

## **E. APPLICATION OF SECTION 153 PRINCIPLES**

54. Section 153(a)-(d) sets out criteria which the authority should take into account. Each sub-paragraph is taken in turn.

### *(a) Code of Practice*

55. The Gambling Commission publishes Codes of Practice under section 24 of the Gambling Act 2005.

56. The relevant Code of Practice applying to bingo premises is at pages 544-603 of the bundle.

57. The Code covers all the gambling objectives. For example, there must be procedures for age verification, customer interaction and self-exclusion, and exterior advertising must not be aimed at children. There is no suggestion by anybody that Merkur does not comply with the Code, here or in any of their premises.

58. The Code also requires the submission of a local area risk assessment. A detailed risk assessment has been submitted (pages 116-137).

### *(b) Guidance*

59. The Commission publishes Guidance for Licensing Authorities under section 25 of the Act. This covers a wide range of topics, including (for example), the layout and supervision of the premises and whether local risks are adequately controlled.

60. The Guidance states that the licensing authority does not need to investigate the suitability of the operator, or the fairness and openness of gambling, both of which are controlled by the operating licence: paras 5.10 and 5.11.

61. There is no evidence in this case that these premises or their management contravenes any the Commission's Guidance, such that refusal of the variation meets the test of necessity.

### *(c) Licensing objectives*

62. Section 153 asks whether the application is reasonably consistent with the licensing objectives. Read together with the aim to permit, it precludes an argument that any

gambling, or additional gambling, inherently risks harm and so should not be permitted.

63. The application is clearly reasonably consistent with the licensing objectives:

(1) the applicant's current licence is one of the most heavily conditioned gambling licences in Westminster, with a comprehensive suite of conditions designed to promote the licensing objectives;

(2) it has traded to 2 a.m. on Fridays and Saturdays since January 2022 with no concern expressed by any public protection authority or agency and no neighbour complaints;

(3) there are two 24 hour AGC licences in the near vicinity trading without objections or any historic regulatory intervention. There is no reason why the extension of hours would generate such regulatory concern as to necessitate refusal while those licences have traded without conditions or regulatory intervention for many years;

(4) the applicant has commissioned observation evidence from Stuart Jenkins and Nick Mason of Leveche Associates Limited (pages 163-414), who conducted covert night-time deployments in relation to the applicant's late-trading premises, uncovering no harm to the gambling licensing objectives;

(5) the applicant has also commissioned observation evidence from Adrian Studd (pages 139-159), who found no harm to the licensing objectives either at the applicant's heavily conditioned premises or at its competitors' 24-hour but unconditioned licensed premises.

*(d) Statement of licensing principles*

64. The main applicable policies are:

- Risk assessment Policy C1
- The licensing objectives policies D1, D2, D3
- The hours policy E1

- The location policy F1

65. *The risk assessment policy.* Merkur has taken care to comply with this policy requirement, producing a detailed local area risk assessment (page 116-137), analysing local risks and referring to existing control measures and setting out further controls, particularly in response to requirements in Westminster’s 2022 Statement of Licensing Principles for Gambling. If there are matters which have been inadvertently omitted, it is hoped that these can be discussed with the responsible licensing authority prior to the hearing.

66. *The licensing objectives policy.* As stated above, Merkur has appraised all the policy criteria and considerations and set out how it seeks to comply with them (see pages 37-72). Again, if there are further matters which the responsible licensing authority considers should be included, it is hoped that these can be resolved prior to the hearing.

67. *The hours policy.* Policy E1(D) provides for a terminal hour of midnight for bingo. Accordingly, since this application is for hours beyond midnight for premises located inside a Gambling Vulnerability Zone, policy E1(C) applies, whereby the licensing authority may refuse applications which do not pass the tests set in sub-paragraphs 1, 2 and 3. These are dealt with in the table below.

<b>Sub-paragraph</b>	<b>Requirement</b>	<b>Response</b>
1	<p>The seven requirements in Clause B must be met:</p> <p>1 The application meeting the requirements of the Gambling Commission’s Licence Conditions and Codes of Practice and policies D1, D2 and D3</p>	<p>Merkur complies with the Licence Conditions and Codes of Practice. It is also subject to requirements to submit regulatory returns to the Commission (LCCP 15.3.1) and to notify it of key events (LCCP 15.2.1) Its compliance with policies D1, D2 and D3 is demonstrated in its policy response document at pages 39-61.</p>

<b>Sub-paragraph</b>	<b>Requirement</b>	<b>Response</b>
	<p>2 Appropriate and heightened security procedures available to ensure the protection of staff and customers and as a deterrent to crime and disorder.</p> <p>3 Additional risk posed to the vulnerable population in the area of the premises due to the extended hours.</p>	<p>CCTV (conditions 1-2)  CCTV notices (condition 3)  Maglock (condition 8, 20)  Maglock deployed post-midnight (condition 9)  No entry to intoxicated individuals (condition 10)  Staffing levels (condition 15)  External CCTV (condition 17)  Banning orders (condition 21)  Unilateral banning of miscreants (condition 22)  Staff Guard (condition 23)  Hourly checking of toilets (condition 24)  Training re local issues (condition 25)  SIA operatives (condition 26)  Use of spotter monitor (condition 29)  Door opening triggers notification (condition 30)  Minimum of two staff (plus security) (condition 31)  Intruder alarm (condition 33)  Panic buttons (condition 34)  Training and refresher training including local risks, drug and alcohol awareness and conflict management (condition 37).  No bags to be left (condition 40)</p> <p>Security on front door to prevent access to intoxicated or otherwise clearly vulnerable persons (condition 26)  At least two staff members at all times to supervise premises and interact with customers (conditions 31 and 15)  WCs checked for drug use (condition 24)  Notification when front door opens (condition 30).  Prominent GamCare documentation (condition 35).  Interaction training (condition 36).  Training and refresher training including local risks, drug and alcohol awareness and conflict management (condition 37).</p>

<b>Sub-paragraph</b>	<b>Requirement</b>	<b>Response</b>
	<p>4 Sufficient transport links to customers leaving the premises to ensure that customers are not stranded or likely to be a victim of or cause crime or disorder upon leaving the premises.</p> <p>5 The impact of any additional hours on children and the vulnerable.</p> <p>6. What genuine gambling activities are available for customers during the extended hours.</p> <p>7 Minimum staffing levels so as not to leave staff feeling vulnerable or isolated</p>	<p>Contact with local homeless hostels / shelters and drug, alcohol and gambling treatment and support services (condition 41).  Meetings with residents associations and local associations (condition 42).  Marketing and promotional activity compliant with LCCP and CAP and BCAP standards (LARA).  Customer interactions recorded on tablets and reviewed centrally by independent team of compliance auditors and Area Managers (LARA).  Stay in Control literature in multiple languages (LARA).  Social responsible messaging on all digital B3 and C machines. All machines display helpline contact details (LARA).  Rough sleepers and beggars are not admitted to the premises (LARA)  No alcohol is permitted.</p> <p>Edgware Road is well-served by night buses, taxis and private hire vehicles. Edgware Road Station is 0.2 miles away, with the night tube running on Friday and Saturday and services from 5 a.m. to midnight on other days. Paddington is 0.5 miles from the premises, with Elizabeth Line services westbound from 0436 and eastbound from 0545 Mondays to Saturdays and 0512 westbound and 0617 eastbound on Sundays.</p> <p>Children will be unaffected by the hours sought: the existing controls are and have proved sufficient.  For vulnerable people, see above.</p> <p>In accordance with its premises licence, the premises offers facilities for playing bingo and gaming machines. There will be no change during the extended hours.</p>

<b>Sub-paragraph</b>	<b>Requirement</b>	<b>Response</b>
	and to allow staff safe passage to and from public transport where necessary.	There will always be at least two staff members and an SIA-licensed security operative during the extended hours sought. By the closing time sought, the public realm will be busy and served by public transport.
2	Sufficient reasons and risk mitigation in accordance with Policy F2	The applicant has fully considered the Local Area Profile and has produced a responsive and comprehensive local area risk assessment, with extensive control measures enshrined in existing and proposed conditions. See also the Operational Standards documents at page 450-542
3	Meets the Commission's Codes of Practice and Guidance, and is reasonably consistent with the licensing objectives.	See paragraphs 54-58 above.

