



City of Westminster

Executive Summary and Recommendations

Licensing Sub-Committee Report

Date: 10th September 2015

Subject: Application for a New Betting (Other) Premises Licence under the Gambling Act 2005 for Hippo Bet, The Hippodrome Casino, 10-14 Cranbourn Street, London, WC2H 7JH

Summary

To consider and determine the application made by Hippodrome Casino Ltd for a new Betting (Other) Premises Licence under the Gambling Act 2005.

Options for Members

After considering the application and the submissions from the applicant and the objectors in accordance with paragraph 163 (1) of the Gambling Act 2005 the Licensing Sub Committee can either:

- 1) grant the application
- 2) refuse the application



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	10 th September 2015
Licensing Ref No:	15/03306/LIGN
Title of Report:	Application for a New Betting (Other) Premises Licence under the Gambling Act 2005 for Hippo Bet, The Hippodrome Casino, 10-14 Cranbourn Street, London, WC2H 7JH
Report of:	Director of Public Protection and Licensing
Wards involved:	St James's
Policy context:	Westminster City Council's Statement of Principles under the Gambling Act 2005
Financial summary:	None
Report Author:	Steve Rowe – Senior Licensing Officer
Contact details	Tel: 020 7641 7825 E-mail: srowe@westminster.gov.uk

1. Background Information

- 1.1 On 28th April 2015 an application was received for a new betting shop at The Hippodrome, 10 - 14 Cranbourn Street, London, WC2H 7JH. The application has been made under Section 159 of the Gambling Act 2005 (2005 Act). A copy of the application form is attached to this report at **Appendix A1**.
- 1.2 The premises consist of a four storey building operating on each floor. The premises are currently licensed as a casino under the Gambling Act 2005, regulated entertainment, the sale by retail of alcohol and late night refreshment under The Licensing Act 2003, and relevant entertainment under the Local Government (Miscellaneous Provisions) Act 1982.
- 1.3 The applicant has submitted as part of their application that the entrance to the proposed betting shop will be through the existing foyer of the ground floor which is currently licensed as part of the non-gaming area and entrance to the casino.
- 1.4 On the 4th June 2015 the applicants submitted a variation application to de-licence the foyer area of the casino licence.
- 1.5 The proposed plans for these betting premises are attached to this report at **Appendix A2**.

2. Premises in the Vicinity

- 2.2 There are 13 faith groups located within a 500 metre radius from this premises. The nearest place of religious worship is the Notre Dame de France.
- 2.3 There is one school within 500 metres of the premises from this premises. The nearest school is The Soho Parish C of E Primary School.
- 2.4 There are 29 licensed gambling premises within a 500 metre radius of these premises ([see Appendix D](#)).

3. Consultation

- 3.1 The application was advertised in accordance with the Gambling Act 2005 (Premises Licence and Provisional Statement) Regulations 2007 both on the premises and in the local press. The 28 day consultation period started from the date the application was received.
- 3.2 Local residents and businesses within a 30 metre radius of the proposed premises were written to outlining the application and how they can make representations to the Authority within the statutory period.
- 3.3 Letters were also sent to each of the Ward Councillors who's Wards are subject to these applications advising them of the application.

