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**LICENSING SUB-COMMITTEE**

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**MEETING TO BE HELD IN CIVIC HALL, LEEDS ON  
MONDAY, 10TH JUNE, 2013 AT 10.00 AM**

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**MEMBERSHIP**

**Councillors**

G Hyde - Killingbeck and Seacroft;  
T Hanley - Bramley and Stanningley;  
C Townsley - Horsforth;

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**Agenda compiled by:  
Tel No:  
Governance Services  
Civic Hall  
LEEDS LS1 1UR**

**Helen Gray  
247 4355**

# A G E N D A

Item No	Ward	Item Not Open		Page No
1			<p style="text-align: center;"><b><u>PRELIMINARY PROCEDURES</u></b></p> <p><b>ELECTION OF THE CHAIR</b></p>	
2			<p><b>APPEALS AGAINST REFUSAL OF INSPECTION OF DOCUMENTS</b></p> <p>To consider any appeals in accordance with Procedure Rule 25 of the Access to Information Procedure Rules (in the event of an Appeal the press and public will be excluded)</p> <p>(*In accordance with Procedure Rule 25, written notice of an appeal must be received by the Head of Governance Services at least 24 hours before the meeting)</p>	

Item No	Ward	Item Not Open		Page No
3		Item 7	<p><b>EXEMPT INFORMATION - POSSIBLE EXCLUSION OF THE PRESS AND PUBLIC</b></p> <p>1) To highlight reports or appendices which:</p> <p>a) officers have identified as containing exempt information, and where officers consider that the public interest in maintaining the exemption outweighs the public interest in disclosing the information, for the reasons outlined in the report.</p> <p>b) To consider whether or not to accept the officers recommendation in respect of the above information.</p> <p>c) If so, to formally pass the following resolution:-</p> <p><b>RESOLVED</b> – That the press and public be excluded from the meeting during consideration of those parts of the agenda designated as containing exempt information on the grounds that it is likely, in view of the nature of the business to be transacted or the nature of the proceedings, that if members of the press and public were present there would be disclosure to them of exempt information</p> <p>2) To note that under the Licensing Procedure rules, the press and the public will be excluded from that part of the hearing where Members will deliberate on each application as it is in the public interest to allow the Members to have a full and frank debate on the matter before them.</p>	
4			<p><b>LATE ITEMS</b></p> <p>To identify any applications as late items of business which have been admitted to the agenda for consideration</p> <p>(the special circumstances shall be identified in the minutes)</p>	

Item No	Ward	Item Not Open		Page No
5			<p><b>DECLARATIONS OF DISCLOSABLE PECUNIARY INTERESTS</b></p> <p>To disclose or draw attention to any disclosable pecuniary interests for the purposes of Section 31 of the Localism Act 2011 and paragraphs 13-16 of the Members' Code of Conduct.</p> <p><b><u>HEARINGS</u></b></p>	
6	City and Hunslet		<p><b>"TANTRIC BLUE" - APPLICATION FOR THE GRANT OF A PREMISES LICENCE FOR TANTRIC BLUE, 68-72 NEW BRIGGATE, LEEDS LS1 6NU</b></p> <p>To consider the report of the Head of Licensing and Registration on an application for the grant of a premises licence in respect of premises known as "Tantric Blue", located at 68-72 New Briggate. Leeds LS1 6NU</p> <p>(Report attached)</p>	3 - 54
7	City and Hunslet	10.4(1, 2, 3)	<p><b>"WILDCATS" - APPLICATION FOR THE TRANSFER OF A SEX ESTABLISHMENT LICENCE FOR WILDCATS, 153-155 THE HEADROW, LEEDS SL1 5RB</b></p> <p>To consider the report of the Head of Licensing and Registration on an application received seeking the transfer of a Sex Establishment Licence held at the premises known as Wildcats, 153-155 The Headrow, LS1 from Harjen Limited to Bean Leisure Trading A Limited</p> <p>(Report attached)</p> <p>PLEASE NOTE: Appendix C of the report is designated as exempt under the provisions of paragraph 10.4 (1, 2 and 3) of the Access to Information Procedure Rules</p>	55 - 90

Item No	Ward	Item Not Open		Page No
8	Morley South		<p><b>"WILLIAM HILL" - APPLICATION FOR A PREMISES LICENCE (BETTING PREMISE), WILLIAM HILL, 5 WINDSOR COURT, MORLEY LS27 9BG</b></p> <p>To consider the report of the Head of Licensing and Registration on an application received for the grant of a new Betting Premises Licence in respect of 5 Windsor Court, Morley LS27 9BG. The application has been submitted by William Hill Organisation Limited</p> <p>(Report attached)</p>	91 - 154

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## **CONFIDENTIAL AND EXEMPT ITEMS**

The reason for confidentiality or exemption is stated on the agenda and on each of the reports in terms of Access to Information Procedure Rules 9.2 or 10.4(1) to (7). The number or numbers stated in the agenda and reports correspond to the reasons for exemption / confidentiality below:

### **9.0 Confidential information – requirement to exclude public access**

9.1 The public must be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that confidential information would be disclosed. Likewise, public access to reports, background papers, and minutes will also be excluded.

### **9.2 Confidential information means**

- (a) information given to the Council by a Government Department on terms which forbid its public disclosure or
- (b) information the disclosure of which to the public is prohibited by or under another Act or by Court Order. Generally personal information which identifies an individual, must not be disclosed under the data protection and human rights rules.

### **10.0 Exempt information – discretion to exclude public access**

10.1 The public may be excluded from meetings whenever it is likely in view of the nature of the business to be transacted or the nature of the proceedings that exempt information would be disclosed provided:

- (a) the meeting resolves so to exclude the public, and that resolution identifies the proceedings or part of the proceedings to which it applies, and
- (b) that resolution states by reference to the descriptions in Schedule 12A to the Local Government Act 1972 (paragraph 10.4 below) the description of the exempt information giving rise to the exclusion of the public.
- (c) that resolution states, by reference to reasons given in a relevant report or otherwise, in all the circumstances of the case, the public interest in maintaining the exemption outweighs the public interest in disclosing the information.

10.2 In these circumstances, public access to reports, background papers and minutes will also be excluded.

10.3 Where the meeting will determine any person's civil rights or obligations, or adversely affect their possessions, Article 6 of the Human Rights Act 1998 establishes a presumption that the meeting will be held in public unless a private hearing is necessary for one of the reasons specified in Article 6.

10.4 Exempt information means information falling within the following categories (subject to any condition):

- 1 Information relating to any individual
- 2 Information which is likely to reveal the identity of an individual.
- 3 Information relating to the financial or business affairs of any particular person (including the authority holding that information).
- 4 Information relating to any consultations or negotiations, or contemplated consultations or negotiations, in connection with any labour relations matter arising between the authority or a Minister of the Crown and employees of, or officer-holders under the authority.
- 5 Information in respect of which a claim to legal professional privilege could be maintained in legal proceedings.
- 6 Information which reveals that the authority proposes –
  - (a) to give under any enactment a notice under or by virtue of which requirements are imposed on a person; or
  - (b) to make an order or direction under any enactment
- 7 Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime

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Report author: Philomena Carville  
0113 2474095

## Report of the Head of Licensing and Registration

### Report to the Licensing Sub Committee

**Date:** Monday 10<sup>th</sup> June 2013

**Subject:** Application for the Grant of a Premises Licence for Tantric Blue, 68 - 72 New Briggate, Leeds, LS1 6NU

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):	City & Hunslet	
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		
Appendix number: N/A		

### Summary of Main Issues

This is an application for the grant of a premises licence for Tantric Blue, 68 - 72 New Briggate, Leeds, LS1 6NU.

The application was listed for hearing on 4<sup>th</sup> March 2013, but was adjourned until 15<sup>th</sup> April 2013, at that hearing the matter was further adjourned to the 13<sup>th</sup> May 2013 regarding matters appertaining to the planning application.

At the hearing on 13<sup>th</sup> May 2013 it was noted that the application before the planning committee was not listed until 6<sup>th</sup> June 2013. The matter was adjourned to 10<sup>th</sup> June 2013 to await the decision of planning.

## **1.0 Purpose of this Report**

- 1.1 To advise Members of an application made under section 17 of the Licensing Act 2003 ("the Act") for a premises licence in respect of the above mentioned premises.
- 1.2 Members are required to consider this application due to the receipt of representations.

## **2.0 History of Premises**

- 2.1 The premises currently hold a premises licence under the name of Black Diamond. The premises licence allows the provision of regulated entertainment, sale of alcohol and late night refreshment from the 1<sup>st</sup> and 2<sup>nd</sup> floors of the building.

## **3.0 The Application**

- 3.1 The applicant is Illuminati Ventures Limited.
- 3.2 The application form may be found at Appendix A to this report.
- 3.3 In summary the application is to cover the basement, ground, first and second floors of the building for:
- Exhibition of Films
  - Live Music
  - Recorded Music
  - Performance of Dance
  - Anything of a similar description
  - Sale of Alcohol
    - Sunday to Thursday 12:00 – 05:00
    - Friday & Saturday 12:00 – 07:00
  - Late Night Refreshment
    - Sunday to Thursday 23:00 – 05:00
    - Friday & Saturday 23:00 – 07:00

### **Non Standard Timings**

From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

At the start of British Summertime, the terminal hour for all licensable activities shall be extended by one hour.

## **4.0 Other matters relevant to the application**

- 4.1 Alongside the existing premises licence issued under the Licensing Act 2003, the premises has the benefit of a sexual entertainment licence issued under the Local Government (Miscellaneous Provisions) Act 1982 amended by the Policing and Crime Act 2009. This licence allows the premises to provide entertainment of a sexual nature, namely lap dancing, on the 1<sup>st</sup> and 2<sup>nd</sup> floors of the premises between the hours of 10.00pm and 4.00am Sunday to Thursday and between

10.00pm and 5.00am Friday and Saturday.

4.2 An application has been made under the Local Government (Miscellaneous Provisions) Act 1982 for all four floors of the premises. That application is subject to separate consideration.

4.2 At the time of writing this report there were no implications for equality and diversity. Any decision taken by the Licensing Sub-Committee will be in accordance with the four licensing objectives as prescribed by the Licensing Act 2003.

## **5.0 Steps to promote the Licensing Objectives**

5.1 The applicant proposed to take specific steps to promote the licensing objective identified in section "M" of the application form.

## **5.2 Proposed Designated Premises Supervisor**

5.3 Spencer Tregidgo intends to be the Designated Premises Supervisor.

## **6.0 Location**

6.1 A map which identifies the location of these premises is attached at Appendix B.

## **7.0 Cumulative Impact Policy**

7.1 The premises are located within the Cumulative Impact City Centre area.

7.2 Cumulative impact means the potential impact on the promotion of the licensing objectives here there are a significant number of licensed premises concentrated in one area.

7.3 An applicant wishing to obtain a new licence for premises falling within any of the cumulative impact areas must identify through the risk assessment process and/or operating schedule the steps that they intends to take so that the council and responsible authorities can be satisfied with that granting of a new licence will not add to the impact already being experienced.

7.4 Details of the Cumulative Impact Policy specific to City Centre and an outline of the evidence behind the reason for setting this Policy is attached at Appendix C.

## **8.0 Representations**

8.1 Under the Act representations can be received from responsible authorities or other persons. Representations must be relevant and, in the case of another person, must not be frivolous or vexatious.

## 8.2 **Representations from Responsible Authorities**

- 8.2.1 Representations have been received from Leeds City Council Entertainment Licensing, Leeds City Council Planning Services, Leeds City Council Health and Safety and West Yorkshire Police in their capacity as responsible authorities.
- 8.2.2 Any representations submitted may be agreed prior to a hearing. In this instance agreements have been reached with West Yorkshire Police and Leeds City Council Health and Safety - the operating schedule has been amended to include the measures agreed.
- 8.2.3 A copy of the agreed West Yorkshire Police measures may be found at Appendix D.
- 8.2.4 A copy of the agreed Leeds City Council Health and Safety measures may be found at Appendix E.
- 8.2.5 The representation made by Leeds City Council Planning Services remains as a matter for member's consideration. A copy of the same may be found at Appendix F.
- 8.2.6 The representation made by Leeds City Council Licensing Authority remains as a matter for member's consideration. A copy of the same may be found at Appendix G.

## 8.3 **Other representations**

- 8.3.1 The application has attracted representations from other persons.
- 8.3.2 The main points of concern raised are that the premises may cause noise disturbance for the nearby residents and that the granting of this licence would add to the cumulative impact within the area.
- 8.3.3 The licensing section is in receipt of two individual letters, one of which is from a local ward councillor.
- 8.3.4 Copies of the representations will be available at the hearing for Members consideration.

## 9.0 **Options Available to Members**

- 9.1 The Licensing sub-committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:

- Grant the application as requested.
- Grant the application whilst imposing additional conditions and/or altering in any way the proposed operating schedule.
- Exclude any licensable activities to which the application relates.
- Refuse to specify the said person as the designated premises supervisor.
- Reject the whole or part of the application.
- Adjourn the application to a specified date subject to certain terms

9.2 Members of the licensing sub-committee are asked to note that they may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be appropriate in order to promote the licensing objectives.

#### **10.0 Background Papers**

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Licensing Policy
- Representations received from other persons

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woodswhur

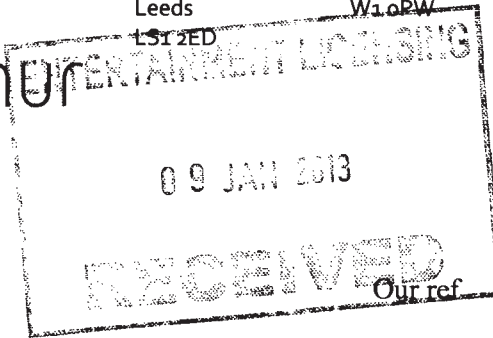
Devonshire House 33 Cavendish Square  
38 York Place London  
Leeds W1 0PW

Tel: 0113 234 3055  
Fax: 0113 243 5496

info@woodswhur.co.uk  
www.woodswhur.co.uk

Rem 103281/001

## Appendix A



Licensing Section  
Leeds City Council  
Entertainment Licensing  
Civic Hall  
LEEDS  
LS1 1UR

Our ref - CRG/ML/ILL1-1-0/1010

Your ref

09 January 2013

Dear Sirs

### **Tantric Blue, 68 New Briggate, Leeds, LS1 6NU Grant of Premises Licence**

We act on behalf of Illuminati Ventures Limited and we are instructed to submit an application for the grant of a Premises Licence.

Accordingly, we enclose the following:

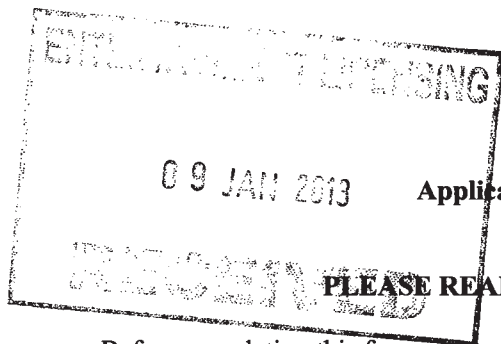
- 1 Notice of application
- 2 Consent form
- 3 1411 – Tantric Blue Club – 1411.140 – Lower Ground Floor Plan: As Proposed
- 4 1411 – Tantric Blue Club – 1411.141 – Ground Floor Plan: As Proposed
- 5 1411 – Tantric Blue Club – 1411.142 – 1<sup>st</sup> Floor Plan: As Proposed
- 6 1411 – Tantric Blue Club – 1411.143 (Rev A) – 2<sup>nd</sup> Floor Plan: As Proposed
- 7 Cheque in the sum of £190

We should be obliged if you would acknowledge receipt of this letter and enclosures. If you require any further information, please contact Christopher Rees-Gay at this office.

Yours faithfully

**Woods Whur LLP**

Enc



**Application for a premises licence to be granted under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Illuminati Ventures Limited

*(Insert name(s) of applicant)*

**apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003**

**Part 1 – Premises Details**

Postal address of premises or, if none, Ordnance Survey map reference or description Tantric Blue 68 New Briggate			
<b>Post town</b>	Leeds	<b>Postcode</b>	LS1 6NU

Telephone number at premises (if any)	N/A
Non-domestic rateable value of premises	Figure Unknown -Spoke to Council Licensing for 3 Floors, told it would be Band B

**Part 2 - Applicant Details**

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals \*  please complete section (A)
- b) a person other than an individual \*
  - i. as a limited company  please complete section (B)
  - ii. as a partnership  please complete section (B)
  - iii. as an unincorporated association or  please complete section (B)
  - iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)



- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales  please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a  
 statutory function or   
 a function discharged by virtue of Her Majesty's prerogative

**(A) INDIVIDUAL APPLICANTS** (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
<b>Surname</b>			<b>First names</b>		
I am 18 years old or over				<input checked="" type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
<b>Daytime contact telephone number</b>					
<b>E-mail address (optional)</b>					

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Illuminati Ventures Limited
Address Illuminati Ventures Limited c/o Ricardo Monty 61 London Road Staines Surrey TW18 4PA
Registered number (where applicable) 08129952
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any) N/A
E-mail address (optional) N/A

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY					
A	S	A	P	±	±	±	±

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY					
±	±	±	±	±	±	±	±

Please give a general description of the premises (please read guidance note 1)  
Gentlemen's Club/Sexual Entertainment Venue

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A
-----

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

**Provision of late night refreshment** (if ticking yes, fill in box I)

**Supply of alcohol** (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 4)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon	12:00	05:00			
Tue	12:00	05:00			
<b>Wed</b>	12:00	05:00	<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 4)		
<b>Thur</b>	12:00	05:00	<b><u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5) From the end of permitted hours on New Year's Eve, to the start of permitted hours on New Year's Day. At the start of British Summertime, the terminal hour for all licensable activities shall be extended by one hour.		
<b>Fri</b>	12:00	07:00			
<b>Sat</b>	12:00	07:00			
<b>Sun</b>	12:00	05:00			

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 6)			<b><u>Please give further details</u></b> (please read guidance note 3)	
Day	Start	Finish		
Mon			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 4)	
Tue				
Wed				
Thur				<b><u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)
Fri				
Sat				
Sun				

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 4)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat					
Sun					

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon	12:00	05:00			
Tue	12:00	05:00			
Wed	12:00	05:00	<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 4)		
Thur	12:00	05:00	<b><u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5) From the end of permitted hours on New Year's Eve, to the start of permitted hours on New Year's Day. At the start of British Summertime, the terminal hour for all licensable activities shall be extended by one hour.		
Fri	12:00	07:00			
Sat	12:00	07:00			
Sun	12:00	05:00			



**F**

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place <u>indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon	12:00	05:00			
Tue	12:00	05:00			
Wed	12:00	05:00	<b><u>State any seasonal variations for the playing of recorded music</u></b> (please read guidance note 4)		
Thur	12:00	05:00			
Fri	12:00	07:00	<b><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat	12:00	07:00	From the end of permitted hours on New Year's Eve, to the start of permitted hours on New Year's Day. At the start of British Summertime, the terminal hour for all licensable activities shall be extended by one hour.		
Sun	12:00	05:00			

**G**

Performances of dance Standard days and timings (please read guidance note 6)			<b><u>Will the performance of dance take place indoors or outdoors or both – please tick</u></b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	12:00	05:00	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Tue	12:00	05:00			
Wed	12:00	05:00	<b><u>State any seasonal variations for the performance of dance</u></b> (please read guidance note 4)		
Thur	12:00	05:00			
Fri	12:00	07:00	<b><u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat	12:00	07:00	From the end of permitted hours on New Year's Eve, to the start of permitted hours on New Year's Day. At the start of British Summertime, the terminal hour for all licensable activities shall be extended by one hour.		
Sun	12:00	05:00			

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	12:00	05:00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	12:00	05:00	<b>Please give further details here</b> (please read guidance note 3)		
Wed	12:00	05:00	<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 4)		
Thur	12:00	05:00	<b>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Fri	12:00	07:00	From the end of permitted hours on New Year's Eve, to the start of permitted hours on New Year's Day. At the start of British Summertime, the terminal hour for all licensable activities shall be extended by one hour.		
Sat	12:00	07:00			
Sun	12:00	05:00			

## I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 3)		
Mon	23:00	05:00			
Tue	23:00	05:00			
Wed	23:00	05:00	<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 4)		
Thur	23:00	05:00			
Fri	23:00	07:00	<b><u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u></b> (please read guidance note 5)		
Sat	23:00	07:00	From the end of permitted hours on New Year's Eve, to the start of permitted hours on New Year's Day.		
			At the start of British Summertime, the terminal hour for all licensable activities shall be extended by one hour.		
Sun	23:00	05:00			

## J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b><u>Will the supply of alcohol be for consumption – please tick</u></b> (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>			
				Off the premises	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 4)					
Mon	12:00	05:00						
Tue	12:00	05:00						
Wed	12:00	05:00						
Thur	12:00	05:00				<b><u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u></b> (please read guidance note 5) From the end of permitted hours on New Year's Eve, to the start of permitted hours on New Year's Day. At the start of British Summertime, the terminal hour for all licensable activities shall be extended by one hour.		
Fri	12:00	07:00						
Sat	12:00	07:00						
Sun	12:00	05:00						

**State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:**

Name Spencer Tregidgo	
Address 10 Ash Close Brentwood Essex	
Postcode	CM15 9RF
Personal licence number (if known) LN210000823	
Issuing licensing authority (if known) Epping Forest District Council	

K

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).**  
**Sexual Entertainment Venue**

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
Day	Start	Finish	
Mon	12:00	05:00	<p><b><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u></b> (please read guidance note 5)</p> <p>From the end of permitted hours on New Year's Eve, to the start of permitted hours on New Year's Day.</p> <p>At the start of British Summertime, the terminal hour for all licensable activities shall be extended by one hour.</p>
Tue	12:00	05:00	
Wed	12:00	05:00	
Thur	12:00	05:00	
Fri	12:00	07:00	
Sat	12:00	07:00	
Sun	12:00	05:00	

**M** Describe the steps you intend to take to promote the four licensing objectives:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)**

**b) The prevention of crime and disorder**

A suitable Closed-Circuit Television (CCTV) system will be operational at the premises at all times when licensable activities are being carried out and at any other times where members of the public are present on the premises.

