

	<h2>Licensing Sub-Committee</h2> <h3>30<sup>th</sup> July 2014</h3>
<p style="text-align: center;"><b>Title</b></p>	<p><b>New Betting (other than track) Premises Licence , Coral, 67 Ballards Lane, London, N3 1XP</b></p>
<p style="text-align: center;"><b>Report of</b></p>	<p>Trading Standards &amp; Licensing Manager</p>
<p style="text-align: center;"><b>Wards</b></p>	<p>West Finchley Ward</p>
<p style="text-align: center;"><b>Status</b></p>	<p>Public</p>
<p style="text-align: center;"><b>Enclosures</b></p>	<p>Officers Report Annex 1 – Application Form Annex 2 – Interested Party Representations Annex 3 – Mandatory conditions as specified in SI2007 No 1409, Schedule 5 Annex 4 – Licence Conditions and Codes of Practice December 2011 Annex 5 – Matters for decision</p>
<p style="text-align: center;"><b>Officer Contact Details</b></p>	<p>Daniel Pattenden 020 8359 2508 daniel.pattenden@barnet.gov.uk</p>

### Summary

This report asks the Sub-Committee to consider the application made under Section 159 of the Gambling Act 2005 for a new Betting Premises (other than track) in light of representations made by interested parties.

### Recommendations

- 1. This report asks the Sub-Committee to consider and determine the application made under Section 159 of the Gambling Act 2005 for a new Betting Premises (other than track) for -Coral, 67 Ballards Lane, London, N3 1XP**

## **1. WHY THIS REPORT IS NEEDED**

- 1.1 The licensing authority having received valid representations against the application for a premises licence is expected to hold a hearing to consider those representations. The application can be determined by the licensing authority without a hearing in certain circumstances.

## **2. REASONS FOR RECOMMENDATIONS**

- 2.1 Where a representation is submitted under section 161 of the Gambling Act 2005 (and not withdrawn), the authority must hold a hearing to consider it, unless the applicant and any interested party or responsible authority who has made (and not withdrawn) a valid representation agree, or where the authority considers that the representations are frivolous, vexatious or will certainly not influence the authority's determination of the application.

## **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 3.1 Not applicable – statute sets out how the matter is to be determined.

## **4. POST DECISION IMPLEMENTATION**

- 4.1 The decision will have immediate effect

## **5. IMPLICATIONS OF DECISION**

### **5.1 Corporate Priorities and Performance**

- 5.1.1 Members are referred to the Council's Gambling Policy for consideration.
- 5.1.2 Timely legal and fair decisions support objectives contained within the Corporate Plan. In particular in relation to a "successful London borough" by ensuring that only legal, well regulated licensable activities occur within the borough.

### **5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

- 5.2.1 None

### **5.3 Legal and Constitutional References**

- 5.3.1 The Gambling Act 2005 (in particular sections 162 and 163) sets out how applications for premises licences should be dealt with where valid representations have been submitted.
- 5.3.2 Under the Constitution, Responsibility for Functions (Annex A), the Licensing Sub-Committee discharges the functions under the Gambling Act 2005 and associated regulations, as delegated to it by the Licensing Committee, including the determination of applications where valid representations have been made.

## **5.4 Risk Management**

5.4.1 Not Applicable

## **5.5 Equalities and Diversity**

5.5.1 Licence applications/notices are dealt with according to the provisions of the Gambling Act 2005 and associated Regulations which allow both applications and representations to applications to be made by all sectors of the community

## **5.6 Consultation and Engagement**

5.6.1 The statutory consultation process that has been followed in accordance with the Gambling Act 2005

## **6. BACKGROUND PAPERS**

6.1 The Gambling Premises Licence Application, the Licensing Officers report, the interested party representations are attached to this report.

# Officers Report

**Application made under Section 159 of the Gambling Act 2005  
for a new Betting Premises (other than track)**

**OFFICERS REPORT**

**Coral, 67 Ballards Lane, London, N3 1XP**

**1. The Applicants**

Coral Racing Ltd, 19 – 21 Station Road, Harold Wood, Essex RM3 0BP

**2. The Application**

This is an application made under Section 159 of the Gambling Act 2005 for a New Premises Licence which authorises the provision of facilities for betting, whether by making or accepting bets, by acting as a betting intermediary or by providing other facilities for the making or accepting of bets ( a “betting (other) premises licence”).

A copy of the application can be found in **Annex 1** attached to this report. A plan of the premises shall be made available at the hearing.

**3. Representations**

We are in receipt of 3 representations made by interested parties. The representations raise concerns about the level of crime and disorder and possible anti-social behaviour from patrons should this application be granted.

The interested party representations can be found in **Annex 2** attached to this report.

No representations have been received from any of the Responsible Authorities.

**4. Officers Comments**

Statement of Policy (paragraph references below are from the policy itself):

- 9.1 The licensing authority has no rigid rules about the acceptability of applications and will consider each on its merits.
- 9.2 The matters that it will generally take into account when considering applications for permits and licences and when reviewing a licence are set out below:
- The type and nature of the gambling activity.
  - The proximity of the gambling premises to sensitive premises such as schools or centres for vulnerable adults, or to residential areas where there may be a high concentration of families with children, and the likelihood that children or vulnerable adults will enter the premises.
  - Where permits or licences are sought for use at premises that may attract children, or where children may be present, the licensing authority will give particular weight to child protection issues. The licensing authority is aware that children may be

harm not only by taking part in gambling, but also if they are able to watch it taking place. This concern may be particularly relevant at premises where there are multiple licences, where only part of a premises is licensed or where permits are to be used in part of a premises only.

- The adequacy of any proposed measures to prevent crime connected with gambling.
- The adequacy of any proposed steps to prevent access by children and vulnerable adults, or to prevent such people from seeing gambling taking place.
- The public availability at the premises of information about organisations that can provide advice and support in relation to gambling and debt, for example GamCare, Gamblers Anonymous, the Gordon House Association, the National Debtline and local Citizens Advice Bureaux and other relevant advice agencies.
- The existence of crime and disorder (particularly if it has required police intervention) or actual harm to children or vulnerable adults, where these are connected to gambling at the premises.

9.3 It will assist the sub-committee in contested cases if applicants, responsible authorities and interested parties address these matters.

9.4 When considering applications, sub-committees will decide matters of fact on the balance of probabilities.

Guidance to licensing authorities; 4th edition, September 2012 (paragraph references below are from the Guidance itself):

7.53 After determining whether the representation has come from a responsible authority or interested party, and consequently whether it is admissible or inadmissible, the authority must then determine its relevance. The only representations that are likely to be relevant are those that relate to the licensing objectives, or that raise issues under the Licensing Authority Statement of Policy, or the Commission's Guidance or Codes of Practice (that is those matters mentioned in section 153 of the Act)

7.54 The Secretary of State and Scottish Ministers have made regulations under section 160 of the Act concerning notice of application. These require applicants for premises licences to give notice of their application to the responsible authorities. They also stipulate that applicants publish notice of their application in a local newspaper and display it on the premises for the benefit of interested parties. These provisions apply, with one or two necessary modifications, in relation to applications for provisional statements and some ancillary applications that can be made in relation to a premises licence. Responsible authorities will have a legitimate interest in the development of the premises, because of the functions that they will need to carry out in relation to them. But licensing authorities must take care to ensure that the concerns that responsible authorities may have in relation to their own functions are not taken into account if they are not relevant to the application for a premises licence under the Act. Thus, the following examples of possible representations would not likely be relevant:

- that there are already too many gambling premises in the locality (although it may be relevant if it points, as a result, to rising problems in crime, disorder, underage gambling or problem gambling)
- that the proposed premises are likely to be a fire risk
- that the location of the premises is likely to lead to traffic congestion; or that the premises will cause crowds of people to congregate in one area, which will be noisy and create a nuisance.

This list is by no means exhaustive, and each case must be decided on the facts.

## **5. Determination of application – section 163 Gambling Act 2005**

On considering an application for a premises licence (whether at a hearing or not) a licensing authority shall—

- (a) Grant it, or
- (b) Reject it.

A licensing authority shall not determine an application for a premises licence made in reliance on section 159(3)(b) until the relevant operating licence has been issued (in a form which authorises the applicant to carry on the activity in respect of which the premises licence is sought).

## **Grant of application – section 164 Gambling Act 2005**

(1) Where a licensing authority grant an application for a premises licence they shall as soon as is reasonably practicable—

- (a) Give notice of the grant to —
  - (i) the applicant,
  - (ii) the Commission,
  - (iii) any person who made representations about the application under section 161,
  - (iv) in England and Wales, the chief officer of police for any area in which the premises are wholly or partly situated,
  - (v) in Scotland, the chief constable of the police force maintained for a police area in which the premises are wholly or partly situated, and
  - (vi) Her Majesty's Commissioners of Customs and Excise,
- (b) issue a premises licence to the applicant, and

(c) give the applicant a summary of the terms and conditions of the licence in the prescribed form.

A notice under subsection (1)(a)—

(a) must be in the prescribed form,

(b) if the licensing authority have attached a condition to the licence under section 169(1)(a) or excluded under section 169(1)(b) a condition that would otherwise have attached by virtue of section 168, must give the authority's reasons, and

(c) if representations were made about the application under section 161, must give the authority's response to the representations.

In this section “prescribed” means—

(a) in relation to authorities in England and Wales, prescribed by regulations made by the Secretary of State, and

(b) in relation to authorities in Scotland, prescribed by regulations made by the Scottish Ministers.

## **6. Mandatory Conditions**

Should this licence be granted it will automatically contain the mandatory conditions as specified in SI\_2007 No 1409, Schedule 5 and shown in **Annex 3** attached to this report.

## **7. Codes of Practice**

As a Licensed Operator the applicant is also required to operate in compliance with any codes of practice issued by the Gambling Commission. One such code is the Gambling Commissions Licence Conditions and Code of Practice. Part 1 of this document relates to the general conditions imposed by the gambling commission for operating licence holders. This section of the document can be found attached to this report in **Annex 4**.

## **8. Principles to be applied – Part 5 of the Guidance issued by the Commission under section 25 of the Gambling Act 2005**

The Licensing Authority in exercising its functions shall aim to permit the use of premises for gambling in so far as the authority thinks it will be –

- In accordance with any relevant code of practice under section 24 of the Gambling Act 2005
- In accordance with any relevant guidance issued by the Commission under section 25 of the Gambling Act 2005,
- Reasonably consistent with the licensing objectives
- In accordance with the statement published by the authority under section 349 of the Gambling Act 2005 (Barnet Councils Gambling Policy)



Full Copies of the Councils Statement of Gambling Licensing Policy, the Gambling Commissions Guidance to the Act will be available at the Licensing Sub Committee hearing or in advance if required. A map centrally locating the premises and a plan of the building will be available at the hearing.

