 Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to leave any gaming machine or self-service betting terminal (SSBT) in order to do so.

19.15 No apparatus for making information or any other material available in the form of sounds or visual images may be used on the licensed premises, except where used to communicate:

- information about or coverage of sporting events, including information relating to betting on such events (and incidental information including advertisements)
- information relating to betting (including results) on any event in connection with which bets may have been affected on the premises.

Betting operator-owned TV channels are permitted.

19.16 No music, dancing or other entertainment is permitted on betting premises. This includes any form of entertainment such as apparatus producing sound or visual images which do not fall within paragraph 19.15 or machines which do not come within the categories of machine explicitly allowed in betting premises under s.172(8) of the Act.

19.17 The consumption of alcohol on the premises is prohibited during any time which facilities for gambling are being provided on the premises. Additionally in Scotland the sale of alcohol on the premises is also specifically prohibited.

19.18 The only publications that may be sold or made available on the premises are racing periodicals or specialist betting publications.

19.19 A notice setting out the terms on which a bet may be placed must be displayed in a prominent position on the premises. In Scotland this notice must be displayed at every entrance.

Default conditions

19.20 Gambling facilities may not be offered in betting premises between the hours of 10pm on one day and 7am on the next day, on any day.

Controlling where gaming machines may be played - betting

19.21 The following policy objectives summarise the key elements that underpin the approach to controlling where gaming machines may be played:

- with very few low risk exceptions, non-remote gambling should be confined to dedicated gambling premises
- the distinctions between different types of licensed gambling premises are maintained
- gambling activities are supervised appropriately

- within casino, bingo and betting premises, gaming machines are only made available in combination with the named non-remote activity of the operating licence.

19.22 The Act and associated regulations set out a comprehensive regulatory framework for controlling gaming machines. By linking different machine entitlements to different types of premises, the framework seeks to ensure the number and power (in terms of stakes, prizes and speed of play) of machines is proportionate to the premises. For such a framework to have any meaningful effect it must be possible for regulatory authorities and consumers to distinguish between different gambling premises.

19.23 The LCCP requires (Social Responsibility Code Provision 9) that gaming machines are only made available in combination with the named non-remote activity of the operating licence. So, unless a betting premises operator offers substantive facilities for non-remote betting it should not make gaming machines available for use on the premises in question. To contain the unavoidable risk to the licensing objectives associated with gaming machines, premises which offer machines must be appropriately supervised.

19.24 The current regulatory framework prescribes that category B gaming machines may only be made available in licensed gambling premises and not in locations which may prompt more ambient gambling such as pubs. Maintaining distinctions between different gambling venues allows individuals to make a deliberate choice whether to enter that particular gambling environment. In carrying out their functions under the Act licensing authorities should satisfy themselves that a premises applying for or licensed for betting is operating or will operate in a manner which a customer would reasonably be expected to recognise as a premises licensed for the purposes of providing facilities for betting

19.25 Licensing authorities are not being asked to impose a 'one size fits all' view of how a betting premises should look and function. Rather they are ensuring that a premises licensed for the purposes of providing facilities for betting is operating as such and is not merely a vehicle to offer higher stake and prize gaming machines.

19.26 In exercising its functions under the Act a licensing authority should take account of the relevant code of practice on 'controlling where gaming machines may be played'. It is specifically obliged to do so when exercising functions under section 153 of the Act. In circumstances where a licensing authority considers an existing premises is not compliant with these general requirements they should contact the Commission at the earliest opportunity.

19.27 Both the Commission and licensing authorities have the power to attach specific conditions to operating or premises licences in circumstances where additional assurance is required. The Commission favours the approach of general conditions for all supplemented by operator-specific conditions in cases where novel or contentious operating models are used which include the provision of gaming machines. This is to deliver the policy objectives above and ensure the risk to the licensing objectives is minimised.

19.28 In the Commission's view the above approach would ideally be adopted at licensing stage. Licensing authorities should ensure that they request all the information required from an applicant for a new premises or for a variation to an existing premises in order to satisfy themselves as to the matters set out at s153 of the Act. This includes the codes of practice and this guidance. The approach in adding case-specific conditions can equally be deployed in respect of an existing unit where concerns arise or when changes are made to the operating model.

TO Jessica Donovan

REFERENCE 20/08158/LIGN

FROM Kevin Jackaman – Licensing Authority

DATE 7th January 2021

Star Sports Betting, 357 Harrow Road, London W9 3NA

I write further to the Licensing Authority representation in respect of the above matter, which was submitted on 30th September 2020.

The Licensing Authorities main concern is to ensure that if granted, the licence would not have a detrimental effect on the licensing objective of protecting children and other vulnerable persons from being harmed or exploited by gambling

Following the initial representation, further investigations have been carried out in respect of the premises. There is a significant history for the premises, including a review of the previous betting Licence in 2015.

The area has had significant issues with street drinking, anti social behaviour and begging and betting shops have been focal points for this in the area. While the Licensing Authority accepts that the current application has been made by a different operator to the previous licence holder, There is a concern that should the application be granted, this could cause a reoccurrence of the issues that brought about the review of the previous licence when the premises were operated by William Hill.

The submissions made by the Licensing Authority in respect of the review application are attached and the Licensing Authorities concerns in relation to this matter mirror those contained in that report and the concerns raised in the representations that have been received from local residents. It is submitted that the area immediately surrounding the premises has a problem with crime and anti social behaviour having a negative impact on the vulnerable which will be exacerbated by the introduction of a further betting premises.

The Licensing Authority notes that the applicant has agreed additional conditions with the Metropolitan Police and on that basis, the Police have withdrawn their objection to the application. The Licensing Authority notes that the majority of the conditions imposed by the Committee following the review hearing have been proposed as part of the new application.

A copy of the Committee's decision from the review in 2015 is attached.



City of Westminster

Review of the Betting (Other) Premises Licence for William Hill, 357 Harrow Road, W9

Licensing Authority Submissions

30th October 2015

Kerry Simpkin and Nick Nelson
Licensing Team
Public Protection & Licensing

1. Introduction

- 1.1 There has been a history of concern by local residents relating to customers consuming alcohol inside and outside of the premises, abusive or insulting words or behaviour, allegations of drugs use and supply and other low level criminality at William Hill, 357 Harrow Road. These issues have come to the attention of the Licensing Authority when other applications for Betting Premises have been made in the area.
- 1.2 The Licensing Authority received a significant number of local resident representations to a new Betting shop application earlier in 2015. A number of these representations referred to William Hill being associated with crime and disorder. These claims had already been brought to the attention of the Licensing Authority in 2011 and 2012 where William Hill made assurances that they would address them. It had appeared that no significant improvement had been made since the Licensing Authority last discussed the issues with William Hill in 2012.
- 1.3 To assess the residents claims the Licensing Authority carried out observations at the premises and identified breaches in the Mandatory Condition for the licence with respect to permitting the consumption of alcohol on the premises. There was also evidence of groups gathering outside the premises drinking. The findings supported the claims by local residents, the police and other Council officers who work in the area. As no resolution to the issues that local residents and the police were encountering at the premises the Licensing Authority has sought to review the Betting (Other) Premises Licence for William Hill.
- 1.4 Since the review was made the Licensing Authority has undertaken observations of the premises, reviewed documentation provided by William Hill and has viewed CCTV footage of the exterior of the premises. The Licensing Authority have identified significant failings in William Hill's own operating procedures, that CCTV in the premises was not to the standard expected, that possible drug dealing is being carried out on the premises and that alcohol was being consumed on the premises. All of which support the residents observations and representations relating to these premises.
- 1.5 This submission brings together the information, actions and evidence that the Licensing Authority has accumulated in support of its review.

2. Background

- 2.1 William Hill has operated a licensed betting shop (LBO) at 357 Harrow Road for a considerable period. On the 15th June 2007 William Hill applied to convert their Betting Office Licence, issued under the Betting and Gaming and Lotteries Act 1963 to a Betting (Other) Premises Licence under the provisions of the Gambling Act 2005 (the Act). The Betting (Other) Premises Licence (07/07253/WCCGAP) was granted by the Licensing Authority on the 31st August 2007. The Licensing Authority has had no further applications in

relation to these premises since the licence was granted in August 2007. A copy of the current Betting (Other) Premises Licence for William Hill is attached as LA1.

- 2.2 William Hill came to the attention of the Licensing Authority following the receipt of a new Betting (Other) Premises Licence application made by Coral Racing Limited for 381 Harrow Road on the 22nd July 2011. The application was to create a new betting shop in premises which was previously used as a fast food takeaway. This would have been Coral's first shop in this area.
- 2.3 During the consultation period a number of local residents made representations identifying existing issues surrounding violence, aggression, street drinking and anti-social behaviour surrounding gambling premises in the area, which were later identified as predominantly associated with William Hill. A copy of the representations that make reference to either William Hill or the issues surrounding betting shops in the area have been provided as LA2.
- 2.4 The Licensing Authority, who made a representation to this application, sought the views of Ms Caroline Tredwell who was the Neighbourhood Crime Prevention Officer for the Council. She provided information relating to the issues that were occurring around William Hill. The main issues were groups blocking the pavement, intimidation to local residents as they walked past, abusive language which had amounted to harassment in a few cases. Ms Tredwell also confirmed that the police were taking action with these individuals and confirmed that the group outside William Hill were mainly William Hill's customers. The police also identified that customers would come out of the premises to drink [alcohol] and smoke. Ms Tredwell provided a statement for the Licensing Authority setting out these specific issues. Ms Tredwell's statement reflected the concerns and observations of the local residents at the time. A copy of Ms Tredwell's statement is provided as LA3. The police also made a representation to Coral's application at the time.
- 2.5 The application for the new Betting (Other) Premises Licence for Coral Racing Limited at 381 Harrow Road went before the Licensing Sub-Committee on Monday 28th November 2011. At that hearing a number of conditions were proposed by Coral to be imposed on the licence if the Sub-Committee were minded to grant the application. These conditions, which had been proposed by Coral and slightly amended by the Licensing Authority and Police, were provided to specifically address the concerns raised about William Hill and to attempt to prevent those issues affecting Coral's premises if they were to operate. A copy of the Licensing Sub-Committee minutes of the decision are provided as LA4.
- 2.6 Following receipt of these representations the Licensing Authority contacted Clark Dunstan from William Hill on the 1st September 2011 to highlight the issues identified and the concern that the Licensing Authority had concerning the allegations that their customers may be causing crime and disorder on or outside their premises. Clark Dunstan was the Development Manager for

William Hill and was the contact at a senior level within William Hill relating to these premises.

- 2.7 A meeting was arranged for the 24th October 2011 where these issues were discussed. A copy of the email exchange relating to arranging this meeting with Clark Dunstan is attached as LA5. It was agreed that William Hill would take away the issues and concerns and make sure that they take appropriate action to address them.
- 2.8 On the 5th August 2012 a complaint was made to Cllr Dimoldenberg from ■■■■■ relating to the specific issues that she was experiencing with William Hill. This complaint was provided to the Licensing Authority who investigated it. However, the issues surrounding William Hill were well known by the Council's Anti-Social Behaviour Officers and the Council's Licensing Inspectorate. Accordingly discussions would be instigated with William Hill to try and address the concerns raised by ■■■■■. A copy of an email exchange following ■■■■■ original complaint and the issues surrounding William Hill is attached at LA6.
- 2.9 As part of this complaint, the police and the Council's Crime Prevention officers engaged with William Hill. The police crime prevention advisor visited the premises and provided advice on what William Hill could implement to address the issues raised with people drinking outside the premises and causing crime and disorder on and outside the premises. That advice was provided to William Hill for their information and to consider implementing on the premises.
- 2.10 Officers acting on behalf of the Licensing Authority were not made aware of any further issues with William Hill in Harrow Road until an application was made for a new Betting (Other) Premises Licence for the former Prince of Wales Public House, 351 Harrow Road. The application was made by Done Brothers (Cash Betting) Limited Trading as Betfred on the 26th March 2015. The Licensing Authority received over 70 representations to this application and a large number of these representations made reference to the same issues at other betting shops in the area. This was later confirmed to relate predominantly to William Hill.
- 2.11 The issues raised by the residents opposing Betfreds application mirrored those raised during the Coral application in 2011 and also ■■■■■ earlier complaint in 2012. These issues related to customers of William Hill consuming alcohol in the premises and directly outside it, allegations of drug use and supply from the premises and the sale of stolen goods in the premises. A copy of the representations to the Betfred application that either referred directly to William Hill or the general issues that residents face in and around betting shops in Harrow Road are provided as LA7.
- 2.12 ■■■■■ along with a number of other local residents provided evidence both in writing and orally at the hearing to determine the application for Betfred, 351 Harrow Road. It was apparent from local residents that, although the

Licensing Authority was not made aware of any of these issues between 2012 and May 2015 they had continued to occur with no resolution.

- 2.13 On the ?? 2015 the Licensing Sub-Committee held a hearing to determine the Betfreds application for 351 Harrow Road. At the hearing evidence was presented orally from local residents concerning the issues that surround William Hill and the area is extremely sensitive due to the large numbers of vulnerable people in the area and the facilities for these groups. The Licensing Sub-Committees decision concerning Betfreds application is provided as LA7A.

3. Review Application

- 3.1 The Licensing Authority has a responsibility under the Act for local gambling regulation. In exercising the authority's functions relating to premises licences the authority shall aim to permit the use of premises for gambling so far as it thinks it is:
- 3.1.1 in accordance with the Gambling Commissions Licence Conditions and Codes of Practice (LCCP) issued under section 24 of the Act
 - 3.1.2 in accordance with the gambling Commissions Guidance to Licensing Authorities issued under section 25 of the Act,
 - 3.1.3 reasonably consistent with the licensing objectives (subject to 3.1.1 and 3.1.2 above)
 - 3.1.4 in accordance with the council's Statement of Licensing Principles for gambling (subject to 3.1.1 to 3.1.3 above)
- 3.2 The Licensing Authority whilst considering the representations made relating to the Betfred's new Betting (Other) Premises Licence application started to consider what action it could take to try and resolve the issues identified by residents and William Hill. In considering its options it reviewed the history of the premises. It was clear that the issues originally brought to the attention of the Licensing Authority in 2011 and 2012 were still present.
- 3.3 The Licensing Authority carried out observations and inspections of the premises in May and June 2015 to establish what was taking place at William Hill. The purpose of these observations was to observe customer and staff interaction, customer behaviour and the operation of the premises.
- 3.4 There had been a number of comments made by local residents during the Coral and Betfred applications (see LA2 and LA7) that women in particular felt threatened by male customers from William Hill who stood outside the premises drinking and smoking. ██████ made reference to a particular incident when she experienced alarm, harassment and distress through unwelcome aggressive and sexual comments. ██████, in her email dated 23rd June 2015 which is available as LA8 refers to such an incident that took place in 2011 or 2012.

