

# Appendix 1

**Application for a premises licence  
under the Gambling Act 2005 (standard form)**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

If you are completing this form by hand, please write legibly in block capitals using ink. Use additional sheets if necessary (marked with the number of the relevant question). You may wish to keep a copy of the completed form for your records.

Where the application is -

- In respect of a vessel, or
- To convert an authorisation granted under the Betting, Gaming and Lotteries Act 1963 or the Gaming Act 1968,

the application should be made on the relevant form for that type of premises or application.

**Part 1 - Type of premises licence applied for**

Regional Casino       Large Casino       Small Casino

Bingo       Adult Gaming Centre       Family Entertainment Centre

Betting (Track)       Betting (Other)

Do you hold a provisional statement in respect of the premises? Yes  No

If the answer is "yes", please give the unique reference number for the provisional statement (as set out at the top of the first page of the statement): [\*\*\*\*\*]

## Part 2 – Applicant Details

If you are an individual, please fill in Section A. If the application is being made on behalf of an organisation (such as a company or partnership), please fill in Section B.

### Section A

#### Individual Applicant

1 Title: Mr  Mrs  Miss  Ms  Dr  Other (please specify)

2 Surname: [\*\*\*\*\*] Other name(s): [\*\*\*\*\*]

3 Applicant's address (home/business -):

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Postcode: [\*\*\*\*\*]

4(a) The number of the applicant's operating licence (as set out in the operating licence): [\*\*\*\*\*]

4(b) If the applicant does not hold an operating licence but is in the process of applying for one, give the date on which the application was made: [\*\*\*\*\*]

5 Tick the box if the application is being made by more than one person.

### Section B

#### Application on Behalf of an organisation

6 Name of applicant business or organisation: East Kent Leasing Limited

7. The applicant's registered or principal address:

2nd Floor Gadd House, Arcadia Avenue, London

Postcode: N3 2JU

8(a) The number of the applicant's operating licence (as given in the operating licence):

000-034401-N-315687-010

8(b) If the applicant does not hold an operating licence but is in the process of applying for one, give the date on which the application was made: [\*\*\*\*\*]

9 Tick the box if the application is being made by more than one organisation.

### Part 3 – Premises Details

10. Proposed trading name to be used at the premises (if known): Palace Amusements

11. Address of the premises (or, if none, give a description of the premises and their location):

450 Bethnal Green Road

London

Postcode: E2 0HG

12 Telephone number at premises (if known): [\*\*\*\*\*]

13 If the premises are in only a part of a building, please describe the nature of the building (for example, a shopping centre or office block). The description should include the number of floors within the building and the floor(s) on which the premises are located.

The premises are located on the ground floor of 450 Bethnal Green Road, London, E2 0HG. The upper floors are residential and there is a funeral parlour and bookmaker either side of the property.

14(a) Are the premises situated in more than one licensing authority area? No

14(b) If the answer to question 14(a) is yes, please give the names of all the licensing authorities within whose area the premises are partly located, other than the licensing authority to which this application is made:

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#### Part 4 – Times of Operation

15(a) Do you want the licensing authority to exclude a default condition so that the premises may be used for longer periods than would otherwise be the case? No

15(b) If the answer to question 15(a) is yes, please complete the table below to indicate the times when you want the premises to be available for use under the premises licence.

	Start	Finish	Details of any seasonal variation
Mon	[hh:mm]	[hh:mm]	[*****]
Tues	[hh:mm]	[hh:mm]	[*****]
Wed	[hh:mm]	[hh:mm]	[*****]
Thurs	[hh:mm]	[hh:mm]	[*****]
Fri	[hh:mm]	[hh:mm]	[*****]
Sat	[hh:mm]	[hh:mm]	[*****]
Sun	[hh:mm]	[hh:mm]	[*****]

16 If you wish to apply for a premises licence with a condition restricting gambling to specific periods in a year, please state the periods below using calendar dates:

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#### Part 5 - Miscellaneous

17 Proposed commencement date for licence (leave blank if you want the licence to commence as soon as it is issued): ASAP

18(a) Does the application relate to premises which are part of a track or other sporting venue which already has a premises licence? No

18(b) If the answer to question 18(a) is yes, please confirm by ticking the box that an application to vary the main track premises licence has been submitted with this application.

19(a) Do you hold any other premises licences that have been issued by this licensing authority?

No

19(b) If the answer to question 19(a) is yes, please provide full details:

20 Please set out any other matters which you consider to be relevant to your application:

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### Part 6 – Declarations and Checklist (Please tick)

I/ We confirm that, to the best of my/ our knowledge, the information contained in this application is true. I/ We understand that it is an offence under section 342 of the Gambling Act 2005 to give information which is false or misleading in, or in relation to, this application.

I/ We confirm that the applicant(s) have the right to occupy the premises.

#### Checklist:

- Payment of the appropriate fee has been made/is enclosed
- A plan of the premises is enclosed
- I/ we understand that if the above requirements are not complied with the application may be rejected
- I/ we understand that it is now necessary to advertise the application and give the appropriate notice to the responsible authorities

### Part 7 – Signatures

21 Signature of applicant or applicant's solicitor or other duly authorised agent. If signing on behalf of the applicant, please state in what capacity:



Signature:

Print Name: Woods Whur 2014 Limited

Date: 22 December 2021

Capacity: Solicitors for the Applicant

22 For joint applications, signature of 2nd applicant, or 2nd applicant's solicitor or other authorised agent. If signing on behalf of the applicant, please state in what capacity:

Signature:

Print Name: [\*\*\*\*\*]

Date: (dd/mm/yyyy)

Capacity: [\*\*\*\*\*]

**Part 8 – Contact Details**

23(a) Please give the name of a person who can be contacted about the application: Andrew Woods

23(b) Please give one or more telephone numbers at which the person identified in question 23(a) can be contacted: [REDACTED]

24 Postal address for correspondence associated with this application:



25 If you are happy for correspondence in relation to your application to be sent via e-mail, please give the e-mail address to which you would like correspondence to be sent:



# Appendix 2



## LOCAL GAMBLING RISK ASSESSMENT

### Premises

Premises Name: Palace Amusements  
Premises Address: 450 Bethnal Green Road, Bethnal Green, London  
Premises Post Code: E2 0HG  
Premises Licence  
Number: New application  
Category of Premises: Adult Gaming Centre

### Company

Operating Company: East Kent Leasing Limited  
Operating Licence  
Number: 000-034401-N-315687-010

### Assessment Writer

Name of Person Writing this Assessment: Byron Evans  
Position within Company or Name of Authorised  
Agent: Compliance Consultant  
Date that Original Assessment was Written: August 25th 2021

## LOCAL GAMBLING RISK ASSESSMENT

### 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

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.

## LOCAL GAMBLING RISK ASSESSMENT

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.

### The Operator

East Kent Leasing Ltd is licensed by the Gambling Commission and is a long standing member of the AGC trade association BACTA. East Kent Leasing is an extremely experienced operator of these types of premises.

It is familiar with the guidance and information contained in the London Borough of Tower Hamlets Statement of Gambling Policy updated in December 2019 and the associated Local Area Profile.

East Kent Leasing also confirm that they will conform, where appropriate, with the Tower Hamlets Gambling Best Practice Guide, as per Annexe 4 of the Statement of Gambling Policy.

### The London Borough of Tower Hamlets

Tower Hamlets is a single tier authority on the east side of inner London covering an area of approximately 19 square kilometres. It extends from Victoria Park in the north, down to the Isle of Dogs in the south and extends from the A12 in the east to Brick Lane and the Tower of London in the west.

The Borough has a population of approximately 324,000 which makes it the 11<sup>th</sup> most populated Borough in the UK (out of 391 Boroughs) and the second most densely populated Borough in the UK.

69% of the Boroughs population is made up of ethnic minority groups.

## LOCAL GAMBLING RISK ASSESSMENT

### The Local Area

The subject premises are located in the St Peters Ward. Bethnal Green High Road is a linear, non pedestrianised road, running approximately east/west. The subject premises are situated on the south side of the road, approximately 150 metres from Bethnal Green Underground Station (central line).

The subject premises are located 10 metres from a pedestrian crossing and with a bus stop (routes 8, 388 & D3) directly outside. The local area has a wide mix of both independent traders along with national multiples such as Iceland, McDonalds, Tesco Metro, Boots, Nat West and HSBC banks and KFC. The Tesco Metro trades 24/7.

Residential property to both the north & south of Bethnal Green Road is primarily made up of Community and Social Housing.

The premises themselves are rectangular in shape and will operate gaming machines on the ground floor along with a disabled toilet, offices and staff facilities .

No auxiliary activities will be offered other than CAT B3, CAT C and CAT D gaming machines.

East Kent Leasing have read the Tower Hamlets Statement of Gambling Policy and Local Area Profile (which were both updated in December 2019) and have taken into account all relevant information. East Kent Leasing also confirm that they have read the Gambling Best Practice Guide, included at Annexe 4 of the Statement of Gambling Policy and where appropriate will conform with the key points.

We believe this Local Area Risk Assessment (and future updates) identifies all necessary steps required in both complying with the Statement of Gambling Policy and Local Area Profile, upholding the Licence Conditions and Codes of Practice and promoting

## LOCAL GAMBLING RISK ASSESSMENT

the 3 Licensing Objectives. The grid matrix at pages 11 to 16 detail how the operator intends dealing with key points identified in the Tower Hamlets Statement of Gambling Policy.

### **Schools/Educational Establishments:**

There are a number of schools, nurseries and other educational facilities close to this part of Bethnal Green Road. This list notes a number of them, but is not exhaustive:

The Hague School, Wilmot Street.

Lawdale School, Mansford Street

Oaklands Secondary School, Old Bethnal Green Road.