68. *The location policy.* The premises are in a Gambling Vulnerability Zone. Accordingly, policy F1(c) requires the applicant specifically to assess the relevant risks in their local area risk assessment and to put forward sufficient control measures to mitigate or eliminate such risk. Merkur have carried out a detailed local area risk assessment and have put forward comprehensive responsive measures, as set out above.

69. In the circumstances, it is submitted that the application is in accordance with Westminster's Statement of Licensing Principles for Gambling.

*Conclusion on compliance with section 153*

70. It is submitted that each part of section 153(a)-(d) is fully complied with, and that therefore:

- (1) The mandatory aim to permit applies. As such, as the Commission states, the primary obligation is to permit the application.
- (2) The current hours restrictions are not necessary. Accordingly, they should be released.

71. If there are residual issues, consideration should be given to whether and how they can be resolved prior to the hearing. The applicant is currently unaware of any such residual issues, but would welcome constructive dialogue.

## **F. REPRESENTATIONS**

72. There are representations from the licensing authority, Police and local people, including councillors and residents' associations. These are taken in turn.

### *Licensing authority*

73. The licensing authority's representation refers to policy considerations, which are dealt with above.

74. The authority also states that "after a visit to the premises, [it] felt that the operation of the premises didn't have the appearance of the bingo premises due to the number of gaming machines seen at the premises" and that "the bingo machines didn't seem readily available for clientele to use."

75. This point is not relevant to this application, which concerns an extension of existing hours for premises which have already operated for 27 months. However, the position is as follows.

76. All Merkur's high street bingo operations nationwide consist of gaming machines and a bingo offer which is accessible at all times through the use of tablets. The presence of a bingo offer is prominently advertised on the front window of the premises and also within the premises. A photo of the frontage of the premises can be seen at page 137.

77. This arrangement is fully in accordance with the law governing bingo premises, in the Gambling Commission's Social Responsibility Code 9.1.2:

1. Gaming machines may be made available for use in licensed bingo premises only where there are also substantive facilities for non-remote bingo, provided in reliance on this licence, available in the premises.
2. Facilities for gambling must only be offered in a manner which provides for appropriate supervision of those facilities by staff at all times.
3. Licensees must ensure that the function along with the internal and/or external presentation of the premises are such that a customer can reasonably be expected to recognise that it is a premises licensed for the purposes of providing bingo facilities.

78. As to the first requirement, there are always substantive facilities for non-remote bingo available.

79. As to the second requirement, there is appropriate supervision.

80. As to the third requirement, customers are clearly informed that bingo is played in the premises. Further, the bingo offer is the sole reason for the applicant to hold a bingo premises licence rather than an adult gaming centre licence, which carries precisely the same gaming machine entitlements.

81. Previously, the Social Responsibility Code included a requirement that the licensed activity (be it bingo, betting etc) be the “primary gambling activity”. This created uncertainty, since it was not clear whether this related to floorspace, numbers of terminals, customer usage, spend, etc. Accordingly, the requirement was abolished and replaced with the above rules, with which Merkur complies.

82. Finally, in order to allay any concerns in this case, Merkur is offering condition 44, that the premises will provide a dedicated bingo only area, an illustration of which is at page 138. This condition has been offered to show Merkurs continual commitment to providing a bingo offering to its clientele and ensuring that a separate bingo area is always provided at this venue.

83. The dedicated bingo only area in the premises has been in place since November 2023.



84. The licensing authority is invited to engage with the applicant to resolve any outstanding issues prior to the hearing.

*Police*

85. Police have expressed a concern that the extension of opening hours will lead to an increase in crime and ASB associated with the premises, suggesting that if extended hours were granted it would make a desirable location for beggars and rough sleepers to attend. Police refer to the number of incidents recorded on incident reports.

86. As to attraction of beggars and rough sleepers, the premises will be protected by both a dedicated security operative and a maglock. There is no suggestion that beggars and rough sleepers are admitted to the premises now, and the applicant, which is experienced at operating in town centres, will ensure that its measures are sufficient to prevent such admission during extended hours. It should also be pointed out that the applicant's independent observation evidence did not uncover the admission of rough sleepers to its premises or other premises trading in the near vicinity.

87. As to crime and disorder, as stated above, the applicant's staff record every incident, however minor, which run at the rate of well under one per week, or one every 147 hours of trade. Police call-outs run at the rate of one per 2.5 months, or one every 1310 hours of trade, with the latest call-out being at 9.10 p.m. The lack of any night-time weighting to police call-outs is due to the absence of alcohol from the premises, refusal to admit intoxicated people, and strong security measures including double staffing plus a security operative. The applicant has offered enhanced security measures, all protected by condition, and has no reason to believe that its extended hours will fail to be reasonably consistent with the crime prevention objective. Further, it will keep its security risk assessment under review, and will liaise with Police in a professional manner, to ensure that its control measures are effective at all times. It should also be noted that two nearby adult gaming centres have traded on 24 hour licences for many years without any additional conditions on their licence, and have not been brought in for review by Police or anybody else.

88. There is also a suggestion that anyone looking to gamble between 0200 and 0600 is more likely to be vulnerable than not. This is refuted by a) Adrian Studd's evidence of who actually is gambling during those hours in nearby gambling premises, b) the

applicant's experience from 140 premises nationally, c) Leveche's observation evidence across a large number of the applicant's premises. There is no evidence whatsoever that the applicant is harming vulnerable people as a result of trading at night.

89. In summary, the Sub-Committee is invited to find that the extended hours sought, with the extensive additional conditions, are reasonably consistent with the licensing objectives.

*Local people*

90. Local representations cover a broad range of matters.

91. Some are not relevant, including:

- The fact that children will pass the premises or that teenagers may be tempted to gamble: the premises are already there (and in any case there is no evidence the premises are harmful to children).
- Parking.
- Potential nuisance (including door slamming, litter, noise).
- Need or demand for the facility, or the extended hours, or whether all demand is catered for already.
- The commercial merit of the proposal.
- Whether the premises serves the community.
- Whether extended hours would draw extra people to the area. (In any case, it is extremely unlikely it would given that there are AGCs and a casino close by already.)
- The precedent effect of a grant. (There is none: each case is decided on its merits.)
- Whether a grant would have a detrimental effect on the community.

- Whether the Council should have different priorities.
- Whether a grant would signal to young people that gambling is a social norm.
- Whether bingo is the central focus or offering (see further below).
- Whether the licensing objectives would be promoted by the grant. As explained above, that is not the test under the Gambling Act. The question is whether grant would be reasonably consistent with the licensing objectives.

92. However, some of these concerns are relevant to planning. The applicant requires planning permission to operate the hours requested in this application, and so those concerns will be considered by the planning authority when a planning application is made.

93. In other respects, there is a lack of evidence in support of the representation, e.g.

- Any connection between the premises and drug taking, urination or prostitution.
- Whether vulnerable people would be harmed when a) the premises has fully developed systems to protect vulnerable people from harm; b) there are already 24 hour AGCs close by, with no conditions on their licences and no evidence of harm to vulnerable people from their activities.
- Whether the premises will have sufficient security arrangements to deter intoxicated and violent people. Their present arrangements go beyond those of other premises in the near vicinity. The premises' security risk assessments, which will continue past this hearing, will always result in sufficient measures to deter intoxicated or violent people. There are no premises in its entire estate where its protective measures have been criticised.

94. However, the applicant is keen to ensure proper liaison with local residents, and has proposed appropriate conditions accordingly. Whatever the legal position, it assures the Sub-Committee that it retains good and neighbourly relations across its estate, and its universal experience is that it rarely attracts criticism and concerns from neighbours, even in its 140 premises with 24-hour licences.

95. Some concern is expressed regarding the juxtaposition with McDonalds. The applicant has many sites which trade very near or even next door to McDonalds and other late night food outlets and has not experienced problems with such co-location (see pages 104-115). In total it has 36 premises which trade next door or nearly next door to such premises. It does not find that those leaving such premises or indeed pubs or clubs, are attracted to enter its premises. It specifically tasked Adrian Studd to observe overnight to see if there is cross-over, or problems occasioned by co-location (see pages 139-162), but there is not. In any case, the applicant will have its maglock engaged during the extended hours sought here, together with door security to prevent entrance to those who are intoxicated or rowdy.