- 3.5 In carrying out their duties two council officers have either received unwelcome or abusive comments or behaviour from customers of William Hill or their acquaintances both inside and outside the premises.
- 3.6 On the 12th May 2015 Sumeet Anand-Patel and Nick Nelson, Senior Licensing Officers attended William Hill as part of their observations of what was occurring in betting shops in the area. During that visit Mrs Anand-Patel, when she was not standing with Mr Nelson was approached by a male customer who smelt of alcohol. He spoke to her in a way that made her feel very uncomfortable and uneasy. Mr Nelson, whilst in the premises noticed a strong smell of alcohol. He also noticed one customer who appeared visibly drunk. Mr Nelson raised this with shop staff who stated that this was a common occurrence for customers to visit the premises after leaving the local pub and that this was normal. A statement has been provided by Mrs Anand-Patel and Mr Nelson which are provided as LA9 and LA10.
- 3.7 The Licensing Authority was aware of a previous similar incident to those described above by female residents. Inappropriate and offensive comments were made towards a member of Council staff whilst visiting the premises in November 2014. Ms Klaudija Green was working in the Harrow Road area as part of her duties as a Ward Community Protection Officer when she visited William Hill to speak to staff. Whilst approaching the premises a group of men outside William Hill began to make comments about her physical appearance, whistling at her and making inappropriate comments. A copy of Ms Green's statement is provided as LA11.
- 3.8 On the 26th June 2015 Paul Green, Senior City Inspector and David Wood, City Inspector visited William Hill to undertake observations and visited William Hill. They observed a large number of men sitting on wooden pallets or standing outside of William Hill. This group were observed pouring drinks from plastic bottles into plastic or polystyrene cups and most were observed drinking. One member of the group who was female was observed to appear drunk and was drinking from a wine bottle.
- 3.9 At 20:30hrs on the 27th June the two officers returned to William Hill and observed that the glazing to the premises door was smashed and held together with plastic film. This broken glazing panel wasn't seen the previous day. No one was present outside the premises when the officers entered the premises. In William Hill there were five people watching the screens and one on the gaming machine. The officers then left the premises and returned at 21:30hrs that same evening. Upon returning they saw two men standing at the front entrance to William Hill. One of these men was holding a bottle of beer. On entering the premises the officers observed an open Stella Artois can on a table. The number of customers in the premises had increased to about twelve and Mr Green observed an unkempt elderly man who was slurring his speech and had been previously observed staggering across Harrow Road. A copy of Mr Green and Mr Wood's statements are provided as LA12 and LA13.

- 3.10 As part of the Betfred new Betting shop application papers the Westminster the Police Licensing Team provided a list of intelligence report and a copy of the search results from its Intelligence Information Platform (IIP). A copy of these documents is provided as LA14 and LA15.
- 3.11 Consideration was given to calling William Hill to account via the review process under the Act. There appeared to a particular failure to address the concerns despite attempts by local residents, police, council officers and the Licensing Authority. Despite assurances from William Hill to take all necessary steps to address these issues it was apparent that nothing has occurred to address them. It appeared to the Licensing Authority that matters had got worse since 2011 when these issues were originally raised with the licensing Authority.
- 3.12 In addition to calling William Hill to account over their lack of action to address the issues there would be the added advantage of reviewing the premises licence as it would enable local residents and businesses an opportunity to have their voice heard. and propose options to address the significant concerns raised.
- 3.13 The Act provides that a Licensing Authority can initiate a review of a premises licence in its own right under section 200 of the Act. The Gambling Commissions 5th Edition of its Licensing Authority Guidance states:
- 10.5** *S.200 of the Act provides that licensing authorities may initiate a review in relation to a particular premises licence or a particular class of premises licence. Licensing authorities may wish to consider in their scheme of delegations who initiates reviews, and any checking system of that to prevent unwarranted reviews from being conducted.*
- 10.6** *In relation to a class of premises, the licensing authority may review the use made of premises and, in particular, the arrangements that premises licence holders have made to comply with licence conditions. In relation to these general reviews, it is likely that the licensing authority will be acting as a result of concerns or complaints about particular types of premises, which may result in them looking at, for example, default conditions that apply to that category of licence.*
- 10.7** *In relation to particular premises, the licensing authority may review any matter connected with the use made of the premises if:*
- *it has reason to suspect that premises licence conditions are not being observed*
 - *the premises is operating outside of the principles set out in the licensing authority's statement of policy*
 - *there is evidence to suggest that compliance with the licensing objectives is at risk*
 - *for any other reason which gives them cause to believe that a review may be appropriate, such as a complaint from a third party.'*

3.14 A review, initiated by the Licensing Authority would provide the opportunity for local residents to make representation as part of the consultation process for the review. The Licensing Authority also felt that due to the nature of the allegations and that the issues have persisted that a review would enable all parties to express their views on the allegations and appropriate measures imposed, if necessary to address these concerns.

3.15 Paragraph 32.7 of the Council Statement of Licensing Principles for gambling states:

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

3.16 The information the Licensing Authority had received from local residents, the Police and its own officers relating to William Hill provided evidence that there was a significant concern that these premises were being operated in a way that didn't meet the main principles of section 153 of the Act. The Licensing Authority had received complaints and relevant information that indicated that:

3.16.1 the premises was breaching the mandatory condition on its licence relating to the prohibition of consuming of alcohol on the premises;

3.16.2 that customers may be under the influence of alcohol and/or drugs and as such were vulnerable to gambling-related harm due to impairment,

3.16.3 that there were allegations of drug dealing on or from the premises;

3.16.4 that there were allegations that the premises was being used to sell stolen goods,

3.16.5 that groups of people including customers of William Hill gather outside the premises and cause alarm, harassment and distress to members of the public passing the premises, particularly women, and

3.16.6 that these issues have been occurring for a number of years and even when these issues had been brought to the attention of William Hill no positive action has occurred to address the issues.

3.17 Due to the history at this premises and that even when William Hill had the issues brought to their attention there appeared that no action had been taken The Licensing Authority decided that a review application was necessary to make an effective change in the operation of this premises and to address the issues.

3.18 The Licensing Authority served the review papers on William Hill on the 20th July 2015 via email. Public notices were displayed at the premises that same

day along with the Council's publishing a notice on its own website. A copy of the review application and photographs of the notices of review displayed at the premises are provided as LA16 and LA17.

4. Alcohol

4.1 The consumption of alcohol inside and outside the premises by William Hill's customers was a significant concern to local residents. In [REDACTED] email dated 23rd June 2015, referred to as LA8 she recalls an incident relating to alcohol and a conversation with Charles who was the premises manager. She advised Charles that she often saw customers entering the premises with alcohol. He stated to [REDACTED] that it was a difficult situation for him and that he wasn't complicit in allowing this but was a victim.

4.2 William Hill is subject to a mandatory condition relating to the consumption of alcohol on the premises. This condition states:

The consumption of alcohol on the premises is prohibited during any time which facilities for gambling are being provided on the premises.

4.3 William Hill has a Manual for its Licensed Betting Offices. This manual provides information on all aspects of the operation of the gambling premises. Section 2, part 6.0 details William Hills Drugs and Alcohol Policy, a copy is provided as LA18. In bold at the top of this policy William Hill states:

The consumption of alcohol on Company premises is prohibited and must be discouraged through positive action by Employees when it is either observed or drawn to their notice.

4.4 On the 20th July 2015 David Wood, City Inspector was attending William Hill in Harrow Road to issue the review notices. Upon arrival he saw approximately twelve customers inside the premises. He noticed a man drinking from a can concealed in a brown paper bag. Mr Wood took a photo of this customer within the store. He then proceeded to identify himself to the staff behind the counter. Mr Wood had to wait until one of the members of staff was available to assist him. Whilst he was waiting he observed a man enter the premises drinking out of a small glass bottle. He was able to advise the supervisor when she was available of these people and that they were drinking on the premises. The first customer observed with the can in a paper bag had since left the premises and was outside it drinking out of the can. The customer came back into the premises a few minutes later without the can and Mr Woods went straight to the bin which is just outside the premises next to the pedestrian crossing. In the bin he found a can of super strength Skol and a brown paper bag in it. Mr Woods proceeded to take a photo of this. Mr Wood has produced a statement as LA19.

4.5 A meeting was arranged, at the request of William Hill's legal advisers for the 9th September 2015. That meeting was attended by Richard Taylor (Legal adviser for William Hill) Mr Brian Minihane (William Hill), Mr Kerry Simpkin, Mr Nick Nelson and Mr David Sycamore on behalf of the Licensing Authority.

During that meeting the Licensing Authority explained the concerns that it had in relation to the operation of the premises and the history of inaction to address these issues.

- 4.6 Prior to this meeting William Hill had been served copies of the representations made to the Licensing Authority concerning the review application. The Licensing Authority presented the statement from Mr Woods dated 20th July 2015 (LA19) to Mr Taylor and Mr Minihane. The Licensing Authority explained that the findings that the Licensing Authority had observed a breach of the mandatory condition of the premises licence. They then stated that observations so far backed up the claims made by local residents. At this point Mr Taylor and Mr Minihane stated that they now understood the concerns of the Licensing Authority and local residents. They confirmed that William Hill would take action to deal with them. The question was posed to Mr Minihane that these issues had been raised with William Hill before and why hadn't they been addressed previously. Mr Minihane explained that the issues were not brought to the attention of senior management at William Hill and now that they are aware they will take action. It was the impression of Licensing Authority officers attending this meeting that prior to the service of Mr Woods statement there was a general view that William Hill were not convinced that the allegations by residents were justified. It was agreed at the end of this meeting that William Hill would go away and assess the operation of the premises in light of the representations and information provided by the Licensing Authority.
- 4.7 The Licensing Authority has been able to observe CCTV footage from the Council's own street cameras which show the front of William Hill's premises. This CCTV was captured during a period from 22nd July 2015 to the 16th August 2015 and covered the time periods 14:00hrs to 16:00hrs and 19:00hrs to 21:00hrs on each of the days during this period. Mr Nelson, Senior Licensing Officer has reviewed all of the footage taken during this period and has identified a number of clips relating to alcohol consumption outside the premises and customers entering or leaving with what could be alcohol. The CCTV footage clips are provided as LA20 and the synopsis of the CCTV clips is available as LA21. A statement has also been provided by Nick Nelson, Senior Licensing Officer who viewed all of the footage and produced both the CCTV clips and the synopsis for them as LA10.
- 4.8 It is clear that staff at William Hill have not been robust in preventing customers from drinking inside the premises. This is a breach of the mandatory condition of the premises licence and also a breach of William Hill's own Rules as stated in their Drugs and Alcohol Policy (LA18). There is also the contributing factor of the shop design and layout (see paragraphs 9 below) that affects the staffs ability to manage and enforce this issue, which are in the control of William Hill. It is the lack of staff and management action and practice that has allowed alcohol consumption on the premises to become normal.

- 4.9 Section 1 of the Act sets out the licensing objectives. The third licensing objective within that section relates to children and the vulnerable. This objective is:

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

- 4.10 Vulnerability is not defined within the Act. The Gambling Commission states:

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.*

- 4.11 The Council, in partnership with Manchester City Council and supported by the Local Government Association (LGA) commissioned Geofutures to undertake research into vulnerability which was published in July 2015. The report, titled 'Exploring area-based vulnerability to gambling-related harm: Who is vulnerable? Findings from a quick scoping review' and the aim of this study was to explore who may be vulnerable to gambling-related harm and to assess the strength of the evidence base supporting this. A copy of this report is provided as LA22.

- 4.12 This research findings identified that there was good evidence to support the view that those who consume alcohol and misuse it are vulnerable to gambling-related harm. The report states (page 50):

Other research has also shown a relationship between gambling problems and alcohol consumption more generally. The BGPS series highlighted that the prevalence of problem gambling was higher among those who consumed the most alcohol on the heaviest drinking day in the past seven days (Wardle et al, 2007). A similar finding was noted by Plant et al (2005) in their (British based) examination of the relationship of multiple risk taking behaviours.

- 4.13 Alcohol has been identified as a significant risk factor for gambling-related harm within this study and contributed to other vulnerable traits, such as mental health, age, ethnicity, drug abuse, etc then the risk is increased.

- 4.14 The area surrounding William Hill is known for being an area where street drinking takes place. This has been identified by local residents in their submissions to the Licensing Authority during previous gambling applications for the area. The Council has been working with the Police and other organisations to tackle street drinking in the area and has been proactive in making changes to the local environment to make the area more attractive to residents and businesses whilst attempting to design out areas where street

drinkers can congregate. The Maida Hill Junction improvements are a good example of this.

4.15 However, there are still groups of street drinkers in the area which do cause anti-social behaviour. The main focus of this review relates to those who are customers of William Hill or those who are attracted to outside the premises due to William Hill's presence. It is well known that William Hill does attract a group of people, some of which are customers who consume alcohol outside the premises. This group is predominantly older men of Afro-Caribbean decent. However, there are a number of younger males who gather occasionally with this older group. This is supported by local resident's submissions, the police interaction with this group and council observations.

4.16 The Licensing Authority has a significant concern about the vulnerability of those who are under the influence of alcohol or have alcohol dependency. Alcohol and vulnerability to gambling-related harm has been identified by the Gambling Commission in their guidance, the Council's own Statement of licensing Principles for gambling and within the Geofutures research.

4.17 William Hill's Licensed Betting Office Manual, section 2, part 7 sets out its Social Responsibility policies and procedures which is provided as LA23. William Hill has a responsible gambling interaction process designed to protect vulnerable people from being harmed or exploited by gambling. In part 7.4 it states:

Another vulnerable group of people that you may need to deal with are those who are clearly under the influence of drink or drugs or customers with mental health issues.

Do not accept a bet or allow anyone to play on the Gaming Machines if they are very obviously under the influence of drink or drugs.

4.18 William Hill has also produced a document that complies with the requirements of the Gambling Commission. This document is called the Gambling Commission Manual. Within this document William Hill have set out the approach that must be taken to meet the requirements placed upon the company by the Commission in respect of the three licensing objectives and reporting.

4.19 Within William Hill's Gambling Commission Manual there is also a document relating to training called "Linked Training 2015 – Gambling Regulatory Training". A copy of this document is provided as LA24. Staff are required to interact with customers who are considered to be at risk to being vulnerable to gambling-related harm. Page 10 of this document sets out the potential interaction triggers that staff should be aware of. One of these triggers is clearly intoxicated individuals and in brackets it states '(refuse service and ask them to leave)'.

4.20 It is the Licensing Authority view that customers who are drinking both on and outside the premises are at a significant risk to being harmed by gambling at

William Hill. There has been no obvious positive action taken by William Hill to address the issues of people drinking on or outside the premises prior to the review application even though these concerns have been raised with shop staff by residents, police and council officials in the past.

