

Licensing Sub-Committee Report

Item No:	
Date:	13 January 2022
Licensing Ref No:	21/07775/LIGN - New Premises Licence
Title of Report:	Silvertime 32 Gerrard Street London W1D 6JA
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	City of Westminster statement of principles for gambling
Financial summary:	None
Report Author:	Jessica Donovan Senior Licensing Officer
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1. Application

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

Applicant submissions:	<p>The applicant has submitted the following additional documents which can be found at Appendix 2 of this report:</p> <ul style="list-style-type: none"> • Risk assessment • Silvertime response table • Challenge 25 signage • Updated plan • A list of Silvertime premises • A copy of the complaint procedure • Front door signage
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2. Consultation

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

2. Representations

2-A Responsible Authorities	
Responsible Authority:	The Licensing Authority
Representative:	Kevin Jackaman
Received:	31 August 2021
<p>I write in relation to the application submitted on behalf of Silvertime for a new Adult Gaming Centre for the above mentioned premises under the Gambling Act 2005 (the Act).</p> <p>As a responsible authority under section 157 of the Gambling Act the Licensing Authority has considered your application in full. The Licensing Authority has concerns relating to this application as minimal information has been provided that would show how this premises, if granted would promote the following licensing objectives:</p> <ul style="list-style-type: none"> • 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. <p><u>Vulnerability</u></p> <p>The council's definition of vulnerable persons when considering applications of this types is that it relates to groups that include 'people who gambling more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs'.</p>	

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

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

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

Location and History of the Premises

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

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

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

Policy considerations

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

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

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

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

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

Paragraph 27.3 states 'Because gaming machines provide opportunities for solitary play and immediate payouts, they are more likely to engender repetitive and excessive play. The council in considering premises licences will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds are not attracted to, or gain access to, the premises.'

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

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

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

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

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

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

Paragraph 11.1.1 states 'Where an area is known for high levels of crime the council will consider carefully whether gambling premises are suitable to be located there, and whether additional conditions may be necessary, such as the provision of CCTV, minimum levels of staffing and licensed door supervisors, etc.'

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

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

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

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

transparent.'

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]

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

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]

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

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]

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

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]

Received:	27 August 2021
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Too much gambling shop around here

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]

Received:	27 August 2021
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So many betting shops in Chinatown

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

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

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

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

Name: [REDACTED]

Address and/or Residents Association: [REDACTED]
[REDACTED]
[REDACTED]

Received: 01 September 2021

[REDACTED], We have too many gambling establishments already in and around Chinatown, I don need to tell you gambling is bad for the community, even my kids know it. I hope Westminster would be a responsible and ethical council on these matter.

Name: [REDACTED]

Address and/or Residents Association: [REDACTED]
[REDACTED]
[REDACTED]

Received: 01 September 2021

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

Name: [REDACTED]

Address and/or Residents Association: [REDACTED]
[REDACTED]
[REDACTED]

Received: 27 August 2021

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

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

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

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

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

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

3. The Gambling Act 2005

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

Section 169 of the Act gives licensing authorities:

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

4. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
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> <ol style="list-style-type: none"> 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. 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. 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. 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. 5. Whether any promotional material associated with the premises could encourage the use of the premises by children or young people.
Policy AGC1 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>

5. Gambling Commission Guidance

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

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

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

5.3 Paragraph 7.32 of the GLA states:

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

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

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

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

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

5.6 Paragraph 7.21 of the GLA states: “It should be noted that the Gambling Act 2005 (Mandatory and Default Conditions) Regulations define street as ‘including any bridge, road, lane, footway, subway, square, court, alley or passage (including passages through enclosed premises such as shopping malls) whether a thoroughfare or not’. This is to allow access through areas which the public might enter for purposes other than gambling, for example, access to casinos from hotel foyers.”

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

“...The relevant sections are:

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

6. The Council’s Statement of Principles

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

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

7. Options for Members

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

8. Equality Implications

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

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

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

9. Appendices

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	April 2021
5	Gambling Commission Licence conditions and codes of practice	March 2011
6	Licensing Authority Representation	31 August 2021
7	Representation 1	23 August 2021
8	Representation 2	24 August 2021
9	Representation 3	01 September 2021
10	Representation 4	27 August 2021
11	Representation 5	01 September 2021
12	Representation 6	27 August 2021
13	Representation 7	27 August 2021
14	Representation 8	27 August 2021
15	Representation 9	31 August 2021
16	Representation 10	27 August 2021
17	Representation 11	31 August 2021
18	Representation 12	01 September 2021
19	Representation 13	01 September 2021
20	Representation 14	27 August 2021
21	Representation 15	27 August 2021
22	Representation 16	01 September 2021
23	Representation 17	01 September 2021
24	Representation 18	31 August 2021
25	Representation 19	27 August 2021
26	Representation 20	01 September 2021

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Premises

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

Company

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

Assessment Writer

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

Requirement to Comply

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

Effective as at 6 April 2016

Social responsibility code provision 10.1.1

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

Ordinary code provision 10.1.2

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

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

The Operator

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

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

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

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

Local Area Profile

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Risks to the Vulnerable

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

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

The nearest schools are:

Soho Parish Primary School, Archer Street.

Westminster Kingsway College, Soho Centre, Hopkins Street.

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

The Young Westminster Foundation, 21 Wardour Street.

Mousetrap Theatre Project, 33 Shaftesbury Avenue.

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

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

Notre Dame de France, Leicester Place.

Orange Street Covenant Church, Orange Street.

Soho Housing Association, Chancel Court, Dean Street.

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

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

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

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

-The licensee shall:

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

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

The training shall include the following:

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

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

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

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

Faith Groups:

Soho Islamic Centre (for Men), Berwick Street.

St Anne's Church, Dean Street.

Notre Dame de France, Leicester Place.

Trinity Church Central London, Orange Street

Orange Street Congregational Church, Orange Street

Gambling Act 2005 – The Licensing Objectives

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

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

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

	<p><u>particularly linked with gambling premises.</u></p>	<p>In relation to CCTV the following conditions have been offered:</p> <p><i>-The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.</i></p> <p><i>(a) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.</i></p> <p><i>(b) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the gaming area, office, toilet entrance, any seating and external area immediately outside the premises entrance.</i></p> <p><i>(c) All recordings shall be stored for a minimum period of 31 days with date and time stamping.</i></p> <p><i>(d) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.</i></p> <p><i>-A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.</i></p>	
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			<p><i>-The premises shall display notices near the entrance of the venue stating that CCTV is in operation.</i></p> <p><i>-A 'spotter monitor' shall be placed inside the premises near the front door showing CCTV images of customers entering ,exiting and whilst on the premises.</i></p> <p>Security alarms and panic buttons. The following conditions are offered:</p> <p><i>-A magnetic locking device, commonly referred to as a Maglock, will be installed and maintained on the main entrance/exit to the premises which will be operable by staff.</i></p> <p><i>-Staff will receive a notification when the front door opens.</i></p> <p><i>-The licensee shall install and maintain fixed panic buttons and in addition portable panic buttons will be worn by staff.</i></p> <p>Fixed or weighted seating to prevent lifting. The following condition has been offered:</p> <p><i>-All seating within the premises shall be either secured to the floor or are weighted to prevent lifting.</i></p>	
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			Toughened glass windows and doors.	
	<p><u>There are a number of casinos in the vicinity including but not limited to:</u></p> <ul style="list-style-type: none"> -The Hippodrome Casino - Leicester Square. -The Grosvenor - Coventry St. -The Empire - Leicester Square. <p><u>There are 3 AGC's</u></p> <ul style="list-style-type: none"> -Play 2 Win – 32 Wardour Street. -Las Vegas – 89-91 Wardour Street. -Little Macau – 3-5 Wardour Street. <p><u>There is a Bingo Premises, which operates in a similar fashion to the AGC's at:</u></p> <ul style="list-style-type: none"> -The Crystal Rooms, Cranbourn Street. <p><u>There are several bookmakers including but not limited to:</u></p> <ul style="list-style-type: none"> -Corals - Newport Pl. -BetFred - Wardour St. -Paddy Power - Gerrard St. 	Design	Warning/Advice communication using signs displayed at entrance/exit produced to reflect local population, including signage in Mandarin Chinese.	