96. It is understandable that fears are expressed, even if not supported by evidence. The applicant's experience is that following grant of the application the issues anticipated do not materialise. If, however, this case proves the exception, a) as a responsible operator the applicant will always review its measures to resolve problems if they materialise, and b) the mechanism of review is designed as a remedial measure should the applicant fail to do so.

## **G. CONCLUSIONS**

97. The Sub-Committee is invited to accept that each element of the section 153 test is met.

98. The applicant is sensitive to local concerns, and will liaise with residents and local associations to ensure that the impact on the local environment is not detrimental, whether or not such impact is of the type protected by the Gambling Act 2005.

99. In the circumstances, the Sub-Committee is invited to grant the application.

**PHILIP KOLVIN KC**  
**11 KBW**  
**Temple EC4**  
**April 2024**

**Merkur Slots, 182-184 Edgware Road, London**

**Existing and Proposed Additional Conditions**

**Existing (25)**

1. ~~Premises to be used for the provision of facilities for the playing of Bingo and other gaming machine use, as permitted under the Act Sunday to Thursday 07:00 to 01:00 hours and Friday to Saturday 07:00 to 02:00 hours~~ **TO BE REMOVED**
2. ~~The hours the premises are open to the public: Monday to Sunday 07:00 to 02:00 hour~~ **TO BE REMOVED**
1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 -day period.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises 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.
3. Notices shall be prominently displayed within the premises stating that CCTV is in operation.
4. An incident log shall be kept at the premises and made available on request to an authorised officer of the Licensing Authority or the Police. Details to include:
  - a. all crimes reported to the venue
  - b. all ejections of patrons
  - c. any complaints received concerning crime and disorder
  - d. any incidents of disorder
  - e. all seizures of drugs or offensive weapons
  - f. any visit by a relevant authority or emergency service.
  - g. any attempts by children and young persons to gain access to the premises to gamble
  - h. any Challenge 25 Refusals
  - i. Any faults with the CCTV system
5. A think 25 proof of age scheme shall be operated at the premises where Any person who appears to be under 25 years of age, and who has not previously provided satisfactory proof to the contrary, is challenged at the point of entry. Acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

6. Signage advertising the aforementioned proof of age scheme shall be prominently displayed throughout the premises.
7. There shall be no pre-planned single staffing at the premises from 12:00 until closing and no single staffing from 20:00 until closing.
8. There shall be a fully operational magnetic door locking system (Maglock) available for staff use at all times.
9. If trading past midnight the Maglock will always be in use.
10. Individuals who are deemed to be under the influence of excessive alcohol or drugs shall be refused entry to the premises.
11. The licensee shall participate in local Betwatch or similar scheme, where available, to promote knowledge sharing within the local industry, with particular regard to local risk but also to promote best practice.
12. The licensee shall take reasonable steps to prevent nuisance directly outside of the Premises.
13. Notices will be prominently displayed in the premises requesting customers to leave quietly and respect the residential nature of the area.
14. Clear and legible notices must be prominently displayed at any area used for smoking requesting customers to respect the needs of local residents and use the area quietly.
15. The appropriate staffing levels will be assessed by way of risk assessment and cognisance will be taken of any Police advice.
16. Third party testing on age restricted sales systems shall be carried out on the premises at least 3 times a year and the results shall be provided to the Licensing Authority upon request.
17. There shall be an external camera at the premises that shall have sufficient coverage of the premises frontage which will provide live images to staff in the service counter area.
18. The licensee shall not allow their logos or other promotional material to appear on any commercial merchandising which is designed for use by children.
19. The licensee will ensure through regular checks and intervention that customers children are not left unsupervised outside of the premises.
20. A magnetic lock device commonly referred to as a Maglock will be installed and maintained on the entrance/exit to the premises which will be operational by the ground floor staff.
21. If at anytime (whether before or after opening of the premises), the Police or Licensing Authority supply to the premises names and/or photographs of individuals which it wishes to be banned from the premises the licensee shall use all reasonable endeavours to implement

the ban through staff training.

22. The licensee shall implement and maintain a policy of banning any customers who engage in crime, disorder or anti-social behaviour within or outside of the premises.
23. The Company's staff guard system shall be installed and maintained at the premises which allows direct communication with a central monitoring station permitting audio and CCTV communication.
24. The licensee will ensure that customers toilets are checked hourly for evidence of drug taking and a log/record kept for immediate inspection by the Police or Licensing Authority.
25. The licensee shall train staff on specific issues related to the local area and shall conduct periodic refresher training. Participation in the training shall be formally recorded and the records produced to the Police or Licensing Authority upon request.

**Proposed Additional (20)**

26. When the premises is open to the public, there shall be a minimum of 1 SIA licensed door supervisor employed at the front entrance to the premises from 18:00 to 06:00 hours daily. The need for an SIA door supervisor at all other times shall be risk assessed. Door supervisors shall display their licence at all times in a yellow high visibility arm band.
27. The licence holder shall contact the licensing authority and local police quarterly to discuss the operation of the premises and any issues.
28. A direct telephone number for the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity. In addition, a logged reported comment can be made directly to Merkur Slots head office at [customer-care.merkurcasinouk.com](mailto:customer-care.merkurcasinouk.com)
29. 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.
30. Staff shall receive a notification whenever the front door opens which shall require an appropriate response from staff.
31. The total number of staff (not including door staff) at the premises from 18:00 – 06:00 shall be a minimum of two when the premises is open to the public.
32. At any time there will be an employee present at the premises who is fully conversant with all Merkur Slots policies and procedures having been fully inducted and trained for a minimum of 12 weeks
33. The licence holder shall install and maintain an intruder alarm on the premises.
34. The premises shall install and maintain fixed panic buttons and in addition portable panic buttons shall be worn by staff to allow direct communication to the Company's staff guard

system.

35. Prominent GamCare documentation shall be displayed at the premises and other notices promoting responsible gambling.
36. The licence holder shall ensure that staff are provided interaction training to identify and interact with any customers who are identified as at risk of problem gambling.
37. The licence holder shall:
  - a. provide induction training to all new staff working at the premises.
  - b. provide refresher training to every member of staff at least every six months.
  - c. The training shall include, but is not limited to, 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 the Homeless and Street Drinking and shall have appropriate input from a suitable organisation, such as Streetlink;
    - 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.
38. Participation in the said training shall be formally recorded on each member of staff's training records which shall be available for presentation to the licensing authority immediately upon request.
39. Any tea/coffee/drinks facilities shall be provided for playing customers and staff only.
40. Customers shall not be permitted to leave bags or other belongings at the premises.
41. Subject to condition 43, the licence holder shall contact the local homeless hostels/shelters, offering to provide information on problem gambling support services and how their residents and members can self-exclude from their premises.
42. Subject to condition 43, the licence holder shall at least once a year organise a meeting and invite a representative of residents' associations, and local associations to discuss any issues arising from the operation of the premises on the local community. Such meetings shall then take place unless those invited believe it to not be necessary. The license holder shall directly notify residents' associations and local associations of the meeting date and venue at least two weeks before the meeting. The meeting will be held during normal trading hours (not before 0900hrs and not after 1700hrs), during which time no facilities for gambling shall be available for use.
43. For the purposes of conditions 41 and 42 on this licence, the term local associations shall include the relevant local homeless/rough sleeping hostels/shelters, drug, alcohol and gambling treatment/support services as agreed with Westminster Licensing Authority.