- 4.21 It is apparent that it is normal for staff to allow customers to gamble whilst under the influence of alcohol. The shop manager refers to this in his recounted conversation with ██████████ where he states that he is unable to deal with the problem. William Hill staff has confirmed this to Mr Nelson when asked about a visibly drunk customer on the 21st May 2015 (see LA10). There has also been a lack of adherence to William Hill's own policies, procedures and staff training as it is clear that William Hill have identified those under the influence of alcohol as an at risk group.

5. Drugs

- 5.1 Within the representations to Betfred's new Betting (Other) Premises Licence application local residents made reference that William Hill customers have either been under the influence of drugs or participated in drug dealing on the premises. There had also been one police intelligence report to this effect.
- 5.2 The Licensing Authority has viewed CCTV images collected during the 22nd July and 16th August 2015 (see paragraph 4.7 above). Whilst viewing this footage 5 clips were identified that could show drug dealing which involved William Hill customers (clips 7, 11, 13, 14 and 18 of LA20). This footage was watched on the 29th October 2015 by PC Ian Armstrong who is the local neighbourhood officer and is very aware of the issues associated with William Hill and the area. PC Armstrong has produced a statement relating to what he observed in the CCTV footage. He has stated that he believes that the footage does show possible drug deals and that if he were to witness this there would be sufficient grounds to undertake a drugs search on all those involved. A copy of PC Armstrong's statement is provided as LA25.
- 5.3 On the 12th May 2015 Nick Nelson, Senior Licensing Officer visited William Hill. Whilst he was carrying out his visit he witnessed customer behaviour that was consistent with someone being under the influence of drugs (see LA10).
- 5.4 William Hill has an Alcohol and Drugs Policy which is detailed within their Licensing Betting Office Manual (see LA18). This policy, contained within section 2, part 6.0 of the manual makes it clear that as a company William Hill take drug use and the supply of drugs on their premises very seriously. In the policy all reference to drugs are highlighted as being very important or are in bold and capitals to emphasise the policy points. Under the heading "Very Important Points" William Hill state:

"The Police consider the failure of employees to take reasonable action when they are aware that the use of drugs or the passing of drugs is taking place on Company premises to be grounds for opposing the renewal of our Premises Operating and Personal Licences. This could have very serious

consequences for the Company. Furthermore, the police may bring criminal charges against the Employee.”

- 5.5 It is clear from this statement that the key concern is that if drug use or dealing is occurring on the premises there is a significant risk to William Hill's business. Employees are required to report any incidents of use or dealing of drugs on the premises must be reported to William Hill's Central Security and the relevant District Operations Manager. Shop staff must also record the incident in their shop diary and then contact the police immediately.
- 5.6 William Hill also has a requirement on its employees to report any incidents that may affect one or more of the Licensing Objectives. In William Hill's Licensed Betting Office Manual, Section 2, part 7.6 – Licensing Objectives requires employees to complete an Incident Report Form if any incidents occur that may affect these objectives. This part gives a number of examples and one of which is suspected drug dealing/drug misuse takes place and police were not called. A copy of Section 2, part 7.6 of William Hill's Licensed Betting Office Manual is made available as LA26.
- 5.7 William Hill has a process for reporting incidents and as mentioned above employees must submit an Incident Report Form (IRF) for certain incidents. The process for this is contained within William Hill's, on page 11 of its Linked Training document (LA24) and also on pages 55 and 56 of its Gambling Commission Manual, which are available at LA27. The Licensing Authority requested information on the number of IRF forms submitted in the past year for this premises. This information was provided on the 29th October. A copy of the email relating to the number of IRF reports is provided as LA37.
- 5.8 In addition to the processes for reporting drugs William Hill have also establish policies and procedures for identifying drug problems. Section 3, part 13.0 of William Hill's Licensed Betting Office Manual sets out what employees should look for to identify those who are either under the influence of drugs or may be involved in drug dealing. There is also a section on what contractors and cleaners should be aware of when undertaking their roles within a premises. A copy of this document is provided as LA28.
- 5.9 As part of the police evidence to the Betfred application they provided copies of their Intelligence reports which related to William Hill (see LA14). One entry related to a source which stated that William Hill was the only place in the day time that you could purchase good quality crack. PC Armstrong does comment that the supply of crack is possibly the drugs that are being sold outside the premises (see LA25).
- 5.10 There is a significant concern that customers under the influence of drugs are visiting William Hill and are permitted to gamble on the premises. Like alcohol drug use is a significant impairment to the individual's cognitive ability and ability to assess risk. The Gambling Commission in their Guidance to Licensing Authorities refer to persons who are under the influence of drugs may be considered vulnerable. The research undertaking on behalf of the

Council by Geofutures, provided as LA22 also identifies that anyone under the influence of drugs is at greater risk of gambling related harm.

- 5.11 As detailed in paragraphs 9 below the North Westminster Drug and Alcohol Service at 470 – 474 Harrow Road is located a short distance away from this premises. Those attending this treatment centre would be classified as a vulnerable group. The area also has had a history of drug issues and as a result of this the premises must have robust and effective measures in place to identify drug dealing and drug use. These procedures should also make it clear that those who appear under the influence of drugs should not be permitted to gamble. William Hill does have policies and procedures in place but it appears that these policies and procedures have not been adhered to sufficiently on the premises.
- 5.12 The information provided by local residents, the observations of customers at the premises, the police intelligence report and the CCTV footage indicate that this premises may be being used as a location by drug dealers to supply drugs to both customers and local people. This is a significant concern for the Licensing Authority.

6. Street begging

- 6.1 Allegations have been made by local residents that street begging occurs outside or near William Hill's premises in Harrow Road. At 14:49hrs on the 26th July 2015 a male was identified begging outside William Hill, see clip 9 of CCTV footage referred to as LA20. In this clip it appears to show a male in a green jacket approaching people in the street begging. This individual is seen to enter and exit William Hill on occasions during a period of one hour. There is a significant concern that this person could be using money he has obtained by begging to participate in gambling.
- 6.2 PC Armstrong, in his statement relating to this CCTV clip (see LA25) has stated that he views the action of the individual identified in the footage as begging. He also states that it is aggressive street begging and if he had witnessed this he could have arrested this male.
- 6.2 William Hill should be able to identify this behaviour especially considering the local area and that begging is something that does occur here. The Licensing Authority is concerned that staff in the premises would not be in a position to identify this due to their lack of knowledge of this particular concern, that there isn't any procedure or practice to assist staff deal with these individuals within William Hill's Licensed Betting Office Manual. The design and layout of the premises is a factor as it prevents interaction with customers.
- 6.3 William Hill, since the review proceeding being lodged have advised the Licensing Authority, via Mr Minihane's statement that they intend to have more than one member of staff at these premises. They also state that during busy times a member of staff will be on the shop floor of the premises. See paragraph 46 of Mr Minihane's statement.

- 6.4 This will assist in dealing with this particular issue however, there needs to be specific training for staff to enable them to identify and deal with individuals who clearly do not have sufficient funds to gamble and are possibly begging. It is known that those who do beg may suffer from mental health issues or are homeless. The area does have a large number of hostels for both the homeless and those with mental health issues (see paragraphs 9 below). Indicators to identify a person who may have insufficient funds to gamble may be that they approach other customers asking for money, that they frequently enter and leave the premises and when they are in the premises they only stake a small amount using change and individuals who are identified by shop staff or customers as begging outside or near the premises.

7. Crime and disorder

- 7.1 A theme of criminal and disorderly behaviour has been present since the Licensing Authority was first made aware in 2011. As indicated within the submission above local residents have highlighted the issues surrounding William Hill and the actions of its customers or those it attracts.
- 7.2 The third licensing objective referred to in section 1 of the Act is:
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.*
- 7.3 William Hills operation in Harrow Road is to provide gambling facilities in the form of betting and associated ancillary permitted functions, such as gaming machines. The purpose of a betting shop is gambling. The premises and its operation attract people who gather outside the premises. These people are often customers or acquaintances of customers. Unfortunately it is the action of these individuals that has associated William Hill's gambling operation with crime and disorder.
- 7.4 Local residents have referred to incidents of being harassed when passing the premises. [REDACTED] has specifically made reference to times when she has been subject to sexually offensive comments and threats. She has also been subject to verbal abuse from those outside the premises. A council officer has also been subject to unwelcome and offensive comments (See statement from Ms Green at LA11).
- 7.5 PC Armstrong has provided a statement dated the 17th September 2015 in his role as the Dedicated Ward Officer for Harrow Road. In his statement he sets out that the police have had to attend these premises and have seized or de-canned alcohol from those gathered outside the premises. He identifies one person was known to use William Hill to sell stolen goods to customers inside the premises. Although that know individual is now deceased there are still allegations that the sale of stolen goods continues in or outside these premises. PC Armstrong's statement is provided as LA29.
- 7.6 The Council has identified two pieces of footage taken on the 24th July 2015 and 3rd August 2015 (clips 7 and 16 of CCTV footage provided as LA20).

This footage appears to show the sale or attempted sale of goods outside the premises to customers of William Hill.

- 7.7 The Council Crime Analyst has conducted a review of all calls to police (CAD) and all crime reports (CRIS) associated with William Hill, 357 Harrow Road. The analyst has provided two maps showing the area of Harrow Road and Maida Hill Junction. The first map shows the location of the betting shops in this area and commercial premises. The second map shows the number of CAD and CRIS records associated with each premises over a two year period. These maps are provided as LA30 and LA31.
- 7.8 William Hill has 4 CRIS and 23 CAD's recorded against it in the past two years. A table showing the list of CAD and CRIS reports are provided as LA32. Of these 27 records the Licensing Authority and the Police have reviewed them for relevance.
- 7.9 Out of the four CRIS reports three relate to William Hill's operation and the other is unrelated. Redacted copies of the three relevant CRIS reports are provided as LA33. Twenty three CAD calls are identified at the premises. Out of those three were identified as not relating to William Hill (4317, 7770 and 8777). Copies of the 20 redacted CAD records are provided as LA34.
- 7.10 Part 5 of the Gambling Commission Guidance to Licensing Authorities (5th Edition) sets out the licensing objective relating to crime and disorder relating to gambling. Paragraph 5.5 of that guidance states:

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.*

- 7.11 It is the Licensing Authority's view that these premises are a source of crime and disorder and is associated with crime and disorder. There are numerous references to anti-social behaviour caused by customers and those congregating outside the premises. The Gambling Commissions Guidance does state at paragraph 6.40 that:

... the Act does not include the prevention of public nuisance and anti-social behaviour as a specific licensing objective.

- 7.12 Although the Act doesn't include anti-social behaviour as a objective it is the Licensing Authority's view that in addition to the crimes and potential criminal activity taking place at these premises the level of anti-social behaviour also amounts to disorder.

- 7.13 Section 3, parts 5.9 and 5.10 of William Hills Licensed Betting Office Manual makes reference to their Staffsaff system and the use of Magnetic locking devices on entrance doors. The Staffsafe system is a two-way audio communication system which is monitored by William Hill operators if the system is enabled by shop staff. William Hill describes this system as providing assistance in combating burglary and anti-social behaviour. The Maglock system is a magnetic door lock that can be operated by shop staff to secure the entrance/exit door remotely. In describing the "Procedure for Operating Control of Magnetic Door Locks" William Hill provide an example of a reason for when the Maglock may be initiated. It states "The reason may vary from anti-social behaviour to a specific crime prevention recommendation". Parts 5.9 and 5.10 of section 3 from William Hills Licensed Betting Office Manual are provided as LA35.
- 7.14 Maida Hill Junction and this area of Harrow Road do have a problem with street drinking and anti-social behaviour. The Council has run a number of initiatives in partnership with the Police and other agencies to tackle these issues.
- 7.15 As referenced by William Hill in paragraphs 21 to 26 of Mr Minihane's statement William Hill were approached by Ms Green, Harrow Road Ward Community Protection Officer in January 2014 concerning anti-social behaviour outside of William Hill premises in Elgin Avenue and Kilburn. It should be noted that officers acting on behalf of the Licensing Authority were not aware of these issues or to the local initiative to tackle them. A meeting took place and a number of action points were agreed with William Hill. In June 2014 Ms Green visited William Hill's premises in Elgin Avenue and Kilburn. She found that the agreed Anti-Social Behaviour (ASB) notices were on display in the Elgin Avenue branch and she didn't witness any ASB at the time of the visit. In the email she also referred to not receiving any further complaints concerning William Hill's premises in Kilburn.
- 7.16 The Council and its partners are currently working to reduce the local issues through the Street Drinkers – Maida Hill Market project. This project was initiated in August 2015 and is aimed at tackling street drinkers in the area through partnership working with other agencies, such as the police and local residents to tackle these issues.
- 7.17 The Gambling Commissions Guidance to licensing Authorities does make reference to the use of other powers to tackle issues such as street drinking and anti-social behaviour: Paragraph 36.45 of that guidance states:
- 36.45** *There are various local authority and police powers to manage issues such as street drinking and anti-social behaviour, and licensing authorities should look to these powers in the first instance as being more appropriate remedies than the Act.*
- 7.18 The Council's City Inspectors are taking positive action with local alcohol licensed premises to prevent sale of single cans or high strength alcohol products. The Council is actively doing all it can to tackle street drinking and

will take a robust approach to making a positive impact in this area. The Maida Hill Project Initiation Document has been provided at LA36.

- 7.19 The purpose of the review however, is to specifically tackle the issues associated with William Hill and its customers who commit crime and disorder inside and outside these premises. We acknowledge that similar issues do occur in the area and are not isolated to outside William Hill. However, a certain group of people who cause these issues are attracted to William Hill to participate in gambling or to socialise with others who are customers of William Hill.
- 7.20 Since the review application was made the Licensing Authority and the Police have been made aware that some of William Hill customers have been banned from the premises. William Hill was requested to provide some further information relating to how many customers they have banned this year. In an email dated the 29th October 2015 William Hill provided this information. Since the review was lodged William Hill has banned 2 individuals from the premises. A copy of this email is provided as LA37.
- 7.21 We are aware that those banned from William Hill are now meeting in the Maida Hill Market area. These individuals are now mixing with the existing groups in the area. The fact that this group now meets in Maida Hill market indicates that William Hill was the attraction for them and their street drinking prior to them being banned from the premises.
- 7.22 In Mr Studd's statement, which has been provided by William Hill, sets out a number of recommendations (see part 8). The vast majority of Mr Studds recommendations relate to tackling street drinking as the main solution. As is demonstrated with the current project at the Maida Hill Junction the Council and its partners are actively tackling the issues of street drinking in the area. A number of Mr Studds recommendations are already in place and this may not have been apparent to Mr Studd due to the amount of time that he spent in the area. The area has a history of these issues and the Council has invested a large amount of money in improving the local amenity for residents and to discourage the criminal behaviour that has been present in the area. This is an ongoing piece of work which involves multi agency working and the support and assistance of local residents and businesses.