Mulberry Academy (previously Bethnal Green Technology College), Gossett Street.

Darul Hadis Latifah School, Cornwall Avenue

Elizabeth Selby Forest Infant School, Old Bethnal Green Road

Bangabandhu Primary School, Wessex Street.

Rangers Kindergarten, Bethnal Green Gardens

Weavers Adventure Playground, Weavers Fields.

## LOCAL GAMBLING RISK ASSESSMENT

It is not unusual to see college and school children in this part of Bethnal Green Road shopping after school hours using the bus and train links. The risk of these children gambling is mitigated by the processes noted on page 11 of this Risk Assessment. It should also be noted that there will be no visibility of gambling through the entrance or windows of the proposed premises.

### **Gambling Premises:**

It is noted that the following gambling premises are within a 300 metre radius of the subject premises:-

#### **LBO's:**

JenningsBet, 448 Bethnal Green Road.

Ladbrokes, 295 Cambridge Heath Road.

Paddy Power, 398 Bethnal Green Road,

Corals, 333 Bethnal Green Road.

BetFred, 447 Bethnal Green Road.

#### **Adult Gaming Centres:**

Admiral, 451-453 Bethnal Green Road - trades 24/7

Cashino, 420 Bethnal Green Road - trades 24/7

## LOCAL GAMBLING RISK ASSESSMENT

At the time of this Assessment it was noted that each of the Bookmakers operates a Challenge 21 Age Policy. The Admiral and Cashino AGC's operate a Think 25 Policy. East Kent Leasing, in line with the BACTA charter and the tower Hamlets Statement of Gambling Policy, have elected to operate a Think 25 Policy.

### **Public Houses & Licensed Premises.**

There are a number of pubs and licensed premises within a 300 metre radius of the subject premises:

The Star, The Old George, Bethnal Green Tavern, The Shakespeare, The Salmon & Ball, The Marquis of Cornwallis.

All of these premises operate at least 2 x gaming machines.

It is illegal to consume alcohol on Adult Gaming Centre premises and EKL will not allow access to anyone under the influence of alcohol.

### **Banks & ATM machines**

ATM machines are available widely in this part of Bethnal Green Road outside the TSB, Nat West, HSBC and Halifax banks. There is a stand alone Barclays ATM. There are additional ATM machines outside the Tesco Metro, Falcon Food Express and Post Office.

### **Pawnbrokers**

Cash Converters, 417 Bethnal Green Road.

## LOCAL GAMBLING RISK ASSESSMENT

### Risks to the Vulnerable

All the above establishments ( banks & ATM's, pubs and bars, pawnbrokers, betting shops and AGC's) might potentially have links to people who are vulnerable from gambling related harm such as establishments which provide gambling services to source of funds to gamble such as ATM's or pawnbrokers. Pubs and bars create a risk of customers becoming inebriated and therefore potentially not in control of their gambling. Pubs also offer the ability to play gaming machines.

EKL note that the potential of risk posed from gambling related harm in this area might be higher than normal due to the levels of social deprivation. An element of street drinking and homelessness was noted during this Risk Assessment. However, this potential increased risk will be mitigated by the company's excellent levels of staff training and the procedures identified in pages 11 to 16.

### Churches/meeting places for vulnerable people.

At the time of this Assessment the following centres were noted as being in close proximity to the proposed AGC. It is likely that most if not all of these premises will provide services and support for the vulnerable. The list is not exhaustive:

St Johns on Bethnal Green, Cambridge Heath Road

United Reform Church, Pott Street

Praxis Centre for Refugees, Pott Street

Bethnal Green Mission Church

The Garret Centre, Unitarian Church & Mission, Mansford Street

St Matthews Bethnal Green

HM Prison Probation Service, 377 Cambridge Heath Road.



## LOCAL GAMBLING RISK ASSESSMENT

Granby Community Hub, Goldman Close – Addiction Support Group.

Oxford House, Derbyshire Street

The Holt Thompson Community House, Mansford Street.

### CCTV Systems

A CCTV system of a standard required by the police will be installed on the premises with cameras covering all public areas (excluding toilets). The required customer signage will be in place. The CCTV system will also have the capacity to be viewed remotely by Senior Management.

### Door Control

East Kent Leasing realise that management of door control is an important consideration. Decisions relating to the levels of staff and any potential night security required are detailed below:

- Possible external CCTV coverage
- Potential night time Mag lock controls
- SIA registered Night Security will be considered if required via ongoing Risk Assessment
- Door and frontage design will ensure that children or the vulnerable will not be able to see gambling taking place through the windows or doors.

# LOCAL GAMBLING RISK ASSESSMENT

## **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 GAMBLING RISK ASSESSMENT

Risk Assessment	LO	Level of Risk	Impact	Control System	Risk Management	Reviewed
Children entering site unnoticed or unchallenged.	(C)	Low	Severe to business Severe to child	Interior Design	*Constant & effective monitoring of entrance by floor walkers. Anyone who looks under 25 to be challenged. Staff have uninterrupted visibility of all gaming machines at all times.	Aug 2021
				Exterior Design	*Frontage of venue will be designed so as not to be attractive to children.  No line of sight into premises from the exterior. Think 25 posters clearly visible from street.	Aug 2021
				Physical	*CCTV coverage of entrance linked to office with our Staff able to view/review and we will be able to review remotely. *Staff regularly trained, reviewed and audited on the delivery of the Think 25 policy.  Clear & prominent premises signage and machine labelling.	Aug 2021
				Systems	All of the points listed below are part of our standard operating procedures which are all subject to an internal Audit process and are discussed/reviewed on a regular basis via Management checks: *Think 25 policies will be in place and implemented with Think 25 material displayed.  *Use of BACTA's resources for age verification testing. *Use of Citizen Card facility to allow for consistent ID format checks *Regular staff training (quarterly) both in-house and by BACTA. *Adherence to BACTA's toolkit and our staff handbook. *Use of the BACTA tracking system for both successful and unsuccessful Think 25 challenges with *Clear and prominent premises signage along with machine labelling.  *Strict implementation of our policy of preventing the wearing of hoods, caps or any material that prevents the Staff present from being able to enact our Think 25 policy *Policies & Procedures in place that are regularly reviewed with outputs captured.  *Internal Audit process, review & output(s)	Aug 2021

## LOCAL GAMBLING RISK ASSESSMENT

Potential gambling by vulnerable persons.	(C)	Low	Moderate to business Severe to vulnerable individual	Systems	<p>*Customer interaction procedures &amp; policy are in place following the guidelines &amp; process by BACTA at all times.</p> <p>*All customer interactions recorded in the problem gambling log book which details the action(s) taken.</p> <p>*Logbook, Staff training and Staff development reviewed on a regular basis by the Shop Manager, their senior team and the Operations Management.</p>	Aug 2021
				Interior Design	<p>*Conducive for effective monitoring of customers</p> <p>*Internal Audit process, review &amp; output(s)</p>	Aug 2021
Failure to deal with Consumers making complaints about the outcome of Gambling.	(B)	Moderate	Moderate to business Severe to customer	Physical	<p>*Preventative machine maintenance (PPM) carried out by our qualified engineer.</p> <p>*Machine turned off immediately should fault be identified</p> <p>*Incident reported to BACTA</p> <p>*Machines only acquired from licensed suppliers.</p> <p>*Customer complaint procedure in place, discussed &amp; reviewed on a regular basis with the Staff present</p> <p>*Machines regularly tested via the internal Audit process</p> <p>*Weekly reviews of Net Win percentages to monitor pay out changes via our (internal) collection process</p>	Aug 2021

## LOCAL GAMBLING RISK ASSESSMENT

Risk Assessment	LO	Level of Risk	Impact	Control System	Risk Management	Reviewed
Failure to deal with consumers making complaints about the outcome of Gambling (continued).	(B)	Low	Moderate to business Severe to customer	Systems	<ul style="list-style-type: none"> <li>*Complaints procedure &amp; forms available on premises.</li> <li>*Quarterly staff training on company policy.</li> <li>*Registered with ADR Entity – BACTA ADR Service.</li> <li>*Compliant with Company P &amp; P – BACTA Toolkit.</li> </ul>	Aug 2021
Failure to provide information to players on responsible gambling.	(C)	Low	Severe to business Severe to customer	Physical	<ul style="list-style-type: none"> <li>*Stay in Control posters displayed prominently.</li> <li>*Sufficient quantity of posters &amp; leaflets.</li> <li>*Stay in Control leaflets available in racks, discretely located.</li> <li>*Machine labelling displaying National Gambling Helpline.</li> <li>*Staff regularly trained and assessed to ensure full Compliance to GC guidelines and Licence Conditions &amp; Codes of Practice (LCCP)</li> </ul>	Aug 2021
				Systems	<ul style="list-style-type: none"> <li>*Stock control system in place for leaflets.</li> <li>*Ensure adherence with P &amp; P – BACTA Toolkit</li> <li>*Regular audit to ensure systems in place/being used effectively</li> </ul>	Aug 2021
Failure to recognise signs associated with problem gambling or substantial changes in gambling style.	(C)	Moderate	Severe to business Severe to customer	Interior Design	<ul style="list-style-type: none"> <li>*Player positions effectively monitored by the staff along with a Players behaviour.</li> <li>* Clear lines of sight to all machines.</li> <li>CCTV cameras positioning</li> <li>*Location of note changing facilities</li> </ul>	Aug 2021
				Systems	<ul style="list-style-type: none"> <li>*Staffed trained in customer interaction in line with BACTA's Toolkit.</li> <li>*Clear policy to record the procedure/process of customer interaction</li> <li>*Staff trained to intervene with customers showing signs of a problem; stake patterns, use of local cashpoints and looking for customer behaviour patterns.</li> <li>*Player's spending effectively monitored by Staff and wherever possible recorded into the BACTA log book, which is reviewed on a daily basis</li> </ul>	Aug 2021
Failure to properly administer the self-exclusion process and maintain its effectiveness thereafter, including breaches and reinstatements.	(C)	Low	Severe to business Severe to customer	Physical	<ul style="list-style-type: none"> <li>*CCTV and monitor effectively positioned at entrance to benefit identification of known excluders and images on wall in office.</li> <li>* Staff regularly trained on Self Exclusion policy, process and understanding</li> <li>* Internal audit process to ensure full adherence to Gambling Commission policy, process and understanding</li> </ul>	Aug 2021
				Interior Design	<ul style="list-style-type: none"> <li>*Consideration given to internal layout so as to ensure effective monitoring of customers entering the premises and those that might enter in order to gamble on behalf of a self-excluder.</li> </ul>	Aug 2021