4. Representations

- 4.1 On the 22nd May 2015 a representation was received from the Licensing Authority. A copy of this representation is attached to this report at **Appendix B1a**. The main points of the representation are:
- 4.1.1 If the licence were granted it would not be legally compliant with the mandatory condition in paragraph 2(1) of Part 1, Schedule 5 of the Mandatory and Default Conditions Regulations
 - 4.1.2 There is already a premises licence in effect for the premises and if the current casino licence was varied to remove the proposed betting premises area from the casino premises licence there would be a direct access issue which could also be a breach of the mandatory conditions for both premises.
 - 4.1.3 The premises layout, operation and systems may not allow the premises to operate in accordance with the Gambling Commissions Codes of Practice, the Gambling Commissions Guidance to Licensing Authorities.
 - 4.1.4 Insufficient information provided with the application to justify that the premises may operate so as to be reasonably consistent with the Licensing Objectives under the Act.
- 4.2 On the 2nd September the Licensing Authority met with the applicant and their representatives to further discuss the application. On the 3rd September the Licensing Authority submitted further submissions in relation to their representation. A copy of this submission is attached to this report at **Appendix B1b**.
- 4.3 On the 14th May 2015 a representation was received from the Metropolitan Police Service (**Appendix B2**). The main points of the representation are:
- 4.3.1 There are insufficient conditions being offered to promote the Licensing Objectives. This fails to promote the Prevention of Crime and Disorder.
 - 4.3.2 There is insufficient information provided to properly assess the application.
- 4.4 On the 22nd May 2015 a representation was received from Mr David Wheeler on behalf of Done Brothers (Cash Betting) Limited T/A Betfred (**Appendix B3**). The main points of the representation are:
- 4.4.1 If the application were granted under current proposals the operation would be in breach of the mandatory conditions.
 - 4.4.2 The foyer of the casino cannot be considered as a 'street' and therefore in its current form the application if granted would be in breach of mandatory condition 2(1).

- 4.5 On the 26th May 2015 a representation was received from Bond Dickenson on behalf of Coral Racing Limited (**Appendix B4**). The main points of the representation are:
- 4.5.1 The application is inconsistent with the mandatory conditions.
 - 4.5.2 The access to the premises is from the existing casino and not from the street which breaches the mandatory condition.
- 4.6 On the 26th May 2015 a representation was received from Gosschalks Solicitors on behalf of William Hill Organization Limited (**Appendix B5**). The main points of the representation are:
- 4.6.1 If the application were granted under current proposals the operation would be in breach of the mandatory conditions.
 - 4.6.2 The foyer of the casino cannot be considered as a 'street' and therefore in its current form the application if granted would be in breach of mandatory condition 2(1).
- 4.7 On the 26th May 2015 a representation was received from Woodswhur on behalf of Joe Jennings (Harlow) Limited (**Appendix B6**). The main points of the representation are:
- 4.7.1 Failure to promote the licensing objectives.
 - 4.7.2 Lack of information provided with the application.
 - 4.7.3 No conditions offered to support the licensing objectives.
 - 4.7.4 The application does not comply with the Gambling Act 2005 or the Gambling Commission Guidance to Local Authorities.
 - 4.7.5 Access to the betting shop is not from the street.

5. Applicant Submission

- 5.1 On the 15th June 2015 the applicants provided additional submissions in support of their application (**Appendix A3**). The main points of the submission are:
- 5.1.1 Policy document in relation to the licensing objectives.
 - 5.1.2 The applicant's interpretation of what is defined as a 'premises'.
 - 5.1.3 Reference to the application to vary the casino licence to 'de-licence' the foyer area of the premises.
 - 5.1.4 The applicant's interpretation of what is defined as a 'street'.
 - 5.1.5 There will not be direct access between the two separate premises.

7. The Gambling Act 2005

- 7.1 This application has been made under section 159 of the Gambling Act 2005. The application is for a new premises licence to permit the provision of facilities on betting premises.
- 7.2 The Licensing Authority must under Section 153(1) of the Act exercise its functions relating to premises licensing with an aim to permit the use of the premises for gambling in so far as it thinks fit and in accordance with the relevant codes of practice, guidance, reasonably consistent with the licensing objectives and in accordance with the Council's Statement of Principles.
- 7.3 The Licensing Authority can take into account a representations relating to an application for a premises licence from either an interested party (a person living sufficiently close to the premises to be likely to be affected by the authorised activity or has a business interest that may be affected or represents persons in either of these two groups) or a responsible authority (Licensing Authority, Gambling Commission, Police, Fire Authority, Environmental Health and HM Revenue and Custom). Any representations must be relevant and not frivolous or vexatious.
- 7.4 Section 152 of the Act provides that a premises licence may not be issued in respect of premises if a premises licence already has effect in relation to the premises, except for a track premises licences. The Explanatory Notes for section 152 state "The general position for premises licensing is that premises may only be subject to one premises licence at a time... The effect of this requirement is to limit the principal activity on the premises to the provision of facilities for a particular type of gambling activity."
- 7.5 Section 153(2) of the Act states that in determining whether to grant a premises licence the authority may not have regard to the expected demand for the facilities which it is proposed to provide.
- 7.6 Betting shops have restrictions on who can enter licensed premises. The Act prohibits, by way of a mandatory condition any person entering the premises who is under the age of 18. The Act, via regulations also imposes mandatory and default conditions that promote the licensing objectives. A list of these Mandatory and Default conditions are attached at **Appendix C1** to this report.
- 7.7 A premises licence issued by the Authority will be subject to the mandatory and default conditions for that licence type. However, paragraph 9.26 of the guidance states;