Daniel Pattenden  
Licensing Officer  
Wednesday, 09 July 2014

ANNEX 1	- Application Form
ANNEX 2	- Interested Party Representations
ANNEX 3	- Mandatory conditions as specified in SI2007 No 1409, Schedule 5
ANNEX 4	- Licence Conditions and Codes of Practice December 2011
ANNEX 5	- Matters for Decision

# Premises Licence Application (Betting other than track)

Licensing Team  
London Borough of Barnet  
Environment & Operations Directorate  
Building 4, North London Business Park  
Oakleigh Road South  
London  
N11 1NP

3<sup>rd</sup> July 2014

Dear Sir or Madam

Please find enclosed Application Form for a New Betting Premises (Other)  
Licence in respect of: -

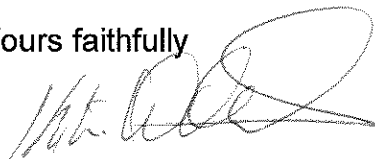
**Coral**  
**67 Ballards Lane**  
**London**  
**N3 1XP**

Also enclosed: -

Layout plan of the proposed premises  
Cheque for £1,110 in respect of the fee  
A copy of the notice to be displayed on the premises and  
advertised in a local newspaper  
A copy of the Notice of Application sent to the relevant  
Responsible Authorities.

If you require any further information please do not hesitate to call me on  
01708 379227.

Yours faithfully



**Kevin Williams**  
Development Manager



Shops Nationwide  
0800 242 232  
coral.com

Coral Racing Limited  
19 - 21 Station Road, Harold Wood, Essex RM3 0BP  
Registered Office: New Castle House, Castle Boulevard, Nottingham, NG7 1FT  
Registered in England No. 541600  
Tel: 01708 379 227 Fax: 01708 379 156

a  company

## Application for a premises licence under the Gambling Act 2005

### 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): \_\_\_\_\_  
*[Use the names given in the applicant's operating licence or, if the applicant does not hold an operating licence, as given in any application for an operating licence]*

3. Applicant's address (home or business – *[delete as appropriate]*):

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.   
*[Where there are further applicants, the information required in questions 1 to 4 should be included on additional sheets attached to this form, and those sheets should be clearly marked "Details of further applicants".]*

**Section B**

**Application on behalf of an organisation**

6. Name of applicant business or organisation: **Coral Racing Ltd**  
*[Use the names given in the applicant's operating licence or, if the applicant does not hold an operating licence, as given in any application for an operating licence.]*

7. The applicant's registered or principal address:

**Glebe House  
Vicarage Drive  
Barking  
Essex**

Postcode: **IG11 7NS**

8(a) The number of the applicant's operating licence (as given in the operating licence): **001- 002360 - N - 102405 - 001**

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.

*[Where there are further applicants, the information required in questions 6 to 8 should be included on additional sheets attached to this form, and those sheets should be clearly marked "Details of further applicants".]*

**Part 3 – Premises Details**

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

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

**67 Ballards Lane  
London**

Postcode: **N3 1XP**

12. Telephone number at premises (if known): **Not yet 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.

**Ground floor lock-up shop in a three-storey building with self-contained residential accommodation on the upper floors. District centre location**

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:**

**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** [delete as appropriate] [Where the relevant kind of premises licence is not subject to any default conditions, the answer to this question will be 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	
Tue			
Wed			
Thurs			
Fri			
Sat			
Sun			

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:

**Part 5 – Miscellaneous**

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

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?

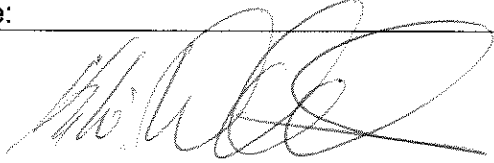
**Yes – eleven, as listed below**

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

**34 Ballards Lane, London, N3 2BJ**  
**847 High Road, North Finchley, London N12 8PT**  
**158 High Street, Barnet, EN5 5XP**  
**4 Vivian Avenue, Hendon, London, NW4 3YA**  
**80 High Street, Edgware, Middlesex, HA8 7EJ**  
**28 Golders Green Road, London, NW11 8LL**  
**11 Bittacy Hill, Mill Hill, London, NW7 1HS**  
**1 East Barnet Road, Barnet, Hertfordshire, EN4 8RR**  
**46 Glengall Road, Edgware, Middlesex HA8 8SX**  
**10 Station Parade, Station Road, Mill Hill Broadway, London NW7 2JU**  
**90-92 High Road, East Finchley, London N2 9EB**

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

<b>Part 6 – Declarations and Checklist (Please tick)</b>	
I confirm that, to the best of my knowledge, the information contained in this application is true. I 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 confirm that the applicant(s) have the right to occupy the premises.	✓
Checklist:	
<ul style="list-style-type: none"> <li>• Payment of the appropriate fee has been is enclosed</li> <li>• A plan of the premises is enclosed</li> <li>• I understand that if the above requirements are not complied with the application may be rejected</li> <li>• I understand that it is now necessary to advertise the application and give the appropriate notice to the responsible authorities</li> </ul>	<ul style="list-style-type: none"> <li>✓</li> <li>✓</li> <li>✓</li> <li>✓</li> </ul>

<b>Part 7 – Signatures</b>	
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: <b>Kevin Williams</b>	Capacity: <b>Development Manager</b>
Date: <b>3<sup>rd</sup> June 2014</b>	
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:	Capacity:
Date: (dd/mm/yyyy)	
<i>Where there are more than two applicants, please use an additional sheet clearly marked "Signature(s) of further applicant(s)". The sheet should include all the information requested in paragraphs 21 and 22.]</i>	
<i>[Where the application is to be submitted in an electronic form, the signature should be generated electronically and should be a copy of the person's written signature.]</i>	

**Part 8 – Contact Details**

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

**Kevin Williams**

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

**Office: 01708 379227**

**Mobile: 07714 063429**

24. Postal address for correspondence associated with this application:

**Kevin Williams  
Coral  
19 – 21 Station Road  
Harold Wood  
Essex**

Postcode: **RM3 0BP**

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:

[kevin.williams@coral.co.uk](mailto:kevin.williams@coral.co.uk)



## Notice of application for a Premises Licence (Form A)

This notice is issued in accordance with regulations made under section 160 of the Gambling Act 2005

Notice is hereby given that: **Coral Racing Ltd**

of the following address:

**Glebe House  
Vicarage Drive  
Barking  
Essex**

Postcode: **IG11 7NS**

the number of whose operating licence is

**001- 002360 - N - 102405 - 001**

has made an application for a

**Betting (Other)** premises licence.

The application relates to the following premises:

**Coral** (trading name to be used at the premises)

**67 Ballards Lane  
London  
N3 1XP**

The application for a premises licence has been made to the following licensing authority:

**Licensing Team, London Borough of Barnet, Environment & Operations  
Directorate, Building 4, North London Business Park, Oakleigh Road South,  
London**

Postcode: **N11 1NP**

Website: [www.barnet.gov.uk](http://www.barnet.gov.uk)

Information about the application is available from the licensing authority, including the arrangements for viewing the details of the application.

The following person connected with the applicant is able to give further information about the application:

**Kevin Williams  
Development Manager**

**Office: 01708 379227  
Mobile: 07714 063429**

**Email: [kevin.williams@galacoral.com](mailto:kevin.williams@galacoral.com)**

**Any representations under section 161 of the Gambling Act 2005 must be made no later than the following date:**

**1<sup>st</sup> July 2014**

**Notice of application for a Premises Licence  
under the Gambling Act 2005**

Notice is hereby given that:

**Coral Racing Ltd**

of the following address:

**Glebe House  
Vicarage Drive  
Barking  
Essex  
IG11 7NS**

is applying for a **Betting (Other)** premises licence under section 159 of the Gambling Act 2005.

The application relates to the following premises:

**Coral  
67 Ballards Lane  
London  
N3 1XP**

The application has been made to:

**Licensing Team, London Borough of Barnet, Environment & Operations  
Directorate, Building 4, North London Business Park, Oakleigh Road  
South, London, N11 1NP**

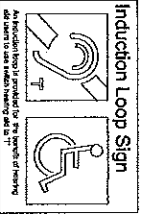
Information about the application is available from the licensing authority, including the arrangements for viewing the details of the application.

Any of the following persons may make representations in writing to the licensing authority about the application:

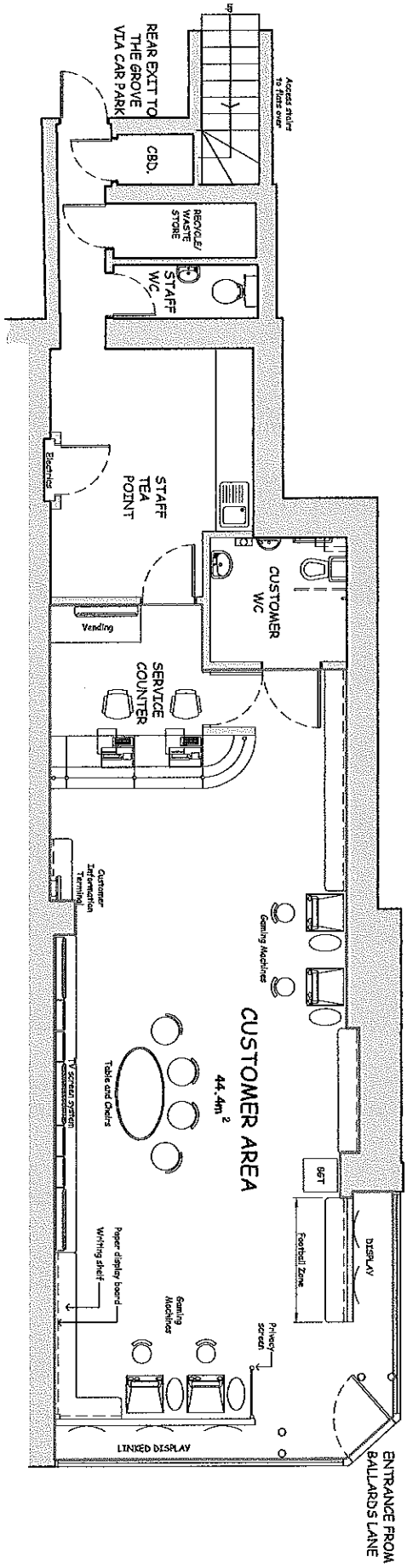
- A person who lives sufficiently close to the premises to be likely to be affected by the authorised activities
- A person who has business interests that might be affected by the authorised activities
- A person who represents someone in any of the above two categories.

Any representations must be made by the following date: **1<sup>st</sup> July 2014**

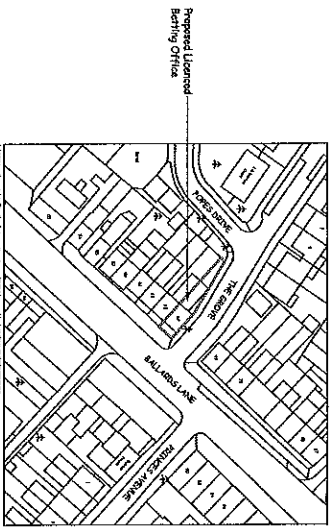
**It is an offence under section 342 of the Gambling Act 2005 if a person, without reasonable excuse, gives to a licensing authority for a purpose connected with that Act information which is false or misleading.**



The location and extent of 'that part' of the premises which will be used to provide facilities for gambling in reliance of the licence



PROPOSED GROUND FLOOR PLAN



SITE LOCATION PLAN 1:1250



**GALA CORAL GROUP**

GENERAL NOTES  
 COPYRIGHT © 2014 GALA CORAL GROUP  
 DO NOT SCALE FROM THIS DRAWING. ALL DIMENSIONS TO BE CHECKED ON SITE.