The CCTV system will cover all areas of the premises occupied by the public under the terms of the licence, including corridors and stairways (excluding WC's and Changing rooms)

The CCTV system will cover the main entrance/s and exit/s and designated emergency egress routes from the premises.

The CCTV system will cover all external areas of the premises occupied by the public, i.e. queuing areas, beer gardens, smoking areas and car parks.

The location of CCTV cameras are identified on the site plan of the premises. No amendments to the locations of the cameras will be made without prior consultation with West Yorkshire Police/British Transport Police and the Licensing Authority.

The CCTV will be of a satisfactory resolution quality which will enable the identification of persons and activities and other fine details.

The CCTV system will contain the correct time and date stamp information.

The CCTV footage will be controlled and kept in a secure environment to prevent tampering or unauthorised viewing. A record will be kept of who has accessed the system, the reason why and when.

The CCTV system will be capable of securing relevant pictures for review or export at a later date.

The CCTV system will be adequately maintained and be capable of transporting recorded material onto a removable media.

The CCTV system replay software must allow an authorised officer of the Licensing Authority or Responsible Authority to search the picture footage effectively and see all the information contained in the picture.

It must be possible to replay exported files immediately e.g. no re-indexing of files or verification checks.

A designated member/members of staff at the premises will be authorised to access the CCTV footage and be conversant with operating the CCTV system. At the request of an authorised officer of the Licensing Authority or a Responsible Authority (under the Licensing Act 2003) any CCTV footage, as requested,

will be downloaded immediately or secured to prevent any overwriting. The CCTV footage material will be supplied, on request, to an authorised officer of the Licensing Authority or a Responsible Authority.

Suitable numbers of Security Industry Authority registered door staff (numbers to be subject to police and licensing authority approval) will be present on the premises during the performance of relevant entertainment.

A Supervisor's Register will be maintained at the licensed premises, showing the names, addresses and up-to-date contact details for the DPS and all personal licence holders.

The Supervisors Register will state the name of the person who is in overall charge of the premises at each time that licensed activities are carried out, and this information will be retained for a period of twelve months and produced for inspection on request to an authorised officer.

The Premises Licence Holder (PLH)/Designed Premises Supervisor (DPS) will ensure that a 'Daily Record Register' is maintained on the premises by the door staff.

The Daily Record Register will contain consecutively numbered pages, the full name and registration number of each person on duty, the employer of that person and the date and time he/she commenced duty and finished duty (verified by the individual's signature).

The Daily Record Register will be retained on the premises for a period of twelve months from the date of the last entry.

Security staff/designated supervisors will be familiar with the premises policy concerning the admission, exclusion and safeguarding of customers whilst in the premises.

The PLH/DPS will ensure that an Incident Report Register is maintained on the premises to record incidents such as anti social behaviour, admissions refusals and ejections from the premises.

The Incident Report Register will contain consecutively numbered pages, the date time and location of the incident, details of the nature of the incident, the names and registration numbers of any door staff involved or to whom the incident was reported, the names and personal licence numbers (if any) of any other staff involved or to whom the incident was reported, the names and numbers of any police officers attending, the police incident and/or crime number, names and addresses of any witnesses and confirmation of whether there is CCTV footage of the incident.

The Incident Report Register will be produced for inspection immediately on the request of an authorised officer.

A policy for searching patrons at the entrance to premises will be adopted and prominently displayed on the premises.

The PLH/DPS will inform West Yorkshire Police as soon as practicably of any search resulting in a seizure of drugs or offensive weapons.

A suitable purpose-made receptacle for the safe retention of illegal substances will be provided and arrangements made for the safe disposal of its contents as agreed with West Yorkshire Police or British Transport Police.

Notices will be prominently displayed at the entrance of the premises which state:

- Incidents of crime and disorder will be reported to the police and a full recorded entry will be made in the incident report register;
- Entry to the premises will be refused to any person who appears to be drunk, acting in a threatening manner or is violent; or appears to be under the influence of drugs;
- Entry will be refused to any person who has been convicted of any offence of drunkenness, violent



or threatening behaviour or the use or distribution of illegal substances.

There will be a communication link via radio to other venues in the city centre. This will be the system recognised by the current Business Crime Reduction Partnership for city, Leeds City Council and West Yorkshire Police.

Such communication link will be kept in working order at all times licensable activities are taking place.

The communication link will be available to the Designated Premises Supervisor or other nominated supervisor and be monitored by that person at all times that licensed activities are being carried out.

Any police instructions or directions given via the link will be complied with whenever given.

All incidents of crime or disorder will be reported via the link to an agreed police contact points.

Price lists will be clearly displayed at each table and at each entrance to the premises.

Entertainers will only be present in the licensed area in a state of nudity when they are performing on stage or providing a private dance.

Any person on the premises who can be observed from outside the premises will be properly and decently dressed.

Entertainers will only perform on the stage area, or in areas identified on the plan attached to the licence.

Relevant entertainment will only be performed by the entertainer. There must be no audience participation. There must be no physical contact between entertainers.

Customers will not touch the breasts or genital area of entertainers. Entertainers will not directly or indirectly touch the breasts or genital area of customers.

Any performance will be restricted to dancing and the removal of clothes. There will not be any other form of sexual activity or stimulation which, for the avoidance of doubt, include kissing.

Sex toys must not be used and penetration of the genital area by any means must not take place.

Customers will not be permitted to throw money at the entertainers.

All areas used for private dances must be visible to supervision and not have closing doors or curtains that prevent performances from being observed.

All areas used for private dances must be directly supervised by either a SIA registered door supervisor, or a member of staff who has direct contact with SIA registered door supervisors working on the premises at all times the booths/areas are in use. Direct supervision does not include remote supervision by CCTV.

#### **c) Public safety**

Drinks, open bottles and glasses will not be taken from the premises at any time. Empty bottles and glasses will be collected regularly and promptly. Glass and other sharp objects will be stored and disposed of safely using suitable receptacles. Receptacles will be secured and not accessible to the customers.

The PLH/DPS will prominently display notices which inform customers that open bottles or glasses may not be taken off the premises.

The PLH/DPS will operate to a written dispersal policy which ensures the safe and gradual dispersal of customers from the premises. The policy will be agreed with WYP. The PLH/DPS will ensure that staff receive training on the policy.

Before opening to the public, checks will be undertaken to ensure all access to the premises are clear for emergency vehicles. Regular checks will be undertaken when the premises is open.

Written records of all accidents and safety incidents involving members of the public will be kept. These will be made available at the request of an authorised officer.

Empty bottles and glasses will be collected regularly paying particular attention to raised levels.

A written spillage policy will be kept to ensure spillages are dealt with in a timely and safe manner.

A suitably trained First Aider or appointed person will be provided at all times when the premises are open.

Adequate and appropriate First Aid equipment and materials will be available on the premises at all times.

A procedure for dealing with unwell members of the public will be in place including those who appear to be affected by alcohol or drugs. Staff will be appropriately trained in such procedures.

A written health and safety policy covering all aspects of the safe use of strobes, lasers, smoke machines or any other special effects, will be provided and staff will be appropriately trained.

No strobes, lasers or smoke machines will be used at the premises unless there is a clearly displayed warning at the entrance to the premises that such equipment is in use.

#### d) The prevention of public nuisance

Noise from a licensable activity at the premises will be inaudible at the nearest noise sensitive premises.

Licensable activities will be conducted and the facilities for licensed activities will be designated and operated so as to prevent the transmission of audible noise or perceptible vibration through the fabric of the building or structure to adjoining properties.

There will be no external loudspeakers.

Bottles not be placed in any external receptacle after 23.00 hours and 07.00 hours to minimise noise disturbance to neighbouring properties.

The activities of persons using the external areas will be monitored after 23:00hrs and they will be reminded to have regard to the needs of local residents and refrain from shouting anti social behaviour etc when necessary.

The PLH/DPS will adopt a 'cooling down' period where music volume is reduced towards the closing time of the premises.

The PLH/DPS will ensure that litter arising from people using the premises is cleared away regularly and that promotional materials such as flyers do not create litter.

Where management deem it necessary SIA Registered door staff will be employed and used where queues are likely to form to manage the queues and ensure:

Queues are restricted to cordoned areas to prevent them obstructing footpaths and spilling out onto roads, and to keep noise and obstructions away from residential properly.

The premises supervisor and any door supervisors will monitor the activity of persons leaving the premises and remind them of their public responsibilities where necessary.

A facility will be provided for customers to order Hackney taxi/private hire vehicles. Telephone numbers for taxi firms/private hire companies will be displayed in a prominent position on the premises.

e) The protection of children from harm

People under 18 (including staff) will not be admitted to the premises at any time when entertainment of a sexual or adult nature is being provided.

The PLH/DPS will provide clear signage that entertainment of an adult nature is occurring which is not suitable for under 18s.

Measures will be put in place for ensuring non-admission to persons under 18 years of age when entertainment of an adult nature is taking place, such as door supervision and age checks (including staff).

The PLH/DPS will not display outside the premises photographs or other images which indicate and suggest that striptease or similar entertainment takes place on the premises.

Any person on the premises who can be observed from outside the premises will be properly and decently dressed.

Any written, visual or auditory advertisement material, posters, signage or window display must not be of a sexual explicit or suggestive nature, will not contain images or text of sexual explicit, obscene or offensive nature and must be approved by the council in writing.

The PLH/DPS staff will ask for proof of age from any person appearing to be under the age of 25 who attempts to purchase alcohol at the premises.

The PLH/DPS staff will ask for acceptable evidence (as agreed by WYP / WYTSS) from any person appearing to be under the age of 25 who attempts to purchase alcohol at the premises.

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 4 – Signatures** (please read guidance note 10)

**Signature of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 11).  
**If signing on behalf of the applicant, please state in what capacity.**

Signature	<i>Woods Whur LLP</i>
Date	9th January 2013
Capacity	Woods Whur LLP – Solicitors for the applicant

**For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent** (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) Christopher Rees-Gay Woods Whur LLP Devonshire House 38 York Place			
Post town	Leeds	Postcode	LS1 2ED
Telephone number (if any)	0113 234 3055		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) chris@woodswhur.co.uk			

**Consent of individual to being specified as premises supervisor**

I **SPENCER TREGIDGO**  
of **10 ASH CLOSE BRENTWOOD ESSEX CM13 9RF**

hereby confirm that I give my consent to be specified as the designated premises supervisor  
in relation to the application for **Grant of Premises Licence**

by **Illuminati Ventures Limited**

relating to premises licence **Unknown**

for **Tantric Blue, 68 New Briggate, Leeds,**

**LS1 6NU**

and any premises licence to be granted or varied in respect of this application made by

**Illuminati Ventures Limited**


concerning the supply of alcohol at

**Tantric Blue, 68 New Briggate, Leeds,**

I also confirm that I am applying for, intend to apply for or currently hold a personal licence,  
details of which I set out below.

Personal licence number - **LN / 2100000823**

Personal licence issuing authority - **EPPING**

Signed  .....

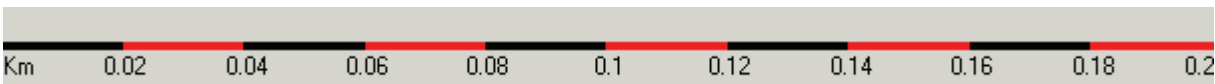
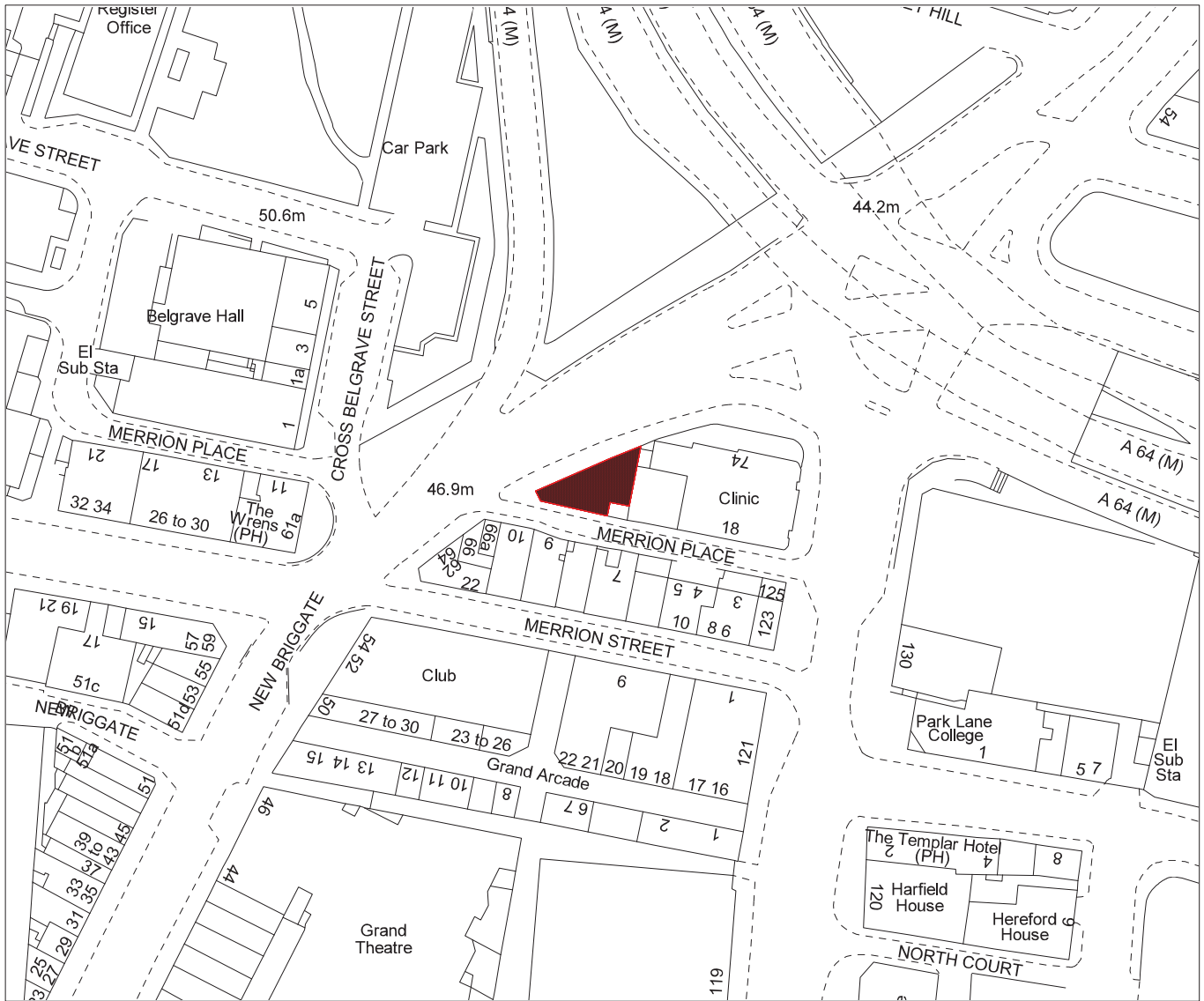
Name (please print) **SPENCER TREGIDGO** .....

Dated **21/12/12** .....

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**PREM/03281/001**

**Tantric Blue, 68/72 New Briggate, Leeds, LS1 6NU**



This map is based upon the Ordnance Survey's Digital Data with the Permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office

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<b>Date:</b>	21 February 2013
<b>Scale:</b>	1:1250

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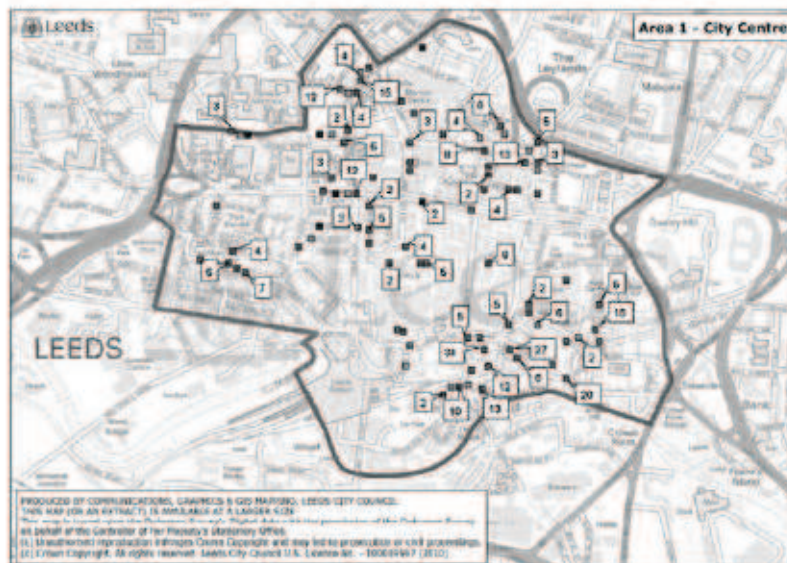






## Evidence

Fig 2



**Nuisance reports in Area 1 (2005 – 2010)**

Fig 2 shows the number and location of nuisance reports received by Leeds City Council, relevant to licensed premises in Area 1 since 2005.

Police analysis has shown the following key findings relating to serious crime in Area 1:

- 94% of serious violent offences have been committed in the night-time economy (NTE) period.
- 63% of offences committed in the NTE are affected by alcohol
- 20% of offences committed in the NTE are committed within licensed premises
- Between 2008 and 2009 incidents have increased by 26 equating to a 32% rise.

Fig 3



**Serious Violent Crime hot-spots**

Fig 3 shows density of serious violent crime offences in Area 1. The coloured dots are licensed premises however, have not been identified individually by name.



Fig 4



**Assault hot-spots**

Fig 4 shows density of assault offences in Area 1.

Fig 5



**Anti-Social Behaviour hot-spots**

Fig 5 shows density of anti-social behaviour offences in Area 1.

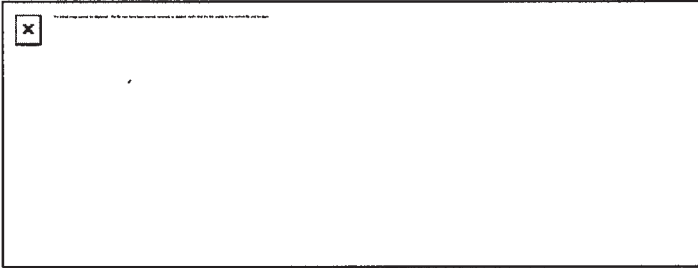
The current CIP for Area 1 (Licensing Act 2003 Statement of Licensing Policy 2008-2010) does not cover large parts of the city centre which currently suffer from nuisance and crime attributable to licensed premises.

Extracted from the Final Consultation Report published in December 2010 which presented the findings of the review of the cumulative impact policies and the subsequent public consultation on the amended Statement of Licensing Policy which took place in 2010. The full report is available from Entertainment Licensing.

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NOT PROTECTIVELY MARKED

Appendix D

**Leeds District Licensing Department****Licensing Department**Millgarth Police Station  
Millgarth Street  
Leeds  
LS2 7HX

Tel: 0113-2413072

Fax: 0113-2413123

Email:

catherine.arkle@westyorkshire.pnn.police.uk

Website:

Your ref: CRG/ML/SOU1-4-0/765

Our ref:

6<sup>th</sup> February 2013**Mr. Christopher Rees-Gay**  
**Woods Whur LLP**  
**Devonshire House**  
**38, York Place**  
**Leeds**  
**LS1 2ED**

cc. Entertainment Licensing Section, Leeds City Council, Civic Hall, Leeds, LS1 1UR

**RE:TANTRIC BLUE, 68-72, NEW BRIGGATE, LEEDS, LS1 6NU**  
**NEW PREMISES LICENCE – LICENSING ACT 2003:**  
**POLICE – LETTER OF REPRESENTATION – ‘QUALIFIED’ OBJECTION:**

Thank you for submitting your application for the above premises, received at the address above on 10th January 2013.

West Yorkshire Police are of the opinion that your application contains insufficient information about how you intend to meet the licensing objectives.

We therefore confirm that we are submitting a formal representation against your application on the grounds of:-

1. the prevention of crime & disorder

These premises are located within the Cumulative Impact Area for Leeds City Centre. Our objection however is not based on cumulative impact due to the described nature of the venue as a lap dancing bar, historically not high in relation to reports of crime and disorder, and the extensive measures offered. However, absent from the measures offered are certain conditions we feel appropriate and necessary to this type of operation. We would also like assurances that the existing premises licence, PREM/01297, which relates to Black Diamond, is to be surrendered should this application be granted.

NOT PROTECTIVELY MARKED

## NOT PROTECTIVELY MARKED

We are therefore of the opinion that the licensing objectives could be met should you incorporate certain identified measures within your operating schedule as conditions, in addition to what you may have offered in your application.

Please find enclosed a document which at **Part 1** contains the suggested measures which this authority considers are proportionate and appropriate to the nature of your application.

Should you be in agreement with the suggested measures then please signify this by completing and signing **Part 2** of the enclosed form and return the complete document to this office as soon as possible. Upon receipt of your consent at **Part 2**, it will be taken that you signify your wishes for the licensing authority to amend your operating schedule to incorporate the proposed measures as conditions.

Alternatively should you disagree with the proposed measures, then please complete **Part 3** and again return the complete document to this office as soon as possible.