8. Premises design and layout

- 8.1 Due to the issues identified at the premises staff are not able to see if people are bringing in alcohol to the premises or carrying out any other form of criminality on our outside the premises due to the shop design and layout. ■■■■■, in a conversation on the 23rd June 2015 with Charlie the premises manager at the time (see LA8) stated that the shop layout, particularly the location of the counter at the rear of the store and the advertising boards in the windows made it difficult for staff to view anyone drinking on or outside the premises. He also advised her that staff could not view the footage from the shop cameras and this was only accessible by William Hill central security.

- 8.2 This premises is long and narrow with a limited frontage. When looking at the premises the entrance to the premises is via a double set of metal framed double glazed panelled doors. There is one large window which originally had three sets of floor to ceiling advertising boards which took up the majority of the betting shop frontage.
- 8.3 On entering the premises the main bank of monitors that display the sporting events and relevant betting information is located on the left wall. In front of these displays are a number of fixed desks and seating which face towards the screens. To the right hand side wall immediately on entry are the gaming rules and other information relating to William Hills operation. Directly beyond that and attached to the wall is a shelf that runs along it until it ends prior to the gaming machines. This shelf contains writing implements and betting slips. There are some tall stalls located under the shelf for customers to use. Directly above the shelf are the betting pages and other betting information.
- 8.4 Directly beyond the bank of monitors, tables and seating are the gaming machines. Two machines are located on each side of the store against the walls of the premises. These machines are located directly in front of the staff counter.
- 8.5 The staff counter has a full height bandit screen. The counter abuts to the left wall and comes across the store towards the right wall. The counter protrudes two thirds across the store at an angle towards the rear of the premises. The front portion of the counter does have positions for two members of staff. The other part of the counter runs towards the rear of the shop and provides a walkway between it and the right wall. This walkway leads to the customer toilets and staff access door at the rear of the premises. There are also staff positions on this section of the counter for staff. A copy of the plan deposited with the Licensing Authority and as attached to the licence is provided as LA38.
- 8.6 The counter is the main viewing point for staff to monitor customer behaviour and to enable them to monitor who enters the premises. The main counter positions face towards the front of the store. These positions provide a good view of the gaming machines and those using them. However they are a reasonable distance away from the entrance and their view of the tables and seating area; and entrance can be easily obstructed by customers. The angle of the seating and tables in front of the bank of betting monitors does mean that anyone sitting nearest the counter area can obstruct the view of anyone else sitting in that line of seating.
- 8.7 The tables and seating area can be very busy and officers of the Council have witnessed the store when it is busy. Due to the narrow confines of the premises and when the seating area is fully occupied customers will stand behind the seating area and lean against the betting shelf which runs along the wall directly opposite this bank of monitors. Customers will also stand in front of the door either talking to other customers or watching the monitors.

- 8.8 The current layout of the betting shop is restricted by the narrow nature of the premises. However, by locating the counter at the rear of the premises does create difficulties for staff in monitoring customer's entering the premises and their behaviour whilst sitting or standing in front of the main betting monitors.
- 8.9 The restricted view of the entrance is also a concern when the shop is busy as staff will be unable to monitor who enters or exists but also whether they should be challenged due to their apparent age. A betting shop is a strictly over 18 environment and it is a breach of the mandatory conditions of the premises licence to let anyone under the age of 18 into the premises. William Hill has a Think 21 policy and their staff receive training on how to effectively challenge customers who appear to be under the age of 21. It is the Licensing Authority's view that the current counter position at the rear of the premises view can be restricted and as a result William Hill are at risk to being unable to identify children or young people or those vulnerable to gambling related harm entering the premises as well as identifying those who commit crime on the premises.
- 8.10 The advertising displays in the window of the shop did significantly restrict the view outside the front of the shop. William Hill has decided to remove the advertising board nearest the entrance which improves the view of the exterior (see paragraph 51 of Brian Minihane's statement).
- 8.11 The premises prior to the review did not have external CCTV cameras that could be monitored by members of the staff from the counter. The Licensing Authority requested to view footage taken from inside the premises from 16:30hrs to 17:30hrs on 20th July 2015. William Hill provided this footage which we produce as LA39. We also produce a still from each of the internal CCTV cameras as LA40.
- 8.12 On viewing this footage the Licensing Authority had immediate concerns over the quality of the footage and the maintenance of the system. The covert camera which was supposed to capture pictures of customers faces as the exit the premises was not facing the right direction so was not fulfilling its task. Camera 3 was not installed during a previous refit and as such there was a gap in coverage. The recording quality of the existing cameras also looked to be not to the standard we are used to seeing in other betting premises within the City.
- 8.13 Of greater concern was the fact that the CCTV is monitored by William Hill's Central Monitoring office. Staff within the shop were not able to view any CCTV images within the store. They appear to have been unaware of the door camera pointing in the wrong direction and that there was no coverage of the front of the shop. It is unknown how long the CCTV system was operating like this and it is not clear why these obvious deficiencies were not identified by William Hill and corrected.
- 8.14 PC Bryan Lewis from Westminster's Police Licensing Team has view the internal CCTV footage provided by William Hill. He has provided his views

relating to the CCTV system in a statement which is dated 7th October 2015. This statement is provided as LA41.

- 8.15 At a meeting on the 9th September with Mr Richard Taylor (Gosschalks Solicitors) and Mr Minihane (William Hill) the CCTV quality, position of the cameras and the number of cameras were raised. It was at this meeting that William Hill agreed to review the current CCTV system at the premises to meet the specification of the Police.
- 8.16 William Hill have confirmed via Brian Minihane statement (dated 21st October 2015) submitted as part of this review proceedings that the CCTV system for this premises has been upgraded and additional cameras have been installed, including to the exterior of the premises. The CCTV cameras can now be monitored by staff from behind the counter and an additional CCTV monitor has been placed at the entrance so customers can view the CCTV images being recorded which acts as a deterrent.
- 8.17 William Hill has improved the CCTV system, including the installation of two external cameras and a monitor at the staff counter position. They have also removed one of the advertising displays from the window which now provides improved vision both looking out of the premises and looking in. These measures will improve the ability for staff to monitor what is taking place outside their premises and the behaviour of their customers. However, there is still a concern that staff will have difficulty monitor customers within the main seating area in front of the bank of monitors if staff are behind the counter. William Hill have stated that they will not operate with only one member of staff and that at busy times they will ensure that a member of staff is walking the shop floor.
- 8.18 The Gambling Commissions Guidance to Licensing Authorities refers to the layout of a premises under the third licensing objective which relates to children and the vulnerable. The guidance states:
- 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.*
- 8.19 The Gambling Commission have brought in a new Social Responsibility (SR) Code for all non-remote betting operators relating to access to gambling by children and young persons (3.2.7) came into effect in May 2015. Section 3 of this code states:
3. *Licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises.*

8.20 In addition to the above mentioned SR Code the Commission also introduced SR code provision 3.5.1 concerning self exclusion for all non-remote gambling operators licences. Section 7 states:

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.*

8.21 The current design and layout of the premises hinders the monitoring of the front entrance and prior to the CCTV system upgrade staff had no way of monitoring the front entrance if it was obstructed by customers. The concern was particularly prevalent relating to access to children and young people and how those who were self excluded would be identified. William Hill's Licence Betting Office Manual contains the relevant policies and procedures to actively prevent under 18's from accessing the premises and gambling. It also contains the procedure and policies associated with self-exclusion. To enable staff to achieve the operator's policies and procedures there was a concern that the layout and CCTV system was not adequate to enable this.

8.22 The current layout of the premises is a contributing factor to the issues that have been identified. It is the lack of visibility out of the premises that has hindered staff from being able to view what is taking place on the street. The counter being located at the rear of the shop and with angle of that counter restricts vision to the front door and to view what customers are doing on the shop floor. The layout of the seating in front of the main bank screens also prohibits the view of customers.

9. Local area

9.1 Harrow Road and the Maida Hill Junction (formerly known as the Prince of Wales Junction) has experienced long term and persistent problems with crime, disorder and vulnerability. The 2010 Index of Multiple Deprivation places 33% of the ward in the top 10% deprived in England. The 2011 Census identified 33% of Harrow Road households as being more likely to have one dimension of deprivation (either employment, education, health and disability or household overcrowding). However, the Harrow Road Workshop Information Pack dated 30 April 2015 focused on a smaller study area, in which 357 Harrow Road is located, and identified 73% of households as shown to be deprived in at least one dimension, higher than the 61% of all Westminster households. The 2010 Income Deprivation Affecting Children Index shows that, on average, 60% of children in the ward live in income deprived households. Similarly, the workless rate in August 2013 was 17.2%, much higher than the Westminster average of 8.6%. Research conducted for Westminster City Council (Exploring area-based vulnerability to gambling-related harm – 13 July 2015) suggests that whilst those who live in deprived areas may be no more likely to gamble than others, those who do are at greater risk of experiencing some problems with their behaviour.

9.2 It is clear, therefore, that the location in question is a highly sensitive one. The premises is within walking distance of several hostels and schools, as well as

other betting shops (although demand for betting premises is not a consideration). The nearest major transport link, Westbourne Park tube station, is located on Great Western Road. Given the limited access as a result of the Grand Union Canal, a larger than average proportion of the local population using this tube station will pass this premises. Whilst this has obvious commercial benefits, it presents a major concern given the large vulnerable population in the area. This is in addition to the draw of the Maida Hill Junction and market area as a natural focal point for the area.

- 9.3 Research conducted in Westminster in 2014 identified problem gambling rates of 11.6% amongst the homeless population, which is much higher than the 0.7% problem gambling rate amongst the general population. Further, Westminster's Contact and Assessment Service for Rough Sleepers Quarter 4 report (January to March 2015) shows that 20% of 174 rough sleepers assessed identified issues around gambling. Therefore, the Licensing Authority considers the homeless and rough sleeper population to be highly likely to be vulnerable to gambling.
- 9.4 There are two rough sleeper supported housing services within 500 metres of 357 Harrow Road:
- St Mungo's, 3 – 5 Bravington Road
 - St Mungo's, 7 Chippenham Road
- 9.5 In addition, there are a further three hostels for people with mental health problems within 500 metres of the premises:
- St Mungo's, 58 – 60 Elgin Avenue
 - St Mungo's, 32 – 34 Great Western Road
 - WAMH, 14 Edbrooke Road
- 9.6 Officers spoke to a duty manager at St Mungo's on 19 June 2015, who identified a resident at the 32 – 34 Great Western Road site as having a recognisable gambling problem who will spend all available money on slot machines in betting premises in the area.
- 9.7 And a further two hostels for people with learning disabilities:
- Westminster, 65 WALTERTON ROAD
 - Westminster, 22 – 24 Great Western Road
- 9.8 The hostels and housing services listed above are directly commissioned by Westminster City Council. In addition to these, there are other clinics and hostels in the area for people which the Licensing Authority would consider vulnerable. The most significant of these is the North Westminster Drug and Alcohol Service at 470 – 474 Harrow Road, approximately 100 metres from 357 Harrow Road. This premises is the location to which all Westminster residents north of Oxford Street who suffer from issues around drug or alcohol use are sent for help. This service offers:

- Substitute prescribing;
- Community detox and access to inpatient detox;
- One-to-one sessions and group work;
- Specialist family and substance misuse practitioners;
- Specialist services for alcohol and crack users;
- Open access between Monday to Saturday 12 noon – 5pm;
- Evening sessions by appointment;
- Testing and treatment for HIV and Hepatitis A, B & c;
- Sexual health advice;
- Legal, debt and housing advice;
- Needle exchange; and
- Mutual aid groups – SMART, AA etc.

9.9 Again, the Licensing Authority would consider those with drug and / or alcohol addictions as vulnerable to gambling. The significance of this premises in such a close location to the site at 357 Harrow Road is a real concern.

9.10 A further hostel identified in the 500m radius area includes:

- Genesis, 79 Elgin Avenue – residential units for ex-offenders;

With another hostel lying just outside this radius:

- Wytham Hall, 40 Lanhill Road – a hostel for the homeless with medical needs.

9.11 There are likely to be further hostels within 500 metres of this location catering for the vulnerable population. Harrow Road has one of the largest concentrations of hostels in Westminster which is reflective of the size of the vulnerable population in the area.

9.12 Officers from the Licensing Authority spoke to Patchwork at 9 Mozart Street (roughly 550m from the premises) on 19 June 2015. This hostel offers residential accommodation for up to eight people for a maximum stay of two years for those with mental health needs such as psychopaths. The person officers spoke to was concerned by the number of betting shops in the area.

9.13 Officers identified a strong smell of alcohol upon entering William Hill at 357 Harrow Road during a site visit on 12 May 2015. During the same visit, officers noticed a young male who appeared to be under the influence of drugs. Outside the premises, officers noted an elderly woman was begging passers-by for 50p on the corner of Harrow Road and Great Western Road. Although the purpose of the begging was not clear (e.g. food, alcohol, drugs or gambling), this is another indicator of the problems with vulnerability experienced by the area.

9.14 Observations of the premises at 357 Harrow Road since the review application was submitted have revealed several concerning aspects regarding the local area. These include:

- Groups loitering outside the premises.
- Street drinking, including customers of William Hill.
- Street begging, one individual in particular who appears to be begging from members of the public and entering and re-entering William Hill on several occasions over the course of an hour.
- Exchanges between members of the public and William Hill customers which appear to be drug deals.
- Exchanges of goods between members of the public and William Hill customers.

9.15 These issues are consistent with those identified by local residents, council officers and Police and have been longstanding issues for the Maida Hill Junction, particularly with the William Hill premises, since at least 2011. Said issues were raised with William Hill in 2011 and an action plan was put in place in order to remedy these issues. In addition, Community Protection Officers and Local Safer Neighbourhood Police Officers have been involved with improving the situation at the premises. Despite initial and temporary improvements, the issues persist and have done so to the detriment of local residents and businesses for a number of years to date. William Hill Organisation Ltd has been given numerous opportunities and ample time to resolve these issues, but has failed to do so effectively.

10. Conclusion

10.1 The Licensing Authority must, in exercising its function aim to permit gambling (section 153). However, this aim to permit principle is only applicable if the premises operate in accordance with the Gambling Commissions Codes of Practice, the Commissions Guidance for Licensing Authorities, reasonably consistent with the Licensing Objectives and in accordance with the Licensing Authority's Licensing Policy.