Date	Amendment	Date

Company Name & Address:  
**GALA CORAL GROUP LTD.**  
 Globe House,  
 Vicarage Drive,  
 Barking, Essex,  
 IG11 7NS

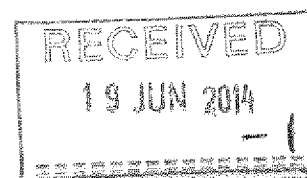
Project Name & Address:  
 Proposed LBO Licence Drawing  
 67 Ballards Lane,  
 Finchley,  
 N3 7XP

Drawn by: Eran Stevens Associates  
 Date: June 2014  
 Scale: 1:50 @ A2  
 Drawing No: 12/3813/04

# Interested Party Representations

Ben Scoggins  
The Grove  
London  
N3

Licensing Team  
London Borough of Barnet  
Environment & Operations Directorate  
Building 4  
North London Business Park  
Oakleigh Road South  
London  
N11 1NP



18<sup>th</sup> June 2014

Dear Sir,

I am writing to object to the application for a betting licence at 67 Ballards Lane, N3 1XP.

I live less than 100 yards from the proposed betting shop and, while I have no moral objection to betting, I am concerned about the impact of the increasing number of betting shops in this part of Ballards Lane. There are already four such betting shops within a 100 yard stretch on this road, and two of these are less than 20 yards from the new shop that Coral are currently proposing. These shops put little back into the community and can also cause increased levels of crime including begging, drug crimes and burglaries.

In the case of Finchley Central, the proliferation of betting shops appears to be driven by what are called B2 gaming machines, otherwise known as Fixed Odds Betting Terminals (FOBTs). These have brought high-speed, high-stake, high-risk casino style gaming to the high street. The machines allow players to stake up to £100 every 20 seconds using either cash, or money transferred from their debit and credit cards in the shop.

Concern about the addictive nature of FOBTs, and the impact they have had on the character of betting shops has been mounting since roulette content was introduced on these machines about 10 years ago. Recent financial returns from betting shop operators indicate that more than half the profits from betting shops now come from the FOBTs, not from over the counter betting. Given the existing betting shops in this area, it therefore seems likely that this application is driven by FOBT revenue and that betting will not be the primary gambling activity. The premises may be equipped with live UK racing transmissions to facilitate betting activity but the cost of this is more than covered by four FOBTs which would typically take £900 or more per terminal per week. This adds up to well over £150,000 per year.

Section 3.26 of the Gambling Act says: "The Commission considers that a typical betting shop offering betting as the primary gambling activity would have a clearly defined business plan setting out the expected use of betting versus gaming including interim targets (and supporting promotional activity)." Such a business plan should be expected, and its success be able to be judged when the licence comes up for renewal. If needed, further conditions should be imposed on the premise license as remedial action to ensure betting is the primary activity and not gaming.

FOBTs have been described in the media as the "crack cocaine of gambling" due to their addictive nature. It's been suggested that as many as 1 in 20 people have characteristics which make them

susceptible to becoming 'problem gamblers'. The clustering of betting shops on Ballards Lane targets these vulnerable people, with gamblers moving from shop to shop and from FOBT to FOBT. Adding to the number of betting shops here will only serve to fuel the problem; these are vulnerable people who need protecting.

While it is difficult to assess the impact of betting shops on crime levels, information obtained through a Freedom of Information request to the Gambling Commission shows that in 2012-13 there were 8,599 incidents of crime reported by betting shop staff on their premises. Interestingly, even the Chief Executive of William Hill, Ralph Topping, has stated that he is against clustering of betting shops on social grounds – presumably for exactly the reasons I have outlined above.

I hope my feelings are clear and that a licence is not granted. If however after due deliberation the committee decides to issue a licence, I would ask that conditions are attached. The type of things I would like to see would include (1) enforcing a minimum of two members of staff on site when the shop is open (2) ensuring that any betting shop should be open not more than 30 minutes before and after relevant UK races or other UK sporting events have taken place, in line with its licensed primary offer of betting, (3) no advertising of the FOBTs allowed to be visible from outside the shop, (4) ensuring that a business plan is provided by Coral to show how over-the-counter betting will be the core business of the shop within the first year of operation, and that subsequent renewal of the licence will be conditional on achieving this.

Finally, I ask that Barnet Council arranges for independent 'test purchases' using under-age gamblers in all betting shops in Finchley Central at least once every year, and use the results of this to improve standards, amend conditions or revoke licences as appropriate.

Yours faithfully,

Ben Scoggins

cc. *Mike Freer, MP*

## Hammond, Elisabeth

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**From:** Alan Jones  
**Sent:** 30 June 2014 11:28  
**To:** LicensingAdmin  
**Cc:** Houston, Cllr Ross; McGuirk, Cllr Kathy; Tierney, Cllr Jim  
**Subject:** FW: 67 Ballards Lane Application from Coral Racing

We write to lodge our objection to granting Coral Racing a licence for gambling at 67 Ballards Lane N3 as per the following details.

<http://acolaidpublic.barnet.gov.uk/online-applications/licencingApplicationDetails.do?activeTab=summary&keyVal= BARNE NVLICREC 18450>

licence application number is LGPL/14/06372.

Our grounds are that there are two betting shops within 50 yards of number 67 and there are two shops near the station 150 yards away and two shops further up Ballards Lane 300 yards away. Whereas betting shops are a legal activity, their presence does not improve the ambiance of the shopping street and prevents a wider range of shops and businesses. Three shops on the junction of The Grove and Ballards Lane are not desirable.

The adverse effects of gambling are well researched. Betting shops do not make a positive contribution to the health and well-being of local residents.

We know that some other residents and shop owners share the same view.

Alan & Julie Jones

The Grove

N3

30<sup>th</sup> June 2014





**Darren Johnson AM**

City Hall  
The Queen's Walk  
London SE1 2AA  
Switchboard: 020 7983 4000  
Minicom: 020 7983 4458  
Web: [www.london.gov.uk](http://www.london.gov.uk)

**Our ref:** DJ4862

**Your ref:**

**Date:** 25 June 2014

Licensing Department  
London Borough of Barnet  
Environment & Operations Directorate  
Building 4, North London Business Park  
Oakleigh Road South  
London  
N11 1NP

Dear Sir/Madam,

I am writing to you on behalf of a constituent who has contacted me to raise concerns about the application for a New Gambling Premises License at 67 Ballards Lane, N3 1XP (application reference number LGPL/14/06372). Granting this license would contravene the licensing objectives as set out in the Licensing Act 2003 in the following ways:

**The prevention of crime and disorder**

While it is difficult to assess the impact of betting shops on crime levels, information obtained through a Freedom of Information request to the Gambling Commission shows that in 2012-13 there were 8,599 incidents of crime reported by betting shop staff on their premises.

There are already four betting shops along a 100 yard stretch of Ballards Lane and two of these are less than 20 yards from the new proposed Coral betting shop. The addictive nature of fixed-odds betting terminals (FOBTs) means another gambling premises in this area will increase the risk of anti-social behaviour, drug crimes and burglaries from those who become hooked.

**Public safety**

If instances of begging, drug crimes and burglaries were to increase due to the new Coral betting shop then this could have a detrimental impact on public safety. Scarce police resources would need to be deployed to counter any increase in criminal activity and this could lead to longer response times for other serious crimes in the borough. Adding to the number of betting shops here will only fuel the problem; gambling addicts are vulnerable people who need protecting.

**The prevention of public nuisance**

FOBTs have been described in the media as the "crack cocaine of gambling" due to their addictive nature. It's been suggested that as many as 1 in 20 people have characteristics which make them susceptible to becoming 'problem gamblers'. Clusters of betting shops, such as that which has grown up on Ballards Lane, target these vulnerable people, with gamblers moving from shop to shop and from FOBT to FOBT, frequently causing public nuisance with antisocial behaviour.

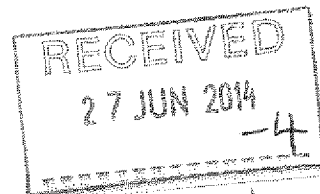
**The protection of children from harm**

Children are susceptible to the temptation of betting shops and may be enticed to start gambling by the 'exciting' displays in the shop windows. To ensure nobody underage is gambling in Barnet, the council should arrange for random underage mystery shoppers to visit in all betting shops in Finchley Central at least once every year, and use the results of this to improve standards, amend conditions or revoke licences as appropriate.

I trust that the above will be given due consideration as this application is considered.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'DJ', written over a horizontal line.



LGPL/14/06372

**Darren Johnson AM**  
Green Party Member of the London Assembly

**Direct telephone:** 020 7983 4411 **Fax:** 020 7983 4398 **Email:** [darren.johnson@london.gov.uk](mailto:darren.johnson@london.gov.uk)  
**London Assembly website:** <http://www.london.gov.uk/profile/darren-johnson>

**Mandatory conditions  
as specified in  
SI2007 No 1409,  
Schedule 5**

**2007 No. 1409**

**BETTING, GAMING AND LOTTERIES, ENGLAND AND WALES**

**The Gambling Act 2005 (Mandatory and Default Conditions)  
(England and Wales) Regulations 2007**

*Made* - - - - - *5th May 2007*

*Coming into force* - - - - - *21st May 2007*

The Secretary of State makes the following Regulations in exercise of the powers conferred by sections 167, 168 and 355(1) of the Gambling Act 2005(a);

In accordance with section 355(4)(g) and (h) of that Act a draft of this instrument was laid before Parliament and approved by a resolution of each House of Parliament.

**Citation and commencement**

1.—(1) These Regulations may be cited as the Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007 and shall come into force on whichever is the later of 21st May 2007 or the day after the Regulations are made.

(2) These Regulations shall extend to England and Wales.

**Interpretation**

2. In these Regulations—

“the 1963 Act” means the Betting, Gaming and Lotteries Act 1963(b);

“the 2005 Act” means the Gambling Act 2005;

“alcohol” has the same meaning as in section 191 of the Licensing Act 2003(c);

“ATM” means a machine located on the premises which enables a person using it to obtain cash on credit;

“betting operator” means a person who in the course of the business of a general betting operating licence holder or pool betting operating licence holder accepts or negotiates bets; and “betting operator’s assistant” means a person who carries out any other functions in the course of the business of a general betting operating licence holder or pool betting operating licence holder in connection with the licensed activities;

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(a) 2005 c.19.  
(b) 1963 c.2.  
(c) 2003 c.17.