---

### PART 1 - to be completed by the Responsible Authority:

**West Yorkshire Police** propose the following control measures / conditions under the Licensing Act 2003 (in addition to those that you may have already offered), for the premises:-

**TANTRIC BLUE  
68-72, NEW BRIGGATE  
LEEDS  
LS1 6NU**

Having considered the application under the Licensing Act 2003 for the above premises, West Yorkshire Police considers that the following measures are relevant, proportionate and necessary in order to promote the following licensing objective:-

- the prevention of crime & disorder

#### Measures / Additional measures proposed:

- CCTV security footage will be made secure and retained for a minimum period of 31 days time to the satisfaction of WYP.
- All areas used for viewing dances and private dances in booths anywhere on the premises shall covered by the CCTV camera system.

West Yorkshire Police are satisfied that the proposed measures are not adequately dealt with by other legislation.

By signing the declaration enclosed overleaf at **Part 2**, the applicant agrees to incorporate the proposed measures as conditions within the Operating Schedule for the said premises.

Upon the satisfactory completion of the declaration, West Yorkshire Police will provide notice to the Licensing Authority that our representation is withdrawn in accordance with schedule 10(a) of the Licensing Act 2003 (Hearings) Regulations 2005.

PC 5548 Cath Arkle  
Divisional Licensing Officer  
City & Holbeck

NOT PROTECTIVELY MARKED



PART 2 – to be completed by the applicant or applicant’s representative:

Consent for all proposed control measures / conditions under the Licensing Act 2003.

Name & Address of Premises:

TANTRIC BLUE  
68-72, NEW BRIGGATE  
LEEDS  
LS1 6NU

I / We Wood Men LLP

confirm that I ~~am~~ we are the ~~applicant~~ the applicants representative (delete as appropriate) for the premises as stated above.

In signing this document-:

- I / we agree with the measures proposed by West Yorkshire Police,
- I / we provide our consent for the Licensing Authority to incorporate the said measures into the operating schedule for the stated premises as conditions, and furthermore,
- I / we confirm the premises will then operate in accordance with those conditions agreed to.

Signed: Wood Men LLP

Dated: 6 February 2013

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Christopher Rees-Gay  
Woods Whur LLP  
Devonshire House  
38 York Place  
Leeds  
LS1 2ED

Health and safety service  
Leeds City Council  
Millshaw Park Way  
Leeds  
LS11 0LS



Contact: Mr John Tootle  
Tel: 0113 247 7782  
Fax: 0113 247 6282  
john.tootle@leeds.gov.uk  
Our reference: PREM/03281/001  
11 January 2013

Dear Sir/Madam

### Licensing Act 2003

**Premises: Tantric Blue, 68 New Briggate, Leeds, LS1 6NU**

Thank you for submitting your application for the above premises.

Health and safety services are of the opinion that your application contains insufficient information about how you intend to meet the licensing objective/s.

We therefore confirm that we are submitting a formal representation against your application on the grounds of public safety.

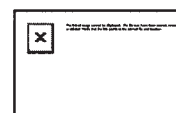
However, health and safety services are of the opinion that the said objectives could be met should you be prepared to incorporate certain identified measures within your operating schedule.

Please find enclosed a document which at Part 1 contains the suggested measures which this authority considers are proportionate and appropriate to the nature of your application.

Should you be in **agreement** with the suggested measures then please signify this by completing and signing **Part 2** of the enclosed form and return the complete document to this office as soon as possible, but no later than 6 February 2013.

Upon receipt of your consent at Part 2, it will be taken that you signify your wishes for the licensing authority to amend your operating schedule to incorporate the proposed measures.

Alternatively should you **disagree** with the proposed measures, then please complete **Part 3** and again return the complete document to this office as soon as possible, but no later than the stated date.



**PART 1 - to be completed by the Responsible Authority** Appendix

**Health and Safety Service  
Proposed controlled measures under the Licensing Act 2003**

Name & Address of Premises: Tantric Blue, 68 New Briggate, Leeds, LS1 6NU,

Having considered the application under the Licensing Act 2003 for the above premises, the health and safety service considers that the following measures are proportionate and necessary in order to promote the public safety licensing objective:

Measures proposed:

No	Potential Control Measures
	<b>Public Safety 3 - Maintenance/Alterations</b>
1	A suitably trained and competent person must ensure regular safety checks of the premises including decorative and functional fixtures, floor surfaces and equipment (including electrical appliances) to which the public may come into contact are undertaken. Records of these safety checks must be kept and made available for inspection by an authorised officer.
	<b>Public Safety 4 - Fire/Electrical Safety</b>
2	Electrical installations will be inspected on a periodic basis (at least every 3 years or at a frequency specified in writing) by a suitably qualified and competent person. If used, any temporary electrical wiring and distributions will also be inspected. Inspection records/certificates will be kept. These will be made available at the request of an authorised officer.
	<b>Public Safety 6 - General Health and Safety</b>
3	Regular safety checks of guarding to stairs, balconies, landings and ramps will be undertaken, and a supervision policy will be maintained to prevent people from inappropriate behaviour including climbing which may lead to a fall from height.
4	Safety glass that is impact resistant should be used wherever possible in all areas where the public may come into contact with it. Where it is not used in public areas, glazing should be shielded to protect it from impact.
	<b>Public Safety 7A - Refreshments</b>
5	Members of the public will be prevented from accessing hot food and drink preparation areas to prevent risk of scalds or burns to them.

The health and safety service is satisfied that the proposed measures are not adequately dealt with by other legislation.

By signing the declaration enclosed overleaf the applicant agrees to incorporate the proposed measures as conditions within the operating schedule for the said premises.

Upon the satisfactory completion of the declaration the health and safety service will provide notice to the licensing authority that our representation is withdrawn in accordance with schedule 10(a) of the Licensing Act 2003 (Hearings) Regulations 2005.

Signed:

Dated:

to be completed by the applicant or applicant's representative

Consent for proposed controlled measures under the Licensing Act 2003

Name & Address of Premises: Tantric Blue, 68 New Briggate, Leeds, LS1 6NU,

*I/We* ... *WOODS WARD LLP* .....

confirm that ~~I am~~ / we are ~~the applicant~~ the applicants representative (delete as appropriate) for the premises as stated above.

In signing this document I / we agree with the measures proposed by the health and safety service, and we provide our consent for the licensing authority to incorporate the said measures into the operating schedule for the stated premises.

Signed: *Woods Miller (Solicitor on Behalf of Applicant)*

Dated: *25/01/13*

Please return this document to:

**Mr John Tootle  
Health and safety service  
Leeds City Council  
Millshaw Park Way  
Leeds  
LS11 0LS  
Fax: 0113 247 6282**

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**Radford, Victoria**

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**From:** Sanderson, Christopher  
**Sent:** 06 February 2013 14:27  
**To:** Entertainment Licensing  
**Cc:** Hart, Tim; Raper, Nicola; Farrer, Helen  
**Subject:** Entertainment Licence application, 68-72 New Briggate, Leeds 1.  
**Attachments:** tantric.doc; tantric1.doc

Colleagues,

I enclose Planning Services representation in relation to the above licence application.

Should you require any further information please let me know.

Chris Sanderson  
Principal Compliance Officer  
Compliance Services  
Tel. No. 0113 2478216



Woodswhur  
Devonshire House  
38 York Place  
Leeds  
LS1 2ED



**Planning Services**  
The Leonardo Building  
2 Rossington Street  
LEEDS  
LS2 8HD

Contact: **Chris Sanderson**  
Tel: 0113 2478216  
Fax: 0113 2478230

Your Ref: CRG/ML/ILL1-1-0/1010  
Our Ref: Licence Applications

Date 6<sup>th</sup> February 2013

Dear Sir/Madam,

**Subject: APPLICATION FOR PREMISES LICENCE – LICENSING ACT 2003**

Thank you for submitting your application for licensed activities at:

Name of venue:- Tantric Blue Club

Address:- 68-72 New Briggate, Leeds, LS1 6NU.

We write to inform you we are making representations against your application and a copy of this letter will be sent to the Licensing Authority.

The premises obtained planning permission in 1993 to be used as a restaurant. This was within class A3 under the planning use classes order. Prior to 2005 a restaurant and drinking establishment were within the same use class being A3. It is however considered that parts of the premises were being used as a drinking establishment prior to 2005. However the proposed use subject of the licence application is considered to be sui generis in planning terms and planning permission is required because the use is considered to be materially different.

A planning application has been submitted ref.no.13/00017/FU for the change of use of lower and ground floors from a drinking establishment to a lap dancing club submitted on 2<sup>nd</sup> January 2013 which is still under consideration. The first and second floors of the premises although have been in operation for some time do not have any formal planning permission to operate as a lap dancing club. The planning officer dealing with the application is also in discussions with the applicants concerning the use of the upper floors which is not subject of the current planning application.

Planning Services are concerned about the granting of a Premises License prior to the determination of the current planning application and the resolution in relation to the use of the upper floors.

## Appendix

It is noted that in the area of these premises are a number of residential properties and consideration will need to be given for the prevention of nuisance to the occupants of these properties. Planning Services would therefore ask that the Licensing Authority have regard to the operating hours and any special terms that may be attached to any planning consent when determining the licence application.

Planning Services therefore considers that a Premises Licence should not be granted at the present time for this particular use of the premises.

Until such time that the current position with the planning application has been resolved, Planning Services make formal representations to this application.

Yours faithfully

Chris Sanderson  
Principal Compliance Officer

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# Interested Party Representation (Form IPR1)



## Appendix G

### Section 1 – Licence application details

Please indicate as appropriate :

I wish to object to the following application:

I wish to support the following application:

Applicant name (if known): Illuminati Ventures Limited

Applicant premises name and address: Tantric Blue, 68-72 New Briggate, Leeds LS1 6NU

### Section 2 – Your personal details

NB : If you are acting as a representative, please go to Section 3.

Title Mr  Mrs  Miss  Other \_\_\_\_\_

Surname

First name(s)

Address (incl postcode):

**Please note that a full copy of your representation (including your name and address) will be sent to the applicant and will be a public document at any hearing of this matter.**

Please refer to our Guidance Note – GN-M Guidance on making representations for further information and alternative options.

### Section 3 – Representative details

If you are representing someone else please complete details below

Name of Representative/  
Organisation Licensing Authority – Leeds City Council

Full postal address  
(incl postcode) Civic Hall, Calverley Street, Leeds LS1 1UR

Please indicate capacity :

Representative of Residents Association

Parish Council

Trade Association

Ward Councillor

MP

Other (please specify) Responsible Authority -  
(Licensing Authority)



## Section 4 – Representation grounds

**The representation is relevant to one or more of the following licensing objectives:**

**Please tick relevant box(es)**

Prevention of crime and disorder   
Prevention of public nuisance   
Protection of children from harm   
Public safety

Please select :

I object to the application being granted at all

I object to the application being granted in its current form\*

\*If you choose this option remember to tell us in the next section what changes you would prefer to see.

**The grounds of the representation is based on the following:**

The Licensing Authority, as a designated responsible authority for the purpose of the Licensing Act 2003, submit a representation opposing this application.

The representation concerns the proposed name of the premises, 'Tantric Blue', which, in the opinion of the Licensing Authority, will undermine 'the protection of children from harm' and 'the prevention of crime and disorder' licensing objectives.

Whilst 'Tantric' is linked to spiritualism and certain religious practices, for the purpose of a lap dancing venue it takes on another interpretation and associates the premises with sexual practice.

A simple internet search for the words 'tantra'/'tantric' returned the following – 'Any of a comparatively recent class of Hindu or Buddhist religious literature written in Sanskrit and concerned with powerful ritual acts of body, speech, and mind.' (source:

<http://www.thefreedictionary.com/Tantric>)

A similar search for the wording – 'tantric sex' returned the following result.

- (1) 'A philosophical 'strand' of tantra yoga, in which worship services take the form of a sexual ritual featuring slow, non-orgasmic intercourse as a prelude to an experience of the divine
- (2) A popularisation of spiritual-sexual technique derived from Indian tantra yoga and linked to the sexual revolution in cultural mores of late 1960s and 1970s
- (3) A term used erroneously for Western religious or spiritual practices in which slow, mindful sexual union-or masturbation-creates a path to the experience of spiritual ecstasy.' (source: <http://medical-dictionary.thefreedictionary.com/Tantric+Sex>)

Definition of 'blue' returned the following internet search result derivative – 'informal (of a film, joke, or story) having sexual or pornographic content: a blue movie' (source:

<http://oxforddictionaries.com/definition/english/blue>)

The Licensing Authority is of the opinion that the name of the premises has the potential to cause moral and/or psychological harm to children as well as offence and embarrassment to parents when visiting the city with children. The area in which the premises are located is in close proximity to the Grand Theatre and it is also anticipated that the area will become more frequented by families attracted to events at the new Leeds Arena, with particular note that there is a public car park adjacent to the proposed premises. The premises are also located on a prime bus route out of the city serving outer Leeds districts and beyond.



In addition it could be held that the proposed name is not in accordance with the Leeds City Council's Statement of Licensing Policy for Sex Establishments, in particular a condition (number 23) of the Sexual Entertainment Venue Licence which states- 'any written, visual or auditory advertisement material, posters, signage or window display must not be of a sexually explicit or suggestive nature, will not contain images or text of a sexually explicit, obscene or offensive nature and must be approved by the council in writing.' Consequently, should the premises operate under the business name – 'Tantric Blue' in contravention of SEV licence condition 23 the person being the holder of the licence will be in breach of the condition which can, on summary conviction, attract a fine not exceeding £20,000, thereby undermining the Licensing Act 2003 objective – 'the prevention of crime and disorder.'

You need to complete this box as fully as possible. If you do not the Licensing Authority may not be able to assess the relevance of your representation.

Please attach supporting documents/further pages as necessary – please number all additional pages.

Try to be as specific as possible and give examples, e.g. on 1 February I could hear loud music from the premises between 10pm and 1am. I am concerned that if the premises open until 2am this will cause a nuisance to me and other residents of the street.

**Signed:** James Kennedy

**Date:** 4<sup>th</sup> February 2013

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Report author: **Philomena Carville**

Tel: **0113 247 4095**

## Report of the Head of Licensing and Registration

### Report to the Licensing Sub Committee

**Date: Monday 10<sup>th</sup> June 2013**

**Subject: Application for the Transfer of a Sex Establishment Licence for:  
Wildcats, 153-155 The Headrow, Leeds LS1 5RB**

Are specific electoral Wards affected? <b>City and Hunslet</b>	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s):		
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, Access to Information Procedure Rule number: 10.4 (1, 2 & 3)		
Appendix number: C		

## Summary of Main Issues

Members are requested to consider an application received for a transfer of a sex establishment licence. The premises presently operate under the terms of the licence as a sexual entertainment venue providing lap dancing.

### 1.0 Background Information

- 1.1 The Policing and Crime Act 2009 amended the Local Government (Miscellaneous Provisions) Act 1982 (the Act) Section 2 and Schedule 3 to introduce a new classification of sex establishment, namely sexual entertainment venues. This brings to lap dancing, pole dancing and other "relevant entertainment" into the same regime that has licensed sex shops and sex cinemas in the Leeds area since 1982.
- 1.2 Leeds City Council adopted the provisions of the Act on 19<sup>th</sup> January 2011 with effect from 1<sup>st</sup> October 2011, and adopted its Statement of Licensing Policy for the Licensing of Sex Establishments in September 2011.

## **2.0 Purpose of this report**

- 2.1 To advise Members of an application made under section 2 and schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 for the transfer of the existing sex establishment licence for premises known as 'Wildcats', situated at 153-155 The Headrow, Leeds LS1 5RB.
- 2.2 This application was listed for hearing on 15<sup>th</sup> April 2013, but was adjourned until 10<sup>th</sup> June 2013 for new applicant/transfer details to be given.

## **3.0 History of premises**

- 3.1 The premises have operated under the provisions of the Licensing Act 2003 for the provision of alcohol and regulated entertainment for a number of years. Office records suggest that the premises have been licensed since 2005. Records prior to this date are not available.
- 3.2 At that time there was no separate licence required for the provision of sexual entertainment, and it is understood that lap dancing has been provided at this premises during that time.
- 3.3 In June 2012 the premises were successfully granted a sex establishment licence to provide sexual entertainment in the form of lap dancing.
- 3.4 A copy of the current licence may be found at Appendix A.

## **4.0 The Application**

- 4.1 Members are required to consider this application for the transfer of a sex establishment licence from Harjen Limited, to Bean Leisure Trading A Limited, 153-155, The Headrow, Leeds LS1 5RB.
- 4.6 A partial copy of the application may be found at appendix B to this report. It should be noted that certain information submitted within the application is potentially exempt information under Access to Information Procedure Rule 10.4 (1,2 and 3) as it includes information which relates to individuals, is likely to reveal the identity of an individual and and/or relates to the business affairs of any particular person. As a consequence Members are provided with a full copy of the application contained within a separate appendix C and will be asked to consider exclusion of the press and public from the hearing if those matters are to be discussed.
- 4.11 A map of the location of the premises can be found at appendix D.
- 4.13 The West Yorkshire Police and all ward members have been notified of this application.
- 4.14 A public notice advertising the application has been displayed at the premises for a period of 21 days and published in the local press.

## **5.0 Objections**

5.1 In considering any application for the transfer of a licence the authority shall have regard to any observations submitted by the chief officer of police and any objections received.

5.2 Any objection must be provided in writing to the authority, stating in general terms the grounds of the objection, and this should be provided no later than 28 days after the date of the application, albeit there is the provision for the acceptance of objections outside the notice period if these bring significant relevant new information (*Miss Behavin' Ltd v Belfast City Council*).

5.4 The Act imposes no pre-qualifications on who may be objectors nor is there any constraint on the grounds upon which the objection is made.

5.5 The licensing section is in receipt of 2 objections. One is from Leeds City Council Revenues Service, and the other is from Leeds City Council Entertainment Licensing Section

5.6 The grounds for objection are made on the applicant's suitability to hold the licence.

5.7 Furthermore, the objectors request that the existing licence be suspended or revoked on the basis of the information supplied.

5.8 Copies of the objections will be available at the hearing for Members consideration.

5.9 No objection has been made by the West Yorkshire Police.

## **6.0 Other matters relevant to the application**

6.1 If approved, the sex establishment licence will remain in force until the 30<sup>th</sup> September 2013 or for a shorter period should the licensing authority think fit.

## **7.0 Options available to members**

7.1 In relation to the Transfer application, the licensing sub-committee may take any of the following steps it considers necessary:

- Grant the application as requested subject to the existing licence conditions
- Grant the application subject to revised or additional conditions appropriate to the application.
- Refuse the application on the following mandatory grounds;
  - if the applicant is under the age of 18.
  - if the applicant has a disqualification following the revocation of their licence

- if the applicant is not-resident in the UK,
  - if the applicant is a company not incorporated in the UK,
  - or a previous refusal of the applicant at the same premises in the previous 12 months.
- Refuse the application on the following discretionary grounds:
    - if the applicant is unsuitable to hold the licence by reason of having been convicted of an offence or for any other reason,
    - if the licence were to be transferred the business to which it relates would be managed by or carried on for the benefit of a person, other than the applicant, who would be refused the transfer of such a licence in their own right.

## **8.0 Recommendation**

8.1 Members are asked to consider and determine the applications in accordance with paragraph 7.1 above.

## **9.0 Appendices**

9.1 Appendix A – Copy of Existing Sex Establishment Licence

9.2 Appendix B – Copy of Application

9.3 Appendix C - Exempt information

9.4 Appendix D – Location map

## **10.0 Background papers**

10.1 Leeds City Council Licensing of Sex Establishments – Statement of Licensing Policy.

10.2 Local Government (Miscellaneous Provisions) Act 1982 as amended by the Policing and Crime Act 2009.





# Sex Establishment Licence

## Terms and conditions attached to a licence



These are the terms and conditions that are attached to the following Sexual Entertainment Venue licence.

<b>Licence number:</b>	SX/SEV/00016/12/01
<b>Issued Date:</b>	15th June 2012
<b>Expiry Date:</b>	30th September 2013
<b>Premises:</b>	Wildcats, 149 - 155 The Headrow, Leeds, LS1 5RB

1. Unless stated otherwise, the licence hereby granted will operate for one year from the date on the licence, after which it will cease to be in effect unless an application for renewal is submitted in the manner prescribed by the council.
2. The licence may be revoked by the council if at any time the holder is convicted of an offence of using the licensed premises, or other premises for which a similar licence has been granted, other than in accordance with the terms, conditions or restrictions of the licence or is convicted of any offence under any enactment defined in paragraph 1 of Schedule 4 to the Local Government (Miscellaneous Provisions) Act 1982 as amended.
3. The licensee will provide (subject to the satisfaction of both the police and the licensing authority), a code of practice for entertainers and code of conduct for customers, and these must be made available upon request to both the police and authorised officers.
4. All rules (code of practice for entertainers, code of conduct for customers, dispersal policies etc) to be prominently displayed on the premises.
5. Price lists will be clearly displayed at each table and at each entrance to the premises.
6. All rules and price lists as described in conditions 4 and 5 must be printed in a manner which is clear and easy to read during the normal operation of the premises.
7. Suitable and sufficient training is to be provided to all staff including the responsible person as described in condition 27. The training of all staff is to be recorded and the training record must be made available upon request to both the police and authorised officers.
8. The name of the premises must be approved by the council in writing. Any change to the name of the premises must be approved by the council in writing.
9. The licence, or a clear copy, will be prominently displayed at all times so as to be readily and easily seen by all persons using the premises, the police, the fire authority and authorised officers of the council. A copy of the conditions attached to the licence will be

kept on the premises and be available for inspection by an authorised officer of the council, or the police or fire authority.