10.2 As stated within this submission the operation of William Hill, 357 Harrow Road has been subject of concern for a number of years. Residents, police and the Council have raised the issues that occur inside and outside the premises with William Hill. This has been ongoing for a number of years with no effective resolution to the issues from William Hill.

10.3 William Hill has not taken the concerns of local residents, the police and the Council seriously until now and as such the premises have become linked to the issues that it is effected by. These issues are:

10.3.1 groups of people gathering outside the premises drinking alcohol,

10.3.2 criminal and disorderly behaviour by customers and those gathering outside William Hill to socialise with those customers,

10.3.3 drug use and drug dealing, and

10.3.4 customers are under the influence of alcohol or other substances, and

- 10.4 It is the Licensing Authority's view that William Hill has failed to understand the significance of the abundance of establishments that are provided to assist and house vulnerable people. Coupled to this they have not taken into account the issues of the local area and haven't taken appropriate actions to address these issues and ensure that the operation of the premises licence is done in a manner that is reasonably consistent with the licensing objectives.
- 10.5 The staff and management of these premises have not complied with William Hill's own procedures and operating manuals. Mr Minihane has stated at a meeting with the Licensing Authority Officers that the issues hadn't been given to the 'right people' within the organisation and that the staff tried to manage these issues locally. If it is the case that these issues haven't been getting to the right people with the interactions with the premises then this raises concerns over how effective these reporting procedures are. However, the police and the council have interacted with William Hill representatives regarding these issues previously.
- 10.6 William Hill has operated reactively rather than pro-actively in dealing with the issues at the premises. Only after the review application was made and following a meeting with Officers of the Licensing Authority was any action proposed to deal with the concerns raised by local residents, police and the Licensing Authority. These issues have been ongoing for years at these premises as demonstrated with the submissions by local residents to previous applications for betting shops in the area.
- 10.7 There is a significant concern and mounting evidence to support the view that the premises are being used by criminals to sell drugs and possibly stolen articles. From the limited CCTV footage and observations undertaken by the Licensing Authority, it supports the views of local residents relating to this.
- 10.8 The design and layout of the premises has been a contributing factor to the ability of staff to adequately identify and enforce William Hill's own policies. This has enable customers to enter the premises and consume alcohol. Customers have been seen to take bottles and cans, which are suspected of containing alcohol into and out of the premises.
- 10.9 The ability for customers to participate in gambling when they are under the influence of alcohol or drugs is a significant concern. It is well known and indeed documented in William Hill's own Licensing Betting Office manual that those under the influence of alcohol and drugs are potentially vulnerable to gambling related harm. It has become normal for people to be visibly drunk on the premises. Customers will meet outside the premises with friends and acquaintances and consume alcohol. They then return to William Hill and participate in gambling.
- 10.10 There have clearly been breaches of the mandatory condition of the betting (Other) Premises Licence for this premises concerning the consumption of alcohol on the premises. This raises concerns that if the Licensing Authority

were to impose conditions or William Hill propose their own conditions would William Hill comply with them in the future.

- 10.11 These premises and how they are run raises a significant concern to the Licensing Authority. It is apparent that William Hill is now looking to try and address these issues. However, the Licensing Authority has no confidence that William Hill will maintain the improvements that it has already proposed.

List of Licensing Authority documents associated with its submission to the William Hill, 357 Harrow Road review application.

Reference	Description	Date (If applicable)
LA1	07/07253/WCCGAP – Betting (Other) Premises Licence issued under the provisions of the Gambling Act 2005 for William Hill, 357 Harrow Road	31 st August 2007
LA2	Local resident representations relating to Coral Racing Limited's application for a new Betting (Other) Premises Licence for 381 Harrow Road.	28 th July 2011 to 17 th August 2011
LA3	Statement of Caroline Tredwell (LA)	17 th November 2011
LA4	Licensing Sub-Committee No. 1 Minute of decision from the hearing concerning Coral Racing Limited application for a new Betting (Other) Premises Licence for 381 Harrow Road.	28 th November 2011
LA5	Email exchange between Kerry Simpkin (LA) to Clark Dunstan (WH) relating to concerns surrounding William Hill	1 st September 2011 to the 29 th September 2011
LA6	Email exchange between Council officers relating to ██████████ complaint concerning William Hill	5 th August 2012 to 6 th August 2012
LA7	Local resident representations to Betfreds application for a new Betting (Other) Premises Licence for 351 Harrow Road.	2 nd April 2015 to 24 th April 2015
LA7A	Licensing Sub-Committee No. 2 Minute of decision from the hearing concerning Bone Brothers Limited T/A Betfred application for a new Betting (Other) Premises Licence for 351 Harrow Road.	1 st July 2015
LA8	Email from Dr Karen Dwyer to Nicholas Nelson (LA)	23 rd June 2015
LA9	Statement of Sumeet Anand-Patel (LA)	19 th June 2015
LA10	Statement of Nick Nelson (LA)	1 st November 2015
LA11	Statement of Klaudija Green (LA)	18 th June 2015
LA12	Statement of Paul Green (LA)	7 th July 2015
LA13	Statement of David Wood (LA)	8 th July 2015
LA14	Metropolitan Police Service Intelligence Reports relating to William Hill, Harrow Road	?? 2015
LA15	Metropolitan Police Service IIP search results for William Hill, Harrow Road.	?? 2015
LA16	Notice of Review application and accompanying documents	20 th July 2015
LA17	Photographs of Review Notices in William	20 th July 2015

	Hill windows	
LA18	William Hill Licensed Betting Office Manual, section 2, part 6.0 – Drug and Alcohol Policy	January 2014
LA19	Statement of David Wood (LA)	20 th July 2015
LA20	Harrow Road/Maida Hill Junction Council CCTV footage – Clips	Between 22 nd July 2015 and 15 th August 2015
LA21	Synopsis of Harrow Road/Maida Hill Junction Council CCTV footage clips	N/A
LA22	Exploring area-based vulnerability to gambling-related harm: Who is vulnerable? Findings from a quick scoping review - Geofutures	13 th July 2015
LA23	William Hill's Licensed Betting Office Manual, section 2, part 7 - Social Responsibility	January 2014
LA24	William Hill's Gambling Commission Manual - Linked Training 2015 – Gambling Regulatory Training.	2015
LA25	Statement of PC Ian Armstrong	29 th October 2015
LA26	William Hill Licensed Betting Office Manual, section 2, part 7.6 – Licensing Objectives	January 2014
LA27	55 and 56 of its Gambling Commission Manual	2015
LA28	William Hill's Licensed Betting Office Manual Section 3, part 13.0 - Drugs	January 2014
LA29	Statement of PC Ian Armstrong	17 th September 2015
LA30	Map showing Gambling Premises and Commercial Premises in Harrow Road/Maid Hill Junction	29 th October 2015
LA31	Map showing the combined CAD and CRIS number per Commercial Premises in Harrow Road/Maida Hill Junction	29 th October 2015
LA32	WCC Crime Analysis of CAD and CRIS records for William Hill, 357 Harrow Road	26 th October 2015
LA33	CRIS reports relevant to William Hill, 357 Harrow Road	September 2013 to July 2014
LA34	CAD reports relevant to William Hill, 357 Harrow Road	September 2013 and August 2015
LA35	William Hills Licensed Betting Office Manual section 3, part 5.9 – Sitesafe and part 5.10 - Magnetic Door Lock Procedure	January 2014
LA36	WCC Project Initiation Document – Street Drinking - Maida Hill Market	10 th August 2015
LA37	Email from Clare Johnson, Gosschalks Solicitors regarding information request	29 th October 2015
LA38	Plan of William Hill, 357 Harrow Road	2 nd April 2001
LA39	William Hill internal CCTV footage of store	20 th July 2015

LA40	Stills of William Hill CCTV cameras	20 th July 2015
LA41	Statement of PC Bryan Lewis	7 th October 2015

(WH) - William Hill

(LA) - Licensing Authority

LICENSING SUB-COMMITTEE No. 1

Thursday 9th November 2015

Membership: Councillor Nickie Aiken (Chairman), Councillor Peter Freeman and Councillor Murad Gassanly

Legal Adviser: Barry Panto
Policy Adviser: Chris Wroe
Committee Officer: Jonathan Deacon

Representations: The Metropolitan Police Service and 50 local residents, including 3 Councillors.

Also Present: Mr Kerry Simpkin and Mr Nick Nelson (Licensing Authority), PC Bryan Lewis (Metropolitan Police), PC Iain Armstrong (Metropolitan Police Harrow Road Safer Neighbourhoods Team), Ms Debbie Heath (Neighbourhood Problem Solving Co-ordinator), Ms Klaudija Green, City Inspector), Mr Richard Brown (Solicitor, Citizens Advice Bureau Licensing Advice Project, representing [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED], Mr Philip Kolvin QC (representing the Licence Holder), Mr Richard Taylor (Solicitor, on behalf of the Licence Holder), Mr Brian Minihane (Senior Planning and Licensing Manager, William Hill) and Mr Adrian Studd (Independent Licensing Consultant instructed to carry out observations of the premises by the Licence Holder).

**William Hill, 357 Harrow Road, W9
15/05830/LIREVG**

An application submitted by the Licensing Authority for a review of the premises licence for William Hill, 357 Harrow Road was submitted on 20th July 2015 under section 201 of the Gambling Act 2005.

Decision:

The Sub-Committee considered all of the material received from the parties involved carefully. The Sub-Committee also heard submissions and evidence at a hearing lasting for approximately four and a half hours prior to Members retiring to a different room to reach a decision.

The Sub-Committee initially heard from Mr Simpkin, representing the Licensing Authority. He advised that this was the first application for a review of a betting premises licence under the Gambling Act 2005 that had been brought before the Council's Licensing Sub-Committee. The decision to do so, he stated, had not been

taken lightly. Mr Simpkin provided the background to the submitting of the review. The premises first came to the attention of the Licensing Authority following the receipt of a new betting application made by Coral for 381 Harrow Road. During the consultation period a number of local residents made representations objecting to the Coral application and referred to aspects of the William Hill operation which were causing them concern. Issues raised included those relating to crime and disorder and anti-social behaviour such as alcohol being consumed inside and outside the premises and drug dealing taking place outside the premises. These were brought to the Sub-Committee's attention at the hearing of 28 November 2011. Members had at the hearing taken the view that problems at one betting office should not result in penalizing another such premises in the same area and conditions offered by Coral, represented by Mr Kolvin, had been viewed by Members of the Sub-Committee at that time when they had attached them to the licence as setting a standard for bookmakers in the area.

Mr Simpkin explained that the Licensing Authority had engaged with William Hill following the 2011 Coral hearing regarding the concerns raised by residents. Assurances were given by William Hill that they would look to address them. The premises had then continued to operate without any further matters being brought to the Licensing Authority's attention until a complaint had been received from ██████████ in August 2012 about the anti-social behaviour she was witnessing such as street drinkers, drug dealers, users and prostitutes standing outside the premises. These issues were investigated by licensing inspectors with William Hill but matters at the premises were not brought to the Licensing Authority's attention again until 2015 when Betfred submitted an application for a new betting shop in the premises which had formerly been Prince of Wales Public House in Harrow Road. 68 residents submitted written representations objecting to the application and a number of the residents raised the same issues with regard to the William Hill betting shop which had been brought to the Licensing Authority's attention previously. Council officers decided to conduct observations of the premises and carry out visits some of which were announced and others unannounced. During that time evidence was collected that appeared to corroborate some of the allegations made by residents in respect of the premises. As a result of the history of the premises and the view of the Licensing Authority that William Hill had not sufficiently addressed the issues that had been raised, the decision had been taken to review the premises licence on the grounds of crime and disorder and not protecting the vulnerable.

Mr Simpkin stated that since the review had been submitted, a licensing inspector had witnessed on 20 July 2015 a customer taking alcohol inside the premises and potentially consuming it there which was a breach of the conditions on the premises licence. Council officers had also viewed footage from CCTV cameras located outside the premises in order to identify what was taking place in response to the strength of concerns that residents had. The CCTV footage had shown evidence of begging, alcohol being taken inside and outside the premises and drunken customers. Of considerable concern to the Licensing Authority was that the footage appeared to also suggest that the premises was being used as a base for criminality including in terms of drug dealing and exchange of stolen goods. The Licensing Authority was of the view that William Hill had been aware of drunken customers on the premises over a number of years. Criminal reports and Police reports referred to a number of incidents of customers being drunk. Police reports also indicated an

impact on those suffering with mental health disorders. Mr Simpkin referred to the fact that the Harrow Road area has a high number of hostels and support services for those suffering from alcohol and drug addictions and mental health issues. There was a risk to those who were vulnerable to gambling related activity.

Mr Simpkin advised that the Licensing Authority had met with the Licence Holder on 9 September 2015 and since that time William Hill had instigated a number of measures. These included changing the shop staff, removing some of the signage from the front window in order to be able to view the outside area, improve the CCTV which had previously been considered by the Licensing Authority to be inadequate (the CCTV had been enhanced and two cameras had been installed to cover the exterior of the premises) and ensure that minimal staff levels did not fall below two at any one time. The Licensing Authority welcomed the measures taken but had still witnessed from CCTV footage during the week prior to the hearing, evidence of alcohol being taken on to the premises and the exchange of goods which could potentially have been stolen. Therefore it was felt that there were still matters to be addressed. William Hill was proposing to deal with these.

Mr Simpkin informed those present that representatives of the Licensing Authority and William Hill had been in discussions regarding conditions that could potentially be attached to the licence in order to address the issues that had been raised. The Licensing Authority had concerns in respect of how management would be able to address matters such as customers carrying alcohol on their person into and out of the shop and illegal activity taking place outside. One of the Licensing Authority's proposals was for the Licence Holder to employ a licensed security guard at the premises during the hours of operation for at least twelve months in order to proactively monitor what was taking place inside and outside the shop and make adequate interventions. Mr Simpkin added that the Licensing Authority and the Police were committed to working with William Hill in the event that the Sub-Committee did not decide to revoke the licence and would be arranging a meeting the week after the current hearing. Discussions would include addressing the problems of drug use outside the premises. There were concerns that alcohol being brought into the premises had become a regular event. The issues that had arisen had not appeared to have been communicated by staff in the shop to William Hill Head Office.

Mr Nelson showed Members examples of incidents captured on CCTV which were of concern to the Licensing Authority. Footage for the external area of the premises was requested from William Hill from 22 July to 16 August between the hours of 14:00 and 16:00 hours and between 19:00 and 21:00 hours. Mr Nelson explained that these hours had been selected by the Licensing Authority because they had been identified by local residents at a Maida Hill forum in early June as being the times when they had been most troubled by incidents taking place at the premises. He had identified over twenty clips of interest which were illustrative of the issues that residents had brought to the Licensing Authority's attention. They appeared to show street drinking, alcohol being taken into the premises, drug dealing, groups congregating, exchange of goods and street begging. The clips had been shown to PC Armstrong whose written statement in response had been included within the papers (at page 333). PC Armstrong was able to describe at the hearing what had appeared to take place during the clips. A further two days of CCTV footage outside

the premises had also been made available for 4 and 5 November between the hours of 07:00 and 23:00 which had not yet been seen by PC Armstrong.