## LOCAL GAMBLING RISK ASSESSMENT

Botolph Claydon House

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## LOCAL GAMBLING RISK ASSESSMENT

Bolunda House

Risk Assessment	LO	Level of Risk	Impact	Control System	Risk Management	Reviewed
Failure to identify attempts to launder money on the premises (e.g. dye stained notes) and to follow correct reporting procedure.	(A)	Low	Severe to business Low to Customers	Interior Design	*Effective monitoring of customers' behaviour by good lines of sight from staff, and well positioned CCTV.	Aug 2021
				Physical	*Pay station and note acceptors regularly inspected. The majority of large hand pays will go through the pay station, so staff can monitor more closely *Weekly collection process in place with cash (notes & coins) identified to each machine present *Staff regularly trained on AML importance, reporting process and potential signs of abuse	Aug 2021
				Systems	*Fully compliant with LCCP requirements. *Comply with BACTA's P & P in Toolkit, in particular the reporting procedure to NCA by way of SARs. *AML warnings built into Tito systems. TiTo tickets cannot be transferred or used in other premises. *Logbook kept on site detailing any AML activity	Aug 2021
Poor security increasing vulnerability to crime.	(A)	Low	Severe to business Severe to customers	Physical	*Static panic alarms. *Staff provided with personal attack alarms. *Intruder alarm installed and regularly serviced. *Effective CCTV coverage with data stored for 31 days.	Aug 2021
				Exterior Design	*Toughened glass windows and door to limit criminal damage. *Mag-lock entrance to be installed for use at night if required. * CCTV recording	Aug 2021
				Systems	*Staff personal floats will be limited to £100.00. *Regular liaison with local law enforcement agencies. *Log maintained should police be called to assist. *Keep abreast of local crime trends. *Subscribe to BACTA's crime bulletins.	Aug 2021
Awareness of heightened local crime in the local area.	(A)			Systems	*CCTV cameras will be installed at the front and back of the building to monitor this at all times. *Mag locks will be fitted to the lobby doors for the extra security of our staff and customers. *Regular reviews of Police Crime Stats for local area	Aug 2021
Awareness of student learning facilities (schools & colleges) in the local area.	(C)			Systems	* Entrance monitoring given extra resources at certain hours on school/college days given the location of several schools, further education facilities present. *Regular Staff training on Think 25 process	Aug 2021

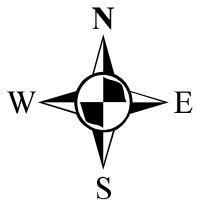
## LOCAL GAMBLING RISK ASSESSMENT

					<p>*Recording of success or unsuccessful Think 25 challenges</p> <p>*Internal Audit process to review performance of Think 25 procedure.</p> <p>No gaming visible to children or young persons from outside the venue.</p>	
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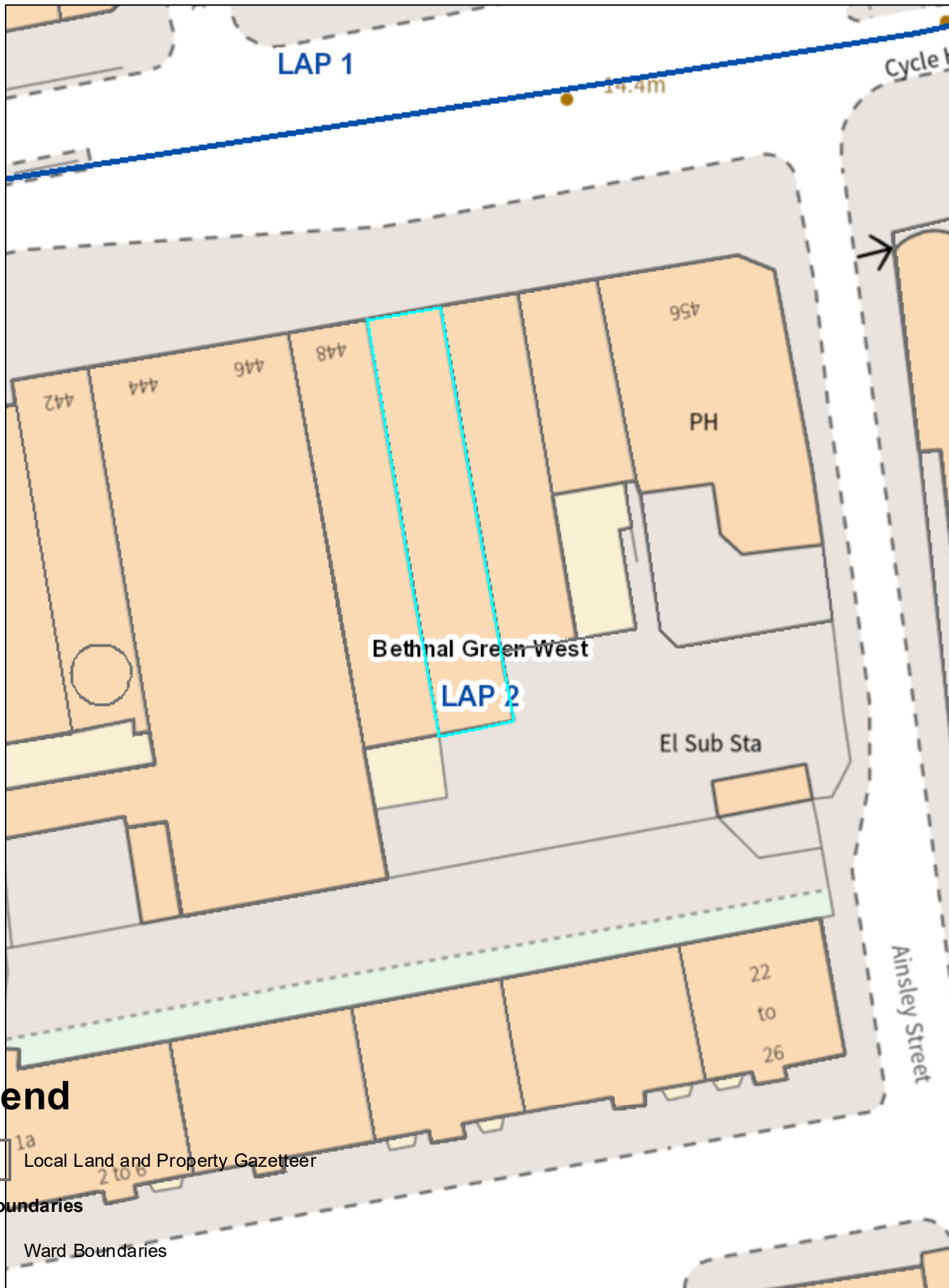
Risk Assessment	LO	Level of Risk	Impact	Control System	Risk Management	Reviewed
Awareness of residential facilities for the vulnerable in the local area.	(C)			Systems	<p>*Regular updates on the Local Gambling Risk Assessment to ensure adhered to LCCP</p> <p>* Signage displayed in the front window, informing everyone, if they are seen drinking alcohol or taking drugs outside the venue they will be barred from the venue.</p> <p>* The venue toilets will be kept locked at all times, so staff can monitor the use of them, plus an hourly checklist in place. CCTV in place.</p>	Aug 2021
Awareness of gambling care agencies in the local area.	(C)			Systems	<p>No physical facilities for problem gambling in the vicinity.</p> <p><a href="http://www.gamcare.org.uk">http://www.gamcare.org.uk</a></p> <p><a href="http://www.gordonmoody.org.uk">http://www.gordonmoody.org.uk</a></p>	Aug 2021