		<p>Systems</p> <p>Strong liaison with local residents, Police Local Safer Neighbourhood Team and Council Officers. The following conditions have been offered:</p> <p><i>-A direct telephone number to the manager of the premises will be available at all times the premises is open. This number shall be made available to residents and businesses in the vicinity.</i></p> <p><i>-The licensee will liaise with any residents who would like to be contacted quarterly to discuss the operation of the AGC and any issues.</i></p> <p><i>- The licensee shall organise and participate in a meeting for local residents and residents' associations to discuss the operation of the premises at least once every six months. The licensee shall directly notify local residents and residents' associations of the meeting date and venue at least two weeks before the meeting.</i></p> <p>Premises to be double-staffed at all times. The following condition has been offered:</p> <p><i>-There shall be 2 members of staff present at all times the premises are open to the public.</i></p> <p>Use of SIA supervisors to the extent required following risk assessment,</p>	
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		<p>and in any case post- 6 p.m. The following condition has been offered:</p> <p><i>-Between 6pm and 6am there will be an SIA registered door person employed at the front door of the premises. The need for an SIA door person at other times will be risk assessed. They shall display their licence at all times in a yellow high visibility arm band.</i></p> <p><i>-The licensee shall install and maintain an intruder alarm on the premises.</i></p> <p>Staff training and refresher training including local issues and conflict avoidance.</p> <p>Warning and banning miscreants, preventing intoxicated persons from using premises. The following conditions have been offered:</p> <p><i>- The licensee shall implement a policy of banning any customers who engage in crime or disorder within or outside the premises.</i></p> <p><i>-The licensee will refuse entry to customers who appear to be under the influence of alcohol or drugs.</i></p> <p><i>-The Licensee shall take all reasonable steps to prevent street drinking of alcohol directly outside</i></p>	
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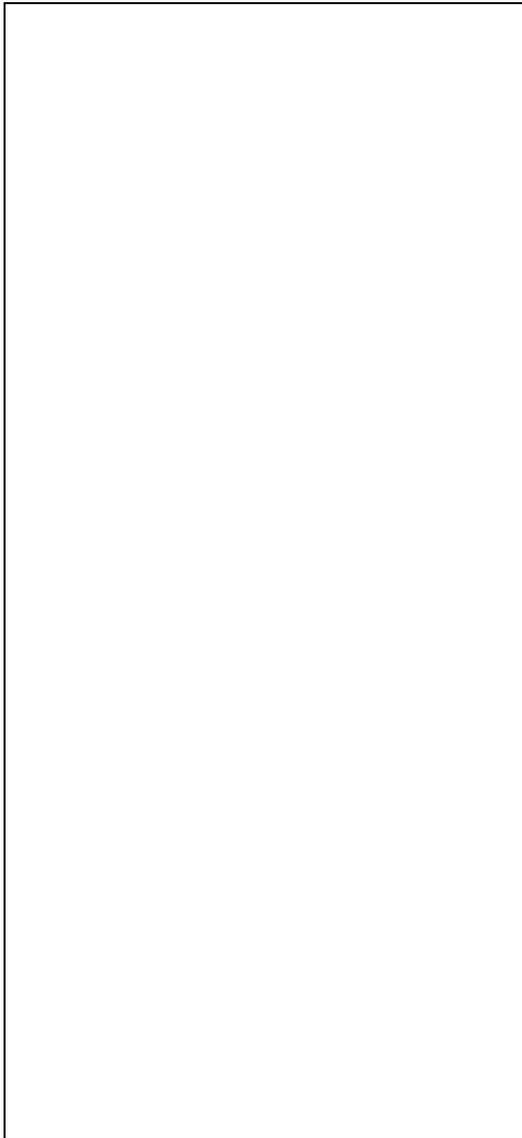
		<p><i>the premises and to ban from the premises those who do so.</i></p> <p><i>-The Licensee shall place a notice visible from the exterior of the premises stating that customers drinking alcohol outside the premises is not permitted and those who do so will be banned from the premises.</i></p> <p><i>- Any tea/coffee/drinks facilities will be provided for playing customers only.</i></p> <p>Toilet checking - every hour for evidence of drug taking. The following condition has been offered:</p> <p><i>-The licensee will ensure that customer toilets are checked every hour for evidence of drug taking. Toilet checks are to be documented stating the time and member of staff who made the checks. Toilets will remain locked at all times with access being provided by staff.</i></p> <p>Incident logs kept. The following condition has been offered:</p> <p><i>-An incident log shall be kept for the premises and made available on request to an authorised officer of the City Council or the Police which will record the following;</i></p> <ol style="list-style-type: none"> <i>a. All crimes reported to the venue;</i> <i>b. Any complaints received regarding crime and disorder;</i> 	
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			<p><i>c. Any incidents of disorder;</i> <i>d. Any faults in the CCTV system; and</i> <i>e. Any visit by a relevant authority or emergency service.</i> <i>f. All ejections of patrons;</i> <i>g. All seizures of drugs or offensive weapons;</i></p> <p>Notices visible from the exterior of the premises stating that customers drinking alcohol outside the premises</p> <p>Regular inspections of websites: www.met.police.co.uk/ www.streetcheck.co.uk www.crimestats.com</p> <p>Crime bulletins from Bacta.</p> <p>Staff discussions (internal) and with neighbouring businesses.</p>	
Ensuring that gambling is conducted in a fair and open way.				
	Managing Operation	Physical	Fully co-operative with Council requirements as evidenced by our other sites and in particular at 426 Edgware Road W2 1EG that is under the authority of Westminster City Council.	

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

	<p>- St. Clement Danes Primary School</p> <p><u>Student Accommodation including but not limited to:</u></p>		<p>No promotional material associated with the premises will encourage the use of the premises by children or young people.</p>	
	<p>-International Students House - Great Portland St. -Host the Hub - S Lambeth Rd.</p> <p><u>Support and Educational services for teenagers and young adults are provided at:</u></p> <p>-The Young Westminster Foundation, 21 Wardour Street. -Mousetrap Theatre Project, 33 Shaftesbury Avenue.</p> <p><u>Facilities are provided for the homeless (including hostels)or potentially vulnerable at various locations within in Chinatown & Soho and include:</u></p>	<p>Design</p>	<p>Window signs display notices prohibiting Under 18's produced in numerous appropriate languages including Mandarin Chinese.</p> <p>There will be no view from the exterior of the premises of people playing gaming machines inside.</p> <p>Any external advertising will not include characters or images that are attractive to children.</p>	
	<p>-St Anne's Church, Dean Street. (Alcoholics Anonymous meet here three times a week). -Notre Dame de France, Leicester Place. -Orange Street Covenant Church, Orange Street. -Soho Housing Association, Chancel Court, Dean Street. -Turning Point - Westminster - Drug and Alcohol Wellbeing Service, 32A Wardour St (Addiction Recovery Centre)</p>	<p>Systems</p>	<p>Challenge 25 - including the keeping of a refusals register. The register will cover:</p> <p>a)challenges made under the age verification policy, b) the number of customers who failed a challenge under this policy, c) any breaches of the age verification policy by staff, and d) any incidents where a child or young person has accessed the premises or played on any adult gaming machines.</p> <p>Third party age verification testing.</p>	

<p>-DR Janina Janowska Lokalizacja, Psychotherapist, West End, London.</p> <p><u>Care Homes including but not limited to within 1 mile are;</u></p> <p>-Anchor Trust -Parigester Court -Hamberley -Shelbourne -Laurens Care Home http://www.carehome.co.uk <u>Awareness of gambling care agencies in the local area.</u></p> <p>No facilities for problem gambling in the vicinity.</p> <p>Chinese Welfare Association http://www.cwa-ni.org/ Gamcare www.gamcare.org.uk www.gamblersanonymous.co.uk www.nhs.uk/live-well/healthy-body/gambling-addiction</p> <p><u>Job centres/employment agencies in the close area:</u></p> <p>-Carnegie Consulting - Gerard St. -Bite Consulting - Bear St. -Leverage Partnership - Charing Cross Road. -St. Marylebone Job Centre - Lisson Grove.</p> <p><u>Family Service Centres</u></p> <p>-London Child & Family Therapy Centre - Margaret St.</p>	<p>Any branded merchandise will not be intended for use by or promoted to children.</p> <p>The following conditions are offered:</p> <p><i>-A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.</i></p> <p><i>-The Licensee shall maintain a bound and paginated 'Challenge 25 Refusals' register at the premises. The register shall be produced to the police or licensing authority forthwith on request.</i></p> <p><i>-Prominent signage and notices advertising the Challenge 25 will be displayed showing the operation of such policy.</i></p> <p><i>-Third party testing on age restricted sales systems purchasing shall take at least twice a year and the results shall be provided to the Licensing Authority upon request.</i></p> <p>Stay in Control leaflets and Gamcare posters and leaflets produced and displayed languages appropriate to the local population, including Mandarin Chinese. The following condition has been offered:</p>	
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	<p>- Prominent GamCare documentation will be displayed at the premises together with other notices promoting responsible gambling. All such documentation and notices will be provided in English and Mandarin Chinese.</p> <p>- There shall be no cash point or ATM facilities on the premises.</p> <p>Social responsibility measures from licence conditions and codes of practice, including customer interaction and self-exclusion.</p> <p>All leaflets and advice subject to stock control.</p> <p>Before operating the premises, there will be in place both a Safeguarding Adults Policy and Procedure Document and a separate Safeguarding Children Policy and Procedure Document.</p> <p>This will include having policies and procedures in place in relation to the following risks: 'The cognitive capacity of the person to make informed decisions relating to their gambling' and 'Establishing the means to which a person can afford to gamble to the extent and frequency of their gambling activity'.</p>	
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Gambling Operational Risks

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

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

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

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

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

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

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

Appendix 1

Geofutures analysis

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

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

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

There are no gambling treatment centres nearby.