"Section 169 of the Act gives licensing authorities:

- The ability to exclude from premises licences any default conditions that have been imposed under Section 168; and*
- The power to impose conditions on the premises licences that they issue."*

8. Gambling Commission Guidance

- 8.1 The Gambling Commission have produced guidance for local authorities in relation to the 2005 Act. The information in this section of the report relates to the relevant points within the Guidance which members may wish to consider.
- 8.2 Paragraphs 7.13 of the GLA describes what may be considered as a premises, it states that:
- “...there is no reason in principle why a single building could not be subject to more than one premises licence, provided they are for different parts of the building, and the different parts of the building can reasonably be regarded as being different premises. The approach has been taken to allow large, multiple unit premises such as pleasure parks, tracks, or shopping malls to obtain discrete premises licences, where appropriate safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-division of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed”
- 8.3 Paragraph 7.18 of the GLA states:
- “...they [Licensing Authorities] should be aware of the following:
- Entrances to and exits from parts of a building covered by one or more premises licences should be separated and identifiable so that the separation of different premises is not compromised and people do not ‘drift’ into a gambling areas. In this context it should normally be possible to access the premises without going through another licensed premises...”
- 8.4 Paragraph 7.19 of the GLA sets out factors that the Licensing Authority can use to assist in determining whether premises are truly separate. These factors may include:
- Is a separate registration for business rates in place for the premises?
 - Is the premises neighbouring premises owned by the same person or someone else?
 - Can each of the premises be access from the street ort a public passageway?
 - Can the premises only be accessed from any other gambling premises?
- 8.5 The Gambling Commissions Guidance to Licensing Authorities, 4th Edition (GLA) states in paragraph 7.23 that “The Gambling Act 2005 (Mandatory and Default Conditions) Regulations set out the access provisions for each type of premises. The Broad principle is that there can be no access from one licensed gambling premises to another...”
- 8.6 Paragraph 7.24 of the GLA states: “It should be noted that the Gambling Act 2005 (Mandatory and Default Conditions) Regulations define street as ‘including any bridge, road, lane, footway, subway, court, alley, or passageway (including passage through enclosed premises such as shopping malls), whether a

thoroughfare or no'. This is to allow access, for example, to casinos from hotel foyers."

- 8.7 Paragraph 7.25 of the GLA states "There is no definition of 'direct access' in the Act or regulations. However, it could be said that there should be an area separating the premises concerned (for example a street or café), which the public goes for purposes other than gambling, for there to be shown to be no direct access."
- 8.8 Paragraph 1(3), Part 1 of Schedule 1 of the Mandatory and Default Conditions Regulations which sets out the mandatory conditions for converted casino premises licences state that "No customer shall be able to enter the premises directly from any other premises in respect of which a licence issued under Part 8 [Premises Licences] of the Act..., has effect".
- 8.9 In the majority of the representations one of the points relates to the number of gambling premises in the vicinity of the premises. Paragraph 7.53 of the guidance states:
- "... the following examples of possible representations would not likely be relevant: That there are already too many gambling premises in the locality (although it may be relevant if it points, as a result, to rising problems in crime, disorder, underage gambling or problem gambling)..."*
- 8.10 The Committee can, if it feels minded impose conditions on the premises licence. Paragraph 9.28 of the Guidance states that
- "Licensing authorities should bear in mind their duty to act in accordance with the principles set out in Section 153. Since they should aim to permit the use of premises for gambling, they should not attach conditions that limit the use of premises for gambling except where it is necessary as a result of the requirement to act in accordance with the guidance, the Commissions codes of practice or the licensing policy statement; or in a way that is reasonably consistent with the licensing objectives."*
- 8.11 The guidance goes further to state that authorities should not turn down applications for premises licences where relevant objections can be dealt with through the use of conditions. If the authority does decide that the only way to address a particular concern is through conditions it must be proportionate to the circumstances which they are seeking to address.
- 8.3 The guidance encourages licensing authorities to ensure that premises licence conditions are relevant to the need to make the proposed building suitable as a gambling facility, directly related to the premises and the type of licence applied for, or fairly and reasonably related to the scale and type of the premises and reasonable in all other respects (see paragraph 9.29 of the guidance).
- 8.4 Local authorities are also prevented from attaching conditions relating to certain matters. Paragraph 9.32 of the guidance sets out the relevant sections of the Act where conditions may not be imposed.