10. The premises will only be open to the public during the following hours:

Sunday to Thursday	22:00 - 04:00
Friday & Saturday	22:00 - 05:00
11. Entertainers will only perform on the stage area, or in booths/areas for VIPs as identified on the plan attached to the licence.
12. Relevant entertainment will only be performed by the entertainer. There must be no audience participation.
13. There must be no physical contact between entertainers.
14. Customers will not touch the breasts or genital area of entertainers. Entertainers will not directly or indirectly touch the breasts or genital area of customers.
15. Any performance will be restricted to dancing and the removal of clothes. There will not be any other form of sexual activity or stimulation which, for the avoidance of doubt, includes kissing.
16. Sex toys must not be used and penetration of the genital area by any means must not take place.
17. Customers will not be permitted to throw money at the entertainers.
18. There will be a notice displayed inside each entrance or doorway to the premises, clearly visible on entering the premises, which states the following:

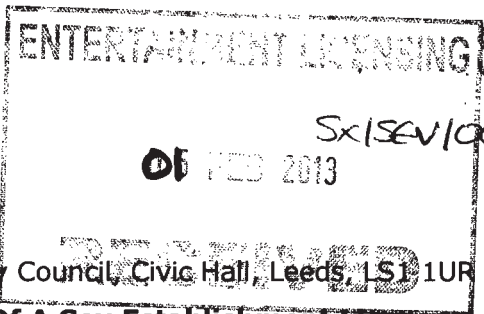
**Strictly No Admittance to Persons Under 18 Years of Age**  
These premises operate a Challenge 25 policy.  
Persons under the age of 25 will be required to show proof of age.
19. The external appearance of the premises must be approved by the council in writing.
20. Any change to the external appearance must be approved by the council. The operator must advise of any change in writing including a drawing of the existing and proposed street elevation. This must be approved by the council before work is undertaken.
21. Access to the licensed area of the premises should be through a lobby area which is constructed in such a way that the inside of the licensed premises where relevant entertainment takes place is not visible to passing members of the public when the doors of the premises are opened.
22. Signage will only be illuminated between 10pm and 6am, and movable signs placed outside the premises will be removed between 6am and 10pm.

23. Any written, visual or auditory advertisement material, posters, signage or window display must not be of a sexually explicit or suggestive nature, will not contain images or text of a sexually explicit, obscene or offensive nature and must be approved by the council in writing.
24. Leafleting/distribution of flyers will only be permitted in such a way where it does not cause public offence. This is regulated by the paid permit system authorising distribution of free printed material issued by Leeds City Council. The licensee will remove any leaflets from the Highways within a 100 metre radius of the distribution point by 6am in addition to the area surrounding the premises. The licensee will have a flyer distribution policy to be approved by the Council.
25. No access will be permitted through the premises to any other adjoining or adjacent premises except in the case of an emergency.
26. No alterations (including temporary alterations) will be made to the structure and installations on the premises, without the prior written consent of the council. This condition will not require notice to be given in respect of routine maintenance works. Where there is any doubt the licensee should seek advice from the council.
27. The licensee, or a responsible person nominated by him/her in writing for the purpose of managing the venue ("the manager") will have personal responsibility for and be present on the premises whilst relevant entertainment is being performed. Any such nomination will be produced on demand to an authorised officer of the council or the police.
28. The licensee will ensure that any person nominated by him/her under the above:
  - a) has been provided with a copy of the conditions relating to the premises and is fully conversant with them; and
  - b) is in possession of a written nomination referred to above at all times when they are in charge of and present on the premises.
29. The name of the person responsible for the management of the premises, whether the licensee or manager, will be displayed in a conspicuous position within the premises throughout the period during which he/she is responsible for the conduct of the premises.
30. Where the licensee is a body corporate, or an incorporated body, any change of director, company secretary or other person responsible for the management of the body will be notified in writing to the council within 14 days of such a change. Such details as the council may require in respect of the change in personnel will be furnished within 14 days of a request in writing from the council.
31. Where the licensee, director, company secretary, or responsible person nominated for the purpose of managing the venue ('the manager'), is convicted of an offence, they must, as soon as practicable after the conviction, inform the council of the conviction giving details of the nature and date of the conviction, and any sentence imposed.
32. The licensee will retain control over all parts of the premises and will not let, licence or part with possession of any part of the premises. The council must be notified immediately in the event that any part of the premises is affected by the termination of a lease or other event affecting the licensee's control of the premises.

33. The licensee will ensure that the public is not admitted to any part or parts of the premises that has not been approved by the council.
34. No persons under the age of 18 will be admitted to the premises.
35. The licensee will operate a Challenge 25 age verification policy. People under the age of 25 will be required to show proof of ID. A notice to this effect, in accordance with condition 18 will be displayed on the premises.
36. The licence holder will not employ any person under the age of 18 in any capacity.
37. A suitable CCTV system will be operational on the premises at all times when licensed activities are being carried out. The system will cover all public areas including booths and corridors but not including staff changing rooms or toilets. The system will conform to West Yorkshire Police guidelines (as attached to the licence) in respect of business related CCTV equipment. It will be adequately maintained and be capable of transporting recorded material onto removable media.
38. The siting of the CCTV system will be agreed with West Yorkshire Police prior to installation and will comply with that agreement at all times. Changes to the siting and standard of CCTV systems may only be made with the written consent of West Yorkshire Police.
39. CCTV security footage will be made secure and retained for a minimum period of 31 days time to the satisfaction of West Yorkshire Police. CCTV footage will be supplied to the police and authorised officers of the Council on request.
40. At all times that the premises are open to the public there will be a member of staff on duty who is conversant with operating the CCTV system and who is able to download immediately any footage requested by the police or an officer from the licensing authority or authorised agent.
41. Suitable numbers of Security Industry Authority registered door staff (numbers to be subject to police and licensing authority approval) will be present on the premises during the performance of relevant entertainment.
42. Entertainers will be aged no less than 18 years.
43. All premises that provide relevant entertainment will be expected to provide new entertainers with a pack of information. This pack will include a copy of the Sex Establishment Licence, including the conditions applied by the Licensing Committee, and the following:
  - a) Details of any other conditions applied by management of the premises
  - b) Details of how to report crime to the relevant authority
  - c) Details of insurance (public liability/personal)
  - d) Details of unions, trade organisations or other bodies that represent the interests of dancers/entertainers
  - e) A copy of the code of practice for entertainers
  - f) A copy of the code of conduct for customers

- g) Fining policy
- h) Pricing policy

44. The information provided in the pack will be provided in the dressing rooms.
45. All booths/areas for VIPs used for private dances must be visible to supervision and must not have closing doors or curtains that prevent performances from being observed.
46. All booths/areas for VIPs used for private dances must be directly supervised by either a SIA registered door supervisor, or a member of staff who has direct contact with SIA registered door supervisors working on the premises at all times the booths/areas are in use. Direct supervision does not include remote supervision by CCTV.
47. Entertainers will only be present in the licensed area in a state of nudity when they are performing on stage or providing a private dance.
48. Any person on the premises who can be observed from outside the premises will be properly and decently dressed.
49. The licensee will ensure entertainers have secure dressing rooms, facilities to secure valuables and proper sanitation facilities available to them.
50. The management will maintain a register which details any fines imposed on entertainers which will include the date, type of misdemeanour and amount fined.
51. Vehicles must not be used for personal solicitation, touting or advertising and only licensed hackney carriage and private hire vehicles may be used to transport customers to and from the premises.
52. The council may, at the time of grant or renewal of the licence, waive, modify or vary these conditions or impose additional conditions as appropriate.
53. The licensee may apply to the council to vary any of the terms of the licence.
54. Applications to vary conditions of the licence must be advertised by the licensee in the same manner as the application for the issue, renewal or transfer of the licence.
55. The designated yard area will only be used as a smoking area for the dancers who will be covered up at all times with knee length robes supplied by the licence holder. No unsupervised contact to take place between dancers and customers when on smoking breaks.
56. No street furniture except a carpet with appropriate rope or rail to be placed outside the premises.
57. Panic alarms are to be fitted to all booths and VIP performance areas.



SxISEV/00016/13/02  
SE3

Entertainment Licensing, Leeds City Council, Civic Hall, Leeds, LS1 1UR

**Application For The Transfer Of A Sex Establishment Licence**

Local Government (Miscellaneous Provisions) Act 1982 As Amended

**Please read the following instructions**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

- Sexual Entertainment Venue**
- Sex Shop**
- Sex Cinema**

**APPLICANT DETAILS**

1. Is the applicant:

- An individual (please answer questions 2, 5 to 9)
- A company or other corporate body (please answer questions 3, 5 to 9)
- A partnership or other unincorporated body (please answer questions 4, 5 to 9)

2. Full name of applicant:  
 Former or previous names:  
 Home address:  
  
 Post town: Post code:  
 Telephone numbers:  
 Date of Birth:

3 Name of applicant (company name): Bean Leisure Trading A Limited  
 Address of registered or principal office:  
 153-155 The Headrow  
 Post town: Leeds Post code: LS1 5RB  
 Registration number: 8353634

4. Name of applicant:  
 Name of applicant's partners:



5. Are there any other persons responsible for the management of the premises/business other than the partners? Please state their names:



6. a. Has the applicant been known by any other name? Yes  No
- b. Has the applicant ever been convicted of a criminal offence? Yes  No
- c. Has the applicant ever been refused a sex establishment licence? Yes  No
- d. Has the applicant even had a sex establishment licence revoked? Yes  No
- e. Has the applicant ever been served with a winding up petition? Yes  No
- If the answer to any of these questions is yes, please provide details:

7. Applicants' trading address or head office (other than the premises):

Head office is at the venue  
Wildcats  
153-155 The Headrow  
Leeds  
LS1 5RB

8. Will the business for which this licence is sought be carried on for the benefit of a person other than the applicant? Yes  No

If the answer is yes, state the name, address, place of registration, registered number and the identity of all directors, company secretary and those with a greater than 10% shareholding.



9. Does the applicant operate any other sex establishments, licensed or otherwise? Please state name, address, and type of sex establishment of each.

N/A

#### OPERATING SCHEDULE

10. Please state the name and address of the business:

Wildcats

11. Has the applicant entered into any written or oral agreement in connection with the business, for example a management agreement, partnership agreement or profit share arrangement? Yes  No

12. Please provide details of any lender, mortgage or others providing finance:

N/A

13. Please provide details of any merchandising agreements:

N/A

#### Premises management

14. Please state the name of the person who will be in day to day control of the premises (the manager).

██████████

a. Will the manager be based at the premises Yes  No

b. Will the management of the premises be the manager's sole occupation Yes  No

15. Who will be in control of the premises in the manager's absence (relief manager)?

████████████████████

a. Will the relief manager be based at the premises in the absence of the manager? Yes  No

If you have ticked no, please provide details

**Further information**

16. Please set out any further information you wish the authority to take into account.

N/A

17. Is there any information on this form you do not wish to be seen by members of the public? If so state which information and the reasons why you do not wish it to be seen.

Personal address of the Manager and Relief Manager / *DIRECTOR*

**CHECKLIST & ENCLOSURES****Enclosures**

- |   |                                     |
|---|-------------------------------------|
| I have made or enclosed payment of the fee                                      | <input checked="" type="checkbox"/> |
| I have enclosed a completed form SE5 for each person mention in Q2, 4, 5, and 8 | <input checked="" type="checkbox"/> |
| I have enclosed a completed form SE5 for the Manager and Relief Manager         | <input checked="" type="checkbox"/> |

**Advertisement**

- |   |                                     |
|---|-------------------------------------|
| I declare that I have served a copy of this application on West Yorkshire Police.   | <input checked="" type="checkbox"/> |
| I declare that a public notice advertising this application has today been displayed upon the proposed premises where it may be conveniently read by the public and will remain thereon for a period of 21 days. A copy of the notice (SE6) and the standard declaration (SE7) is enclosed. | <input checked="" type="checkbox"/> |
| I declare that within seven days of the date of this application a public notice advertising this application will be publicised in the legal notices column of the local press.  | <input checked="" type="checkbox"/> |
| A copy of the relevant press edition will be forwarded to Entertainment Licensing   | <input checked="" type="checkbox"/> |
| I understand that if I do not comply with the above requirements my application will be rejected  | <input checked="" type="checkbox"/> |

Leeds City Council is under a duty to protect the public funds it administers, and to this end may use the information you have provided on your application for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

Any person who, in connection with an application for a grant, renewal or transfer of a sex establishment licence, makes a false statement which he knows to be false in any material respect of which he does not believe to be true is guilty of an offence and liable on summary conviction to a fine not exceeding £20,000

## SIGNATURES

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 Woods Whur LLP

Date 1 February 2013

Capacity Woods Whur LLP – Solicitors for the applicant

Contact Name (where not previously given) and address for correspondence associated with this application

Christopher Rees-Gay

Woods Whur LLP

Devonshire House

38 York Place

Post town Leeds

Post code LS1 2ED

Telephone number (if any) 0113 234 3055

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)  
chris@woodswhur.co.uk

### Guidance Notes

1. Please return this completed application form to:  
  
Entertainment Licensing Department  
Civic Hall  
LEEDS  
LS1 1UR
2. Please make cheques/postal orders payable to Leeds City Council.
3. The fee for the transfer of a sex establishment licence is **£2,800**
4. The applicant is responsible for serving a copy of this application on the Licensing Officer, West Yorkshire Police, Millgarth Police Station, Millgarth Street, Leeds LS2 7HX.
5. Copies of this application may be forwarded to West Yorkshire Fire Service who will assess the application and inspect the premises, if necessary, to provide observations in relation to the structure, safety and suitability of the building for the purpose intended.
6. Furthermore, details of this application will be forwarded to the local Ward Members.

For further assistance or information please contact Entertainment Licensing on 0113 247 4095



Entertainment Licensing, Leeds City Council, Civic Hall, Leeds, LS1 1UR

**Information On Individuals**

Local Government (Miscellaneous Provisions) Act 1982 As Amended

**Please read the following instructions**

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

**PERSONAL DETAILS**

1. Name: [REDACTED]

2. Former name (if any):

3. Position in relation to applicant (i.e. director, partner, manager): *ALGA MANAGER.*

4. Date of Birth: [REDACTED] 5. Gender: [REDACTED]

5. Permanent address:  
[REDACTED]

6. If resident at this address for less than 3 years, state previous address:  
*N/A.*

7. Have you been resident in the UK for longer than 6 months? Yes  No

8. Have you ever been disqualified from holding a sex establishment licence? Yes  No   
Please give details

9. Have you ever been involved in the management of a business, whether as a proprietor, director, company secretary, partner, manager, supervisor or otherwise which has had any of the following types of licence refused, refused on renewal reviewed or revoked?

- a. Sex establishment licence Yes  No
- b. Licence for the supply of alcohol Yes  No
- c. Licence for the provision of entertainment, whether sexual or otherwise Yes  No
- d. Personal Licence under the Licensing Act 2003 Yes  No

Please give details:

10. Have you ever been convicted of a criminal offence, whether in the United Kingdom or elsewhere? Yes  No

If so, provide details of the date, convicting court, offence and penalty imposed.

11. To your knowledge, are you currently the subject of any criminal investigate? Yes  No

If so please give details

12. Have you ever had civil legal action taken against you? Yes  No

If so please give details

13. Have you ever been declared bankrupt or entered into an arrangement with creditors or an Individual Voluntary Arrangement? Yes  No

If so please give details

N/A.

14. Have you ever been disqualified from acting as a company director? Yes  No

If so please give details

15. Is there any other information which you believe the licensing authority would reasonably expect notice of, or you would like to licensing authority to take into account when considering information you supplied? Yes  No

If so please give details

16. Is there any information in this form which you do not wish to be seen by members of the public? Yes  No

If so state which information and the reasons why you do not wish it to be seen.

PERSONAL ADDRESS & DATE OF BIRTH FOR OBVIOUS REASONS.

Leeds City Council is under a duty to protect the public funds it administers, and to this end may use the information you have provided on your application for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

Any person who, in connection with an application for a grant, renewal or transfer of a sex establishment licence, makes a false statement which he knows to be false in any material respect of which he does not believe to be true is guilty of an offence and liable on summary conviction to a fine not exceeding £20,000

SIGNATURES

Signature [Redacted Signature]

Date 01/21/2015

Entertainment Licensing, Leeds City Council, Civic Hall, Leeds, LS1 1UR

**Information On Individuals**

Local Government (Miscellaneous Provisions) Act 1982 As Amended

**Please read the following instructions**

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

**PERSONAL DETAILS**

1. Name: [REDACTED]

2. Former name (if any):

3. Position in relation to applicant (i.e. director, partner, manager): *DPS / MANAGER.*

4. Date of Birth: [REDACTED] 5. Gender: [REDACTED]

5. Permanent address: [REDACTED]

6. If resident at this address for less than 3 years, state previous address:  
*\_\_\_\_\_*

7. Have you been resident in the UK for longer than 6 months? Yes  No

8. Have you ever been disqualified from holding a sex establishment licence? Yes  No   
Please give details

9. Have you ever been involved in the management of a business, whether as a proprietor, director, company secretary, partner, manager, supervisor or otherwise which has had any of the following types of licence refused, refused on renewal reviewed or revoked?

a. Sex establishment licence Yes  No

b. Licence for the supply of alcohol Yes  No

c. Licence for the provision of entertainment, whether sexual or otherwise Yes  No

d. Personal Licence under the Licensing Act 2003 Yes  No

Please give details:

10. Have you ever been convicted of a criminal offence, whether in the United Kingdom or elsewhere? Yes  No   
If so, provide details of the date, convicting court, offence and penalty imposed.

11. To your knowledge, are you currently the subject of any criminal investigate? Yes  No   
If so please give details

12. Have you ever had civil legal action taken against you? Yes  No   
If so please give details

13. Have you ever been declared bankrupt or entered into an arrangement with creditors or an Individual Voluntary Arrangement?  
If so please give details *n/a*

14. Have you ever been disqualified from acting as a company director? Yes  No   
If so please give details

15. Is there any other information which you believe the licensing authority would reasonably expect notice of, or you would like to licensing authority to take into account when considering information you supplied?  
If so please give details

16. Is there any information in this form which you do not wish to be seen by members of the public? Yes  No   
If so state which information and the reasons why you do not wish it to be seen.

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**SIGNATURES**

Signature .....  .....

Date ..... *1/2/13* .....

Entertainment Licensing, Leeds City Council, Civic Hall, Leeds, LS1 1UR

**Information On Individuals**

Local Government (Miscellaneous Provisions) Act 1982 As Amended

**Please read the following instructions**

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

**PERSONAL DETAILS**

1. Name: [REDACTED]	
2. Former name (if any): N/A	
3. Position in relation to applicant (i.e. director, partner, manager): DIRECTOR	
4. Date of Birth: [REDACTED]	5. Gender: [REDACTED]
5. Permanent address: [REDACTED]	
6. If resident at this address for less than 3 years, state previous address:  N/A	
7. Have you been resident in the UK for longer than 6 months?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
8. Have you ever been disqualified from holding a sex establishment licence? Please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
9. Have you ever been involved in the management of a business, whether as a proprietor, director, company secretary, partner, manager, supervisor or otherwise which has had any of the following types of licence refused, refused on renewal reviewed or revoked?	
a. Sex establishment licence	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
b. Licence for the supply of alcohol	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
c. Licence for the provision of entertainment, whether sexual or otherwise	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
d. Personal Licence under the Licensing Act 2003	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Please give details:	



10. Have you ever been convicted of a criminal offence, whether in the United Kingdom or elsewhere? If so, provide details of the date, convicting court, offence and penalty imposed.	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
11. To your knowledge, are you currently the subject of any criminal investigate? If so please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
12. Have you ever had civil legal action taken against you? If so please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
13. Have you ever been declared bankrupt or entered into an arrangement with creditors or an Individual Voluntary Arrangement? If so please give details	N/A
14. Have you ever been disqualified from acting as a company director? If so please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
15. Is there any other information which you believe the licensing authority would reasonably expect notice of, or you would like to licensing authority to take into account when considering information you supplied? If so please give details	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
16. Is there any information in this form which you do not wish to be seen by members of the public? If so state which information and the reasons why you do not wish it to be seen.	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>

PERSONAL ADDRESS

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**SIGNATURES**

Signature .....  .....

Date ..... 1 FEBRUARY 2012 .....

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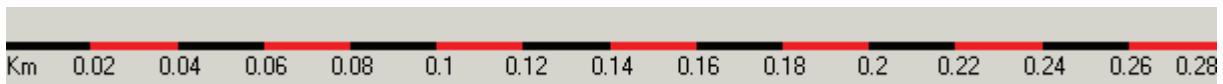
Document is Restricted

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### SX/SEV/00016/13/02

### Wildcats, 149-155 The Headrow, Leeds, LS1 5RB



This map is based upon the Ordnance Survey's Digital Data with the Permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationary Office

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<b>Date:</b>	25 March 2013
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## Report of the Head of Licensing and Registration

### Report to the Licensing Sub Committee

**Date:** Monday 10<sup>th</sup> June 2013

**Subject: Gambling Act 2005**  
**Application for a Premise Licence (Betting Premise)**  
**William Hill, 5 Windsor Court, Morley, LS27 9BG**

Are specific electoral Wards affected?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
If relevant, name(s) of Ward(s): <b>Morley South</b>		
Are there implications for equality and diversity and cohesion and integration?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the decision eligible for Call-In?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the report contain confidential or exempt information?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
If relevant, Access to Information Procedure Rule number:		
Appendix number:		

### Summary of Main Issues

This is an application for a new Betting Premises Licence for premises at 5 Windsor Court, Morley, Leeds, LS27 9BG.

#### 1.0 Purpose of the Report

- 1.1 To advise Members of an application made under Part 8 of the Gambling Act 2005 (the Act) for the grant of a Premises Licence in respect of the above mentioned premises.
- 1.2 Members are required to consider this application due to the receipt of representations.