44. The premises will provide a dedicated bingo only area, highlighted red on the illustrative machine plan of the premises provided to Westminster Licensing Authority.
45. The hours of the premises are open to the public and are permitted to be used for the provision of facilities for the playing of Bingo and other gaming machine use, as permitted under the Act: Monday to Sunday 07:00 to 06:00

**Merkur Slots, Edgware Road**

**Westminster Statement of Licensing Principles for Gambling**

**Licensing Objective Policy consideration document**

Part C – Gambling Risk Assessment Policy

<b>Policy section</b>	<b>Policy wording</b>	<b>Merkur response</b>
<b>A</b>	Applications for provisional statements or new gambling premises licences or to vary an existing licence must be accompanied by a gambling risk assessment.	A detailed and updated local area risk assessment has been supplied in the supporting documentation, designed in consideration of the council’s Gambling Statement of Licensing Principles, local crime statistics, local demographics and establishments that may impact on potential customer vulnerability and local crime and disorder. The updated local area risk assessment has been prepared and updated with specific consideration to the site’s location within the Paddington (South) Vulnerability Zone.
<b>B1</b>	The gambling risk assessment as referred to in Clause A should include: an assessment of the local area risks, identified by the gambling operator and those identified within the Council’s Local Area Profile,	Within the updated local area risk assessment provided, the local risk profile of the area is provided including reference to the location of the premises within the Paddington (South) Vulnerability Zone. This includes reference to the specific neighbouring premises and a review of local crime stats for two boroughs, as Merkur Slots Edgware Road falls on the boundary of two separate crime policing neighbourhoods.
<b>B2</b>	The gambling risk assessment as referred to in Clause A should include: an assessment of the gambling operational risks associated with the new premises or the proposed variation of an existing licence,	A full and comprehensive assessment of all the gambling operational risks associated with the premises are included within the local area risk assessment. Merkur have operated this venue successfully and without major concern since January 2022, and all perceivable operational risks are noted and mitigated.

<b>B3</b>	The gambling risk assessment as referred to in Clause A should include: an assessment of the premises' design risks associated with the proposed or existing interior and exterior layout and design of the premises, and	<p>A full and comprehensive assessment of all the premises design risks with the premises are included within the local area risk assessment.</p> <p>Floor layout is designed to avoid blind spots to enable the active management and observation of customers entering and leaving the premises, from the central service area the entrances, machines and toilets can be observed, and staff regularly patrol the gaming floor to supervise and interact with customers to identify underage or vulnerable persons.</p> <p>Venue window displays are designed in consideration of premises' location, particularly in busy high street areas where Children and Young Persons may pass by, and maintain the Company's focus that all gambling should be carried out in a socially responsible manner. Direct line of sight into premises is blocked by appropriate window displays and barriers adjacent to entrances, which minimise exposure of underage individuals to ambient gambling.</p>
<b>B4</b>	The gambling risk assessment as referred to in Clause A should include: an assessment of the relevant control measures, based on systems, design and physical measures that will eliminate or mitigate the risk to one or more of the licensing objectives	The local area risk assessment provides a complete and thorough review of all the local risks associated with the area and relevant control measures provided to mitigate these risks. Each licensing objective is dealt with independently and control measures are provided to effectively deal with any possible concern.
<b>C</b>	The gambling risk assessment referred to in Clause A and B can be completed using the Council's own risk assessment template or any other form that the applicant chooses to use.	Merkur Slots have a full and comprehensive local area risk assessment that is utilised across all venues and covers all perceivable risks associated with a venue. Cognisance is also taken from any local input from the licensing authority, police or local community groups.

Policy section	Policy wording	Merkur response
B1	Whether the premises make or will make a contribution to the levels of crime and disorder in the area.	<p>Merkur Slots, Edgware Road has been open and operational since January 2022. During that period, no major issues or concerns regarding the operation of the venue has been raised by the Police or Licensing Authority in relation to crime and disorder. No review of the premises licence has been sought, or any warnings issued to the venue.</p> <p>Merkur carries out appropriate local area risk assessments and security risk assessments which are updated periodically.</p> <p>In consequence, appropriate security measures are adopted to minimise risks, including staffing levels and training, security provision, internal and external CCTV, good sightlines and lighting throughout the premises, the use of maglocks, security measures in WC provision, Staff Guard, panic alarms, the absence of “floats” in the premises, time delayed safes, anti-money laundering measures etc.</p> <p>Accordingly, crime levels in Merkur premises are low and Merkur premises enjoy strong relations with local police.</p> <p>Merkur Slots retains comprehensive records of all ‘incidents’ which include the effective implementation of its Think 25 policy and age verification challenges, customer interactions, refusals of service, complaints, self-exclusions, and all reports of crime and disorder that may occur within venues or external incidents that may not directly relate to premises operation but could impact on identified local risk. This practice directly evidences the implementation of Merkur’s strong policies and procedures and all internal records are regularly monitored for emerging issues as opposed to an assessment of operational controls.</p>

		<p>In this case, to provide additional safeguards to show Merkur’s commitment controlling the levels of crime and disorder, 20 additional conditions have been offered including double manning, SIA security and area specific training of staff. This is in addition to the 25 conditions which are proposed to remain on the premises licence, including constant use of maglock post-midnight, the use of a staff guard system and a policy on banning customers who cause crime, disorder or anti-social behaviour either within or outside of the premises. This will make this licence one of the most conditioned licences under the Gambling Act in Westminster.</p> <p>It is evident from the current operation at Merkur Slots Edgware Road, that Merkur Slots uphold the high standards in assuring that their premises provide a positive contribution to crime prevention in the area, as required by Policy D1.8.</p>
<b>B2</b>	Whether the premises will operate in such a way that will be reasonably consistent with the crime and disorder licensing objective.	<p>Merkur operate all of their venues in a way that upholds and promotes the licensing objective to a gold standard.</p> <p>Merkur venues have a range of policies and procedures in place to ensure all staff and customers are continually kept safe and the risk of crime and disorder is continually assessed and mitigated.</p> <p>Although alcohol is permitted in bingo-licensed premises (subject to a licence under the Licensing Act 2003), alcohol is not permitted in Merkur’s high street bingo premises, including Edgware Road.</p> <p>Merkur implement a policy of banning any persons who engage in crime, disorder or anti-social behaviour within or outside the premise. Staff are trained to be extra vigilant where there is clear</p>

		<p>evidence of continued anti-social behaviour occurring in the vicinity and encourages a partnership approach with local authorities.</p> <p>The consumption of alcohol is not permitted in the premises and Merkur Slots operate a zero tolerance policy to anti-social behaviour with a focus on alcohol-related concerns. The premises implements comprehensive security and reporting processes to escalate, report and deal with any issues as they arise.</p> <p>Toilet checks are conducted hourly for evidence of drug taking. These checks are logged and retained for inspection.</p> <p>Maglock systems are deployed during times of public houses closing, and a further safeguard exists on the premises licence that the Maglock must be used when the premises is open past midnight.</p> <p>Dedicated Regional Night Managers are employed to support venues with security incidents.</p> <p>Area Managers operate a late-night rota system to ensure the 'late night contact number' is monitored so venues always have an Operational Manager to call upon for support with any issues during late night operation.</p>
<b>B3</b>	Whether the applicant has met the requirements of Policy C1 and provided a suitable and sufficient gambling risk assessment demonstrating how they will implement sufficient mitigation 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.	The applicant has a full and comprehensive local area risk assessment which takes into account the local risks identified and provides the licensees controls and safeguards to address those risks. Prior to submission of the application, no operational concerns or risks had been identified to date that were not addressed and effectively mitigated. The local area risk assessment submitted by the applicant spans a multitude of

		<p>areas and risk factors associated with the specific locality of the venue, and takes into account Policy C1 of Westminster’s Statement of Licensing Principles. The local area risk assessment is regularly reviewed and updated, and cognisance is always taken of any police or local authority advice. This is also in line with policy D1.5.</p> <p>Merkur Slots Edgware Road already holds a premises licence which was granted by Westminster City Council’s Licensing Sub-Committee on 10<sup>th</sup> December 2020. At the hearing, the Licensing Sub-Committee carefully considered the application and all supporting evidence provided including the Local Area Risk Assessment submitted. In their decision, the Licensing Sub-Committee stated: “The Sub Committee concluded that the conditions it has imposed on the Premises Licence would mitigate the concerns of all those that had objected and would therefore help to aim and permit the Licensing Objectives as indicated above.”</p> <p>Merkur have a full understanding of the local areas in which they operate, as required in policy D1.5, and this is evidenced through the thorough and full local area risk assessment which is held and periodically updated by the applicant. The crime prevention measures operated at the venue are detailed within the local area risk assessment.</p> <p>In addition to premises security measures, such as the operation of CCTV and StaffGuard, cash handling is minimised by the operation of Ticket in Ticket Out payment systems (GeWeTe), emptying of machines is carried out during times when premises are locked and premises utilise a time delay safe. All gaming machines operate anti-tamper mechanisms and operate live</p>
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		anti-money laundering mechanisms which generate automated alerts to compliance staff.
<b>B4</b>	The levels of crime and disorder in and around the venue	<p>182-184 Edgware Road is within the Marylebone policing neighbourhood, under the Metropolitan Police Force. The most commonly reported crime types in the past 12 months were other theft (25.5%), theft from a person (13.6%), anti-social behaviour (12.9%), violence and sexual offences (11.5%), and vehicle crime (9.5%). There were 409 crimes recorded in Marylebone during Sept 2023 predominantly consisting of Other Theft (106), anti-social behaviour (60), theft from a person (60), violence &amp; sexual offences (44), shoplifting (32) and burglary (27). From analysis of police crime mapping, the area around the venue is not a particular hot spot.</p> <p>Merkur Slots are not aware of any direct association with the majority of these crimes to gambling venues, and since January 2022 no serious issues or concerns have been raised by the Police surrounding the operation of Merkur Slots.</p>
<b>B5</b>	The proposed operation of the premises and the types of gambling activities that will be provided.	<p>Merkur Slots venues operate under a bingo premises licence granted under the Gambling Act 2005. The reason for this is to differentiate the premises from other high street venues and provide an alternative offering for the customer. Merkur operate this style of venue across the whole country in over 200 sites, and operate within the statutory requirements and limits at each site. The business model for licensed bingo venues is in full compliance with the governing regime and gaming machines prescribed by statute. Further, a specific condition has been offered requiring the provision of a dedicated bingo-only area.</p> <p>Merkur High Street Bingo premises operate a combination of category B3 and C gaming terminals with stakes ranging from 10p through to £2.</p>



