

Licensing Sub Committee Agenda

Thursday, 14 October 2021 at 10.00 am

Council Chamber, Muriel Matters House, Breeds Place, Hastings, TN34 3UY

For further information, please contact Democratic Services on 01424 451484 or email democraticservices@hastings.gov.uk

		Page No.
Members of the Licensing Sub Committee to sit on this hearing are:		
Councillors Sinden, Edwards and Fernando with Councillor Williams in reserve.		
1.	Appointment of Chair for this Meeting	
2.	Apologies for absence	
3.	Minutes of previous meetings	1 - 16
4.	Declarations of Interest	
5.	Notification of Additional Urgent Items	
PROCEDURAL NOTE		
6.	Application for a Gambling Premises licence, with an objection. Merkur Slots, 40-41 Queens Road, Hastings, TN34 1RE	19 - 118
7.	Additional urgent items (if any)	

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23 JUNE 2021

Present: Councillors Patmore (Chair), Edwards, Roberts and Cox (in reserve).

59. APPOINTMENT OF CHAIR FOR THIS MEETING

In accordance with the terms of reference of the Licensing Committee, the council solicitor invited nominations for the appointment of Chair for the duration of the meeting. Councillor Roberts proposed that Councillor Patmore should take the Chair, seconded by Councillor Edwards.

RESOLVED (unanimously): that Councillor Patmore be appointed as Chair for the duration of the meeting.

60. APOLOGIES FOR ABSENCE

None.

61. MINUTES OF PREVIOUS MEETING

RESOLVED (unanimously): that the minutes of the meeting held on 25th February 2021 be approved as a true record.

62. DECLARATIONS OF INTEREST

None.

63. REVIEW OF PREMISE LICENCE, CROWLEY'S 55-56 HAVELOCK ROAD, HASTINGS, TN34 1BE

In recognising the concerns raised about the specific issues under the Licensing Mr Bryant, the Licensing Lead Officer presented a precis of his report. On the 10th March 2021 Hastings Borough Council received an application for the review of an existing premises licence under Section 51 of the Licensing Act 2003 for Crowley's, 55-56 Havelock Road, Hastings, from Chief Inspector Sarah Godley, Hastings and Rother District Commander, Sussex Police.

The application for review cites incidents of drunkenness, disorder, high drug swab test readings, assaults including a stabbing, and refers to non-compliance with the conditions of the licence. As a result, Sussex Police recommended a series of 9 conditions to be considered together with a suspension of the license for no less than six weeks in order to make the necessary adjustments. In addition the application asks the Sub-Committee to consider removal of the Designated Premises Supervisor (DPS) and a reduction in hours for all licensable activities by 2 hours.

LICENSING SUB COMMITTEE

23 JUNE 2021

A further representation was received from Mr John Ballam, Environmental Health Officer, Hastings Borough Council, in support of the review. In his submission Mr Ballam comments on the past involvement of the Environmental Health team with the management of the premises and ongoing noise issues, including the service of a noise abatement notice on the DPS and licence holder. Mr Ballam requested, in addition to the existing conditions and those recommended by Sussex Police, that the Sub-Committee consider 4 further conditions, as outlined in the officer's report.

Mr Savill, counsel for Sussex Police, made a submission to the Sub-Committee. Mr Savill outlined that the premises has been connected to drug use, regular drunkenness, significant antisocial behaviour, and violence. All of which undermines the licensing objectives.

The premises has been closed since Halloween and this has offered time for reflection and discussion between the parties, which has narrowed the areas of concern.

Mr Savill informed the Sub-Committee that all the additional conditions (conditions 1-9 in the Sussex Police review application) had been agreed.

The removal of the DPS has already taken place and Mr Savill reminded the Sub-Committee that Sussex Police retain the right to object to any new candidate for DPS. Additionally, due to Covid-19 the premises has been closed for a period significantly longer than the Sub-Committee could impose.

Therefore, the only significant issue to be resolved is the reduction in operating hours. Both parties agreed that there should be a reduction in hours, except for when the premises is open for a live music event, in which case the sale of alcohol may continue for 1 hour after the live music ends. The position of Sussex Police is that this should be limited to 2 events per month, the licence holder contends this should be the case every Saturday.

Mr Grunert, the solicitor for the licence holder, made a submission to the Sub-Committee and reminded members that this is the first such enforcement action against the licence holder and operator of Crowley's. All individuals involved in the venue have experience of operating licensed venues and have regard for the licensing objectives.

It was confirmed by Mr Grunert that the matters raised in the representation from Environmental Health had been accepted and the conditions agreed.

Mr Grunert said that the submission from Sussex Police describes an escalation of issues, however the premises has worked very hard to address these. In relation to drugs, the current readings from swab tests of the premises are such that they would not cause concern. The levels have been suppressed and the readings raised in the police submission are historic in nature. UV lights have been fitted and other

LICENSING SUB COMMITTEE

23 JUNE 2021

alterations made in order to deter drug use and the premises has invested in its own swab kits.

Incidents involving drunkenness will be addressed in a number of ways, including staff training; increasing non-alcoholic drink choices; repositioning the premises to attract new customers; and not allowing entry to the venue 1 hour before end of the sale of alcohol.

It was confirmed that the DPS, who is also responsible for other licensed venues in the town, had resigned in order that a new DPS could be appointed with sole responsibility for Crowley's. Additionally, the 'Ask for Angela' scheme will be implemented and all staff will undertake Drink Aware training.

It is proposed by the licence holder that the premises close at midnight on Saturday's unless a live music event is taking place, when it would close 1 hour after the end of the live music event. Mr Grunert said that this is part of the repositioning of the premises, with the principal attraction being live music. A membership scheme will also be in operation offering access to live music events. This will help moderate behaviour as customers will be identifiable. In order to create a new persona for the premises the frequency of the live music events is important in order to generate a new repeat customer base.

Mr Grunert said that it is accepted that trust needs to be rebuilt with the police but the licence holder cannot accept a two thirds reduction in the 2am licence and in these proposals the licence holder is putting the licensing objectives before profit.

The committee adjourned for a comfort break at 11:09am and reconvened at 11:17am.

The Chair invited questions.

In response to a question regarding the membership scheme it was confirmed that this would involve registering with contact details in return for a membership card. A record would be kept of which members attended on which evening and customers would need to be a registered member in order to buy a ticket for a live music event.

Mr Savill asked if the outgoing DPS, Mr Naylor, would have any ongoing involvement in the premises. Mr Grunert confirmed that Mr Naylor would be the employer of the new DPS but disagreed that Mr Naylor is the cause of any of the concerns raised.

The Licensing Lead Officer asked questions of the Licence Holder.

In response it was confirmed by Mr Naylor that when issues related to noise were raised upcoming gigs were immediately cancelled in order that sound proofing could be installed. Environmental Health were notified of the works.

LICENSING SUB COMMITTEE

23 JUNE 2021

Mr Grunert said that the venue would give the police a minimum of 2 weeks' notice of any live music events and it is not intended that every live music event go on until 2am.

All parties summarised their position.

Councillor Edwards proposed a motion, as set out below, seconded by Councillor Patmore.

RESOLVED (unanimously):

In recognising the concerns raised about the specific issues under the Licensing Objectives and having regard to its Licensing Policy and to the guidance issued by the Secretary of State, the licence is modified to include the following conditions:

(1) CCTV: Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV System, operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises. The system shall be turned on and recording at all times the premises licence is in operation.

- a) The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.
- b) CCTV footage will be stored for a minimum of 28 days.
- c) The management will give full and immediate cooperation and technical assistance to Sussex Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.
- d) The CCTV images will record and display dates and times and these will be checked regularly to ensure their accuracy.
- e) Subject to Data Protection guidance and legislation, the management of the premises will ensure that key members of staff are fully trained in the operation of the CCTV cameras and recording equipment and will be able to download selected footage onto a disk for the Police without difficulty or delay and without charge to Sussex Police.
- f) Any breakdown or system failures of the CCTV cameras and recording equipment will be notified to Sussex Police immediately and remedied as soon as practicable.

(2) SIA registered door staff will be employed at the premises from 21:00hrs until half an hour after the premises has closed on Thursday, Friday and Saturday's plus Bank Holidays, New Years Eve, public holidays and at any time when a temporary event notice is in operation.

LICENSING SUB COMMITTEE

23 JUNE 2021

(3) An incident book will be kept and maintained at the premises and made available for inspection by Sussex Police Licensing Officers and Local Authority Officers on request. This incident book shall be solely used for the purpose of recording incidents.

- a) The incident book will be maintained by the premises showing a detailed note of incidents that occur in the premises. The incident book will be inspected and signed off by the Designated Premises Supervisor (or a person with delegated authority from the Designated Premises Supervisor) at least once a week.
- b) The incident book should be kept on the premises and be available for inspection at all times the premises are open by Sussex Police Licensing Officers and Local Authority Officers. An incident will be defined as being one which involves an allegation of a criminal offence.
- c) Feedback shall be given to staff to ensure these are used on each occasion that a refusal incident occurs at the premises.

(4) A refusals register will be kept and maintained at the premises and made available for inspection by Sussex Police Licensing Officers and Local Authority Officers on request. Any refusals made for alcohol service eg underage, will be recorded in the refusals register (to be kept in either electronic or written form) and feedback given to staff as relevant. The records within the register will be kept at the premises for a minimum of twenty-four (24) months.

(5) A Personal Licence Holder shall be present at all times when the premises is open to the public.

(6) All staff shall have written authorisation from the Designated Premises Supervisor or Personal Licence Holder to permit them to sell alcohol.

(7) Staff will contact Sussex Police as soon as is practicable if there is evidence of drug use or suspected drug use within the premises.

(8) Zero tolerance notices in relation to drug use will be prominently displayed throughout the premises and a drugs policy will be drawn up and implemented by the management to the satisfaction of Sussex Police.

(9) A challenge 25 policy shall be in operation at the premises and staff will be suitably trained to implement this policy.

(10) No noise generated on the premises from music, patrons or any mechanical equipment shall emanate from the premises, nor vibrations be transmitted through the structure of the premises, that may give rise to a nuisance at any noise sensitive premises from 11:00 until closing time.

LICENSING SUB COMMITTEE

23 JUNE 2021

- (11) Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quickly and quietly.
- (12) The Designated Premises Supervisor or nominated person will monitor the impact on neighbouring premises throughout any regulated entertainment and therein take action to reduce noise levels if they can be heard at the nearest residential property.
- (13) Any queue to enter the premises which forms outside the premises shall be orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway.
- (14) Reduction of hours:
- (a) Subject to 14(b), the sale of alcohol, recorded music, live music and dancing to be reduced by 2 hours from 02:00hrs to midnight Thursday to Saturday.
- (b) The sale of alcohol, recorded music, live music and dancing to be permitted until 01:00hrs on a maximum of two Saturdays per month subject to Sussex Police being provided with written notice not being less than 30 days of each occasion the premises will be open until 01:00hrs.
- (15) No further customers to enter the premises in addition to those already within the Premises between midnight and 01:00hrs on any Saturday where the hours are extended to 01:00hrs under 14(b).
- (16) There will be promotion of a range of non-alcohol brands by giving increased exposure on the bar to non-alcoholic beers, wines and spirits. A minimum of 25 low or non-alcoholic products (excluding minerals) will be on sale at the premises.
- (17) An "Ask for Angela" scheme shall be in operation at the premises and staff will be suitably trained to implement this scheme.
- (18) Staff to receive appropriate training around alcohol safety awareness (including customer vulnerability). All staff to complete the Drinkaware Alcohol Vulnerability Awareness e-learning course within 3 months of commencing employment.

Reasons:

The Sub-Committee makes the above decision for the following reasons:

1. The Sub-Committee is mindful of the history of the premises which includes anti-social behaviour inside and outside the premises, sexual harassment, noise nuisance, excessive levels of intoxication and drug use.
2. The Sub-Committee notes that one cause of the issues was customers were visiting the premises as part of a circuit of different licensed premises which meant that customers were already intoxicated on arriving at the premises.

LICENSING SUB COMMITTEE

23 JUNE 2021

3. The Sub-Committee notes what has been said by the Licence Holder's representative about steps they had taken to address issues at the Premises.
4. The Sub-Committee listened to all parties and notes that many of the issues raised by the Review had been addressed prior to the hearing and agreement had been reached in respect of many of the proposed conditions put forward by the Police and Hastings Borough Council's Environmental Health officer.
5. There remained disagreement on the extended operating hours on a certain number of Saturdays per month. On considering the arguments made by the parties, the Sub-Committee agreed with the cautious approach proposed by Sussex Police with regards to limiting the extended hours to two Saturdays per month, given the history of the Premises referred to above. However, the Sub-Committee wish to see the condition be clearly stated with no ambiguity in respect of the activity allowed and time each could be continued until. The Sub-Committee also believed that 30 days written notice was a more reasonable time frame to give notice to Sussex Police to allow for them adapt operationally.
6. The Sub-Committee is of the opinion that the conditions imposed by the Sub-Committee will have a positive impact on running of the Premises in respect of the four licensing objectives.

(The Chair declared the meeting closed at 12:20pm)

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LICENSING SUB COMMITTEE

30 JUNE 2021

Present: Councillors Patmore (Chair), Sinden, Webb and Fernando (in reserve).

64. APPOINTMENT OF CHAIR FOR THIS MEETING

In accordance with the terms of reference of the Licensing Committee, the council solicitor invited nominations for the appointment of Chair for the duration of the meeting. Councillor Webb proposed that Councillor Patmore should take the Chair, seconded by Councillor Sinden.

RESOLVED (unanimously): that Councillor Patmore be appointed as Chair for the duration of the meeting.

65. APOLOGIES FOR ABSENCE

None.

66. DECLARATIONS OF INTEREST

Councillor	Minute	Interest
Cllr Webb	67	Personal - trustee of His Place Church near the premises

67. APPLICATION FOR A PREMISES LICENCE, WITH AN OBJECTION. SOUTH STAR, 20 ROBERTSON STREET, HASTINGS

Mr Bryant, the Licensing Lead Officer gave a precis of his report to the Sub-Committee.

On the 6th May 2021 Hastings Borough Council received an application for a new premises licence for South Star, 20 Robertson Street, Hastings, made under section 17 the Licensing Act 2003. The premises is located within Area 2 (Hastings Town Ctr) of the Council's Special Saturation Policy (Cumulative Impact).

As a result of the statutory consultation process a representation was received from Inspector Aidan Cornwall of Sussex Police, requesting a series of 5 conditions.

The applicant subsequently agreed to 4 of the requested conditions in relation to CCTV; staff training; Challenge 25 policy; and an incidents and refusals register. However, no agreement was reached in relation to a 1 hour reduction in operating hours.

LICENSING SUB COMMITTEE

30 JUNE 2021

An additional representation was received from Mr John Ballam, Environmental Health Officer, Hastings Borough Council, requesting a further 3 noise related conditions under the prevention of public nuisance.

Ms Rolfe, Sussex Police Licensing Officer, explained that upon review the application was found to be not strong enough to support a premises of this type. Therefore, the applicant was contacted and some agreement was reached, except for in relation to a reduction in operating hours. There was also concern that bar staff would be operating in a dual role as SIA (Security Industry Authority) door operatives.

Inspector Cornwall shared crime data from July 2017 to June 2020 for Castle Ward, where the premises is located. The data showed that individuals are 3 times more likely to be the victim of a violent crime in Castle Ward than any other area in Hastings. The area recorded the highest level of knife crime in East Sussex, and approximately one third of all alcohol related crime in Hastings took place in Castle Ward during that period.

The applicant, Mr Mycock, confirmed that he had been in contact with Environmental Health and had agreed to the additional noise related conditions.

Mr Mycock told the Sub-Committee that he is looking to open a venue which had the facility to operate until 3am, to provide an outlet for people to listen to and play live music in the town centre. The intention is not to create a new nightclub venue and the premises would be an over 25's only venue.

In addressing the issue of bar staff taking on a dual role Mr Mycock confirmed there would be separate bar staff and door operatives in operation. Although bar staff training would be supplemented with SIA training it is not proposed that they operate in a dual role.

Accepting that Castle Ward is an area that needs careful treatment Mr Mycock highlighted that there are already 3 premises in Robertson Street with late night licences and the addition of 1 well managed venue, with the requested conditions, would not make a material impact on the crime statistics.

Mr Mycock said that the premises shouldn't be put at a competitive disadvantage to neighbouring late night venues and an earlier licence would reduce the ability to manage a controlled exit of customers from the venue over a period of time.

The Chair invited questions.

In response to a question about how the over 25 policy would be managed Mr Mycock said this would be partly by marketing as an over 25's only venue, and by a robust Challenge 25 policy.

Mr Bryant read out the suggested conditions submitted by Mr Ballam, Hastings Borough Council Environmental Health Officer, which the applicant had accepted.

LICENSING SUB COMMITTEE

30 JUNE 2021

All parties summarised their position.

Councillor Edwards proposed a motion, as set out below, seconded by Councillor Patmore.

RESOLVED (unanimously):

We have listened carefully to all the submissions and we are bound to be directed by the promotion of the Licensing Objectives and Material Consideration of:

- Prevention of Crime and Disorder
- Public Safety
- Prevention of Public Nuisance
- Protection of Children from Harm

On balance, the Sub-Committee accepts the evidence provided in support of the application and has decided to grant the application.

In recognising the concerns raised about the specific issues under the Licensing Objectives, and having regard to its Licensing Policy and to the guidance issued by the Secretary of State the application is granted subject to the following conditions:

1. No noise generated on the premises from music, patrons or any mechanical equipment, shall emanate from the premises, nor vibration be transmitted through the structure of the premises, that may give rise to a nuisance at any noise sensitive premises from 11:00 until closing time.
2. The designated premises supervisor or a responsible member of staff shall monitor the impact of possible noise outbreak on neighbouring properties in both Robertson Passage and Robertson Street at the start of any entertainment and periodically throughout the entertainment and take action to reduce noise levels if they are found to be clearly heard at the nearest noise sensitive receptor. A log of the monitoring information should be kept available for the Local Authority to view on request.
3. To ensure that any deliveries or emptying of bottle bins only happens between 08:00 and 18:00 on Monday to Friday, 08:00 and 13:00 on Saturdays and not on a Sunday or Bank Holiday.
4. CCTV:

LICENSING SUB COMMITTEE

30 JUNE 2021

- a) Digital CCTV and appropriate recording equipment to be installed in accordance with Home Office Guidelines relating to UK Police Requirements for Digital CCTV Systems (PSDB Publication Number 09/05), operated and maintained throughout the premises internally and externally to cover all public areas, including the entrance to the premises. The system shall be on and recording at all times the premises licence is in operation.
- b) The CCTV cameras and recording equipment must be of sufficient quality to work in all lighting levels inside the premises at all times.
- c) CCTV footage will be stored for a minimum of 31 days.
- d) The management will give full and immediate cooperation and technical assistance to the Police in the event that CCTV footage is required for the prevention and detection of suspected or alleged crime.
- e) The CCTV images will record and display dates and times, and these times will be checked regularly to ensure their accuracy.
- f) Subject to GDPR guidance and legislation, the management of the premises will ensure that key staff are fully trained in the operation of the CCTV, and will be able to download selected footage onto a disk (or other electronic portable device acceptable to Sussex Police) for the police without difficulty or delay and without charge to Sussex Police.
- g) Any breakdown or system failure will be notified to the police immediately and remedied as soon as is practicable.
- h) In the event of the CCTV system hard drive being seized as evidence as part of a criminal investigation by Sussex Police or for any other reason, the premises will be expected to install a replacement hard drive or a temporary replacement drive as soon as practicable.

LICENSING SUB COMMITTEE

30 JUNE 2021

5. Training/Authorisation

- a) The Premises Licence Holder shall ensure that all staff members engaged, or to be engaged, in selling alcohol at the premises shall receive the following induction training. This training will take place prior to the selling of such products:
 - i. The lawful selling of age restricted products
 - ii. refusing the sale of alcohol to a person who is drunk.
- b) Further verbal reinforcement/refresher training covering the above will be carried out thereafter at intervals not to exceed 8 weeks, with the date and time of the verbal reinforcement/refresher training documented.
- c) All such training undertaken by staff members shall be fully documented and recorded and signed by both the employee and the DPS. All training records shall be kept on the premises and made available to Sussex Police, officers of the local authority and officers from the Trading Standards team upon request.
- d) A list of staff members who are authorised to sell alcohol on the premises shall be kept. This shall be endorsed by the DPS with the date such authorisation commences.

6. Challenge 25:

- a) The premises will operate an age verification policy set at a minimum of 25 years (e.g. "Challenge 25") whereby any person attempting to buy alcohol who appears to be under the specified age of 25 will be asked for photographic ID to prove their age. The recommended forms of ID that will be accepted are passports, official Photographic Identity Cards issued by EU states bearing a hologram or ultraviolet feature, driving licences with a photograph, photographic military ID or proof of age cards bearing the 'PASS' mark hologram.
- b) Signage advertising the age verification or 'Challenge 25' policy will be displayed in prominent locations in the premises.

LICENSING SUB COMMITTEE

30 JUNE 2021

7. Incident/Refusal Log:

- a) An incident/refusal log will be maintained by the premises showing a detailed note of incidents that occur in the premises. The log will be inspected and signed off by the DPS (or a person with delegated authority) at least once a week. The log book should be kept on the premises and be available for inspection at all times the premises are open by authorised officers of the Licensing Authority or the police. An incident will be defined as being one which involves an allegation of a criminal offence.
- b) Feedback shall be given to staff to ensure these are used on each occasion that a refusal or incident occurs at the premises.
- c) Any refusals made for alcohol services e.g. underage will also be recorded (either in electronic or written form) and feedback given to staff as relevant. The log will be kept at the premises for a minimum of twenty four (24) months.

8. SIA registered door staff:

SIA registered door staff will operate at the premises as follows:

- a) When the premises is operating after 23:00.
- b) Two door staff from 20:00 until the premises has closed to the public, licensable activity has ceased, and the venue is completely clear of patrons.
- c) Friday and Saturdays: two door staff from 20:00 and an additional one door staff from 22:00. Total three (3) from 22:00 until the premises has closed to the public, licensable activity has ceased and the venue is completely clear of patrons.

9. Operating Hours to be:

Plays: 11:00 – 02:00 7 days a week

Films: 11:00-02:00 7 days a week

Live music – 23:00 – 02:00 7 days a week

Recorded music – 23:00 – 02:00 7 days a week

LICENSING SUB COMMITTEE

30 JUNE 2021

Late night refreshment – 23:00 – 01:30 7 days a week

Supply of alcohol – 11:00 – 01:30 7 days a week

Opening hours – 11:00-02:00 7 days a week

Reasons for granting this application:

1. The Sub-Committee note the Application deals with a Premises located within Area 2 (Hastings Town Centre) of the Council's Special Saturation Policy (Cumulative Impact).
2. The Sub-Committee note the Police crime statistics for that area which were provided at the hearing and are the evidential basis for the Police's objections to the Application.
3. The Sub-Committee noted its Policy and the guidance it provided to Applicants in the Matrix, in respect of operating times for this type of Premises in a Cumulative Impact Area.
4. On hearing from the Parties, the Sub-Committee believe the Applicant has not demonstrated justification for the Sub-Committee to depart from their Policy.
5. The Sub-Committee believe the SIA condition is necessary to promote the Licensing Objectives given the Police crime statistics for the area where the Premises is located and for the safety of staff and public.

(The Chair declared the meeting closed at 11.15am)

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Licensing Sub Committee Procedures

Annex

1. The Chair's Introduction and Explanation of the Procedure, which will be followed

- Introduce Members and Officers and invite the applicant, objectors and any representatives to the table, asking them to introduce themselves.
- Explain that the hearing will follow a procedure, and that is that the Officer will make his report, followed by the Consultees such as the Police and then the Objectors and finally the Applicant. There will be an opportunity for questions. Members may ask for clarification from the Licensing Officer and Summaries may be given if required.
- Ask if the Parties received the report and are ready to proceed.
- If any Party to the hearing fails to attend ask Members to consider whether to adjourn the hearing or to proceed in the Party's absence.

The Hearing of each application will then follow the order set out below:

2. Summary of report by Licensing Manager / Officer.

3. Statutory Consultees (eg Police, Fire Service, Environmental Health) submissions on the application.

Any questions for Statutory Consultees from

- Applicant / Representative?
- Objectors?
- Officers?
- Members?

4. Other Objectors each make submissions on the application.

Any questions for Objectors from

- Applicant / Representative?
- Statutory Consultee?
- Officers?
- Members?

5. Applicant / Representative make submissions on the application / call any witnesses.

Any Questions for Applicant / Representative / Witnesses from

- Statutory Consultees and Objectors?
- Officers?
- Members?

6. Do Members require any clarification from the Licensing Manager / Officer?

If clarification given, questions on clarification only from:

- Applicant / Representative?
- Statutory Consultees and Objectors?
- Members?