“betting machine” means a wholly automated machine designed or adapted only for use to bet on future real events(a), including—

- (a) a machine that enables the customer to access an account on an internet website by means of which he is able to place a bet and receive winnings; and
- (b) a machine which accepts bets made by the customer and issues a record of the betting transaction which enables the customer to claim his winnings from an individual on the betting premises, or from the machine;

“converted casino premises licence” means a premises licence issued in respect of a casino in accordance with transitional provisions made under paragraph 9 of Schedule 18 to the 2005 Act(b);

“gambling area”, in relation to a casino premises licence, means those areas of the casino that are indicated on the plan as being the table gaming area, and any other area in which facilities for gambling may be provided;

“game card” means anything (including any electronic device) which provides an individual with the opportunity to win one or more prizes in respect of a game of bingo;

“non-gambling area” means those areas of the casino that are available to customers and are indicated on the plan as being areas other than gambling areas;

“ordinary gaming table” means a gaming table that is not a partially or wholly automated gaming table;

“partially automated gaming table” means equipment that would fall within the definition of gaming machine in section 235 of the 2005 Act but for its exclusion from that definition by subsection (2)(h) of that section;

“the plan”, in relation to a premises licence, means the plan of the premises that forms part of the licence by virtue of section 151(1)(g) of the 2005 Act;

“street” includes 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;

“table gaming” means—

- (a) casino games played on ordinary, or partially or wholly automated gaming tables; and
- (b) real games of equal chance, other than bingo, played on a table;

“table gaming area”, in relation to a casino premises licence, means the area indicated on the plan as being for table gaming;

“track premises licence” means a betting premises licence in respect of a track;

“wholly automated gaming table” means equipment that would fall within the definition of a gaming machine in section 235 of the 2005 Act but for its exclusion from that definition by subsection (2)(i) of that section.

### **Mandatory conditions attaching to every premises licence**

3.—(1) The conditions specified in paragraphs (2), (3) and (4) shall be attached to every premises licence.

(2) The summary of the terms and conditions of the premises licence issued under section 164(1)(c) of the 2005 Act shall be displayed in a prominent place within the premises.

(3) The layout of the premises shall be maintained in accordance with the plan.

(4) The premises shall not be used for—

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(a) See section 235(2)(c) of the 2005 Act which provides that such a machine is not a gaming machine for the purposes of the Act.

(b) See Part 7 of Schedule 4 to the Gambling Act 2005 (Commencement No.6 and Transitional Provisions) Order 2006 (S.I. 2006/3272); amended by S.I. 2006/3361.

- (a) the sale of tickets in a private lottery or customer lottery, or
  - (b) the sale of tickets in any other lottery in respect of which the sale of tickets on the premises is otherwise prohibited<sup>(a)</sup>.
- (5) In this regulation—
- (a) a “private lottery” means a private society lottery or a work lottery within the meaning of paragraphs 10 and 11 of Schedule 11 to the 2005 Act; and
  - (b) a “customer lottery” has the same meaning as in Part 3 of Schedule 11 to the 2005 Act.

#### **Mandatory conditions attaching to casino premises licences**

4. The conditions specified in Part 1 of Schedule 1 shall be attached to all types of casino premises licences.

5. The conditions specified in Part 2 of Schedule 1 shall, in addition to the conditions specified in Part 1 of that Schedule, be attached to regional casino premises licences.

6. The conditions specified in Part 3 of Schedule 1 shall, in addition to the conditions specified in Part 1 of that Schedule, be attached to large casino premises licences.

7. The conditions specified in Part 4 of Schedule 1 shall, in addition to the conditions specified in Part 1 of that Schedule, be attached to small casino premises licences.

8. The conditions specified in Part 5 of Schedule 1 shall, in addition to the conditions specified in Part 1 of that Schedule, be attached to converted casino premises licences.

#### **Default conditions attaching to casino premises licences**

9. The conditions specified in Part 6 of Schedule 1 shall be attached to casino premises licences unless excluded by the licensing authority who issue the licence, in exercise of their powers under section 169(1)(b) of the 2005 Act.

#### **Mandatory conditions attaching to bingo premises licences**

10. The conditions specified in Part 1 of Schedule 2 shall be attached to bingo premises licences.

#### **Default conditions attaching to bingo premises licences**

11. The conditions specified in Part 2 of Schedule 2 shall be attached to bingo premises licences unless excluded by the licensing authority who issue the licence, in exercise of their powers under section 169(1)(b) of the 2005 Act.

#### **Mandatory conditions attaching to adult gaming centre premises licences**

12. The conditions specified in Schedule 3 shall be attached to adult gaming centre premises licences.

#### **Mandatory conditions attaching to family entertainment centre premises licences**

13. The conditions specified in Schedule 4 shall be attached to family entertainment centre premises licences.

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(a) See the National Lottery Regulations 1994 (S.I. 1994/189) which prohibits the sale of National Lottery tickets in specified premises licensed for gambling activities.

**Mandatory conditions attaching to betting premises licences other than track premises licences**

14. The conditions specified in Part 1 of Schedule 5 shall be attached to betting premises licences other than track premises licences.

**Default conditions attaching to betting premises licences other than track premises licences**

15. The conditions specified in Part 2 of Schedule 5 shall be attached to betting premises licences other than track premises licences unless excluded by the licensing authority who issue the licence, in exercise of their powers under section 169(1)(b) of the 2005 Act.

**Mandatory conditions attaching to track premises licences**

16.—(1) The conditions specified in Part 1 of Schedule 6 shall be attached to track premises licences.

(2) The conditions specified in Part 2 of Schedule 6 shall, in addition to the conditions specified in Part 1 of that Schedule, be attached to track premises licences in respect of premises that are horse-race courses.

(3) The conditions specified in Part 3 of Schedule 6 shall, in addition to the conditions specified in Part 1 of that Schedule, be attached to track premises licences in respect of premises that are dog tracks.

**Default conditions attaching to track premises licences**

17. The conditions specified in Part 4 of Schedule 6 shall be attached to track premises licences unless excluded by the licensing authority who issue the licence, in exercise of their powers under section 169(1)(b) of the 2005 Act.

5th May 2007

*Richard Caborn*  
Minister of State  
Department for Culture, Media and Sport

## Conditions attaching to casino premises licences

## PART 1

## Mandatory conditions attaching to casino premises licences

- 1.—(1) The principal entrance to the premises shall be from a street.
- (2) No entrance to the premises shall be from premises that are used wholly or mainly by children, by young persons, or by both.
- (3) No customer shall be able to enter the premises directly from any other premises in respect of which a licence issued under Part 8 of the Act, or a permit issued under Schedule 10, 12 or 13 to the Act, has effect.
2. A gap of at least 2 metres shall be maintained between any ordinary gaming table and any other equipment, apparatus or structure used by a person to gamble on the premises.
3. No more than 40 separate player positions may be made available for use in relation to wholly automated gaming tables at any time.
- 4.—(1) The rules of each type of casino game that is available to be played on the premises shall be displayed in a prominent place within both the table gaming area and other gambling area of the premises to which customers wishing to use facilities for gambling have unrestricted access.
- (2) The condition in sub-paragraph (1) may be satisfied by—
  - (a) displaying a clear and legible sign setting out the rules; or
  - (b) making available to customers leaflets or other written material containing the rules.
5. 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 table, gaming machine or betting machine in order to do so.

## PART 2

## Mandatory conditions attaching to regional casino premises licences

1. A notice shall be displayed in a prominent place at every entrance to the gambling area of the premises stating that no person under the age of 18 years is permitted to enter that part of the premises.
2. The gambling area of the premises shall not be capable of being seen from any part of the premises to which children, young persons, or both, have access.
- 3.—(1) The premises shall contain a table gaming area the floor area of which is no less than 1000m<sup>2</sup>.
- (2) Subject to sub-paragraph (3), in determining the floor area of the table gaming area, any number of separate areas within the premises may be taken into account.
- (3) Any separate area that comprises less than 12.5% of the minimum required table gaming area shall not be taken into account in determining the table gaming area.
- (4) No gambling shall be permitted in the table gaming area of the premises other than gambling by way of table gaming.

4.—(1) The premises shall contain a non-gambling area the floor area of which is no less than 1500m<sup>2</sup>.

(2) The non-gambling area may consist of one or more areas within the premises.

(3) Lobby areas and toilet facilities may be taken into account in calculating the non-gambling area; but the non-gambling area shall not consist exclusively of lobby areas and toilet facilities.

(4) Facilities for gambling shall not be provided in the non-gambling area.

(5) At any time during which facilities for gambling are provided on the premises, each separate area comprising the non-gambling area, other than the lobby areas and toilet facilities referred to in sub-paragraph (3), shall contain recreational facilities that are available for use by customers on the premises.

5. A notice shall be displayed in a prominent place in each part of the premises used for providing facilities for betting, setting out the terms on which persons are invited to bet on the premises.

6.—(1) A notice setting out the information in sub-paragraph (2) shall be displayed in a prominent place at the main point on the premises where payment for the charge is to be made for a game card (or set of game cards) in respect of a game of bingo.

(2) The notice in sub-paragraph (1) shall include the following information—

(a) the cost (in money) of each game card (or set of game cards) payable by an individual in respect of a game of bingo;

(b) in respect of each game card (or set of game cards) referred to in paragraph (a), the maximum amount that will be charged by way of a participation fee for entitlement to participate in that game; and

(c) a statement to the effect that all or part of the participation fee may be waived at the discretion of the person charging it.

(3) The notice may be displayed in electronic form.

(4) A reference in this paragraph to a charge in respect of gaming does not include an amount paid for an opportunity to win one or more prizes in gaming to which section 288 of the 2005 Act (meaning of “prize gaming”) applies.

(5) The rules of each type of bingo game that is available to be played on the premises shall be made available to customers in each part of the premises used for providing facilities for bingo.

(6) The condition in sub-paragraph (5) may be satisfied by—

(a) displaying a sign setting out the rules,

(b) making available leaflets or other written material containing the rules, or

(c) running an audio-visual guide to the rules prior to any bingo game being commenced.

7. No more than 40 separate betting positions may be made available for use in relation to betting machines at any time.

## PART 3

### Mandatory conditions attaching to large casino premises licences

1. A notice stating that no person under the age of 18 years is permitted to enter the premises shall be displayed in a prominent place at every entrance to the premises.

2.—(1) The premises shall contain a table gaming area, the floor area of which is no less than 1000m<sup>2</sup>.

(2) Subject to sub-paragraph (3), in determining the floor area of the table gaming area, any number of separate areas within the premises may be taken into account.



(3) Any separate area that comprises less than 12.5% of the minimum required table gaming area shall not be taken into account in determining the table gaming area.

3. No gambling shall be permitted in the table gaming area of the premises other than gambling by way of table gaming.

4.—(1) The premises shall contain a non-gambling area which comprises no less than 500m<sup>2</sup>.

(2) The non-gambling area may consist of one or more areas within the premises.

(3) Lobby areas and toilet facilities may be taken into account in calculating the non-gambling area; but the non-gambling area shall not consist exclusively of lobby areas and toilet facilities.

(4) Facilities for gambling shall not be provided in the non-gambling area.

(5) At any time during which facilities for gambling are being provided on the premises, each separate area comprising of the non-gambling area, other than the lobby areas and toilet facilities referred to in sub-paragraph (3), shall contain recreational facilities that are available for use by customers on the premises.

5. A notice shall be displayed in a prominent place in each part of the premises used for providing facilities for betting, setting out the terms on which persons are invited to bet on the premises.

6.—(1) A notice setting out the information in sub-paragraph (2) shall be displayed in a prominent place at the main point on the premises where payment for the charge is to be made for a game card (or set of game cards) in respect of a game of bingo.