		<p>Across Merkur Slots venues the average stake placed is between 30p and 40p. Only 20% of the gaming machines provided may be category B3s. The remainder, being the category C gaming machines, have the same stake and prize levels as those offered in pubs</p> <p>The proposed operation of this venue is not in question with this application, as the bingo premises licence has already been granted and approved by Westminster Licensing Sub-Committee in January 2020.</p> <p>Electronic bingo is a natural evolution of 'traditional bingo' and has been operated nationally for many years since the inception of the Gambling Act 2005 and is approved and understood by the Gambling Commission. This is also referenced in the Westminster Statement of Licensing Principles for Gambling 2023 at Policy G-2B</p>
<b>B6</b>	The staffing levels that will be provided during the time when the premises provide facilities for gambling.	<p>Currently, the premises licence has conditions which state “there shall be no pre-planned single staffing at the premises from 12:00 until closing and no single staffing from 20:00 until closing” and “The appropriate staffing levels will be assessed by way of risk assessment and cognisance will be taken of any Police advice.”.</p> <p>Following consultation with the local Police and Licensing authority, two further staffing conditions have been offered to be added to the premises licence:  “The total number of staff (not including door staff) at the premises from 18:00 – 06:00 shall be a minimum of two when the premises is open to the public.” And:  “When the premises is open to the public, there shall be a minimum of 1 SIA licensed door supervisor employed at the</p>

		<p>front entrance to the premises from 18:00 to 06:00 hours daily. The need for an SIA door supervisor at all other times shall be risk assessed. Door supervisors shall display their licence at all times in a yellow high visibility arm band.”</p> <p>In practice, if the application is granted, the premises will operate with no pre-planned single staffing from midday to 18:00, and 2 members of staff and 1 SIA door supervisor will be on duty until close of the premises at 06:00.</p> <p>The need for an SIA door supervisor at all other times shall be risk assessed. Door supervisors shall display their licence at all times in a yellow high visibility arm band.</p> <p>Merkur Slots continually assesses staffing levels and adapts to any emerging risks identified to ensure that both customers and staff members remain safe and all gambling is maintained in a socially responsible manner.</p>
<b>B7</b>	Whether there is a history of crime or disorder associated with the premises, the operator or similar gambling premises uses.	<p>The applicant is a national provider of gaming facilities. It operates to the highest standards of social responsibility and compliance. It has over 230 trading premises. It has been granted licences at every site at which it has applied and has never suffered a review or other regulatory intervention. Its sites are across a range of areas, geographically and socially. It is currently trading for 24 hours in over 150 premises. Again, none of these has ever been the subject of a review or regulatory intervention. No major issues or concerns regarding the operation of the venue has been raised by the Police or Licensing Authority in relation to crime and disorder. No review of the premises licence has been sought, or any warnings issued to the venue. There have been 11 police call-outs in 27 months of operation, none after 9.10 p.m.</p>

<p><b>B8</b></p>	<p>Whether the premises, operator or similar gambling premises uses have been used by those involved in crime to associate, carry out other criminal activities or dispose of the proceeds of crime.</p>	<p>Merkur Venues operate to the highest regulatory standard possible and have minimal problems at their venues with criminal activity or the disposal of proceeds of crime.</p> <p>Merkur operate a business-wide Anti-Money Laundering (AML) policy, which is reviewed annually, and ensures that the risks of money laundering in these premises are low. The premise layout is designed to allow customer supervision at all times. All machines within the premises are linked to a central machine data capture system, which identifies and sends alerts of suspicious activity and allows the venues to individually analyse live transactional activity for money laundering. All AML incidents, rare as they are, are reported by the venue staff via a tablet which also provides an automated email alert to the dedicated AML manager.</p> <p>Staff are trained to identify suspicious activity and have the ability to interrogate real-time machine data to identify criminal activity and fraudulent incidents which are logged and escalated where appropriate.</p> <p>All incidents are recorded on the IHL SMART Tablet Incident App including crime reference number where applicable. All incidents reported via the IHL tablet are regularly reviewed to identify specific or emerging risks.</p>
<p><b>B9</b></p>	<p>Whether the premises have been designed and considered so as to minimise opportunities for crime and disorder.</p>	<p>Merkur Slots Edgware Road is fitted with a HD CCTV system as per the minimum requirements of Westminster Police Licensing Team. Coverage of all public areas including all entry and exits points and an external camera with sufficient coverage of the premise frontage. CCTV is clearly advertised to customers with screens visible by staff when working in the service area. There is the ability to review CCTV remotely and provide footage to relevant parties when required.</p>

		<p>Floor layout is designed to avoid blind spots to enable the active management and observation of customers entering and leaving the premises, from the central service area the entrances, machines and toilets can be observed, and staff regularly patrol the gaming floor to supervise and interact with customers to identify underage or vulnerable persons.</p>
<b>B10</b>	<p>Whether the operators of the premises have been or will be fully cooperative with enforcement agencies</p>	<p>Merkur throughout their existing operation at the venue and during the application process for this application have been consistently cooperative with all the responsible authorities, local councillors, resident's groups and local services. All relevant queries and concerns have been effectively addressed and no questions have been raised by any of the responsible authorities calling into question the applicant's cooperation and operation to date.</p> <p>This is a standardised approach across Merkur's estate with positive engagement with local authorities throughout the country. Where Merkur is notified of emerging local risks it has a history of positive engagement working with police, licensing authorities and Interested Parties.</p>
<b>B11</b>	<p>Whether the Gambling Commission's Codes of Practice have been complied with.</p>	<p>Merkur are a leading national operator of bingo premises with clear and proactive policies to promote the Gambling Licensing Objectives. Merkur has full authority to provide bingo facilities through the grant of an Operating Licence issued by the Gambling Commission, which has approved the measures which Merkur has put in place to ensure that it implements effective player protection, anti-money laundering procedures, security procedures and trades responsibly in accordance with gambling legislation, the Licensing Objectives and the Licence Conditions and Codes of Practice.</p>

<b>C1</b>	Undertake a terrorism threat risk assessment (separate from the gambling risk assessment) that ensures that any security-related vulnerabilities have been identified, and reasonable, and proportionate steps (in keeping with the size and nature of the gambling premises), have been taken to reduce the risk from a terrorist attack, and	Merkur Slots provide extensive training to all staff upon recruitment and 6 monthly refresher training. Within this, specific terrorism threat training materials and guides are used from Protect UK ( <a href="http://www.protectuk.police.uk">www.protectuk.police.uk</a> ). These materials, approved by the Police, covers all the required areas as set out in C1.
<b>C2</b>	Undertake an ACT security plan, including an outline of the proactive steps taken (see Appendix 13)	Merkur Slots provide extensive training to all staff upon recruitment and 6 monthly refresher training. Within this, specific terrorism threat training materials and guides are used from Protect UK ( <a href="http://www.protectuk.police.uk">www.protectuk.police.uk</a> ). These materials, approved by the Police, includes training on how to undertake an ACT security plan.