#### 2.0 History of Premises

- 2.1 This is the first application under the Act for the said premises.

#### 3.0 The Application

- 3.1 The application has been made by William Hill Organisation Limited, Greenside House, 50 Station Road, Wood Green, London, N22 7TP.
- 3.2 The premises are located at 5 Windsor Court, Morley, Leeds, LS27 9BG.

3.3 A copy of the application may be found at Appendix 1. A plan showing the extent of the licensed premises and the proposed internal layout will be available at the meeting.

3.4 A map which identifies the location of these premises is attached at Appendix 2.

3.5 The Act requires notice of the application to be served on the responsible authorities, advertised in a local newspaper and displayed on the premises where it can be conveniently be read by members of the public from the exterior of the premises for a period of no less than 28 consecutive days.

#### **4.0 Representations**

4.1 Under the Act representations can be received from responsible authorities or interested parties.

4.2 For the purpose of this Act interested parties are a person who:

- (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 in either of these two groups.

#### **4.3 Representations from Responsible Authorities**

This application has not attracted any representation from any of the responsible authorities.

#### **4.4 Representations from Interested Parties**

This application has attracted representation from three elected members, a councillor of Morley Town Council, and a member of the public, under the licensing objective 'protecting children and other vulnerable persons from being harmed or exploited by gambling'. A copy of the full representations may be found at Appendix 3.

#### **5.0 Principles to be applied**

5.1 The Act (s153) sets out that the licensing authority, in exercising their functions, shall aim to permit the use of premises for gambling in so far as the authority thinks it:

- (a) in accordance with any relevant code of practice under section 24 of the Act (Gambling Commission Codes of Practice);
- (b) in accordance with any relevant guidance issued by the Commission under section 25 (Gambling Commission Guidance to Licensing Authorities);
- (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 s 349 of the Act (Statement of Licensing Policy – Gambling Act 2005) (subject to paragraphs (a) to (c)).



- 5.2 The Gambling Commission Codes of Practice as mentioned above describes the arrangements that should be made by a person providing facilities for gambling for the purpose of-
- (a) ensuring that gambling is conducted in a fair and open way;
  - (b) protecting children and other vulnerable persons from being harmed or exploited by gambling, and
  - (c) making assistance available to persons who are or may be affected by problems related to gambling.

The codes may also include provision about how facilities for gambling are advertised or described.

A copy of the Gambling Commission's Codes of Practice (consolidated for all forms of gambling) March 2013, is attached at Appendix 4 for members information.

- 5.3 The Act (s153(2)) also sets out that in determining whether to grant a premises licence a licensing authority may not have regard to the expected demand for the facilities which are proposed.

## **6.0 Planning Permission**

- 6.1 Members should note that in accordance with Section 210 of the Gambling Act 2005, any decision made by the licensing authority shall not have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with the law relating planning or building.
- 6.2 It should also be noted that a decision by the licensing authority under this part shall not constrain any later decision by the authority under the law in relation to planning or building.

## **7.0 Mandatory and Default Licence Conditions**

- 7.1 The Secretary of State provides for mandatory conditions (s167) and default conditions (s168) to be attached to specified premises licences.
- 7.2 The default conditions for a betting premises licence set out the opening times which are:
- 'No facilities for gambling shall be provided on the premises between the hours of 10pm on one day and 7am on the next day'.
- 7.3 The mandatory and default conditions applicable to betting premises may be found at Appendix 5.
- 7.4 Section 169 of the Act provides for that where a licensing authority issue 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 (default conditions).

7.5 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.

## 8.0 Operating Licence

8.1 A premises licence may not take effect unless the applicant is in possession of an operating licence issued by the Gambling Commission. This will be specific to the gambling activities to be carried out.

8.2 It is confirmed that the William Hill Organisation Limited do hold the relevant operating licence.

## 9.0 Gaming Machine Limits

9.1 In addition to authorising the provision of betting facilities, a betting premises licence allows for the provision of gaming machines of the following categories:

Maximum of 4 machines of categories B2 to D:

Machine Categories:

Category of Machine	Maximum Stake	Maximum Prize
*B2	£100	£500
B3	£1	£500
B3A	£1	£500
B4	£1	£250
C	£1	£70
D – various)	Ranging from 30p to £1	Ranging from £5 to £8 and £50 for crane grab

\*The B2 is not a traditional slot machine. It refers to a type of gaming machine known as a fixed odds betting terminal. These machines generally appear in licensed betting offices, have touch screen displays and look similar to quiz machines. They normally offer a number of games, roulette being the most popular.

## 10.0 Primary Gambling Activity

10.1 The primary gambling activity of the premises should be that described, i.e. a betting premises should primarily be a place for the making of bets and any other gaming facilities, ie gaming machines, should be ancillary to the betting facilities.

10.2 In order to satisfy the licensing authority that the primary use of the premises will be that of betting and that the premises will be adequately supervised for the purpose of satisfying the licensing objective 'protecting children and other vulnerable persons from being harmed or exploited by gambling', the licensing

authority wrote to the William Hill Organisation Limited asking for clarity on the following matters:

- 1) Details as to the location of working CCTV cameras, and how the system will be monitored.
- 2) The number of counter positions available for person-to-person transactions, and the number of staff employed to be available at any one time for providing this service.
- 3) The monitoring and supervision arrangements for all gaming and betting machines.
- 4) The total number of staff to be employed on the premises at any one time and details of their specific duties.
- 5) Arrangements for ensuring no persons under 18 years of age are admitted to the premises.
- 6) Arrangements for monitoring and dealing with vulnerable persons, which may include dedicated and trained personnel, leaflets, posters, self-exclusion schemes, window displays and advertisements not to entice passers-by etc.

10.3 A response was received from the William Hill Organisation Limited which may be found at Appendix 6 to this report, albeit the correspondence did not address all of the information sought by the licensing authority.

## **11.0 Equality and Diversity/Cohesion and Integration**

11.1 At the time of writing this report there were no implications for equality and diversity. Any decision taken by the Licensing Sub-Committee will be in accordance with the Gambling Act 2005.

## **12.0 Options available to Members**

12.1 The Licensing sub-committee must take such of the following steps as it considers necessary with a view to promoting the licensing objectives and in accordance with the principles as set out at paragraph 5 of this report, and:

- Grant the application as applied for
- Grant the application and exclude any default conditions
- Grant the application with conditions provided these do not contravene s169(4) of the Act and prevent compliance of the Operating Licence, or mandatory conditions.
- Refuse the application

## **13.0 Appendices**

Appendix 1: Copy of application

Appendix 2: Area map  
Appendix 3: Interested Party representation  
Appendix 4: Gambling Commission's Code of Practice  
Appendix 5: Betting Premise Licence Mandatory and Default Conditions  
Appendix 6: William Hill Response

#### **14.0 Background Papers**

- Gambling Commission Guidance to Licensing Authorities 4th Edition September 2012 (section 25 of the Act)
- Leeds City Council Statement of Licensing Policy 2012-2015 – Gambling Act 2005 (section 349 of the Act)
- Gambling Act 2005

## Application for a Premises Licence under the Gambling Act 2005 (standard form)

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

Where the application is—

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

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

#### Part 1 – Type of premises licence applied for

Regional casino                       Large casino                       Small casino

Bingo                       Adult gaming centre                       Family entertainment centre

Betting (Track)                       Betting (Other)

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

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

N/A

#### Part 2 – Applicant details

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

##### Section A

##### Individual applicant

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

.....

2. Surname: ..... Other name(s): .....

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

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

.....  
.....  
..... Postcode:.....

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

.....

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

.....

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

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

**Section B**  
**Application on behalf of an organisation**

6. Name of applicant business or organisation:

WILLIAM HILL ORGANIZATION 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:

GREENSIDE HOUSE  
50 STATION ROAD  
WOOD GREEN  
LONDON

Postcode: N22 7TP

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

004-002752-N-102413-001

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

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):

WILLIAM HILL

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

5 WINDSOR COURT  
MORLEY  
LEEDS  
LS27 9BG

12. Telephone number at premises (if known):

William Hill Compliance Unit: 0208 918 3608

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.

BETTING OFFICE TO OCCUPY GROUND FLOOR WITHIN TWO STOREY PREMISES FORMING PART OF RETAIL SHOPPING CENTRE IN PEDESTRIANISED PART OF TOWN CENTRE. UPPER FLOOR TO BE UTILISED AS ANCILLARY / STAFF AREA.

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

	<i>Start</i>	<i>Finish</i>	<i>Details of any seasonal variation</i>
Mon	N/A	N/A	N/A
Tues	N/A	N/A	N/A
Wed	N/A	N/A	N/A
Thurs	N/A	N/A	N/A
Fri	N/A	N/A	N/A
Sat	N/A	N/A	N/A
Sun	N/A	N/A	N/A

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?

**YES**

*[delete as appropriate]*

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

PLEASE SEE ATTACHED SCHEDULE



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

N/A

All mandatory conditions are complied with:

- [1] A notice is displayed stating that no person under the age of 18 years is permitted to enter the premises.
- [2] Access is from the street only.
- [3] Premises are used to provide facilities for betting and ancillary services.
- [4] Customers wishing to use an ATM must leave a gaming machine to do so.
- [5] Sound and visual images relate to covering of sporting and betting events only.
- [6] No publications other than racing or specialist betting are offered for sale on the premises.
- [7] No music, dancing or other entertainment is allowed on the premises other than in [5].
- [8] A notice is displayed stating that no alcohol may be consumed on the premises.
- [9] Terms and Conditions of Betting are displayed prominently.

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

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


**I confirm that the applicant 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: DAVE BEDDOW

Date: 15 April 2013 Capacity: Development Manager

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: N/A

Print Name: N/A

Date: N/A Capacity: N/A

*[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.]*

*[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.]*

**Part 8 – Contact Details**

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

Mr Dave Beddow - or - Mrs Karen Paraskeva

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

0113 233 8722 - or - 0113 233 8721

24. Postal address for correspondence associated with this application:

**WILLIAM HILL ORGANIZATION LIMITED  
(DEVELOPMENT DEPARTMENT)  
PO BOX 170  
LEEDS  
LS2 8JF**

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:

[dbeddow@williamhill.co.uk](mailto:dbeddow@williamhill.co.uk) - or - [kparaskeva@williamhill.co.uk](mailto:kparaskeva@williamhill.co.uk)

**GPREM/BET/00131/01**

**William Hill, 5 Windsor Court, Morley, Leeds, LS27 9BG**



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<b>Date:</b>	21 May 2013
<b>Scale:</b>	1:1250

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**Nelson, Matthew**

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**From:** Helen Evans <n13leh@msn.com>  
**Sent:** 14 May 2013 16:01  
**To:** Carville, Philomena  
**Subject:** William hill, Morley

Morley has 2 gambling establishments already, one of which is prominent on the main street.

This again is in an area where families and children/ young people congregate and shop as it is near a supermarket, main bus stops in and out of Morley, and opposite the Town Hall entrance used daily by all groups of society.

By granting permission it would cause offence, and a threat to minority groups in Morley, as well as becoming an inviting place to go for the young people, and vulnerable groups who are finding it hard financially in todays climate. These groups will be accessing help with benefits from the one stop shop in the town hall and faced immediately with the lights, and draw for easy money from William Hills.

This area is A1 use, and should remain so!!!!

Councillor Helen Evans  
Sent from my iPad

## Nelson, Matthew

---

**From:** Josephine Jackson <josie.jack08@yahoo.co.uk>  
**Sent:** 14 May 2013 18:27  
**To:** Carville, Philomena  
**Subject:** william hill

Dear Sir

I wish to oppose the application for Licence application for William Hill due to the location of the premises which may entice youths to enter premises for gambling purposes. I also believe that we have already too many betting shops and arcades in Morley which will put off genuine people who come to

Morley to shop. As a Member of the Town Council for the Topcliffe Ward I believe that this may decline people from outer areas to shop in our Town and also promote the youth's to gamble on slot machines etc.

My own feelings to having such a business like William Hills on Windsor Court could be detrimental to the other shops on the present.

Yours Sincerely

Cllr. Josie Jackson  
Morley Borough Independent  
Topcliffe Ward

## **Nelson, Matthew**

---

**From:** Harvey, Nicola  
**Sent:** 14 May 2013 15:52  
**To:** Entertainment Licensing  
**Cc:** Nelson, Matthew; Carville, Philomena  
**Subject:** William Hill - Windsor Court, Morley

**Premises:** William Hill - Windsor Court, Morley  
**GPREM:** GPREM/BET/00131/01

Councillor Varley and I wish to object to the licensing application from William Hill who have requested to have a licence for 5 Windsor Court, Morley.

A Planning application ref: 13/01038 was recently turned down for the present A1 category to be change to A2 for which was previously Clinton Cards. We understand that the application would increase the combined frontages to approximately 38.4% which should be no more that 30% for A1 uses.

Councillor Varley and I are not happy with such a visible presence of an establishment of this nature. We have school children who attend Morley Academy and pass these premises on a daily basis. Our concern also lies with the possibility of slot machines been housed on these premises which could add to the attraction for these vulnerable young people.

Our concern is also for families and elderly people who in this economic climate may be tempted to use these facilities to place bets who we know there is only one winner - which is the bookie. Money which could be better spent on providing a healthy well balanced diet.

Councillor Shirley Varley and Councillor Judith Elliott

Nicola Harvey  
Senior Support Officer for the  
Morley Borough Independents  
Tel no: (0113) 39 51954  
Fax no: (0113) 22 43397



14/05/13

WILLIAM HILL: WINDSOR COURT, MURRAY.

I OBJECT TO THIS BELATEDLY NOTIFIED LICENSING APPLICATION,  
AS IT WILL ENCOURAGE HABITUAL GAMBLING AND REDUCE THE  
ATTRACTIVENESS OF A PARADE OF SHOPS WHICH SHOULD BE KEPT  
IN OVERWHELMINGLY PREDOMINANT RETAIL USE.

A PROPOSED APPLICATION 13/01038 WAS RECENTLY  
REFUSED FURTHER SHOP, FORMERLY OCCUPIED BY CLETON  
CARDS, THOUGH THE ADDRESS ~~WINDSOR~~ HAS BEEN QUOTED  
AS 4, WINDSOR COURT.

MURRAY TOWN COUNCIL'S PROPOSED REPRESENTATION IS  
ATTACHED BELOW.

Cero. Tom Leadley.

T. Leadley  
14/05/13



## **Nelson, Matthew**

---

**From:** Andrew Dalton <andrewdalton57@hotmail.com>  
**Sent:** 14 May 2013 15:14  
**To:** Carville, Philomena  
**Subject:** Licensing appn Objection- William Hill 5 Windsor Court.

51 Zoar Street  
MORLEY  
LS27 8JB

14 May 2013

Dear Sir/madam

**Application: GPREM/BET/00131/01 William Hill, 5 Windsor Court, Morley**

I wish to object to this application. I am a local resident and live just two minutes walk from this site. I wish to object because:

1. It is unhelpful for this shop to be used for gambling purposes when hundreds of schoolchildren pass its front window on the the way to/from school. We should not encouraging gambling publicity to the young and vulnerable.
2. It is inappropriate to have a gambling establishment directly opposite the Town Hall entrance which again is frequented by people visiting for help and support - some of which will include gambling and related problems
3. It is out of character with the rest of shops in the row. These premises should be kept entirely for retail.
4. The town centre already has two prominent betting shops within a one minute walk of this location. Bookmaker establishments will be over represented and out of proportion to the total number of retail premises in teh town centre.

I wish you to note my objection and reject this application.

Yours faithfully

**Andrew Dalton**  
local resident

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# GAMBLING COMMISSION

## **Gambling codes of practice**

**Consolidated for all forms of gambling**

**March 2013**

# Contents

- 1 Introduction**
- 2 Financial requirements**
- 3 Protection of children and other vulnerable persons**
- 4 'Fair and open' provisions**
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- 8 Pool betting**
- 9 Information requirements**
- 10 Primary gambling activity**
- 11 Equal chance gaming in clubs and premises with an alcohol licence**
- 12 Gaming machines in clubs and premises with an alcohol licence**

## 1 Introduction<sup>1</sup>

- 1.1** There are two types of licence conditions that the Gambling Commission (Commission) may attach to an operating licence. These are set out at s75 – s77 of the Act. They are general conditions and individual conditions. General conditions can apply to an operating licence or class of operating licence. Specific conditions may be applied to an individual operating licence.
- 1.2** The Commission is also required to publish codes of practice about the manner in which facilities for gambling are provided. In particular the Commission is required to publish a social responsibility code. These may be directed at the holders of operating or personal licences, or any other person involved in providing facilities for gambling.
- 1.3** Codes of practice also apply to situations in which the gambling being offered is not (normally) the responsibility of an operator with a Commission licence. This document should not be confused with the Commission's [Licence Conditions and Codes of Practice \(LCCP\)](#). The LCCP sets out in full the Commission's general licence conditions and associated codes of practice (LCCP) for licensed gambling operators under the Gambling Act 2005 (the Act).
- 1.4** The principles to be applied by licensing authorities are set out at s153 of the Act:

### *Licensing authorities' functions*

#### **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.

- 1.5** The Commission's codes of practice, issued under section 24 of the Gambling Act 2005 are set out below. These codes came into effect on 1 January 2009. There are two types of provisions in this document:
- social responsibility code provisions: compliance with these is a condition of operator licences; therefore any breach of them by an operator may lead the Commission to review the operator's licence with a view to suspension, revocation or the imposition of a financial penalty and would also expose the operator to the risk of prosecution; these provisions are in shaded boxes in the remainder of this document
  - ordinary code provisions: these do not have the status of operator licence conditions, but are admissible in evidence in criminal or civil proceedings and must be taken into account in any case in which the court or tribunal think them relevant, and by the Commission in the exercise of its functions; any breach of ordinary code provisions by an operator may be taken into account by the Commission on a licence review, but cannot lead to imposition of a financial penalty; these code provisions are in the unshaded parts of this section and generally set out good practice in these areas.
- 1.6** The codes and the licence conditions are reviewed periodically. The latest version of both documents can be found on the Commission's website.

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<sup>1</sup> This document contains all the current codes of practice. (March 2013). The codes are also published in other Gambling Commission documents.

## 2 Financial requirements

### All remote and non-remote casino licences

#### Ordinary code provision

- 2.1** In order to help prevent activities related to money laundering and terrorist financing, licensees should act in accordance with the Commission's guidance on anti-money laundering, *The Prevention of Money Laundering and Combating the Financing of Terrorism - Guidance for remote and non-remote casinos*.

### All remote and non-remote betting licences, except those restricted to football pools only and remote betting intermediary (trading rooms only) licences

#### Ordinary code provision

- 2.2** As part of their procedures for compliance with the requirements in respect of the prevention and detection of money laundering in the Proceeds of Crime Act 2002 and the Terrorism Act 2000, licensees should:
- unless there is a specific reason not to do so, appoint one or more nominated officers whose duty it is to take overall responsibility for the anti-money laundering procedures within the operation, in particular with respect to Suspicious Activity Reporting; and ensure, through appropriate training and guidance, that all staff who handle money or accounts or accept bets are aware of their duties under anti-money laundering legislation to report all suspicious activity to the nominated officer in a timely manner or, where there is no such nominated officer, directly and promptly to the police. It is the nominated officer's duty to consider such reports and to forward them where appropriate to the Serious Organised Crime Agency
  - adopt (or reflect in their procedures) the Association of British Bookmakers' guidelines.

### All licences, except casino licences

#### Ordinary code provision

- 2.3** In order to help prevent activities related to money laundering licensees should take into account the Commission's advice on the Proceeds of Crime Act 2002, *Duties and responsibilities under the Proceeds of Crime Act 2002. Advice for operators (excluding casino operators)*.

## 3 Protection of children and other vulnerable persons

### Combating problem gambling

#### All licences

#### Social responsibility code provision

- 3.1** Licensees must have and put into effect policies and procedures intended to promote socially responsible gambling.
- 3.2** Licensees' policies and procedures for socially responsible gambling must include but need not be confined to:
- the specific policies and procedures required by the following provisions of section 2 of this code
  - a commitment to and how they will contribute to research into the prevention and treatment of problem gambling
  - a commitment to and how they will contribute to public education on the risks of gambling and how to gamble safely
  - a commitment to and how they will contribute to the identification and treatment of problem gamblers.

### Access to gambling by children and young persons

#### All non-remote casino licences

#### Social responsibility code provision

- 3.3** Licensees must have and put into effect policies and procedures designed to prevent underage gambling, and monitor the effectiveness of these.
- 3.4** Licensees must designate one or more supervisors for each casino entrance.
- 3.5** A supervisor's responsibilities include ensuring compliance with this section of the code.
- 3.6** A supervisor must implement the following procedures:
- checking the age of customers who appear to be, or are suspected of being, underage
  - refusing entry to anyone unable to produce an acceptable form of identification, ie one which:
    - contains a photograph from which the individual can be identified
    - states the individual's date of birth
    - is valid
    - is legible and shows no signs of tampering or reproduction
  - taking action when there are unlawful attempts to enter the premises, including removing anyone who appears to be underage who tries to access gambling facilities and cannot produce an acceptable form of identification.
- 3.7** Licensees must not deliberately provide facilities for gambling in such a way as to appeal particularly to children or young people, for example by reflecting or being associated with youth culture.



- 3.8** In premises restricted to adults, service must be refused in any circumstances where any adult is accompanied by a child or young person.
- 3.9** Licensees must take all reasonable steps to ensure that all staff understand their responsibilities for preventing underage gambling. This should include appropriate training which must cover the legal requirements on returning stakes and not paying prizes to underage customers.