Geofutures report as follows:

Case study 3 – The West End

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

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

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

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

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

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



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

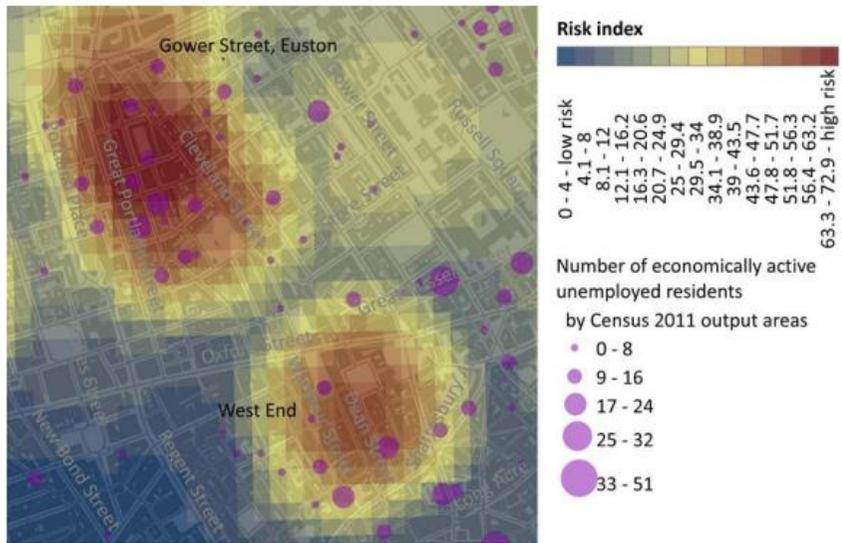


Figure 31: Number of residents from minority ethnic groups (per output area) in West End area



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

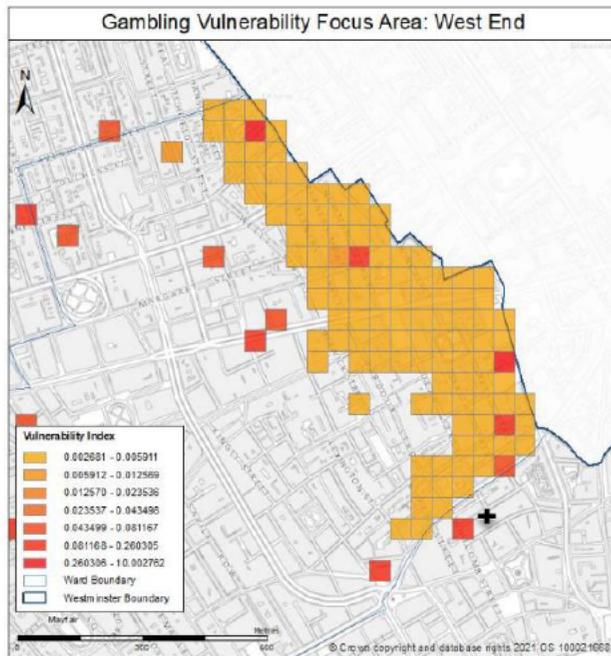
*Please note Soho and Gerrard Street are not mentioned, this is for info only. Please also note that Gerrard Street sits outside the Gambling Vulnerability Focus Area: West End.

Focus Area: West End

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

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

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



+ Indicates 32 Gerrard Street

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

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

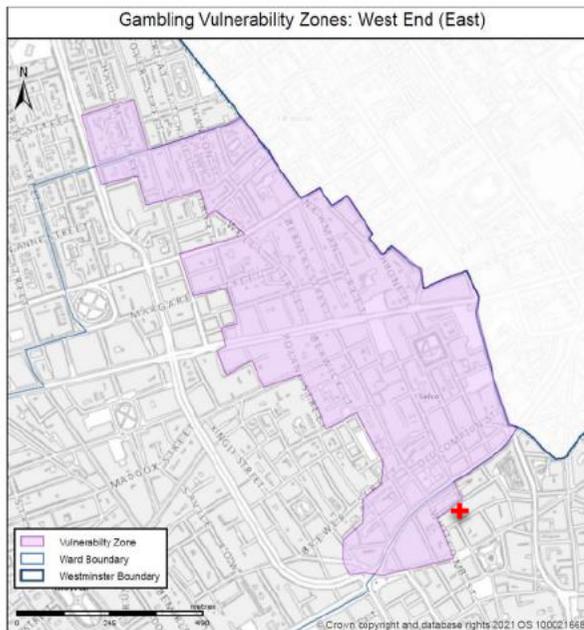
West End (East)

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

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

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

Gambling Vulnerability Zone: West End (East)



+ Indicates 32 Gerrard Street

Silvertime Amusements Limited - Response to Licensing Authority Representation

	LA Comment/Query	Silvertime Response
	Vulnerability	
1	<p>The council's definition of vulnerable persons when considering applications of this types is that it relates to groups that include 'people who gambling more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs'.</p> <p>For the purposes of this application, it would be useful for the applicant to provide their definition of vulnerability and what it means to their operation.</p>	<p>The applicant agrees with the LA definition of 'vulnerable persons', as set out in paragraph 13.4 of its Policy.</p> <p>The applicant has policies and procedures in place to protect the vulnerable. All staff are fully trained on this matter including customer interaction and self-exclusion.</p> <p>Policies</p> <p>'Vulnerable persons' are covered in the relevant policies used by the applicant:</p> <ul style="list-style-type: none"> -Bacta ToolKit; -Bacta Social Responsibility Charter and Code of Practice; -Bacta Self-Exclusion Services Application; and -GambleAware Brief Intervention Guide. <p>Poster and Leaflets</p> <p>In addition there will be posters and leaflets within the premises in relation to 'staying in control' and where to find help.</p> <p>Training</p> <p>The staff are tested in relation to their understanding of 'vulnerable persons' at regular intervals, as part of their training programme.</p> <p>Licence conditions and codes of practice</p> <p>The applicant complies with its obligations in relation to vulnerable persons as required by the Gambling Commission's Licence Conditions and Codes of Practice, including the rules regarding customer interaction and self-exclusion.</p> <p>Additional Proposed Conditions</p> <p>The following additional conditions have also been offered in relation to 'vulnerable persons':</p>

Silvertime Amusements Limited - Response to Licensing Authority Representation

		<p>14. Between 10pm and 6am there will be an SIA registered door person employed at the front door of the premises. The need for an SIA door person at other times will be risk assessed.</p> <p>15. There shall be 2 members of staff present at all times the premises are open to the public.</p> <p>17. The licensee will refuse entry to customers who appear to be under the influence of alcohol or drugs.</p> <p>21. Prominent GamCare documentation will be displayed at the premises and other notices promoting responsible gambling.</p> <p>22. The licensee shall provide training on the specific local risks to the licensing objectives that have been identified for these premises as part of the staff induction training programme. Periodically provide refresher training to all of its staff working at these premises on the specific local risks to the licensing objectives. Participation in this training shall be formally recorded on each member of staffs training records which, if requested will be presented to the Licensing Authority as soon as practicable.</p> <p>23. New and seasonal staff must attend induction training and receive refresher training every six months.</p> <p>24. Staff will also undergo drug and alcohol awareness training.</p> <p>25. The Licensee shall take all reasonable steps to prevent street drinking of alcohol directly outside the premises and to ban from the premises those who do so.</p> <p>26. The Licensee shall place a notice visible from the exterior of the premises stating that customers drinking alcohol outside the premises is not permitted and those who do so will be banned from the premises.</p> <p>29. All Responsible Gambling posters and messaging will also be provided in Mandarin Chinese.</p>
2	<p>Chinatown Location - The area is an attraction to vulnerable persons and in particular those with problems with gambling and/or alcohol or drug abuse problems. The Licensing Authority note that there are 2 hostels within 250 metres of the premises catering for vulnerable people. Due to the premises location, the</p>	<p>The applicant acknowledges that the premises falls within a “sensitive location” and the uniqueness of Westminster as a location to operate. The risk assessment has been updated and the local area profile has been considered in detail. The applicant is experienced in operating Adult Gaming Centres close to similar premises and is experienced in dealing with any potential risk of vulnerable people trying to use its premises. This is</p>