7. Summaries (if required)

- Licensing Manager / Officer summing up
- Statutory Consultees and Objectors' summing up
- Applicant/Representative summing up

8. Decision Making

- Members retire to discuss the application, propose and second a recommendation and vote on this.
- They may take legal advice from the Legal Advisor. The Legal Advisor will advise the Parties of any legal advice given to the sub-committee. No other person may retire with the Sub-committee.
- The decision is announced by the Chair giving full reasons for the decision, together with any conditions, which are to be attached to the grant of the licence or the reasons for a refusal of the application.

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Agenda Item 6



Report to: Licensing Sub-Committee.

Date of Meeting: 14th October 2021

**Report Title: Application for a Gambling Premises licence, with an objection.
Merkur Slots, 40-41 Queens Road, Hastings TN34 1RE.**

Report By: Mike Hepworth, Assistant Director, Environment and Place.

Purpose of Report

To consider the application for a new premises licence as a result one representation received from an Interested party.

Recommendation(s)

Having regard to the application and the relevant representations, Members are invited to take such steps (if any) as it considers appropriate for the promotion of the licensing objectives. The steps available are:-

- a) Grant the licence**
- b) Refuse the licence application**
- c) Grant the licence with conditions**

Reasons for Recommendations

The Gambling Act 2005 requires a licensing sub-committee to consider such applications when appropriate representations have been made. The decision reached at the sub-committee can be subject to appeal by any party to the hearing that is aggrieved by the decision.

Introduction

1.0 Background

1.1 Sections 159-161 of the Gambling Act 2005 require that:

A person may apply to a licensing authority for a premises licence to be issued to him authorising the use of premises to carry on an activity listed in section 37(1).

An application may be made only by a person who has a right to occupy the premises to which the application relates.

An application must—

- (a) be made in the prescribed form and manner,
- (b) contain or be accompanied by the prescribed information or documents, and
- (c) be accompanied by the prescribed fee.

The applicant must also :

- (a) publish notice of his application;
- (b) give notice of his application to the responsible authorities in relation to the premises;
- (c) give notice of his application to other persons.

Where an application is made to a licensing authority for a premises licence, an interested party or responsible authority in relation to the premises may make representations in writing to the licensing authority.

Representations under subsection (1) must be made within such period as the Secretary of State shall prescribe by regulations.

1.2 Section 162(1) of the Gambling Act 2005 states that the Authority must hold a hearing if:-

- a) an interested party or responsible authority has made (and not withdrawn) representations about the application under section 161;
- b) the authority propose to attach a condition to the licence under section 169(1)(a); or
- c) the authority propose to exclude under section 169(1)(b) a condition that would otherwise be attached to the licence under section 168.

1.3 Section 163(1) of the Gambling Act 2005 states that on considering an application for a premises licence a licensing authority shall:-

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

1.4 Section 169 of the Gambling Act 2005 states that where a licensing authority issues a premises licence they may:-

- a) Attach a condition to the licence.
- b) Exclude a condition that would otherwise be attached to the licence by virtue of section 168.
- c) A condition attached to the licence under subsection (1)(a) may, in particular, address a matter by a condition excluded under subsection (1)(b).
- d) A condition attached to the licence under subsection (1)(a) may apply in relation to the premises generally or only in relation to a specified part of the premises.
- e) A licensing authority may not attach a condition to a premises licence, which prevents compliance with a condition of the operating licence, which authorises the

holder to carry out the activity in respect of which the premises licence is granted

2.0 Application

2.1 On 29/04/2021 a Bingo Premises application was received from Cashino Gaming Limited trading as Merkur Slots at 40-41 Queens Road, Hastings TN34 1RE. A copy of this application is attached at **Appendix 1**.

2.2 Cashino Gaming Limited hold operating licence number 003266-N-103444 issued by the Gambling Commission entitling them to provide bingo games from a premises open to the public. This was confirmed online at the Gambling Commission website.

2.4 On the 5th May 2021 a planning application was submitted to change the use of the existing premises at 40-41 Queens Rd to an adult gaming centre. At the time of writing this report this application has not yet been granted. This matter will be dealt with under the relevant planning and building control regulations and will not form part of the consideration of the premises licence.

3.0 Consultation

3.1 The Gambling Act 2005 requires an applicant to advertise their application once in a local newspaper and on the premises by way of an approved notice for 28 days to allow for representations to be made, this has been done.

3.2 The application for the licence has been properly made and consultation carried out as required by the Gambling Act.

3.3 Copies of the application are required to be served on a list of responsible authorities at the same time as placing the application before the local authority, this has been done.

4.0 Representations

Responsible Authorities

4.1 No representations were received from any of the responsible authorities identified in the Gambling Act 2005 and associated regulations.

Interested Parties

4.2 As a result of this consultation process a representation has been received from an Interested Party. This representation is attached at **Appendix 2**.

4.3 A copy of the representation has been supplied to the applicant's agent at their request

4.4 As a representation has been received the Council must hold a hearing to determine the application pursuant to Section 162 of the Gambling Act 2005 as confirmed above.

5.0 Legal Considerations

4.1 Members are provided with policy guidelines to assist in the decision making process (Appendix 3).

4.2 In determining the application the Panel must have due regard to the Gambling Commission Guidance to Local Authorities (5th Edition, September 2015) issued pursuant to s25(1) of the Gambling Act 2005. In addition, the Panel must, in the exercise of its decision making powers, apply the principles set out in the Council's Statement of Principles 2019-2022 Gambling Act 2005 (prepared pursuant to s349 Gambling Act 2005).

4.3 If a relevant representation to an application is made by either a responsible authority or an interested party and no compromise can be reached between the parties, a hearing must be held.

4.4 There are three licensing objectives under the Gambling Act 2005:-

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

4.5 Under section 153 Gambling Act 2005 the Licensing Authority shall aim to permit the use of premises for gambling in so far as the authority thinks it:-

- a) In accordance with any relevant codes of practice issued by the Gambling Commission.
- b) In accordance with guidance issued by the Gambling Commission.
- c) Reasonably consistent with the licensing objectives.
- d) In accordance with the Councils Statement of Policy.

4.6 Human rights considerations must be taken into account fully in balancing licensing issues, in particular, Article 1 of the first protocol and article 8. Article 1 relates to the protection of property and the peaceful enjoyment of possessions and property. Holding a premises licence would be considered a possession. Article 8 relates to the right to respect for private and family life, home and correspondence. These are however qualified rights and can be deprived of "in the public interest". Interference is permissible if what is done:-

- a) Has its basis in law;
- b) Is necessary in a democratic society to fulfil a pressing need or pursue a legitimate aim;
- c) Is proportionate to the aims being pursued; and,
- d) Is related to the prevention of crime; or, the protection of public order or health.

If members choose to refuse the application in full or in part, the applicant has a right of appeal to the Magistrates' Court. If members choose to grant the

application, there is a right of appeal to the Magistrates' Court for persons who made representations in relation to the application and the applicant.

5.0 Options

5.1 Having regard to the application and the relevant representations, Members are invited to take such steps (if any) as it considers appropriate for the promotion of the licensing objectives. The steps available are:-

- a) Grant the licence
- b) Refuse the licence application
- c) Grant the licence with conditions

Wards Affected

Castle Ward.

Policy Implications

Please identify if this report contains any implications for the following:

Equalities and Community Cohesiveness
Crime and Fear of Crime (Section 17 Crime and Disorder Act 1998)
Risk Management
Environmental Issues
Economic/Financial Implications
Human Rights Act
Organisational Consequences
Local People's Views
Anti-Poverty

Additional Information

Appendix 1. Application pack.
Appendix 2. Letter of objection
Appendix 3 HBC Gambling Policy

Officer to Contact

Stewart Bryant, Licensing Lead.
Stewart.bryant@hastings.gov.uk
01424 783232

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Licensing Department
Hastings Borough Council
Muriel Matters House
Breeds Place
Hastings
TN34 3UY

Date: 29 April 2021
Our ref: RXB/RXB/P56967-789
Doc Ref: 2147865038
Your ref:
E-mail: r.bradley@popall.co.uk
Direct line: 0115 948 7424

Dear Sirs

Merkur Slots, 40-41 Queens Road, Hastings
Bingo Premises Licence

We act for Merkur Slots UK Limited and have been instructed to submit an application for a Bingo Premises Licence for the above premises.

We therefore enclose:-

1. Application form
2. Notice of Application
3. Licensing plan for the proposed premises: plan number QRD/HAS/02
4. Copy of layout plan, for illustrative purposes
5. Local Area Risk Assessment
6. Copy of Merkur Slots UK Limited's Operational Standards Summary
7. Copy of Merkur Slots UK Limited's Working Together documentation
8. Certificate of Service

We have arranged a BACS transfer in the sum of £3,500 to arrive at the Council's account tomorrow in respect of the application fee.

We have submitted the application with a consultation period commencing on the **30th April 2021**.

We have arranged for the notice to be displayed on the premises from **30th April 2021** and published within an appropriate local newspaper within 10 working days of **30th April 2021**.

The last date for representations will therefore be the **27th May 2021**.

We confirm we have served notice of the application to the Responsible Authorities as specified in Section 157 of the Gambling Act 2005.

If the Licensing Authority or any of the Responsible Authorities and Interested Parties have any queries or require any further information in support of the application, please contact Richard Bradley on the above number so we can discuss it with you.

We should be grateful if you would acknowledge safe receipt of this letter and the relevant enclosures.

Yours faithfully

A handwritten signature in black ink, appearing to read "Poppleston Allen". The signature is written in a cursive style with a large initial 'P'.

Poppleston Allen

Encs

Section B

Application on behalf of an organisation

6. Name of applicant business or organisation: **Merkur Slots UK Limited**

[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:

Seebeck House

1A Seebeck Place

Knowlhill

Milton Keynes

Postcode: **MK5 8FR**

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

003266-N-103444

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: **N/A**

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): **Merkur Slots**

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

40-41 Queens Road

Hastings

Postcode: **TN34 1RE**

12. Telephone number at premises (if known):

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

Ground floor, high street location

14(a) Are the premises situated in more than one licensing authority area?

No *[delete as appropriate]*

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: N/A**

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. **N/A**

	<i>Start</i>	<i>Finish</i>	<i>Details of any seasonal variation</i>
Mon			
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: **N/A**

Part 5 – Miscellaneous

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

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** *[delete as appropriate]*

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

19(a). Do you hold any other premises licences that have been issued by this licensing authority? **No** *[delete as appropriate]*

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

N/A

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

The Applicant operates a national estate of licensed bingo premises which include the provision of bingo tablets and Bingo Plus and Bingo Express terminals. Substantive facilities for non-remote bingo will be made available in accordance with legislative provisions.

The operator has full authority to provide licensed bingo by the provision of an Operating Licence granted by the Gambling Commission. The UK's Gambling Regulator has therefore approved the measures implemented to ensure that effective anti-money laundering procedures are implemented and policies have been developed to ensure responsible trading in accordance with the gambling legislation, the licensing objectives and the licence conditions and code of practice.

A copy of Cashino Gaming Limited's Operational Standards has been provided in support of the application and full copies of the Applicant's policies and procedures are available, if required.

A copy of Cashino Gaming Limited's 'Working Together' document has also been supplied in support of the application, which provides an overview of the licensee's proposed operation.

Part 6 – Declarations and Checklist (Please tick)

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:

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

Part 7 – Signatures

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

Signature:



Print Name: Poppleston Allen

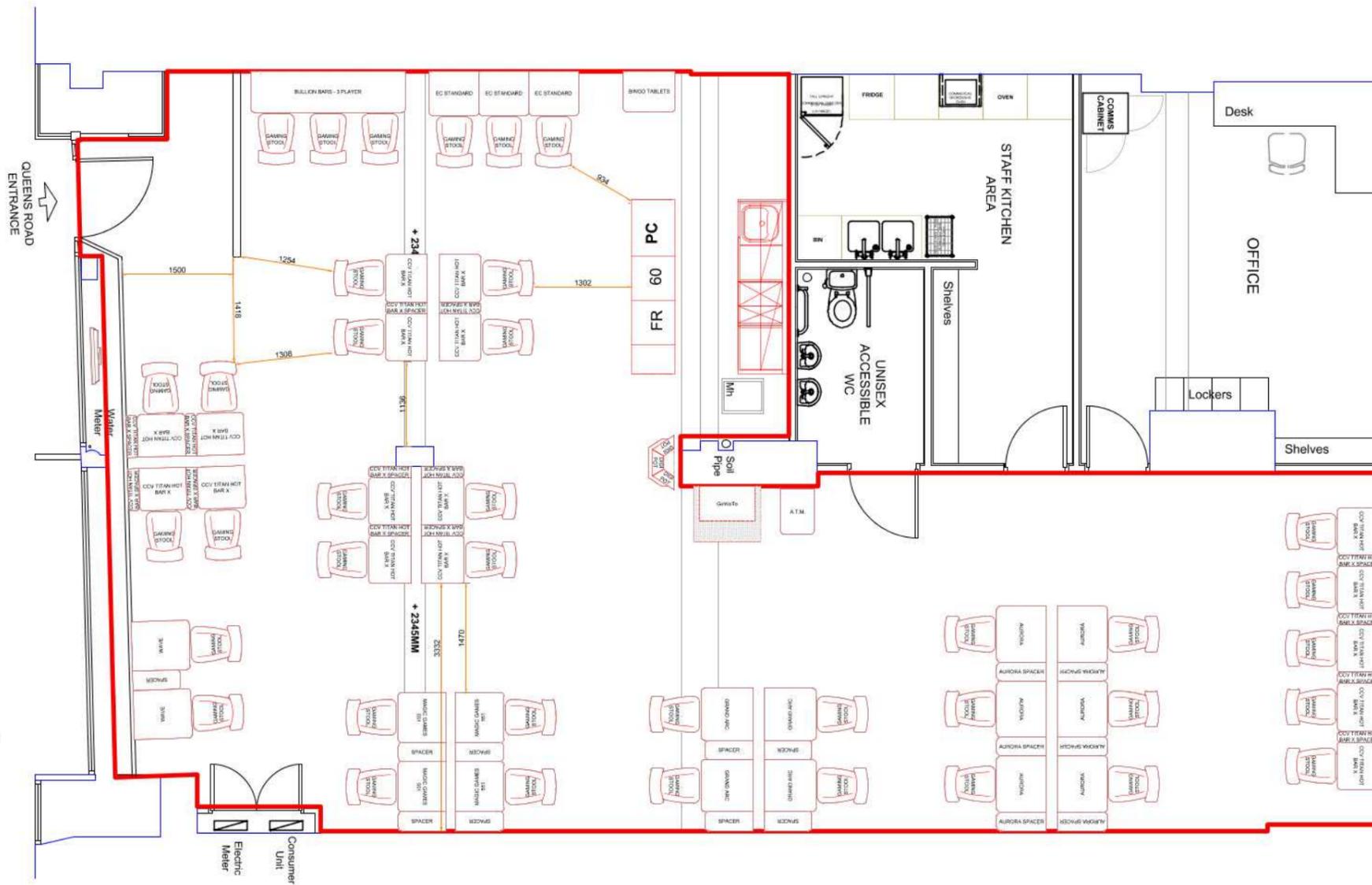
Date: 29.04.2021

Capacity: Solicitors for & on behalf of the applicant

22. For joint applications, signature of 2nd applicant, or 2nd applicant's solicitor or other authorised

agent. If signing on behalf of the applicant, please state in what capacity: Signature:
Print Name: _____ Date: _____ Capacity: _____
<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: Richard Bradley
23(b) Please give one or more telephone numbers at which the person identified in question 23(a) can be contacted: 0115 948 7424
24. Postal address for correspondence associated with this application: Richard Bradley Popleston Allen 37 Stoney Street The Lace Market Nottingham Postcode: NG1 1LS
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: r.bradley@popall.co.uk



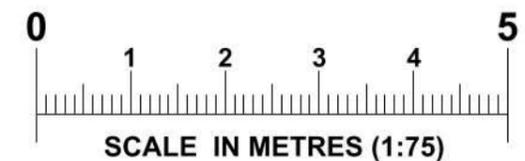
Proposed Ground Floor Plan 1:75

CUSTOMER FLOOR AREA	
129.4m ²	1392.9ft ²

GAMBLING ACT 2005 LICENSING PLAN

Anything shown on this plan, which is not required by The Gambling Act 2005 (Premises Licences and Provisional Statements) Regulation 2007 is for illustrative purposes only and **does not** form part of the premises licence.

— Area in which facilities for gaming will be made available



REVISIONS	FIT OUT TYPE Merkur Slots	REFERENCE DRAWINGS	
	PROJECT Merkur Slots	SCALE 1:75	
	40 - 41 QUEENS ROAD HASTINGS TN34 1RE	DRAWN BY	
	DESCRIPTION PROPOSED MACHINE PLAN	DATE 26/04/2021	
		DRAWING No.	REVISION



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Merkur Slots, 40-41 Queens Road, Hastings, TN34 1RE

Local Area Risk Assessment

Trading Name:	Merkur Slots
Premise	40-41 Queens Road, Hastings, TN34 1RE
Local Authority:	Hastings Borough Council
Premise Licence No:	New application
Operator Licence No:	000-003266-N-103444-025 (Merkur Slots UK Limited)
Company Details:	Merkur Slots UK Ltd, 1a Seebeck House, Seebeck Place, Knowlhill, Milton Keynes MK5 8FR Premise Licence Holder: Merkur Slots UK Limited
Name and Title of Assessor:	Jolanta Mackowska - Internal Auditor, Gill Clulow – Senior Compliance Auditor
Date of Assessment:	20/04/2021
Review Date:	On opening in conjunction with local staff

Local Area Profile Risk Factors

Local Risk Profile:	<p>Merkur Slots, a former Cash Generator Store is leated on a busy Queens Road (A2101) which connects with two major roads in Hastings: the A21 trunk road to London; and the A259 coastal road. The metal barriers separating pavement from the traffic road secure pedestrian area. There are flats above the venue with entrance at the back of the property. Hastings main shopping center: Priory Meadow Shopping Centre is just across the street. There are plans to expand the retail area in Hastings, which includes expanding Priory Meadow and creating more retail space as part of the Priory Quarter development. Hastings has four rail links: two to London, one to Brighton and one to Ashford. The Queens Road has mix of retail and non-retail outlets that are mostly occupied. Morrisons Store and Petrol Station is few minutes' walk away. The Queens has multiple car parks and side roads have bays designated to pay and display or residential parking. Number of beauty salons and barbers can be noticed along the Queens Road. Number of pubs and bars present in the area. There is five betting shops one Adult gaming center and three pawnbrokers.</p>
Establishments of note:	<p>Hastings is a fishing port with the UK's largest beach-based fishing fleet. Well known Norman ruins of Hastings Castle, once home to William the Conqueror, overlook the English Channel. East along the shingle seafront of Stade beach, Hastings Fishermen's Museum and Shipwreck Museum. Odeon Cinema is located further south along the Queens Road.</p>
Adjoining premises:	<p>The premise is situated between Powermend –The mobile repair specialist and Boo Buster – gift, bookshop. Other nearby retailer include Oriental Supermarket, Hastings Fresh Fruit and Veg, Pure clothing shop and Polska Chata – polish food store.</p>
Crime statistics:	<p>Merkur Slot Hastings is situated within Castle Hastings policing neighborhood. 2101 incidents of crime reported between March 2020 and Feb 2021, anti-social behaviour accounted for 35.2% and Violence and sexual offences 25.1%. of reported incidents. During February 2021, 145 crimes were recorded. Mostly committed crimes, Anti-social behaviour - 49 (33.8%), Violence and sexual offences – 40 (27.6%), Robbery - 2 (1.4%), Drugs – 3 (2.1%) and Public order – 12 (8.3%), Shoplifting – 9 (6.2%), Vehicle crime – 4 (2.8%), Theft from the person – 1 (0.7%), Other theft – 5 (3.4%) and Other Crime – 2 (1.4%). In the year ending September 2020, the crime rate in Hastings was about the same as the average crime rate across similar areas and higher than average for the Sussex force area. (<i>Police.uk</i>)</p>
Population:	<p>In the 2011 census the population of Hastings was 90,254 and is made up of approximately 51% females and 49% males. The average age of people in Hastings is 40, while the median age is higher at 41. 89.1% of people living in Hastings were born in England. Other countries of birth were 1.2% Scotland, 0.7% Wales, 0.6% Ireland, 0.4% India, 0.3% South Africa, 0.3% Northern Ireland, 0.3% Philippines, 0.3% Zimbabwe, 0.2% United States. 95.8% of people living in Hastings speak English. The other top languages spoken are 0.6% Polish, 0.2% Russian, 0.2% Bengali, 0.2% Tagalog/Filipino, 0.2% French, 0.2% Kurdish, 0.2% Latvian, 0.2% All other Chinese, 0.1% Nepalese. Last known population is 91 100 (Year 2014). This was 0.142% of total United Kingdom population. If the population growth rate remains the same as in period 2011-2014 (+0.34%/year), Hastings population in 2021 would be: 93 276. In Hastings 38.6% of people are married, 13.8% cohabit with a member of the opposite sex, 1.0% live with a partner of the same sex, 26.4% are single and have never married or been in a registered same sex partnership, 12.8% are separated or divorced. There are 6,957 widowed people living in Hastings. (<i>Census 2011, Wikipedia, Local stats.co.uk</i>)</p>
Culture:	<p>The religious make up of Hastings is 51.9% Christian, 35.8% No religion, 1.3% Muslim, 0.5% Buddhist, 0.5% Hindu, 0.2% Jewish, 0.1% Agnostic, 0.1% Atheist. 7,451 people did not state a religion. 522 people identified as a Jedi Knight and 17 people said they believe in Heavy Metal. (<i>Local stats.co.uk</i>)</p>
Unemployment:	<p>The unemployment rate in Hastings is 4.4% which is slightly lower than UK average 4.8%. The top occupations listed by people in Hastings are Professional 14.0%, Skilled trades 13.3%, Caring, leisure and other service 13.2%, Administrative and secretarial 12.0%, Associate professional and technical 11.1%, Elementary 10.7%, Caring personal service 10.6%, Managers, directors and senior officials 9.7%, Administrative 9.3%, Sales and customer service 9.1%. (<i>plumplot.co.uk, local stats.co.uk</i>)</p>
Deprivation:	<p>Nationally, Hastings is ranked as the 13th most deprived, out of 317 local authorities. Hastings remains as the most deprived neighbourhood in the county, but ranks as 147 in the 2019 index compared to 89 in 2015. Regarding The Index of Multiple Deprivation TNS4 1RE has a score of 3452 out of 32844 (10.5%) (<i>sussexlive.co.uk, maps.cdfc.ac.uk</i>)</p>

Local Police:	Hastings Police Station, Bohemia Rd, Hastings TN34 1JJ , (Castle Hastings) East Sussex Constabulary. When contacted Catherine Daniel (Police licensing support team) responded - Having read your extensive documents, Sussex Police would have no objections to a bingo hall at the above address.
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The Gambling Act 2005 sets out the three licensing objectives (LO), which are:

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

Localised Risks to the Licensing Objectives

This Local Area Risk assessment takes into consideration Hastings Borough Council local authority Statement of Gambling Principles, reference 8.6 for Bingo Centres and Hastings Council Borough Profile 2011.