## All non-remote casino licences

### Ordinary code provision

- 3.10** There should be a sufficient number of supervisors at casino entrances to enable a considered judgement to be made about the age of everyone attempting to enter the casino and to take the appropriate action (for example checking identification) whilst at the same time not allowing others to enter unsupervised. The nature of this task means that it cannot be properly accomplished only by using CCTV; it will require a physical presence. Heavily used entrances may require more than one designated supervisor.
- 3.11** Supervisors may be assisted by other door keepers provided the supervisor retains the responsibility for compliance with this section of the code and deals personally with any case where there is any doubt or dispute as to someone's eligibility to enter.
- 3.12** The Commission considers acceptable forms of identification to include: any identification carrying the PASS logo (for example Citizencard or Validate); a driving licence (including provisional licence) with photocard; or a passport.
- 3.13** Licensees should put into effect procedures that require their staff to check the age of any customer who appears to them to be under 21.
- 3.14** Licensees should consider permanent exclusion from premises of any adult accompanied by a child or young person on more than one occasion to premises restricted to adults, or if there is reason to believe the offence was committed knowingly or recklessly.
- 3.15** Procedures should be put into effect for dealing with cases where a child or young person repeatedly attempts to gamble on premises restricted to adults, including oral warnings, reporting the offence to the Gambling Commission and the police, and making available information on problem gambling.

## All adult gaming centre licences

### Social responsibility code provision

- 3.16** Licensees must have and put into effect policies and procedures designed to prevent underage gambling, and monitor the effectiveness of these.
- 3.17** This must include procedures for:
- checking the age of apparently underage customers
  - removing anyone who appears to be under age who tries to access the gambling facilities and cannot produce an acceptable form of identification
  - taking action when there are attempts by under-18s to enter the premises.
- 3.18** Licensees must not deliberately provide facilities for gambling in such a way as to appeal particularly to children or young people, for example by reflecting or being associated with youth culture.

- 3.19** In premises restricted to adults, service must be refused in any circumstances where any adult is accompanied by a child or young person.
- 3.20** Licensees must take all reasonable steps to ensure that all staff understand their responsibilities for preventing underage gambling. This must include appropriate training which must cover the legal requirements on returning stakes and not paying prizes to underage customers.
- 3.21** Licensees must only accept identification which:
- contains a photograph from which the individual can be identified
  - states the individual's date of birth
  - is valid
  - is legible and has no visible signs of tampering or reproduction.

## All adult gaming centre licences

### Ordinary code provision

- 3.22** The Commission considers acceptable forms of identification to include any identification carrying the PASS logo (for example Citizencard or Validate); a driving licence (including a provisional licence) with photocard; or a passport.
- 3.23** Licensees should put into effect procedures that require their staff to check the age of any customer who appears to them to be under 21.
- 3.24** Licensees should consider permanent exclusion from premises for any adult accompanied by a child or young person on more than one occasion to premises restricted to adults, or if there is reason to believe the offence was committed knowingly or recklessly.
- 3.25** Procedures should be put into effect for dealing with cases where a child or young person repeatedly attempts to gamble on premises restricted to adults, including oral warnings, reporting the offence to the Gambling Commission and the police, and making available information on problem gambling.

## All non-remote bingo and family entertainment centre licences

### Social responsibility code provision

- 3.26** Licensees must have and put into effect policies and procedures designed to prevent underage gambling, and monitor the effectiveness of these.
- 3.27** This must include procedures for:
- checking the age of apparently underage customers
  - refusing entry to any adult-only areas to anyone unable to produce an acceptable form of identification
  - taking action when there are unlawful attempts to enter the adult-only areas.
- 3.28** Licensees must not permit children or young people to gamble in the adults-only areas of premises to which they have access. If there is a 'no under-18s' premises policy, licensees must pay particular attention to the procedures they use at the entrance to the premises to check customers' ages.
- 3.29** Licensees must take all reasonable steps to ensure that all staff understand their responsibilities for preventing underage gambling, returning stakes and not paying prizes to underage customers and particularly for challenging any adult who may be complicit in allowing a child or young person to gamble.

- 3.30** Licensees must only accept identification which:
- contains a photograph from which the individual can be identified
  - states the individual's date of birth
  - is valid
  - is legible and has no visible signs of tampering or reproduction.

## **All non-remote bingo and family entertainment centre licences**

### **Ordinary code provision**

- 3.31** The Commission considers acceptable forms of identification to include: any identification carrying the PASS logo (for example Citizencard or Validate); a driving licence (including a provisional licence) with photocard; or a passport.
- 3.32** Licensees should require a person who appears to relevant staff to be under the age of 21 to be asked to produce proof of age, either at the point of entry to the gambling area or as soon as it comes to the attention of staff that they wish to access gambling facilities.
- 3.33** Licensees should have procedures for dealing with cases where an adult knowingly or recklessly allows a child or young person to gamble. These procedures might include refusing to allow the adult to continue to gamble, removing them from the premises, and reporting the incident to the police or local authorities, or taking action where forged identification is produced.
- 3.34** Procedures should be put into effect for dealing with cases where a child or young person repeatedly attempts to gamble on their premises, including oral warnings, reporting the offence to the Gambling Commission and the police, and making available information on problem gambling to the child or young person concerned.
- 3.35** Where it is likely that customers' young or otherwise vulnerable children will be left unattended on or adjacent to their premises, licensees should consider reminding customers of their parental responsibilities and assess whether there is a need to develop procedures for minimising the risk to such children.

## **All non-remote betting and remote betting intermediary (trading rooms only) licences**

### **Social responsibility code provision**

- 3.36** Licensees must have and put into effect policies and procedures designed to prevent underage gambling, and monitor the effectiveness of these.
- 3.37** This must include procedures for:
- checking the age of apparently underage customers
  - removing from adult-only licensed premises anyone who appears to be underage who tries to access the gambling facilities and cannot produce an acceptable form of identification
  - taking action when there are attempts by under-18s to enter adult-only premises
  - refusing entry to any adult-only area of a track to anyone unable to produce an acceptable form of identification
  - taking action when there are unlawful attempts to enter the adult-only areas.
- 3.38** Licensees must not deliberately provide facilities for gambling in such a way as to appeal particularly to children or, except in the case of football pools, young people, for example by reflecting or being associated with youth culture.

- 3.39** In premises restricted to adults, service must be refused in any circumstances where any adult is accompanied by a child or young person.
- 3.40** Licensees must take all reasonable steps to ensure that all staff understand their responsibilities for preventing underage gambling. This must include appropriate training which must cover the legal requirements on returning stakes and not paying prizes to underage customers.
- 3.41** Licensees must only accept identification which:
- contains a photograph from which the individual can be identified
  - states the individual's date of birth
  - is valid
  - is legible and has no visible signs of tampering or reproduction.
- 3.42** In the case of non-remote pool betting licensees, where pool entries or payments are collected door to door by the licensee or the licensee's authorised agent the licensee's procedures must include procedures for:
- checking the age of apparently underage entrants to the pool; and
  - taking action when there are unlawful attempts to enter the pool.

## **All non-remote betting and remote betting intermediary (trading rooms only) licences**

### **Ordinary code provision**

- 3.43** The Commission considers acceptable forms of identification to include any identification carrying the PASS logo (for example Citizencard or Validate); a driving licence (including a provisional licence) with photocard; or a passport.
- 3.44** Licensees should put into effect procedures that require their staff to check the age of any customer who appears to them to be under 21.
- 3.45** Licensees should consider permanent exclusion from premises for any adult accompanied by a child or young person on more than one occasion to premises restricted to adults, or if there is reason to believe the offence was committed knowingly or recklessly.
- 3.46** Procedures should be put into effect for dealing with cases where a child or young person repeatedly attempts to gamble on premises restricted to adults, including oral warnings, reporting the offence to the Commission and the police, and making available information on problem gambling.

## **All non-remote lottery licences**

### **Social responsibility code provision**

- 3.47** Licensees must have and put into effect policies and procedures designed to minimise the risk of lottery tickets being sold to children (that is, persons under 16). This must include procedures for:
- checking the age of apparently underage purchasers of lottery tickets
  - taking action when there are unlawful attempts to purchase tickets.
- 3.48** Licensees must take all reasonable steps to ensure that all those engaged in the promotion of lotteries in reliance on the licence understand their responsibilities for preventing underage gambling, returning stakes and not paying prizes to underage customers.

## All non-remote lottery licences

### Ordinary code provision

- 3.49** Licensees should require a person who appears to be under the age of 16 to be asked to produce proof of identity and age before purchasing a lottery ticket.

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

#### Social responsibility code provision

- 3.50** Licensees must have and put into effect policies and procedures designed to prevent underage gambling, and monitor the effectiveness of these.

- 3.51** Such procedures must include:

- a) warning potential customers that underage gambling is an offence;
- b) requiring customers to affirm that they are of legal age;
- c) regularly reviewing their age verification systems and implementing all reasonable improvements that may be made as technology advances and as information improves;
- d) ensuring that relevant staff are properly trained in the use of their age verification procedures; in particular customer services staff must be appropriately trained in the use of secondary forms of identification when initial verification procedures fail to prove that an individual is of legal age;
- e) enabling their gambling websites to permit filtering software to be used by adults (such as parents or within schools) in order to restrict access to relevant pages of those sites;
- f) in the case of any UK resident customer who deposits money using any type of payment method other than a credit card, and unless the licensee has established that a third party has satisfactorily carried out age verification, the following age verification procedures:
  - i) verifying additional information about the customer, such as carrying out searches of credit reference and other databases that list names and addresses of individuals over the age of 18;
  - ii) carrying out secondary age verification checks in any circumstances which give the operator reason to suspect that the person may be underage;
  - iii) not permitting the customer to withdraw any winnings from their account until age verification has been satisfactorily completed; and
  - iv) in any event, a requirement that if age verification has not been satisfactorily completed within 72 hours of the customer applying to register to gamble and depositing money:
    - the account will be frozen
    - no further gambling will be permitted until age verification has been successfully completed
    - if on completion of age verification the customer is shown to be underage, the operator must return to the customer any money paid in respect of the use of the gambling facilities, but no winnings shall be paid.
- g) in the case of any non-UK resident customer who deposits money using any type of payment method other than a credit card, and unless the licensee has established that a third party has satisfactorily carried out age verification, the following age

verification procedures:

- i) taking all reasonable steps to make use of information available for age verification purposes from whichever country the potential customer is resident in; and
  - ii) each of the following steps, unless they can not reasonably be implemented or, in the case of the fourth bullet point, a period of more than 72 hours was reasonably required:
    - verifying additional information about the customer, such as carrying out searches of credit reference and other databases that list names and addresses of individuals over the age of 18
    - carrying out secondary age verification checks in any circumstances which give the operator reason to suspect that the person may be underage
    - not permitting the customer to withdraw any winnings from their account until age verification has been satisfactorily completed
    - a requirement that if age verification has not been satisfactorily completed within 72 hours of the customer applying to register to gamble and depositing money:
      - the account will be frozen;
      - no further gambling will be permitted until age verification has been successfully completed; and
      - if on completion of age verification the customer is shown to be underage all deposits held by the operator are returned to the customer and no winnings paid.
- h) in the case of any customer who registers to gamble and deposits money using a credit card, conducting a programme of random checks of credit card users for compliance with age restrictions.

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

#### **Ordinary code provision**

- 3.52** Licensees should, and should request their contracted partners to, draw attention to parental responsibility as part of the purchasing process of facilities such as mobile phones and interactive television.

### **Information on how to gamble responsibly and help for problem gamblers**

#### **All licences, except gaming machine technical, gambling software, ancillary remote bingo and ancillary remote casino licences**

##### **Social responsibility code provision**

- 3.53** Licensees must make information readily available to their customers on how to gamble responsibly and how to access information about, and help in respect of, problem gambling.
- 3.54** The information must cover:
- any measures provided by the licensee to help individuals monitor or control their gambling, such as restricting the duration of a gambling session or the amount of money they can spend



- timers or other forms of reminders or 'reality checks' where available
- self-exclusion options
- information about the availability of further help or advice.

**3.55** The information must be directed to all customers whether or not licensees also make available material which is directed specifically at customers who may be 'problem gamblers'.

**3.56** For gambling premises, information must be available in all areas where gambling facilities are provided and adjacent to ATMs where these are not located in a gambling area. As a minimum, information must be displayed prominently on posters appropriate to the size and layout of the premises and contained in leaflets that may be taken away. Licensees must take all reasonable steps to ensure that this information is also readily accessible in locations which enable the customer to obtain it discreetly.

## **All licences, except gaming machine technical, gambling software, ancillary remote bingo and ancillary remote casino licences**

### **Ordinary code provision**

**3.57** Licensees who market their services in one or more foreign languages should make available in that, or those, foreign languages:

- the information on how to gamble responsibly and access to help referred to above
- the players' guides to any game, bet or lottery required to be made available to customers under provisions in this code
- the summary of the contractual terms on which gambling is offered, which is required to be provided to customers as a condition of the licensee's operating licence.

## **Customer interaction**

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

#### **Social responsibility code provision**

**3.58** Licensees must put into effect policies and procedures for customer interaction where they have concerns that a customer's behaviour may indicate problem gambling. The policies must include:

- identification of the appropriate level of management who may initiate customer interaction and the procedures for doing so
- the types of behaviour that will be logged/reported to the appropriate level of staff and which may trigger customer interaction at an appropriate moment
- the circumstances in which consideration should be given to refusing service to customers and/or barring them from the operator's gambling premises
- training for all staff on their respective responsibilities, in particular so that they know who is designated to deal with problem gambling issues.

**3.59** But such policies and procedures must be consistent with, and implemented with due regard to, licensees' duties in respect of the health and safety of their staff.

## Self-exclusion

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

#### Social responsibility code provision

- 3.60** Licensees must have and put into effect procedures for self-exclusion and take all reasonable steps to refuse service or to otherwise prevent an individual who has entered a self-exclusion agreement from participating in gambling.
- 3.61** Licensees must, as soon as practicable, take all reasonable steps to prevent any marketing material being sent to a self-excluded customer.
- 3.62** Licensees must take steps to remove the name and details of a self-excluded individual from any marketing databases used by the company or group (or otherwise flag that person as an individual to whom marketing material must not be sent), within two days of receiving the completed self-exclusion notification.
- 3.63** This covers any marketing material relating to gambling, or other activities that take place on the premises where gambling may take place. However, it would not extend to blanket marketing which is targeted at a particular geographical area and where the excluded individual would not knowingly be included.
- 3.64** Licensees must close any customer accounts of an individual who has entered a self exclusion agreement and return any funds held in the customer account. It is not sufficient merely to prevent an individual from withdrawing funds from their customer account whilst still accepting wagers from them. Where the giving of credit is permitted, the licensee may retain details of the amount owed to them by the individual, although the account must not be active.
- 3.65** Licensees must put into effect procedures designed to ensure that an individual who has self-excluded cannot gain access to gambling. These procedures must include:
- a register of those excluded with appropriate records (name, address, other details, and any membership or account details that may be held by the operator)
  - photo identification (where available and in particular where enforcement of the system may depend on photographic ID), and a signature
  - staff training to ensure that staff are able to enforce the systems
  - the removal of those persons found in the gambling area or attempting to gamble from the premises.

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

#### Ordinary code provision

- 3.66** Self-exclusion procedures should require individuals to take positive action in order to self-exclude. This can be a signature on a self-exclusion form.
- 3.67** Wherever practicable, individuals should be able to self-exclude without having to enter gambling premises.
- 3.68** Before an individual self-excludes, licensees should provide or make available sufficient information about what the consequences of self-exclusion are.



- 3.69** Licensees should take all reasonable steps to extend the self-exclusion to premises of the same type owned by the operator in the customer's local area. In setting the bounds of that area licensees may take into account the customer's address (if known to them), anything else known to them about the distance the customer ordinarily travels to gamble and any specific request the customer may make.
- 3.70** Licensees should encourage the customer to consider extending their self exclusion to other licensees' gambling premises in the customer's local area.
- 3.71** Customers should be given the opportunity to discuss self-exclusion in private, where possible.
- 3.72** Licensees should take steps to ensure that:
- the self-exclusion period is a minimum of six months and give customers the option of extending this to a total of at least five years
  - a customer who has decided to enter a self-exclusion agreement is given the opportunity to do so immediately without any cooling-off period. However, if the customer wishes to consider the self-exclusion further (for example to discuss with problem gambling groups) the customer may return at a later date to enter into self-exclusion
  - at the end of the period chosen by the customer (and at least six months later), the self-exclusion remains in place, unless the customer takes positive action in order to gamble again. No marketing material should be sent to the individual unless the individual has taken positive action in order to gamble again, and has agreed to accept such material
  - where a customer chooses not to renew the self-exclusion, and makes a positive request to begin gambling again, the customer is given one day to cool off before being allowed access to gambling facilities. The contact must be made via telephone or in person.
- 3.73** The licensee should retain the records relating to a self-exclusion agreement at least until the agreement has been formally ended.

(Please note that the Commission does not require the licensee to carry out any particular assessment or make any judgement as to whether the previously self-excluded individual should again be permitted access to gambling. The requirement to take positive action in person or over the phone is purely to a) check that the customer has considered the decision to access gambling again and allow them to consider the implications; and b) implement the one day cooling-off period and explain why this has been put in place.)

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

**Social responsibility code provision**

- 3.74** Licensees must have and put into effect procedures for self-exclusion and take all reasonable steps to refuse service or to otherwise prevent an individual who has entered a self-exclusion agreement from participating in gambling.
- 3.75** Licensees must, as soon as practicable, take all reasonable steps to prevent any marketing material being sent to a self-excluded customer.
- 3.76** Licensees must take steps to remove the name and details of a self-excluded individual from any marketing databases used by the company or group (or otherwise flag that person as an individual to whom marketing material must not be sent), within two days of receiving the completed self-exclusion notification.

- 3.77** This covers any marketing material relating to gambling. However, it would not extend to blanket marketing which is targeted at a particular geographical area and where the excluded individual would not knowingly be included.
- 3.78** Licensees must close any customer accounts of an individual who has entered a self-exclusion agreement and return any funds held in the customer account. It is not sufficient merely to prevent an individual from withdrawing funds from their customer account whilst still accepting wagers from them. Where the giving of credit is permitted, the licensee may retain details of the amount owed to them by the individual, although the account must not be active.
- 3.79** Licensees must put into effect procedures designed to ensure that an individual who has self-excluded cannot gain access to gambling. These procedures must include:
- a register of those excluded with appropriate records (name, address, other details, and any membership or account details that may be held by the operator)
  - a record of the card numbers to be excluded
  - staff training to ensure that staff are able to enforce the systems
  - the removal of access from those persons found to have gambled or who have attempted to gamble on the facilities.

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

**Ordinary code provision**

- 3.80** Self-exclusion procedures should require individuals to take positive action in order to self-exclude:
- over the **internet**; this can be a box that must be ticked in order to indicate that they understand the system
  - by **telephone**; this can be a direct question asking whether they understand the system.
- 3.81** Before an individual self-excludes, licensees should provide or make available sufficient information about what the consequences of self-exclusion are.
- 3.82** Licensees should encourage the customer to consider extending their self exclusion to other remote gambling operators currently used by the customer.
- 3.83** Customers should be given the opportunity to self-exclude by contacting customer services and in addition, where technically possible, by entering an automated process using remote communication. In order to avoid inadvertent self-exclusion it is acceptable for an automated process to include an additional step that requires the customer to confirm that they wish to self-exclude. The licensee should ensure that all staff who are involved in direct customer service are aware of the self-exclusion system in place, and are able to direct that individual to an immediate point of contact with whom/which to complete that process.
- 3.84** Within the licensee's information about self-exclusion policies, the licensee should provide a statement to explain that software is available to prevent an individual computer from accessing gambling internet sites. The licensee should provide a link to a site where further information is available.
- 3.85** Licensees should take all reasonable steps to ensure that:
- the self-exclusion period is a minimum of six months and give customers the option of extending this to a total of at least five years
  - a customer who has decided to enter a self-exclusion agreement is given the opportunity to do so immediately without any cooling-off period. However, if the

customer wishes to consider the self-exclusion further (for example to discuss with problem gambling groups) the customer may return at a later date to enter into self-exclusion

- at the end of the period chosen by the customer (and at least six months later), the self-exclusion remains in place, unless the customer takes positive action in order to gamble again. No marketing material should be sent to the individual unless the individual has taken positive action in order to gamble again, and has agreed to accept such material
- where a customer chooses not to renew the self-exclusion, and makes a positive request to begin gambling again, the customer is given one day to cool off before being allowed access to the gambling facilities. The contact must be made via telephone or in person; re-registering online is not sufficient.

**3.86** The licensee should retain the records relating to a self-exclusion agreement at least until the agreement has been formally ended.

(Please note that the Commission does not require the licensee to carry out any particular assessment or make any judgement as to whether the previously self excluded individual should again be permitted access to gambling. The requirement to take positive action in person or over the phone is purely to a) check that the customer has considered the decision to access gambling again and allow them to consider the implications; and b) implement the one day cooling-off period and explain why this has been put in place.)

## Employment of children and young persons

### All lottery licences and pool betting licences restricted to football pools

#### Ordinary code provision

**3.87** Licensees who employ young persons (16 and 17 year olds) to sell tickets, collect payments or pay out winnings should have and put into effect policies and procedures designed to ensure that all staff, including staff who are young persons themselves, are made aware that the law prohibits underage gambling, and that tickets may only be sold to persons aged 16 or over.

### All non-remote bingo licences

#### Ordinary code provision

**3.88** Licensees who employ children (under-16-year-olds) and young persons (those aged 16 or 17) should be aware that it is an offence:

- a) to employ them to provide facilities for playing bingo;
- b) for their contracts of employment to require them, or for them to be permitted, to perform a function in connection with a gaming machine; and
- c) to employ a child to perform any function on premises where, and at a time when, facilities are being provided for playing bingo.