The clips shown at the hearing which allegedly showed evidence of drug dealing outside the premises between 22 July and 16 August were those dated 26 July (clip 8 in PC Armstrong's witness statement), 28 July (clip 11), 30 July (clip 14) and 5 August (clip 18). The clips shown at the hearing which allegedly showed evidence of alcohol on the premises between 22 July and 16 August were those dated 31 July (clip 15), 7 August (clips 19 and 20), 8 August (clip 21) and 14 August (clip 25). There was one clip of what PC Armstrong described as aggressive begging which was dated 26 July (clip 9). CCTV footage was also shown of individuals with what appeared to be alcohol at the premises during 4 and 5 November. The clips shown at the hearing which allegedly showed evidence of goods being exchanged that were potentially stolen were those dated 24 July (clip 7) and 3 August (clip 16). The clips with evidence of large groups congregating outside the premises were dated 22 July (clip 3), 23 July (clip 6) and 27 July (clip 10). Mr Panto provided legal advice to the Sub-Committee that it was not an offence to consume alcohol in the street per se. If Police believed that anti-social drinking was taking place then they could require those doing so to stop. PC Armstrong added that it was only an offence if those consuming the alcohol refused to hand it over to Police when requested to do so.

Mr Simpkin made the point that the clips of CCTV footage were snapshots that should be looked at in conjunction with other evidence such as residents' representations and Police reports. He referred to twenty relevant Police CAD and CRIS reports covering the end of 2013 to September 2015 which included telephone calls, some of which were from William Hill staff, relating to inebriated males and females, people refusing to leave the premises, customers causing a disturbance, begging taking place inside the premises and people outside smoking drugs. The most recent Police reports in October 2015 included a drunk female causing criminal damage who was sectioned under the Mental Health Act but later it was found that her behaviour had been influenced by excessive alcohol intake. On 27 October a man who had refused to leave the shop had threatened the staff and had then returned with a knife. It had been known by William Hill staff that the man had mental health issues. This demonstrated the link with those who were vulnerable to gambling related activity. Mr Simpkin stated that William Hill's view was that the root cause of the problems is that there is a group of street drinkers in the Maida Hill market consuming alcohol on the Maida Hill market junction. He commented that the Licensing Authority accepted that this problem existed. However, William Hill was also associated with the problems in the area and that was why the review had been brought.

The Sub-Committee was addressed by PC Lewis on behalf of the Police. He confirmed that the Police supported the review application. He expressed the view that he had not perceived any betting shops throughout the borough that had serious crime problems until 357 Harrow Road had been brought to his attention. He believed there was a weight of evidence to support this view with the crime reports, 20 CADs within an 18 month period with telephone calls from William Hill staff requesting Police assistance (16 of the CADs related to incidents that occurred inside the premises and many involved alcohol), intelligence reports, recent CCTV footage and comments of the residents. There were ongoing problems at the premises as

could be seen in the incident of 27 October where a regular customer had brandished a knife because he had been barred for his behaviour at the shop. PC Lewis observed that William Hill had claimed to be victims due to the nature of the Maida Hill area. However, there were known links between alcohol and gambling addiction and he believed it was no coincidence that there were problems at the premises and there were links between the street drinkers and the customers who frequent the premises. William Hill did not cause street drinking or drug taking but people who did partake in these activities were attracted to the premises, in particular the external area. It was necessary for the Licence Holder to take responsibility for the issues that had arisen inside and outside the premises and look to address them.

PC Lewis wished to emphasise that it was not the current William Hill staff's role to provide security for the shop. He added that given the telephone calls to Police, 357 Harrow Road was a problem premises and a security guard was essential as part of the solution to address the issues which arose. William Hill could not expect the Police to provide a security service for them, particularly taking into account the limited resources. He expressed surprise that the Licence Holder had not provided incident reports to demonstrate what action had been taken. He was of the view that the conditions proposed had the potential to result in William Hill taking the necessary action to address issues at the premises.

The Sub-Committee next heard from Mr Brown, representing a number of residents. He confirmed that residents had concerns regarding all the problems that the Licensing Authority had referred to earlier during the hearing and, on balance, they all thought that revocation was more appropriate than the attaching of conditions to the licence. He expanded on the point relating to congregating of groups outside the premises with residents experiencing threats, abuse and sexual comments. Residents were of the view that many of the problems that had been identified in the CCTV footage were ones that they saw on a regular basis (they also knew from sight many of the people who were featured in the CCTV clips). This was also the case with the observations of Council officers when they had visited the premises on 12 May 2015 and Mr Wood, a City Inspector who on his visit on 27 June 2015 saw a man drinking alcohol outside in the entrance way. ██████████ had seen an empty can of alcohol on a table inside the premises. ██████████ had also seen on 20 July a man drinking from a can in a brown bag in the premises who had then left and deposited the can in a bin. It was seen to be a 9% can of super-strength lager. Incidents of alcohol being consumed inside and outside the premises were a breach of the mandatory condition that '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'. Mr Brown stated the context of the residents' concerns did take into account the nature of the area which had a high number of hostels and support services for the vulnerable. It was the residents' view that the issues which occurred at the premises did put the vulnerable at risk.

Mr Brown made the point that the view of residents was that problems had been ongoing at 357 Harrow Road for a number of years and William Hill's response had left a lot to be desired. There had been criticism of the Licensing Authority and the Police by the Licence Holder for not bringing issues to their attention and the Licensing Authority bringing a review prematurely. Mr Brown wished to stress that this was the only avenue that the Licensing Authority could have taken where

residents were able to put their views forward and that was a very important part of the review procedure. It was often stated by applicants that when a hearing in relation to a licensing application was being heard, the application could be granted and then if there were problems, the licence could be reviewed. Betfred had made the point at the recent hearing for their Harrow Road application in July 2015 that if there were considerable concerns relating to William Hill's premises it should be reviewed. Now it was the case that the review application had been submitted (he also briefly referred to the Betfred appeal having been withdrawn). Mr Brown made the point that it may have been the case that staff in the shop had failed to bring the issues at 357 Harrow Road to senior managers' attention but this did not absolve the Licence Holder from ultimate responsibility. Residents had noted that there had been an improvement since the review application was submitted but as had been seen in recent CCTV problems were still ongoing. Mr Brown briefly referred to the proposed conditions and informed Members that the condition relating to the employment of a SIA security guard was welcomed by residents.

The Sub-Committee heard from residents who had made representations. ██████ stated she had ██████ the betting shop since 2003 and that the scenes that had been witnessed on the CCTV were very familiar to her. On a daily basis, she saw people outside the premises consuming alcohol from bottles or cans. She had also seen what appeared to be drug deals take place, people soliciting for prostitution and selling of stolen goods. ██████ informed the Sub-Committee she was familiar with some of the people in the CCTV footage and believed some of them to be known drug dealers. One of the men in the CCTV footage wearing a purple jumper was a known drug dealer, had offered her cannabis and was a regular customer of 357 Harrow Road. She suspected that he might have schizophrenia as he had said that he could hear voices in his head. ██████ certainly considered him to be a vulnerable person. ██████ also described having gone inside the premises on a number of occasions to bring to staff's attention her concerns including in relation to staff smoking on the roof and the problems she had seen outside the shop. Inside the premises she had witnessed customers with open bottles of alcohol.

██████ stated she had, over a six to seven year period, spoken to staff (including the former manager) at the shop, the area manager of William Hill and Head Office about the problems at the premises. She had been present when the former manager had witnessed alcohol being consumed outside the shop or taking open bottles inside the shop. She had found the former manager of 357 Harrow Road to be unhelpful and there had been a lack of action or response by staff to the concerns she had raised. ██████ informed the Sub-Committee that she had been personally threatened by a customer which had resulted in the arrest of the customer. Bottles had been thrown at her window and she had received comments of a sexual nature. Her experience was that to date the Licence Holder's response to her concerns had been to deny responsibility. ██████ commented that she had not noticed any change in William Hill's position in their submission that responded to the review application papers. She did not accept that it was entirely due to the area that problems were arising at the premises. The problems at William Hill, she stated, predated the project at Maida Hill Junction when benches had been introduced and people had congregated there.

██████ had perceived an improvement in the area since the review application had

been submitted. However, she emphasised that the CCTV footage shown was representative of what was still taking place since its submission. She also emphasised the intimidating nature of large groups of people outside her home consuming alcohol, occasionally smoking drugs and making comments, often threats or of a sexual nature. The Licence Holder had in her view turned a blind eye to these people intimidating the local community and allowed anti-social behaviour and crime to take place there. She referred to an instance on 12 August when a member of staff had not accepted that a person consuming alcohol outside was a customer when he was also entering the premises. She was of the view that if she was able to identify customers then staff should be able to do the same. She had been advised by staff over the years that they were unable to respond to some of the problems that arose. [REDACTED] informed those present that she had only met with Tony Avery and Brian Minihane from William Hill in August and they had appeared to be oblivious to the problems. She did not understand how those who were aware of the problems had not communicated them to Head Office. She thanked the Licensing Authority for showing the CCTV and demonstrating to the Licence Holder what was taking place at the premises.

[REDACTED] stated that she had lived round the corner from the premises and had seen examples of what had been seen on the CCTV footage on a daily basis. It was her view that William Hill's operation of the premises had contributed to problems in the area and the Licence Holder was not a mere victim. It had not assisted the work of the Council and the Police to make the area a better place to live. Ms Kaurasia added that the CCTV clips were representative except that they had not demonstrated how commonplace it was for large groups to congregate outside the premises, often comprising ten to fifteen people from morning to night. She confirmed she had seen the man with the purple jumper in the CCTV footage on a number of occasions and she believed also that he had serious mental health issues.

Mr Kolvin was consulted as to whether he was content for [REDACTED] to speak at the hearing. Mr Kolvin replied that he was satisfied that he had made a valid representation and had no objection. [REDACTED] commented that he had always taken the view that the relaxation of the gambling laws was to be welcomed because the consequences of its previous restrictions had generally been worse. However, with the relaxation came a need for responsibility on behalf of the bookmakers. [REDACTED] expressed the view that on this occasion the Licence Holder had fallen well short of meeting this requirement. There was a street drinking problem in the area and there were measures the Problem Solving team were taking in looking to address this in the Maida Hill Market area. This was counteracted by what took place at 357 Harrow Road. He had not seen any community supporting activity from William Hill as set out on their website. He asked that if the Licence Holder did have any proposals to support the community they should contact those parties that were currently doing so. He did believe there were grounds for the premises licence to be revoked. In response to a question from the Chairman, [REDACTED] stated that he was not aware of any similar issues arising at the Coral or Paddy Power premises in Harrow Road. There was a general acceptance by the business community that they had a responsibility to the wider community including convenience stores employing a security guard.

In the light of [REDACTED] comment that the premises licence should be

revoked, local residents were asked for their opinion on what the outcome of the review should be. [REDACTED] replied that she had an open mind. Conditions were being proposed and she acknowledged the improvement at the premises since the review. However, her concern was that standards might not be maintained. [REDACTED] had concerns regarding the location of the premises, where so many people used the crossing and stated that it was important that it should be a force for good for the community. She had concerns whether William Hill could achieve this and was in favour of revoking the licence. [REDACTED] had an open mind but made the point that it was a long standing problem and the Licence Holder had not responded until the review had been submitted. He hoped that if conditions were attached to the licence and they were breached that it would lead to a revocation of the licence without significant delay. The standards of the operators in the area needed to be high and in his view they had not been at 357 Harrow Road. He was minded to support revocation. [REDACTED] was of the view that conditions had been in place on the existing premises licence and these had not been complied with. There should not be a situation where new conditions were applied and it took another six years to bring another review.

Mr Kolvin then asked questions of those who had made representations in support of the review. He apologised to [REDACTED] on his client's behalf for the issues she was experiencing. He referred to the point that she had previously made that the situation had improved at the premises since the review application had been submitted. He asked her if she could expand on this point. [REDACTED] replied that it was not the case as was shown in the CCTV footage that the problems had been eradicated. However, she had seen less of the problems which still existed. The staff were monitoring the premises more closely and they had banned some customers, who had previously caused trouble, from the shop. They had also moved signage so they could see outside the shop. Mr Kolvin brought to PC Armstrong's attention a witness statement which it was believed had been submitted in response to the Betfred application where he had referred to William Hill and Paddy Power customers being involved in drinking and drug dealing outside the premises. PC Armstrong confirmed this had been referred to in Police intelligence reports. He also confirmed that work had been conducted with William Hill 'with regards to a zero tolerance towards' the street drinking problem in the area and that this had appeared to move the problem on to Maida Hill Market. Mr Kolvin asserted that what was apparent from the statement was that if a solution was to be found in respect of the area it involved more than just William Hill or the problem would move around the locality. PC Armstrong agreed with the assertion and stated addressing the problems referred to in the witness statement was the top priority on the Problem Solving list.

Mr Kolvin asked PC Armstrong why there had not been any Police reports of de-canning at the premises since January 2013. PC Armstrong replied that he believed there had been instances since then. Mr Kolvin referred to Mr Studd not observing any de-canning or enforcement action by Police at Maida Hill Market where he had observed street drinking in contrast to not witnessing this at 357 Harrow Road. PC Armstrong emphasised that there were limited Police resources with one Police Officer and 2 PCSOs responsible for Harrow Road ward. Mr Kolvin asked PC Armstrong whether there was any evidence of drug dealing or handling stolen goods inside the premises. PC Armstrong replied that he was not aware of any crime reports or arrests in respect of drug dealing or handling stolen goods taking place on

the premises. PC Armstrong also replied in response to a question from Mr Kolvin that he would be interested in working with William Hill's security department in looking to address the problems outside the premises. He was asked by Mr Kolvin whether he had asked William Hill to improve their performance in the area since 2011. PC Armstrong responded that he had not personally but that Ms Green had been in contact with William Hill.

Mr Kolvin also asked questions of Mr Simpkin. He asked whether Mr Simpkin had been in contact with Coral and Paddy Power who had premises in Harrow Road to ask them to pull their socks up. Mr Simpkin replied that the Licensing Authority had nowhere near the level of concern in relation to the Coral and Paddy Power premises that it had in respect of the William Hill premises. However, officers had contacted them to avoid transference of the problems. They were asked to review their procedures and that if William Hill took action, as the Licensing Authority believed they were now doing, it was necessary to ensure the problems did not move on to alternative betting shops. Mr Kolvin raised the point that there had been dialogue between William Hill and the Licensing Authority and this had led to a set of proposed conditions being produced. He asked whether the Licensing Authority was content that the conditions represented an acceptable and proportionate response to the matters raised. Mr Simpkin replied that the conditions if adhered to could potentially reduce the concerns that the Licensing Authority had about the operation of the premises at 357 Harrow Road and impact positively on the perceived problems there. The Licensing Authority would, if the Sub-Committee decided to attach the conditions to the licence, monitor the implementation of the conditions over the next twelve months and beyond.