(2) The notice in sub-paragraph (1) shall include the following information—

(a) the cost (in money) of each game card (or set of game cards) payable by an individual in respect of a game of bingo;

(b) in respect of each game card (or set of game cards) referred to in paragraph (a) the maximum amount that will be charged by way of a participation fee for entitlement to participate in that game; and

(c) a statement to the effect that all or part of the participation fee may be waived at the discretion of the person charging it.

(3) The notice may be displayed in electronic form.

(4) A reference in this paragraph to a charge in respect of gaming does not include an amount paid for an opportunity to win one or more prizes in gaming to which section 288 of the 2005 Act (meaning of “prize gaming”) applies.

(5) The rules of each type of bingo game that is available to be played on the premises shall be made available to customers in each part of the premises used for providing facilities for bingo.

(6) The condition in sub-paragraph (5) may be satisfied by—

(a) displaying a sign setting out the rules,

(b) making available leaflets or other written material containing the rules, or

(c) running an audio-visual guide to the rules prior to any bingo game being commenced.

7. No more than 40 separate betting positions may be made available for use in relation to betting machines at any time.

## PART 4

### Mandatory conditions attaching to small casino premises licences

1. A notice stating that no person under the age of 18 years is permitted to enter the premises shall be displayed in a prominent place at every entrance to the premises.

2.—(1) The premises shall contain a table gaming area, the floor area of which is no less than 500m<sup>2</sup>.

(2) Subject to sub-paragraph (3), in determining the floor area of the table gaming area, any number of separate areas within the premises may be taken into account.

(3) Any separate area that comprises less than 12.5% of the minimum required table gaming area shall not be taken into account in determining the table gaming area.

3. No gambling shall be permitted in the table gaming area of the premises other than gambling by way of table gaming.

4.—(1) The premises shall contain a non-gambling area which comprises no less than 250m<sup>2</sup>.

(2) The non-gambling area may consist of one or more areas within the premises.

(3) Lobby areas and toilet facilities may be taken into account in calculating the non-gambling area; but the non-gambling area shall not consist exclusively of lobby areas and toilet facilities.

(4) Facilities for gambling shall not be provided in the non-gambling area.

(5) At any time during which facilities for gambling are being provided on the premises, each separate area comprising the non-gambling area, other than the lobby areas and toilet facilities referred to in sub-paragraph (3), shall contain recreational facilities that are available for use by customers on the premises.

5. A notice shall be displayed in a prominent place in each part of the premises used for providing facilities for betting, setting out the terms on which persons are invited to bet on the premises.

6. No more than 40 separate betting positions may be made available for use in relation to betting machines at any time.

## PART 5

### Mandatory conditions attaching to converted casino premises licences

1. A notice shall be displayed in a prominent place at every entrance to the premises stating that no person under the age of 18 years is permitted to enter the premises.

2.—(1) This paragraph shall apply to premises which have a gambling area the floor area of which is no less than 200m<sup>2</sup>.

(2) In determining the floor area of the gambling area, all areas in which facilities for gambling are provided on the premises shall be taken into account.

(3) The premises shall contain a non-gambling area, the floor area of which is no less than 10% of the floor area of the gambling area.

(4) The non-gambling area may consist of one or more areas within the premises.

(5) Lobby areas and toilet facilities may be taken into account in calculating the non-gambling area; but the non-gambling area shall not consist exclusively of lobby areas and toilet facilities.

(6) Facilities for gambling shall not be provided in the non-gambling area.

(7) At any time during which facilities for gambling are being provided on the premises, each separate area comprising the non-gambling area, other than the lobby areas and toilet facilities referred to in sub-paragraph (5), shall contain recreational facilities that are available for use by customers on the premises.

## PART 6

### Default conditions attaching to casino premises licences

No facilities for gambling shall be provided on the premises between the hours of 6am and noon on any day.

## Conditions attaching to bingo premises licences

## PART 1

## Mandatory conditions attaching to bingo premises licences

1. A notice stating that no person under the age of 18 years is permitted to play bingo on the premises shall be displayed in a prominent place at every entrance to the premises.

2. No customer shall be able to enter the premises directly from any other premises in respect of which one of the following permissions has effect—

- (a) a casino premises licence;
- (b) an adult gaming centre premises licence;
- (c) a betting premises licence other than a track premises licence; and

3.—(1) This paragraph shall apply where children or young persons or both are permitted by the licence holder to enter the premises, and Category B or C gaming machines are made available for use on the premises.

(2) Any area of the premises to which category B and C gaming machines are located—

- (a) shall 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 the purpose;
- (b) shall be supervised at all times to ensure children or young persons or both do not enter the area; and
- (c) shall be arranged in such a way that ensures all parts of the area can be observed by the persons mentioned in sub-paragraph (3).

(3) The reference to supervision in this paragraph means supervision by—

- (a) one or more persons whose responsibilities include ensuring children or young persons or both do not enter the area; or
- (b) closed circuit television which is monitored by one or more persons whose responsibilities include ensuring that children or young persons or both do not enter the area.

(4) A notice stating that no person under the age of 18 years is permitted to enter the area shall be displayed in a prominent place at the entrance to any area of the premises in which Category B or C gaming machines are made available for use.

4.—(1) In the case of a charge for admission to the premises, a notice of that charge shall be displayed in a prominent place at the principal entrance to the premises.

(2) In the case of any other charges in respect of gaming, a notice setting out the information in sub-paragraph (3) shall be displayed at the main point where payment for the charge is to be made.

(3) The notice in sub-paragraph (2) shall include the following information—

- (a) the cost (in money) of each game card (or set of game cards) payable by an individual in respect of a game of bingo;
- (b) in respect of each game card (or set of game cards) referred to in paragraph (a) the amount that will be charged by way of a participation fee for entitlement to participate in that game; and
- (c) a statement to the effect that all or part of the participation fee may be waived at the discretion of the person charging it.

(4) The notice may be displayed in electronic form.

(5) A reference in this paragraph to a charge in respect of gaming does not include an amount paid for an opportunity to win one or more prizes in gaming to which section 288 of the 2005 Act (meaning of “prize gaming”) applies.

5.—(1) The rules of each type of game that is available to be played the premises other than games played on gaming machines shall be made available to customers within the premises.

(2) The condition in sub-paragraph (1) may be satisfied by—

- (a) displaying a sign setting out the rules,
- (b) making available leaflets or other written material containing the rules, or
- (c) running an audio-visual guide to the rules prior to any bingo game being commenced.

6. 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 in order to do so.

## PART 2

### Default conditions attaching to bingo premises licences

1. Subject to paragraph 2, no facilities for gambling shall be provided on the premises between the hours of midnight and 9am.

2. The condition in paragraph 1 shall not apply to making gaming machines available for use.

## SCHEDULE 3

Regulation 12

### Mandatory conditions attaching to adult gaming centre premises licences

1. A notice stating that no person under the age of 18 years is permitted to enter the premises shall be displayed in a prominent place at every entrance to the premises.

2. No customer shall be able to access the premises directly from any other premises in respect of which a licence issued under Part 8 of the Act, or a permit issued under Schedule 10, 12 or 13 to the Act, has effect.

3. Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to cease gambling at any gaming machine in order to do so.

4.—(1) No alcohol shall be permitted to be consumed on the premises at any time during which facilities for gambling are being provided on the premises.

(2) A notice stating the condition in sub-paragraph (1) shall be displayed in a prominent place at every entrance to the premises.

## SCHEDULE 4

Regulation 13

### Mandatory conditions attaching to family entertainment centre premises licences

1. No customer shall be able to access the premises directly from any other premises in respect of which one of the following premises licences has effect—

- (a) a casino premises licence;
- (b) an adult gaming centre premises licence;
- (c) a betting premises licence other than a track premises licence.

2. 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.

3.—(1) Where Category C gaming machines are made available for use on the premises, any area of the premises in which those machines are located—

- (a) shall 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 the purpose;
- (b) shall be supervised at all times to ensure children or young persons or both do not enter the area; and
- (c) shall be arranged in such a way so as to permit all parts of the area to be observed by the persons mentioned in sub-paragraph (2).

(2) The reference to supervision in this paragraph means supervision by—

- (a) one or more persons whose responsibilities include ensuring children or young persons or both do not enter the area; or
- (b) closed circuit television which is monitored by one or more persons whose responsibilities include ensuring that children or young persons or both do not enter the area.

(3) A notice stating that no person under the age of 18 years is permitted to enter the area shall be displayed in a prominent place at the entrance to any area of the premises in which Category C gaming machines are made available for use.

4.—(1) No alcohol shall be permitted to be consumed on the premises at any time during which facilities for gambling are being provided on the premises.

(2) A notice stating the condition in sub-paragraph (1) shall be displayed in a prominent place at every entrance to the premises.

## SCHEDULE 5

Regulations 14 and 15

### Conditions attaching to betting premises licences

#### PART 1

##### Mandatory conditions attaching to betting premises licences (other than track premises licences)

1. A notice stating that no person under the age of 18 years is permitted to enter the premises shall be displayed in a prominent place at every entrance to the premises.

2.—(1) Access to the premises shall be from a street or from other premises with a betting premises licence.

(2) Without prejudice to sub-paragraph (1), there shall be no means of direct access between the premises and other premises used for the retail sale of merchandise or services.

3. Subject to anything permitted by virtue of the 2005 Act, or done in accordance with paragraphs 4, 5, 6 and 7 below, the premises shall not be used for any purpose other than for providing facilities for betting.

4. Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to leave any gaming machine or betting machine in order to do so.

5. No apparatus for making information or other material available in the form of sounds or visual images may be used on the premises, except for apparatus used for the following purposes—

- (a) communicating information about, or coverage of, sporting events, including—
  - (i) information relating to betting on such an event; and
  - (ii) any other matter or information, including an advertisement, which is incidental to such an event;
- (b) communicating information relating to betting on any event (including the result of the event) in connection with which betting transactions may be or have been effected on the premises.

6. No publications, other than racing periodicals or specialist betting publications, may be sold or offered for sale on the premises.

7. No music, dancing or other entertainment shall be provided or permitted on the premises, save for entertainment provided in accordance with paragraph 5.

8.—(1) No alcohol shall be permitted to be consumed on the premises at any time during which facilities for gambling are being provided on the premises.

(2) A notice stating the condition in sub-paragraph (1) shall be displayed in a prominent place at every entrance to the premises.

9. A notice setting out the terms on which customers are invited to bet on the premises shall be displayed in a prominent place on the premises to which customers have unrestricted access.

## PART 2

### Default conditions attaching to betting premises licences (other than in respect of tracks)

No facilities for gambling shall be provided on the premises between the hours of 10pm on one day and 7am on the next day.

## SCHEDULE 6

Regulations 16 and 17

### Conditions attaching to track premises licences

## PART 1

### Mandatory conditions attaching to all track premises licences

1. No customer shall be able to access the premises directly from any other premises in respect of which one of the following premises licences has effect—

- (a) a casino premises licence;
- (b) an adult gaming centre premises licence.

2. A notice stating that no person under the age of 18 is permitted to bet on the premises shall be displayed in a prominent place at every public entrance to the premises.