Policy D2 - Ensuring that Gambling is Conducted in a Fair and Open Way Policy

<b>Policy section</b>	<b>Policy wording</b>	<b>Merkur response</b>
<b>B1</b>	Whether the premises will operate in such a way that will be reasonably consistent with the fair and open licensing objective.	<p>All Merkur Slots venues, including this one, continually uphold and promote the licensing objective to ensure gambling is conducted in a fair and open way.</p> <p>As stated in Policy D2.2, the Gambling Commission are the primary body concerned with ensuring that operators uphold this objective. Merkur has authority to provide bingo facilities through the grant of an Operating Licence issued by the Gambling Commission, which has approved the measures which Merkur has put in place to ensure that it implements effective player protection, anti-money laundering procedures, security procedures and trades responsibly in accordance with gambling</p>

		<p>legislation, the Licensing Objectives and the Licence Conditions and Codes of Practice.</p> <p>All staff are equipped to provide information and support to premises customers and details of game rules, compliance, responsible gambling and detailed complaints and disputes process are readily available.</p>
<b>B2</b>	<p>Whether the applicant has met the requirements of Policy C1 and provided a suitable gambling risk assessment demonstrating how they will implement sufficient mitigation to ensure that gambling is conducted in a fair and open way</p>	<p>The applicant has a full and comprehensive local area risk assessment which takes into account the local risks identified and provides the licensee's controls and safeguards to address those risks. Prior to submission of the application, no operational concerns or risks had been identified to date that were not addressed and effectively mitigated. The local area risk assessment submitted by the applicant spans a multitude of areas and risk factors associated with the specific locality of the venue, and takes into account Policy C1 of Westminster's Statement of Licensing Principles. The local area risk assessment is regularly reviewed and updated, and cognisance is always taken of any police or local authority advice. This is also in line with policy D1.5.</p> <p>Merkur Slots Edgware Road already holds a premises licence which was granted by Westminster City Councils Licensing Sub-Committee on 10<sup>th</sup> December 2020. At the hearing, the Licensing Sub-Committee carefully considered the application and all supporting evidence provided including the Local Area Risk Assessment submitted. In their decision, the Licensing Sub-Committee stated: "The Sub Committee concluded that the conditions it has imposed on the Premises Licence would mitigate the concerns of all those that had objected and would therefore help to aim and permit the Licensing Objectives as indicated above."</p>

		<p>Merkur Slots retains comprehensive records of all 'incidents' which include the effective implementation of its Think 25 policy and age verification challenges, customer interactions, refusals of service, complaints, self-exclusions, all reports of crime and disorder that may occur within venues or external incidents that may not directly relate to premises operation but could impact on identified local risk.</p>
<p><b>B3</b></p>	<p>Whether the premises have been designed so as to ensure gambling is conducted in a fair and open way</p>	<p>Merkur Slots Edgware Road is fitted with a HD CCTV system as per the minimum requirements of Westminster Police Licensing Team. Coverage of all public areas is achieved, including all entry and exits points and an external camera with sufficient coverage of the premise frontage. CCTV is clearly advertised to customers with screens visible by staff when working in the service area. There is ability to review CCTV remotely and provide footage to relevant parties when required.</p> <p>Floor layout is designed to avoid blind spots to enable the active management and observation of customers entering and leaving the premises, from the central service area the entrances, machines and toilets can be observed, and staff regularly patrol the gaming floor to supervise and interact with customers to identify underage or vulnerable persons.</p> <p>The design and layout of the premises is consistent across all venues to allow staff members on site to supervise all players within the venue to ensure gambling is conducted in a fair and open way.</p> <p>All staff are equipped to provide information and support to premises customers and details of game rules, compliance, responsible gambling and detailed complaints and disputes process are readily available.</p>

<p><b>B4</b></p>	<p>Whether sufficient management measures are proposed or are in place to ensure that gambling is conducted in a fair and open way.</p>	<p>Merkur is a leading national operator of bingo premises with clear and proactive policies to promote the Gambling Licensing Objectives.</p> <p>Merkur operates training upon recruitment to all venue staff and then 6-monthly refresher training programmes for all employees. Training modules include 'The Essentials of Compliance and Social Responsibility' which covers the Gambling Act 2005, Licence Conditions and Codes of Practice, the Licensing Objectives under the Gambling Act 2005 and 'Safeguarding Children &amp; Vulnerable People', which focus on assisting staff to recognise and respond to indicative behaviours of potential problem gambling and vulnerability and how to conduct effective customer interaction. Initial six-week, classroom based, induction training is completed for all new venue teams and includes customer interaction role play and exposure to operation and customers in live venues. Following site opening, new teams are provided regular follow up and support. The Company also incorporates accredited Social Responsibility and Interaction training for its premises management teams.</p> <p>All venues are headed up by an experienced venue manager and supported by assistant staff at the venue, all trained on the Gambling Act Licensing objectives.</p> <p>The operation of Merkur Slots venues has been approved by the Gambling Commission. This includes the policies and procedures in place in Merkur venues regarding the rules of play, advertising codes and terms of conditions, as stated in D2.3.</p> <p>Prominent GamCare documentation is displayed at the premises and other notices promoting responsible gambling.</p>
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		<p>Marketing and Promotional activity carried out by Merkur complies with LCCP, and standards set by the Committee of Advertising Practice (CAP) and the Broadcast Committee of Advertising Practice (BCAP).</p> <p>External windows have digital marketing screens which display safer gambling messages, No Under 18's allowed, Think 25, opening times and promotional activity.</p> <p>All marketing campaigns are reviewed for appropriateness before being launched. No advertising is used that depicts images that may appeal to children.</p>
<b>B5</b>	Whether the management and operation of the premises is open and transparent	<p>Merkur Slots venues pride themselves on the relationship they have with their customers and the local area. No issues have been raised regarding the openness and transparency of the management of this venue, and efforts have and will continue to be made with regards to liaising with the local Police force, Licensing Authority and residential and community groups to further this transparency.</p>
<b>B6</b>	Whether the operators of the premises have been or will be fully cooperative with enforcement agencies.	<p>Merkur throughout their existing operation at the venue and during the application process for this application have been consistently cooperative with all the responsible authorities, local councillors, residents' groups and local services. All relevant queries and concerns have been effectively addressed and no questions have been raised by any of the responsible authorities calling into question the applicants cooperation and operation to date.</p> <p>This is a standardised approach across Merkur's estate with positive engagement with local authorities throughout the country. Where Merkur is notified of emerging local risks it has a</p>

		history of positive engagement working with police, licensing authorities and Interested Parties.
<b>B7</b>	Whether the Gambling Commissions Codes of Practice have been complied with.	Merkur are a leading national operator of bingo premises with clear and proactive policies to promote the Gambling Licensing Objectives. Merkur has full authority to provide bingo facilities through the grant of an Operating Licence issued by the Gambling Commission, which has approved the measures which Merkur has put in place to ensure that it implements effective player protection, anti-money laundering procedures, security procedures and trades responsibly in accordance with gambling legislation, the Licensing Objectives and the Licence Conditions and Codes of Practice.