Environmental Factors

In preparing this assessment Merkur Slots UK Ltd has considered the relevance of environmental factors. In this context, environmental factors include the physical location of schools, playgrounds, residential areas, other retail premises and locations (bus stations, tube stations) which influence football. We have set out below our position on risk in this area:

Licensing Objectives	Control Measures
<p>Protecting children and other vulnerable people from being harmed or exploited by gambling</p> <p>Local Risks</p> <p>Unemployment: The unemployment rate in Hastings is 4.4% which is slightly lower than the UK average 4.8%. The top occupations listed by people in Hastings are Professional 14.0%, Skilled trades 13.3%, Caring, leisure and other service 13.2%, Administrative and secretarial 12.0%, Associate professional and technical 11.1%, Elementary 10.7%, Caring personal service 10.6%, Managers, directors and senior officials 9.7%, Administrative 9.3%, Sales and customer service 9.1%. (<i>plumplot.co.uk, local stats.co.uk</i>)</p> <p>Deprivation: Nationally, Hastings is ranked as the 13th most deprived, out of 317 local authorities. Hastings remains as the most deprived neighbourhood in the county, but ranks as 147 in the 2019 Index compared to 89 in 2015. Regarding The Index of Multiple Deprivation TN34 1RE has a score of 3452 out of 32844 (10.5%) (<i>sussexlive.co.uk, maps.cdrc.ac.uk</i>)</p> <p>Schools and Education Ark Castledown Primary Academy, Priory Road, TN34 3QT Torfield School, Croft Road, TN34 3JT The Baird Primary Academy, Parker Road, TN34 3TH Sacred Heart Catholic Primary School, Old London Road, TN35 5NA St Mary Star of the Sea Catholic Primary School, Magdalen Road, TN37 6EU Ark Blacklands Primary Academy, Osborne Close, TN34 2HU Dudley Infant Academy, Harold Road, TN35 5NI</p>	<p>Age Verification <i>Ensuring Under 18's do not have access to licensed premises</i></p> <p>All Merkur Slots venues are strictly adult only (over 18's only).</p> <p>Gambling is an age restricted product and Merkur Slots UK Ltd operates a 'Think 25' policy.</p> <p>Age verification is embedded in training platforms and responsible gambling policies.</p> <p>Over 18's notices are displayed on the entrance.</p> <p>Think 25 advertising is prominently displayed throughout the premise.</p> <p>Merkur Slots Hastings Premise frontage will be of a style which obscures the interior with no advertising depicting images that may appeal to children.</p> <p>Marketing and Promotional activity complies with LCCP and standards set by the Committee of Advertising Practice (CAP) and the Broadcast Committee of Advertising Practice (BCAP).</p> <p>Merkur Slots operate a comprehensive Think 25 Policy, age verification checks are carried out and recorded, any person unable or unwilling to verify their age with appropriate ID will be told to leave, if they have managed to play machines, their staked money will be returned to them.</p>

St Paul's Church of England Academy, Horntye Road, TN37 6RT
 The Hastings Stage Studio School Of Performing Arts, York Gardens, TN34 1QW
 The Flagship School, 40 Collier Rd, TN34 3IR
 Hastings Actors Studio, Unit 13, The Britannia Enterprise Centre, Waterworks Rd, TN34 1RT
 Greenway Nursery, Waterworks Rd, TN34 1RT
 Whitehall Nursery School (Term Time Only), 15 Elphinstone Rd, TN34 2EE
 The Meadows Nursery School, 18 St. Helens Crescent, TN34 2EW
 Sussex Coast College Hastings Station Approach, TN34 1BA
 Cambridge Gardens College, 5-7 Cambridge Gardens, TN34 1EH
 Sussex Trinity College, 45 Robertson St, TN34 1HL
 Buckswood St George's College, 7, 9 Holmesdale Gardens, TN34 1LY

Community Centres and Youth Centres

Central Hall Community Centre, 6B Station Rd, TN34 1NG
 Hva Jackson Hall, Portland Pl, TN34 1QQ
 Xtrax Young Peoples centre, 23 Priory St, TN34 1EA
 Counselling Plus Community, 48 Cambridge Gardens, TN34 1EN
 E S R A, 5 Harold Pl, TN34 1JA
 Youth Employability Service, Cambridge Rd, TN34 1DJ

Parks, play grounds and sports/leisure facilities

Linton Gardens, Unnamed Road, TN34 1UN
 Cornwallis Gardens, TN34 1LX
 The Oval – Hastings Skatepark, Bohemia Rd, TN34 1EU
 Warrior Square, 1 Eversfield Pl, TN37 6BY
 Falaise Fitness Centre, Cambridge Rd, TN34 1EU
 West Hill, Priory Rd, TN34 3NL
 East Hill, East Hill, TN35 5PB
 Alexandra Park, St Helen's Rd, TN34 2LQ
 Better Braybrooke Pocket Park, 6 Hughenden Rd, TN34 3TG
 Heart of Hastings - Ore Valley DIY Regen, Old Power Station Site, TN34 3TR
 Bohemia Walled Garden, Bohemia Rd, Hastings TN34 1EX
 Old Town Maritime Gardens-Memorial park, 44 High St, TN34 3EN
 Horntye Park Sports Complex, Bohemia Rd, TN34 1EX
 Source BMX, White Rock, TN34 1JA
 Summerfields Leisure Centre, Bohemia Rd, TN34 1ET

Homeless shelters and food banks

Salvation Army, 26 St Andrew's Square, TN34 1SR
 The Hastings and Rother Samaritans, 26 St Andrew's Square, TN34 1SR

Age verification test purchasing, and mystery shopper visits are frequently carried out by 3rd party companies - Check Policy and Store Checker. Age verification tests for 2019/2020 resulted in a pass rate of 96.09% which is 20% higher than the Industry average, all venues receive 3 or 4 random test visits per year.

Test purchase fails are reviewed within 48 hours by the Area Manager, this involves reviewing CCTV footage of the incident and implementing appropriate training or where necessary disciplinary action.

All age verification checks are recorded on the IHL SMART Tablet AV App, this data is collated centrally and regularly reviewed by an independent team of compliance auditors.

Results of age verification checks and third-party results are shared with the Gambling Commission.

Proof of Age scheme in place with application forms available in the venue.

The children and young persons gambling participation survey shows that the number of 11-16 years olds that say they have gambled on fruit machines of whatever kind in an arcade, pub or club is around 2%. Of those around a half to two-thirds do so legally on Category D fruit machines which are located in FECs or holiday parks, where any play will be of short duration (as families will be on a day trip or holiday), in venues which they can only access with their parents, and in premises licensed to offer Category Ds which are as a result tightly-regulated.

We also know from a study by Professor David Forrest and Dr Ian McHale that whilst adolescents at the coast are more likely to participate in gambling activities than those that do not, they are no more likely to be problem gamblers than those that do not live at the coast. This is an important finding. Many people cite early exposure to gambling as a cause of later gambling problems. There is no evidence of a causal link. As David Forrest stated at conference in Toronto in 2012 'marginal gamblers induced to participation by ease of access do not appear prone to problem gambling and more children gambling does not carry through to more children being problem gamblers. Panic about arcades does not appear justified'
<https://www.gamblingcommission.gov.uk/PDF/Young-People-Gambling-Report-2019>

Vulnerability

Training and guidance are given to Merkur Slots staff on vulnerability (the inability or limited ability of people to control their actions). This includes addictive gambling, mental health, alcohol or drugs issues.

Vulnerable and addiction support services
 East Sussex drug and alcohol recovery service (STAR), 13 Wellington Pl, TN34 1NY
 St Michaels Hospice Trading Ltd, 66-67 Queens Rd, TN34 1RE
 Hastings Voluntary Action, Jackson Hall, Portland Place, TN34 1QN
 Barnardo's shop, 23 Queens Rd, TN34 1QY
 British Heart Foundation Furniture & Electrical, 41 White Rock, TN34 1JL
 Marie Curie – Charity Shop, 17 Queens Rd, TN34 1QY
 Hastings Charity Shop, 186 Queens Rd, TN34 1RG

Pawnbrokers and Loan Shops
 H&T Pawnbrokers, 18 Queens Rd, TN34 1QY
 G A Pawnbrokers – Hastings, 3 Queens Rd, TN34 1QP
 Cex, Unit Su34, Priory Meadow Shopping Centre, TN34 1PH

Medical Centres, Care Homes and Mental Health facilities
 Hastings Old Town Surgery, The Ice House Rock-a-Nore, TN34 3DW
 Hastings Medical Practice & Walk-in Centre, Station Approach, TN34 1BA
 South Coast Sports Clinic, 183 Queens Rd, TN34 1RG
 Priory Road Surgery, 83 Priory Rd, TN34 3JJ
 Old Town Osteopathy –Clinic, 62A High St, TN34 3EW
 Armadillo Medical Group, Medical Centre, 61 All Saints' St, TN34 3BH
 Nurseplus Hastings - Homecare & Live-in Service, 6th Floor, Cavendish House, Breeds Pl, TN34 3AA
 First Class Home Care Ltd, 33 Cambridge Gardens, TN34 1EN
 Onpoint Homecare ltd, 182 Queens Rd, TN34 1RG
 Care Home, 19 Milward Rd, TN34 3RP
 Evergreen, 15 Collier Rd, TN34 3JR
 Sussex Housing & Care, Bourne Court, The Bourne, TN34 3UZ

Gambling premises
 Megabet, 86 Queens Rd, Hastings TN34 1RL
 Ladbrokes, 19 Queens Rd, TN34 1QY
 Betfred, 15/16 Queens Rd, Tonbridge, TN34 1QY
 Coral, 5 Queens Rd, TN34 1QP
 BET21, 19 Queens Rd, TN34 1QY
 Admiral Casino, 11 Wellington Pl, TN34 1NV

Bus stops and other Transport links
 Hastings –Train Station, off Station Approach, Havelock Rd, TN34 1BA
 Ore –Train Station, Hughenden Rd, TN34 3ND
 Bus Stops:
 Morrisons, TN34 1RN

Marketing and Promotional activity complies with LCCP and standards set by the Committee of Advertising Practice (CAP) and the Broadcast Committee of Advertising Practice (BCAP).

All staff complete on boarding and 6 monthly refresher training which includes Safeguarding Children and Vulnerable People and Customer Interaction.

Staff are trained how to deal with vulnerable customers and how to make effective interactions, any difficult cases are referred to our compliance team for review and resolution.

Customer Interaction
 Merkur Slots provide comprehensive customer interaction training, instruction and supporting policies to all staff in this area (via training platforms, training centres and Compliance Manual).

Staff are provided with the training to enable them to provide guidance on safer and responsible gambling.

Staff are trained on conducting effective customer interactions, identifying behavioural changes and how to identify and interact with players who exhibit signs of developing problems with their gambling.

Staff are trained to monitor and record customer behaviour, spend and time spent gambling and customer interactions are used to assess customer source of funds/income where relevant.

Customer interactions may result in the customer being guided to gambling support services such as Gamcare encouraged to use a self-help tool to assist them with managing their gambling behaviour, such as the Playright App or Self-Exclusion.

All customer interactions are recorded on the IHL SMART Tablet Interaction App, this data is collated centrally and regularly reviewed by an independent team of compliance auditors.

Player Protection
To identify signs associated with problem gambling and people who may be at risk of gambling related harm
Failure to provide information to customers on responsible gambling
Failure to maintain and administer the self-exclusion process, including breaches and reinstatement reviews

Milward Crescent, TN34 3RP
 Sussex Trinity College, 185 Queens Rd, TN34 1RG
 Priory Meadow (Stop H,K), TN34 1QY
 Havelock Road (Stop G), TN34 1HY
 Harold Place (Stop P), TN34 1JA
 Albert Road (Stop X), TN34 3DU
 Pelham Place (Stop U), TN34 3UY
 Pelham Place (Stop Z), TN34 3AE
 The Stade, TN34 3AR
 Robertson Street (Stop L), TN34 1JG
 Robertson Street (Stop T), TN34 1JR
 Cambridge Road (Stop R), TN34 1HG
 Cambridge Gardens (Stop S), TN34 1DU

Locally Identified Premises

Hastings Castle, Castle Hill Rd, TN34 3JL
 Flower Makers Museum, 58A High St, TN34 3EN
 Butler's Gap - Modern art museum, George St, TN34
 Flamingo Family Amusements, E Beach St, TN34 3AR
 RBE Trampolines Hastings, Marine Parade, TN34 3AU
 ODEON Hastings, Queens Rd, TN34 1QP

Public Houses and Alcohol Licensed Premise

The Fountain, Fountain Hotel, 93 Queens Rd, TN34 1RL
 Bar Rum, 91-92 Queens Rd, TN34 1RL
 Twelve Hundred Postcards, 80 Queens Rd, TN34 1RL
 The Prince Albert, Prince Albert, The, 28 Cornwallis St, TN34 1SS
 The Clown, 9 Russell St, TN34 1QU
 The Clarence, 57 Middle St, TN34 1NA
 The John Logie Baird - JD Wetherspoon, 29-31 Havelock Rd, TN34 1BE
 The General Havelock, 27 Havelock Rd, TN34 1BP
 Yates Hastings, 53-57 Robertson St, TN34 1HY
 Albion Hastings, 33 George St, TN34 3EA
 The Cutter, 11-13, 11-13 E Parade, TN34 3AL
 Anchor Inn, 13 George St, TN34 3EG
 Ye Olde Pumpphouse, 64 George St, TN34 3EE
 Hastings Arms, 2 George St, TN34 3EG
 The Jolly Fisherman, 3 E Beach St, TN34 3AR
 Royal Standard, E Beach St, TN34 3DW
 The Dolphin Inn, 11-12 Rock-a-Nore Rd, TN34 3DW
 The Crown, 64-66 All Saints' St, TN34 3BN
 Club X S, 19-21 Prospect Pl, TN34 1LN
 French's - Bar, 24 Robertson St, Hastings TN34 1HL

Staff are aware of the importance of social responsibility and are trained to advise customers on gambling responsibly and the identification of potential gambling harm.

'Stay in Control' Posters and Leaflets containing the Gamcare helpline number are in prominent locations within the premise and in private areas, such as customer toilets.

Playright App available for customers to self-manage their play and spend and can send alerts to Merkur Slots Hastings if the customer enters at a time, they have chosen not to play which instigates an interaction with the customer.
 Merkur Slots will actively seek to support and be involved in any local initiatives targeted at reducing harm caused by gambling

Socially Responsible messaging is implemented on all digital B3 and Cat C machines.

All machines display Gamble Responsibly stickers with helpline contact details.

Senior Management are members of the Bingo Association Executive and Socially Responsible Committees and BACTA Divisional and Socially Responsible Committees

They take the opportunity to actively participate with these trade bodies, collaborating with other operators to promote responsible gambling initiatives including the development of an Accredited Gamcare training programme and the Machine Messaging trial and evaluation.

Deprivation
 Whilst the premise may be near or in an area of relative deprivation, Merkur Slots takes the view that individual customers must be treated holistically, and the information provided in this document are designed to identify individuals that could potentially be at risk of gambling related harm

Merkur Slots operates on the basis that its controls and best practice is always adopted therefore, it is not a question of degrees of vigilance being implemented in different areas.

Homelessness
 Some premises are used by the homeless for warmth and company. Merkur Slots treats all customers with dignity and has a clear policy on begging.

Staff are trained to deal with vulnerable people in a sympathetic manner, any difficult cases are referred to our compliance team for review and resolution.

Staff are trained how to manage situations with homeless people seeking refuge.

	<p>Brass Monkey –Live Music Venue, 18 Havelock Rd, TN34 1BP The Owl & Pussycat Lounge –Restaurant, 14 Robertson St, TN34 1HL Grand Elektra, Grand Elektra, 53-57 Robertson St, TN34 1HY The Carlisle, 24 Pelham St, TN34 1PE</p>	<p>A line of contact will be created with local high-risk premises, homeless shelters, foodbanks to provide social responsibility information.</p>
<p>Preventing gambling being a source of crime or disorder, being associated with crime and disorder or being used to support crime</p>	<p>Crime statistics: Merkur Slot Hastings is situated within Castle Hastings policing neighborhood. 2101 incidents of crime reported between March 2020 and Feb -anti-social behaviour accounted for 35.2% and Violence and sexual offences 25.1%. of reported incidents. During February 2021, 145 crimes were recorded. Mostly committed crimes, Anti-social behaviour - 49 (33.8%), Violence and sexual offences – 40 (27.6%), Robbery - 2 (1.4%), Drugs – 3 (2.1%) and Public order – 12 (8.3%), Shoplifting – 9 (6.2%), Vehicle crime – 4 (2.8%), Theft from the person – 1 (0.7%), Other theft – 5 (3.4%) and Other Crime – 2 (1.4%). In the year ending September 2020, the crime rate in Hastings was about the same as the average crime rate across similar areas and higher than average for the Sussex force area. <i>(Police.uk)</i></p> <p>Local Police: Hastings Police Station, Bohemia Rd, Hastings TN34 1JJ, (Castle Hastings) East Sussex Constabulary. When contacted Catherine Daniel (Police licensing support team) responded - Having read your extensive documents, Sussex Police would have no objections to a bingo hall at the above address.</p> <p>Public Houses and Alcohol Licensed Premise The Fountain, Fountain Hotel, 93 Queens Rd, TN34 1RL Bar Rum, 91-92 Queens Rd, TN34 1RL Twelve Hundred Postcards, 80 Queens Rd, TN34 1RL The Prince Albert, Prince Albert, The, 28 Cornwallis St, TN34 1SS The Clown, 9 Russell St, TN34 1QU The Clarence, 57 Middle St, TN34 1NA The John Logie Baird – JD Wetherspoon, 29-31 Havelock Rd, TN34 1BE The General Havelock, 27 Havelock Rd, TN34 1BP Yates Hastings, 53-57 Robertson St, TN34 1HY Albion Hastings, 33 George St, TN34 3EA The Cutter, 11-13, 11-13 E Parade, TN34 3AL Anchor Inn, 13 George St, TN34 3EG Ye Olde Pumphouse, 64 George St, TN34 3EE Hastings Arms, 2 George St, TN34 3EG The Jolly Fisherman, 3 E Beach St, TN34 3AR Royal Standard, E Beach St, TN34 3DW</p>	<p>Premise Security and violence in the workplace <i>Poor security control measures which may increase vulnerability to crime</i> <i>Failure to protect employee and customers from harm during the hours of late-night opening</i></p> <p>Merkur Slots Hastings is subject to a separate security risk assessment, local factors are considered, and proportionate control measures/physical security measures are installed.</p> <p>Merkur Slots Hastings will be fitted with a HD CCTV system with coverage of all public areas including all entry and exits points, CCTV will be clearly advertised to customers with screens visible by staff when working in the service area. Ability to review CCTV remotely and provide footage to relevant parties when required.</p> <p>Floor layout will be designed to avoid blind spots to enable the active management and observation of customers entering and leaving the premises, from the central service area the entrances, machines and toilets can be observed and staff will regularly patrol the gaming floor to supervise and interact with customers to identify underage or vulnerable persons.</p> <p>General Crime and Disorder <i>To identify aggressive customers to prevent crime and disorder</i> <i>Awareness of local crime issues in the local area</i></p> <p>We have reviewed the Police: UK hot-spot mapping for Swale - Castle Hasting policing neighbourhood and are aware of the areas of Recorded Crime, Vulnerable People and Vulnerable Places and are very mindful of the potential damage associated with problem gambling. We will make every effort to liaise with Kent Police over reducing our involvement in any incident.</p> <p>Staff are trained to identify suspicious activity and have the ability to interrogate real-time machine data to identify criminal activity and fraudulent incidents which are logged and escalated where appropriate.</p> <p>All incidents are recorded on the IHL SMART Tablet Incident App inc. crime reference number where applicable.</p>

	<p>The Dolphin Inn, 11-12 Rock-a-Nore Rd, TN34 3DW The Crown, 64-66 All Saints' St, TN34 3BN Club X S, 19-21 Prospect Pl, TN34 1LN French's – Bar, 24 Robertson St, Hastings TN34 1HL Brass Monkey –Live Music Venue, 18 Havelock Rd, TN34 1BP The Owl & Pussycat Lounge –Restaurant, 14 Robertson St, TN34 1HL Grand Elektra, Grand Elektra, 53-57 Robertson St, TN34 1HY The Carlisle, 24 Pelham St, TN34 1PE</p> <p>Pawnbrokers and Loan Shops H&T Pawnbrokers, 18 Queens Rd, TN34 1QY G A Pawnbrokers – Hastings, 3 Queens Rd, TN34 1QP Cex, Unit Su34, Priory Meadow Shopping Centre, TN34 1PH</p> <p>Gambling premises Megabet, 86 Queens Rd, Hastings TN34 1RL Ladbrokes, 19 Queens Rd, TN34 1QY Betfred, 15/16 Queens Rd, Tonbridge, TN34 1QY Coral, 5 Queens Rd, TN34 1QP BET21, 19 Queens Rd, TN34 1QY Admiral Casino, 11 Wellington Pl, TN34 1NY</p> <p>Residential Areas (Impacted by Anti Social Behaviour) 2101 Incidents of crime reported between March 2020 and Feb 2021- anti-social behaviour accounted for 35.2% of reported incidents.</p>	<p>Staff are trained on how to deal with aggressive customers and situations which may also require police assistance.</p> <p>The company operate an internal security alert system and are registered with trade associations for crime bulletins (Bingo Association and BACTA).</p> <p>Machine data is captured in real-time and full secure cash reconciliation is completed on a weekly basis, the machine exceptions are monitored by a centrally based income protection team and all exceptional cash losses are investigated by the internal audit compliance team.</p> <p>Merkur Slots Hastings will participate with any local/town centre scheme and actively seek to support and be involved with any local initiatives targeted at reducing crime and/or disorder and will engage in the sharing of information with other businesses to support the local community.</p> <p>Anti-social behaviour outside the premise Whilst Public Nuisance is not a Licensing Objective and the Gambling Commission has made clear that 'disorder' means serious disorder, Merkur Slots recognise that public nuisance can escalate in certain circumstances and as a corporate citizen, it has a responsibility to work in partnership with local residents and authorities to reduce environmental impacts.</p> <p>Staff are aware to monitor the outside of the premise and surrounding area for anti-social behaviour and take appropriate steps within reason to minimise the risks. The CCTV monitor on the central desk allows staff to view the exterior at all times.</p> <p>Incidents of anti-social behaviour are recorded on the IHL SMART Tablet Incident App.</p> <p>Staff are trained to be extra vigilant where there is clear evidence of continued anti-social behaviour occurring in the vicinity and encourages a partnership approach with local authorities.</p> <p>Where short term risk is created by young people congregating nearby or attempting to enter the premise staff are trained to closely monitor the entrance. In extreme cases the maglock system would be deployed.</p> <p>Money Laundering <i>Failure to identify the occurrence to launder money on our premises (e.g. dyed stained notes, fake notes, foreign coins) and to adhere to reporting policies and procedures.</i></p>
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Merkur Slots has a designated Anti Money Laundering Officer (AMLO) and AML polices with clear escalation and reporting processes.

There are 2 pawnbrokers and loan shops in the vicinity, staff are trained to monitor and record customer behaviour, spend and time spent gambling and customer interactions are used to assess customer source of funds/income where relevant, enhanced scrutiny will be implemented where concerns of criminal activity or association of are suspected. Any suspicious activities are reported to the nominated officer who will report to NCA where appropriate.

IHL SMART Tablet AML App is used to record AML incidents with emails alerts sent directly to the AMLO.

Security alerts and photos of suspects are shared with other operators. CCTV systems available for additional monitoring of activity and MARS (machine data capture system) provides individual transactions and fraud alerts for suspicious activity.

Anti-fraud analysis on MARS (machine data capture system) identifies suspicious gaming activity.

Adequate staff will always be maintained and subject to regular review and risk assessment.

Merkur Slots, in line with many businesses on the high street will at times operate with a single staff member. Such times when Merkur Slots choose to single man is strictly controlled and are never planned to happen from 8pm until 6am.

In considering when it is appropriate for a venue to operate with one member of staff Merkur Slots will primarily consider the security of the employees by reviewing customer levels, cash control needs and the activity within the local area such as licensed premises closing times.

Any period of single-staffing is managed by the lone-working policy, locked door policy, remote monitoring of CCTV and keeping in touch policy.

Merkur Slots Hastings will operate TITO machines with a central redemption change machine GeWeTe, the GeWeTe is fitted with a duress code facility and built in time delay. Staff do not carry cash floats and only management can open the gaming machines and change machines.

As such staff are based predominately on the venue floor and have very little need to work in a back area, any back office work is planned when the venue is closed (cash collections) or where customer numbers are low and sufficient staff available.

Venue and machine keys are secured in a time delay safe accessible only by Duty Management who require very limited access due to the TITO and GelWeTe management of cash within the venue.

The premise and staff will be protected by a Staffguard security system, Maglock and intruder alarms will be installed. Staffguard provides instant access to live security support and there are panic alarms giving direct contact with the Police.

Venue and machine keys are secured in a time delay safe accessible only by Duty Management.

The premise and staff will be protected by a Staffguard security system, Maglock and intruder alarms will be installed.

Staff are trained to deal with incidents of a criminal nature and aggressive persons. There are support mechanisms available to staff, including counselling and an Employee Assistance Programme.

Alcohol and Drugs

Anti-social behaviour caused by alcohol is not tolerated within our premises and there are comprehensive security and reporting processes to escalate, report and deal with any issues as they arise.

'No Alcohol Allowed' signage on the door.

Drug misuse is not tolerated within the premise and in locations where there is heightened risk, the toilets are locked with access monitored and controlled by the staff.

Staff are aware to refuse access to any person who is or appears to be under the influence of alcohol or drugs, or adopting anti-social behaviour, any such incident will be logged on the IHL SMART Tablet Incident App and depending on severity will be reported to the police.

Staff are trained to be extra vigilant where there is clear evidence of street drinking in the vicinity and encourages a partnership approach with local authorities.

Maglock systems will be deployed during times of public houses closing.

Money Lending

Money lending is not tolerated within our premises.

Suspensions of organised money lending by illegal money lenders are escalated to the audit compliance team and onwards to local authority money lending teams.

Ensuring that gambling is conducted in a fair and open way

Bingo/Gaming Machine and Supervision
The premise will operate under a Bingo Licence, with proprietary bingo equipment, and a range of category B3 (max stake £2/prize £500), C (max stake £1/prize £100) and D (max stake 10p/prize £5) machines (company average stake is 30/40p).

Bingo will be available by means of G-Tab tablets offering a range of Bingo products and Live calling. G Tabs are linked to Merkur venues and other operators across the country and allow customers to play Bingo including the National Game which is played twice per day in the venue when customer numbers are as low as one. Tablet systems now account for most of the bingo play in venues of all sizes.

Customer Complaints

Failure to prevent customers complaints and disputes regarding gambling within our premises. Failure to resolve customer's complaints and disputes regarding our gambling premises.

Merkur Slots operate a clear customer complaints policy both within venues and via a customer complaints link on the website. Complaints management policy in place for written, telephone and complaints received via the 'customer complaints' link on company website.

The Company Code of Practice and Complaints and Disputes Policy will be displayed on the Customer Information Board at the entrance with leaflets available within the premise - ADR provider is IBAS.