“...The relevant sections are:

- *Section 169(4), which prohibits the authority from imposing a condition on the premises licence which makes it impossible to comply with an operating licence condition;*
- *Section 172(10), which provides that conditions may not relate to gaming machines categories, numbers, or method of operation;*
- *Section 170, which provides that membership of a club or body cannot be required by attaching a condition to the premises licence (the Act specifically removes membership requirements for casino and bingo and this prevents it from being reinstated); and*
- *Section 171, which prevents an authority imposing conditions in relation to stake, fee, winning or prizes.”*

9. The Council’s Statement of Principles

- 9.1 The Licensing Authority’s Statement of Principles set out the council’s policy considerations in relation to applications made under the Gambling Act. The Statement reemphasises the Authority’s position in relation to Section 153 of the Act and sets out the principles and policies that the Authority will adopt when considering and determining Gambling Act applications.
- 9.2 The Council’s Statement of Principles location policy (LOC 1) sets out that the authority will pay particular attention to the suitability of a location for gambling activity in terms of the objective of the protection of children and vulnerable persons from being harmed or exploited by gambling. It is the authority’s view that the applicant should establish if there are any sensitive premises or locations within close proximity to the proposed gambling premises. Applicants should, in addition to their application submit information as to how they plan to promote this objective. A plan showing the location of schools, places of religious worship and hostels within a 500 metre radius of the premises is attached to this report as **Appendix D**.
- 9.3 The Council’s Policy relating to Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime (OBJ1) sets out the criteria as to whether the premises make or will make a contribution to the levels of crime and disorder and whether the applicant has demonstrated that he has, or intends to, implement sufficient controls to prevent the premises being a source of, and/or associated with crime or disorder, or being used to support crime, if the application is granted”.
- 9.4 The Council’s policy relating to the Protection of children and other vulnerable people from being harmed or exploited (OBJ 3) sets out the criteria that the authority will consider when determining an application. The authority will have to be satisfied that the applicant has appropriate measures in place to protect children and other vulnerable persons from being harmed or exploited by gambling.

10. Options for Members

- 10.1 When determining the application the Committee will need to consider the Gambling Act 2005, the relevant Guidance to Licensing Authorities, the policies contained within the Council's Statement of Principles and the licensing objectives.
- 10.2 All of the objections to this application raise issue to breaches to mandatory conditions should the application be granted.
- 10.3 Section 152 of the Act provides that a premises licence may not be issued in respect of premises if a premises licence already has effect in relation to the premises, except for a track premises licences. However, this section does not prohibit the Licensing Authority from determining the application.
- 10.4 The applicants have submitted a variation application to the current casino licence to 'de-licence' the foyer area.
- 10.5 Members need to be satisfied that if the application were to be granted there would be no breach of mandatory conditions and the granting of the application would not have a detrimental impact on the licensing objectives.