3. The terms on which a bet may be placed must be displayed in a prominent place within the premises to which customers wishing to use facilities for betting have unrestricted access.

4. The premises licence holder shall make arrangements to ensure that betting operators who are admitted to the premises for the purpose of accepting bets—

- (a) will be operating under a valid operating licence; and
- (b) are enabled to accept such bets in accordance with—

- (i) the conditions imposed under sections 92 (general betting operating licence) or 93 (pool betting operating licence) of the 2005 Act, or
- (ii) an authorisation under section 94 (horse-race pool betting operating licence) of that Act.

5. The premises licence holder shall make arrangements to ensure that reasonable steps are taken to remove from the premises any person who is found to be accepting bets on the premises otherwise than in accordance with the 2005 Act.

6. 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 in order to do so.

## PART 2

### Mandatory conditions attaching to track premises licences in respect of premises that are horse-race courses

1.—(1) This paragraph shall apply to converted track premises licences in respect of premises that are horse-race courses.

(2) The licence holder shall ensure that in respect of any part of the track, which immediately before 1st September 2007 was made available for the purposes of complying with a condition imposed under section 13(2) of the 1963 Act (which provides for conditions to be imposed on a certificate under section 13 relating to the places which are to be provided for enabling betting to take place on the track), that part shall continue to be made available for the purposes of enabling betting operators and betting operators' assistants to use it for carrying on business in connection with providing facilities for betting.

(3) Sub-paragraph (2) is without prejudice to any application under section 187 of the 2005 Act (application to vary a premises licence) to change the location of the part of the track to which that sub-paragraph applies.

(4) Where such an application is granted, sub-paragraph (2) is to have effect as if it required the licence holder to ensure that the part of the track identified in the application as the new location for the area referred to in that sub-paragraph is made available for the purposes of enabling betting operators and betting operators' assistants to carry on business in connection with providing facilities for betting.

(5) References in this paragraph to an "existing betting area" are to any part of the track which is required to be made available in accordance with the preceding provisions of this paragraph for the purposes of enabling betting operators and betting operators' assistants to carry on business in connection with providing facilities for betting.

(6) The charge for admission to an existing betting area for the purposes of carrying on business in connection with providing facilities for betting shall not exceed—

- (a) where payable by a betting operator, five times the cost of the highest charge paid by members of the public who are authorised to enter that part of the track; and
- (b) where payable by a betting operator's assistant, the cost of the highest charge paid by members of the public who are authorised to enter that part of the track.

(7) A betting operator or betting operator's assistant shall not be charged, for admission to an existing betting area, an amount which differs from that charged to any other betting operator or betting operator's assistant for admission to that part of the track.

(8) No charges may be made to betting operators and betting operators' assistants who are admitted to the existing betting areas of the track, other than—

- (a) the charge for admission in accordance with sub-paragraphs (6) and (7), and
- (b) charges levied to cover costs reasonably incurred in connection with enabling betting operators and betting operators' assistants to operate in the existing betting area.

(9) This paragraph shall not apply after 31st August 2012.

2.—(1) This paragraph shall apply to all track premises licences in respect of premises that are horse-race courses.

(2) The licence holder shall provide a place on the premises where betting operators and betting operators' assistants, including small-scale operators, may carry on business in connection with providing facilities for betting and to which the public may resort for the purpose of betting.

(3) The reference in this paragraph to "small-scale operators" shall have the same meaning as prescribed in The Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006(a).

(4) This paragraph shall not apply to converted track premises licences before 1st September 2012.

3. In this Part "converted track premises licence" means a premises licence issued in respect of a track where—

- (a) the holder of the licence held a certificate under section 13 of the 1963 Act, in respect of the same or substantially the same premises (referred to below as "the 1963 Act permission");
- (b) the 1963 Act permission had effect immediately before 1st September 2007; and
- (c) the holder of the licence was granted the premises licence, under transitional provisions made under paragraph 9 of Schedule 18 to the 2005 Act, by reason of his holding the 1963 Act permission.

### PART 3

#### Mandatory conditions attaching to track premises licences in respect of premises that are dog racing tracks

1. A totalisator on the premises shall only be operated—

- (a) while the public are admitted to the premises for the purpose of attending dog races and no other sporting events are taking place on the premises; and
- (b) for effecting with persons on the premises betting transactions on dog races taking place on the premises.

2.—(1) At any time during which the totalisator is being lawfully used on the premises—

- (a) no betting operator or betting operator's assistant shall be excluded from the premises by reason only of the fact that he proposes to accept or negotiate bets on the premises; and
- (b) there shall be made available on the premises space for betting operators and betting operators' assistants where they can conveniently accept and negotiate bets in connection with dog races run on the premises on that day.

(2) This paragraph is without prejudice to section 180 (pool betting on dog races) of the 2005 Act.

3. For the purposes of this Part, "totalisator" means the apparatus for betting known as the totalisator or pari mutuel, or any other machine or instrument of betting of a like nature, whether mechanically operated or not.

### PART 4

#### Default conditions attaching to all track premises licences

1. Subject to paragraph 2, no facilities for gambling shall be provided on the premises between the hours of 10pm on one day, and 7am on the next day.

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(a) S.I. 2006/3266.



# Licence Conditions and Codes of Practice December 2011

**Licence conditions and codes of practice  
(consolidated version)**

December 2011

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# Introduction

1. This document sets out the Gambling Commission's general licence conditions and associated codes of practice (LCCP) under the Gambling Act 2005 (the Act). The last general revision of the conditions and codes was published in October 2008 and came into force for gambling operating and personal licensees on 1 January 2009. After that a number of subsequent changes were made and published in the form of supplements to the LCCP. The last consolidation of supplements into the main LCCP document was published in March 2011 in a single document.
  
2. Since that date, three further changes have been made, which were included in the following separate publications:
  - Supplement 8: Types and rules of casino and other games (amending licence condition 9), July 2011
  - Supplement 9: Casino gaming reserve (revoking licence condition 3.2), September 2011
  - Supplement 10: Technical changes in respect of 2005 Act casinos, November 2011
  
3. The LCCP document sets out:
  - the suite of general conditions to be attached to operating licences
  - the suite of general conditions to be attached to personal licences
  - the principal codes of practice, distinguishing between 'social responsibility' provisions and 'ordinary' provisions (the social responsibility provisions are in shaded boxes within the text).
  
4. Copies of this and the other documents mentioned above can be obtained from the Commission's website: [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk) or by writing to:

Gambling Commission  
Victoria Square House  
Victoria Square  
Birmingham B2 4BP  
T 0121 230 6666  
F 0121 230 6720  
E [info@gamblingcommission.gov.uk](mailto:info@gamblingcommission.gov.uk)

# Part I: General conditions imposed by the Gambling Commission

## Suite of general conditions to be attached to operating licences under Section 75 of the Gambling Act 2005 ('the Act')

### 1 Qualified persons and personal licences

#### 1.1 Qualified persons

##### **All operating licences, except ancillary remote licences, issued to small-scale operators**

In this condition the terms 'small-scale operator', 'qualifying position' and 'qualified person' have the meanings respectively ascribed to them by the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006.

Schedule X<sup>1</sup> lists those individuals notified to the Commission as qualified persons.

If, whilst the licensee remains a small-scale operator, an individual begins or ceases to occupy a qualifying position in relation to the licensee, the licensee must within 28 days apply to the Commission under s104(1)(b) for amendment of the details of the licence set out in Schedule X<sup>1</sup>.

An application for amendment under s104(1)(b) may be made in advance of an individual beginning or ceasing to occupy a qualifying position provided it specifies the date from which the change to which it relates is to be effective.

##### **All non-remote general betting operating licences issued to small-scale operators**

Schedule Y<sup>1</sup> to this licence lists those of the licensee's employees whose details have been provided to the Commission as authorised by the licensee to accept bets on the licensee's behalf on a track otherwise than under the supervision of a qualified person present on the same track.

Should the licensee wish to add an individual to the list or remove the name of an individual from the list the licensee must make application to the Commission under s104(1)(b) for amendment of that detail of the licence. Any employee the licensee wishes to add to the list may act unsupervised pending amendment of the licence provided a valid amendment application has been lodged with the Commission.

In this condition 'qualified person' has the same meaning as in the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006.

#### 1.2 Personal licences

##### **All casino, bingo, general and pool betting, betting intermediary, gaming machine general, gaming machine technical, gambling software and lottery managers licences, except ancillary remote licences**

(a) Subject to (e) and (f) below licensees must ensure:

(i) that each individual who occupies one of the management offices specified in (b) below in or

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<sup>1</sup> The schedules mentioned here will be attached to individual licences.

in respect of the licensee or in connection with the licensed activities holds a personal licence authorising the performance of the functions of that office (hereafter 'a personal management licence')

(ii) that at least one person occupies at least one of those offices.

(b) The specified management offices are those offices (whether or not held by a director in the case of a licensee which is a company, a partner in the case of a licensee which is a partnership or an officer of the association in the case of a licensee which is an unincorporated association) the occupier of which is by virtue of the terms of their appointment responsible for:

- the overall management and direction of the licensee's business or affairs
- the licensee's finance function as head of that function
- the licensee's gambling regulatory compliance function as head of that function
- the licensee's marketing function as head of that function
- the licensee's information technology function as head of that function in so far as it relates to gambling-related information technology and software
- oversight of the day to day management of the licensed activities at an identified number of premises licensed under Part 8 of the Act or across an identified geographical area
- in the case of casino and bingo licences only, oversight of the day to day management of a single set of premises licensed under Part 8 of the Act.

(c) Licensees must take all reasonable steps to ensure that anything done in the performance of the functions of a specified management office is done in accordance with the terms and conditions of the holder's personal management licence.

(d) Where an individual is authorised by a personal licence and that licence comes under review under section 116(2) of the Act, the operating licensee must comply with any conditions subsequently imposed on that licence by the Commission about redeployment, supervision, or monitoring of the individual's work and any requirements of the Commission in respect of such matters applicable during the period of the review.

(e) Paragraphs (a) to (d) above shall not apply to a licensee for so long as the licensee is a 'small-scale operator' as defined in the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006 ('the Regulations').

(f) During the period of 3 years commencing with the date on which a licensee ceases to be a small-scale operator paragraphs (a) to (e) above shall apply subject to the proviso that the phrase 'each individual' in paragraph (a)(i) shall not include any individual who was a 'qualified person' (as defined in the Regulations) in relation to the licensee 28 days immediately prior to the licensee ceasing to be a small-scale operator.

### **All casino operating licences, except ancillary remote licences**

In addition to paragraphs (a) to (f) above, licensees must ensure that if any of the following operational functions:

- dealer in respect of casino games
- cashier
- inspector
- security staff employed to watch gaming
- supervisor of gaming activities

is performed in connection with the licensed activities, it is performed by an individual who holds a personal licence authorising performance of the function (hereafter 'a personal functional licence'). Licensees must take all reasonable steps to ensure that anything done in the performance of those functions is done in accordance with the terms and conditions of the personal functional licence.

## **All lottery operating licences issued to non-commercial societies and local authorities**

(a) Subject to (e) below licensees must ensure that the individual who occupies the management office specified in (b) below in or in respect of the licensee or in connection with the licensed activities holds a personal licence authorising the performance of the functions of that office (hereafter 'a personal management licence').