Policy D3 - Protecting Children and Other Vulnerable Persons from Being Harmed or Exploited by Gambling Policy D3

<b>Policy section</b>	<b>Policy wording</b>	<b>Merkur response</b>
<b>C1</b>	Whether the premises will operate in such a way that will be reasonably consistent with the protection of children and other vulnerable persons from being harmed or exploited licensing objective.	<p>Merkur was selected by the Gambling Commission as one of the first top 40 licensees to prepare an annual assurance statement due to its size and scale of operation. Annual Assurance Statements enable an annual comprehensive review of the business, completed at Board level, in considering the effectiveness of the Company's governance and risk management arrangements designed to facilitate positive consumer protection, and address gambling-related harm and crime prevention measures. This process ensures that the highest standards are implemented across the Company's estate from Board through to premises level.</p> <p>In August 2020, Praesepe Limited, Merkur's parent Company, and Merkur's brand premises obtained G4 Global Gambling Guidance Group accreditation, which can be seen in the</p>

		<p>supporting documents. G4 is a group of international experts in the field of problem gambling and responsible gambling and accreditation is awarded to responsible operators. Audit reports identified that 'Customer care is of an exemplary standard in all Merkur Venues, regulatory compliance policies and procedures are excellent...and provide a strong foundation for consistent approaches to Responsible Gambling across the (Company's) estate'.</p> <p>In February 2022, Merkur were subject to the G4 follow up audit where it retained its accreditation status. The auditor commended the senior management training in relation to gambling harm and social responsibility, noted that Merkur's Safer Gambling ethics shine through as a priority and customer care is a strong focus of the business. The auditor further noted that staff loyalty, enthusiasm and knowledge were all of a high standard.</p> <p>As part of Merkur's continuing commitment to high standards of staff training and compliance, the Company engaged the services of the charities YGAM (Young Gamers &amp; Gamblers Education Trust) and Betknowmore to assist with the development and provision of additional Safer Gambling training and resources for venue and area managers. This training has been designed to complement our existing face to face training, is City and Guilds accredited and has been delivered to over 200 venue and area managers to date.</p> <p>Merkur Slots promote responsible gambling and social responsibility throughout all marketing campaigns. Marketing and Promotional activity complies with LCCP, and standards set by the Committee of Advertising Practice (CAP) and the Broadcast Committee of Advertising Practice (BCAP).</p>
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		<p>External windows have digital marketing screens which display safer gambling messages, No Under 18's allowed, Think 25, opening times and promotional activity. All Merkur venues have restricted line of sight into the venue, and are strictly adult only.</p> <p>Upholding the licensing objective to protect children and vulnerable people is of upmost importance to the company and its staff.</p>
<b>C2</b>	<p>Whether the applicant has met the requirements of Policy C1 and provided a suitable and sufficient gambling risk assessment demonstrating how they will implement sufficient mitigation to protect children and other vulnerable persons from being harmed or exploited by gambling.</p>	<p>The applicant has a full and comprehensive local area risk assessment which takes into account the local risks identified and provides the licensee's controls and safeguards to address those risks. Prior to submission of the application, no operational concerns or risks had been identified to date that were not addressed and effectively mitigated. The local area risk assessment submitted by the applicant spans a multitude of areas and risk factors associated with the specific locality of the venue, and takes into account Policy C1 of Westminster's Statement of Licensing Principles. The local area risk assessment is regularly reviewed and updated, and cognisance is always taken of any police or local authority advice. This is also in line with policy D1.5.</p> <p>Merkur Slots Edgware Road already holds a premises licence which was granted by Westminster City Council's Licensing Sub-Committee on 10<sup>th</sup> December 2020. At the hearing, the Licensing Sub-Committee carefully considered the application and all supporting evidence provided including the Local Area Risk Assessment submitted. In their decision, the Licensing Sub-Committee stated: "The Sub Committee concluded that the conditions it has imposed on the Premises Licence would mitigate the concerns of all those that had objected and would</p>

		therefore help to aim and permit the Licensing Objectives as indicated above.”
<b>C3</b>	Has the operator a specific training programme for staff to ensure that they are able to identify children and vulnerable people and take appropriate action to be reasonably consistent with this objective to exclude them from the premises or parts of the premises.	<p>Merkur operates training upon recruitment and then 6-monthly refresher training programmes for all employees. Training modules include 'The Essentials of Compliance and Social Responsibility' which covers the Gambling Act 2005, Licence Conditions and Codes of Practice, the Licensing Objectives under the Gambling Act 2005 and 'Safeguarding Children &amp; Vulnerable People', which focus on assisting staff to recognise and respond to indicative behaviours of potential problem gambling and vulnerability and how to conduct effective customer interaction. Initial six-week, classroom based, induction training is completed for all new venue teams and includes customer interaction role play and exposure to operation and customers in live venues. Following site opening, new teams are provided regular follow up and support. The Company also incorporates accredited Social Responsibility and Interaction training for its premises management teams.</p> <p>All Merkur’s bingo premises are adult only and operate a strict Think 25 policy. Age verification procedures are embedded in Company training platforms and responsible gambling policies. Age verification test purchasing and mystery shopper visits are frequently carried out by third party companies (Check Policy and Store Checker)</p> <p>The Company’s detailed training procedures and evaluation tools have been designed to mitigate any local risk to the Licensing Objectives, with a particular focus on the protection of children and the vulnerable from harms associated with gambling. As part of Merkur’s Socially Responsible Gambling Policy, customers are continually monitored and interactions</p>

		<p>completed where concerns are identified. As part of the interaction process, customer play is assessed to trigger customer affordability and source of funds enquiries to ensure that all gaming remains controlled.</p> <p>Training provided to all Merkur staff is bespoke and specific to Merkur venues, and cognisance is taken of the specific venue the individual is tasked to work in. In addition, a copy of the updated local area risk assessment is provided to the management and staff of Merkur Slots Edgware Road with details of the specific local risks.</p>
<p><b>C4</b></p>	<p>If the premises intend to or already operates as an adult only environment has the operator taken effective measures to implement an appropriate proof of age scheme to ensure that no one under the age of 18 is admitted to the premises or restricted areas.</p>	<p>All Merkur Slots venues are adult only and operate a challenge 25 policy. Merkur Slots premises are not attractive to young persons and sites rarely have issues with young person's attempting to gain access.</p> <p>Merkur Slots premises usually only have low numbers of customers within the premise at any one time, with members of staff continually walking around. This safeguards the premises that in the rare event a young person will attempt to enter the premises, they would be intercepted and challenged for their ID at the earliest opportunity.</p> <p>Information is displayed on the premise entrance and façade so all people walking past the premises are fully aware of the premises policy that no under 18s are allowed and the premises operates a challenge 25 policy.</p> <p>Age verification procedures are embedded in Company training platforms and responsible gambling policies. Age verification test purchasing and mystery shopper visits are frequently carried out by third party companies (Check Policy and Store Checker).</p>

		Merkur prides itself on its high standard of venue compliance and its test purchase success rates nationally.
<b>C5</b>	Whether the layout, lighting and fitting out of the premises have been designed so as to not attract children and other vulnerable persons who might be harmed or exploited by gambling.	<p>Venue window displays are designed in consideration of premises' location, particularly in busy high street areas where children and young persons may pass by, and maintain the Company's focus that all gambling should be carried out in a socially responsible manner. Direct line of sight into premises is blocked by appropriate window displays and barriers adjacent to entrances, which minimise exposure of underage individuals to ambient gambling.</p> <p>On the rare occasion someone enters the premises who appears under the age of 25, staff who are continually roaming around the premises will ask for ID of the individual and ensure they are of age to be within the venue. The open layout of the premises specifically allows for this continual sight to allow staff members to both monitor players and new customers at the earliest possible opportunity.</p>
<b>C6</b>	Whether sufficient management measures are proposed or are in place to protect children and other vulnerable persons from being harmed or exploited by gambling.	<p>All Merkur Slots premises are strictly adult only venues implementing a Challenge 25 policy. All in venue and external marketing is subject to approval by senior staff members at Head Office in strict compliance with the ASA codes of practice.</p> <p>Merkur Slots staff are provided extensive training on the licensing objectives, including the safeguarding of children and other vulnerable persons.</p> <p>Staff are rigorously trained to take appropriate action, such as where to offer gambling control support including managing time spent playing (time outs), controlling stake limits, providing information on gambling support agencies such as</p>