11. Appendices

- 11.1 Appendix A1 – Application form
- Appendix A2 – Plans
- Appendix A3 – Applicant further submissions
- Appendix B1a – LA Objection
- Appendix B1b – LA further submissions
- Appendix B2 – Police Objection
- Appendix B3 – Betfred Objection
- Appendix B4 – Coral Objection
- Appendix B5 – William Hill Objection
- Appendix B6 – Joe Jennings Objection
- Appendix C – Mandatory and default conditions for betting (other) premises
- Appendix D – Map of licensed gambling premises, schools and faith groups within a 500 metre radius of the premises
- Appendix E – List of licensed gambling premises within a 500 metre radius of the premises

If you have any queries about this report or wish to inspect one of the background papers please contact Steve Rowe on 020 7641 7825 or email srowe@westminster.gov.uk.

Background Papers

- Gambling Act 2005
- Westminster City Council Gambling Statement of Principles Effective 4th January 2010
- Gambling Act 2005 (Premises Licence and Provisional Statements) Regulations 2007
- Guidance to Licensing Authorities 3rd Edition (May 2009)
- Gambling Commission Licence conditions and codes of practice (consolidated version March 2011)

*Licensing Service, 14th Floor, Westminster City Hall, 64 Victoria Street, London SW1E 6QP
Telephone: 020 7641 2162 / Fax: 020 7641 7815 / E-mail: gambling@westminster.gov.uk*

**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 <input type="checkbox"/>	Large Casino <input type="checkbox"/>	Small Casino <input type="checkbox"/>
Bingo <input type="checkbox"/>	Adult Gaming Centre <input type="checkbox"/>	Family Entertainment Centre <input type="checkbox"/>
Betting (Track) <input type="checkbox"/>	Betting (Other) <input checked="" type="checkbox"/>	

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

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

Part 2 – Applicant Details

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

Section A

Individual applicant

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

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

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

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

Postcode:

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

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

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

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

Section B

Application on behalf of an organisation

6. Name of applicant business or organisation: HIPPODROME CASINO LTD

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

7. The applicant's registered or principal address:

10-14 CRANBOURN STREET
LONDON

Postcode:

WC2H 7JH

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

000-029471-N-311289-006 AND 000029471-A-311290-004

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

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

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

Part 3 – Premises Details

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

HIPPODROME CASINO

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

10 - 14 CRANBOURNE STREET
LONDON

Postcode: WC2H 7JH

12. Telephone number at premises (if known):

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

BETTING SHOP TO BE LOCATED ON GROUND FLOOR OF
CASINO OPERATING OVER MULTIPLE LEVELS (4)

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

~~Yes~~/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:**

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? Yes/No [delete as appropriate]
[Where the relevant kind of premises licence is not subject to any default conditions, the answer to this question will be no.]

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

	Start	Finish	Details of any seasonal variation
Mon	07:30 hh:mm	22hh:mm 00	
Tue	07:30	22:00	
Wed	07:30	22:00	
Thurs	07:30	22:00	
Fri	07:30	22:00	
Sat	07:30	22:00	
Sun	07:30	00:00	

16. If you wish to apply for a premises licence with a condition restricting gambling to specific

periods in a year, please state the periods below using calendar dates:

Part 5 – Miscellaneous

17. Proposed commencement date for licence (leave blank if you want the licence to commence as soon as it is issued): (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? ~~Yes~~/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/ ~~No~~ [delete as appropriate]

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

14/07918/LIPV - PREMISES LICENCE
14/03107/LIMN - MARRIAGE LICENCE
14/08149/LIGV - GAMBLING LICENCE
14/07759/LISEVN - SEXUAL ENTERTAINMENT VENUE

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

Part 6 – Declarations and Checklist (Please tick)

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

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

Checklist:

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

Part 7 – Signatures

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

Signature: BLR

Print Name: BORWIN LEGGATTON PASNER LLP

Date: (dd/mm/yyyy) 28/04/15 Capacity: SOLICITORS FOR APPLICANT

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

Signature:

Print Name:

Date: (dd/mm/yyyy) Capacity:

[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:

CRAIG BAYLIS

23(b) Please give one or more telephone numbers at which the person identified in question 23(a) can be contacted: 0203 400 2326