Complaints portal used to collate and manage responses.

4 stage complaints procedure with ADR entity Independent Betting Adjudication Service Ltd (IBAS) for unresolved complaints. Staff are trained and encouraged to use positive discretion to resolve customer complaints in venue.

Marketing

Merkur Slots promote responsible gambling and social responsibility throughout all marketing campaigns. Marketing and Promotional activity complies with LCCP and standards set by the Committee of Advertising Practice (CAP) and the Broadcast Committee of Advertising Practice (BCAP).

External windows will have digital marketing screens which will display safer gambling messages, No Under 18's allowed, Think 25, Bingo Played Here, opening times and promotional activity.

All marketing campaigns are reviewed for appropriateness before being launched. No advertising is used that depicts images that may appeal to children.

Other

Places of worship and Religious Buildings

Hastings Unitarian Church, 7A South Terrace, TN34 1SA
Agape Church, 197 Queens Rd, TN34 1RG
Wellington Square Baptist Church, 47 Wellington Square, TN34 1PN
His Place Community Church, Robertson St, TN34 1HT
Holy Trinity Hastings, Robertson St, TN34 1HT
Hastings Christian Spiritualist Church, 4 Claremont, TN34 1HA
Church of St Thomas of Canterbury and English Martyrs, 32 Magdalen Rd,
TN37 6ET
East Sussex Islamic Association, The Mosque, 12 Mercatoria, TN38 0EB

Ethnicity and Local Area Demographic

Merkur Slots does not discriminate on the ground of ethnic or social demographic.
Local area profiles which detail deprivation, social, ethnic or population may be used as part of the risk assessment in relation to gambling related harm in conjunction with the company standard controls.

Merkur Slots takes a holistic approach to customers and is aware that the Equality Act precludes the exclusion of any group for generalised reasons.

Merkur Slots will participate with any local/town centre scheme and actively seek to support and be involved with any local initiatives targeted at reducing deprivation (crime/employment/health) and engage in the sharing of information.

Training & Social Responsibility

Merkur Slots take responsible gambling and social responsibility seriously, ensuring all staff are fully trained to carry out their roles in a responsible manner.

Merkur Slots UK Ltd have attained Responsible Gambling Accreditation from the G4 Global Gambling Guidance Group.

Merkur Slots UK Ltd work with YGAM (Young Gamers and Gamblers Education Trust) to deliver City and Guilds accredited training on vulnerable and gambling harm to all levels of management.

There are two National Training Centres and a dedicated Learning and Development Team.

Bingo Association, Gamcare Accredited training completed by members of management.

All staff complete on boarding and 6 monthly refresher training: The Essentials of Compliance, Safeguarding Children and Vulnerable People Age Verification and Customer Interaction.

Staff are aware of the importance of social responsibility, trained to advise customers of gambling responsibly and identifying potential problem gamblers.

Compliance and Social Responsibility Folder and Player Protection Framework containing policies and procedures is available to all staff. Venue Mangers review compliance logs monthly, Area Managers Bi monthly and Compliance Auditors twice yearly.

		<p>COVID 19 All staff receive training on COVID-19 guidelines.</p> <p>Control measures clearly displayed at the entrance, temperature checks prior to entry and hand sanitisers available on entrance and throughout premise.</p> <p>Masks made available to customers.</p> <p>Appropriate social distancing signage throughout the gaming area and maximum capacity limits enforced.</p> <p>COVID-19 Daily Check, B3 Ratio Check and Customer Track and Trace will be recorded on the IHL SMART Tablet.</p>
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Merkur Slots Hastings Premise Layout

Premise level:	Merkur Slots is ground floor premise located on the Queens Road.
Premise frontage:	Merkur Slots Hastings will be a property will be of a style which obscures the interior with digital Marketing Screens displaying safer gambling messages, no under 18's, opening times. Marketing and promotions will comply with LCCP and standards set by the Committee of Advertising Practice (CAP) and Broadcast Committee of Advertising Practice (BCAP).
Counter Position:	<p>Merkur Slots Hastings floor layout will be of the design to avoid blind spots and enable supervision of entrances and machines from the central service area and staff will regularly patrol the gaming floor to supervise and interact with customers and identify underage or vulnerable persons.</p> <p>The central service area serves as the main support area for staff to manage the venue without having to leave the floor:</p> <ul style="list-style-type: none"> - TITO machines with a central redemption change machine GeWeTe, the GeWeTe is fitted with a duress code facility and built in time delay. Staff do not carry cash floats and only management can open the gaming machines and change machines. - Beverage and snacks are provided from the service area - IHL SMART Tablet located on the service desk provides the facility to record age verification checks, customer interactions, incidents, self-exclusions, reinstatements, track and trace and general venue management checklists - The CCTV monitor on the central desk allows staff to view the exterior at all times.
Floor layout:	Merkur Slots Hastings floor layout will be designed to avoid blind spots to enable the active management and observation of customers entering and leaving the premises, from the central service area the entrances, machines and toilet can be observed and staff will regularly patrol the gaming floor and interact with customers allowing identification of underage and vulnerable persons. 'Stay in Control' Posters and Leaflets will be located in prominent locations within the premise.
Machine Positions:	<p>Merkur Slots Hastings will operate under a Bingo Licence, with proprietary bingo equipment, and a range of category B3 (max stake £2/prize £500), C (max stake £1/prize £100) and D (max stake 10p/prize £5) machines (company average stake is 30/40p).</p> <p>Bingo will be available by means of G-Tab tablets offering a range of Bingo products and Live calling. G Tabs are linked to Merkur bingo venues and other operators across the country and allow customers to play Bingo including the National Game which is played twice per day in the venue when customer numbers are as low as one.</p>
Hidden Areas:	Merkur Slots Hastings will be fitted with a HD CCTV system with coverage of all public areas including all entry and exits points, CCTV will be clearly advertised to customers with screens visible by employees when working in the service area.

Merkur Slots UK Ltd is accredited by the G4 Global Gambling Guidance Group for Responsible Gambling.

I have worked in the Gaming Industry for 12 years, in operations as a venue manager for 2 years and in collection/income protection department for 8 years before moving to the Audit and Compliance department in 2018, prior to which I was managing busy pub in central London. During my time in the industry, I have support and trained venues in many locations across the United Kingdom. (Jolanta Mackowska—Internal Auditor).

I have worked in the Gaming Industry for 25 years, in operations as a venue manager for 4 years and area manager for 20 years before moving to the Audit and Compliance department in 2019, prior to which I was in retail management. During my time in the industry, I have managed venues and areas in many locations from market towns such as Loughborough to large cities like Glasgow and Luton. (Gill Clulow – Senior compliance Auditor)

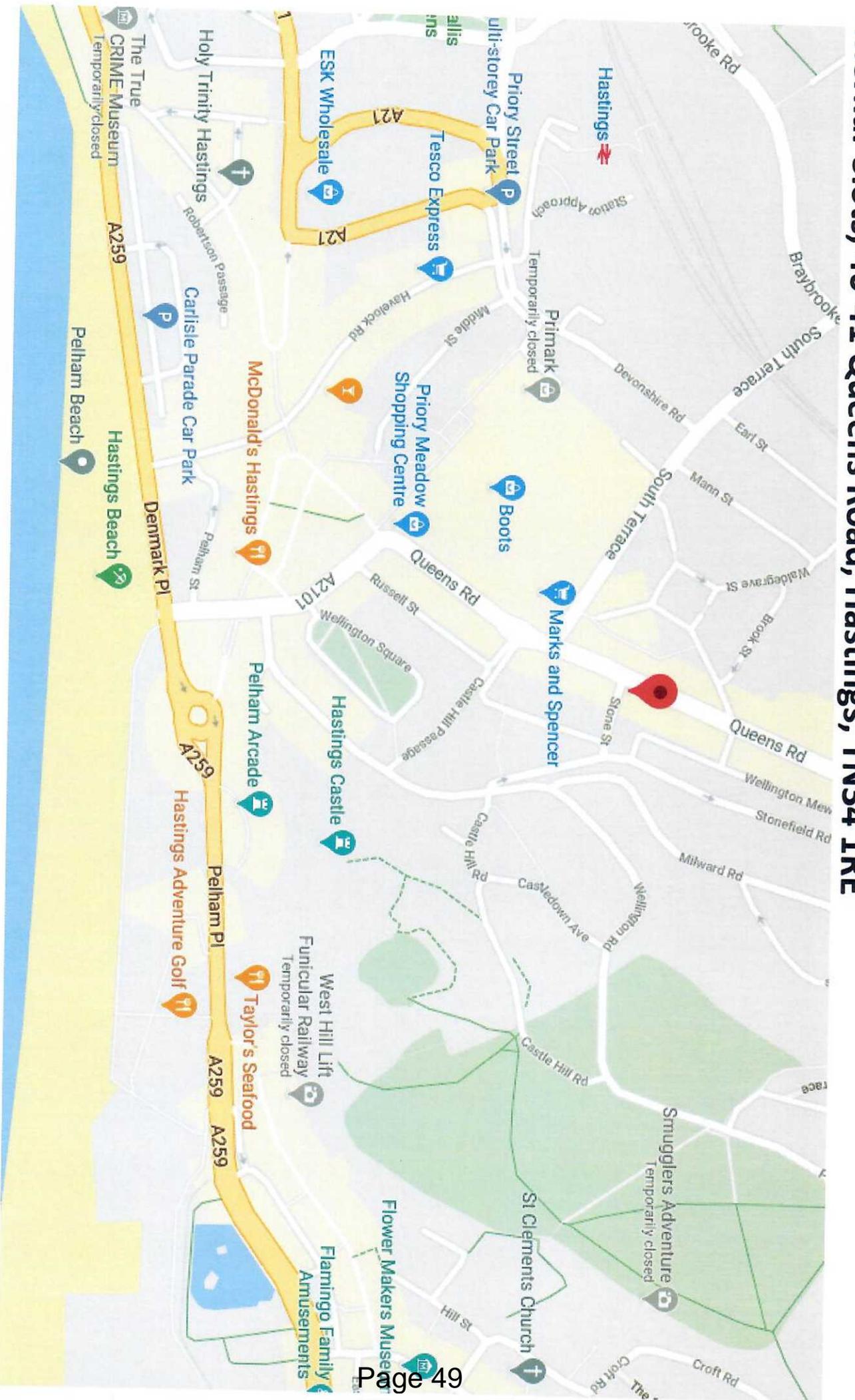
N.B. The standard procedure for completing a Local Area Risk Assessment would be to remotely research the area and complete an initial assessment this would be followed by a physical visit to the location and surrounding area, accompanied by a member of the operations team. However due to current lockdown restrictions a physical visit to the location has not been carried out and this assessment has been completed remotely. Once lockdown restrictions are eased, the retail and hospitality sector reopens and towns return to normal levels of trading a physical visit will be made and any appropriate adjustments made to the Risk Assessment. A review will additionally be carried out once the venue is open and local knowledge of the staff can be amalgamated.

This document provides an assessment of risk at premise level relating to the provision of these facilities for gambling. Merkur Slots UK Ltd is a national operator and employs several standard policies, procedures and control measures across all premises. These issues are clearly articulated in the "Compliance Manual" to be found in the premise and in our Player Protection Framework. The company also carries out premise's security risk assessments (available on request) and health and safety risk assessments which inter alia relate to the objective of keeping crime out of gambling.

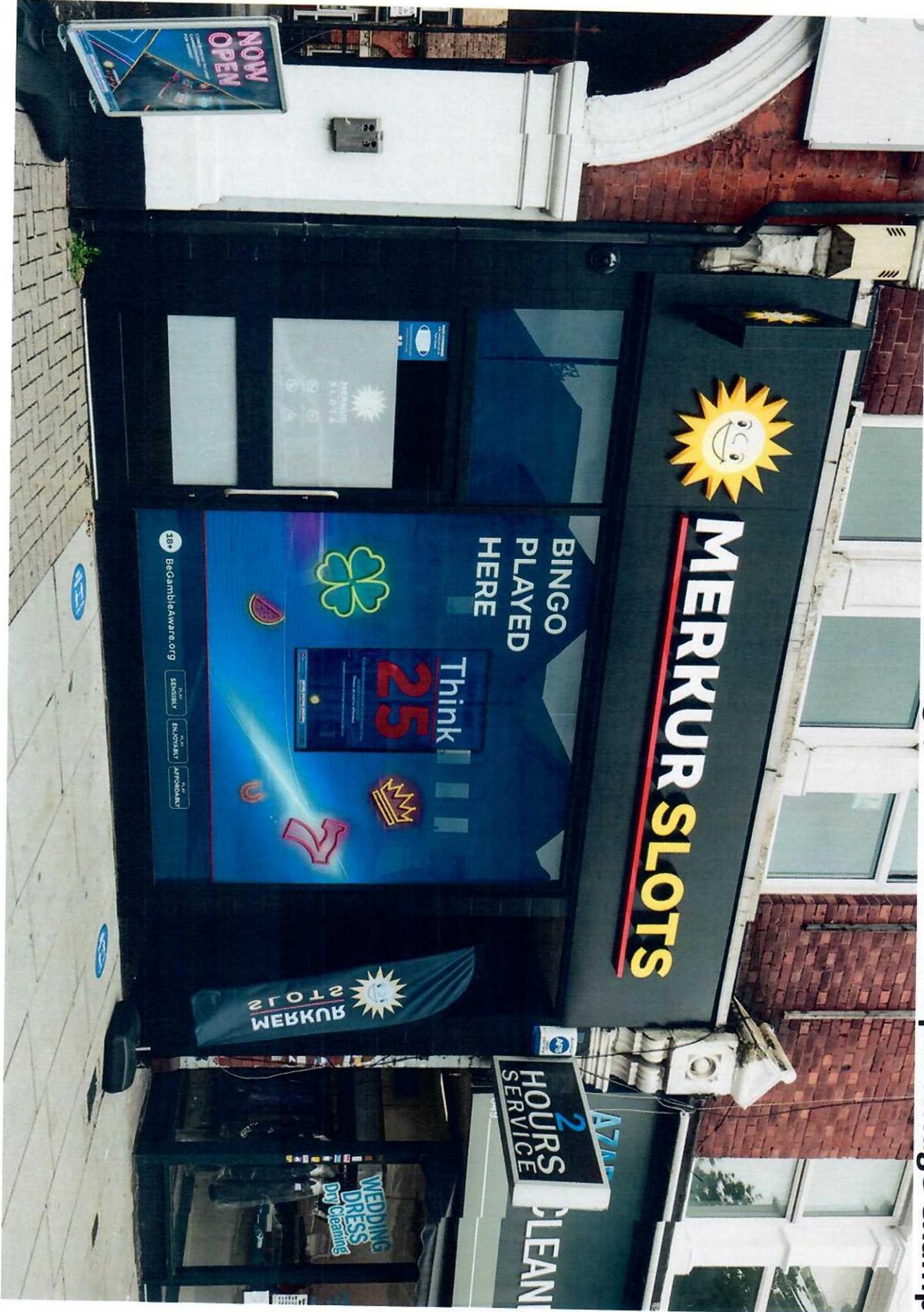
Where relevant, Merkur Slots UK Ltd has also considered any substantive local risks identified in a wide range of policy statements related to gambling and local area profile specifically related to gambling. However, the company does not operate discriminatory policies against any identified groups based on social demographic or ethnic origin. Therefore, identification of issues relating to gambling related harm are based on individual customer behaviour even where particular groups are identified through research at being at greater risk of gambling related harm.

Assessors Name:	Gill Clulow
Signature:	
Date:	20/04/2021

Merkur Slots, 40-41 Queens Road, Hastings, TN34 1RE



Merkur Slots, 40-41 Queens Road, Hastings, TN34 1RE – Shop frontage example



THE LICENSING OBJECTIVES UNDER THE GAMBLING ACT 2005

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- Ensuring that gambling is conducted in a fair and open way
- Protecting children and other vulnerable persons from being harmed or exploited by gambling

Objective 1 - Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.

- Merkur Slots UK Limited is aware that it must notify the Gambling Commission should we suspect that offences under the Gambling Act 2005 are being committed.
- Merkur Slots UK Limited complies with the Commission's advice on the Proceeds of Crime Act 2002.
- Merkur Slots UK Limited has completed its own Business Anti-money laundering risk assessment, local area risk assessments and implements anti-money laundering policies and procedures.
- If we suspect anyone of using our premises for the furtherance of criminal activity (for instance drug dealing, using counterfeit money, selling suspected stolen property and criminal damage) we will contact the police immediately, report to our Head of Compliance and record the instance in the AML and Incidents modules of the electronic Smart Tablet system.
- All Merkur Slots UK Limited premises operate digital CCTV and customer areas are supervised.
- Merkur Slots operates a group-wide Security Alert system where incidents are shared instantly with all licenced premises. We have an internal Fraud Measures Team that respond to and investigate incidents. As a BACTA member, we receive nationwide Security Alerts, which are circulated via the Security Alert system to all licenced premises.
- All Merkur Slots premises provide a static alarm system which is also supported by Staff Guard, a nationwide security company that offers 24hr support via a monitoring centre with fully trained operatives who advise on difficult situations and escalate appropriately.
- Merkur Slots UK Limited has an extensive security, audit and money laundering team monitoring employees and customer activity.
- All Merkur Slots employees complete six-monthly refresher training which covers this licencing objective; anti-money laundering policies and procedures; and guidance on the Proceeds of Crime Act 2002.
- Merkur Slots operate a robust late night working policy, which is fully supported by a full-time Night Manager.

- Merkur Slots does not operate a single-manning policy between 8pm and close, however, should an emergency occur a 'locked door' and 'keep in touch' policy is implemented.

Objective 2 - Ensuring that gambling is conducted in a fair and open way.

- Our gaming rules are prominently displayed in each of our licensed premises.
- Our employees have a full understanding of machine gaming rules.
- We encourage customer-facing employees to use positive discretion to resolve customer issues at a local level, where possible.
- Our Customer Complaints procedure is displayed prominently in every venue. Where customer disputes cannot be resolved satisfactorily, we refer all potential disputes to our appointed Alternate Dispute Resolution provider (IBAS).
- All venue managers attend our National Training Centre for a thorough induction programme prior to taking on responsibility of their own venue and team.
- All licensed premises employees receive induction and six-monthly refresher training during the course of their employment to ensure that potential issues can be addressed at the earliest opportunity.

Objective 3 - Protecting children and other vulnerable persons from being harmed or exploited by gambling

- All our licensed premises are strictly adult only and we provide appropriate notification on entry, on all marketing material and throughout our premises.
- We operate a Think 25 policy as standard and all employees are trained to request a photographic form of identity if they suspect that a customer is under age. All challenges are recorded on our Smart Tablet system under Age Verification Checks and Check Policy are our third-party independent partner for compliance testing.
- All licensed premise employees receive induction and six-monthly refresher training during the course of their employment on social responsibility and safeguarding children and vulnerable people, with a particular focus on the prevention of harm.
- We prominently display information throughout our licensed premises on responsible gambling and provide details of organisations that can provide support and guidance such as BeGambleAware.
- Playright is installed in all licensed premises - this is a self-help App available to customers to enable them to manage spend and play time.
- Socially Responsible messaging is implemented on B3 and Category C digital machines.
- All licensed premise employees are trained to identify potential at risk customers and conduct effective interactions. Customer interactions are recorded on the Interactions module on the electronic Smart Tablet and reviewed centrally by the Compliance team.
- We implement a self-exclusion policy throughout our licensed premises and operate a Smart Tablet system for recording self-exclusions, reinstatements and breaches. We are also members of the Bingo Association Multi-Operator Self-exclusion Scheme.

- The layout of our premises is designed to facilitate customer supervision by employees.
- We provide an annual donation in support of research, education and treatment of problem gambling.

All three licensing objectives are embedded at all levels within the organisation via training both on-line and face to face, during Operational meetings, Business Bulletin communications, Compliance/Audit visits and annual conferences.

NOTICE OF APPLICATION FOR A PREMISES LICENCE

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

Notice is hereby given that **Merkur Slots UK Limited**

of the following address - **Seebeck House, 1A Seebeck Place, Knowlhill, Milton Keynes**

Postcode **MK5 8FR**

the number of whose operating licence is **003266-N-103444**

who applied for an operating licence on **N/A**

has made an application for a **Bingo Premises Licence**

The application relates to the following premises

**Merkur Slots
40-41 Queens Road
Hastings
TN34 1RE**

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

**Hastings Borough Council, Hastings Town Hall, Muriel Matters House, Breeds Place,
Hastings, TN34 3UY**

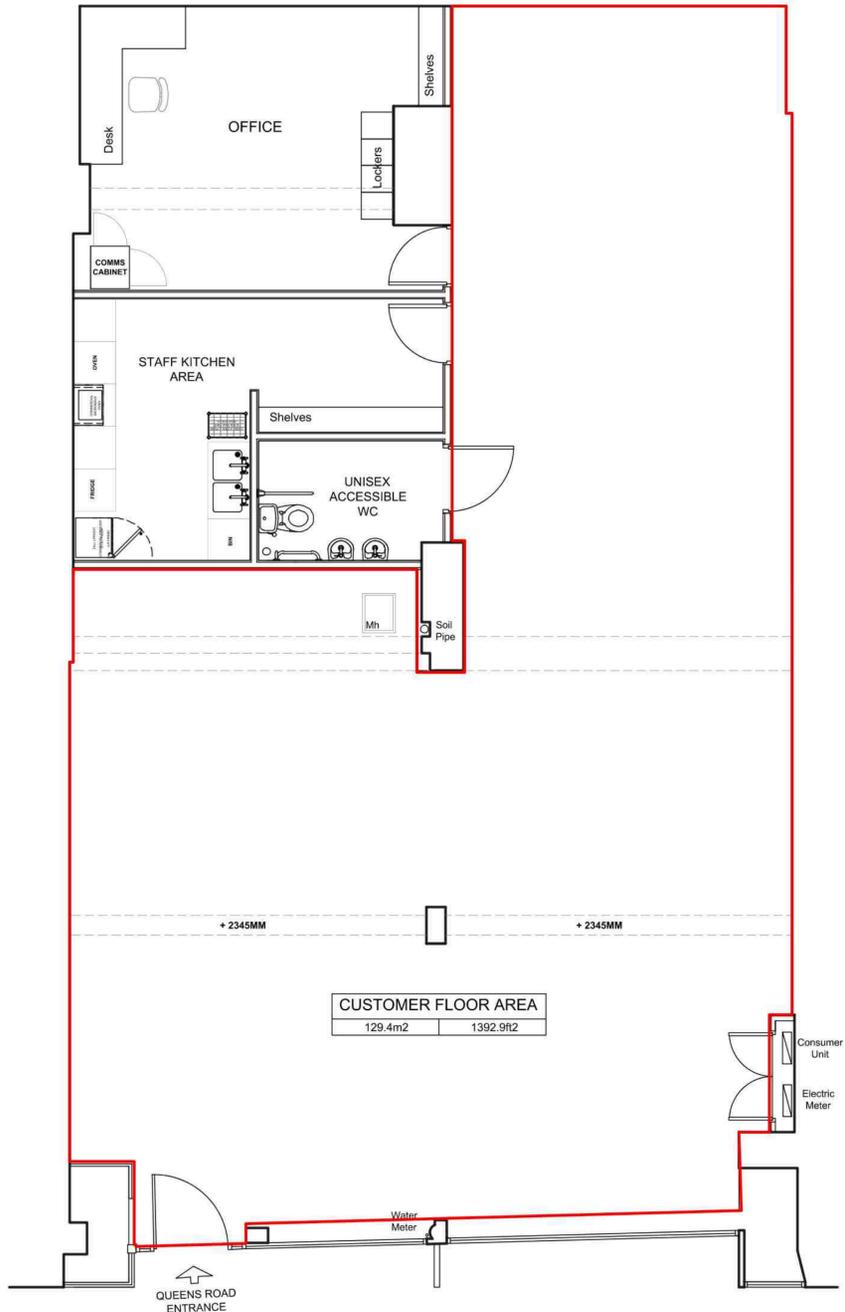
Website: **www.hastings.gov.uk**

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

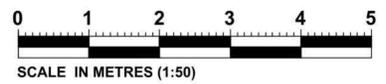
The following person connected with the applicant is able to give further information about the application:

**Richard Bradley
0115 948 7424
Popleston Allen
37 Stoney Street
The Lace Market
Nottingham
NG1 1LS**

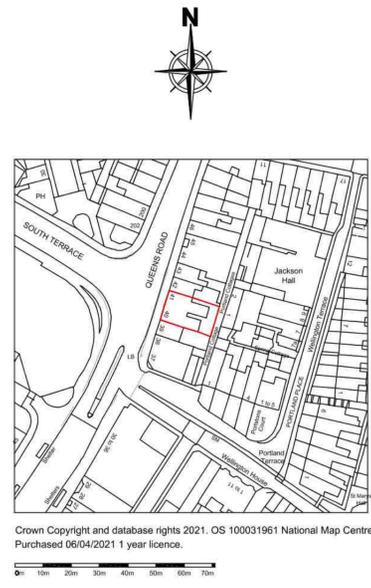
Any representations under section 161 of the Gambling Act 2005 must be made no later than the following date 27th May 2021



Proposed Ground Floor Plan 1:50



SCALE IN METRES (1:50)



Location Plan 1:1250

GAMBLING ACT 2005 LICENSING PLAN

Anything shown on this plan, which is not required by The Gambling Act 2005 (Premises Licence and Provisional Statements) Regulation 2007 is for information purposed only and **does not** form part of the premises licence.