# Appendix 3




# 450 Bethnal Green Rd



## Legend

 Local Land and Property Gazetteer


### Ward Boundaries

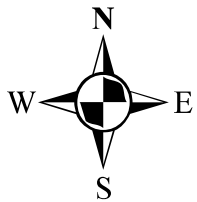
 Ward Boundaries

### LAP Boundaries

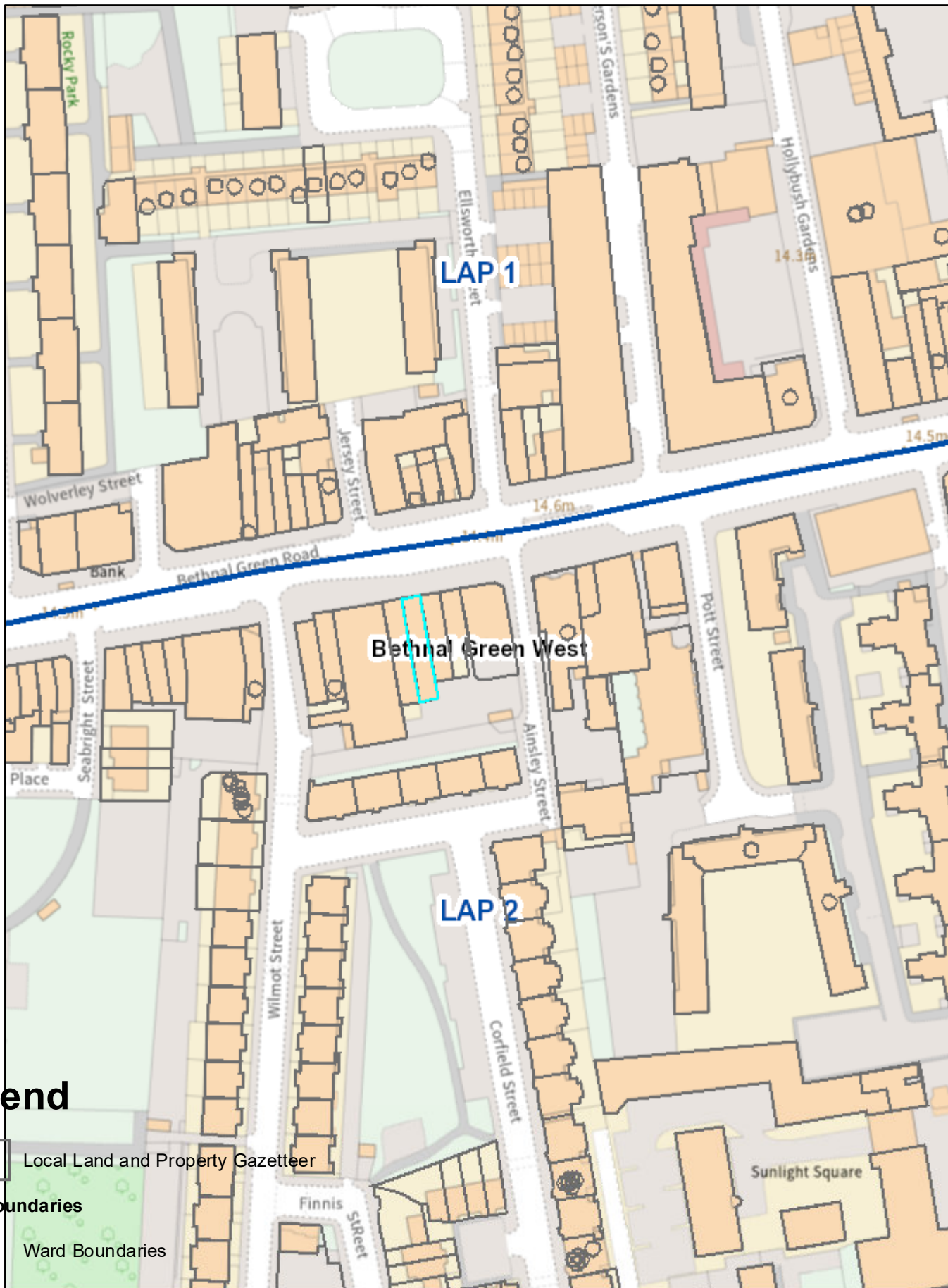
 LAP Boundaries

0.00375 0.0075 0.015 0.0225 0.03 km








# 450 Bethnal Green Rd

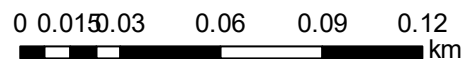


## Legend

 Local Land and Property Gazetteer

**Ward Boundaries**  
 Ward Boundaries

**LAP Boundaries**  
 LAP Boundaries



# Appendix 4

## Mohshin Ali

---

**From:** Kevin Brady  
**Sent:** 17 January 2022 21:30  
**To:** Licensing; Tarik Ahmed Khan; Gabriela Salva-Macallan  
**Subject:** RE: Gambling Premises (Adult Gaming Centre) - Palace Amusements, 450 Bethnal Green Road, London E2 0HG

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hi there,

I would strongly object to this application.

There are already a number of betting shops on the road as well as an adult gaming centre.

For the public good, it is not appropriate to add any additional, similar venues to a busy road near to a number of schools and pubs.

The council should be seeking to limit these types of operation which can have a serious negative impact on people's mental health and financial security. Gambling addiction is a serious problem particularly in areas which have high levels of poverty and deprivation.

Kevin

CLlr Kevin Brady (he/him)  
Chair of the Labour Group  
Councillor for St Peter's Ward, Tower Hamlets



---

**From:** [Redacted] Licensing  
**Sent:** 11 January 2022 18:07  
**To:** Kevin Brady [Redacted]; Tarik Ahmed Khan [Redacted]; Gabriela Salva-Macallan [Redacted]  
**Subject:** Gambling Premises (Adult Gaming Centre) - Palace Amusements, 450 Bethnal Green Road, London E2 0HG

Dear Ward Councillors,

**Gambling Act 2005**  
Gambling Premises (Adult Gaming Centre) - Palace Amusements, 450 Bethnal Green Road  
London E2 0HG

We have an application in for a Gambling Premises (Adult Gaming Centre) for the above address on Bethnal Green Road. As Ward Councillors we thought it best to ensure you were made aware of this application. A redacted copy of the application is attached.

Please note that if you wish to make any representations in relation to the granting of this application they must be made to the Licensing Authority no later than 23:59 on 18<sup>th</sup> January 2022. Representations must be in writing and can either be sent via letter to the Licensing Team at the below address or via email [@Licensing \(licensing@towerhamlets.gov.uk\)](mailto:licensing@towerhamlets.gov.uk).

Kind regards

Licensing Team  
Environmental Health and Trading Standards  
Place Directorate  
2nd Floor, Mulberry Place  
5 Clove Crescent  
London  
E14 2BG

# Appendix 5

## Mohshin Ali

---

**From:** Lavine Miller-Johnson on behalf of Licensing  
**Sent:** 10 January 2022 14:21  
**To:** Mohshin Ali  
**Subject:** FW: About the licensing of a new adult gaming centre

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

---

**From:** Luigi Maria Damato [REDACTED]  
**Sent:** 08 January 2022 18:39  
**To:** Licensing [REDACTED]  
**Subject:** Re: About the licensing of a new adult gaming centre

Hi,

Per your request:

1. My address is [REDACTED]. That's less than 150 metres from where the gambling centre is planned (450 Bethnal Green Rd). We already have 7 gambling centres in the 500 metres of Bethnal Green Rd that go from the Bethnal Green tube station to Pollard Row. I'd argue we need to reduce that number, and redirect the usage of those spaces towards culturally/socially meaningful use.
2. The area has a long-standing antisocial behaviour problem. Drug abuse is rampant in the area, and another gambling centre isn't going to improve that. One of the priorities for the Mayor of Tower Hamlets and his administration is to tackle poverty and its impacts. The presence of gambling centres in a given area correlates with poverty, so I'd be curious to hear how the granting of the licence would fit within said priority. Because of this, I'm CCing my MP, Rushanara Ali, as I'd like to hear her thoughts on the matter, too.

Best,  
Luigi

On Fri, Jan 7, 2022 at 4:54 PM Licensing <[Licensing@towerhamlets.gov.uk](mailto:Licensing@towerhamlets.gov.uk)> wrote:

Thank you for your email, however we are unable to accept your representation as it has not met the criteria.

In order to ascertain whether the following applies you will need to provide your address and you must meet the following criteria:

- lives sufficiently close to the premises to be likely to be affected by the authorised activities
- has business interests that might be affected by the authorised activities
- represents persons in either of these two groups. (Any resident group would need to show which group of residents they represent.)



You must also be aware there are only certain grounds in which to object to a Gambling premises licence, these are:

- 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.

Should you wish to make a representation you must respond by the close date of **18<sup>th</sup> January 2022**.

Kind Regards,

**Kathy Driver**

Principal Licensing Officer  
Licensing & Safety Team  
Place Directorate  
London Borough of Tower Hamlets  
Mulberry Place  
5 Clove Crescent  
London E14 2BG

██████████  
Licensing Hotline **020 7364 5008**

Licensing General Email: [licensing@towerhamlets.gov.uk](mailto:licensing@towerhamlets.gov.uk)

**Please visit our web page for application forms and guidance at [www.towerhamlets.gov.uk/licensing](http://www.towerhamlets.gov.uk/licensing)**

[www.towerhamlets.gov.uk](http://www.towerhamlets.gov.uk)

Follow us on: [Facebook](#) | [Twitter](#) | [LinkedIn](#) | [Instagram](#)

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**From:** Luigi Maria Damato ██████████  
**Sent:** 03 January 2022 13:15  
**To:** Licensing <[Licensing@towerhamlets.gov.uk](mailto:Licensing@towerhamlets.gov.uk)>  
**Subject:** About the licensing of a new adult gaming centre

Dear all,

Hope this email finds you well. I am writing in merit to the application to open a new adult gambling centre. The application refers to address 450 Bethnal Green Rd, E2 0HG.

As a resident of the area, I please ask you to reconsider and rule against the application. There are already a number of adult gaming centres on that very street, a mere yards away from the above address.

Surely you will agree that this is not the way to boost up an area. It might be good short-term money for the council, but it most certainly translates to terrible experience for the residents.

We really should be putting an effort into getting rid of the existing adult gaming centres already in the area, as gambling is one of the most dangerous and unhealthiest addictions that can befall a community. Any culturally/socially meaningful use for the space would be most welcome.