		<p>GambleAware, offering participation in the Bingo Association’s national self-exclusion scheme and refusing service, where deemed necessary.</p> <p>Merkur ensures that all staff continue to promote responsible gambling through customer behaviour observation and interaction. As part of this process, customer play, duration and spend is monitored and customer interactions are triggered to ensure play remains responsible.</p> <p>Following a customer interaction, customers may be offered a variety of self-help measures to control and monitor spend and time spent gambling, time outs, information regarding gambling support services and self-exclusion. For customers deemed to be at risk who do not agree to self-exclusion we reserve the right to bar customers, should the need arise. Staff members are provided detailed training to ensure that interaction is completed in a sensitive manner whilst ensuring that the Company’s policies and procedures are effectively implemented.</p> <p>As part of Merkur’s continuing commitment to high standards of staff training and compliance, the Company engaged the services of the charities YGAM (Young Gamers &amp; Gamblers Education Trust) and Betknowmore to assist with the development and provision of additional Safer Gambling training and resources for venue and area managers. This training has been designed to complement our existing face to face training, is City and Guilds accredited and has been delivered to over 200 venue and area managers to date.</p> <p>In October 2020, Merkur launched its 360 Safer Gambling Program, which was developed in consultation with the Global Gambling Guidance Group (G4) and comprises an Advisory Board of Senior Executives and external specialists. The program</p>
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		<p>cements the Company's commitment to safer gambling and includes the establishment of a Customer Experience Group, which provides customer feedback on the effectiveness of the Company's customer interaction, safer gambling tools, messaging and support services.</p> <p>The measures provided in Merkur venues go above and beyond the required level to promote the licensing objectives, with Merkur providing the gold standard of regulatory compliance across all its venues.</p>
<b>C7</b>	Whether any promotional material associated with the premises could encourage the use of the premises by children or young people.	<p>Merkur Slots promote responsible gambling and social responsibility throughout all marketing campaigns. Marketing and Promotional activity complies with LCCP, and standards set by the Committee of Advertising Practice (CAP) and the Broadcast Committee of Advertising Practice (BCAP).</p> <p>External windows have digital marketing screens which display safer gambling messages, No Under 18's allowed, Think 25, opening times and promotional activity.</p> <p>All marketing campaigns are reviewed for appropriateness before being launched. No advertising is used that depicts images that may appeal to children.</p>
<b>D1</b>	That in operating and managing a licensed gambling premises the applicant has designated one or more senior staff members within the organisation with the responsibility for championing the protection of children, including safeguarding and child sexual exploitation and other vulnerable persons from harm.	Lynn Lockley, Head of Learning and Development at Merkur Slots UK has been designated the individual at Merkur with the responsibility for championing the protection of children, including safeguarding and child sexual exploitation and other vulnerable persons from harm.
<b>D2</b>	That the applicant has or intends to implement safeguarding training to ensure that their staff have a basic awareness of safeguarding child and other vulnerable adults	The applicant already provides safeguarding children and vulnerable people training, in line with Westminster's Statement of Licensing Principles, as part of the initial training provided to all new starters and a refresher module provided every 6 months to all staff.

		<p>As part of Merkur’s continuing commitment to high standards of staff training and compliance, the Company engaged the services of the charities YGAM (Young Gamers &amp; Gamblers Education Trust) and Betknowmore to assist with the development and provision of additional Safer Gambling training and resources for venue and area managers. This training has been designed to complement our existing face to face training, is City and Guilds accredited and has been delivered to over 200 venue and area managers to date.</p>
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Policy E1 – Hours Policy

<b>Policy section</b>	<b>Policy wording</b>	<b>Merkur response</b>
<b>A</b>	<p>Applications that intend to provide facilities for gambling within the hours set out in Clause D, below will generally be granted for the relevant premises licence uses subject to not being contrary to other policies within this Statement of Principles</p>	<p>Merkur Slots operate a Bingo Premises Licence which was granted by Westminster City Council Licensing Sub-Committee on 10<sup>th</sup> December 2020. At the hearing, the Licensing Sub-Committee carefully considered the application and all supporting evidence provided. In their decision, the Licensing Sub-Committee stated:</p> <p><i>“The Sub Committee concluded that the conditions it has imposed on the Premises Licence would mitigate the concerns of all those that had objected and would therefore help to aim and permit the licensing objectives as indicated above.”</i></p> <p>Merkur Slots Edgware Road opened in January 2022. Since opening, the premises has been fully compliant with all the conditions on the premises licence and continually promoted the licensing objectives. The premises licence was granted to permit</p>

		<p>the premises to provide bingo and gaming machines Sunday to Thursday 0700 – 0100 and Friday and Saturday 0700 – 0200.</p> <p>This application is to remove two conditions regarding the operational hours of the premise and add a condition that states:  <i>The hours of the premises are open to the public and are permitted to be used for the provision of facilities for the playing of Bingo and other gaming machine use, as permitted under the Act: Monday to Sunday 07:00 to 06:00.</i></p> <p>The proposed hours are outside of policy E1 D2, however within Policy E1 G.</p>
<b>B1</b>	<p>Applications that intend to provide facilities for gambling from premises located outside a Gambling Vulnerability Zone for hours beyond those set out in Clause D will be considered on their own merits, subject to other relevant policies within this Statement, and with particular regard to the following: The application meeting the requirements of the Gambling Commissions Licence Conditions and Codes of Practice and Licensing Authority Guidance and policies D1, D2 and D3</p>	<p>As can be seen above, the applicant has provided full and comprehensive responses to each individual criteria and consideration under Policy D1, D2 and D3.</p> <p>Merkur are a leading national operator of bingo premises with clear and proactive policies to promote the Gambling Licensing Objectives. Merkur has authority to provide bingo facilities through the grant of an Operating Licence issued by the Gambling Commission, which has approved the measures which Merkur has put in place to ensure that it implements effective player protection, anti-money laundering procedures, security procedures and trades responsibly in accordance with gambling legislation, the Licensing Objectives and the Licence Conditions and Codes of Practice.</p>
<b>B2</b>	<p>Applications that intend to provide facilities for gambling from premises located outside a Gambling Vulnerability Zone for hours beyond those set out in Clause D will be considered on their own merits, subject to other relevant policies within this Statement, and with particular regard to the following: Appropriate and heightened</p>	<p>Merkur carries out appropriate local area risk assessments and security risk assessments which are updated periodically.</p> <p>In consequence, appropriate security measures are adopted to minimise risks, including staffing levels and training, security provision, internal and external CCTV, good sightlines and</p>

	<p>security features available to ensure the protection of staff and customers and as a deterrent to crime and disorder</p>	<p>lighting throughout the premises, the use of maglocks, security measures in WC provision, Staff Guard, panic alarms, the absence of “floats” in the premises, time delayed safes, anti-money laundering measures etc.</p> <p>The consumption of alcohol is not permitted in the premise and Merkur Slots operate a zero tolerance policy to anti-social behaviour with a focus on alcohol related concerns. The premises implements comprehensive security and reporting processes to escalate, report and deal with any issues as they arise.</p> <p>Maglock systems are deployed during times of public houses closing, and a further safeguard exists on the premises licence that the Maglock must be used when the premises is open past midnight.</p> <p>Dedicated Regional Night Managers are employed to support venues with security incidents.</p> <p>In this case, to provide additional safeguards to show Merkur’s commitment controlling the levels of crime and disorder, 20 additional conditions have been offered including double manning, SIA security and area specific training of staff. This is in addition to the 25 conditions which are proposed to remain on the premises licence, including constant use of maglock post-midnight, the use of a staff guard system and a policy on banning customers who cause crime, disorder or anti-social behaviour either within or outside of the premises. This will make this licence one of the most conditioned licences under the Gambling Act in Westminster.</p>
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<p><b>B3</b></p>	<p>Applications that intend to provide facilities for gambling from premises located outside a Gambling Vulnerability Zone for hours beyond those set out in Clause D will be considered on their own merits, subject to other relevant policies within this Statement, and with particular regard to the following: Additional risk posed to the vulnerable population in the area of the premises due to the extended hours</p>	<p>Merkur is fully aware of the unique nature of the Edgware Road area and has existing and proposed safeguards in place to protect the vulnerable population. The applicant has a full and comprehensive local area risk assessment which takes into account the local risks identified and provides the licensee's controls and safeguards to address those risks. Prior to submission of the application, no operational concerns or risks had been identified to date that were not addressed and effectively mitigated.</p> <p>Merkur Slots promote responsible gambling and social responsibility throughout all marketing campaigns. Marketing and Promotional activity complies with LCCP, and standards set by the Committee of Advertising Practice (CAP) and the Broadcast Committee of Advertising Practice (BCAP).</p> <p>External windows have digital marketing screens which display safer gambling messages, No Under 18's allowed, Think 25, opening times and promotional activity. All Merkur venues have restricted line of sight into the venue, and are strictly adult only. Conditions have been offered to provide additional safeguards to protect the vulnerable population during the extended hours such as door security, full, thorough and comprehensive staff training, regular annual meetings with local vulnerable centres and GamCare documentation on display throughout the premises</p> <p>Merkur pride themselves on being an exemplary operator in terms of regulatory compliance, and upholding the licensing objective to protect children and vulnerable people is of upmost importance to the company and its staff.</p>
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