Silvertime Amusements Limited - Response to Licensing Authority Representation

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

Silvertime Amusements Limited - Response to Licensing Authority Representation

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

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

Silvertime Amusements Limited - Response to Licensing Authority Representation

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

Silvertime Amusements Limited - Response to Licensing Authority Representation

11	<p>As stated previously the Licensing Authority notes that this premises is situated in close proximity to a large number of licensed premises. Due to the nature of those businesses they can attract a variety of age groups including the vulnerable. Due to the premises location, the local area profile is something that should be considered when determining this application.</p>	<p>The applicant is aware and has reviewed the local area profile for the application premises. Having considered the local area profile and other relevant factors, further conditions have been offered in support of the application. These include the following specific related conditions:</p> <p>14. Between 10pm and 6am there will be an SIA registered door person employed at the front door of the premises. The need for an SIA door person at other times will be risk assessed.</p> <p>15. There shall be 2 members of staff present at all times the premises are open to the public.</p> <p>17. The licensee will refuse entry to customers who appear to be under the influence of alcohol or drugs.</p> <p>24. Staff will also undergo drug and alcohol awareness training.</p> <p>25. The Licensee shall take all reasonable steps to prevent street drinking of alcohol directly outside the premises and to ban from the premises those who do so.</p> <p>26. The Licensee shall place a notice visible from the exterior of the premises stating that customers drinking alcohol outside the premises is not permitted and those who do so will be banned from the premises.</p> <p>Additionally please see response 1 in relation to 'vulnerable persons'.</p>
AGC1		
12	<p>Policy AGC1 states 'Applications will be determined, subject to relevant criteria in policies OBJ1, OBJ2, OBJ3 and other policies within the Statement of Licensing Principles for Gambling'.</p>	<p>The applicant is aware of Policy AGC1, further information set out below considers policies OBJ1, OBJ2, OBJ3 and other policies within the Statement of Licensing Principles for Gambling.</p>
OBJ1		
13	<p>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.</p>	<p>The applicant is aware of OBJ1, please see responses below.</p>

Silvertime Amusements Limited - Response to Licensing Authority Representation

13a	<p>Paragraph 11.1 states 'Whether the premises make or will make a contribution to the levels of crime and disorder and whether the applicant has demonstrated that he has, or intends to, implement sufficient controls to prevent gambling from being a source of, and/or associated with crime or disorder, or being used to support crime, if the application is granted.'</p>	<p>Having considered the local area profile and other relevant factors, further conditions have been offered in support of the application. These include the following specific conditions relating to crime and disorder:</p> <ol style="list-style-type: none">3. A comprehensive CCTV system shall be installed and maintained on the premises as required by the Metropolitan Police Licensing Team. CCTV should cover the following:<ol style="list-style-type: none">a) All entry and exit points to and from the premises enabling frontal identification of every person entering under any light conditionsb) The areas of the premises to which the public have access (excluding toilets)c) Gaming machines and the counter area4. The CCTV shall continue to record activities 24 hour a day for 31 days.5. CCTV shall be made available for the police viewing at any time with minimum delays when requested.6. The premises shall display notices near the entrance of the venue stating that CCTV is in operation.7. A 'spotter monitor' shall be placed inside the premises near the front door showing CCTV images of customers entering ,exiting and whilst on the premises.12. A magnetic locking device, commonly referred to as a Maglock will be installed and maintained on the main entrance/exit to the premises which will be operable by staff.13. Staff will receive a notification when the front door opens.14. Between 10pm and 6am there will be an SIA registered door person employed at the front door of the premises. The need for an SIA door person at other times will be risk assessed.15. There shall be 2 members of staff present at all times the premises are open to the public.16. The Licensee shall implement a policy of banning any customers who engage in crime or disorder within or outside the premises.17. The licensee will refuse entry to customers who appear to be under the influence of alcohol or drugs.
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Silvertime Amusements Limited - Response to Licensing Authority Representation

		<p>18. The licensee shall install and maintain an intruder alarm on the premises.</p> <p>19. The premises shall install and maintain fixed panic buttons and in addition portable panic buttons will be worn by staff.</p> <p>20. The licensee will ensure that customer toilets are checked every hour for evidence of drug taking. Toilet checks are to be documented stating the time and member of staff who made the checks. Toilets will remain locked at all times with access being provided by staff.</p> <p>24. Staff will also undergo drug and alcohol awareness training.</p> <p>25. The Licensee shall take all reasonable steps to prevent street drinking of alcohol directly outside the premises and to ban from the premises those who do so.</p> <p>26. The Licensee shall place a notice visible from the exterior of the premises stating that customers drinking alcohol outside the premises is not permitted and those who do so will be banned from the premises.</p> <p>Recording of Incidents and Visits</p> <p>27. An incident log shall be kept for the premises and made available on request to an authorised officer of the City Council or the Police which will record the following;</p> <ol style="list-style-type: none"> a. All crimes reported to the venue; b. Any complaints received regarding crime and disorder; c. Any incidents of disorder; d. Any faults in the CCTV system; and e. Any visit by a relevant authority or emergency service.
13b	<p>Paragraph 11.1.1 states ‘Where an area is known for high levels of crime the council will consider carefully whether gambling premises are suitable to be located there, and whether additional conditions may be necessary, such as the provision of CCTV, minimum levels of staffing and licensed door supervisors, etc.’</p>	<p>Please see above in 13a, the proposed additional conditions offered in relation to crime and disorder concerns, including the specific CCTV, staffing and door staff conditions.</p>
13c	<p>Paragraph 11.1.4 states ‘Whether the layout, lighting and fitting out of the premises have been designed so as to minimise conflict and opportunities for crime and disorder.’</p>	<p>As with all Silvertime premises the layout is such that there are good lines of sight over the gaming machines. All premises are well lit and the fit out is designed to minimise conflict and opportunities for crime and disorder.</p>

Silvertime Amusements Limited - Response to Licensing Authority Representation

		<p>Additional measures also include the 'spotter monitor' being placed inside the premises near the front door showing CCTV images of customers entering, exiting and whilst on the premises.</p> <p>A magnetic locking device, commonly referred to as a Maglock will be installed and maintained on the main entrance/exit to the premises which will be operable by staff. Staff will receive a notification when the front door opens, all of the above measures are contained in the proposed additional conditions.</p>
	OBJ2	
14	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.'	The applicant is aware of OBJ2, please see responses below.
14a	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. '	<p>Gambling in a 'fair and open way' is covered in both the risk assessment and Policies and Procedures.</p> <p>Risk Assessment</p> <p>The risk assessment sets out the following steps:</p> <ul style="list-style-type: none"> -All machines purchased from manufactures/suppliers licensed by the Gambling Commission; -Machines maintained by qualified engineers; -Machines turned off should a fault occur; -Complaints procedure and forms available on premises; -Regular staff training on company policy; -Registered with ADR Entity – Bacta ADR Service; -Compliant with Bacta Policies & Procedures; -Fully co-operative with Council requirements as evidenced by applicant's other sites and in particular at 426 Edgware Road W2 1EG that is under the authority of Westminster City Council; -Terms and Conditions Signage produced in a variety of appropriate languages and displayed at entrance; -Promotional activity clearly communicated in a variety of appropriate languages and displayed around the premises.

Silvertime Amusements Limited - Response to Licensing Authority Representation

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

Silvertime Amusements Limited - Response to Licensing Authority Representation

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

Silvertime Amusements Limited - Response to Licensing Authority Representation

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

Silvertime Amusements Limited - Response to Licensing Authority Representation

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

Silvertime Amusements Limited - Response to Licensing Authority Representation

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

Silvertime Amusements Limited - Response to Licensing Authority Representation

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

Remember we are obliged to ask for proof of age - it's a legal requirement

Think **25**



If you are lucky enough to look under 25 you will be asked to prove that you are over

18

when you enter this area

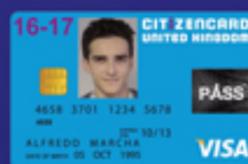
Accepted ID



Driving License



Passport



Citizen Card



Military ID

bacta

Empowering the UK's amusement machine industry

www.bacta.org.uk

SilverTime

If you feel you are in difficulty with your gambling or know someone who is and would like to help call the national helpline operated by GamCare 080 8020 133 or chat online at www.gamcare.org.uk



General Notes

This drawing must not be scaled. All dimensions to be checked.

This drawing is to be read in conjunction with all relevant structural engineer's drawing and data is, the specification for the works, the relevant architects drawings and any other specialists drawings.

Note that 'As Instaled Drawings' should be used for co-ordination of MEP Systems.
This drawing is for Design Intent only.

Rev	Description	On	Off	Date
SPECIALISTS IN BUILDING SERVICES Corner Stone 1st floor - 37 Dean Street London W1D 4PT T 020 8453 1010 E enquiries@o-bsl.co.uk www.c-bsl.co.uk				
Client				
Project				
Drawing Title				
OPTION 2 LAYOUT				
Drawing Status				
PRE-DESIGN				
Designed By	Drawn By	Checked By		
1st Issue Date	Scale @ A1			
	1:50			
Project	Rev	Floor	Ref	Sheet
		00		

SilverTime
116-118, BURNT OAK BROADWAY
BURNT OAK, EDGWARE. HA8 0BB

SilverTime
527 HIGH ROAD
WEMBLEY HA0 2DH

SilverTime
53 HIGH STREET
HARLESDEN NW10 4NJ

SilverTime
426 EDGWARE ROAD
London W2 1EG

SilverTime
10 PEMBRIDGE ROAD
LONDON W11 3HL

SilverTime
10 BANK BUILDINGS
HARLESDEN NW10 4LT

SilverTime
446 HIGH ROAD (Corner Park Lane)
WEMBLEY HA9 6AH

SilverTime
169 Earls Court Road
London SW5 9RF

SilverTime
509 HIGH ROAD
WEMBLEY HA0 2DH

Complaint Procedure

The Company endeavours to provide a high quality service to its customers and members of staff are trained how to deal with complaints at the initial stage. However, if you believe that things have gone wrong and your complaint was not resolved to your satisfaction at our premises, then please inform us as we take such reports seriously.