— Area in which facilities will be provided for gaming.

Rev	Date	Description



Address
40 - 41 QUEENS ROAD
HASTINGS
TN34 1RE

Title
LICENCE PLAN

Drawn	Date	Scale
JAM	20/04/2021	1:50 @ A1
Customer Area	129.4m2	
Drawing Number	QRD/HAS/02	Revision

McKeowns
Plans for Construction
301 Alvechurch Road, Birmingham, B31 4UB Tel: 0121 433 4745
Licence Plan

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Licensing Department,
4th Floor, Aquila House,
Breeds Place,
Hastings,
East Sussex TN34 3UY

27th May 2021

Dear Sirs,

**Representation to a licence by Merkur Slots, 40-41 Queens Road, Hastings TN34 1RE
(Merkur Slots UK Limited).**

Representation Outline

1. This representation is made on behalf of East Kent Leasing Limited to the application for a Premises Licence under the Gambling Act 2005 to permit bingo at the premises. East Kent Leasing Limited operates an Adult Gaming Centre premises at 29-31 White Rock Hastings TN34 1JY.

East Kent Leasing Limited is an "Interested Party" in terms of S 158(b) of the Act, paragraph 8.14 and 8.15 of the Gambling Commission's Guidance to Local Authorities April 2021 ("GC's Guidance") and the definition of that term in the LA's SoP. In the unlikely event of our status as an "Interested Party" being disputed, I would be happy to provide further explanation. As will become apparent, while our business will be affected in terms of competition, its objection to the above application is not based on "demand" but on the potential impact of the proposal on (and the LA's obligation and ability to consider the application against) the Licensing Objectives. Our objection is therefore admissible, relevant and cannot be said to be vexatious or frivolous.

For the purposes of paragraphs 8.14 – 8.15 of the GC's Guidance and part 1.11 of the LA's SoLP we confirm that: -

The size of the two sets of premises appears to be similar;

They share or will share the same 'catchment', that is, how far people travel or will travel to visit the premises (they are within walking distance of one another in Hastings Town Centre and player catchments for the venue are nigh identical); so

The person making this representation has business interests in that catchment area that might be affected.

Location and Application Details

2. The applicant applies for a Bingo premises licence under the Gambling Act 2005 for 40-41 Queens Road, Hastings TN34 1RE. The location is a prominent retail street in Hastings Town Centre opposite Priory Meadow Shopping Centre. The location is also away from the night-time economy areas of Hastings. There are a considerable number of betting shops also in the vicinity. As a predominantly retail area, the premises have suffered over the last 12-24 months and the objectors are concerned about a rise in crime, disorder and general public disturbance in the area.

3. There are difficulties later in an evening as the area suffers from anti-social behaviour and congregation of those who commit anti-social behaviour. It is noted that the applicant wishes to open the premises 24/7 and with single manning. This is not suitable or appropriate for this location.
4. A recent planning application for the change of use of the site (5 May) has been registered, albeit for a change of use to Adult Gaming Centre. The license application, however, is for the provision of a Bingo premises license. It appears to be a tactic that the applicant has made an application for change of use to an AGC in planning terms but has made an application for a Bingo premises licence.
5. The application is made for a Bingo premises licence so as to allow for 24/7 hour opening for slot machines, and automated bingo. Whilst Bingo will be provided at the premises, presumably electronically, this can only take place between the hours of 09:00 to 00:00. The machines are capable of being used 24/7. It appears to be a tactic that in relation to applying for planning permission for one use, whilst applying for a premises for a different use under the Gambling Act 2005.

Relevant Legislation

6. Section 153 Principles to be applied

- (1) In exercising their functions under this Part a licensing authority shall aim to permit the use of premises for gambling in so far as the authority think it—
- (a) in accordance with any relevant code of practice under section 24,
 - (b) in accordance with any relevant guidance issued by the Commission under section 25,
 - (c) reasonably consistent with the licensing objectives (subject to paragraphs (a) and (b)), and
 - (d) in accordance with the statement published by the authority under section 349 (subject to paragraphs (a) to (c)).
- (2) In determining whether to grant a premises licence a licensing authority may not have regard to the expected demand for the facilities which it is proposed to provide.

The licensing objectives

7. In this Act a reference to the licensing objectives is a reference to the objectives of—
 - (a) preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime,
 - (b) ensuring that gambling is conducted in a fair and open way, and
 - (c) protecting children and other vulnerable persons from being harmed or exploited by gambling.

Gambling Commission Guidance to Licensing Authorities -

Part 5: Principles to be Applied by Licensing Authorities

8. Objective 1 : Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime

5.3 Among other matters, licensing authorities may need to consider the location of premises in the context of this licensing objective. For example, in considering an application for a premises licence or permit that is in an area noted for particular problems with disorder, organised criminal activity etc, the licensing authority should think about what,

if any, controls might be appropriate to prevent those premises being associated with or used to support crime. That might include conditions on the premises licence, such as a requirement for door supervisors. The requirement for conditions might be determined by the operator's own risk assessment or the local area profile carried out by the licensing authority, as detailed in Part 6.

5.4 A licensing authority will need to consider questions raised by the location of gambling premises when:

- formulating its statement of licensing policy
- receiving relevant representations to an application
- dealing with applications as a responsible authority in its own right
- considering applications before it.

5.5 In the context of gambling premises licences, licensing authorities should generally consider disorder as activity that is more serious and disruptive than mere nuisance. Factors to consider in determining whether a disturbance was serious enough to constitute disorder would include whether police assistance was required and how threatening the behaviour was to those who could see or hear it. There is not a clear line between nuisance and disorder and the licensing authority should take the views of its lawyers before determining what action to take in circumstances in which disorder may be a factor.

5.6 Regulatory issues arising from the prevention of disorder are likely to focus almost exclusively on premises licensing, rather than on operating licences.

5.8 In relation to preventing disorder, licensing authorities have the ability under s.169 of the Act to attach additional conditions to premises licences, and are entitled to include a requirement for door supervision, as provided for in s.178 of the Act. If a person employed on door supervision would be required to hold a licence issued by the Security Industry Authority (SIA), that requirement will have force as though it were a condition on the premises licence. Further information on conditions on premises licences can be found in Part 9 of this Guidance.

9. Section 153 principles

5.20 Whilst there is a presumption in favour of permitting the relevant premises to be used for gambling, the licensing authority may not do so unless satisfied that such use would be in accordance with this Guidance, any relevant Commission code of practice, its own statement of policy, and the licensing objectives.

10. Local Risk Assessments

6.41 The Commission's Licence Conditions and Codes of Practice (LCCP) which were revised and published in February 2015, formalise the need for operators to consider local risks.

6.42 Social responsibility (SR) code 10.1.1 requires all premises licensees to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In undertaking their risk assessments, they must take into account relevant matters identified in the licensing authority's statement of policy.

6.43 Licensees are required to undertake a local risk assessment when applying for a new premises licence. Their risk assessment must also be updated:

- when applying for a variation of a premises licence
- to take account of significant changes in local circumstances, including those identified in a licensing authority's statement of policy
- when there are significant changes at a licensee's premises that may affect their mitigation of local risks.

11. Premises

7.4 By distinguishing between premises types, the Act makes it clear that the gambling activity of the premises should be linked to the premises described. Thus, in a bingo premises, the gambling activity should be bingo, with gaming machines as an ancillary offer on the premises.

12. Hastings Borough Council - Statement of Policy and Principles under the Gambling Act 2005 (2019- 2022)

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

3.2.1 The Gambling Commission plays a lead role in preventing gambling from being a source of crime or disorder.

3.2.2 The Licensing Authority places importance on the prevention of crime and disorder, and will fulfil its duty under section 17 of the Crime and Disorder Act 1998. This binds the Licensing Authority to exercise its licensing powers with due regard to the need to do all that it reasonably can to prevent crime and disorder in its area. A high standard of control is therefore expected to be exercised over licensed premises.

3.2.3 The Licensing Authority will pay attention to the proposed location of gambling premises in terms of this licensing objective and possible conditions. For example, where an area has known high levels of crime and disorder, this authority will consider carefully whether gambling premises are suitable to be located there at all, or whether conditions need to be attached such as for the provision of door supervisors or for specified measures to be in place to prevent crime and disorder on the premises.

3.2.4 The Licensing Authority will, when determining applications, consider whether the grant of a premises licence is likely to result in an increase in crime and disorder. This Licensing Authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see or hear it, so as to make that distinction. Issues of nuisance cannot be addressed via the provisions of the Act. The Gambling Commission has stated that licensing authorities should generally consider disorder as activity that is more serious and disruptive than mere nuisance.

3.2.5 Where the premises has been associated with drug dealing, or the possession of weapons on the premises, this may give rise to particular concerns as to whether it will be appropriate to allow the admission of children to the premises during some or all of its hours of operation. In such circumstances applicants may be required to demonstrate that these matters have been addressed.

3.2.6 Applicants are therefore required to demonstrate to the satisfaction of the Licensing Authority, in consultation with the police, how they intend to satisfy this licensing objective. Applicants are encouraged to discuss their crime prevention procedures with licensing officers and the police before making a formal application, addressing how at an operational and local level they will implement their measures to prevent crime and disorder on the premises.

3.2.7 Examples of the matters that are likely to be considered by the Licensing Authority when determining an application include, where appropriate;

- the design and layout of the premises
- physical security features installed in the premises; this may include matters such as the position of cash registers or the standard of CCTV that is installed
- training given to staff in crime prevention measures appropriate to the premises

- where premises are subject to age restrictions, the procedures in place to conduct age verification checks
- the likelihood of any violence, public disorder or policing problem if the licence is granted.

Conclusions

1. From the information provided by the applicant, it is clear that Merkur Slots is a machine led environment. It is not believed that bingo will be the primary activity. Its main function is to create as many category B3 machines as is possible. The LA's SoLP states at 6.3 *"...Applicants for a new premises licence , or wishing to vary an existing licence, will be expected to be clear that the premises are intended to be used for the primary gambling activity proposed."*
Given the presence of the aforementioned planning application, the Applicant is anything but 'clear' that the premises are intended to be used for the primary gambling activity proposed. No other plans or trading information is submitted to demonstrate otherwise.
2. The applicant seeks to rely on a generic Merkur operating style and specific localised issues are not satisfactorily dealt with. The risk assessments have not been properly adjusted to reflect local conditions, local crime statistics, the particularly high rate of antisocial behaviour and crime recorded in the Queens Road area and makes no reference to the location in relation to the amount of vulnerable/homeless people on the streets in this area of town.
3. Of major concern is the issue of single manning at the premises. This in conjunction with the premises opening potentially for 24 hours a day 7 days a week is of real concern. This is compounded by the fact that there are no conditions being offered in relation to the application. It is difficult for the authority to be able to assess whether the premises licence holder will be able to protect children and vulnerable persons from harm or being exploited by gambling from the information that has been provided. The objectors feel it would be impossible at periods of single manning for these protections to be offered.
4. It is impossible from the information that has been provided to see whether the layout, lighting and fitting out of the premises have been designed so as not to attract children and other vulnerable persons who might be harmed or exploited by gambling. The plans also fail to demonstrate the location of CCTV and other features as outlined in the LA SoLP paragraph 3.27
5. For the above reasons we invite the refusal of the application.

I look forward to hearing from you with a view to settling a convenient time and date for the hearing.

Yours faithfully,



Jordan Godden
Commercial Director

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Gambling Act Statement of Principles

2019 - 2022

Hastings Borough Council's Statutory Review of
its Gambling Act Statement of Principles

Document History

Revision	Date	Comment
Full review.	19.12.12.	Published 3.01.2013. effective 31.01.2013.
Full review	01.09.2016	Published on 3.01.16, effective 31.01.2016
Full review	01.10.2018	Published on 03.01.2019, effective 31.01.2019

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Contact: Bob Brown

Contributors:

Plans:

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Current Version: Yes

Effective Date:

Approval Status:

Approval Date:19.12.2018 .

In drafting this Policy, the Licensing Authority has relied upon the Act, Regulations, Gambling Commission Guidance and Codes of Practice as effective in June 2018.

Contents

Document History.....	2
About This Document.....	2
Foreword by Councillor Colin Fitzgerald. Portfolio Holder Environmental Services.....	5
1. Revised Gambling Act Statement of Principles	6
1.1 Background and introduction	6
1.2 The licensing objectives	6
1.3 Scope of the Policy.....	7
1.4 Matters outside the scope of the Policy	8
1.5 Geographical area covered	8
1.6 Integrating strategies.....	9
1.7 Consultation	9
1.8 Declaration	10
1.9 Casinos	10
1.10 Responsible authorities	11
1.11 Interested parties.....	11
1.12 Relevant representations.....	12
2. Delegation and decision making	13
2.1 Delegation of decision making responsibilities.....	13
2.2 Decision making	13
2.3 Information exchange.....	14
3 The licensing objectives.....	14
3.1 Premises licences	14
3.2 Prevention of crime and disorder.....	14
3.3 Door supervisors	15
3.4 Ensuring that gambling is carried out in a fair and open way.....	17
3.5 Protection of children and other vulnerable persons	18
3.6 Access to licensed premises	19
4. Location of gambling premises and gaming machines	21
5. Hours of operation	22
6. Primary Gambling Activity	22
6 Premises licences.....	23
6.1 General principles	23
6.2 Definition of “premises”.....	24
6.3 Premises “ready for gambling”.....	25
6.4 What will be considered.....	26
6.5 Conditions	26
6.6 Adult gaming centres(AGCs).....	28
6.7 Licensed family entertainment centres (FECs)	29
6.8 Bingo premises	29
6.9 Betting premises	30
6.10 Tracks	30
6.11 Travelling fairs.....	32
7. Provisional statements.....	32
8. Unlicensed family entertainment centres (unlicensed FECs) gaming machine permits: Statement of principles on permits	33

9. Prize gaming permits: Statement of principles	35
10. Alcohol licensed premises gaming machine permits	36
11 Club gaming and club machine permits	37
12 Temporary use notices (TUNs)	38
13 Occasional use notices	38
14 Small society lotteries	39
15 Enforcement and inspection.....	40
16 Licensing reviews	41
17 Revocation and cancellation	42
18 Appeals	43
19 Further information	43
Appendix A: Glossary of useful terms	44
Appendix B: List of consultees.....	54
Appendix C: Delegations of licensing functions.....	55
Appendix D: Table of exemptions	56

Foreword by Councillor Colin Fitzgerald, Portfolio holder for Environmental Services.

In September 2007 Hastings Borough Council assumed responsibility for all premises in the Borough which require permission under the Gambling Act 2005 to provide facilities for gambling. There are currently 23 gambling premise licenses held within the borough: 9 betting shops; 11 adult gaming centres and 3 bingo halls, as well as a range of other gambling authorizations, this is a reduction of 4 premises since the last policy review. Hastings Borough Council as the Licensing Authority has been guided by its Statement of Principles since this time. It is responsible for producing and reviewing this statement every three years.

Throughout summer and autumn 2018 it was subject to its third statutory review, and I am grateful to those that took part and provided valuable feedback.

Hastings has much to celebrate in its day and night time economies. Hastings Borough Council acknowledges the opportunities within the borough of investment, and its growing visitor economy. Whilst it encourages inward investment and opportunities for growth through a balance of day time and night time uses in the town centre, it is mindful of the fact that it continues to be one of the most deprived local authorities in the country.

This latest edition of the statement has seen few substantive changes and reflects recent updates in gambling legislation. It continues to be a valuable guide to all concerned with the licensing of gambling within the Borough, from Councillors to applicants to members of the public wishing to comment on applications. It sets out the factors that the Council feels should be taken into consideration within the confines of the Act and the Gambling Commission Codes of Practice and Guidance

How to use this revised Statement

- The gambling licensing principles are shown in text boxes called GLPs (Gambling Licensing Principles). Each GLP is separately numbered and titled
- The additional text where relevant, gives examples, background and reasons for the policies
- The appendices give additional information referred to within the document.
- A glossary of useful terms is set out at Appendix A.

It should be noted that premises licensed under the Gambling Act 2005 are subject to a wide range of robust mandatory and default conditions and in the vast majority of cases these conditions do not need to be supplemented by further conditions added by this licensing Authority.

The overriding principle in the Act is to permit the use of premises for gambling, our policy is written with this in mind, our ability to impose additional conditions on such premises is only triggered in specific circumstances if evidence exists.

1. Revised Gambling Act Statement of Principles

1.1 Background and introduction

1.1.1 Hastings Borough Council which is the local authority for the Borough of Hastings Borough is a "Licensing Authority" under the Gambling Act 2005 (the "Act"). The Council's Licensing Committee is responsible for granting premises licences in Hastings for:

- adult gaming centres
- betting premises, including tracks
- bingo premises
- casino premises
- family entertainment centres.

1.1.2 The definition of 'Gambling' is defined in the Act as either gaming, betting, or taking part in a lottery:

- gaming means playing a game of chance for a prize
- betting means making or accepting a bet on the outcome of a race, competition, or any other event; the likelihood of anything occurring or not occurring; or whether anything is true or not
- a lottery is where persons are required to pay in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process which relies wholly on chance.

1.1.3 Under the Act, Hastings, like all licensing authorities, must publish a statement of principles which they propose to apply when carrying out their licensing functions. This statement must be published at least once every three years. The statement must also be reviewed from "time to time" and any amended parts re-consulted upon. The statement must then be republished.

1.1.4 This revised Statement of Principles has been revised following a statutory review and is based on Gambling Commission Guidance (the "Guidance") and the licensing objectives under the Act. Having been in situ since January 2007, it continues to set out how the Licensing Authority will build on the licensing objectives to reflect local circumstances. It has been a consultation document leading to adoption by the Council as a formal Statement of Principles, after having due regard to the responses from those consulted.

1.1.5 The Statement of Principles once adopted will be available on the Council's website.

1.1.6 The Statement of Principles will come into effect on 31 January 2019, following adoption by Full Council. This may be reviewed as necessary, and at least once every three years from this date.

1.2 The licensing objectives

1.2.1 In exercising most of their functions under the Act, the Licensing Authority must have regard to the licensing objectives. The licensing objectives are:

- preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
- ensuring that gambling is carried out in a fair and open way and
- protecting children and other vulnerable persons from being harmed or exploited by gambling.

1.2.2 This Licensing Authority is aware that, when exercising its functions in relation to premises licensing, it should aim to permit the use of the premises for gambling in so far as it thinks it is:

- in accordance with any relevant code of practice issued by the Gambling Commission (the “Codes of Practice”)
- in accordance with any relevant Guidance
- reasonably consistent with the licensing objectives (subject to the above) and
- in accordance with this Policy (subject to the above).

1.2.3 Applicants are encouraged to demonstrate how they have regard to the licensing objectives.

1.3 Scope of the Policy

1.3.1 The Policy considers the needs of the borough and is concerned with upholding the licensing objectives set out in paragraph 1.2.1 above. It will guide the Licensing Authority in carrying out its various regulatory functions under the Act. These main functions are to:

- be responsible for the licensing of premises where gambling activities are to take place by issuing premises licences
- issue provisional statements
- regulate members’ clubs and miners’ welfare institutes who wish to undertake certain gaming activities via issuing club gaming permits and/or club machine permits
- issue club machine permits to commercial clubs
- grant permits for the use of certain lower stake gaming machines at unlicensed family entertainment centres
- receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
- issue licensed premises gaming machine permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where more than two machines are required
- register small society lotteries below prescribed thresholds
- issue prize gaming permits
- receive and endorse temporary use notices
- receive occasional use notices
- provide information to the Gambling Commission regarding details of licences issued (see section below on “information exchange”)
- maintain registers of the permits and licences that are issued under these functions
- enforce legislation in relation to premises.

1.3.2 This document sets out the policies that the Licensing Authority will apply when determining applications for:

- premises licences
- use notices
- permits as required under the Act
- registrations as required under the Act.

1.3.3 This Policy relates to all authorisations identified as falling within the provisions of the Act, namely:

- bingo premises
- betting premises
- casino
- tracks
- adult gaming centres (AGCs)
- family entertainment centres (FECs)
- club gaming permits
- prize gaming and prize gaming permits
- temporary and occasional use notices
- registration of small society lotteries.

1.3.4 For a list of gambling facilities that are exempt from requiring certain licences, please see Appendix D.

1.4 Matters outside the scope of the Policy

1.4.1 The Licensing Authority will not be involved in licensing remote gambling. This will fall to the Gambling Commission via operating licences. Spread betting is regulated by The Financial Services Authority. The National Lottery is regulated by The National Lottery Commission.

1.4.2 When determining an application, the Licensing Authority cannot take into account the following:

- the likelihood of the applicant obtaining planning permission or building regulations approval
- the expected demand for the facilities which are being proposed
- “irrelevant” matters such as those not related to gambling or the licensing objectives
- moral objections or matters of mere nuisance..

1.4.3 The Licensing Authority should avoid duplication with other local government functions when considering some authorisations. However, applicants are expected to comply with all other legislation and regulatory regimes relevant to the operation of their business. The Licensing Authority will as a matter of routine share information with other responsible authorities and the Gambling Commission particularly where there is evidence of non – compliance. Please also note paragraph 2.4 of the Policy which deals with the exchange of information.

1.5 Geographical area covered

1.5.1 This statement applies throughout the borough of Hastings, which includes St Leonards on Sea.

The population is approximately 90,000 but the number increases significantly in the summer months with an influx of tourists, day trippers and foreign students.

1.6 Integrating strategies

1.6.1 Hastings is one of the most deprived districts in the Country, with higher than average levels of unemployment. There is also a higher than average incidence of residents with mental health and/or substance misuse issues, and therefore of vulnerable children and adults. The Sustainable Communities Strategy sets out how the Council is working with its partners to address these issues.

1.6.2 Local people continue to be concerned about the level of crime, although overall crime levels continue to fall.

1.6.3 The Council aim to integrate this statement of Gambling Act principles with the objectives set out in the Sustainable Community Strategy, so that it contributes to achieving the vision of the borough by allowing gambling to occur in a fair and open way, whilst minimizing any harm to children or vulnerable persons, or links to crime and disorder.

1.7 Consultation

1.7.1 The Licensing Authority recognises the important role that responsible authorities, the gambling trade and other stakeholders have to play in influencing this Statement. It therefore intends to take a wide range of views on the Statement as part of its consultation which takes place from 01.07.2018 before finalising and publishing the Statement. Any anonymous comments received will not be considered by the Licensing Authority.

1.7.2 Under the Act, consultation on this Statement will take place with:

- the Chief Officer of Police for Hastings Borough.
- one or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area and
- one or more persons who appear to the authority to represent the interests of persons who are likely to be affected by or otherwise have an interest in the Policy. This includes but is not limited to:
 - responsible authorities such as the fire authority, child protection, Gambling Commission
 - interested parties such as existing licensed premises trade representatives and associations.

1.7.3 A summary list of persons and groups this Licensing Authority will be consulting with is set out in Appendix B.

1.7.4 The Licensing Authority will give due weight to the views of those consulted and amend the Statement accordingly following responses received. In determining what weight to give particular representations, the factors to be taken into account include:

- who is making the representation (what is their expertise or interest)
- what their motivation may be for their views
- how many other people have expressed the same or similar views
- how far representations relate to matters the Licensing Authority should include in its Statement.

1.7.5 The full list of consultees, comments made and their consideration by the Licensing Authority is available on request from the Licensing Department or by email to licensing@hastings.gov.uk.

1.7.6 The amended and updated statement was drafted for consultation in June 2018 and was published via the Licensing website, www.hastings.gov.uk/licensing. Hard copies were made available upon request from the Licensing Department, Environment and Place, Muriel Matters House, Breeds Place, Hastings, East Sussex. TN34 3UY

1.7.7 Should you have any comments regarding this Policy, please send them via email or letter to the following:

Licensing Department,
Environment and Place,
Muriel Matters House,
Breeds Place,
Hastings,
East Sussex.
TN34 3UY

1.7.8 Nothing in this Policy will:

- undermine the rights of any person to apply under the Act for a variety of permissions and have the application considered on its individual merits; or
- override the right of any person to make representations on any application or seek a review of a licence or permit where they are permitted to do so under the Act as each will be considered on its own merits and according to the statutory requirements of the Act.

1.8 Declaration

1.8.1 In producing the Statement, this Licensing Authority declares that it has had regard to the licensing objectives of the Act, the Guidance, and any responses it has from those consulted on the Statement.

1.9 Casinos

1.9.1 There are currently no casinos operating within the borough.

1.9.2 The Council has now passed a 'no casino' resolution for the Borough. It was passed by full council at the meeting held on the 20th December 2018.