As to b) it should be noted that in the Commission's view the relevant provision of the Act applies to any function performed in connection with a gaming machine. This includes servicing or cleaning such a machine.

**3.89** Accordingly, licensees should have and put into effect policies and procedures designed to ensure that:

- children and young persons are never asked to perform tasks within a) or b) above
- all staff, including those who are children and young persons themselves, are instructed about the laws relating to access to gambling by children and young persons.

and should consider adopting a policy that:

- children are not employed to work on bingo licensed premises at any time when the premises are open for business
- neither children nor young persons are in any event asked to work in areas where gaming machines are situated.

## All non-remote casino licences

### Ordinary code provision

**3.90** Licensees who employ children (under-16-year-olds) and young persons (those aged 16 and 17) should be aware that it is an offence:

a) to employ them to provide facilities for gambling;

b) if gaming machines are sited on the premises, for their contracts of employment to require them, or for them to be permitted, to perform a function in connection with a gaming machine at any time; and

c) to employ them to carry out any other function on casino licensed premises while any gambling activity is being carried on in reliance on the premises licence (except that they can be employed on a part of regional casino premises when that part of the premises is not being used for the provision of facilities for gambling).

As to b) it should be noted that in the Commission's view the relevant provision of the Act applies to any function performed in connection with a gaming machine. This includes servicing or cleaning such a machine.

**3.91** Accordingly, licensees should have and put into effect policies and procedures designed to ensure that:

- children and young persons are never asked to perform tasks within a) or b) above
- all staff, including those who are children or young persons themselves, are instructed about the laws relating to access to gambling by children and young persons

and should consider adopting a policy that:

- children and young persons are not employed to work on casino licensed premises (other than in an area of a regional casino where gambling does not take place) at any time when the premises are open for business
- gaming machines are turned off if children and young persons are working on the premises outside the hours when the premises are open for business.

## All non-remote general, pool betting and remote betting intermediary (trading rooms only) licences

### Ordinary code provision

**3.92** Licensees who employ children (under-16-year-olds) and young persons (those aged 16 and 17) should be aware that it is an offence:

a) to employ children to provide facilities for gambling in connection with football pools;

b) otherwise to employ children and young persons to provide facilities for gambling;

c) if gaming machines are sited on the premises, for their contracts of employment to require them, or for them to be permitted, to perform a function in connection with a gaming machine at any time; and

d) to employ them to carry out any other function on betting licensed premises while any gambling activity is being carried on in reliance on the premises licence.

As to c) it should be noted that in the Commission's view the relevant provision of the Act applies to any function performed in connection with a gaming machine. This includes servicing or cleaning such a machine.

**3.93** Accordingly, licensees should have and put into effect policies and procedures designed to ensure that:

- children are never asked to perform tasks within (a) above
- children and young persons are never asked to perform tasks within b) above
- all staff, including those who are children or young persons themselves, are instructed about the laws relating to access to gambling by children and young persons

and should consider adopting a policy that:

- children and young persons are not employed to work on betting licensed premises at any time when the premises are open for business
- gaming machines are turned off if children and young persons are working on the premises outside the hours when the premises are open for business.

## All adult gaming centre licences

### Ordinary code provision

**3.94** Licensees who employ children (under-16-year-olds) and young persons (those aged 16 and 17) should be aware that it is an offence:

a) to employ them to provide facilities for gambling;

b) if gaming machines are sited on the premises, for their contracts of employment to require them, or for them to be permitted, to perform a function in connection with a gaming machine at any time; and

c) to employ them to carry out any other function on adult gaming centre licensed premises while any gambling activity is being carried on in reliance on the premises licence;

As to b) it should be noted that in the Commission's view the relevant provision of the Act applies to any function performed in connection with a gaming machine. This includes servicing or cleaning such a machine.

**3.95** Accordingly, licensees should have and put into effect policies and procedures designed to ensure that:

- children and young persons are never asked to perform tasks within a) or b) above
- all staff, including those who are children or young persons themselves, are instructed about the laws relating to access to gambling by children and young persons

and should consider adopting a policy that:

- children and young persons are not employed to work on adult gaming centre licensed premises at any time when the premises are open for business
- gaming machines are turned off if children and young persons are working on the premises outside the hours when the premises are open for business.

## All family entertainment centre licences

### Ordinary code provision

- 3.96** Licensees who employ children (under-16-year-olds) and young persons (those aged 16 and 17) should be aware that it is an offence:
- a) to employ them to provide facilities for gambling; and
  - b) if gaming machines are sited on the premises, for their contracts of employment to require them, or for them to be permitted, to perform a function in connection with a gaming machine at any time.

As to b) it should be noted that in the Commission's view the relevant provision of the Act applies to any function performed in connection with a gaming machine. This includes servicing or cleaning such a machine.

- 3.97** Accordingly, licensees should have and put into effect policies and procedures designed to ensure that:
- children and young persons are never asked to perform tasks within a) or b) above
  - all staff, including those who are children or young persons themselves, are instructed about the laws relating to access to gambling by children and young persons

and should consider adopting a policy that:

- children and young persons are not employed to carry out any work in an adult-only area of family entertainment licensed premises at a time when any gambling is taking place
- gaming machines sited in adult-only areas are turned off if children and young persons are working on the premises outside the hours when the premises are open for business.

## All remote licences, except remote lottery, remote pool betting, remote gaming machine technical, remote gambling software, ancillary remote bingo, ancillary remote casino and remote betting intermediary (trading rooms only) licences

### Ordinary code provision

- 3.98** Licensees who employ children (under-16-year-olds) and young persons (those aged 16 and 17) should be aware that it is an offence to employ them to provide facilities for gambling.

## All remote pool betting licences

### Ordinary code provision

- 3.99** Licensees who employ children (under-16-year-olds) and young persons (those aged 16 and 17) should be aware that it is an offence:
- a) to employ children to provide facilities for gambling in connection with football pools; and
  - b) otherwise to employ children and young persons to provide facilities for gambling.



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

**All non-remote general betting licences, except where betting is offered under a 2005 Act casino premises licence, pool betting, betting intermediary and lottery licences and all remote licences, except gaming machine technical, gambling software, ancillary remote casino, ancillary remote bingo and remote betting intermediary (trading rooms only) licences**

### Social responsibility code provision

**3.100** Licensees who choose to accept credit cards must:

- accept payment by credit card for gambling only where that payment is made to a customer account
- make available for gambling, funds deposited via credit card only after the card issuer has approved the transaction.

**All non-remote general betting licences, except where betting is offered under a 2005 Act casino premises licence, pool betting licences and all remote licences (including ancillary remote betting licences), except gaming machine technical, gambling software, ancillary remote casino, ancillary remote bingo and remote betting intermediary (trading rooms only) licences**

### Ordinary code provision

**3.101** Licensees who choose to offer credit to members of the public who are not themselves gambling operators should also:

- have procedures for checking and scoring applications for credit from such customers, for setting, and for the increase of, credit limits
- explain these procedures to customers
- set a maximum credit limit for each customer and not permit customers to exceed that limit without further application
- apply a 24-hour delay between receiving a request for an increase in a credit limit and granting it in those cases where the limit exceeds that which the operator previously set
- not require a minimum spend within a set time period
- take all reasonable steps to ensure that offers of credit are not sent to vulnerable persons, including those who have self-excluded from gambling
- ensure that information about an offer of credit includes a risk warning of what may happen in the event of default.

## Money lending between customers

### All non-remote casino licences

#### Ordinary code provision

**3.102** Licensees should take steps to prevent systematic or organised money lending between customers on their premises.

**3.103** While the nature of those steps will depend to some extent on the layout and size of the premises, they should cover matters such as:

- systems for monitoring for such activity

- instructions to staff concerning what they should do if they spot what they believe to be significant money lending and to managers about the ways in which they should handle and act on any such lending
- excluding from the premises, either temporarily or permanently as appropriate, any person whom the evidence suggests has become involved in organised or systematic money lending.

**3.104** There should be appropriate arrangements in place to cover any cases where it appears that the lending may be commercial in nature or may involve money laundering. In the latter case, the requirements in respect of reporting suspicious transactions must be followed. In all cases where the operator encounters systematic or organised money lending, a report should be made to the Commission.

### **All non-remote bingo, general betting, adult gaming centre, family entertainment centre and remote betting intermediary (trading rooms only) licences**

#### **Ordinary code provision**

**3.105** Licensees should seek to prevent systematic or organised money lending between customers on their premises. As a minimum, they should have arrangements in place to ensure staff are requested to report any instances of substantial money lending when they become aware of them.

### **Identification of individual customers**

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

##### **Social responsibility code provision**

**3.106** Licensees must have and put into effect policies and procedures designed to identify separate accounts which are held by the same individual.

**3.107** Where licensees allow customers to hold more than one account with them, the licensee must link all of a customer's such accounts to that customer and ensure that:

- if a customer opts to self-exclude from one account they are excluded from all accounts they hold with the licensee
- all of a customer's accounts are monitored and decisions that trigger customer interaction are based on the observed behaviour and transactions across all the accounts
- where credit is offered or allowed the maximum credit limit is applied on an aggregate basis across all accounts
- individual financial limits can be implemented across all of a customer's accounts.

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

##### **Ordinary code provision**

**3.108** Where a licensee:  
i) is a company, the licensee should take all reasonable steps to comply with the above social responsibility code provision as if it also applied to accounts held in respect of gambling carried



on in reliance on a remote operating licence held by any Group Company;  
ii) also holds a licence in another jurisdiction permitting it to provide facilities for remote gambling (a 'foreign licence') or is a company one or more of whose Group Companies holds one or more foreign licences, the licensee should take all reasonable steps to comply with the above social responsibility code provision as if it applied also to accounts held in respect of gambling carried on in reliance on a foreign licence held by the licensee or any Group Company.

**3.109** A company is a Group Company in relation to a licensee if it is the holding company of, subsidiary of, or shares a common holding company with, the licensee. For these purposes 'holding company' and 'subsidiary' respectively have the meanings ascribed to them by section 1159 of the Companies Act 2006 or any statutory modification or re-enactment thereof.

## 4 'Fair and open' provisions

### All licences, except gaming machine technical and gambling software licences

#### Social responsibility code provision

- 4.1 Licensees must be able to provide evidence to the Commission, if required, showing how they satisfied themselves that their terms are not unfair.

### All non-remote casino licences

#### Social responsibility code provision

- 4.2 In complying with any condition on a casino premises licence requiring the display of rules about gaming, licensees must ensure that the following are included:
- the rules of each type of casino game available to be played
  - a player's guide to the house edge
  - a player's guide to the rules of any equal chance games which are made available.

### All non-remote bingo licences

#### Social responsibility code provision

- 4.3 In complying with any condition on a bingo premises licence or a 2005 Act large casino premises licence requiring the display of rules about gaming, licensees must ensure that the following are included:
- rules about each variant of bingo made available
  - rules about any prize gaming made available.

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

#### Social responsibility code provision

- 4.4 Licensees must make the following available to customers:
- a player's guide to each gambling opportunity (bet, game or lottery) made available by the operator
  - such additional information relating to the available gambling as the Commission shall from time to time publish to licensees: the current requirements are set out in an Annex to the Commission's Technical Standards.

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

**Ordinary code provision**

- 4.5** Where practicable, the player's guide and additional information referred to in the social responsibility code should be made available through the medium in which the remote gambling is to be conducted. Where that is not practicable, licensees should either:
- send a copy of the guide and required additional information by post, fax or email or
  - make these available to the customer in another medium to which he has access.

**All non-remote casino licences**

**Social responsibility code provision**

- 4.6** Licensees must have and put into effect policies and procedures designed to ensure that proper supervision of gaming at tables is carried out by supervisors, pit bosses and croupiers in order to ensure the integrity of the gaming is not compromised. Such policies and procedures must take into account, but need not be limited by, any mandatory premises licence conditions relating to the layout of premises.

**All general betting and betting intermediary licences, except remote betting intermediary (trading rooms only) licences**

**Social responsibility code provision**

- 4.7** Licensees must set out within the full rules that they make available, the core elements for the acceptance and settlement of bets. These rules must cover:
- the circumstances under which the operator will void a bet
  - treatment of errors, late bets and related contingencies
  - availability of odds for any ante-post, early show or starting price betting, and treatment of place, forecast bets etc
  - treatment of withdrawals, non-runners, and reformed markets
  - maximum payout limiting liability for a specific betting product or generally
  - any charges made to customers for the use of betting services or products, and how these are calculated (including deductions from winnings for commission, or in respect of withdrawn horses etc)
  - means or medium by which the outcome of an event will be determined
  - the rules for the event itself to be specified (eg horserace bets only to be accepted where the racing is subject to Horseracing Regulatory Authority rules)
  - where bets are accepted on 'pari-mutuel' terms
  - any special arrangements for settling bets on 'coupled' horses.
- 4.8** Where special rules have been agreed in relation to a particular bet these must not be overridden by any conflicting rules or subsequent rule changes.
- 4.9** Licensees must issue a betting slip or an electronic acknowledgement (other than in the case of telephone betting) for each transaction which includes information as to the operator's name and contact details, and words equivalent to 'Bets are accepted in accordance with the operator's rules'.

## All non-remote general betting licences

### Social responsibility code provision

- 4.10** In their terms on which bets may be placed (required to be displayed in accordance with mandatory conditions attaching to their premises licences) licensees must give prominence to their rules concerning voiding, late bets and maximum payouts.
- 4.11** When providing facilities for betting on-course, licensees must display on their 'joints' in an intelligible format:
- any rules that differ from Tattersalls' 'Rules on Betting' or the British Greyhound Racing Board's 'Regulations for the conduct of on-course bookmaking' as applicable<sup>2</sup>
  - any types of unorthodox bets accepted (such as forecast betting, betting without the favourite, distance betting etc)
  - whether win-only or each way bets are accepted
  - any concessions or bonuses offered
  - all of the runners and the odds available to the public
  - the operator's trading name and contact address
  - the minimum bet accepted
  - the maximum guaranteed liability.
- 4.12** Licensees operating within the ring at horserace tracks must issue customers with a betting slip or ticket for each transaction accepted. Betting slips or tickets must include the following information:
- operator's name and contact details
  - race day name or code, date and race number
  - name and/or number of the selection
  - the stake and potential return
  - the odds, or whether the bet will be settled according to the Starting Price
  - the type of bet.
- 4.13** Any special rules which have been agreed in relation to a particular bet must not be overridden by any conflicting rules or subsequent rule changes.

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

### Ordinary code provision

- 4.14** Licensees should ensure that the terms on which they contract with third parties who provide user interfaces enabling customers to access their remote gambling facilities:
- include a term that any such user interface comply with the Commission's technical standards for remote gambling systems
  - enable them to terminate the third party's contract promptly if, in the licensee's opinion, the third party is in breach of that term.

<sup>2</sup> The references to Tattersalls' 'Rules on Betting' and the British Greyhound Racing Board's Regulations for the conduct of on-course bookmaking' reflect the current position and may need to be amended in future.

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

### **Ordinary code provision**

- 4.15** Where licensees offer to accept bets, or facilitate the making or acceptance of bets between others, on the outcome of a sport regulated by a sport governing body for the time being included in Part 3 of Schedule 6 of the Act they should take all reasonable steps to familiarise themselves with the rules applied by that body on betting, in particular betting by registered participants.

## **5 Marketing**

### **All licences (including ancillary remote licences), except gaming machine technical and gambling software licences**

#### **Social responsibility code provision**

- 5.1** If a licensee makes available to any customer or potential customer any incentive or reward scheme or other arrangement under which the customer may receive money, goods, services or any other advantage (including the discharge in whole or in part of any liability of his) ('the benefit') the scheme must be designed to operate, and be operated, in such a way that:
- a) the circumstances in which, and conditions subject to which, the benefit is available are clearly set out and readily accessible to the customers to whom it is offered;
  - b) neither the receipt nor the value or amount of the benefit is:
    - (i) dependent on the customer gambling for a pre-determined length of time or with a pre-determined frequency; or
    - (ii) altered or increased if the qualifying activity or spend is reached within a shorter time than the whole period over which the benefit is offered;
  - c) if the value of the benefit increases with the amount the customer spends it does so at a rate no greater than that at which the amount spent increases;
- 5.2** and further that:
- d) if the benefit comprises free or subsidised travel or accommodation which facilitates the customer's attendance at particular licensed premises the terms on which it is offered are not directly related to the level of the customer's prospective gambling.

### **All licences (including ancillary remote licences), except gaming machine technical and gambling software licences**

#### **Ordinary code provision**

- 5.3** Licensees should only offer incentive or reward schemes in which the benefit available is proportionate to the type and level of customers' gambling.

### **All non-remote bingo and casino licences**

#### **Social responsibility code provision**

- 5.4** If licensees offer customers free or discounted alcoholic drinks for consumption on the premises they must do so on terms which do not in any way link the availability of such drinks to whether, or when, the customer begins, or continues, to gamble.

- 5.5** Licensees must not make unsolicited offers of free alcoholic drinks for immediate consumption by customers at a time when they are participating in a casino game, bingo game or playing a gaming machine.

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

### **Social responsibility code provision**

- 5.6** Where a licensee employs agents to promote its business (wherever that business is conducted), it must ensure that its agreement with any agent makes clear that the agent must not encourage players to play longer or wager more than the player might otherwise do. In particular, payments should not be directly dependent upon, nor directly calculated by reference to, the length of time for which, or frequency with which, the customer gambles. If the payment to the agent increases with the amount the customer spends it must do so at a rate no greater than that at which the amount spent increases.

## **All lottery licences**

### **Ordinary code provision**

- 5.7** With a view to minimising the risk of fraud, licensees who are non-commercial societies or external lottery managers should adopt one or more of the following measures:
- prohibit the unsolicited mailing of tickets to non-members of the promoting society
  - limit the value of tickets sent to any one address which is not that of a member of the promoting society to £20
  - maintain records of tickets distributed and not returned.

## **All licences**

### **Ordinary code provision**

- 5.8** All advertising of gambling products and services should be undertaken in a socially responsible manner. In particular, licensees should comply with the advertising codes of practice which apply to the form and media in which they advertise their gambling facilities or services, and for media not explicitly covered should apply the principles included in these codes of practice as if they were explicitly covered. Licensees should also follow any relevant industry code of practice on advertising.
- 5.9** However, the particular restriction on allowing people aged under 25 to appear in adverts need not be applied to point of sale advertising material, provided that the images used depict the sporting activity that may be gambled on and not the activity of gambling itself and do not offend any other aspect of the advertising codes.

## **All remote licences, except gaming machine technical, gambling software and ancillary remote licences**

### **Ordinary code provision**

- 5.10** Licensees should ensure that the terms on which they contract with their affiliates (that is those who are given a right to advertise, or provide a hyper-link to, a licensee's gambling website) enable them to terminate the affiliate's rights promptly if, in the licensee's opinion, the affiliate is in breach of the advertising codes.

## 6 Complaints and disputes

### All licences (including ancillary remote licensees), except gaming machine technical and gambling software licences

#### Social responsibility code provision

- 6.1** Licensees must put into effect a written procedure for handling customer complaints and disputes.
- 6.2** In this code a 'complaint' means a complaint about any aspect of the licensee's conduct of the licensed activities, and a 'dispute' is any complaint which:
- a) is not resolved at the first stage of the complaints procedure; and
  - b) relates to the outcome of the complainant's gambling transaction.
- 6.3** Licensees must ensure that:
- customers are told the name and status of the person to contact about their complaint
  - customers are given a copy of the complaints procedure on request or on making a complaint
  - all complaints are handled in accordance with the procedure.
- 6.4** Licensees must also ensure that they have arrangements in place for disputes to be referred to an independent third party. Customers whose disputes are not resolved to their satisfaction by use of the operator's complaints procedure may refer those disputes to this independent third party. The arrangements under which such complaints are referred may, but need not, provide for the third party's decision to be binding on the licensee and the customer.
- 6.5** Licensees must keep a record of all complaints that are not resolved at the first stage of the complaints procedure.
- 6.6** Licensees must arrange for a copy of the decision on, or a note of the outcome of, each dispute referred to the independent party to be provided to the Commission quarterly, either by the independent party or by the licensee.

## **7 Gambling licensees' staff**

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

#### **Social responsibility code provision**

- 7.1** Licensees must have and put into effect policies and procedures to manage relationships between staff and customers, based on the principle that in carrying out their duties staff must not engage in any conduct which is, or could be, likely to prejudice the licensing objectives.

### **All licences, including betting ancillary remote licences, but not other ancillary remote licences**

#### **Social responsibility code provision**

- 7.2** Licensees must take all reasonable steps to ensure that staff involved in the provision of facilities for gambling are made aware of advice on socially responsible gambling and of where to get confidential advice should their gambling become hard to control.



## 8 Pool betting

### All pool betting licences

#### Social responsibility code provision

- 8.1** Licensees or any person they authorise to offer pool betting on their behalf under authority of section 93 of the Act must publish their rules relevant to the following:
- the deduction levels for overheads, taxes, profits etc, expressed as a percentage, from each available pool
  - the rounding of winning dividends to a whole unit
  - the procedure for when there is no winner of the pool, and the circumstances in which the pool is carried over
  - the period of time in which a winning bet may be claimed from the pool operator.

### All non-remote pool betting licences authorised to offer pool betting on dog races

#### Social responsibility code provision

- 8.2** Licensees or any person they authorise to offer pool betting on their behalf under authority of section 93 of the Act, must only accept bets through equipment capable of communicating bets to a central recording system.
- 8.3** The equipment must supply the person placing the bet with a betting slip or ticket containing the following information:
- the date on which the bet is made
  - the amount of the stake
  - the identity of the track, the number or time of the race and the pool in respect of which the bet is made
  - the selection or selections or combination of selections as indicated
  - means of identifying the equipment recording the bet.
- 8.4** The central recording system must collect all bets made to each of the operator's pools and all information required to calculate the winnings of each pool and be capable of storing this information for subsequent retrieval if required by the Commission.
- 8.5** Licensees and any person they authorise to offer pool betting on their behalf under authority of section 93 of the Act must:
- provide a public display system within sight of all of the operator's terminals capable of accepting pool bets situated on-course. The system must display the potential dividend returns in respect of win and place outcomes from each pool operated, and in at least one place the units staked on all types of combination bets offered.