Sincerely,

Luigi Damato

# Appendix 6

## Mohshin Ali

---

**From:** Lavine Miller-Johnson  
**Sent:** 10 January 2022 14:23  
**To:** Mohshin Ali  
**Subject:** FW: Objection to application for Adult Gaming Centre Premises Licence for 450 Bethnal Green Road  
**Attachments:** PXL\_20220103\_123008488.jpg  
**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

---

**From:** Si Wharton [REDACTED] >  
**Sent:** 03 January 2022 14:59  
**To:** Licensing <[Licensing@towerhamlets.gov.uk](mailto:Licensing@towerhamlets.gov.uk)>  
**Cc:** [REDACTED]  
**Subject:** Objection to application for Adult Gaming Centre Premises Licence for 450 Bethnal Green Road

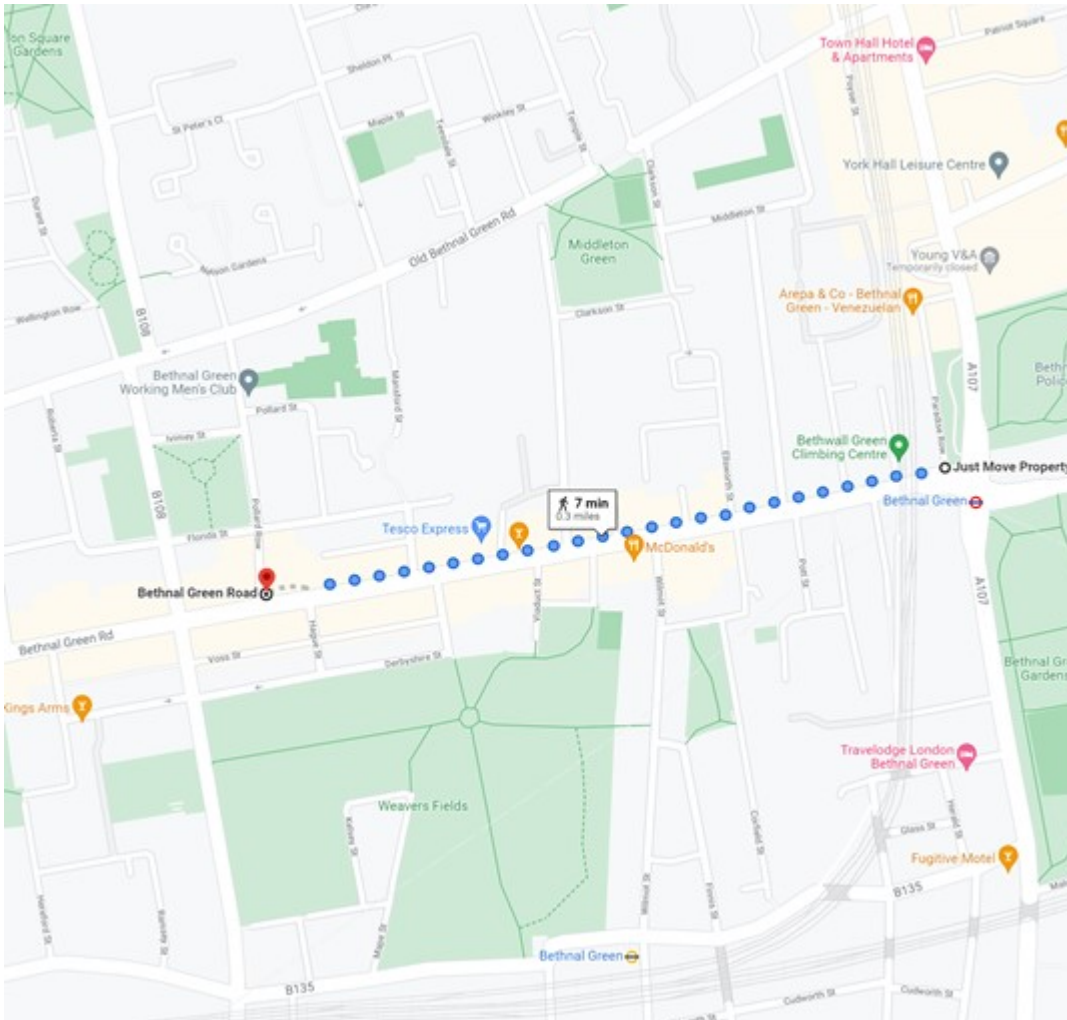
Hi,

I'm writing to object to the attached notice of application for an Adult Gaming Centre Premises Licence for 450 Bethnal Green Road.

This area does not need more betting/gambling shops, I'd go as far as to say it needs fewer! This short strip of Bethnal Green Road, between Pollard Row and Cambridge Heath Road, already has

- Coral, 333 Bethnal Green Road
- Paddy Power, 400 Bethnal Green Road
- Cashino, 420 Bethnal Green Road
- Admiral Casino, 449-453 Bethnal Green Road
- JenningsBet, 448 Bethnal Green Road (next door to the applying premises)
- Betfred, 445-447 Bethnal Green Road

Not to mention, a Ladbrokes just outside the tube station, at 295 Cambridge Heath Road.



I was overjoyed in 2019 when the Coral at 397-399 Bethnal Green Road closed and was replaced by an Oxfam. So, to see a bank replaced by a betting shop seems like a step back for the area.

I've lived on [REDACTED] for over 7 years now, and the area has a long standing ASB problem, with drug use rampant in the nearby Weavers Field and Corfield St park. Another gambling shop isn't going to do anything to improve that, either.

I've no doubt the council is strapped for cash after a decade of cuts from central government, but there has to be a better way to solve the problem than this. On the other hand, if you have evidence that shows that a gambling licence for this premises *would* provide a benefit, I'd love to see it.

If as stated in this [document](#), "Tackling poverty and its impacts is a priority for the Mayor of Tower Hamlets and his administration", I'd be curious to see how granting this application would sit with that aim, since [gambling and poverty go hand in hand](#). As such, I've CCd in my MP, Rushanara Ali, to get her take on the matter.

Thanks for your time,  
Si Wharton,



# Appendix 7

## **Gambling Commission Advice on Moral Objections**

**5.34** Licensing authorities should be aware that other considerations such as moral or ethical objections to gambling are not a valid reason to reject applications for premises licences. In deciding to reject an application, a licensing authority should rely on reasons that demonstrate that the licensing objectives are not being, or are unlikely to be, met, and such objections do not relate to the licensing objectives. An authority's decision cannot be based on dislike of gambling, or a general notion that it is undesirable to allow gambling premises in an area (with the exception of the casino resolution powers).

# Appendix 8



## Principles to be applied by licensing authorities

- 5.1** In exercising their functions under the Act, particularly in relation to premises licences, temporary use notices and some permits, licensing authorities must have regard to the licensing objectives set out in s.1 of the Act, namely:
- preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
  - ensuring that gambling is conducted in a fair and open way
  - protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 5.2** It is expected that the licensing authority will have set out their approach to regulation in their statement of policy, having taken into account local circumstances.

### S.153 principles

- 5.19** S.153 of the Act provides that, in exercising its functions under Part 8 of the Act, a licensing authority shall aim to permit the use of premises for gambling in so far as it thinks it is:
- a. in accordance with any relevant code of practice under s.24 (ie the LCCP)
  - b. in accordance with any relevant guidance issued by the Commission under s.25 (ie this Guidance)
  - c. reasonably consistent with the licensing objectives (subject to a and b above), and
  - d. in accordance with the licensing authority's statement of licensing policy (subject to a to c above).
- 5.20** Whilst there is a presumption in favour of permitting the relevant premises to be used for gambling, the licensing authority may not do so unless satisfied that such use would be in accordance with this Guidance, any relevant Commission code of practice, its own statement of policy, and the licensing objectives.
- 5.21** In the unlikely event that a licensing authority perceives a conflict between a provision of a Commission code of practice or this Guidance, and its own statement of policy or view as to the application of the licensing objectives, the structure of s.153 makes it clear that the Commission's codes and this Guidance take precedence.
- 5.22** In determining applications for premises licences, the Act explicitly sets out two principles that licensing authorities should **not** have regard to:
- s.153 makes it clear that in deciding whether or not to grant a licence, a licensing authority must not have regard to the expected demand for gambling premises that are the subject of the application
  - s.210 (1) of the Act states that 'in making a decision in respect of an application...a licensing authority should not have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with law relating to planning or building'.
- 5.23** A licensing authority is therefore afforded significant scope to exercise its powers under s.153 on the grounds that it does not encroach on the two principles set out above.

**5.24** The requirements in s.153 are subject to the licensing authority's power under s.166 to resolve not to issue casino premises licences. This means that a resolution not to issue a casino premises licence applies regardless of the matters set out in s.153.

# Appendix 9

## **Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime**

- 5.3** Among other matters, licensing authorities may need to consider the location of premises in the context of this licensing objective. For example, in considering an application for a premises licence or permit that is in an area noted for particular problems with disorder, organised criminal activity etc, the licensing authority should think about what, if any, controls might be appropriate to prevent those premises being associated with or used to support crime. That might include conditions on the premises licence, such as a requirement for door supervisors. The requirement for conditions might be determined by the operator's own risk assessment or the local area profile carried out by the licensing authority, as detailed in Part 6.
- 5.4** A licensing authority will need to consider questions raised by the location of Gambling premises when:
- formulating its statement of licensing policy
  - receiving relevant representations to an application
  - dealing with applications as a responsible authority in its own right
  - considering applications before it.
- 5.5** In the context of gambling premises licences, licensing authorities should generally consider disorder as activity that is more serious and disruptive than mere nuisance. Factors to consider in determining whether a disturbance was serious enough to constitute disorder would include whether police assistance was required and how threatening the behaviour was to those who could see or hear it. There is not a clear line between nuisance and disorder and the licensing authority should take the views of its lawyers before determining what action to take in circumstances in which disorder may be a factor.
- 5.6** Regulatory issues arising from the prevention of disorder are likely to focus almost exclusively on premises licensing, rather than on operating licences. However, if there are persistent or serious disorder problems that an operator could or should do more to prevent, the licensing authority should bring this to the attention of the Commission so that it can consider the continuing suitability of the operator to hold an operating licence.
- 5.7** Of course, licensing authorities are experienced in making judgements in relation to the suitability of premises, particularly those for which they have responsibilities under the Licensing Act 2003 / Licensing (Scotland) Act 2005, in which context they have wider powers to also take into account measures to prevent nuisance.
- 5.8** In relation to preventing disorder, licensing authorities have the ability under s.169 of the Act to attach additional conditions to premises licences, and are entitled to include a requirement for door supervision, as provided for in s.178 of the Act. If a person employed on door supervision would be required to hold a licence issued by the Security Industry Authority (SIA), that requirement will have force as though it were a condition on the premises licence. Further information on conditions on premises licences can be found in Part 9 of this Guidance.
- 5.9** There are a number of voluntary initiatives that the gambling industry participates in to address issues such as underage access, staff safety and security. These change from time to time and licensing authorities are advised to check with local operators, for example when conducting inspections, as to which (if any) scheme the operator is

a part of. Further information can often be found on the website of industry trade associations<sup>5</sup>.