1.10 Responsible authorities

1.10.1 This Licensing Authority designates the Local Safeguarding Children's Board as the body competent to advise the Authority about the protection of children from harm. The principles the Licensing Authority has applied in designating this Board are as follows:

- the need for the body to be responsible for an area covering the whole of the Licensing Authority's area
- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

1.10.2 Applicants will therefore copy their applications to:

East Sussex County Council
Head of Children Safeguards & Quality Assurance
PO Box 5
County Hall
Lewes
BN7 1SW

1.10.3 For a list of responsible authorities, please refer to the glossary of useful terms at Appendix A.

1.10.4 The contact details for all responsible authorities under the Act are available via the Council's website at www.hastings.gov.uk/environment_planning/licensing.

1.11 Interested parties

1.11.1 A person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the Licensing Authority, the person:

- a) lives sufficiently close to the premises to be likely to be affected by the authorised activities
- b) has business interests that might be affected by the authorised activities
- c) represents persons who satisfy a) or b) above.

1.11.2 In determining whether a person or business is an interested party, the Licensing Authority will look at each case and decide it upon its merits. It may take into account the size of the premises and nature of activities taking place. This Authority will not apply a rigid rule to its decision making and will consider the Guidance on this.

1.11.3 When determining what "sufficiently close to the premises" means, the Licensing Authority may take into account:

- the size of the premises
- the nature of the premises
- the distance of the premises from the location of the person making the representation
- the potential impact of the premises (number of customers, routes likely to be taken by those visiting the establishment) and
- the circumstances of the complainant. For example, it could be reasonable for the Authority to conclude that "sufficiently close to be likely to be affected" could

have a different meaning for (a) a private resident (b) a residential school for children with truanting problems and (c) a residential hostel for vulnerable adults.

1.11.4 Interested parties will include trade associations, trade unions, and residents' and tenants' associations. The Licensing Authority may also request a membership list which will indicate the extent of the membership of that association to allow due weight to be given as appropriate.

1.11.5 Interested parties can be persons who are democratically elected such as Ward Councillors and MPs. Other than these persons, this Authority will generally require written evidence that a person or body (such as an advocate or relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons requesting the representation is sufficient.

1.11.6 The Licensing Authority would usually expect Councillors and MPs to make representations only when requested to by ward constituents and/or residents from the area to which the application relates. If individuals wish to approach Councillors to ask them to represent their views then care should be taken that the Councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact Democratic Services on 01424 451717.

1.11.7 In determining whether a person has a business interest which could be affected, the Licensing Authority will consider among other things:

- the size of the premises
- the catchment area of the premises, and
- whether the person making the representation has business interests in the catchment area that might be affected.

1.11.8 "Business interests" will be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.

1.12 Relevant representations

1.12.1 Representations relating to an application will be considered as admissible where they are made by an interested party or responsible authority. The Licensing Authority will then normally only consider that representations are relevant where they relate to the licensing objectives, the Guidance, the Codes of Practice or the Statement of Principles.

1.12.2 The Licensing Authority may determine an application without a hearing despite having received representations from interested parties or responsible authorities where it thinks the representations are vexatious, frivolous or will certainly not influence the authority's determination of the application.

1.12.3 Anyone making representations on an application should note that their details will be made available to the applicant in the interest of fairness and to allow for negotiation. In the event of a hearing being held, representations will form part of a public document.

1.12.4 In addition to this Statement of Principles the Licensing Authority has published guidance for members of the Licensing Committee, Councillors and interested parties who wish to make representations.

2. Delegation and decision making

2.1 Delegation of decision making responsibilities

2.1.1 This Licensing Authority will ensure that the licensing functions contained within the Act are delegated to an appropriate level so as to ensure speedy, efficient and cost effective determination of licensing applications. Its licensing functions will be discharged as at Appendix C.

2.1.2 Those decisions which are not delegated will be determined by the Licensing Committee which has been established by the Licensing Authority to administer a range of licensing functions.

2.2 Decision making

2.2.1 A Licensing Sub-Committee, drawn from members of the Licensing Committee, will normally sit in public to hear applications where representations have been received from interested parties and responsible authorities.

2.2.2 Ward Councillors will not sit on a Sub-Committee involving an application within their ward.

2.2.3 Where a Councillor who is a member of the Licensing Committee is making or has made representations regarding a licence on behalf of an interested party, in the interests of good governance they will disqualify themselves from any involvement in the decision making process affecting the licence or application in question.

2.2.4 Every decision of the Licensing Committee or Licensing Sub-Committee shall be accompanied by clear reasons. The decision will be sent to the applicant and those who have made representations as soon as is practicable.

2.2.5 The Licensing Authority's Licensing Officers will deal with licensing applications where no relevant representations have been received or where representations have been withdrawn. Even where there are no relevant representations, a hearing must occur where certain conditions to the licence are to be attached or excluded unless the applicant waives their right to a hearing.

2.2.6 Decisions as to whether representations are inadmissible, irrelevant, frivolous or vexatious will be made by licensing officers. Where representations are rejected, the

person making that representation will be given written reasons for this. There is no right of appeal against a determination that representations are not admissible.

2.2.7 The Licensing Sub Committee will determine each case before it on its individual merits whilst taking into consideration the Codes of Practice, the Guidance, the licensing objectives and the terms of this Policy and may add conditions. (Please see paragraph 6.5 on Conditions).

2.2.8 In undertaking its licensing functions under the Act, the Licensing Authority is bound by other legislation, for example the Human Rights Act 1998.

2.3 Information exchange

2.3.1 The Licensing Authority will act in accordance with the provisions of the Act in its exchange of information which includes the provision that the General Data Protection Regulation and The Data Protection Act 2018 will not be contravened. The Licensing Authority will also have regard to any relevant Guidance and regulations under the Regulation and Act.

2.3.2 Should any protocols be established regarding information exchange with other bodies then they will be made available upon request.

2.3.3 In fulfilling its functions and obligations under the Act, the Licensing Authority will exchange relevant information with other regulatory bodies and will establish protocols in this respect. In exchanging such information, the Licensing Authority will conform to the requirements of data protection and freedom of information legislation in accordance with the Council's existing policies.

2.3.4 Any matters of non- compliance with the Act will where appropriate be reported to the Gambling Commission.

2.3.5 The Licensing Authority will share information with other responsible authorities and the Gambling Commission where there is evidence of non- compliance with other legislation and regulatory regimes relevant to the operation of the applicant's business.

3 The licensing objectives

3.1 Premises licences

3.1.1 Licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this Licensing Authority has considered the Guidance and some comments are made below.

3.2 Prevention of crime and disorder

3.2.1 The Gambling Commission plays a lead role in preventing gambling from being a source of crime or disorder.

3.2.2 The Licensing Authority places importance on the prevention of crime and disorder, and will fulfil its duty under section 17 of the Crime and Disorder Act 1998. This

binds the Licensing Authority to exercise its licensing powers with due regard to the need to do all that it reasonably can to prevent crime and disorder in its area. A high standard of control is therefore expected to be exercised over licensed premises.

3.2.3 The Licensing Authority will pay attention to the proposed location of gambling premises in terms of this licensing objective and possible conditions. For example, where an area has known high levels of crime and disorder, this authority will consider carefully whether gambling premises are suitable to be located there at all, or whether conditions need to be attached such as for the provision of door supervisors or for specified measures to be in place to prevent crime and disorder on the premises.

3.2.4 The Licensing Authority will, when determining applications, consider whether the grant of a premises licence is likely to result in an increase in crime and disorder. This Licensing Authority is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see or hear it, so as to make that distinction. Issues of nuisance cannot be addressed via the provisions of the Act. The Gambling Commission has stated that licensing authorities should generally consider disorder as activity that is more serious and disruptive than mere nuisance.

3.2.5 Where the premises has been associated with drug dealing, or the possession of weapons on the premises, this may give rise to particular concerns as to whether it will be appropriate to allow the admission of children to the premises during some or all of its hours of operation. In such circumstances applicants may be required to demonstrate that these matters have been addressed.

3.2.6 Applicants are therefore required to demonstrate to the satisfaction of the Licensing Authority, in consultation with the police, how they intend to satisfy this licensing objective. Applicants are encouraged to discuss their crime prevention procedures with licensing officers and the police before making a formal application, addressing how at an operational and local level they will implement their measures to prevent crime and disorder on the premises.

3.2.7 Examples of the matters that are likely to be considered by the Licensing Authority when determining an application include, where appropriate;

- the design and layout of the premises
- physical security features installed in the premises; this may include matters such as the position of cash registers or the standard of CCTV that is installed
- training given to staff in crime prevention measures appropriate to the premises
- where premises are subject to age restrictions, the procedures in place to conduct age verification checks
- the likelihood of any violence, public disorder or policing problem if the licence is granted.

3.3 Door supervisors

3.3.1 The Licensing Authority may consider whether there is a need for door supervisors and whether these should be Security Industry Authority (SIA) registered having regard to the licensing objectives.

3.3.2 Door supervisors at casino and bingo halls are exempt from being licensed by the SIA. The Licensing Authority may make specific requirements for door supervisors working at casinos or bingo premises to search individuals and deal with potentially aggressive persons to ensure that this licensing objective is met to the satisfaction of the authority.

3.3.3 For premises other than casinos and bingo halls, operators and the Licensing Authority may decide that supervision of entrances and/or machines is appropriate in particular cases.

GLP1

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

1. Applicants are encouraged to demonstrate within their application measures to prevent crime and disorder on the premises by providing information on;
 - (a) use of door staff, details of SIA door supervisors and other appropriately trained staff including relevant qualifications or registrations, the number of staff, their location whilst working at the premises, and the times they will be on duty
 - (b) details of the training given to staff in crime prevention measures appropriate to those premises
 - (c) notices to be prominently displayed on the premises and visible to members of the public stating:
 - (i) CCTV is recording on the premises (where required by legislation)
 - (ii) drugs will not be tolerated and persons found possessing/dealing will be excluded from the premises
 - (iii) the age of persons allowed on the premises
 - (iv) drunkenness and those under the influence of drugs will not be tolerated on the premises
 - (d) an accurate plan of the premises confirming the design and layout of the premises, with particular attention to the ability of staff to survey entrances, exits and any dark or hidden areas. Plans should include:
 - (i) the location of lighting inside and outside the premises
 - (ii) the location of any physical security features for example CCTV equipment, its coverage of the interior and exterior of the premises
 - (iii) CCTV, which is to be recordable, kept for a minimum of 31 days and made available to the police and Licensing Authority on request.
When details of security measures are provided, they will be kept out of the public domain.
 - (e) provision of adequate search facilities where applicable to the use of the premises
 - (f) measures to be taken to prevent the consumption of alcohol on the premises other than where it is legal and to ensure those under the influence of alcohol are not permitted to gamble
 - (g) measures to be taken to prevent the possession, supply or consumption of illegal drugs on the premises and to ensure that those under the influence of drugs are not permitted to gamble. Any drugs policy should cover the requirement to notify the Police
 - (h) measures to be taken to prevent the possession of offensive weapons on the premises
 - (i) details of any proof of age scheme

- (j) details of the process to ensure that children do not have access to adult only gaming facilities
- (k) measures aimed at discouraging anti-social behaviour
- (l) measures aimed at preventing children and other vulnerable persons from being exposed to incidents of violence or disorder
- (m) measures to address circumstances where there have been known instances of:
 - (i) harbouring drug dealing, or there is a known association with drug dealers
 - (ii) the possession of weapons on the premises, or where there is a known association with such activity
 - (iii) offences against children or involving children, for example, allowing under 18s to participate in adult gambling.
- (n) details of helplines and guidance for those who may have alcohol, drug or gambling problems.

This information could be achieved by submission of the local risk assessment as required after 6th April 2016.

3.4 Ensuring that gambling is carried out in a fair and open way

3.4.1 Generally the Gambling Commission would not expect the Licensing Authority to ensure that gambling is conducted in a fair and open way. This will be a matter for either the management of the gambling business (and therefore relevant to the operating licence), or will be in relation to the suitability and actions of an individual (and therefore relevant to the personal licence). The Gambling Commission will be responsible for both of these matters and its expectations by way of measures are set out in its Codes of Practice.

3.4.2 There is more of a discretion for the Licensing Authority for authorisations which do not require an operating or personal licence and for tracks where practices may be added to ensure that the betting environment is suitable (see paragraph 6.10 on tracks). The Licensing Authority will expect these applicants to demonstrate how they will meet this objective.

3.4.3 If during the course of considering an application for a premises licence, permit or other notice or at any other time, the Licensing Authority receives information that causes it to question the suitability of the applicant or licence holder to hold an operating licence, or an individual to hold a personal licence the Licensing Authority will notify the Gambling Commission and/or other appropriate authorities without delay.

3.4.4 Because the Licensing Authority cannot attach conditions on an application for a permit, it may refuse the application where the above requirements and GLP2 are not met.

GLP2

Ensuring that gambling is carried out in a fair and open way

The Licensing Authority encourages applicants who do not fall within the jurisdiction of the Gambling Commission (see paragraph 3.4.2) to conform to the code of practice issued by the Gambling Commission and by the conditions of their operating licence.

Failure to demonstrate this may result in the application being refused. In particular:

1. For applications which do not require an operating licence or personal licence, applicants are to demonstrate how information is to be provided about the rules and terms of gambling so that:
 - (a) customers can make an informed decision as to whether and how to participate in gambling
 - (b) customers know the contractual terms and conditions of gambling
 - (c) information is displayed in a clear, accessible and intelligible way.Information should be:
 - (i) bold, precise and clearly located on or near where the game or bet is placed (e.g. machines, track etc)
 - (ii) where the customer base includes people whose first language is not English, notices should be in other languages as appropriate
 - (d) the information displayed on the premises and on promotional information should include:
 - (i) rules of the game or bet
 - (ii) the odds of winning or losing in different scenarios
 - (iii) changes in the rules which must be bold, precise and communicated to the customer so they are fully aware of them
 - (iv) the average return to the player (the payout percentage)
 - (v) the minimum and maximum stakes
 - (vi) information about the machine characteristics (for example compensated/ random)
 - (vii) how quickly the winnings will be paid out and in what form
 - (viii) the dispute and complaints procedures
 - (e) in addition:
 - (i) the operation of the games must be consistent and in line with the rules of the games
 - (ii) the layout of the premises must ensure that the games and bets can be conducted in a fair and open way
 - (iii) no advertising or other marketing tool inside or outside the premises or any part of the media which misleads the customer as to the rules of the game or encourages them not to read the rules.

3.5 Protection of children and other vulnerable persons

3.5.1 As outlined in the borough profile from paragraph 1.6, Hastings population has a higher than average number of vulnerable persons. It is particularly important that the Policy has regard to these facts in seeking to address inequality and deprivation.

3.5.2 The Licensing Authority will, when determining applications consider whether the grant of a premises licence is likely to result in children and other vulnerable persons being harmed or exploited by gambling. Applications are encouraged to demonstrate to the satisfaction of the Licensing Authority, in consultation with the local Safeguarding Children Board, how they intend to implement their measures at an operational and local level to promote this objective.

3.5.3 In relation to children, it should be noted that the Gambling Commission has stated that this objective is explicitly to protect them from being harmed or exploited by gambling. This means preventing them from taking part in gambling and having

restrictions on advertising so that gambling products are not aimed at or are particularly attractive to children. The Licensing Authority will therefore judge the merits of each application before considering whether specific measures are required such as:

- restrictions on advertising and style of the premises where premises cater solely or mainly for adults so that gambling products are not aimed at children or advertised in such a way to make them particularly attractive to children
- restrictions on layout or on where certain machines may be in operation.

3.5.4 In addition, the Licensing Authority will seek to ensure the layout of the premises does not encourage gambling products to be aimed at children or in such a manner that makes them particularly attractive to children.

3.5.5 The Licensing Authority will expect those who operate or control gambling licensed premises or gambling events to have regard to child welfare. They should ensure that their policies and procedures take account of the structure and layout of their gambling premises to prevent access to gambling by children and young persons.

3.5.6 It should be noted that the definition “vulnerable persons” includes but is not limited to people who gamble more than they want to, people who gamble beyond their means and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.

3.5.7 With regard to the protection of vulnerable persons, the Licensing Authority will consider whether special considerations are required. These will need to be balanced against the authority’s aim, in the case of premises licensing, to permit the use of the premises for gambling.

3.5.8 When determining an application to grant a premises licence, regard will be given to the proximity of other establishments catering to children or vulnerable adults, or to places that are frequented by unaccompanied children and/or vulnerable adults or where children, young people or vulnerable persons are likely to congregate. These may include schools, vulnerable adult centres, addiction centres, day centres or services used by vulnerable adults or residential areas where there may be a high concentration of families with children. It may also include school routes and places that attract unaccompanied children for recreation and leisure. Such matters will only be considered in a review hearing if the location of those premises has a bearing on the need for the review called.

3.5.9 The proximity of premises taken into consideration will vary depending on the size and scope of the gambling premises concerned. Each case will be decided on its merits and may depend in part on the type of gambling proposed. Therefore, if an applicant can effectively demonstrate how they might overcome licensing objective concerns, this will be taken into account.

3.6 Access to licensed premises

3.6.1 With the exception of bingo halls, non-gambling areas of tracks on race days and licensed family entertainment centres, children will not be permitted to enter adult only licensed gambling premises.

3.6.2 The Licensing Authority will consult with the local Safeguarding Children Board on any application that indicates there may be concerns for children or vulnerable persons over access to gambling.

GLP3

The protection of children and other vulnerable persons from being harmed or exploited by gambling.

1. Applicants are expected to demonstrate within their application that:
 - (a) the design and style of their premises and any external signage, advertising or promotional material is not aimed or marketed at attracting children to premises or areas which are reserved for adult gambling
 - (b) children are not to be exposed to gambling which is legally restricted to adults
 - (c) measures have been taken to prevent children from being in close proximity to types of gambling restricted to adults for example, gaming machines of class A,B or C
 - (d) staff have been or will be appropriately trained to understand the following;
 - (i) which class of machine is restricted to adults only
 - (ii) any areas where children and young persons are not to be permitted.
 - (iii) child protection requirements
 - (iv) reporting concerns about the welfare of a child to the Duty and Assessment Team, the Council
 - (v) reporting concerns about the welfare of vulnerable persons to Safeguarding Vulnerable Adults, Adult Services, the Council.
2. The Licensing Authority may consider specific measures to protect under 18s and vulnerable persons on certain categories of premises. These measures include:
 - (a) supervision of entrances
 - (b) segregation of gambling from areas frequented by children
 - (c) supervision of gaming machines in adult only gambling premises
 - (d) separate and identifiable entrances and exits from parts of buildings with more than one licence.
3. Where category C or above machines are available in premises to which children are admitted applicants are encouraged to demonstrate that they have taken such measures to ensure that:
 - (a) all such machines are located in an area of the premises separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance
 - (b) only adults are admitted to the area where the machines are located
 - (c) access to the area where the machines are located is supervised
 - (d) the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder and
 - (e) at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.
4. For applications that do not require an operating licence or personal licence, the Licensing Authority will consider:
 - (a) any convictions or cautions in relation to the admission of under 18 year olds
 - (b) requirement for children under 14 to be accompanied by an adult

(c) measures the applicant is taking to prevent children from being in close proximity to types of gambling restricted to adults (for example, category A, B or C gaming machines). Such measures may include “No Under 18s to Play” notices displayed on category A, B and C machine fronts in alcohol licensed premises, or the adoption of an effective proof of age scheme.

5. Where there have been convictions or cautions for serving alcohol to under 18s, or allowing under 18s to participate in adult gambling, applicants may be asked to demonstrate these matters have been addressed. This may give rise to particular concerns as to whether it will be appropriate to permit the admission of children to the premises during some or all of its hours of operation.

6. Where limiting access to children or young persons is considered necessary, the Licensing Authority will consider the following options:

- (a) limiting or excluding when certain activities are taking place or at certain times
- (b) a requirement for children under a certain age to be accompanied by an adult
- (c) an age limitation for under 18s
- (d) access may be limited to certain parts of the premises.

4. Location of gambling premises and gaming machines

4.1 When considering authorisations, including the need for conditions to be attached to licences, the Licensing Authority will primarily focus on the location, suitability and management of the premises and how this might directly impact upon the licensing objectives, whilst aiming to permit the use of the premises for Gambling in line with the Act..

4.2 When determining an application to grant or review a premises licence regard will be given on a case by case basis to the location of the premises and its proximity to other establishments in terms of the licensing objectives which include the protection of children and vulnerable persons and issues of crime and disorder. From April 2016 all applicants for new licences or variations to existing licences should be accompanied by a local area risk assessment prepared by the operator. This should show the potential risks posed by the provision of gambling facilities at each of their premises and show that there are policies, procedures and control measures in place to mitigate the risks. This area risk assessment should be reviewed if there are significant local or premises changes that could impact the operators ability to uphold the licensing objectives.

4.4 In addition, where there are specific risks or problems associated with a particular locality or specific premises, or class of premises, conditions may be attached to reflect this on a case by case basis in a hearing following relevant representations, where permitted by law.

GLP4
Location of gambling premises and gaming machines

1. In considering the locations for a premises licence, permit or notice, the Licensing Authority will consider and will have expected the applicants to have considered:
 - (a) the proximity of other establishments catering to children or vulnerable adults, or to places that are frequented by unaccompanied children and/or vulnerable adults or where children, young people or vulnerable persons are likely to congregate
 - (b) the size and scope of the gambling premises concerned
 - (c) the type of gambling proposed on the premises.
2. In considering the locations for gaming machines, the Licensing Authority will consider:
 - (a) the size of the premises and the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer
 - (b) the size of the premises and the ability of staff to monitor the use of the machines by children and young persons or by vulnerable people
 - (c) restricting the number and location of such machines in respect of applications for track betting premises licences
 - (d) the location of gaming machines at tracks
 - (e) the locations of gaming machines where the applicant holds a pool betting operating licence and wishes to apply for a track premises licence using their entitlement to four gaming machines. The applicant will need to demonstrate that these machines are located in areas from which children are excluded
 - (f) segregation of category C and D machines in family entertainment centres.

5. Hours of operation

5.1 The Licensing Authority will have regard to the Guidance and default conditions relating to operating hours and will consider excluding and replacing default conditions as appropriate and on a case by case basis if there is clear evidence of a particular risk..

5.2 Where limiting access to children is considered necessary, the Licensing Authority will consider a limit on the hours when children may be present on the premises

6.Primary Gambling Activity

6.1 The primary activity of each premises licence type is specified on the premises licence when issued by the Authority. Section 150 Gambling Act 2005 authorises the provision of Gambling facilities for the following types of premises licences; Casino premises, bingo premises, betting premises (including tracks), adult gaming centre premises and family entertainment centre premises.

6.2 In betting premises the primary activity will be betting, with gaming machines as an ancillary offer on the premises. The commission have provided information relating to the primary gambling activity in both the Local Authority Guidance and in Codes of practice.

It should be noted that the Act does not permit a premises to be licensed for more than one gambling activity.

6.3. The Authority will take decisions in accordance with the Commissions guidance and codes of practice on primary gambling activity and will have regard to the advice which it issues from time to time, we will expect applicants to operate premises in line with the Commissions Guidance and conditions on their operators licence. Applicants for a new premises licence , or wishing to vary an existing licence, will be expected to be clear that the premises are intended to be used for the primary gambling activity proposed..

GLP5

Hours of operation

The Licensing Authority will have regard to the following:

- (a) Codes of Practice when determining the hours of operation
- (b) licensing hours fixed will always reflect the individual merits of the application, any relevant representations received and the requirement to uphold the licensing objectives
- (c) earlier hours may be set if the individual circumstances require it. Applicants are encouraged to demonstrate that there would be no breach of the licensing objectives if later hours are requested, especially if requests are made to go beyond midnight in residential areas
- (d) the Licensing Authority will consider the levels of crime and disorder in the area of the application and police resources available to address this late at night
- (e) applicants are encouraged to exclude children from premises or events where children are present by 9pm unless the applicant can demonstrate how they can operate beyond these hours without risking harm to children in these circumstances.

6 Premises licences

6.1 General principles

6.1.1 An application for a premises licence may only be made by persons over 18 years old, companies or partnerships.

6.1.2 The Licensing Authority can only consider a premises licence application where the applicant:

- has a right to occupy the premises at the time the application is made and can provide evidence of this if requested; and
- holds or has applied for an operating licence which allows the proposed activity to be carried out.

6.1.3 It should be noted that the premises licence may only be determined once the operating licence has been issued.

6.1.4 The Licensing Authority will expect the applicant for a premises licence to demonstrate that they have or have applied for the appropriate operating and/or personal licences from the Gambling Commission.

6.1.5 Where no application for an operating licence has been made, the premises licence application will be refused.

6.1.6 Premises licences will be subject to the requirements set out in the Act and regulations, which include mandatory and default conditions. Licensing authorities are able to exclude default conditions and also attach others where appropriate, if a specific risk is identified..

6.2 Definition of “premises”

6.2.1 Premises are defined in the Act as including “any place”. Different premises licences cannot apply in respect of single premises at different times. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This will always be a question of fact depending on the circumstances and the Guidance provides further detail on this. It should be noted that areas of a building that are artificially or temporarily separate can not be properly regarded as different premises and the Licensing Authority would therefore normally expect genuine separation in this regard to be a permanent and substantial physical separation of the premises.