The Company will review your complaint and will be dealt with by:

(name)..... who is (job title)

at (address).....

.....

Email Address:

How to make a complaint

- Complaints, which we will deal with confidentially, should be submitted in writing, by letter or e-mail.
- The attached form should be used to record and submit complaints.
- Give as much detail as possible including details of independent witnesses and any other relevant information in order to assist the Company in the investigative process.

What happens next?

The Company will investigate and provide a full explanation of what we have done within **15 working days** of receiving a complaint. If this is not possible we will explain why and give a date by which a full response can be expected.

If you are not satisfied with our response

If you are still not satisfied with our response to the complaint, you may consider writing to an alternative dispute resolution (ADR) entity requesting that the matter be reviewed, enclosing all previous correspondence relating to the complaint including the original complaint form. The ADR entity will acknowledge receipt of your correspondence without undue delay and, after review, inform you of its findings and recommendations, usually within **60 days**. The review process is thorough and based upon the information that both parties and other independent sources provide.

This Company is registered with the following ADR entity:

Name of ADR Entity: **bacta ADR Service**

Email Address: enqs@bactaadrservice.org.uk

Website: www.bactaadrservice.org.uk

Postal Address: **29-30 Ely Place, London EC1N 6TD**

It is highly recommended that you visit the ADR entity's website (as above) so that you are fully aware of the procedural rules and other related information.

Complaint Form

CUSTOMER

Name:

Address:

..... Postcode

Daytime Telephone No .:

E-mail address:

Signature: Date:

Is this an initial complaint or a follow up to a previous incident?

.....
.....

VENUE WHERE COMPLAINT OCCURRED

Reference (if known):.....

Company:

Name of Premises:

Address:

.....

Name(s) of staff member(s) that you initially raised your complaint with:

.....

.....

Date of Incident:

Time of Incident:

Names & Addresses or contact telephone numbers of any **independent** witnesses.

.....

.....

.....

Name and Category of Gambling Machine subject of complaint:

SilverTime

WELCOME

Please help us keep you and our staff safe.



Sanitise your hands



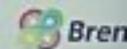
Choose to wear face covering



Do not enter if you have any Covid-19 symptoms or have been advised to self-isolate



Keep a safe distance from others



IF YOU LOOK UNDER 25 YOU WILL BE ASKED FOR ID



CHALLENGE 25

We will not tolerate abuse!

Staff & Customers have the right to work in & use our facilities without threat of physical or verbal assault.

Offenders will be prosecuted.

It is illegal for ANY ALCOHOL to be consumed on these premises.



NO SMOKING
It is against the law to smoke in these premises



It is against the law for persons under the age of 18 to enter these premises

STAY IN CONTROL

The Golden Rules of playing Fruit Machines

- Playing machines is being fun, NOT becoming a habit
- Not play with more money than you can afford to lose
- Set LIMITS on how much you will spend
- Playing with our money on 100% real money
- Spending outside our money can mean you could FINISH with no money and other people will have problems to solve too. If you need to see a doctor, call your GP or contact GamCare on 0800 700 8000 or www.gamcare.org.uk



CCTV in operation
for your safety 24 hour video recording is in operation



NO MOBILE PHONES
To be used within these premises

Staying COVID-secure

We confirm we have complied with the government's guidance on managing the risk of COVID-19

FIVE STEPS TO SAFER WORKING TOGETHER

- ✓ We have carried out a COVID-19 risk assessment and shared the results with the people who work here
- ✓ We have cleaning, handwashing and hygiene procedures in line with guidance
- ✓ We have taken all reasonable steps to help people work safely from a COVID-19 Secure workplace or work from home
- ✓ We have taken all reasonable steps to maintain a 2m distance in the workplace. Where people cannot keep 2m apart we have ensured at least a 1m distance and taken all the mitigating actions possible to manage transmission risk
- ✓ We have taken all reasonable steps to provide adequate ventilation in enclosed spaces

Issued on behalf of employees



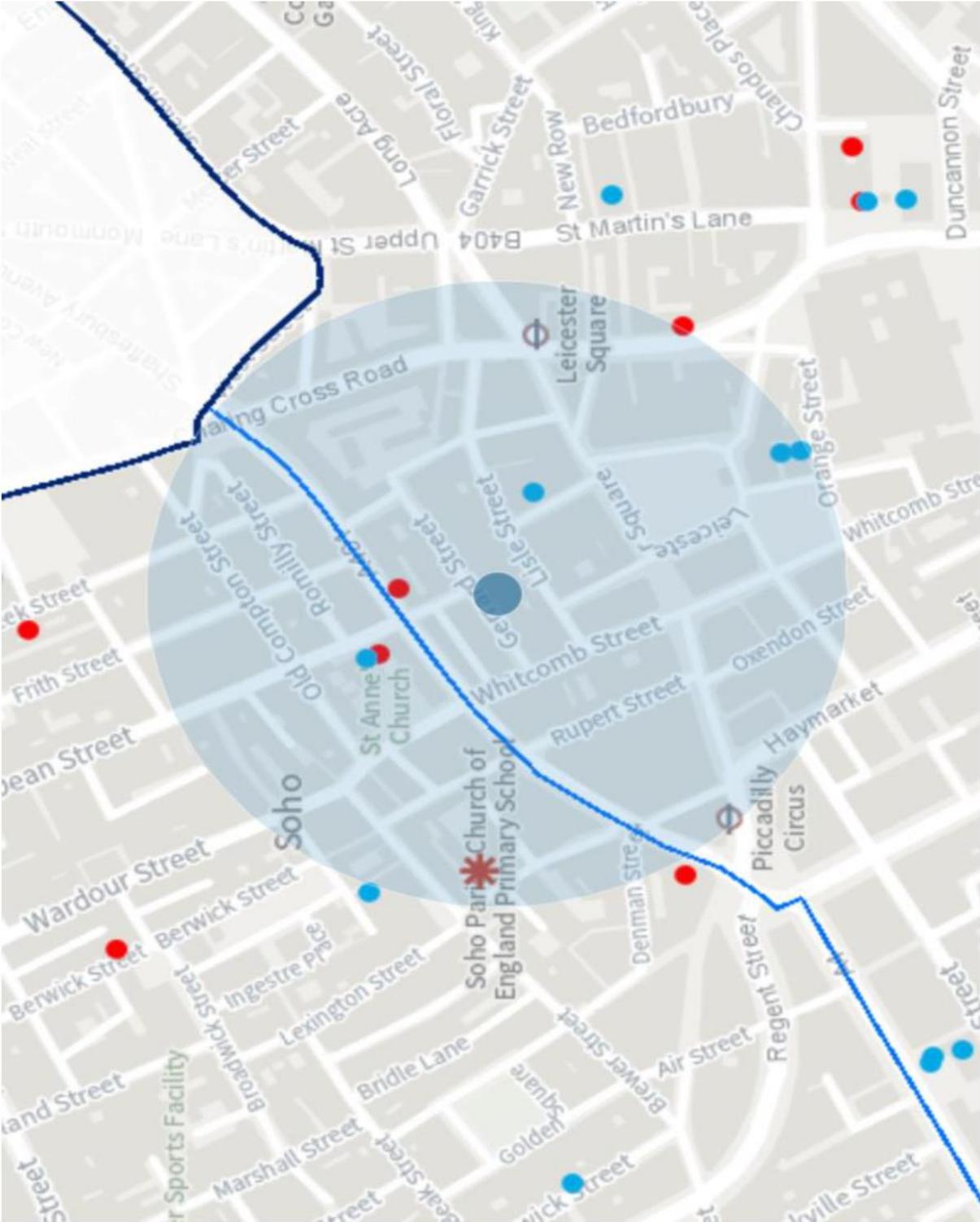
LET'S HELP STOP THE SPREAD OF CORONAVIRUS