- 5.10** Licensing authorities do not need to investigate the suitability of an applicant for a premises licence, including in relation to crime. The issue of suitability will already have been considered by the Commission, because any applicant (except occupiers of tracks who do not propose to offer gambling themselves) will have to hold an operating licence from the Commission before the premises licence can be issued. However, if the licensing authority receives information during the course of considering a premises licence application or at any other time, that causes it to question the suitability of the applicant to hold an operating licence, these concerns should be brought to the attention of the Commission without delay.

# Appendix 10

## **Gambling Commission Advice on the Licensing Objective of Ensuring that gambling is conducted in a fair and open way**

- 5.11** Generally the Commission would not expect licensing authorities to find themselves dealing with issues of fairness and openness frequently. Fairness and openness is likely to be a matter for either the way specific gambling products are provided and therefore subject to the operating licence, or will be in relation to the suitability and actions of an individual and therefore subject to the personal licence. However, if licensing authorities suspect that Gambling is not being conducted in a fair and open way this should be brought to the attention of the Commission so that it can consider the continuing suitability of the operator to hold an operating licence or of an individual to hold a personal licence.
- 5.12** In relation to the licensing of tracks, the licensing authority's role will be different from other premises in that track owners will not necessarily have an operating licence. In those circumstances the premises licence may need to contain conditions to ensure that the environment in which betting takes place is suitable. Further information can be found in Part 20 of this Guidance.

# Appendix 11



## Protecting children and other vulnerable persons from being harmed or exploited by gambling

- 5.13** In exercising their powers under s.153, licensing authorities should consider whether staff will be able to adequately supervise the gambling premises, as adequate staffing levels is a factor to consider regarding the prevention of underage gambling. The Commission would expect the operator and the licensing authority to work together to consider how any impediments to the supervision of premises might be most appropriately remedied. Supervision also applies to premises that are themselves not age-restricted (eg bingo and family entertainment centre (FEC) premises) but which make gambling products and facilities available.
- 5.14** Where a licensing authority considers the structure or layout of premises to be an inhibition or potential inhibition to satisfying this licensing objective, the licensee should consider what changes are required to ensure the risk is mitigated. Such changes might include the positioning of staff or CCTV, the use of floor-walkers and the relocation of the staff counter to enable direct line of sight. Licensing authorities will need to consider the proportionality of changes to the physical layout in relation to other measures that could be put in place.
- 5.15** If the operator fails to satisfy the licensing authority that the risks are sufficiently mitigated, it may be appropriate to conduct a review of the premises licence.
- 5.16** In relation to casinos, the Commission has issued a code of practice on access to casino premises by children and young persons, as provided for by s.176 of the Act. The code of practice is available as part of the [Licence Conditions and Codes of Practice](#) (LCCP) In accordance with s.176 of the Act, adherence to the code will be a condition of the premises licence. Further information can be found in Parts 9 and 17 of this Guidance.
- 5.17** The Act does not seek to prohibit particular groups of adults from gambling in the same way that it prohibits children. The Commission does not seek to define 'vulnerable persons' but it does, for regulatory purposes, assume that this group includes people who gamble more than they want to, people who gamble beyond their means and people who may not be able to make informed or balanced decisions about gambling due to, for example, mental health, a learning disability or substance misuse relating to alcohol or drugs.
- 5.18** Licensing authorities need to consider, in relation to particular premises, whether any special considerations apply in relation to the protection of vulnerable persons. This could be a local risk that is reflected in the licensing authority's statement of policy. Any such considerations need to be balanced against the authority's objective to aim to permit the use of premises for gambling.

# Appendix 12

## Part 7: Premises licences

- 7.1** Considering applications for premises licences is the main business of the licensing authority in terms of local gambling regulation. Where an individual or company uses premises, or causes or permits premises to be used to offer gambling, a premises licence is required.
- 7.2** Premises licences are issued by the licensing authority with responsibility for the area in which the premises are situated. Guidance on dealing with premises which are situated in more than one licensing authority can be found at paragraph 7.10.

### Premises

- 7.3** In accordance with s.150 of the Act, premises licences can authorise the provision of facilities on:
- a) casino premises
  - b) bingo premises
  - c) betting premises, including tracks and premises used by betting intermediaries
  - d) adult gaming centre (AGC) premises (for category B3, B4, C and D machines)
  - e) family entertainment centre (FEC) premises (for category C and D machines) – the licensing authority may issue a FEC gaming machine permit, which authorises the use of category D machines only.
- 7.4** By distinguishing between premises types, the Act makes it clear that the gambling activity of the premises should be linked to the premises described. Thus, in a bingo premises, the gambling activity should be bingo, with gaming machines as an ancillary offer on the premises. This principle also applies to existing casino licences (but not to licences granted under the Act) and betting premises licences. The [Licence Conditions and Codes of Practice](#) (LCCP) sets out in full the requirements on operators. Subject to the gaming machine entitlements which various types of licence bring with them (and except in the case of tracks), the Act does not permit premises to be licensed for more than one of the above activities.

### Meaning of premises

- 7.5** In the Act, 'premises' is defined as including 'any place'. S.152 therefore prevents more than one premises licence applying to any place. But, 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.
- 7.6** In most cases the expectation is that a single building/plot will be the subject of an application for a licence, for example, 32 High Street. But that does not mean that 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing authority.

- 7.7** The Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises. If a premises is located within a wider venue, a licensing authority should request a plan of the venue on which the premises should be identified as a separate unit.
- 7.8** The Commission recognises that different configurations may be appropriate under different circumstances but the crux of the matter is whether the proposed premises are genuinely separate premises that merit their own licence – with the machine entitlements that brings – and are not an artificially created part of what is readily identifiable as a single premises.
- 7.9** The Act sets out that the type and number of higher stake gaming machines allowable in premises is restricted according to the type of premises licence or permit granted. For example, a converted casino licence allows for 20 gaming machines in categories B, C or D. With the exception of AGCs and FECs, premises are not permitted to be used exclusively for making gaming machines available, but rather to provide the gaming facilities corresponding to the premises licence type. Further detail on gaming machines is set out in Part 16 of this Guidance.
- 7.10** The Act states that an application must be made to a licensing authority in whose area the premises are wholly or partly situated. In circumstances where the premises lie in more than one licensing authority's area, the operator should make their application to just one of those authorities. As both licensing authorities are 'responsible authorities' under s.157 of the Act, the other licensing authority must be notified of the application and is entitled to make representations. As a responsible authority, it has an opportunity to pass relevant information about the premises to the licensing authority determining the application. Further detail on responsible authorities is set out at Part 8 of this Guidance.
- 7.11** Casino premises are subject to separate regulations, involving a two-stage application process. Details of the two stage process can be found in Part 17 of this Guidance.

## **Vessels**

- 7.12** The Act permits premises licences to be granted for passenger vessels. Separate application forms are prescribed for vessels under the Premises Licences and Provisional Statements Regulations.<sup>13</sup> The definition of a vessel in s.353(1) of the Act is:
- anything (other than a seaplane or amphibious vehicle) designed or adapted for use on water
  - a hovercraft
  - anything, or part of any place, situated on or in water.
- 7.13** This last part of the definition should be given a normal and sensible interpretation. Structures which are an extension of the land are not vessels, even if they arch over water. Thus, neither a pier nor a bridge is to be considered a vessel and they remain premises under the Act. This is important because not all forms of permit are available to vessels.

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<sup>13</sup> SI 2007/459: Gambling Act 2005 (Premises Licences and Provisional Statements) Regulations 2007  
SSI 2007/196: Gambling Act 2005 (Premises and Provisional Statements) Regulations 2007

- 7.14** The Act allows pleasure boats to apply for premises licences. As with multi-purpose buildings, the part of the vessel where gambling takes place will be licensed and the usual restrictions on access for children will apply. The Act applies in relation to a vessel that is not permanently moored or berthed, as if it were premises situated in a place where it is usually moored or berthed. The relevant licensing authority for considering an application for a premises licence in respect of a vessel is the authority for the area in which it is usually moored or berthed.
- 7.15** Where a premises licence is sought in connection with a vessel which will be navigated while licensable activities take place, the licensing authority should be concerned with the promotion of the licensing objectives on board the vessel. It should not focus on matters relating to safe navigation or operation of the vessel, the general safety of passengers or emergency provision, all of which are subject to regulations which must be met before the vessel is issued with its Passenger Certificate and Safety Management Certificate.
- 7.16** Licences are not required for gambling if it takes place aboard a vessel engaged on an international journey. Such gambling is exempted from the offences under the Act if the vessel is on a journey which has taken it, or is intended to take it, into international waters (so this includes cross-channel ferries). In the case of aircraft, no offence takes place if the gambling takes place in international airspace.
- 7.17** This means that licensing authorities will have jurisdiction over gambling conducted on vessels on all inland waterways, at permanent moorings, and on all aircraft on the ground or in domestic airspace. If an ocean-going vessel is involved, authorities will need to establish where the vessel has been, or is intending to go.