6.2.2 This Licensing Authority will take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes on a case by case basis and with regard to the Act and the statement of principles behind the Act, as explained in the Guidance which is to limit the number and type of machines in particular premises. Where the Licensing Authority is not satisfied that the premises are separate, it will be unable to issue further premises licences on that premises concluding that a premises licence already exists. The following factors will be taken into account in determining whether the premises is in fact a “premises” and therefore able to submit such application(s):

- whether entrances and exits which form parts of a building covered by one or more licences are properly and suitably separate and identifiable so that the separation of different premises is not compromised and that people do not ‘drift’ into a gambling area. In this context it is expected that the premises will be separated by a floor to ceiling division whereby each “premises” can be accessed without going through another licensed premises or premises with a permit particularly where this is required by the Act
- whether the premises have a separate registration for business rates
- whether the premises have different postal addresses
- whether the premises and its neighbouring premises is owned by the same person
- whether each of the premises can be accessed from the street or a public passageway
- whether the premises are accessible only from another gambling premises.

6.2.3 The Licensing Authority will pay particular attention to applications where access to the licensed premises is through other premises. There will be specific issues to be considered before granting such applications, for example:

- whether children are not only prevented from taking part in gambling but also prevented from being in close proximity to gambling

- whether children are invited to participate in, can gain accidental access to or closely observe gambling where they are prohibited from participating
- compatibility of the two types of establishments
- whether taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would or should be prohibited under the Act. The applicant will need to show for example that direct access between the premises is prevented if the premises licence condition requires it
- whether customers can primarily participate in the gambling activity named on the premises licence.

6.2.4 Applicants will need to demonstrate that the primary purpose of the premises will be fulfilled and are encouraged to provide to the Licensing Authority the precise arrangements for primary and ancillary gambling activities at the premises. The Licensing authority will have proper regard to the latest Gambling Commission Guidance on “Primary Use” of gambling premises.

6.3 Premises “ready for gambling”

6.3.1 A licence to use a premises for gambling should only be issued in relation to premises that the Licensing Authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use. The Guidance provides advice on this.

6.3.2 In deciding whether a premises licence can be granted where there is outstanding construction or alteration works at a premises, this Authority will determine applications on their merit, considered in a two stage process:

- firstly, whether as a matter of substance the premises ought to be permitted to be used for gambling and
- secondly, in deciding whether or not to grant the application, consider if appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

6.3.3 If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement may be a better option and applicants are encouraged to discuss which route is appropriate with the Licensing Authority. For example, where applications are received in respect of uncompleted premises which it appears are not going to be ready to be used for gambling for a considerable period of time, the Licensing Authority ought to consider whether, applying the two stage process, it should grant a licence or whether the circumstances are more appropriate for a provisional statement application. Please refer to paragraph 7 on provisional statements.

6.3.4 If a premises licence is to be sought before the premises is ready to be used for gambling the applicant should consider offering appropriate conditions and/or providing a future effective date for the licence to commence.

6.4 What will be considered

6.4.1 All applicants for premises licences are encouraged to set out how they will have regard to the licensing objectives, as specified in paragraph 1.2.1 and what measures they intend to employ to ensure compliance with them. This will assist the Authority, responsible authorities and interested parties to consider whether the application accords with the licensing objectives and is therefore more likely to avoid unnecessary hearings. The applicant may ask the Licensing Authority for advice as to the scope of information to be provided which will be proportionate to the scale and nature of the application made.

6.4.2. With effect from 6th April 2016, the Licensing Authority will require all licensees to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedure and control measures to mitigate those risks. In making risk assessments, licensees must take into account relevant matters identified in the licensing authority's statement of licensing policy.

Licencees must review; update as necessary their local risk assessments;

1. To take account of significant changes in local circumstances, including those identified in the statement of licensing policy;
2. When there are significant changes at a licensee's premises that may affect their mitigation of local risks
3. When applying for a variation of a premises licence
4. In any case, undertake a local risk assessment when applying for a new premises licence.

Licensees are expected to share their risk assessment with the Authority when applying for a new licence or a variation to an existing licence or for any other reason on request.

6.5 Conditions

6.5.1 Licensing is about the control of gambling licensed premises within the terms of the Act. The starting point in determining applications will be to grant the application without attaching conditions.

6.5.2 Conditions may be attached to licences that will cover matters within the control of individual licensees. Conditions are attached to a premises licence in the following ways:

- automatically under the Act
- through regulations as mandatory and/or default conditions
- by the Licensing Authority.

6.5.3 For instance, there are mandatory conditions which attach to all licences or licences of a particular class. Specific conditions which attach to an individual licence will only be attached by the Licensing Authority following a hearing or where the applicant has agreed conditions with a responsible authority or interested party.

6.5.4 The Licensing Authority can exclude any default conditions from the premises licence. The Licensing Authority will where necessary impose conditions that are:

- in accordance with the Guidance
- in accordance with the Code of Practice
- in accordance with the Statement of Principles or

- in a way that is reasonably consistent with the licensing objectives.

6.5.5 Conditions imposed by the Licensing Authority will be proportionate to the circumstances and risks which they are seeking to address. In particular, the Licensing Authority will where appropriate apply conditions that are:

- relevant to the need to make the proposed building suitable as a gambling facility
- directly related to the premises and the type of licence applied for
- fairly and reasonably related to the scale and type of premises and
- reasonable in all other respects.

6.5.6 The Licensing Authority does not propose to implement standard conditions on licences but may attach conditions as appropriate given the circumstances of each individual case. It will seek to avoid duplication with other systems so far as possible and will not attach conditions unless they are considered necessary having regard to existing regimes. For example, where applicants fail to adequately address the provisions of the relevant GLPs to the satisfaction of the Licensing Authority, it may attach conditions to alleviate concerns triggered by the lack of information provided.

6.5.7 There will be a number of measures the Licensing Authority will consider utilising should there be a perceived requirement such as the use of supervisors, appropriate signage for adult only areas as set out in GLP1 - 6. There are specific comments made in this regard under some of the licence types below. The Licensing Authority will also expect the applicant to offer measures as to ways in which the licensing objectives can be met effectively.

6.5.8 The Licensing Authority will consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the proper segregation of primary gambling activities in addition to matters in GLP1-6. These matters are in accordance with the Guidance.

6.5.9 This Licensing Authority may contact the Gambling Commission or the applicant to obtain a copy of the operating licence to consider any conditions that may cover the way in which the Gambling Commission expect the objectives to be met. It will assess whether the corresponding premises licence requires any specific expansion on these measures by way of conditions based upon the application and information provided.

6.5.10 There are conditions which the Licensing Authority cannot attach to premises licences. These are any conditions:

- on the premises licence which make it impossible to comply with an operating licence condition;
- relating to gaming machine categories, numbers, or method of operation;
- which provide that membership of a club or body be required (the Act specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated); and
- in relation to stakes, fees, winning or prizes.

GLP6

Premises licences

Applicants for a premises licence will need to have regard to GLP1 to GLP6 in all cases and will also need to identify what type of premises licence is being sought.

- (1) Nothing in this statement of principles will override the right of any person to make an application, make representations about an application, or apply for a review of a licence. Each case will be considered on its own merits and according to the statutory requirements contained within the Gambling Act 2005.
- (2) The Council understands that moral objections to gambling are not a valid reason to reject applications for a premise licence; and also that unmet demand is not a criterion for consideration by the Council with respect to the gambling legislation.
- (3) In addition, applicants for a premises licence are encouraged to demonstrate:
 - (i) that the appropriate operating and personal licences are in place from the Gambling Commission where relevant and
 - (ii) that they have a right to occupy the premises at the time of making the application
 - (iii) how the applicant will promote the licensing objectives with regard to GLP1 to GLP6.
- (4) The Licensing Authority will exclude default conditions or attach conditions where appropriate.
- (5) The Licensing Authority may only consider the grant of a licence where it is going to be ready to be used for gambling in the reasonably near future and (where necessary) the Licensing Authority and/or responsible authorities have been allowed to inspect the premises.
- (6) For multiple licences for a building and those relating to a discrete part of a building used for other non-gambling purposes the Licensing Authority will in particular consider;
 - (i) the measures to prevent people “drifting” into a gambling area
 - (ii) the potential for children to gain access
 - (iii) the ability of two or more establishments to comply with the requirements of the Act.
- (7) Applications must, where appropriate be accompanied by detailed plans to the satisfaction of the Licensing Authority to include, where relevant, details of;
 - (i) entrances and exits
 - (ii) number and positions of counters,
 - (iii) number and positions of gaming machines
 - (iv) location of lighting inside and outside
 - (v) location of CCTV.

6.6 Adult gaming centres

6.6.1 The Licensing Authority will expect the applicant to provide sufficient measures to ensure that under 18 year olds do not have access to the premises.

GLP7

Adult gaming centres

Applicants must have regard to GLP1 - GLP7 when making an application for an adult gaming centre.

Applicants should where appropriate offer their own measures to meet the licensing objectives such as:

- (a) proof of age schemes
- (b) CCTV
- (c) physical and/or remote supervision of entrances / machine areas
- (d) physical separation of areas.

The above suggested measures are neither mandatory nor exhaustive and may where relevant be imposed by the Licensing Authority as conditions.

6.7 Licensed family entertainment centres (FECs)

6.7.1 The Licensing Authority will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that those who are under 18 years old do not have access to the adult gaming machines. For example, this could be achieved through the physical segregation and supervision of these gaming machines.

GLP8

Licensed family entertainment centres

Applicants must have regard to GLP1 - GLP6 when making an application for an FEC. Applicants should, where appropriate, offer their own measures to meet the licensing objectives such as:

- (a) CCTV
- (b) supervision of entrances / machine areas
- (c) physical separation of areas
- (d) location of entry
- (e) notices / signage
- (f) specific opening hours
- (g) self-barring schemes
- (h) provision of information leaflets / helpline numbers for organisations such as GamCare
- (i) measures / training for staff on how to deal with suspected truant school children on the premises
- (j) measures/training by way of a premises log book, covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on/around the premises.

The above suggested measures are neither mandatory nor exhaustive and may where relevant be imposed by the Licensing Authority as conditions.

6.8 Bingo premises

6.8.1 Applicants are to have regard to GLP 1 - 6. If children are allowed to enter premises licensed for bingo, they are not to participate in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted, the Licensing Authority will expect the applicant to comply with GLP3.

6.8.2 It is noted that door supervisors at bingo premises are exempt from needing to be SIA registered. This is explained in more detail at paragraph 3.3.

6.8.3 Applicants will need to demonstrate that bingo can be played on the proposed bingo premises. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas. Paragraph 6.2 provides detail on the circumstances in which the splitting of a pre-existing premises into two adjacent premises may or may not be permitted.

6.9 Betting premises

6.9.1 Children and young people are not permitted to access betting premises.

6.9.2 For betting machines within a betting premises the Licensing Authority will take into account the following factors:

- the size of premises
- the number of counter positions available for person-to-person transactions
- ability of staff to monitor the use of the machines by children, young and vulnerable persons.

GLP9

Betting premises

Applicants must also have regard to GLP1 - GLP6 when making an application for a betting premises licence.

The Applicant should where appropriate, offer their own measures to meet the licensing objectives such as:

- (a) CCTV
- (b) supervision of entrances / machine areas
- (c) location of entry
- (d) notices / signage
- (e) specific opening hours
- (f) self-barring schemes
- (g) provision of information leaflets / helpline numbers for organisations such as GamCare.

The above suggested measures are neither mandatory nor exhaustive and may where relevant be imposed by the Licensing Authority as conditions.

6.10 Tracks

6.10.1 Applicants are to have regard to GLP 1-10 where relevant. This Licensing Authority is aware that tracks may be subject to one or more premises licences, provided each licence relates to a specified area of the track. The Licensing Authority will especially consider the impact upon the protection of children and vulnerable persons from being harmed or exploited by gambling and the need for applicants to demonstrate that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

6.10.2 It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

6.10.3 The Guidance sets out the considerations for where gaming machines may be located on tracks Applications for track premises licences will need to demonstrate that where the applicant holds a pool betting operating licence and is going to use their entitlement to four gaming machines, these machines are located in areas where children are excluded.

6.10.4 The Licensing Authority where appropriate will attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed on the race-card or made available in leaflet form from the track office.

6.10.5 Separate Guidance has been produced which sets out the specific requirements for these types of applications. The Licensing Authority will expect applicants to provide detailed plans for the racetrack itself and the proposed gambling facilities.

6.10.6 It would be preferable for all self-contained premises operated by off-course betting operators on a track to be the subject of a separate premises licence, to ensure that there is clarity between the respective responsibilities of the track operator and the off-course betting operator. For occasional permissions to carry out betting on tracks, please refer to paragraph 13 which deals with occasional use notices.

GLP10

Tracks

Applicants are also to have regard to GLP 1 – GLP 9 where relevant.

1. The applicant should where appropriate demonstrate the following measures have been addressed:

- (a) entrances to each type of premises are distinct
- (b) children are excluded from gambling areas where they are not permitted to enter
- (c) children do not have access to adult only gaming facilities
- (d) track operators ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public
- (e) detailed plans are provided to the Licensing Authority for the racetrack itself and the area that will be used for temporary “on-course” betting facilities (for dog tracks and horse racecourses, show fixed and mobile pool betting facilities operated by the Tote or track operator, as well as any other proposed gambling facilities)
- (f) identify what authorisations are being sought under the track betting premises licence along with any other areas that may be subject to a separate application for a different type of premises licence
- (g) where category C or above machines are on offer in premises to which children are admitted, the relevant considerations in GLP3 should be addressed.

2. This Licensing Authority will expect applicants to offer their own measures to meet the licensing objectives such as:

- (a) proof of age schemes
- (b) CCTV
- (c) supervision of entrances / machine areas
- (d) physical separation of areas
- (e) location of entry
- (f) notices / signage
- (g) specific opening hours
- (h) self-barring schemes
- (i) provision of information leaflets / helpline numbers for organisations such as GamCare.

The above suggested measures are neither mandatory nor exhaustive and may where relevant be imposed by the Licensing Authority as conditions.

6.11 Travelling fairs

6.11.1 Travelling fairs do not require any permit to provide gaming machines but must comply with the legal requirements in how the machine operates in a fair and open way (please refer to GLP2 for more detail). They may provide an unlimited number of Category D gaming machines and the Licensing Authority will expect the applicant to demonstrate that the gambling facilities amount to no more than an ancillary amusement at the fair.

6.11.2 The Licensing Authority will consider whether the statutory definition of a travelling fair applies. The 27 day statutory maximum (per calendar year) for the land being used as a fair applies to the land on which the fairs are held, regardless of whether the same or a different travelling fair occupies the land.

6.11.3 The Licensing Authority will work with neighbouring authorities to ensure that land that crosses shared boundaries is monitored so that the statutory limits are not exceeded.

7. Provisional statements

7.1 An application for a provisional statement can be made where the applicant expects the premises to be constructed, to be altered or to acquire a right to occupy. Such an application is a separate and distinct process to the granting of planning permission or building control.

7.2 Following the grant of a provisional statement, no further representations from responsible authorities or interested parties can be taken into account in the determination of a premises licence application, unless they concern matters which

could not have been addressed at the provisional statement stage, or in the opinion of the Licensing Authority, they reflect a change in the applicant's circumstances.

GLP11**Provisional Statements**

Applicants should have regard to GLP1 – GLP 10 where relevant.

Applications for provisional statements shall be dealt with in the same way as a premises licence.

8. Unlicensed family entertainment centres (unlicensed FECs) gaming machine permits: Statement of principles on permits

8.1 Where category D gaming machines are only to be provided, applicants may apply to the Licensing Authority for an unlicensed FEC gaming machine permit. The applicant must show that the premises will be wholly or mainly used for making gambling available for use. An application for this permit cannot be made where a premises licence has effect on the same premises.

8.2 The Licensing Authority may only grant or reject an application for a permit and can not impose or attach any conditions.

8.3 The Gambling Commission will not be involved in this process as neither an operating licence nor a personal licence is required. It is therefore essential that the Licensing Authority satisfies itself as to the suitability of the applicant and to the operation being proposed.

8.4 The Licensing Authority must be satisfied that:

- a) the applicant has demonstrated that the premises will be used as an unlicensed FEC and
- b) Hastings Police have been consulted on the application.

8.5 The Licensing Authority will look at the suitability of an applicant for a permit. As unlicensed FECs will particularly appeal to children and young persons, the Licensing Authority will expect the applicant to demonstrate their suitability and the measures in place to protect children from harm as well as to prevent crime and disorder by providing the following:

- applicant and staff training/ understanding of the maximum stakes and prizes that is permissible in unlicensed FECs
- applicant's Criminal Records Bureau check or equivalent, as agreed with the police. This may include a requirement to provide details of residential addresses over the last five years
- applicant's previous history and experience of running similar premises
- any policies and procedures in place
- a scaled plan of the premises
- a written operating schedule
- any supporting documentation as to the design and layout of the premises.

8.6 Harm in the context of protecting children is not limited to harm from gambling but includes wider child protection considerations. As such, any policies and procedures will each be considered on their overall merits.

8.7 The Licensing Authority will have regard to the Policy, the licensing objectives and any relevant Guidance or Code of Practice when considering a permit application. Applicants should in particular have regard to GLP1, GLP4, GLP6 and GLP12 when making an application, but need to also consider GLP2, GLP3 and GLP5 where these relate to children and young persons.

8.8 This statement of principles applies to initial applications only and not to renewals. The Licensing Authority may refuse an application for renewal of a permit only on the grounds that an authorised local authority officer has been refused access to the premises without reasonable excuse, or that renewal would not be reasonably consistent with the pursuit of the licensing objectives.

8.9 Where there is such a refusal, the Licensing Authority will notify the applicant of its intention to refuse and the reasons for the refusal. The applicant will then have an opportunity to make representations orally, in writing or both and will have a right of appeal against any decision made.

8.10 Where the permit has been granted the Licensing Authority will issue the permit as soon as is reasonably practicable and in any event in line with Regulations. The permit will then remain in effect for 10 years unless surrendered or lapsed.

8.11 Details of applications for unlicensed FEC permits will be available on the Council's website or by contacting the Licensing Service.

8.12 Applicants for unlicensed FEC permits are expected to undertake that they will comply with BACTA's Code of Practice for Amusement with Prizes Machines in Family Entertainment Centres. This code of practice promotes awareness of social responsibility and acknowledges that proactive specific and appropriate commitment will be given to educating children and young persons, thereby minimising the potential for harm.

GLP12

Statement of principles for unlicensed family entertainment centres (unlicensed FECs)

Applicants for an unlicensed family entertainment centre permit are to have regard to GLP1 - GLP6 and GLP8 where relevant.

1. Applicants are required to demonstrate that;
 - (a) they have permission to occupy the premises at the time of making the application
 - (b) the premises will be used as an unlicensed FEC and
 - (c) the Chief Officer of Police for Hastings Borough has been consulted on the application.
2. Applications should normally be accompanied by an assessment of how the applicant will promote the licensing objectives with regard to GLP1 to GLP6 to demonstrate such matters as:
 - (a) numbers of staff employed and on duty at any given time
 - (b) details of opening hours
 - (c) details of Proof of Age schemes

- (d) adoption of appropriate measures / training for staff as regards suspected truantiing school children on the premises
 - (e) evidence of staff training by way of a Premises Log Book, covering how staff will deal with unsupervised very young children being on the premises, or children causing perceived problems on or around the premises
 - (f) evidence that the applicant and staff are trained to have a full understanding of the maximum stake and prizes that are permissible.
3. The application must also be accompanied by detailed plans drawn up to the satisfaction of the Licensing Authority and which include:
- (a) location of entrances and exits
 - (b) number and positions of Category D machines
 - (c) location of lighting inside and outside
 - (d) location of CCTV
 - (e) the amount of space around gaming machines to prevent jostling of players or intimidation
 - (f) location and supervision of Automated Teller Machines
 - (g) the location of appropriate clear and prominent notices and barriers, such notices to state:
 - (i) that no unaccompanied child will be permitted to remain on the premises if that person is required by law to attend school
 - (ii) no smoking on the premises
 - (iii) highlighting the need to play responsibly.
4. The application should normally also be accompanied by:
- (a) evidence that the applicant and staff have no relevant convictions (those that are in Schedule 7 of the Act)
 - (b) insurance documents and any other such information the Licensing Authority will from time to time require.

9. Prize gaming permits: Statement of principles

9.1 Prize gaming permits allow the provision of facilities for gaming with prizes on specified premises. Prize gaming refers to gaming where the nature and size of the prize is not determined by the number of people playing or the amount for or raised by the gambling. The Act makes no provision for single site gaming machine permits such as fish and chip shops, minicab offices and cafes.

9.2 In determining the suitability of the applicant for a permit this Licensing Authority will expect the applicant to set out the types of gaming to be offered demonstrating:

- that they understand the limits to stakes and prizes that are set out in Regulations; and
- that the gaming offered is within the law
- that they meet the objective of carrying out gambling openly and fairly as set out at GLP2
- that the premises are mainly or wholly used for gambling purposes.

9.3 In making its decision on an application for this permit the Licensing Authority does not need to have regard to the licensing objectives but must have regard to any Guidance.

9.4 The Licensing Authority cannot attach conditions to a permit however; the permit holder must comply with the following statutory conditions:

- the limits on participation fees, as set out in Regulations
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if a non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

10. Alcohol licensed premises gaming machine permits

10.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises to automatically have 2 gaming machines of categories C and/or D. The premises merely notify the Licensing Authority of this automatic entitlement. The only exception to this entitlement is where alcohol is provided ancillary to a table meal.

10.2 Once notice has been acknowledged, the Licensing Authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives
- gaming has taken place on the premises where the following conditions have not been met:
 - written notice has been provided to the Licensing Authority
 - the correct fee has been submitted and
 - any relevant code of practice issued by the Gambling Commission about the location and operation of the gaming machine has been complied with
- the premises are mainly used for gaming or
- an offence under the Act has been committed on the premises.

10.3 The Licensing Authority shall, before removing this automatic entitlement, give the licence holder 21 days notice of its intention, consider any representations made by the licence holder and hold a hearing if requested.

10.4 If an alcohol licensed premises wishes to have 3 or more category C or D gaming machines, then it needs to apply for an alcohol licensed gaming machine permit specifying the premises in respect of which the permit is sought and the number and category of gaming machines. Where the application requirements are not met it will be deemed that the application has not been made correctly and will be returned to the applicant. The Licensing Authority must consider a valid application based upon the licensing objectives, any Guidance and Codes of Practice, comments from responsible authorities and “such matters as they think relevant.”

10.5 The Licensing Authority considers “such matters” on a case by case basis.

11 Club gaming and club machine permits

11.1 Members clubs and miners' welfare institutes may apply for a club gaming permit or a club machine permit.

11.2 Commercial clubs may only apply for a club machine permit.

11.3 The club gaming permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in forthcoming regulations.

11.4 A club machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D).

11.5 Members clubs and commercial clubs must:

- have at least 25 members
- be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations
- be permanent in nature.

11.6 Members clubs must, in addition to the above,

- not be established to make a commercial profit
- be controlled by its members equally.

11.7 Members clubs include bridge and whist clubs, working men's clubs, branches of Royal British Legion and clubs with political affiliations.

11.8 Commercial clubs have the same characteristics as members clubs however, the key difference is that they are established with a view to making profit. An example of this would be a snooker club.

11.9 A Licensing Authority may only refuse an application on the grounds that:

- a) the applicant does not fulfil the requirements for a members' club or miners' welfare institute or commercial club and therefore is not entitled to receive the type of permit for which it has applied;
- b) the applicant's premises are used wholly or mainly by children and/or young persons;
- c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- d) a permit held by the applicant has been cancelled in the previous ten years; or
- e) an objection has been lodged by the Gambling Commission or the police.

11.10 There is also a 'fast-track' procedure available under the Act for premises which hold a club premises certificate under the Licensing Act 2003. Under the fast-track procedure there is no opportunity for objections to be made by the Gambling Commission or the police, and the grounds upon which an authority can refuse a permit are reduced. The grounds for refusal are:

- a) that the club is established primarily for gaming, other than gaming prescribed under schedule 12 of the Act;
- b) that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or

c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

11.11 There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant Codes of Practice about the location and operation of gaming machines.

12 Temporary use notices (TUNs)

12.1 TUNs allow the holder of an operating licence to temporarily use a set of premises for gambling where there is no premises licence in place. Hotels, conference centres or sporting venues may typically utilise this permission. A set of premises can be subject to TUNs for up to 21 days in any 12 month period.

12.2 The notice must be lodged with the Licensing Authority no less than 3 months and one day from the event, and copies sent to the Gambling Commission, the police and HM Commissioner for Revenue and Customs.

12.3 There are a number of statutory limits regarding temporary use notices.

12.4 The definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place" and applicants will note paragraphs 6.2 which set out the expectations in this regard. In considering whether a place falls within the definition of "a set of premises", licensing authorities will need to look at, amongst other things, the ownership, occupation and control of the premises. For example, an exhibition centre may cover one set of premises. This compares to a shopping centre which may cover different sets of premises as it may be occupied and controlled by different people.