The Sub-Committee asked a number of questions of Council officers and Police about the current situation in Maida Hill. Ms Heath, Neighbourhood Problem Solving Co-ordinator, described the two distinctive groups in the Maida Hill Market area. One comprised typically white, caucasian males consuming alcohol and causing anti-social behaviour mostly during the day time. Community Protection Notices had been issued to individuals and most were leaving the area. Further action was being taken against those who did not comply with the CPNs. Ms Heath added that she was receiving reports of less issues occurring as a result of the action being taken. She also described the group who tended to socialise in the Market area in the evenings, mainly comprised of older, afro-caribbean males. They played music but it did not constitute a public nuisance. CPNs had not been issued as they were not causing anti-social behaviour. They were also not problem drinkers. Community centres were being contacted to see if a social group could be established for their benefit. PC Armstrong advised that the Maida Hill area had changed considerably in the last twelve years. There had historically been significant problems with crack cocaine and prostitution. Now the Police hardly identified any crack houses and drugs and prostitution were on a very low level. Of more concern was street drinking.

The Sub-Committee asked Ms Green about her email to William Hill sent in June 2014 when she had been a Community Protection Officer that appeared to show that at that time in her opinion anti-social behaviour ('ASB') notices were having the desired effect. Ms Green replied that she had met the security investigator and the area manager at William Hill and they had replied that they were willing to look at her proposals including re-designing the internal areas of the shop and banning bottles

where alcohol could be stored inside the premises. They had worked with Ms Green and PC Armstrong on the ASB letters and banning procedures. She had asked them to look at measures not only to keep their own staff safe but also residents in the vicinity of Harrow Road as there had been reported threats to residents. Ms Green added that they had agreed to look into this and a possible alternative area where staff could smoke, avoiding having cigarette breaks with their customers. She was grateful that they had agreed to look into the proposals but had not overseen whether they had all been implemented on a day to day basis (the Sub-Committee had noted CCTV footage of staff smoking with customers outside). The ASB notices had been displayed.

The Sub-Committee asked what was taking place in the area in terms of a collective approach to street drinking such as the sales of single cans. Ms Heath advised that City Inspectors were visiting premises in the area. Some had agreed to voluntarily amend their conditions to prevent sales which would encourage street drinking. Mr Simpkin added there would be discussions regarding those who were not complying with requests and there was the potential for review if it was felt that premises were contributing to the street drinking problem. There would be joint working between Council and Police services.

Mr Kolvin in his submission on behalf of William Hill stated that problems had been manifesting in the Maida Hill area for many years and they would only be properly dealt with if all stakeholders in the area worked together. He believed that there had been a lack of communication from the authorities to William Hill but that it was also the case that there had been a lack of communication from William Hill to the authorities and there ought to have been. His perception of the CAD reports was that staff in the shop had been trying to deal with issues, including calling the Police at a rate of approximately one a month over the last eighteen months. However, communication from the shop had not travelled to senior management as it ought to have done. The review had helped to show all parties what problems needed to be addressed and what needed to be done to do so. Mr Kolvin made the point that William Hill's objective was exactly the same as the parties who brought and supported the review. It had no interest in selling or having alcohol on its premises and wished to avoid having petty crime taking place on its forecourt or inside the premises. William Hill wished to see the problems addressed and would work with all stakeholders in the community to improve Maida Hill for everyone's benefit. They would particularly like to work with any joint action on the part of the Council and the Police. William Hill could contain the problems on the premises but it could not solve the street problems alone. Conditions were being proposed by the Licence Holder and the Licensing Authority that would require more of William Hill than had been agreed by them at any of their other betting shops throughout the United Kingdom. William Hill would comply with conditions. It had never had a licence revoked or been prosecuted for breach of conditions. There had been three reviews of William Hill premises since the Gambling Act had been introduced.

Mr Kolvin referred to the Council commissioning Publica to undertake a study of the Harrow Road area which would lead to a future masterplan for the locality and a neighbourhood plan for Queen's Park Community Council. He also referred to the Council preparing Local Area Profiles (LAPs). The Gambling Commission had pointed out that it was a good thing for betting shops to have regard for what was

occurring in the local area. The LAP would inform local decision making in Harrow Road and Mr Kolvin asserted that it would be expected to set out all the vulnerabilities of the area such as street drinking. The onus would be on bookmakers to prepare risk assessments for all their shops which would take into account the vulnerabilities in the area and propose mitigation measures. The obligation would arise in April 2016. Mr Kolvin added that it was anticipated that the LAPs would be produced for each area and would result in the Council producing a new gambling policy.

Mr Kolvin informed the Sub-Committee that William Hill did not own the forecourt outside the betting shop. However, they had consulted the landlord about adopting measures such as introducing barriers to do more to dissuade people from standing in this area. Having seen the CCTV footage in the last fortnight which raised issues of possible criminality taking place (Mr Kolvin believed these had taken place just off the forecourt), William Hill were keen to have a meeting in the near future with the Council and the Police to address it.

Mr Kolvin stated that as soon as William Hill Head Office had become aware of the review application, they had written to the Police and met with Mr Simpkin in September. Conditions had been discussed up until the morning of the meeting and then finally agreed. The shop staff had been relieved of their duties and been replaced with more experienced, hand-picked staff who were also trained to deal with the local issues. The CCTV had been upgraded and more cameras installed with five in total indoors and two outdoors for external surveillance. There was a CCTV monitor above the door and behind the counter. There were warning notices on the walls and windows, including about drinking outside. Customers were being told if they did not comply with the rules that they would be required to leave or be barred from the premises. The main advertising board had been removed from the front of the betting office so it was possible to see outside the premises. Double staffing was taking place during busy times but the condition William Hill had agreed with the Licensing Authority went further than that as there would be no pre-planned single staffing at any time.

Mr Kolvin wished to make the point that there had been no evidence of underage access to the shop, or of drug dealing or handling stolen goods inside the premises. He referred to the City Inspector, Mr Wood, having seen alcohol being consumed inside the premises but added that this had not been shown to have occurred on the CCTV footage. Customers were appearing to keep bottles and cans in their pocket and coming outside to consume the alcohol. Mr Kolvin expressed the view that this showed that the customers did this because they were aware that they should not drink on the premises. There were new staff and surveillance cameras since Mr Wood had seen alcohol being consumed inside the premises in July. Mr Kolvin believed progress was being made which he asserted was being seen in less groups congregating outside. Mr Kolvin stated that William Hill staff had reported incidents to the Police and there had only been four CRIS reports which demonstrated that there had not been a significant level of crime on the premises. There had been what he called 'low level persistent nuisance type behaviour' which William Hill wanted to remove. Mr Kolvin observed that there had not been any representations from those representing vulnerable people or from the Gambling Commission on these grounds. There were policies that William Hill had in place to take into account

the needs of the vulnerable. He commented that it was clear from the work of authorities and had been borne out by Mr Studd's observations that there were issues in Maida Hill. These had seeped into William Hill and these needed to be addressed.

Mr Kolvin also wished to explain the history from William Hill's point of view. This included that there had been work undertaken with Caroline Tredwell, the Neighbourhood Crime Prevention Officer in 2011 and the Police at that time had not expressed any concerns about the premises. William Hill security had written to the Council and Police to state that if there were any concerns they would be happy to have a meeting. A meeting had not taken place prior to the review being submitted. Mr Kolvin expressed the view that this was one of the reasons why Head Office did not have an appreciation of the seriousness of the concerns. He added that in 2012 there was correspondence between local councillors, Council officers and the Police about issues at the premises but this had not involved William Hill. He made the point that his clients had in their opinion responded to all of Ms Green's requests for improvements at the premises.

Mr Kolvin took the Sub-Committee through the proposed conditions that had been finalised earlier that morning. He referred to some of the measures set out in the conditions which had already been taken such as the installation of the comprehensive CCTV system with the staff being able to show the Police any footage immediately. He believed the measures, including the two external CCTV cameras, had had an impact in moving large groups away from the forecourt as shown in the 4 and 5 November footage shown earlier. There were also conditions relating to staff including training and the requirement that they would have six months experience when employed at the premises and also ensuring that advertising material did not obscure the view outside the premises so that any anti-social behaviour would be seen. Signage would set out who was not permitted in the premises. As requested by the Licensing Authority, controls would be operable from the 'safe haven' area. The Licence Holder had agreed to take reasonable steps to prevent street drinking of alcohol directly outside the Premises and to ban from the Premises those who do so. The Licence Holder would appoint a named Police and Community Liaison Officer with the authority to implement change at the premises. This was likely to be an area or district manager and would save the Police or residents not knowing who to contact in the event of issues. Mr Kolvin stated that if the Police supplied William Hill with a name or photograph of someone they were requesting to be banned from the premises, they would do so. William Hill had already placed a sign at the entrance which states that "only drinks purchased on the premises may be consumed on the premises".

Mr Kolvin stated there were only three premises in the country where William Hill had accepted the requirement for a SIA security guard. The betting office was open fourteen hours a day and it was not economic for the betting industry to have door supervision conditions on their licences. His client had also agreed a double staffing condition at all times which was a rare requirement for betting premises. William Hill had explored with the Licensing Authority whether they would be willing to revise the security guard condition so that it was only employed at particular hours through the day. Mr Kolvin informed those present that the compromise position offered by William Hill was that this would be introduced for twelve months. He appreciated that

if the conditions did not work in the next twelve months there would be another conversation with other parties and potentially a further review. He believed that it was a very thorough set of measures and was hopeful that a new era would begin of all the stakeholders working together.

The Sub-Committee asked William Hill representatives a number of questions. They were asked what procedures were in place for staff to raise issues as they had not appeared to work in the past. Mr Kolvin replied that there was a daily incident report form which was sent by staff to Head Office. It was reviewed by Head Office and statistics sent to the Gambling Commission. Issues could also be reported to the district and area Managers. It was also possible to contact the security team. A remote security office could log into the betting shop and observe what was taking place. Staff were able to use panic buttons. William Hill was sorry that the communication had not been sufficient to date at these premises. Mr Kolvin was asked about the assurances that William Hill had given to Ms Green about implementing her proposals and yet in contravention of one point that had been agreed, a member of staff had been seen on the CCTV smoking a cigarette accompanied by people outside the premises. Mr Kolvin replied that she had not smoked on the forecourt. His client was prepared to agree a condition that staff would not smoke within a certain number of metres of the premises. Dr Dwyer informed Members that the member of staff had been advised not to smoke on the forecourt. Staff had circumvented not being able to smoke on the forecourt by smoking on the roof of the premises. However, it was clear that she and the former manager had a close relationship with customers. Mr Kolvin made the point that the staff who may have been over-familiar with customers had now been replaced.

Mr Kolvin was asked why street drinking had not taken place outside other premises and why given the problems William Hill had not taken a more proactive approach rather than responding reactively. Mr Kolvin replied that it was fully accepted that his client did not communicate internally as well as it ought to have done. However, he reiterated that issues had not been brought to Head Office's attention by either the staff, the Licensing Authority or the Police and the full extent of the problem had only become apparent when the Betfred application had been submitted. Mr Kolvin commented that Mr Studd had subsequently been employed to observe the area and he had seen persistent street drinking in Maida Hill Market. Some of the street drinkers had wandered over to William Hill and saw some customers come out of the shop and there was mingling. He had not seen problems of disorder in front of the shop or drinking inside. Rather than any party allocating any blame it was necessary for the community to work together. PC Lewis made the point that during the time when Mr Studd had carried out his observations (14 and 15 August) there had been calls to Police from the premises on both those days requesting assistance (as set out in the CAD reports) and this had not been included in Mr Studd's statement. Mr Studd clarified the areas he had observed which had included visiting the premises, other premises in the area, the vicinity of Maida Hill Café and the Market and Harrow Road.

Mr Brown stated that there was no dispute on the part of residents that there were wider problems in the Maida Hill area. However, they perceived William Hill to be contributing to that. They did not consider that this was the case with other neighbouring premises, including Coral and Paddy Power or the local takeaway.

Takeaways were often described as honey pots for congregation of groups. He added that the observations of Mr Studd could only be seen as a snapshot. Residents experienced what was taking place in the area every day. Mr Brown also addressed the Sub-Committee on the conditions. He proposed some improved wording for three of the conditions, welcomed the employment of the security guard and asked that greater clarification was given on what the duties of the security guard would be and expressed concerns that people involved in anti-social behaviour could still hide behind the remaining single advertising hoarding. The point was made that if the conditions were attached to the licence, there would be a security guard employed. Mr Brown responded that this was only the case for a twelve month period.

PC Lewis requested as part of the conditions that the security guard should be a visible presence and wear a high visibility jacket. He also emphasised that staff must be able to show CCTV footage to Police on arrival and provide data of at least that day and not a week or month down the line. He also requested that the incident log be a daily report to show what steps were being taken to address any problems that might arise. Mr Kolvin replied that there were possible connotations to the security guard having a high visibility jacket and it was a matter that could be discussed with the Police and the Licensing Authority post meeting. The role of the guard could also be discussed post meeting. Mr Simpkin advised that the Licensing Authority was content with the conditions as drafted.

The Sub-Committee asked Mr Studd whether he saw similar activities to those described outside 357 Harrow Road taking place outside neighbouring premises. He replied that outside all betting shops and pubs there were people smoking. He had seen that outside Coral and Paddy Power but not as many as outside William Hill. The most people he had seen congregating outside 357 Harrow Road was eight people and they had been chatting with a couple of them smoking. He did not consider them to be intimidating. Mr Studd stated that he believed the location of the betting shop to be relevant as it was very close to the crossing and was opposite the Maida Hill Market (██████████ later made the point that it was no nearer to the Market than Paddy Power). It was necessary to take into account the impact of the Market on what was taking place at the betting shop and all parties needed to work together to address the problems. The betting shop was a place for socialising where some people spent many hours a day. The crossing would attract people to the betting shop. Mr Studd was asked by the Chairman about his perceptions of what appeared to be drug dealing and drinking from bottles or cans outside in the CCTV footage. He was asked would this be expected at other betting premises. There did not appear to be evidence of these issues elsewhere. Mr Studd replied that he had seen a man drinking alcohol outside Paddy Power. He accepted that William Hill could have done more but they now needed support to tackle the problems.