This information is to be updated whilst the pool market is open. Following conclusion of the event to which the pool relates, the total amount payable as winning dividends must be displayed as soon as practicable

- display prominently the minimum stake that will be accepted as a bet.

## 9 Information requirements

### All licences, except ancillary remote licences

#### Ordinary code provision

**9.1** The Commission expects licensees to work with the Commission in an open and cooperative way and to inform the Commission of any matters that the Commission would reasonably need to be aware of in exercising its regulatory functions. These are matters that will have a material impact on the licensee's business or on the licensee's ability to conduct its business. Such matters, which should be notified to the Commission as soon as reasonably practicable<sup>3</sup>, include the following:

- the departure from the licensee's business of any person named in the licence application, or that person's successor, who holds a personal management licence, but who does not occupy a 'qualifying position'
- any reduction in the number of staff employed by the licensee where that has a material impact on the licensee's business
- the acquisition or disposal by the licensee of gambling premises or pitches where that has a material impact on the size or nature of the licensee's business
- in the case of corporate licensees, the disposal or acquisition of any group company where that has a material impact on the licensee's ability to conduct its business
- any disposal of the licensee's assets where that has a material impact on the licensee's business
- any investigation by a professional, statutory, regulatory or government body into the licensee's activities, or the activities in relation to the licensed entity of a personal licence holder or a person occupying a qualifying position employed by them, where such an investigation could result in the imposition of a sanction or penalty which, if imposed, could reasonably be expected to raise doubts about the licensee's continued suitability to hold a Commission licence
- any instance of criminal activity, including repeated instances of small-scale theft or fraud, where that has a material impact on the licensee's business
- any major breach in the licensee's information security where that adversely affects the confidentiality of customer data or prevents customers from accessing their accounts for a substantial period of time
- any other matters that have a material impact on the licensee's business or on the licensee's ability to conduct its business.

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<sup>3</sup> These matters can be reported securely online at the Commission's website at [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk) or by email to [key.events@gamblingcommission.gov.uk](mailto:key.events@gamblingcommission.gov.uk) or posted to Key Events, Compliance Administration Team, Gambling Commission, Victoria Square House, Victoria Square, Birmingham, B2 4BP

## 10 Primary gambling activity

### **Non-remote general betting, bingo and casino operating licences, except where facilities are offered under a 2005 Act casino premises licence**

#### **Ordinary code provision**

**10.1** In order to demonstrate that the primary gambling activity for which an operating licence has been issued is being offered in each licensed premises, licensees should have regard to the following general factors:

- the ratio of the space available to customers allocated to the primary gambling activity, to that allocated to other gambling activities
- the extent to which the primary gambling activity is promoted on the premises and by way of external advertising compared to other gambling activities
- the use, either expected or actual, to be made of the different gambling facilities.

**10.2** Licensees should also have regard to the following additional sector specific factors:

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

#### **Ordinary code provision**

- the frequency and extent that bingo is, or is intended to be, played on the premises, compared with the periods when the premises are open
- whether there is:
  - capacity on the premises for the generation of main stage bingo numbers
  - a facility to sell tickets or cards for bingo games on the premises
  - bingo available to be played whenever sessions are advertised
  - display of prize board information
  - a means of stopping a game to claim a win.

**Not** all the indicators would need to be present in a particular case, nor do they preclude others, but the combination of those factors that are present should be sufficient to indicate that the activity is the primary one in any given premises.

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

#### **Ordinary code provision**

- the proportion of the gaming day for which live tables are, or will, be made available on demand.

**Not** all the indicators would need to be present in a particular case, nor do they preclude others, but the combination of those factors that are present should be sufficient to indicate that the activity is the primary one in any given premises.

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

#### **Ordinary code provision**

- the range and frequency of events on which bets can be made.

**Not** all the indicators would need to be present in a particular case, nor do they preclude others, but the combination of those factors that are present should be sufficient to indicate that the activity is the primary one in any given premises.

## 11 Equal chance gaming in clubs and premises with an alcohol licence

- 11.1** This is the Commission's code of practice relating to the provision of facilities for equal chance gaming in pubs and clubs last updated in March 2012. It is issued in accordance with section 24 of the Gambling Act 2005 (the Act) and in respect of gaming carried out under Part 12 of the Act and the associated regulations. This gaming is known as 'exempt gaming', and may be carried out without a gambling licence or permit. However, the club or alcohol licensed premises can only offer equal chance gaming that does not involve staking against a bank and where there are set daily and weekly prize limits. Where a club holds a club gaming permit additional entitlements are available.
- 11.2** Compliance with the code of practice should be the responsibility of a designated person:
- in pubs in England and Wales: the designated premises supervisor (which the Licensing Act 2003 requires as a condition of any alcohol premises licence)
  - in premises which are licensed to serve alcohol for consumption on the premises under the relevant Scottish licence: the premises manager (which the Licensing (Scotland) Act 2005 requires as a condition of the premises licence), or, where an occasional licence is held, a responsible person designated by the holder of the licence.
  - in clubs in England and Wales:
    - if an alcohol licence is held, the designated premises supervisor
    - if no alcohol licence is held, a responsible individual to be nominated by the club management or other governing body elected by the members
  - in clubs in Scotland:
    - for a qualifying club under the Licensing (Clubs) (Scotland) Regulations 2007 (SI No 76 of 2007) a person nominated by the club management committee, or other governing body elected by the members, and who is trained in accordance with the Licensing (Training of Staff) (Scotland) Regulations 2007
    - for a qualifying club operating under an occasional licence a responsible person to be nominated by the club management committee or other governing body elected by the members
    - the name and contact details of the nominated person should be made available to the clerk of the relevant licensing board.
- 11.3** The regulations place certain limits on stakes and prizes for equal chance gaming. All exempt gaming is expected to be 'low level' and the designated person is expected to take all reasonable steps to ensure that this remains the case. Gaming in pubs and clubs should be ancillary to the main purpose of the premises – the gaming should not be the main reason to go to the premises. The statutory limits on stakes, prizes and, for clubs, participation fees are set out in the attached table. Pubs may not charge participation fees.
- 11.4** All gaming in pubs (other than dominoes and cribbage) has a stakes limit of £5 per person per game. Neither clubs nor pubs may impose levies or deductions on stakes or prizes.
- 11.5** All gaming carried out on the premises must be in a place where it can be supervised by staff whose duties include supervision of gaming (including bar or floor staff).
- 11.6** The designated person should put into effect procedures designed to prevent under age gambling. This should include:
- holding the gaming in premises or parts of premises which are restricted to adults
  - checking the age of potentially under age players and
  - refusing access to the gaming to anyone apparently under age who cannot produce an acceptable form of age verification and identification.
- 11.7** Permit holders should only accept identification which:
- contains a photograph from which the individual can be identified
  - states the individuals date of birth
  - is valid

- is legible and has no visible signs of tampering or reproduction.

- 11.8** The Commission considers acceptable forms of identification to include: any identification carrying the PASS logo (for example Citizencard or Validate); a driving licence (including provisional licence) with photocard; or a passport.
- 11.9** Procedures should be in place for dealing with cases where an under age person repeatedly attempts to gamble including verbal warnings and reporting the offence to the Commission and the police. The designated person should take reasonable steps to ensure that all employees understand their responsibilities under this code.
- 11.10** All payments in respect of the gaming covered by this code (including, in the case of clubs, any participation fees) should be paid for in cash before the commencement of the game. No credit may be offered to customers by the designated person. All players should be notified of any stakes limits that apply.
- 11.11** All equipment used in the gaming should be supplied by the premises and the equipment should be secured when not in use. The equipment should be replaced when damaged or marked. No player should supply his/her own equipment.
- 11.12** For all organised games, the rules of the game being played should be displayed or otherwise made available to all players before and during the game, for example by providing the rules on a laminated card.
- 11.13** The designated person should ensure a pleasant atmosphere and deny participation to customers who cheat or collude with other players or employees, threaten other players or employees, create a disturbance or damage equipment.
- 11.14** In Scotland care will need to be taken to ensure that the provision of facilities for equal chance gaming is provided for in the premises licence operating plan.

### Specific provisions for poker

- 11.15** To ensure that the stake and prize limits are not breached, it is strongly advised that cash games should not be permitted. Where cash games are allowed, the sum of money wagered (known as the 'pot') should be kept in sight so that it can be viewed by the designated person at all times.
- 11.16** In any event, all poker games organised by, or on behalf of, the management of the premises should not be cash games but tournament poker played with poker chips supplied by the premises.
- 11.17** The maximum stakes and prizes set out in the regulations are for a game and not a hand of poker. In the context of the code a game is what is generally considered to be an established and conventional game.
- 11.18** The designated person is to keep a record of:
- the number of games played
  - the number of players and
  - the amount staked
  - the amount won
  - to ensure that the individual, daily and weekly stake and prize limits are not exceeded.
- 11.19** The designated person should take all reasonable steps to ensure that individual stake limits are not exceeded through side bets, additional raises, re-buys or other ways of increasing the pot. Where this is discovered to be the case, the game should be stopped immediately and stakes returned to the individual players.

## Specific provisions for bingo

**11.20** Separate provisions apply in respect of bingo. The designated person should contact the Commission if the total stakes or prizes for bingo games played in any seven day period exceeds £2,000 (either in money taken or prizes awarded).

## Specific provisions for clubs

**11.21** Clubs must ensure that appropriate membership records are completed for each member with a record of subscriptions paid. Records of daily participation fees should be kept separately. The club should demonstrate it has a bona fide club membership scheme.

**11.22** Clubs that hold a club gaming permit may offer two kinds of banker's game only: pontoon and chemin de fer.

## Complaints and disputes

**11.23** The designated person should put into effect a written procedure for handling customer complaints and disputes regarding equal chance gaming.

**11.24** A 'complaint' means a complaint about any aspect of the permit holder's conduct of their permissible activities, and a 'dispute' is any complaint which:

- is not resolved at the first stage of the complaints procedure and
- relates to the outcome of the complainant's gambling transaction.

**11.25** The designated person should ensure that:

- customers are told the name and status of the person to contact about their complaint
- customers are given a copy of the complaints procedure on request or on making a complaint
- all complaints are handled in accordance with the procedure.

## Summary of gaming entitlements for clubs and alcohol-licensed premises

	Members' club, commercial club or MW institute without a club gaming permit or club machine permit	Members' club or commercial club with club machine permit	Members' club or MW institute with club gaming permit	Bridge or whist club	Alcohol-licensed premises
<b>Equal chance gaming</b>	Yes	Yes	Yes	Bridge and/or whist only	Yes
<b>Limits on stakes</b>	<b>Poker</b> £1,000 per week £250 per day £10 per person per game  <b>Other gaming</b> No limit	<b>Poker</b> £1,000 per week £250 per day £10 per person per game  <b>Other gaming</b> No limit	No limit	No limit	<b>Poker</b> £100 per premises per day £5 per person per game  <b>Other gaming</b> £5 per person per game Cribbage & dominoes No limit
<b>Limits on prizes</b>	<b>Poker</b> £250 per game  <b>Other gaming</b> No limit	<b>Poker</b> £250 per game  <b>Other gaming</b> No limit	No limit	No limit	<b>Poker</b> £100 per game  <b>Other gaming</b> No limit
<b>Maximum participation fees – per person per day</b>	<b>Bridge and/or Whist<sup>4</sup></b> £18  <b>Other gaming</b> £1	<b>Bridge and/or whist<sup>3</sup></b> £18  <b>Other gaming</b> £3 (commercial club) £1 (members' club)	<b>Bridge and/or whist<sup>3</sup></b> £20  <b>Other gaming</b> £3	£18 (without club gaming permit)  £20 (with club gaming permit)	None permitted
<b>Bankers or unequal chance gaming</b>	None permitted	None permitted	Pontoon Chemin de fer	None permitted	None permitted
<b>Limits on bingo</b>	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.	No bingo permitted	Maximum of £2,000 per week in stakes/prizes. If more then will need an operating licence.

<sup>4</sup> On a day when no other facilities for gaming are provided



## 12 Gaming machines in clubs and premises with an alcohol licence

### For club gaming permits, club machine permits and alcohol

**12.1** This is the Commission's Code of Practice issued under section 24 of the Gambling Act 2005 (the Act) relating to provision of facilities for gaming machine gambling in accordance with club gaming, club machine and alcohol licensed premises permits.

This includes:

- Registrations under Parts II and III of the Gaming Act 1968 which, under transitional provisions, are treated as club gaming and club machine permits respectively
- Club gaming and club machine permits issued under the Club Gaming and Club Machine Permits (Scotland) Regulations 2007
- Premises which have a licence issued by a Licensing Board under section 26(1) or 47(2) of the Licensing (Scotland) Act 2005 authorising the sale of alcohol on the premises.

**12.2** Compliance with the code of practice should be the responsibility of a designated person:

- in pubs in England and Wales: the designated premises supervisor (which the Licensing Act 2003 requires as a condition of any alcohol premises licence)
- in premises which are licensed to serve alcohol for consumption on the premises under the relevant Scottish licence: the premises manager (which the Licensing (Scotland) Act 2005 requires as a condition of the premises licence), or,
- where an occasional licence is held, a responsible person designated by the holder of the licence
- in clubs in England and Wales:
  - if an alcohol licence is held, the designated premises supervisor
  - if no alcohol licence is held, a responsible individual to be nominated by the club management or other governing body elected by the members
- in clubs in Scotland:
  - for a qualifying club under the Licensing (Clubs) (Scotland) Regulations 2007 (SI No 76 of 2007) a person nominated by the club management committee, or other governing body elected by the members, and who is trained in accordance with the Licensing (Training of Staff) (Scotland) Regulations 2007
  - for a qualifying club operating under an occasional licence a responsible person to be nominated by the club management committee or other governing body elected by the members
  - the name and contact details of the nominated person should be made available to the clerk of the relevant licensing board.

## Location and operation of machines

### All permit holders

**Compliance with these provisions is a condition of your permit, and failure to do so could result in revocation of the permit.<sup>5</sup>**

**12.3** All gaming machines situated on the premises must be located in a place within the premises so that their use can be supervised, either by staff whose duties include such supervision (including bar or floor staff) or by other means.

**12.4** Permit holders must have in place arrangements for such supervision.

<sup>5</sup> Compliance with these provisions is a condition of the relevant permit as a result of the Gambling Act 2005: section 271 for Club Gaming Permits, section 273 for Club Machine Permits, section 282 for alcohol licensed premises using their automatic machine permissions and section 283 for licensed premises Gaming Machine Permits and alcohol licensed premises Gaming Machine Permits.



**12.5** All gaming machines situated on the premises shall be located in a place that requires a customer who wishes to use any ATM made available on the premises to cease gambling at the gaming machine in order to do so. 'ATM' means a machine located on the premises, which enables a person using it to obtain cash by use of a credit or debit card.

## Access to gambling by children and young persons

**Compliance with this section is not a condition of your permit. However it sets out good practice in this area and the Commission considers it should be implemented by permit holders.**

**12.6** Permit holders should put into effect procedures intended to prevent underage gambling. This should include procedures for:

- checking the age of those who appear underage;
- refusing entry to anyone unable to produce an acceptable form of identification.

**12.7** Permit holders should take all reasonable steps to ensure that all relevant employees understand their responsibilities for preventing underage gambling.

**12.8** Permit holders should only accept identification which:

- contains a photograph from which the individual can be identified
- states the individual's date of birth
- is valid
- is legible and has no visible signs of tampering or reproduction.

**12.9** The Commission considers acceptable forms of identification to include: any identification carrying the PASS logo (for example Citizencard or Validate); a driving licence (including provisional licence) with photocard; or a passport.

**12.10** Procedures should be in place for dealing with cases where a child or young person repeatedly attempts to gamble on category B or C machines, including oral warnings, reporting the offence to the Commission and the police, and making available information on problem gambling.

## Complaints and disputes

**Compliance with this section is not a condition of your permit. However it sets out good practice in this area and the Commission considers it should be implemented by permit holders.**

**12.11** Permit holders should put into effect a written procedure for handling customer complaints and disputes regarding the use of gaming machines on their premises.

**12.12** A 'complaint' means a complaint about any aspect of the permit holder's conduct of their permissible activities, and a 'dispute' is any complaint which:

- a) is not resolved at the first stage of the complaints procedure, and
- b) relates to the outcome of the complainant's gambling transaction.

**12.13** Permit holders should ensure that:

- customers are told the name and status of the person to contact about their complaint
- customers are given a copy of the complaints procedure on request or on making a complaint
- all complaints are handled in accordance with the procedure.

## **Keeping gambling fair and safe for all**

For further information or to register your interest in the Commission please visit our website at:  
**[www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)**

Copies of this document are available in alternative formats on request.

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**Gambling Commission March 2013**

**LCCP 13/01**

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**Betting Premises Licence  
(in respect of premises other than a track)**

**Mandatory and Default Conditions**

**Sections 167 and 168 of the Gambling Act 2005**

**Mandatory Conditions attaching to every Premises Licence**

1. The summary of the terms and conditions of the premises licence issued under section 164(1)(c) of the Gambling Act 2005 shall be displayed in a prominent place within the premises.
2. The layout of the premises shall be maintained in accordance with the plan.
3. The premises shall not be used for –
  - (a) the sale of tickets in a private lottery or customer lottery, or
  - (b) the sale of tickets in any other lottery in respect of which the sale of tickets on the premises is otherwise prohibited

**Mandatory conditions attaching to Betting Premises Licences (in respect of premises other than a track)**

1. a notice stating that no person under the age of 18 years is permitted to enter the premises shall be displayed in a prominent place at every entrance to the premises.
  - 1) Access to the premises shall be from a street or from other premises with a betting premises licence.
  - 2) Without prejudice to sub-paragraph (1), there shall be no means of direct access between the premises and other premises used for the retail sale of merchandise or services.
2. Subject to anything permitted by virtue of the Gambling Act 2005, or done in accordance with paragraphs 4, 5, 6 and 7 below, the premises shall not be used for any purpose other than for providing facilities for betting.
3. Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to leave any gaming machine or betting machine in order to do so.
4. No apparatus for making information or other material available in the form of sounds or visual images may be used on the premises, except for apparatus used for the following purposes –
  - (a) Communicating information about, or coverage of, sporting events, including
    - (i) Information relating to betting on any event; and

(ii) Any other matter or information, including an advertisement, which is incidental to such an event;

(b) Communicating information relating to betting on any event (including the result of the event) in connection with which betting transactions may be or have been effected on the premises.

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

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

7.

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

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

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

**Default conditions attaching to betting premises licences (in respect of premises other than a track).**

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

**Nelson, Matthew**

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**Sent:** 14 May 2013 15:55  
**To:** Carville, Philomena; KAREN PARASKEVA  
**Cc:** Raper, Nicola  
**Subject:** 5 Windsor Court Morley

Philomena

Following your numbering:

1. As previously advised the CCTV is decided on site near the end of the fit out by our security department in conjunction with the operations and technical service team. We would normally have 3 cameras located to cover the counter, entrance and trading area, to include any machines. In an open clean unit like this proposed there would not appear to be any blind spots and the coverage should be very good. At the moment it is not our intention to provide a SSBT (Self Service Betting Terminal) however that could change if there is a business reason so to do.
2. If we have a period of opening with one staff member on site and there is a requirement to leave the counter unattended then a test of common sense and reasonableness is applied. If for instance the break involved closing of doors from counter to kitchen the policy would be to either lock the front door if the shop was empty, or request that any customers leave, then lock the door, whilst the break is taken. If however the inter-connecting door was able to be left open the shop wouldn't be cleared and shut, as the shop and counter is still monitored and managed.

I trust this satisfies your concerns and the matter can now progress.

Should you have any further questions please call.

Regards,

**Tony Bain**  
Development Controller North

T: 0113 233 8720  
E: [tbain@williamhill.co.uk](mailto:tbain@williamhill.co.uk)

William Hill, PO Box 170, Leeds, LS2 8JF



Registered Office Greenside House 50 Station Road London N22 7TP

**From:** Carville, Philomena [<mailto:Philomena.Carville@leeds.gov.uk>]

## Nelson, Matthew

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**From:** KAREN PARASKEVA [<mailto:KPARASKEVA@williamhill.co.uk>]

**Sent:** 23 April 2013 10:40

**To:** Entertainment Licensing

**Cc:** Tony Bain; Dave Beddow

**Subject:** WILLIAM HILL BETTING APPLICATION - 5 WINDSOR COURT, MORLEY, LS27 9BG

**Importance:** High

Hi Matthew

The norm is to install 3 CCTV cameras, usually located near the counter, the entrance and to cover the trading area - this is decided on site by our Technical Services Dept in conjunction with the Security Dept and Operations Team once the premises have been shopfitted and nearing the opening of the unit to the public. This is to ensure that the optimum coverage of the premises is achieved. If required, we could provide a layout plan detailing the positions, once identified nearer the end of the shopfitting programme.

With reference to staffing, as per the vast majority of our national trading estate - including those within the Leeds Authority Area - the minimum will be one, the maximum generally four.

Trust this deals with the queries raised and look forward to hearing further regards the progress of our application in due course.

Kind regards.

**Karen Paraskeva**

Regional Development Administrator

T: 0113 233 8721

E: [kparaskeva@williamhill.co.uk](mailto:kparaskeva@williamhill.co.uk)

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