NHS Test and Trace

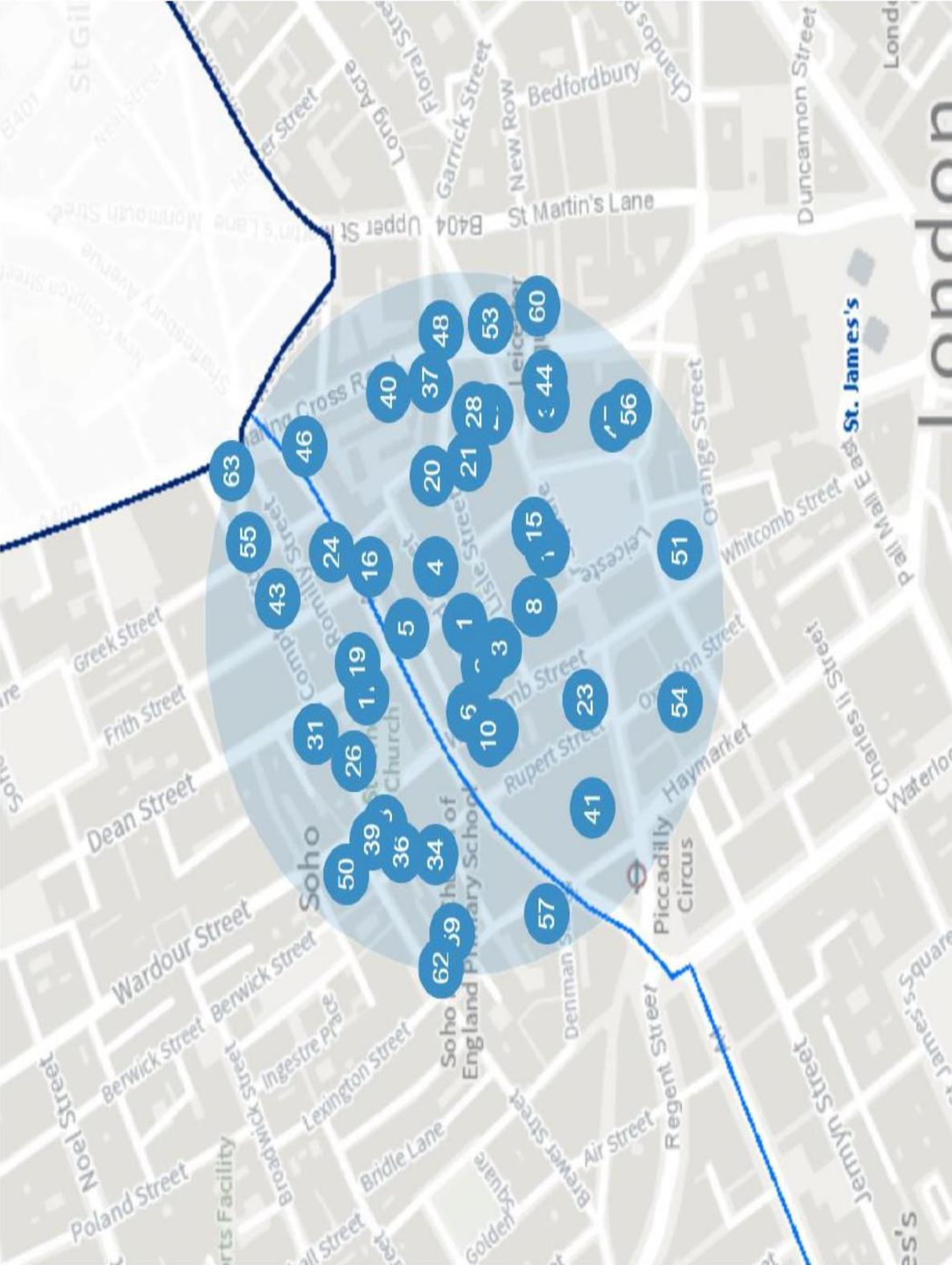
Scan this QR code with your NHS COVID-19 App to check-in



Appendix B



Appendix C



Appendix D

Pleasure Fairs (Amusement Premises) Byelaw

Byelaws for the regulation of hours during which amusement premises may be open to the public; for the securing of safe and adequate means of ingress to and egress from amusement premises; for the prevention and suppression of nuisances and for the preservation of sanitary conditions, cleanliness, order and public safety at amusement premises; for the prevention of outbreaks of fire which might endanger structures used or intended for use in connection with amusement premises, and for reducing the risk of, and the spread of fire from, such outbreaks; made by the Westminster City Council in pursuance of Section 75 of the Public Health Act 1961, as amended by Section 22 of the Local Government (Miscellaneous Provisions) Act 1976.

1. (a) These byelaws shall apply only to pleasure fairs within the meaning of Section 75(2) of the Public Health Act 1961 which are amusement premises:
(b) These byelaws shall not apply to premises licensed or registered under Part II of the Gaming Act 1968 or to members clubs and miners welfare institutes registered under Part III of that Act.
2. In these byelaws, except where the context otherwise requires, the following expressions have the following meanings respectively, that is to say:
 - (a) "Amusement premises" means any place used wholly or mainly to provide entertainments within the meaning of Section 75(3)(f) of the Public Health Act 1961, and shall include any stationary vehicle, vessel, stall, caravan, trailer or tent where the above applies.
 - (b) "The Council" means the Westminster City Council.
 - (c) "Manager" means the person having control of the entertainments provided within the meaning of Section 75(3)(f) at the amusement premises.

Regulation of opening hours

3. (1) The manager shall not keep the amusement premises open between the hours of 12 midnight and 9am.
(2) The Council, may by resolution, fix a later hour in substitution for the hour of 12 midnight in this byelaw for the closing of amusement premises or specified classes of amusement premises on specified dates or during specified periods or generally.
4. (1) The manager shall give to the proper officer of the Council at least 5 days prior notice in writing of the intention to use any amusement premises specifying therein the dates and place at which such amusement premises are to be used.
(2) The notice to be given under this byelaw shall be in addition to and not in substitution for any notice required to be given under any other enactment.
(3) In this byelaw "proper officer" means an officer appointed for the purpose of the Council.
5. (1) The manager shall take such steps as are reasonably practicable to ensure that there are provided such entrances and exits to the amusement premises as will enable persons using the amusement premises (including disabled persons) to be safe and free from risks to health and while such persons are present on the premises every exit provided for their use shall be unsecured and free from obstruction.
(2) The manager shall cause to be exhibited over each exit from the amusement premises a notice bearing the word 'EXIT' in letters of sufficient size to ensure it is legible at the maximum viewing distance.
6. No person shall place or cause to be placed any obstruction in any exit or gangway provided in accordance with these byelaws while any persons are using the amusement premises.
Nuisances, sanitary conditions, cleanliness, order and public safety

7. The manager shall ensure that at all times when the amusement premises are open for business, there is in operation such lighting as is adequate to enable persons using the premises to be safe.

8. The manager shall ensure that the internal parts of the amusement premises are maintained in good repair and condition in order that persons using the premises shall be safe at all times when the premises are open for business.

9. The manager shall take such steps as are reasonably practicable to ensure that:-

(a) a sufficient number of unobstructed gangways are provided and maintained in the amusement premises;

(b) amusement machines, seats and other furnishings and structures are distributed in order that the amusement premises shall, at all times when they are open for business, be safe for persons using the premises (including disabled persons).

10. The manager shall ensure that all parts of the premises (including sanitary accommodation) are kept as clean as is reasonably practicable.

11. The manager shall take such steps as are reasonably practicable to ensure that every machine provided at the amusement premises is properly and safely installed.

12. The manager shall not knowingly permit:-

(a) the amusement premises to be used for soliciting for the purpose of prostitution nor as a habitual resort or place of meeting of reputed prostitutes but this does not prohibit the manager from permitting such persons to remain on the premises for the purpose of using the amusement machines for such time as is necessary for that purpose.

(b) any person who is drunk or disorderly to enter or remain on the amusement premises.

13. The manager shall take such steps as are reasonably practicable to ensure that the external doors to the amusement premises suppress noise emanating from those premises where by means of the doors being fitted with a device for automatic closure or by any other similar means.

14. The manager shall ensure that the amusement premises are under the supervision of at least one responsible person at all times when those premises are open for business.

Fire protection.

15. (1) The manager shall:

(a) Consult the fire authority regarding a means of fighting fire for use in the amusement premises; and

(b) Provide and maintain reasonable means of fighting fire having regard to all the circumstances including the size, nature and age of the amusement premises; and

(c) Keep the means for fighting fire in a place where it is readily available for use.

(2) In this byelaw 'maintain' means to maintain in an efficient state in efficient working order and in good repair.

Penalty

16. Any person offending against any of the foregoing byelaws shall be liable on summary conviction to a fine not exceeding £400.

Defence

17. It shall be a defence for a person to prove that he had taken all reasonable precautions and exercised all due diligence to prevent the commission of an offence under these byelaws.