(b) The specified management office is that director's post in the case of a licensee which is a company, that partner in the case of a licensee which is a partnership, or that office in a licensee which is an unincorporated association or local authority, the occupier of which has overall management responsibility for the promotion of the lottery.

(c) Licensees must take all reasonable steps to ensure that anything done in the performance of the functions of a specified management office is done in accordance with the terms and conditions of the holder's personal management licence.

(d) Where an individual is authorised by a personal licence and that licence comes under review under section 116(2) of the Act, the operating licensee must comply with any conditions subsequently imposed on that licence by the Commission about redeployment, supervision, or monitoring of the individual's work and any requirements of the Commission in respect of such matters applicable during the period of the review.

(e) Paragraphs (a) to (d) above shall not apply to a licensee for so long as the licensee is a 'small-scale operator' as defined in the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006.

## **2 Technical standards and equipment specifications**

### **All non-remote gaming machine technical and gambling software licences and remote operating licences, including remote gaming machine technical, remote gambling software and betting ancillary remote licences, but not remote betting intermediary (trading rooms only) licences**

Licensees must comply with the Commission's technical standards and with requirements set by the Commission relating to the timing and procedures for testing.

#### **Non-remote bingo operating licences and bingo ancillary remote licences**

Licensees must comply with the Commission's specifications for bingo equipment.

#### **Non-remote casino operating licences and casino ancillary remote licences**

Licensees must comply with the Commission's specifications for casino equipment.

## **3 Financial robustness**

### **3.1 Notification of shareholders**

#### **All operating licences, except ancillary remote licences, issued to companies**

All company licensees must notify the Commission of the name and address of any person who becomes a shareholder in the company or its holding company holding 3% or more of the issued share capital of the company or its holding company; or any existing shareholder who acquires a holding of 3% or more of the issued share capital of the company or its holding company.

In this condition 'holding company' has the meaning ascribed to that term by section 1159 of the Companies Act 2006 or any statutory modification or re-enactment thereof.

## **4 Protection of customer funds**

### **All operating licences, except gaming machine technical, gambling software, ancillary remote bingo, ancillary remote casino and lottery licences issued to non commercial societies or local authorities**

Licensees who hold customer funds for use in future gambling must set out clearly, in information made available to customers in writing, whether they protect customers' funds in the event of insolvency and the method by which this is achieved.

### **All lottery managers' operating licences**

Licensees must credit all lottery proceeds to a bank account or accounts having trustee status and at all times maintain a separation between those funds and their own trading income, or have in place other arrangements which provide legal protection, in the event of the licensee's insolvency, for society and local authority lottery funds the licensee manages.

## **5 Cash handling**

### **All operating licences (including remote betting intermediary (trading rooms only) licences), except gaming machine technical, gambling software and remote licences**

Licensees, as part of their internal controls and financial accounting systems, must have and put into effect policies and procedures concerning the handling of cash, and cash equivalents (ie bankers drafts, cheques and debit cards), designed to minimise the risk of crimes such as money laundering, to avoid the giving of illicit credit and to provide assurance that gambling activities are being conducted fairly.

## **6 Provision of credit by licensees and the use of credit cards**

### **All gaming machine general operating licences for adult gaming centres and family entertainment centres**

Licensees must neither:

- provide credit themselves in connection with gambling; nor
- participate in, arrange, permit or knowingly facilitate the giving of credit in connection with gambling.

## **7 General 'fair and open' provisions**

### **All operating licences, except gaming machine technical and gambling software Licences**

Licensees must satisfy themselves that the terms on which gambling is offered are not unfair under the Unfair Terms in Consumer Contracts Regulations 1999 and, where applicable, meet the reasonableness test under the Unfair Contract Terms Act 1977. An accurate summary of the



contractual terms on which gambling is offered must be made available to customers and set out in plain and intelligible language.

Customers must be notified of changes to terms before they come into effect.

## **8 Display of licensed status**

### **All lottery operating licences**

Lottery promoters must display 'licensed by the Gambling Commission' and details of the Gambling Commission website on lottery tickets.

### **All remote bingo, casino, general betting, betting intermediary and pool betting operating licences, except ancillary remote licences and remote betting intermediary (trading rooms only) licences**

Licensees offering gambling on websites must:

a) display the following information on a page which, by virtue of the construction of the website, customers access before gambling:

- (i) a statement that they are licensed and regulated by the Gambling Commission
- (ii) their licence number and
- (iii) a link to the Gambling Commission's website

b) display at least the information at (i) above on each page of the website which offers facilities for gambling in reliance on the licence

c) where they offer on pages of the website, or by means of a link from the website, facilities for gambling which are not provided in reliance on their Gambling Commission licence, clearly distinguish those products which are regulated by the Commission from those which are not.

### **All gaming machine technical and gambling software licences**

Licensees offering the supply of gaming machines or gambling software on websites must:

a) display the following information on the first page of the website which offers gaming machines or gambling software in reliance on the licence:

- (i) a statement that they are licensed and regulated by the Gambling Commission
- (ii) their licence number and
- (iii) a link to the Commission's website

b) display at least the information at (i) above on each page of the website which offers gaming machines or gambling software in reliance on the licence

c) where they offer on pages of, or by means of a link from, their website, the supply of gaming machines or gambling software which are not provided in reliance on their licence, clearly distinguish those products which are regulated by the Commission from those which are not.

## **9 Types and rules of casino and other games**

### **All non-remote casino operating licences**

Licensees must not offer or permit to be played casino games that appear on any list of games prohibited by the Commission.

### **All non-remote bingo operating licences**

Licensees must not offer or permit to be played prize gaming games that appear on any list of games prohibited by the Commission.

## 10 Tipping of casino employees

### All non-remote casino operating licences

Licensees must only permit tipping of staff holding personal licences where a tronc system is operated; that is to say, where all tips are pooled and distributed amongst the employees concerned. A separate tronc may be operated for each of a number of categories of licensed staff.

## 11 Lotteries

### All lottery operating licences

Licensees must ensure that at least 20% of the proceeds of any lottery promoted in reliance on the licence are applied to a purpose for which the promoting non-commercial society is conducted or the promoting local authority has power to incur expenditure.

The proceeds of any lottery promoted in reliance on this licence must not exceed £4,000,000 and the aggregate of the proceeds of lotteries promoted wholly or partly in a calendar year in reliance on the licence must not exceed £10,000,000.

The rules of any lottery promoted in reliance on this licence must be such as to ensure:

a) that it is not possible for the purchaser of a ticket in the lottery to win by virtue of that ticket (whether in money, money's worth, or partly the one and partly the other and including any winnings arising from a rollover) more than:

- £25,000
- if more, 10% of the proceeds of the lottery.

b) that membership of the class among whom prizes are allocated does not depend on making any payment (apart from payment of the price of a ticket).

A lottery promoted in reliance on this licence must not be linked to any other lottery, free draw or prize competition.

For the purposes of this condition:

a) two or more lotteries are linked if any of them is so structured that a person who wins a prize in that lottery will also win a prize in some or all of the others, unless the maximum amount which a person can win is no more than £400,000 in aggregate. In determining whether two or more lotteries are linked it is immaterial how many of them are promoted in reliance on this licence

b) a lottery is linked to a free draw or prize competition if:

- (i) a person's participation in, or his being allocated a prize in, the lottery is a means of establishing his eligibility to enter the draw or competition and
- (ii) the arrangements for the lottery and/or the draw or competition are such that a person may win more than £400,000 in aggregate as a result of his participation in the lottery and the draw or competition.

If a lottery, whilst not a linked lottery, has the feature that by selecting the same numbers, or combination of numbers in the lottery and in one or more other lottery or lotteries the participant in those lotteries may win prizes which, in aggregate, exceed £400,000, no advertisement for, nor other marketing of, the lottery may make any reference to that feature.

In the case of lottery operating licences issued to non-commercial societies and lottery managers' operating licences, licensees must ensure that each person who purchases a ticket in a lottery promoted in reliance on this licence, or promoted on behalf of a society in reliance on this licence, receives a document which:

- identifies the promoting society
- states the name and address of a member of the society who is designated, by persons acting on behalf of the society, as having responsibility within the society for the promotion of the lottery
- either states the date of the draw (or each draw) in the lottery, or enables the date of the draw (or each draw) in the lottery to be determined.

Licensees must display 'licensed by the Gambling Commission' and details of the Gambling Commission website on lottery tickets.

The price payable for purchasing each ticket in a lottery promoted in reliance on this licence:

- must be the same
- must be shown on the ticket or in a document received by the purchaser; and
- must be paid to the promoter of the lottery before any person is given a ticket or any right in respect of membership of the class among whom prizes are to be allocated.

For the purposes of these conditions, reference to a person receiving a document includes a reference to a message being sent or displayed to him electronically in a manner which enables him, without incurring significant expense or delay, to:

- retain the message electronically
- print it.

Licensees must lodge with the Commission a description of, and a copy of the rules of, any lottery intended to be promoted in reliance on this licence, and any amendment to the rules of a lottery previously notified to the Commission, at least 28 days before any tickets in such lottery, or amended lottery, are put on sale.

Lottery tickets must not be sold to a person in any street. But tickets may be sold by a person present in a kiosk or shop premises having no space for the accommodation of customers or door to door. For the purposes of this condition 'street' includes 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.

In respect of each lottery promoted in reliance on this licence, a lottery submission must be sent to the Commission within three months of the date of the determination of the lottery or, in the case of an 'instant lottery', within three months of the last date on which tickets in the lottery were on sale. It must show the total proceeds and how they have been distributed between prizes and expenses and the amount applied directly to the society's purposes or, in the case of licences issued to local authorities, the amount applied directly to purposes for which the authority has power to incur expenditure.

Every lottery submission must contain or be accompanied by a declaration that the information given in it is correct to the best of the signatory's knowledge and belief. The submission must be signed by:

- a) the holder of a personal licence issued under Part 6 of the Act or
- b) a 'qualified person' as defined in the Gambling Act 2005 (Definition of Smallscale Operator) Regulations 2006 or
- c) the designated person named on tickets in a lottery promoted by or on behalf of a non-commercial society as having responsibility within the society for the promotion of the lottery.

Accounting records and copies of lottery submissions must be retained for a minimum of three years from the date of any lottery to which they relate and be made available for inspection by the

Commission on request. Accounting records must contain, in respect of each lottery, details of the total proceeds of the lottery, the expenses of the lottery and the sum allocated from the proceeds to cover those expenses, and the number of sold and unsold tickets.

For any calendar year in which the cumulative proceeds of lotteries promoted in reliance on this licence exceed £1,000,000 the licensee must provide the Commission with written confirmation from a qualifying auditor confirming that the proceeds of those lotteries have been fully accounted for in their annual audited accounts. Such confirmation must be provided within ten months of the date to which the accounts are made up.

A qualifying auditor means a person who is eligible for appointment as a company auditor under section 25 of the Companies Act 1989 but, in the case of a lottery promoted by or on behalf of a non-commercial society, is not:

- a) a member of the society
- b) a partner, officer or employee of such a member or
- c) a partnership of which a person falling within (a) or (b) is a partner.