12.5 This is a new permission and the Licensing Authority will be ready to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises.

GLP13

Temporary use notices (TUNs)

The Licensing Authority will expect the licensee to demonstrate that measures have been taken to promote the licensing objectives having regard to GLP1 - GLP9 where relevant. The Licensing Authority, will require 3 months and one day written notice and copies sent to the Gambling Commission, the police and HM Commissioner for Revenue and Customs prior to the gambling event taking place.

13 Occasional use notices

13.1 This notice allows for betting on a track without the need for a premises licence on 8 days or less in a calendar year. The Licensing Authority has very little discretion regarding these notices aside from ensuring that the statutory limit of 8 days in a

calendar year is not exceeded. This Licensing Authority will consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

14 Small society lotteries

14.1 Under the Act, a lottery is unlawful unless it runs with an operating licence or is an exempt lottery. The Licensing Authority will register and administer small society lotteries (as defined). Promoting or facilitating a lottery will fall within 2 categories:

- licensed lotteries (requiring an operating licence from the Gambling Commission) and
- exempt lotteries (including small society lotteries registered by the Licensing Authority).

14.2 Exempt lotteries are lotteries permitted to run without a licence from the Gambling Commission.

14.3 Societies may organise lotteries if they are licensed by the Gambling Commission or fall within the exempt category. The Licensing Authority recommends those seeking to run lotteries take their own legal advice on which type of lottery category they fall within. Guidance notes on all lotteries, limits placed on small society lotteries and information setting out financial limits is available by contacting the Licensing Service.

14.4 Applicants for registration of small society lotteries must apply to the Licensing Authority in the area where their principal office is located. Where the Licensing Authority believes that the Society's principal office is situated in another area it will inform the Society as soon as possible and where possible, will inform the other Licensing Authority.

14.5 Lotteries will be regulated through a licensing and registration scheme, conditions imposed on licences by the Gambling Commission, Codes of Practice and any Guidance. In exercising its functions with regard to small society and exempt lotteries, the Licensing Authority will have due regard to the Guidance.

14.6 The Licensing Authority will keep a public register of all applications and will provide information to the Gambling Commission on all lotteries registered by the Licensing Authority. As soon as the entry on the register is completed, the Licensing Authority will notify the applicant of their registration. In addition, the Licensing Authority will make available for inspection by the public the financial statements or returns submitted by societies in the preceding 18 months and will monitor the cumulative totals for each society to ensure the annual monetary limit is not breached. If there is any doubt, the Licensing Authority will notify the Gambling Commission in writing, copying this to the Society concerned. The Licensing Authority will accept return information either manually but preferably electronically by emailing licensing@hastings.gov.uk.

14.7 The Licensing Authority will refuse applications for registration if in the previous five years, either an operating licence held by the applicant for registration has been revoked, or an application for an operating licence made by the applicant for registration has been refused. Where the Licensing Authority is uncertain as to whether or not an application has been refused, it will contact the Gambling Commission to seek advice.

14.8 The Licensing Authority may refuse an application for registration if in their opinion:

- the applicant is not a non-commercial society

- a person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence or
- information provided in or with the application for registration is false or misleading.

14.9 The Licensing Authority will ask applicants to complete an application form setting out the purposes for which the Society is established and will ask the Society to declare that they represent a bona fide non-commercial society and have no relevant convictions. The Licensing Authority may seek further information from the Society.

14.10 Where the Licensing Authority intends to refuse registration of a Society, it will give the Society an opportunity to make representations and will inform the Society of the reasons why it is minded to refuse registration and supply evidence on which it has reached that preliminary conclusion. In any event, the Licensing Authority will make available its procedures on how it handles representations.

14.11 The Licensing Authority may revoke the registered status of a society if it thinks that they would have had to, or would be entitled to refuse an application for registration if it were being made at that time. However, no revocations will take place unless the Society has been given the opportunity to make representations. The Licensing Authority will inform the society of the reasons why it is minded to revoke the registration in the same manner it would be minded to refuse registration.

14.12 Where a Society employs an external lottery manager, they will need to satisfy themselves that they hold an operator's licence issued by the Gambling Commission and the Licensing Authority will expect this to be verified by the Society.

15 Enforcement and inspection

15.1 The Licensing Authority will investigate complaints against licensed premises in relation to matters for which it has responsibility. The Licensing Authority recognises that certain bookmakers have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to give the authority a single named point of contact, who should be a senior individual, and whom the authority will contact first should any compliance queries or issues arise.

15.2 Where it is appropriate to follow an inspection and/or enforcement approach, the Licensing Authority's principles are that it will be guided by the Guidance and will endeavour to be:

- proportionate: regulators should only intervene when necessary; remedies should be appropriate to the risk posed, and costs identified and minimised
- accountable: regulators must be able to justify decisions, and be subject to public scrutiny
- consistent: rules and standards must be joined up and implemented fairly
- transparent: regulators should be open, and keep regulations simple and user friendly and
- targeted: regulation should be focused on the problem, and minimise side effects.

15.3 This Licensing Authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

15.4 The Licensing Authority applies a risk based inspection programme based on:

- the licensing objectives
- relevant Codes of Practice
- Guidance
- the Policy.

15.5 The main enforcement and compliance role for this Licensing Authority is to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for the operating and personal licences, dealing also with concerns about manufacture, supply or repair of gaming machines.

15.6 The Authority has an ongoing test purchasing operation developed with the Gambling Commission and Sussex Police to test the ability of operators to promote the licensing objectives.

15.7 The Authority will consider all its enforcement options if premises subject to random test purchasing fail on more than one occasion. This could include the review of a premises licence.

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Enforcement

The Licensing Authority will inspect premises that are the subject of a new premises licence application and reserves the right to inspect premises for which a permit or other permission has been sought from the Licensing Authority under the provisions of the Act.

- (a) Inspections will be undertaken by the Licensing Authority and/or a relevant responsible authority
- (b) Where the applicant has not allowed reasonable access permission will normally be refused.
- (c) The Licensing Authority and/or relevant responsible authority reserve the right to inspect premises at any time following the grant of a licence, permit or other permission, as permitted by the Act.

16 Licensing reviews

16.1 Requests for a review of a premises licence can be made by interested parties or responsible authorities. The Licensing Authority will then decide whether the review is to be carried out on the basis of whether the request for the review is relevant.

16.2 Due consideration will be given to all representations unless:

- a) The grounds are frivolous
- b) The grounds are vexatious
- c) The grounds are irrelevant

d) The grounds will certainly not cause the Licensing Authority to revoke or suspend a licence or to remove, amend or attach conditions on the premises licence

e) The grounds are substantially the same as the grounds cited in a previous application relating to the same premises; or the grounds are substantially the same as representations made at the time the application for a premises licence was considered.

16.3 The authority will also consider whether the request for the review is:

- in accordance with any relevant code of practice issued by the Gambling Commission
- in accordance with any relevant Guidance
- reasonably consistent with the licensing objectives and
- in accordance with the Statement of Principles.

16.4 Where a valid application for a licence to be reviewed has been received, the Licensing Authority may initially arrange a conciliation meeting to address and clarify the issues of concern. This process will not override the right of any interested party to ask that the licensing committee consider their valid representations, or for any licence holder to decline to participate in a conciliation meeting.

16.5 The Licensing Authority can also initiate a review of a licence on the basis of any reason which it thinks is appropriate or of its own volition.

16.6 Representations may include issues relating to the following:

The use of licensed premises for:

- the sale and distribution of class A drugs and/or the laundering of the proceeds of drugs crimes
- the sale and distribution of illegal firearms
- prostitution or the sale of unlawful pornography, sexual exploitation and trafficking
- organised crime activity
- the organisation of racist, homophobic or sexual abuse or attacks
- the sale of smuggled tobacco or goods or pirated DVDs
- the sale of stolen goods
- for the sale of items which require additional licences which are not in place, for example, for the sale of knives, alcohol and/or fireworks
- Children and/or vulnerable persons being put at risk.

16.7 This is not an exhaustive list and other matters may be considered.

17 Revocation and cancellation

17.1 One of the possible outcomes of a review of premises licence is to revoke the licence where justified.

17.2 With regard to permits and registrations the Licensing Authority may seek to revoke these or cancel an annual renewal under certain circumstances. Generally this will be where the Licensing Authority thinks that they would have had to, or would be entitled to, refuse an application for a permit or registration if it were being made at that time.

17.3 However, no revocations or cancellations will take place unless the licensee or permit holders have been given the opportunity to make representations. The Licensing Authority will state reasons for why it is minded to revoke the authorisation and will provide an outline of the evidence on which it has reached that preliminary conclusion.

17.4 For FECs the Licensing Authority may refuse an application for renewal of a permit only on the grounds that an authorised local authority officer has been refused access to the premises without reasonable excuse, or that renewal would not be reasonably consistent with the pursuit of the licensing objectives.

18 Appeals

18.1 In relation to premises licences, club gaming permits, club machine permits, and alcohol licensed premises gaming machines, any party to a Licensing Authority decision who is aggrieved by that decision may lodge an appeal to the magistrates court within 21 days of receiving notice of the authority's decision.

18.2 In relation to decisions on FEC gaming machine permits and travelling fairs, the applicant can lodge an appeal against the authority's decision with the magistrates court within 21 days of receiving notice of the authority's decision.

18.3 A person giving notice of a TUN or those entitled to receive a copy of a TUN may lodge an appeal within 14 days from receipt of decision to the magistrate's court.

19 Further information

19.1 Further information about the Gambling Act 2005, this Statement of Principles or the application process can be obtained from:

Licensing Manager
Environment and Place
Muriel Matters House
Breeds Place
Hastings
East Sussex
TN34 3UY

Tel: 01424 451042

Website: www.hastings.gov.uk/environment_planning/licensing

19.2 Information is also available from:

Gambling Commission Victoria Square House Victoria Square Birmingham B2 4BP Tel: 0121 230 6500 Fax: 0121 237 2236 info@gamblingcommission.gov.uk

Appendix A: Glossary of useful terms

Applications	Applications for licences and permits
Authorisations	As defined in paragraph 1.15 and 1.16.
Authorised Local Authority Officer	A Licensing Authority Officer who is an authorised person for a purpose relating to premises in that authority's area.
Authorised Person	<p>A Licensing Officer and an officer of an authority other than a Licensing Authority, both of whom have been authorised for a purpose relating to premises in that authority's area. The following are considered authorised persons:</p> <ul style="list-style-type: none"> • Inspectors appointed under the Fire Precautions Act 1971; • Inspectors appointed under the Health and Safety at Work, etc. Act 1974 • Inspectors or Surveyors of ships appointed under the Merchant Shipping Act 1995; • A person in a class prescribed in regulations by the secretary of State.
Automated Roulette Equipment	2 types: a) Linked to a live game of chance, e.g. Roulette b) Plays live automated game, i.e. operates without human intervention
Automatic Conditions	Conditions attached automatically to premises licences or authorisations. The Licensing Authority has no discretion not to include or modify them.
AWP machines	Amusement with Prizes Machines eg. certain fruit machines
BACTA	British Amusement Catering Trade Association
Betting Intermediary	Offers services via remote communication, such as the internet.
Betting Ring Betting Machines Bingo Casino	<p>An area that is used for temporary 'on course' betting facilities. A machine designed or adapted for use to bet on future real events (not a Gaming Machine) where a bet can be placed on the shop floor without the need to visit the counter. A game of equal chance. An arrangement whereby people are given an opportunity to participate in one or more casino games.</p>
Casino Games	Games of chance that are not equal chance gaming.

Casino Premises Licence Categories	a) Regional Casino Premises Licence b) Large Casino Premises Licence c) Small Casino Premises Licence d) Casinos permitted under transitional arrangements
Casino Resolution	Resolution not to issue Casino Premises
Child	Individual who is less than 16 years old.
Club Gaming Machine Permit	Permit to enable the premises to provide gaming machines (3 machines of Categories B, C or D)
Code of Practice	Means any relevant code of practice under section 24 of the Gambling Act 2005
Complex Lottery	<p>An arrangement where:</p> <ul style="list-style-type: none"> • Persons are required to pay to participate in the arrangement; • In the course of the arrangement, one or more prizes are allocated to one or more members of a class; • The prizes are allocated by a series of processes; and • The first of those processes relies wholly on chance.
Council	Hastings Borough Council
Customer Lotteries	Lotteries run by the occupiers of business premises who sell tickets only to customers present on their premises. These lotteries may not be conducted on vessels.
Default Conditions	Conditions that will apply unless the Licensing Authority decide to exclude them. This may apply to all Premises Licences, to a class of Premises Licence or Licences for specified circumstances.
Delegated Powers	Decisions delegated either to a Licensing Committee, Sub-Committee or Licensing Officers.
Domestic Computer	Definition in forthcoming Regulations. Exempt from a Gaming Machine Permit.
Disorder	No set interpretation, however, likely to be connected to the way gambling is being conducted. In the case of gambling premises licences, disorder is intended to mean activity that is more serious and disruptive than mere nuisance.
Equal Chance Gaming	Games that do not involve playing or staking against a bank and where the chances are equally favourable to all participants
EBT	Electronic Bingo Ticket Minders. Electronic equipment operated by a Bingo Operators Licence for

the purposes of playing bingo.

Exempt Lotteries

Lotteries specified in the Gambling Act as permitted to be run without a licence from the Gambling Commission. There are 4 types:

- Small Society Lottery (required to register with Licensing Authorities.
- Incidental Non Commercial Lotteries e.g. Raffle at a dance/church fair
- Private Lotteries e.g. Raffle at a student hall of residence
- Customer Lotteries e.g. Supermarket holding a hamper raffle

External Lottery Manager	An individual, firm or company appointed by the Small Lottery Society to manage a lottery on their behalf. They are consultants who generally take their fees from the expenses of the lottery.
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Fixed Odds Betting	General betting on tracks.
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Fixed Odds Betting Terminal	A category B2 gaming machine
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Game of chance	A game of chance can include an element of chance and an element of skill. This does not include a sport.
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Gaming	Playing a game of chance for a prize.
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Gaming Machine	Machine covering all types of gambling activity, including AWP machines and betting on virtual events
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Categories

Max. Stake

Max Prize

A Unlimited

B1 £2

£4,000

B2 £100

£500

B3 £1

£500

B4 £1

£250

C 50p

£25

D 10p or 30p*

£5 or
£8*

*When non-monetary prize only

B2 machines are subject to change following Central government policy changes in 2018.

Guidance	Guidance issued by the Gambling Commission dated May 2009.
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Human Rights Act 1998 Articles: 1, 6, 8 and 10	Article 1: Protocol 1 – the right to peaceful enjoyment of possessions Article 6: - the right to a fair hearing Article 8: - the right of respect for private and family
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life	
Article 10: - the right to freedom of expression	
Incidental Non Commercial Lottery	A lottery promoted wholly for purposes other than private game, and which are incidental to non commercial events (commonly charity fund raising events, lottery held at a school fete or at a social event such as a dinner dance).
Information Exchange	Exchanging of information with other regulatory bodies under the Gambling Act.
Interested Party	Interested parties can make representations about licence applications, or apply for a review of an existing licence.
A person who:	
	<ul style="list-style-type: none"> • Lives sufficiently close to the premises to be likely affected by the authorised activities • Has business interests that might be affected by the authorised activities • Represents persons in either of the above groups
Irrelevant Representations	<ul style="list-style-type: none"> • Where other legislation can cover the representation • Demand in premises licensing
Large Lottery	Where the total value of tickets in any one lottery exceeds £20,000 OR tickets in separate lotteries in one calendar year exceeds £250,000. This requires an Operating Licence.
Licences	As defined in paragraph 1.16
Licensed Lottery	Large society lotteries and lotteries run for the benefit of local authorities which will be regulated by the Gambling Commission. Operating Licences will be required.
Licensing Authority	Hastings Borough Council
Licensing Committee	A committee of 10 to 15 Councillors appointed by the Council to represent the Licensing Authority.
Licensing Objectives	As defined in paragraph 1.10
Licensing Sub Committee	A sub committee of members appointed from the licensing committee to whom the functions of the licensing committee can be delegated under the Act to determine applications.
Live Gaming	Gambling on a live game as it happens.
Lottery	An arrangement which satisfies the statutory description of either a simple lottery or a complex lottery in Section 14 of the Act.

Lottery Tickets	<p>Tickets that must:</p> <ul style="list-style-type: none"> • Identify the promoting society • State the price of the ticket, which must be the same for all tickets • State the name and address of the member of the Society who is designated as having responsibility at the Society for the promotion of the lottery, or, if there is one, the external lottery manager; and • State the date of the draw, or enable the date of the draw to be determined.
Mandatory Conditions	Conditions that must be attached to a licence. This may apply to all Premises Licences, to a class of Premises Licence or licences for specified circumstances.
Members Club	<p>A club that must</p> <ul style="list-style-type: none"> • have at least 25 members • be established and conducted 'wholly or mainly' for purposes other than gaming • be permanent in nature • not established to make commercial profit • controlled by its members equally.
Notifications	Notifications of temporary and occasional use notices
Non Commercial Event	An event where all the money raised at the event, including entrance fees, goes entirely to purposes that are not for private gain.
Non Commercial Society / Small Society Lotteries	<p>A society established and conducted:</p> <ul style="list-style-type: none"> • for charitable purposes • for the purpose of enabling participation in, or of supporting, sport athletics or a cultural activity; or • for any other non commercial purpose other than that of private gain
Occasional Use Notice	Betting may be permitted on a 'track' without the need for a full Premises Licence.
Off Course Betting	Betting that takes place other than at a track, i.e. at a licensed betting shop.
Off Course Betting – Tracks	Betting that takes place in self contained betting premises within the track premises providing facilities for off course betting, i.e. on other events, not just those taking place on the track. Normally operate only on race days.
On Course Betting - Tracks	Betting that takes place on a track while races are taking place

Operating Licences	Licence to permit individuals and companies to provide facilities for certain types of gambling. They may authorise remote or non remote gambling.
Permits	Authorisation to provide a gambling facility where the stakes and prizes are very low or gambling is not the main function of the premises.
Personal Licence	Formal authorisation to individuals who control facilities for gambling or are able to influence the outcome of gambling. These cannot be held by companies.
Pool Betting – Tracks	Betting offered at a horse racecourse by the Tote and at a dog track by the holder of the premises licence for the track
Premises	Defined as ‘any place’. It is for the Licensing Authority to decide whether different parts of a building can be properly regarded as being separate premises.
Premises Licence	Licence to authorise the provision of gaming facilities on casino premises, bingo premises, betting premises, including tracks, adult gaming centres and family entertainment centres
Private Lotteries (For example, sweepstakes)	3 Types of Private Lotteries: <ul style="list-style-type: none"> • Private Society Lotteries – tickets may only be sold to members of the Society or persons who are on the premises of the Society • Work Lotteries – the promoters and purchasers of tickets must all work on a single set of work premises • Residents’ Lotteries – promoted by, and tickets may only be sold to, people who live at the same set of premises;
Prize Gaming	Where the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. The prizes will be determined by the operator before play commences.
Prize Gaming Permit	A permit to authorise the provision of facilities for gaming with prizes on specific premises.
Provisional Statement	Where an applicant can make an application to the Licensing Authority in respect of premises that he: <ul style="list-style-type: none"> • Expects to be constructed • Expects to be altered • Expects to acquire a right to occupy.
Racino	Casino located at a racecourse.
Regulations	Regulations made under the Gambling Act 2005

Relevant Representations	Representations that relate to the Licensing Objectives, or that raise issues under the Licensing Policy Statement or the Gambling Commission's Guidance or Codes of Practice.
Responsible Authorities	<p>Responsible authorities can make representations about licence applications, or apply for a review of an existing licence.</p> <p>For the purposes of this Act, the following are responsible authorities in relation to premises:</p> <ol style="list-style-type: none"> 1. The Council's Licensing Authority whose area the premises must wholly or mainly be situated; 2. The Gambling Commission; 3. Hastings Police; 4. East Sussex Fire and Rescue Service; 5. Planning Authority, Hastings Borough Council; 6. Environmental Health Services, Hastings Borough Council; 7. Local Safeguarding Children's Board ; 8. HM Customs and Excise. <p>N.B. In accordance with the Gambling Commission's guidance for local authorities this authority designates the Local Safeguarding Children's Board for this purpose. The contact details for all responsible authorities under the Gambling Act 2005 will be available via the Council's website at www.hastings.gov.uk/licensing</p>
SIA	Security Industry Authority
Simple Lottery	<p>An arrangement where:</p> <ul style="list-style-type: none"> • Persons are required to pay to participate in the arrangement • In the course of the arrangement, one or more prizes are allocated to one or more members of a class; and • The prizes are allocated by a process which relies wholly on chance. <p>For example, a raffle.</p>
Skills with Prizes	<p>A machine on which the winning of a prize is determined only by the player's skill and there is no element of chance, e.g. trivia game machine, Formula 1 simulators, shooting game. Skills Machines are unregulated.</p>

Small Lottery	Where the total value of tickets in a single lottery is £20,000 or less and the aggregate value of the tickets in a calendar year is £250,000 or less.
Small Society Lottery	A lottery promoted on behalf of a non-commercial society, i.e. lotteries intended to raise funds for good causes.
Small Operations	Independent on course betting operators with only one or two employees or a bookmaker running just one shop.
Society	The society or any separate branch of such a society, on whose behalf a lottery is to be promoted.
Statement of Principles	Matters taken into account when considering an applicant's suitability for applications for FEC Permits.
Temporary Use Notice	To allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling.
Totalisator or Tote	Pool betting on tracks.
Touch Bet Roulette	Where a player gambles on a live game of chance without actually being seated.
Track	Sites where races or other sporting events take place e.g. horse racing, dog racing or any other premises on any part of which a race or other sporting event takes place or is intended to take place.
Travelling Fair	A fair that 'wholly or principally' provides amusements and must be on a site used for fairs for no more than 27 days per calendar year.
Vehicles	Defined trains, aircraft, sea planes and amphibious vehicles other than hovercraft. No form of commercial betting and gaming is permitted
Vessel	Anything (other than a seaplane or amphibious vehicle) designed or adapted for use on water; a hovercraft; or anything, or part of any place, situated on or in water.
Vessel and Relevant Licensing Authority	The Licensing Authority for the area in which the vessel is usually moored or berthed.
Virtual Betting	Machine that takes bets on virtual races, i.e. images generated by computer to resemble races or other events.

Vulnerable Persons	Include people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to mental impairment, alcohol or drugs. For example, this may include those persons who are under the influence of alcohol and/or are drunk.
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Young Person	An individual who is not a child but who is less than 18 years old.
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Appendix B: List of consultees

Local Authorities are required by law to consult on their policies. Broadly, consultation included the following groups:

- The Chief Officer of Police
- East Sussex Safeguarding Children Board
- Hastings Borough Council Ward Councillors
- Trade associations and businesses who will be holding premises licences
- Responsible Authorities
- Community and faith organisations and those working with problem gamblers and young people;
- Salvation Army
- Citizen Advice Centre

The summary of comments made on the gambling policy and their consideration by Hastings Licensing Authority is available on request by contacting Hastings Licensing Department.

Appendix C: Delegations of licensing functions

Gambling decisions and functions may be taken or carried out by the Full Council of Hastings Borough Council or delegated to the licensing sub-committee or in appropriate cases to the officers of the Council. As many of the decisions will be purely administrative in nature, the principle of delegation to officers is adopted in the interests of speed, efficiency, and cost effectiveness. The terms of delegation of function are set out below.

Full Council will deal with the following matters:

- Three year licensing policy
- Policy not to permit casinos

Sub Committee will deal with the following matters:

- Review of premises licence
- Cancellation of club gaming/club machine permits
- Decision to give a counter notice to a temporary use notice.

Sub Committee will deal with the following matters if a representation is made:

- Application for a premises licence
- Application for a variation to a licence
- Application for a transfer of a licence
- Application for provisional statement
- Application for club gaming/club machine permits

Executive Director or his/her nominee will deal with the following matters:

- Fee setting (when appropriate)
- Applications for other permits
- Cancellation of licensed premises gaming machine permits
- Consideration of temporary use notice

Executive Director or his/her nominee will deal with the following matters if no representation is made:

- Application for premises licence
- Application for a variation to a licence
- Application for a transfer of a licence
- Application for provisional statement
- Application for club gaming/club machine permits.

Appendix D: Table of exemptions

Exemptions from	Types of gambling and permissions
Operating Licence	<ul style="list-style-type: none"> • Small society lotteries • Incidental non commercial lottery • Private lottery • Customer lottery
Premises Licence	<ul style="list-style-type: none"> • Occasional use notice • Football pools • Temporary use notice
Operating Licence and Premises Licence	<ul style="list-style-type: none"> • Family entertainment centre gaming machine permit • Club/miners' welfare institute: equal chance gaming • Club gaming permit • Club machine permit • Equal chance gaming, on –licensed premises • Gaming machines: automatic entitlement, on –licensed premises • Licensed premises gaming machine permit • Travelling fair gaming machine • Prize gaming permit • Other prize gaming • Ancillary equal chance gaming at travelling fairs • Private gaming and betting • Non commercial prize gaming • Non commercial equal chance gaming