Appendix E

These are the mandatory conditions for an AGC:

1. A notice must be displayed at all entrances to AGCs stating that no person under the age of 18 years will be admitted to the premises.
2. There can be no direct access between an AGC and any other premises licensed under the Act or premises with a family entertainment centre (FEC), club gaming, club machine or alcohol licensed premises gaming machine permit. (England and Wales only). There is no definition of 'direct access' in the Act or regulations, although licensing authorities may consider that there should be an area separating the premises concerned, such as a street or cafe, which the public go to for purposes other than gambling, for there to be no direct access.
3. Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to cease gambling at any gaming machine in order to do so.
4. The consumption of alcohol in AGCs is prohibited at any time during which facilities for gambling are being provided on the premises. Additionally in Scotland the sale of alcohol on the premises is specifically prohibited. A notice stating this should be displayed in a prominent place at every entrance to the premises.

Premises History**Appendix 4**

Licence Number	Application Type	Date Determined	Decision
09/08556/LIGPN	Gaming Machine Permit	02.11.2009	Granted under Delegated Authority
10/06211/LIGN	New Gambling premises licence	28.10.2010	Granted by Licensing Sub-Committee
11/12461/LIGV	Gambling Variation application	06.02.2012	Granted under Delegated Authority
15/10449/LIGD	Request for a duplicate licence	17.11.2015	Granted under Delegated Authority Surrendered November 2020

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

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

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

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

Mandatory Conditions

1. A notice must be displayed at all entrances to AGCs stating that no person under the age of 18 years will be admitted to the premises.
2. There can be no direct access between an AGC and any other premises licensed under the Act or premises with a family entertainment centre (FEC), club gaming, club machine or alcohol licensed premises gaming machine permit. (England and Wales only). There is no definition of 'direct access' in the Act or regulations, although licensing authorities may consider that there should be an area separating the premises concerned, such as a street or cafe, which the public go to for purposes other than gambling, for there to be no direct access.
3. Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to cease gambling at any gaming machine in order to do so.
4. The consumption of alcohol in AGCs is prohibited at any time during which facilities for gambling are being provided on the premises. Additionally in Scotland the sale of alcohol on the premises is specifically prohibited. A notice stating this should be displayed in a prominent place at every entrance to the premises.

Conditions consistent with the operating schedule

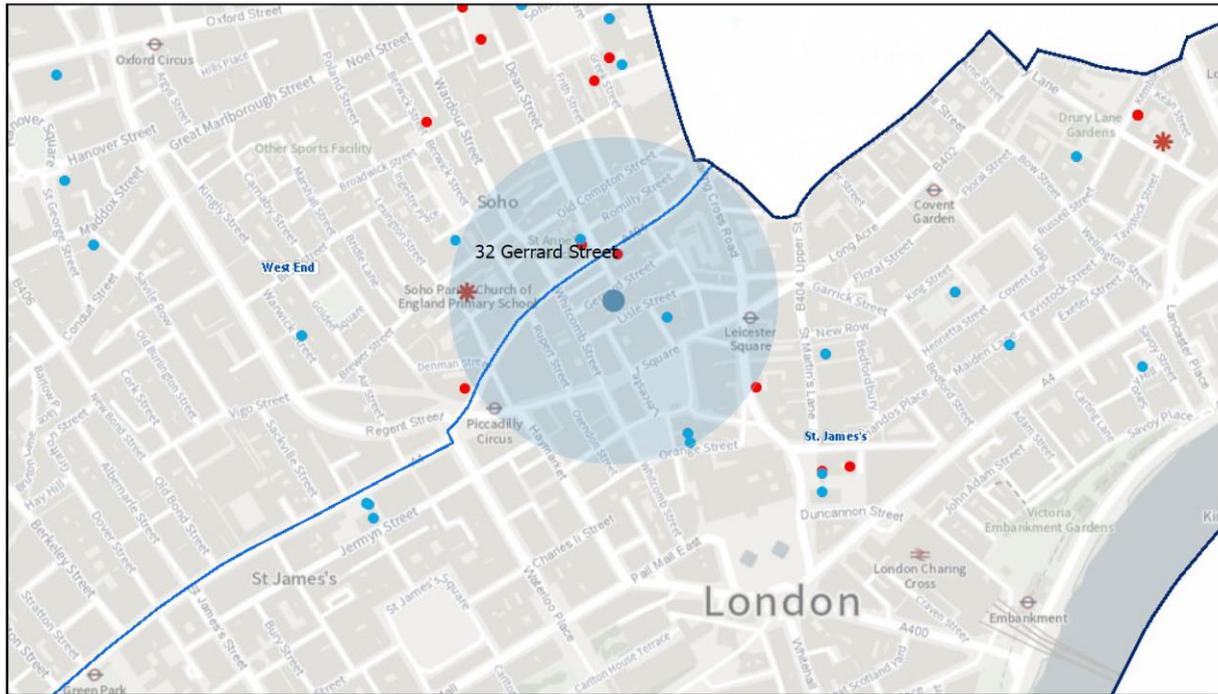
5. A direct telephone number to the manager of the premises will be available at all times the premises is open. This number shall be made available to residents and businesses in the vicinity.
6. The licensee will liaise with any residents who would like to be contacted quarterly to discuss the operation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

8. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
 - (a) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
 - (b) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the gaming area, office, toilet entrance, any seating and external area immediately outside the premises entrance.
 - (c) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
 - (d) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
9. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
10. The premises shall display notices near the entrance of the venue stating that CCTV is in operation.
11. A 'spotter monitor' shall be placed inside the premises near the front door showing CCTV images of customers entering, exiting and whilst on the premises.
12. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
13. The Licensee shall maintain a bound and paginated 'Challenge 25 Refusals' register at the premises. The register shall be produced to the police or licensing authority forthwith on request.
14. Prominent signage and notices advertising the Challenge 25 will be displayed showing the operation of such policy.
15. Third party testing on age restricted sales systems purchasing shall take at least twice a year and the results shall be provided to the Licensing Authority upon request.
16. A magnetic locking device, commonly referred to as a Maglock, will be installed and maintained on the main entrance/exit to the premises which will be operable by staff.
17. Staff will receive a notification when the front door opens.
18. Between 6pm and 6am there will be an SIA registered door person employed at the front door of the premises. The need for an SIA door person at other times will be risk assessed. They shall display their licence at all times in a yellow high visibility arm band.
19. There shall be 2 members of staff present at all times the premises are open to the public.
20. The licensee shall implement a policy of banning any customers who engage in crime or disorder within or outside the premises.
21. The licensee will refuse entry to customers who appear to be under the influence of alcohol or drugs.
22. The licensee shall install and maintain an intruder alarm on the premises.

23. The licensee shall install and maintain fixed panic buttons and in addition portable panic buttons will be worn by staff.
24. The licensee will ensure that customer toilets are checked every hour for evidence of drug taking. Toilet checks are to be documented stating the time and member of staff who made the checks. Toilets will remain locked at all times with access being provided by staff.
25. Prominent GamCare documentation will be displayed at the premises together with other notices promoting responsible gambling. All such documentation and notices will be provided in English and Mandarin Chinese.
26. The licensee shall:
 - a. provide induction training to all staff working at the premises;
 - b. provide refresher training to every member of staff at least every six months. The training shall include the following:
 - i. the specific local risks to the licensing objectives that have been identified for these premises;
 - ii. drug and alcohol awareness training to include Homeless and Street Drinking.
 - iii. Conflict Management Training. At least one of these training sessions each calendar year shall be provided by instructors qualified to a formally recognised national or equivalent standard on dealing with conflict.
27. Participation in the said training shall be formally recorded on each member of staff's training records which will be available for presentation to the Licensing Authority immediately upon request.
28. At least one member of staff working at the premises shall have a minimum of 6 months experience working in a licensed Adult Gaming Centre.
29. The Licensee shall take all reasonable steps to prevent street drinking of alcohol directly outside the premises and to ban from the premises those who do so.
30. The Licensee shall place a notice visible from the exterior of the premises stating that customers drinking alcohol outside the premises is not permitted and those who do so will be banned from the premises.
31. An incident log shall be kept for the premises and made available on request to an authorised officer of the City Council or the Police which will record the following;
 - a. All crimes reported to the venue;
 - b. Any complaints received regarding crime and disorder;
 - c. Any incidents of disorder;
 - d. Any faults in the CCTV system; and
 - e. Any visit by a relevant authority or emergency service.
 - f. All ejections of patrons;
 - g. All seizures of drugs or offensive weapons;
32. There shall be no cash point or ATM facilities on the premises
33. Any tea/coffee/drinks facilities will be provided for playing customers only.

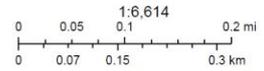
34. All seating within the premises shall be either secured to the floor or are weighted to prevent lifting.