During their respective final comments to the Sub-Committee, Mr Simpkin emphasised that the conditions would be monitored if the Sub-Committee decided to attach the proposed conditions including the impact of the security guard. Mr Kolvin stated that his client was not at the hearing to deflect and deny. William Hill had the corporate resources and willingness to help solve the problems. They had pushed the boat out further than any other betting premises in the country and if they did not

comply with conditions further action could be expected.

Members of the Sub-Committee considered that on the basis of all the written and oral evidence and the CCTV footage that they had seen it had been appropriate for the Licensing Authority to bring the review. The Chairman thanked residents for their time and contribution to the review process in providing evidence both prior to and at the hearing. The Sub-Committee was of the view that whilst it might have been the case that Head Office had not received all the information they needed to be aware that a review application was likely to be submitted, it had been the Licence Holder's ultimate responsibility to operate the premises without the issues arising that had led to the review. The premises had failed to address the matters brought to their attention by local residents. The Sub-Committee accepted Mr Brown's point that the fact that former staff at 357 Harrow Road may have failed to bring the issues to senior managers' attention also did not absolve the Licence Holder from ultimate responsibility.

The Sub-Committee had considered revocation of the licence. However, there had been evidence received that, as conceded by ██████████, there had been some improvement in the situation at the premises since the review application had been submitted. This was with the caveat that there had still been concerns raised in relation to the CCTV footage shown at the hearing. The Licence Holder had demonstrated that it was taking the concerns of the Licensing Authority and residents seriously and had introduced a number of measures at the shop. These included replacing the shop staff, removing some of the signage from the front window in order to be able to view the outside area and upgrading and providing more comprehensive CCTV coverage at the premises. These and other measures were proposed in a list of conditions agreed between the Licensing Authority, the Licence Holder and the Police that were designed to ensure that the continued use of the premises as a betting shop would be in accordance with relevant code of practice and statutory guidance and would also be reasonably consistent with the licensing objectives. The Sub-Committee therefore decided that on the basis of the comprehensive list of conditions proposed which had the potential to address a significant number of the concerns which had been expressed in the evidence provided it was appropriate and proportionate to modify the existing conditions on the premises licence. In the event that there were any breaches of these conditions and there was evidence to demonstrate this there was the potential for a further review of the premises licence. It was hoped that the review process would be a game changer for the premises.

Members adopted the majority of the conditions proposed but considered that the onus should be on the licence holder to demonstrate that there was no further need for the SIA security guard rather than the onus being largely on the Licensing Authority or the Police to continue to monitor this for twelve months and potentially beyond. In the event that William Hill could demonstrate that the security guard was no longer required, it was open to them to submit a variation application. The Sub-Committee did consider the impact on William Hill of employing a security guard and decided that based on the evidence received it would be appropriate for the guard to be employed from midday until closing time rather than throughout the operating hours as evidence had only appeared to show that issues had been raised after this time. The Sub-Committee's modification of the conditions included attaching the

condition to the licence that no drinking would be permitted on the forecourt of the premises and re-wording conditions in line with those suggested by Mr Brown. Members did not attach a condition that there would be a minimum of two members of staff on duty at any time the premises are open. Mr Kolvin responded that if one member of staff was ill this would mean that the premises would not be able to open. Mr Simpkin was content with the condition that there would be no pre-planned single staffing at any time. The Sub-Committee placed emphasis on the fact that the double staffing could not include the SIA security guard.

Conditions attached to the Licence

1. 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. The CCTV system shall continually record whilst the premises is open for the provision of facilities for betting 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. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
3. There shall be a minimum of two external CCTV cameras at the front of the premises.
4. Notices indicating that CCTV is in use at the Premises shall be placed at or near the entrance to the Premises and within the Premises.
5. A monitor shall be placed inside the Premises above the front door showing CCTV images of customers entering the Premises.
6. The licensee shall:
 - a) provide training on the specific local risks to the licensing objectives that have been identified for these premises as part of the staff induction training programme.
 - b) 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.
7. The licensee shall not provide any advertising material save for the left side of

the window (as viewed from the street) where that advertisement would cover the partitioned wall covering the Price Finder and TV, as identified on the plan as WH/WD5.

8. The licensee shall exclude the following people from the premises and maintain a sign at the entrance to that effect:
 - Anyone who is under the age of 18;
 - Anyone who appears to be under the age of 21 and is unable to provide proof of age that they are over the age of 18;
 - Anyone who is barred from the premises;
 - Anyone who has alcohol on their person.
9. The licensee shall install and maintain a full counter screen at the Premises.
10. The licensee shall install a “safe haven” to the rear of the counter which includes a secure door with peephole, CCTV monitor, telephone, panic alarm, maglock control button for the front and toilet doors and any other system deemed appropriate by the licensee.
11. The licensee shall install and maintain a magnetic door locking system for the customer toilet operated by staff from behind the Counter.
12. The licensee shall install and maintain an ultra violet lighting system in the customer toilet.
13. The licensee shall install and maintain a magnetic door locking system on the front door.
14. The licensee shall take reasonable steps to prevent street drinking of alcohol directly outside the Premises and to ban from the Premises those who do so.
15. The licensee shall place a notice visible from the exterior of the Premises stating that drinking of alcohol directly outside the Premises is forbidden and that those who do so will be banned from the Premises.
16. The licensee shall ban any customers who engage in crime or disorder within or directly outside the premises and notices to that effect shall be displayed inside and outside the premises.
17. The licensee shall appoint a named Police and Community Liaison Officer with the authority to implement change at the premises.
18. A telephone number and e-mail address for the Police and Community Liaison Officer shall be supplied to police and licensing officers and to community representatives upon request.
19. The licensee shall provide the Police and Licensing Authority with the following information as soon as practicable upon request and for such a time as the Police and Licensing Authority deem it necessary:

- A copy of the incident summary
- A list of those customers banned and the reasons for banning,
- Such other information or documentation as required by the Police or Licensing Authority.

20. If at any time the police or licensing authority supply to the premises names and/or photographs of individuals which it wishes to be banned from the premises, the licensee shall use all reasonable endeavours to implement the ban including through staff training.

21. The licensee shall develop and agree a protocol with the police as to incident reporting, including the type and level of incident and mode of communication, so as to enable the police to monitor any issues arising at or in relation to the premises.

22. The licensee shall provide its staff and management with telephone numbers for the Safer Neighbourhood Team and the Council Local Neighbourhood Problem Solving Co-ordinator.

23. Only drinks purchased on the premises may be consumed on the premises and the licensee shall place and maintain a sign at the entrance to that effect.

24. There shall be no drinking permitted on the forecourt of the premises.

25. There shall be no cashpoint or ATM on the premises.

26. After 12:00 hours (midday), the licensee shall provide a minimum of one licensed security guard at the premises whilst the premises are open for the provision of facilities for betting.

The duties of the security guard shall include the effective monitoring of the access and egress of the premises and the use of the outside forecourt.

27. The licensee shall ensure that daily checks are carried out to ensure that the CCTV cameras and monitor is working correctly. All daily checks shall be recorded on the premises and be open for inspection by the Police, Gambling Commission Enforcement Officer or Licensing Authority Authorised Officer.

28. If any faults or defects are identified with the CCTV system the licensee shall report the identified fault or defect immediately to William Hill Security so that the necessary maintenance can be carried out. All reports of faults and defects shall be recorded in the daily checks log.

29. There shall be no pre-planned single staffing (excluding security staff) at any time.

30. Any staff working at the premises shall have a minimum of 6 months experience working in a betting shop.

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

Premises History**Appendix 4**

Licence Number	Application Type	Date Determined	Decision
07/05892/LIGCF	Application for a New Betting Shop – Conversion Licence	31 August 2007	Granted under delegated authority
07/07253/WCCGAP	Application for a new Betting Shop Licence – Master Licence	31 August 2007	Granted under delegated authority (Licence surrendered 16.10.2019)
15/05830/LIREVG	Review of a Gambling Premises	07.03.2016	Granted by Licensing Sub-Committee with conditions

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 Gambling Act 2005, 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 shall be displayed at all entrances to the betting premises stating that no person under the age of 18 will be admitted. The notice should be clearly visible to people entering the premises.
2. There must be no access to betting premises from other premises that undertake a commercial activity (except from other premises with a betting premises licence including tracks). Except where it is from other licensed betting premises, the entrance to a betting shop should be from a street (defined as including any bridge, road, lane, footway, subway, square, court, alley or passage - including passages through enclosed premises such as shopping centres - whether a thoroughfare or not).
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 leave any gaming machine or self-service betting terminal (SSBT) in order to do so.
4. No apparatus for making information or any other material available in the form of sounds or visual images may be used on the licensed premises, except where used to communicate:
 - information about or coverage of sporting events, including information relating to betting on such events (and incidental information including advertisements)
 - information relating to betting (including results) on any event in connection with which bets may have been affected on the premises.

Betting operator-owned TV channels are permitted.

5. No music, dancing or other entertainment is permitted on betting premises. This includes any form of entertainment such as apparatus producing sound or visual images which do not fall within paragraph 19.15 or machines which do not come within the categories of machine explicitly allowed in betting premises under s.172(8) of the Act.
6. The consumption of alcohol on the premises is prohibited during any time which facilities for gambling are being provided on the premises. Additionally in Scotland the sale of alcohol on the premises is also specifically prohibited.

7. The only publications that may be sold or made available on the premises are racing periodicals or specialist betting publications.
8. A notice setting out the terms on which a bet may be placed must be displayed in a prominent position on the premises. In Scotland this notice must be displayed at every entrance.

Default conditions

9. Gambling facilities may not be offered in betting premises between the hours of 10pm on one day and 7am on the next day, on any day.

Conditions proposed by the applicant to form part of the operating schedule

10. There shall be a minimum of two external CCTV cameras at the front of the premises.
11. Notices indicating that CCTV is in use at the Premises shall be placed at or near the entrance to the Premises and within the Premises.
12. A monitor shall be placed inside the Premises above the front door showing CCTV images of customers entering the Premises.
13. The licensee shall:
 - a) provide training on the local risks to the licensing objectives that have been identified for these premises as part of the staff induction training programme.
 - b) 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.
14. The licensee shall exclude the following people from the premises and maintain a sign at the entrance to that effect:
 - Anyone who is under the age of 18;
 - Anyone who appears to be under the age of 21 and is unable to provide proof of age that they are over the age of 18;
 - Anyone who is barred from the premises;
 - Anyone who has alcohol on their person.
15. The licensee shall install a "safe haven" to the rear of the counter which includes a secure door with peephole, CCTV monitor, telephone, panic alarm, maglock control button for the front and toilet doors and any other system deemed appropriate by the licensee.
16. The licensee shall install and maintain a magnetic door locking system for the customer toilet operated by staff from behind the Counter.
17. The licensee shall install and maintain an ultra violet lighting system in the customer toilet.
18. The licensee shall install and maintain a magnetic door locking system on the front door.
19. The licensee shall take reasonable steps to prevent street drinking of alcohol directly outside the Premises and to, in so far as reasonable, ban from the Premises those who do so.

20. The licensee shall place a notice visible from the exterior of the Premises stating that drinking of alcohol directly outside the Premises is forbidden and that those who do so will be banned from the Premises.
21. The licensee shall appoint a named Police and Community Liaison Officer with the authority to implement change at the premises.
22. A telephone number and e-mail address for the Police and Community Liaison Officer shall be supplied to police and licensing officers and to community representatives upon request.
23. The licensee shall provide the Police and Licensing Authority with the following information as soon as practicable upon request and for such a time as the Police and Licensing Authority deem it necessary:
 - A copy of the incident summary
 - A list of those customers banned and the reasons for banning,
 - Such other information or documentation as required by the Police or Licensing Authority.
24. The licensee shall provide its staff and management with telephone numbers for the Safer Neighbourhood Team and the Council Local Neighbourhood Problem Solving Co-ordinator.
25. There shall be no cashpoint or ATM on the premises.
26. Any staff working at the premises shall have a minimum of 6 months experience working in a licensed betting office.
27. The licensee shall refuse entry to customers who appear to be under the influence of alcohol or drugs.
28. The premises are permitted to operate between the hours of 08:00 and 22:00 on Monday to Saturday and 08:30 and 22:00 on Sunday.

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

29. 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.
30. 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.
31. There shall be no pre-planned single staffing at the premises
32. The premises will be fitted with panic and intruder alarms to SSIAB standards, and staff members on site shall wear personal panic attack alarms, linked to a central monitoring control.

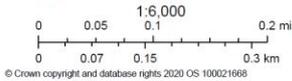
33. An incident log shall be kept at the premises and made available on request to an authorised officer of the Licensing Authority or the Police. Details to include:
 - a. all crimes reported to the venue
 - b. all ejections of patrons
 - c. any complaints received concerning crime and disorder
 - d. any incidents of disorder
 - e. all seizures of drugs or offensive weapons
 - f. any visit by a relevant authority or emergency service.
 - g. any attempts by children and young persons to gain access to the premises to gamble
 - h. any Challenge 25 Refusals.
 - i. Any faults with the CCTV system
34. A Prosync time delayed safe will be installed in the safe staff area.
35. Key operated slam lock cash drawers will be installed with a drop safe beneath.
36. There shall be a Think 25 age challenge policy in operation.
37. The licensee shall install and maintain a full toughened polycarbonate counter screen at the Premises.

357 Harrow Road, London, W9 3NA



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- Hostels - Special Needs Schemes
- Faith Groups
- Schools
 - Others
- Academy
- Primary
- Free School
- Special
- Independent
- Nursery
- Secondary



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Resident count within 75 metres radius of 357 Harrow Road: 243

Licensed Gambling premises within 300 metres of 357 Harrow Road, London, W9 3NA

Licence Number	Trading Name	UPRN	Address	Application Type	Premises Type
16/09881/LIGCH	Paddy Power	1E+10	Ground Floor And Basement 345 - 347 Harrow Road London W9 3RA	Gambling Act - Change Licensee Dets	Providing facilities for other betting
19/02406/LIGT	Coral	1E+11	381 Harrow Road London W9 3NA	Gambling Act - Transfer	Providing facilities for other betting
09/03504/LIGPN	Elephant & Castle Public House	1E+10	12 Elgin Avenue London W9 3QP	Gambling Permit - LPGM Notification	Not Recorded
08/00103/LIGPN	Kenrick's Bar	1E+11	518 Harrow Road London W9 3QA	Gambling Permit - LPGM Notification	Not Recorded
19/03657/LIGPN	Frankfort Arms	1E+11	518 Harrow Road London W9 3QA	Gambling Permit - LPGM Notification	Not Recorded
18/06089/LILN	Elimu Mas Academy	1E+11	32-34 Woodfield Road London W9 2BE	New Lotteries Registration	Not Recorded