Accurate records for each lottery must be kept by the operator to support the data in the lottery submissions and must be made available for inspection by the Commission when required. Such records must include:

- the total proceeds in each lottery
- the percentage of proceeds allocated to prizes in each lottery
- the amount of proceeds allocated to expenses and details of those expenses for each lottery
- the number of sold and unsold tickets in each lottery.

In the case of lottery managers' operating licences only, all licensees must have procedures in place designed to ensure that funds belonging to a society or local authority whose lotteries they manage in reliance on this licence are accounted for to them in a timely manner.

## 12 Betting intermediaries

### All non-remote betting intermediary operating licences

Licensees must not lay bets on their own behalf when operating in their capacity as a public tic-tac on a track.

Tic-tacs must act only in relation to bets between holders of general betting operating licences (whether acting as principal or agent or through their authorised employees).

## 13 Pool betting

### All pool betting operating licences, except those restricted to football pools

Licensees must inform the Commission, within 14 days, in writing, of any person they authorise under section 93(2) of the Act to offer pool betting on a track in connection with a horserace or dog race in reliance on an occasional use notice. In doing so, they must include the terms and conditions under which this has been agreed, and provide contact details of the management and key staff of those that are authorised.

Licensees and any person they so authorise must produce and retain a record of the transactions relevant to each pool that they offer. The record must be capable of identifying individual bets into the pool and relating these to subsequent payment of winnings where applicable. Licensees must make this information available to the Commission on request.

## **All pool betting operating licences which authorise football pools**

Licensees must inform the Commission, within 14 days, in writing, of any person they authorise under Section 93(3) of the Act in respect of football pool betting. In doing so, they must include the terms and conditions under which this has been agreed.

Licensees and any person they so authorise must produce and retain a record of the transactions relevant to each pool that they offer. The record must be capable of identifying individual bets into the pool and relating these to the subsequent payment of winnings where applicable. Licensees must make this information available to the Commission on request.

## **All pool betting operating licences**

Licensees must produce annual accounts which should be certified by a qualified independent accountant. Licensees must make copies available to the Commission.

# **14 Access to premises**

## **All operating licences**

Licensees must have and put into effect policies and procedures (including staff training programmes) designed to ensure that their staff co-operate with the Commission's enforcement officers in the proper performance of their compliance functions and are made aware of those officers' rights of entry to premises contained in Part 15 of the Act.

# **15 Information requirements**

## **15.1 Reporting suspicion of offences etc**

### **All operating licences, except betting, betting intermediary, ancillary remote betting and remote betting intermediary (trading rooms only) licences**

Licensees must provide the Commission with any information that they know relates to or suspect may relate to the commission of an offence under the Act, including an offence resulting from a breach of a licence condition or a code provision having the effect of a licence condition.

### **All betting operating licences, including betting intermediary, ancillary remote betting and remote betting intermediary (trading rooms only) licences**

Licensees must provide the Commission with any information that they:

- know relates to or suspect may relate to the commission of an offence under the Act, including an offence resulting from a breach of a licence condition or a code provision having the effect of a licence condition
- suspect may lead the Commission to consider making an order to void a bet.

Licensees who accept bets, or facilitate the making or acceptance of bets between others, on the outcome of horse races or other sporting events governed by one of the sport governing bodies for the time being included in Part 3 of Schedule 6 to the Act must also provide the relevant sport governing body with sufficient information to conduct an effective investigation if the licensee suspects that information in their possession may:

- lead the Commission to consider making an order to void a bet
- relate to a breach of a rule on betting applied by that sport governing body.

## 15.2 Reporting 'Key Events'

### All operating licences, except ancillary remote licences

A key event is an event that could have a significant impact on the nature or structure of a licensee's business. Licensees must notify the Commission of the occurrence of any of the following key events as soon as reasonably practicable and in any event within five working days of the licensee becoming aware of the event's occurrence<sup>2</sup>.

- in the case of licensees which are companies, a petition being presented for their winding up or the winding up of any group company of theirs, or they or any group company being placed in administration or receivership: in this condition a 'group company' is any subsidiary or holding company of the licensee – as those terms are defined in section 1159 of the Companies Act 2006 or any statutory modification or re-enactment thereof – and any subsidiary of such holding company
- in the case of a licensee who is an individual (or a partner in a partnership licensee) their being presented with a petition for their bankruptcy or sequestration or their entering into an individual voluntary agreement
- where the licensee is required to have their accounts independently audited, any unplanned change of auditor including a change prompted by a dispute or resulting from auditors being unable or unwilling to sign an unqualified audit report
- the departure from the licensee's business of any person occupying a 'qualifying position' as defined by Regulation 2(2) of the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006
- any breach of a covenant given to a bank or other lender
- any default in making repayment of the whole or any part of a loan on its due date
- any court judgments remaining unpaid 14 days after the date of judgment
- the commencement of any material litigation against the licensee
- the imposition of a disciplinary sanction, including dismissal, against the holder of a personal licence or a person occupying a qualifying position for gross misconduct; or the resignation of a personal licence holder or person occupying a qualifying position following commencement of disciplinary proceedings in respect of gross misconduct against that person
- in the case of remote gambling, the commencement or cessation of trading on website domains (including WAP URLs) or broadcast media through which the licensee provides gambling facilities.

## 15.3 General and Regulatory Returns

### All operating licences

On request, licensees must provide the Commission with such information as the Commission may require about the use made of facilities provided in accordance with this licence, and the manner in which gambling authorised by this licence and the licensee's business in relation to that gambling are carried on, including in particular information about:

- the numbers of people making use of the facilities and the frequency of such use
- the range of gambling activities provided by the licensee and the numbers of staff employed in connection with them
- the licensee's policies in relation to, and experiences of, problem gambling.

In particular within 28 days of the end of each quarterly period or, for those only submitting annual returns, within 42 days of the end of each annual period, licensees must submit a Regulatory

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<sup>2</sup> Key events can be reported securely online at the Commission's website at [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk) or by email to [key.events@gamblingcommission.gov.uk](mailto:key.events@gamblingcommission.gov.uk) or posted to Key Events, Compliance Administration Team, Gambling Commission, Victoria Square House, Victoria Square, Birmingham B2 4BP

Return to the Commission containing such information as the Commission may from time to time require<sup>3</sup>.

## **16 Primary gambling activity**

### **Non-remote bingo operating licences, except where bingo is offered under a 2005 Act casino premises licence**

Gaming machines may be made available for use in licensed bingo premises only on those days when sufficient facilities for playing bingo are also available for use.

In cases where bingo is exclusively offered by means of electronic bingo terminals or bingo machines, there must be more individual player positions made available for bingo than there are gaming machines made available for use.

### **Non-remote casino operating licences, except 2005 Act casino operating licences**

Gaming machines may be made available for use in licensed casino premises only on those days when sufficient facilities for playing casino games and/or games of equal chance are also available for use.

When a casino exclusively offers fully automated casino games, there must be more individual player positions made available for these games than there are gaming machines made available for use.

### **Non-remote general betting licences, except where betting is offered under a 2005 Act casino premises licence**

Gaming machines may be made available for use in licensed betting premises only at times when there are also sufficient facilities for betting available.

Such facilities for betting must include the provision of information that enables the customer to access details of the events on which bets can be made and to be able to place those bets, obtain details of the outcome of the events, calculate the outcome of their bets and be paid or credited with any winnings.

Where licensees provide facilities for betting only by means betting machines (machines which are designed or adapted for the purpose of making or accepting bets on future real events) the licensee must ensure that the number of betting machines is greater than the number of gaming machines which are made available for use in reliance on the premises licence.

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<sup>3</sup> Regulatory returns can be submitted securely online at the Commission's website at [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk) For operators unable to access this system, the forms and a guide to completing them can be requested from the Commission and returned by email to [Regulatory>Returns@gamblingcommission.gov.uk](mailto:Regulatory>Returns@gamblingcommission.gov.uk) or by post to Regulatory Returns, Compliance Administration Team, Gambling Commission, Victoria Square House, Victoria Square, Birmingham, B2 4BP

## Suite of general conditions to be attached to personal licences under Section 75 of the Gambling Act 2005

- 1 Personal licence holders must take all reasonable steps to ensure that the way in which they carry out their responsibilities in relation to licensed activities does not place the holder of the operating or any relevant premises licence in breach of their licence conditions.
- 2 Personal licence holders must keep themselves informed of developments in gambling legislation, codes of practice and any Commission guidance (whether issued on the Commission's website or communicated directly to licence holders) relevant to their role. Holders of personal functional licences must keep their technical competence in respect of their licensed activities up to date.
- 3 Personal licence holders must notify the Commission of the occurrence of any of the following key events within five working days, or as soon as reasonable practicable after the licensee becomes aware of the event's occurrence<sup>4</sup>:
  - their subsection to any criminal investigation which is listed under Schedule 7 Relevant Offences of the Gambling Act 2005;
  - their conviction of any offence listed under Schedule 7 – Relevant Offences of the Gambling Act 2005;
  - any current or pending investigation by a professional, statutory, regulatory or government body in Great Britain or abroad;
  - the imposition of any sanction or penalty against them following an investigation by any professional, statutory, regulatory or government body in Great Britain or abroad;
  - the imposition of a disciplinary sanction against them, including dismissal, for gross misconduct;
  - their resignation from a position for which a personal licence is required following commencement of disciplinary proceedings in respect of gross misconduct;
  - their disqualification from acting as a company director;
  - the presentation of a petition for their bankruptcy or sequestration or their entering into an individual voluntary agreement;
  - a change in their name or address.

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<sup>4</sup> Key events may be reported securely on-line using the Commission's website at [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk). Or by email to [key\\_events@gamblingcommission.gov.uk](mailto:key_events@gamblingcommission.gov.uk) or posted to Key Events, Compliance Administration Team, Gambling Commission, Victoria Square House, Victoria Square, Birmingham, B2 4BP



# Matters for Decision

## MATTERS FOR DECISION

### Application made under Section 159 of the Gambling Act 2005 Betting Premises Licence (other than track)

**Coral, 67 Ballards Lane, London, N3 1XP**

#### Determination and Notification

##### Determination in accordance with Section 163 of the Gambling Act 2005

- (1) On considering an application for a premises licence (whether at a hearing or not) the licensing authority shall-
  - a. Grant it, or
  - b. Reject it.
- (2) A licensing authority shall not determine an application for a premises licence made in reliance on section 159(3) (b) until the relevant operating licence has been issued (in a form which authorises the applicant to carry on the activity in respect of which the premises licence is sought)

*Please note that the mandatory conditions shown in annex 3 of the officers report will automatically be placed onto the licence should it be granted.*

##### Notification

Where a licensing authority grants or rejects an application for a premises licence they shall as soon as is reasonably practicable give notice to :-

- i. The Applicant,
- ii. The Commission
- iii. Any person who made representations about the application under section 161,
- iv. In England and Wales, the chief officer of police for any area in which the premises are wholly or partly situated,  
and
- v. Her Majesty's Commissioners of Customs and Excise.

Decision	
GRANTED	REFUSED

(Delete where appropriate)

Conditions attached (by virtue of section 169 of the Gambling Act 2005):
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Reasons for decisions above:
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