Silvertime, 32 Gerrard Street, London, W1D 6JA



06/12/2021, 11:56:32

- Borough Boundary - Mask
- Borough Boundary - Detailed
- ★ Academy
- ★ Special
- Ward Boundaries
- Hostels - Special Needs Schemes
- ★ Primary
- ★ Independent
- Ward Labels
- Schools
- ★ Free School
- ★ Nursery
- ★ Others



Resident Count within a 75 metre radius: 101

Licensed premises within a 250m radius of 32 Gerrard Street, London, W1D 6JA

Licence Number	Trading Name	Address	Application Type
09/08556/LIGPN	Exchange Bar	32 Gerrard Street London W1D 6JA	Gambling Permit - LPGM Notification
12/01762/LILN	Chinese Community Centre	Second Floor 28 - 29 Gerrard Street London W1D 6JW	New Lotteries Registration
11/08754/LIGPN	Slug And Lettuce	Ground 5 Lisle Street London WC2H 7BF	Gambling Permit - LPGM Notification
20/11829/LIGV	Paddy Power	Basement And Ground Floor 40 Gerrard Street London W1D 5QE	Gambling Act - Variation
08/03570/LIGPN	De Hems Public House	11 Macclesfield Street London W1D 5BW	Gambling Permit - LPGM Notification
21/13101/LIGCH	Play 2 Win	32 Wardour Street London W1D 6JJ	Gambling Act - Change Licensee Dets
09/10170/LIGPN	The Imperial	5 Leicester Street London WC2H 7BL	Gambling Permit - LPGM Notification
08/00690/LIGPN	The Imperial	5 Leicester Street London WC2H 7BL	Gambling Permit - LPGM Notification
11/00378/LIGPPC	O'Neill's	33 - 37 Wardour Street London W1D 6PT	Gambling Permit - LPGMP Conversion
17/07823/LIGT	Betfred	39 Wardour Street London W1D 6PX	Gambling Act - Transfer
19/16970/LIGV	The Empire Poker Room	Basement To Second Floor 5 - 6 Leicester Square London WC2H 7NA	Gambling Act - Variation
20/01525/LIGT	Caesar's Mayfair	Second Floor 5 - 6 Leicester Square London WC2H 7NA	Gambling Act - Transfer
19/13579/LIGV	The Casino At The Empire	Basement To Second Floor 5 - 6 Leicester Square London WC2H 7NA	Gambling Act - Variation
11/00803/LIGPN	Not Recorded	1 Leicester Place London WC2H 7BP	Gambling Permit - LPGM Notification
19/02395/LIGV	Horizons	Basement 1	Gambling Act -

		Leicester Place London WC2H 7BP	Variation
09/07972/LIGPS	Ladbrokes	118-120 Shaftesbury Avenue London W1D 5EP	Gambling Act - Provisional Statement
20/03860/LILR	The Soho Society	55 Dean Street London W1D 6AF	Renewal of a Lotteries Registration
09/01117/LIGPN	Golden Lion Public House	51 Dean Street London W1D 5BH	Gambling Permit - LPGM Notification
08/10018/LIGPPR	Golden Lion Public House	51 Dean Street London W1D 5BH	Gambling Permit - LPGMP Renewal
19/02391/LIGT	Coral	1-3 Newport Place London WC2H 7JR	Gambling Act - Transfer
07/10189/LIGPN	Vue Cinemas West End	3 Cranbourn Street London WC2H 7AL	Gambling Permit - LPGM Notification
18/11176/LIGCHT	The Rialto Casino Piccadilly	3 - 4 Coventry Street London W1D 6BL	Gambling Act - Change Trading Name
11/02779/LIGV	G Casino Piccadilly	3 - 4 Coventry Street London W1D 6BL	Gambling Act - Variation
13/05696/LIGV	Genting Casino London China Town	93-107 Shaftesbury Avenue London W1D 5DY	Gambling Act - Variation
17/05555/LIGPN	Comptons	51 - 53 Old Compton Street London W1D 6HN	Gambling Permit - LPGM Notification
11/00218/LIGPN	Not Recorded	51 - 53 Old Compton Street London W1D 6HN	Gambling Permit - LPGM Notification
18/15825/LIGV	Crystal Rooms	Basement And Part Ground Floor 7 - 9 Cranbourn Street London	Gambling Act - Variation
19/11852/LIGV	The Hippodrome Casino	The Hippodrome Cranbourn Street London WC2H 7JH	Gambling Act - Variation
15/08625/LIGPN	Duke Of Wellington	77 Wardour Street London W1D 6QA	Gambling Permit - LPGM Notification
08/00099/LIGPN	Duke Of Wellington	77 Wardour	Gambling Permit

		Street London W1D 6QA	- LPGM Notification
15/08621/LIGPN	Admiral Duncan	54 Old Compton Street London W1D 4UD	Gambling Permit - LPGM Notification
17/07818/LIGPPV	Not Recorded	54 Old Compton Street London W1D 4UD	Licensed Premises Gaming Machine Permit
10/03167/LIGPN	White Horse Public House	45 Rupert Street London W1D 7PB	Gambling Permit - LPGM Notification
08/04614/LIGPN	Rupert Street Cafe Bar	50 Rupert Street London W1D 6DR	Gambling Permit - LPGM Notification
11/00180/LIGPN	Not Recorded	50 Rupert Street London W1D 6DR	Gambling Permit - LPGM Notification
12/02196/LIGV	William Hill	18 Newport Court London WC2H 7JS	Gambling Act - Variation
10/05314/LIGPN	The Zoo Bar And Club	Basement And Ground Floor Cameo House 13 - 17 Bear Street London WC2H 7AS	Gambling Permit - LPGM Notification
18/12908/LIGPPN	Village Bar	Basement Ground Floor And Part First Floor 81 Wardour Street London W1D 6QD	Gambling Permit - LPGMP New
08/00436/LIGPPN	Not Recorded	Second Floor Trocadero 13 Coventry Street London W1W 7DH	Gambling Permit - LPGMP New
11/06403/LIGPN	Not Recorded	79 Charing Cross Road London WC2H 0NE	Gambling Permit - LPGM Notification
18/12904/LIGPPN	Bar Soho	23 - 25 Old Compton Street London W1D 5JL	Gambling Permit - LPGMP New
10/05315/LIGPN	Bar Soho	23 - 25 Old Compton Street London W1D 5JL	Gambling Permit - LPGM Notification
11/00343/LIGPPC	Not Recorded	10 - 12 Bear Street London WC2H 7AX	Gambling Permit - LPGMP Conversion
07/10089/LIGPN	Walkabout	136 Shaftesbury Avenue London W1D 5EZ	Gambling Permit - LPGM Notification

09/08090/LIGPN	Walkabout	136 Shaftesbury Avenue London W1D 5EZ	Gambling Permit - LPGM Notification
09/06763/LIGPPC	Moon Under Water	28 Leicester Square London WC2H 7LE	Gambling Permit - LPGMP Conversion
07/10627/LIGPN	The Porcupine Public House	48 Charing Cross Road London WC2H 0BS	Gambling Permit - LPGM Notification
21/10187/LIGPUR	Funland	89 - 91 Wardour Street London W1F 0UB	Gambling Permit - unFEC Renewal
16/06717/LIGPUD	Funland	89 - 91 Wardour Street London W1F 0UB	Gambling Permit - unFEC Duplicate/Update
21/13102/LIGCH	Las Vegas	89 - 91 Wardour Street London W1F 0UB	Gambling Act - Change Licensee Dets
07/10251/LIGPN	Odeon Cinema	Ground Floor To Upper Floor 40 Leicester Square London WC2H 7LE	Gambling Permit - LPGM Notification
16/02117/LIGPN	Comedy	Basement To Second Floor 7 Oxendon Street London SW1Y 4EE	Gambling Permit - LPGM Notification
10/02886/LIGPN	The Brewmaster	37 Cranbourn Street London WC2H 7AD	Gambling Permit - LPGM Notification
10/02873/LIGPN	The Brewmaster	37 Cranbourn Street London WC2H 7AD	Gambling Permit - LPGM Notification
08/04587/LIGPN	Three Greyhounds Public House	The Three Greyhounds Public House 25 Greek Street London W1D 5DD	Gambling Permit - LPGM Notification
11/08749/LIGPPT	Yates Wine Lodge	Ground Floor 29 - 30 Leicester Square London	Gambling Permit - LPGMP Transfer
09/03961/LIGPN	St James' Tavern Public House	45 Great Windmill Street London	Gambling Permit - LPGM Notification
09/08642/LILN	Soho Parish School	Soho Parish Primary School 23 Great Windmill Street London W1D 7LF	New Lotteries Registration
12/03930/LILN	Soho Parish School	Soho Parish Primary School 23 Great	New Lotteries Registration

		Windmill Street London W1D 7LF	
09/09960/LIGPN	Round Table Public House	26-27 St Martin's Court London WC2N 4AL	Gambling Permit - LPGM Notification
10/03168/LIGPN	Duke Of Argyll Public House	37 Brewer Street London W1F 0RY	Gambling Permit - LPGM Notification
08/04635/LIGPN	Duke Of Argyll Public House	37 Brewer Street London W1F 0RY	Gambling Permit - LPGM Notification
10/00266/LIGPN	Cambridge Hotel	93 Charing Cross Road London WC2H 0DP	Gambling Permit - LPGM Notification