## **Vehicles**

- 7.18** Vehicles (trains, road vehicles, aircraft, sea planes and amphibious vehicles, other than a hovercraft) may not be the subject of a premises licence and therefore all forms of commercial betting and gaming will be unlawful in a vehicle in Great Britain. Certain allowances are made for private and non-commercial gaming or betting to take place in a vehicle, but these are subject to a number of stringent requirements. These ensure that, at no point, can the gambling become a commercial activity.

## **Access to premises**

- 7.19** An issue that may arise when division of a premises is being considered is the nature of the unlicensed area from which a customer may access a licensed gambling premises. The precise nature of this public area will depend on the location and nature of the premises. Licensing authorities will need to consider whether the effect of any division is to create an environment with very large banks of machines, which is not the intention of the access conditions, or whether it creates a public environment with gambling facilities being made available.
- 7.20** The Gambling Act 2005 (Mandatory and Default Conditions) Regulations<sup>14</sup> 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.

---

<sup>14</sup> SI 2007/1409: The Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007  
SSI2007/266: The Gambling Act 2005 (Mandatory and Default Conditions) (Scotland) Regulations 2007

- 7.21** These 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.
- 7.22** 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.
- 7.23** The relevant access provisions for each premises type is as follows:

Type of premises	Access provisions
Casinos	<ul style="list-style-type: none"> <li>the principal entrance to the premises must be from a ‘street’</li> <li>no entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons</li> <li>no customer must be able to enter a casino directly from any other premises which holds a gambling premises licence.</li> </ul>
AGCs	<ul style="list-style-type: none"> <li>no customer must be able to access the premises directly from any other licensed gambling premises.</li> </ul>
Betting shops	<ul style="list-style-type: none"> <li>access must be from a ‘street’ or from other premises with a betting premises licence</li> <li>no direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind unless that shop is itself a licensed betting premises.</li> </ul>
Tracks	<ul style="list-style-type: none"> <li>no customer must be able to access the premises directly from a casino or AGC</li> </ul>
Bingo premises	<ul style="list-style-type: none"> <li>no customer must be able to access the premises directly from a casino, an AGC or a betting premises, other than a track</li> </ul>
FECs	<ul style="list-style-type: none"> <li>no customer must be able to access the premises directly from a casino, an AGC or a betting premises, other than a track.</li> </ul>

## Access to gambling by children and young people

- 7.24** The Act contains the objective of ‘protecting children and other vulnerable persons from being harmed or exploited by gambling’ and sets out offences at s.46 and s.47 of inviting, causing or permitting a child or young person to gamble, or to enter certain gambling premises. Children are defined in the Act as under-16s and young persons as 16-17 year olds. An adult is defined as 18 and over.
- 7.25** Children and young persons may take part in private and non-commercial betting and gaming, but the Act restricts the circumstances in which they may participate in gambling or be on premises where gambling is taking place as follows:
- casinos are not permitted to admit anyone under 18
  - betting shops are not permitted to admit anyone under 18
  - bingo clubs may admit those under 18 but must have policies to ensure that they do not play bingo, or play category B or C machines that are restricted to those over 18
  - AGCs are not permitted to admit those under 18

- FECs and premises with a liquor licence (for example pubs) can admit under-18s, but they must not play category C machines which are restricted to those over 18
- clubs with a club premises certificate can admit under-18s, but they must have policies to ensure those under 18 do not play machines other than category D machines
- all tracks can admit under-18s, but they may only have access to gambling areas on days where races or other sporting events are taking place, or are expected to take place. This was extended to other sporting venues under the Gambling Act 2005 (Exclusion of Children from Track Areas) Order 2007.<sup>15</sup> Tracks will be required to have policies to ensure that under-18s do not participate in gambling other than on category D machines.

**7.26** Licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular, they should be aware that entrances and exits from parts of a building covered by one or more licences should be separate and identifiable so that the separation of different premises is not compromised and that people do not 'drift' into a gambling area. The plan of the premises should clearly denote entrances and exits.

**7.27** For bingo and FEC premises, it is a mandatory condition that under-18s should not have access to areas where category B and C gaming machines are located and this is achieved through further mandatory conditions that require the area to be:

- separated from the rest of the premises by a physical barrier which is effective to prevent access other than by an entrance designed for that purpose
- supervised at all times to ensure that under-18s do not enter the area, and supervised by either:
  - one or more persons whose responsibilities include ensuring that under-18s do not enter the areas
  - CCTV monitored by one or more persons whose responsibilities include ensuring that under-18s do not enter the areas
- arranged in a way that ensures that all parts of the area can be observed.

A notice must be displayed in a prominent place at the entrance to the area stating that no person under the age of 18 is permitted to enter the area.

**7.28** Products made available for use in gambling premises will often contain imagery that might be of particular appeal to children or young people. For example, cartoon imagery that is ubiquitous on gaming machine livery. Where any such product is sited on age-restricted premises or in the age-restricted area of premises (and in particular, if sited close to the entrance or threshold and therefore visible to children or young people), licensees should consider whether it might risk inviting under 18s to enter the restricted area.

**7.29** The LCCP requires licensees to ensure that their policies and procedures for preventing underage gambling take account of the structure and layout of their gambling premises. This therefore requires licensees not only to be able to supervise their premises but also that they should mitigate the risks of under 18s being attracted to enter premises by the products available within them. Where a licensing authority has concerns that such products are visible, they could for example require the licensee to re-site the products out of view.

**7.30** There are a range of other conditions which attach to each type of premises which are set out in Part 9 of this Guidance and other Parts relating to each type of premises.

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<sup>15</sup> SI 2007/1410: Gambling Act 2005 (Exclusion of Children from Track Areas) Order 2007

## Multiple activity premises – layout and access

- 7.31** With the exception of bingo clubs, tracks on race-days and licensed FECs, children will not be permitted to enter licensed gambling premises. Therefore businesses will need to consider carefully how they wish to configure their buildings if they are seeking to develop multi-purpose sites.
- 7.32** Licensing authorities should take particular care in considering applications for multiple premises licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular, they should be aware of the following:
- the third licensing objective seeks to protect children from being harmed or exploited by gambling. In practice this means not only preventing them from taking part in gambling, but also prevents them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.
  - 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.
- 7.33** In determining whether two or more proposed premises are truly separate, the licensing authority should consider factors which could assist them in making their decision, including:
- 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?

The Commission has published a quick guide to assist licensing authority officers when considering applications for, and conducting inspections of, [multi-activity premises](#)<sup>16</sup>.

- 7.34** Where a building consists of a number of areas which hold separate premises licences, each individual licence must not exceed its permitted gaming machine entitlement. The position is different for tracks, as detailed in Part 20.
- 7.35** The proper application of s.152 means that different premises licences cannot apply in respect of single premises at different times. There is no temporal element to a premises licence. Therefore, premises could not, for example, be licensed as a bingo club on week days and a betting shop at weekends.

## Single and combined licences

- 7.36** Only one premises licence may be issued for any particular premises at any time although, in some circumstances, the licence may authorise more than one type of gambling. For example, a bingo licence will also authorise the provision of gaming machines. Details of the gambling permissible under each type of licence are set out in the Act and in the premises specific parts of this Guidance.

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<sup>16</sup> This quick guide does not form part of the Guidance to Licensing Authorities



- 7.37** The exception to this relates to tracks, that is a horse racing course, dog track or other premises where races or sporting events take place, which may be subject to more than one premises licence, provided each licence relates to a specified area of the track.
- 7.38** The Act sets out that there will be a main (betting premises) licence for the track, and, in addition, subsidiary premises licences for other gambling activities may be issued. The normal limitations in respect of access by children and young persons will apply, although in relation to a premises licence for a track, children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog racing and/or horse racing takes place. This is subject to the rule that children and young persons may not enter any area where gaming machines (other than category D machines) are provided.
- 7.39** In principle there is no reason why multiple types of gambling should not co-exist on a track (with the exception of a casino or AGC<sup>17</sup>), but licensing authorities will want to think about how the third licensing objective is delivered by the co-location of premises. As with the granting of multiple licences in a single building, licensing authorities will need to ensure that entrances to each type of premises are distinct and that under-18s are excluded from gambling areas where they are not permitted to enter.

## Applications

- 7.40** A summary of the application forms and statutory notices is provided at Appendix E and the forms can be downloaded from the Commission's website\_ [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk).
- 7.41** An application for a premises licence may only be made by persons (which includes companies or partnerships):
- who are aged 18 or over **and**
  - who have the right to occupy the premises and
  - who have an operating licence which allows them to carry out the proposed activity. Details of [operators that hold an operation licence](#) are available on the Commission's website **or**
  - who have applied for an operating licence to allow them to carry out the proposed activity. The premises licence cannot be determined until an operating licence has been issued.
- 7.42** The exception to this is an applicant for a premises licence to allow a track to be used for betting, as these applicants are not required to hold an operating licence if they are merely providing space for other people to provide betting (and those other people hold valid betting operating licences). However, if a track owner is also acting as a betting operator, for example, running pool betting, they will have to have the relevant type of operating licence.
- 7.43** An application must be made to the relevant licensing authority in the form prescribed in regulations laid down by the Secretary of State or Scottish Ministers, and must be accompanied by:
- the prescribed fee
  - the prescribed documents namely a plan of the premises – the plan needs to be to scale, however, a specific scale has not been prescribed.

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<sup>17</sup> This is because of the access restrictions placed on tracks by Schedule 6, Part 1 of the Gambling Act 2005 (Mandatory and Default Conditions) Regulations

# Appendix 13

## Part 21: Adult gaming centres

- 21.1** Persons operating an adult gaming centre (AGC) must hold a 'gaming machines general operating licence (adult gaming centre)' from the Commission and a premises licence from the relevant licensing authority. They are able to make category B, C and D gaming machines available.

### Protection of children and young persons

- 21.2** No-one under the age of 18 is permitted to enter an AGC. The Act sets out offences at s.46 and s.47 of inviting, causing or permitting a child or young person to gamble, or to enter certain gambling premises. In addition, Social Responsibility (SR) code 3.2.3(3) in the [Licence Conditions and Codes of Practice \(LCCP\)](#) states that 'licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises in order to prevent underage gambling.
- 21.3** Licensing authorities will wish to have particular regard to the location of and entry to AGCs to minimise the opportunities for under-18s to gain access. This may be of particular importance in areas where young people may be unsupervised for example, where an AGC is in a complex, such as a shopping centre or airport. Licensing authorities should consider whether their statement of policy can be used to reflect such locally based considerations.

### Gaming machines

- 21.4** Gaming machine provisions by premises are set out at Appendix A. S.172(1) of the Act, as amended, provides that the holder of an AGC premises licence 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. For example, a premises with a total of 25 gaming machines available for use can make five or fewer category B3 gaming machines available on those premises.
- 21.5** Premises subject to a licence granted before 13 July 2011 are entitled to make available four category B3/B4 gaming machines, or 20% of the total number of gaming machines, whichever is the greater. AGC premises licences granted on or after 13 July 2011 are entitled to 20% of the total number of gaming machines only. Regulations specify that the category B machines should be restricted to sub-category B3 and B4 machines, but not B3A machines<sup>66</sup>.
- 21.6** Where the operator of an existing AGC premises licence applies to vary the licence and acquire additional AGC premises licences – so that the area that was the subject of a single licence will become divided between a number of separate licensed premises – each separate licensed premises must only contain the permitted machine entitlement. For example, where two separate AGC premises have been created adjacent to each other by splitting a pre-existing premises, it is not permissible to locate eight category B3 gaming machines in one of the resulting premises and none in the other, as the gaming machine entitlement for that premises would be exceeded. Part 7 explains in greater detail what constitutes premises.

### AGC premises licence conditions

- 21.7** Part 9 of this Guidance discusses the mandatory and default conditions that attach to premises licences. Currently there are no default conditions specific to AGCs.

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<sup>66</sup> S1 2158 The Categories of Gaming Machine Regulations 2007

## **Mandatory conditions**

- 21.8** 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.
- 21.9** 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.
- 21.10** 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.
- 21.11** 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.

# Appendix 14

**Gambling Policy relating to Protecting children and other vulnerable persons from being harmed or exploited by gambling**

- 8.11 In consultation with Public Health within this Council gambling related harms could be defined as “the adverse impacts from gambling on the health and wellbeing of individuals, families, communities and societies”, as suggested by the Responsible Strategy Gambling Board. These harms affect resources, relationships and health. The impact from them may be short-lived but can be durable, having enduring consequences and exacerbating existing inequalities.
- 8.12 This Licensing Authority is will always take the location of the premises into account with regard to the children and vulnerable persons licensing objective when considering applications. We will have particular regard to premises situated in areas of Tower Hamlets that represent a higher risk of potential vulnerability to gambling-related harm where this is indicated in our local area profile.

In order to explain this licensing objective clearly, we have separated it into children and vulnerable people.

**Children**

- 8.13 Protecting children from being harmed or exploited by gambling means:
- a) preventing children from taking part in gambling and,
  - b) restricting activities such as advertising, so that gambling products are not aimed at or appear attractive to children.
- 8.14 To ensure the above we will pay particular attention to licence applications for premises situated near schools or areas where there may be a high concentration of children or families. We will expect applicants to have carefully considered their operation and any potential for exposing children and young people to gambling. Where the Gambling Premises requires a restriction to not admit persons under 18 to the gambling premises or area operators should demonstrate policies and procedures that will prevent children and young people from entering such premises/area or partaking in gambling activities.
- 8.15 When considering the operators risk assessment, we will assess the measures the operator has in place to mitigate the risks to this licensing objective. Following which we will decide whether further specific measures are required at particular premises such as
- a) supervision of entrances to the premises
  - b) supervision of gaming machines and
  - c) the separation of certain areas within the premises
- 8.16 Where category C, B or A machines are on offer in premises to which children are admitted we will ensure:
- a) all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective in preventing access other than through a designated entrance,

- b) the premises has appropriate signage indicating that access to that area where such machines are located is restricted to persons under the age of 18
- c) only adults are admitted to the area where the machines are located
- d) access to the area where the machines are located is supervised
- e) the area where the machines are located is arranged so that the staff or the licence holder can observe it.

### **Safeguarding against Child Sexual exploitation (CSE)**

- 8.17 The Council acknowledges that CSE awareness does not just apply to children on licensed premises, particularly as children are not permitted to access most gambling premises. However applicants should be equally aware of children in the proximity of the premises that may be waiting for, or seeking, older persons.
- 8.18 Applicants are encouraged to ensure that suitable management controls are in place to safeguard children against the risk of CSE as part of promoting this objective (Objective 3) but also Objective 1 above. Measures may include, but are not limited to:
- awareness training for staff;
  - regular patrols of the premises, including external areas and the immediate proximity, to identify any vulnerable children;
  - close monitoring of patrons as they leave the premises;
  - recording and reporting concerns to the police.
- 8.19 The Council expects applicants to be aware of 'risk indicators' of CSE which include, but are not limited to:
- developing relationships between a child and an older person;
  - children in the company of a group of older persons;
  - children regularly attending premises and meeting with a number of different older persons, particularly where older persons may be facilitating gambling for children;
  - children outside of licensed premises developing relationships with an older person, particularly an older person facilitating gambling for children;
  - children leaving the locality of the premises with older persons, particularly with a group of older persons;
  - children looking uncomfortable in the company of, or leaving with, older persons, particularly groups of older persons.
- 8.20 Whilst the Council does not wish to create the impression that all contact between children and older persons is inappropriate, it believes that licence holders should be aware of the risks of CSE and should proactively manage their premises to minimise the risks.

### **Vulnerable People**

- 8.21 This Licensing Authority does not seek to stop particular groups of adults from gambling or gaming in the same way that we seek to stop children. However, we

are concerned about the potential for vulnerable people to be harmed or exploited by gambling.

- 8.22 The Gambling Commission Guidance does not seek to define 'vulnerable persons' however, for regulatory purposes, it does assume that vulnerable persons includes the following:
- a) people who gamble more than they want to,
  - b) people who gamble beyond their means,
  - c) people who may not be able to make informed or balanced decisions about gambling due to, for example, mental health, a learning disability or substance misuse relating to alcohol or drugs.
- 8.23 This Licensing Authority recognises that there are many serious issues that can be a consequence of problem gambling, and therefore presents a greater risk of harm to vulnerable persons. These can include but are not limited to:
- a) job loss and absenteeism,
  - b) poor work/study performance,
  - c) stress depression and anxiety,
  - d) suicide,
  - e) poor health,
  - f) financial hardship, debts and bankruptcy,
  - g) resorting to crime/theft and imprisonment,
  - h) neglect of family,
  - i) impacts on others,
  - j) relationship breakdown,
  - k) domestic violence.
- 8.24 Problem gambling, particularly with the young, can sometimes be an indication of other issues, such as anti-social behaviour problems. When we become aware of issues associated with problem gambling and vulnerable people, we will seek to work closely with the gambling premises operator, the Gambling Commission and other relevant services within the Council.
- 8.25 This Licensing Authority will have regard to our local area profile and pay particular attention to applications for premises near venues where, for example, Gamblers Anonymous groups (or similar) meet, residential homes, hospitals or other premises where vulnerable as per paragraph 8.22 above reside or visit, when dealing with gambling premises applications. In considering the above, we will base our decision on whether the proximity of the premises to the vulnerable group is likely to present a risk to this licensing objective. Where we have relevant evidence, we may consider the likelihood of vulnerable people using the premises, whether they have other reason to be in the proximity or not. This could be, as an example, through complaints made to us or through representations made about an application.
- 8.26 When determining an application and this issue is raised, we will also take into account the operator's risk assessment and assess the controls that are in place (or



will be in place) to protect vulnerable people and promote the licensing objectives at the premises. Depending on the circumstances, we may have particular regard to:

- a) the size of the premises,
- b) staffing levels at the premises,
- c) procedures in place to identify a vulnerable person and to stop a vulnerable person from gambling,
- d) the location and type of gaming machines on the premises,
- e) arrangements in place to supervise the gaming machines.

8.27 This Licensing Authority encourages operators to consider participation in voluntary best practice or certification schemes, such as GamCare's Safer Gambling Standard to assist in their promotion of the objective of Protecting children and other vulnerable persons from being harmed or exploited by gambling.

# Appendix 15

## **Gambling Policy - Adult Gaming Centres (AGC)**

4.1 This licensing authority 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 ensure that under 18 year olds do not have access to the premises.

Appropriate licence conditions may cover issues such as:

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

4.2 This list is neither mandatory nor exhaustive, and is merely indicative.

4.3 An AGC premises is entitled to the following allocation of gaming machines:

**If the licence was granted on or after 13 July 2011:**

- a) a maximum of 20% of the total number of gaming machines which are available for use on the premises may be category B3 or B4 (but not B3A) machines
- b) any number of Category C or D machines

**If the licence was granted before 13 July 2011:**

- a) four category B3 or B4 (but not B3A) machines, or 20% of the total number of gaming machines which are available for use on the premises, whichever is the greater
- b) any number of Category C or D machines