24. Postal address for correspondence associated with this application:

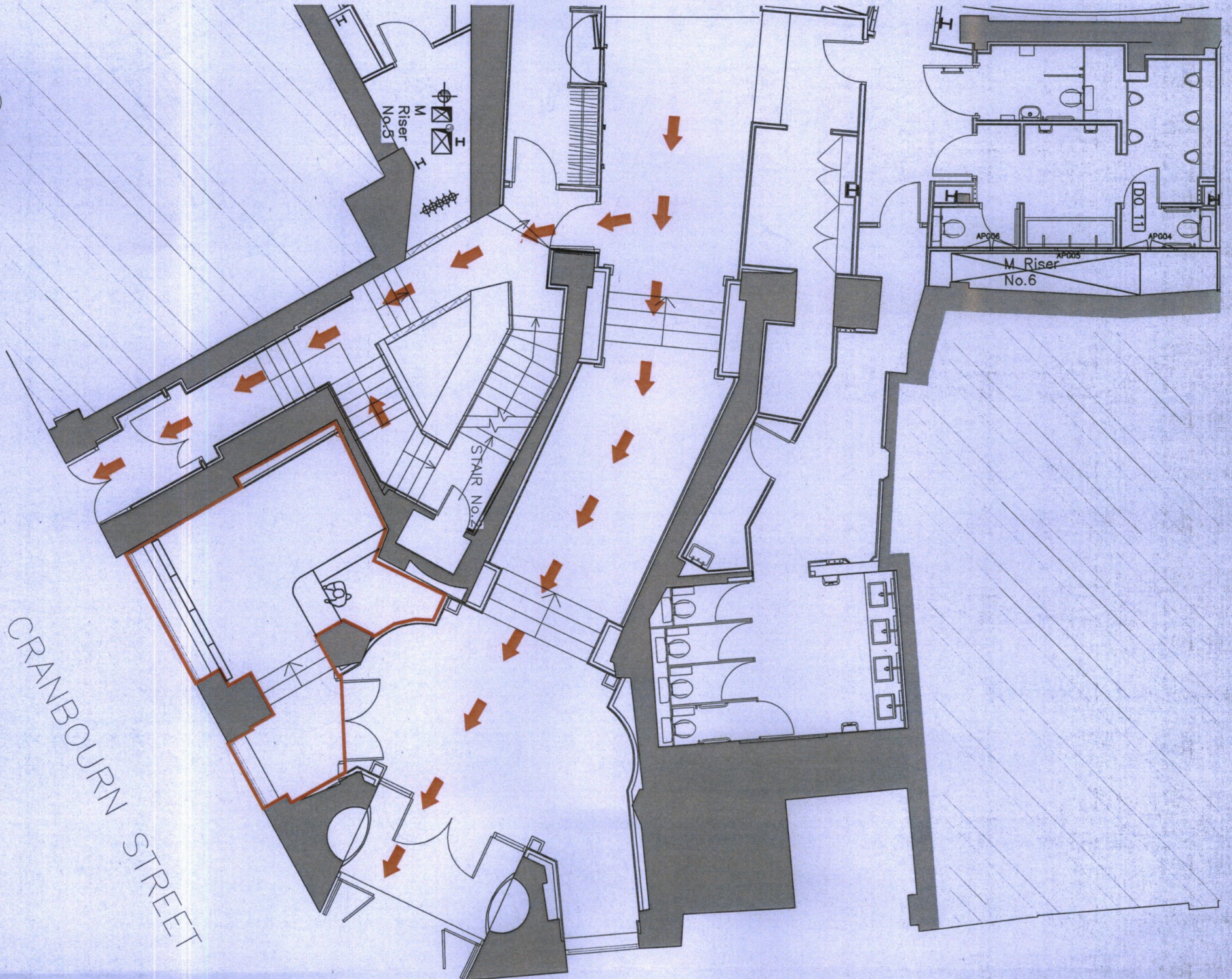
ADELAIDE HOUSE
LONDON BRIDGE
LONDON

Postcode: ECL4R 9HA

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:

NOTES

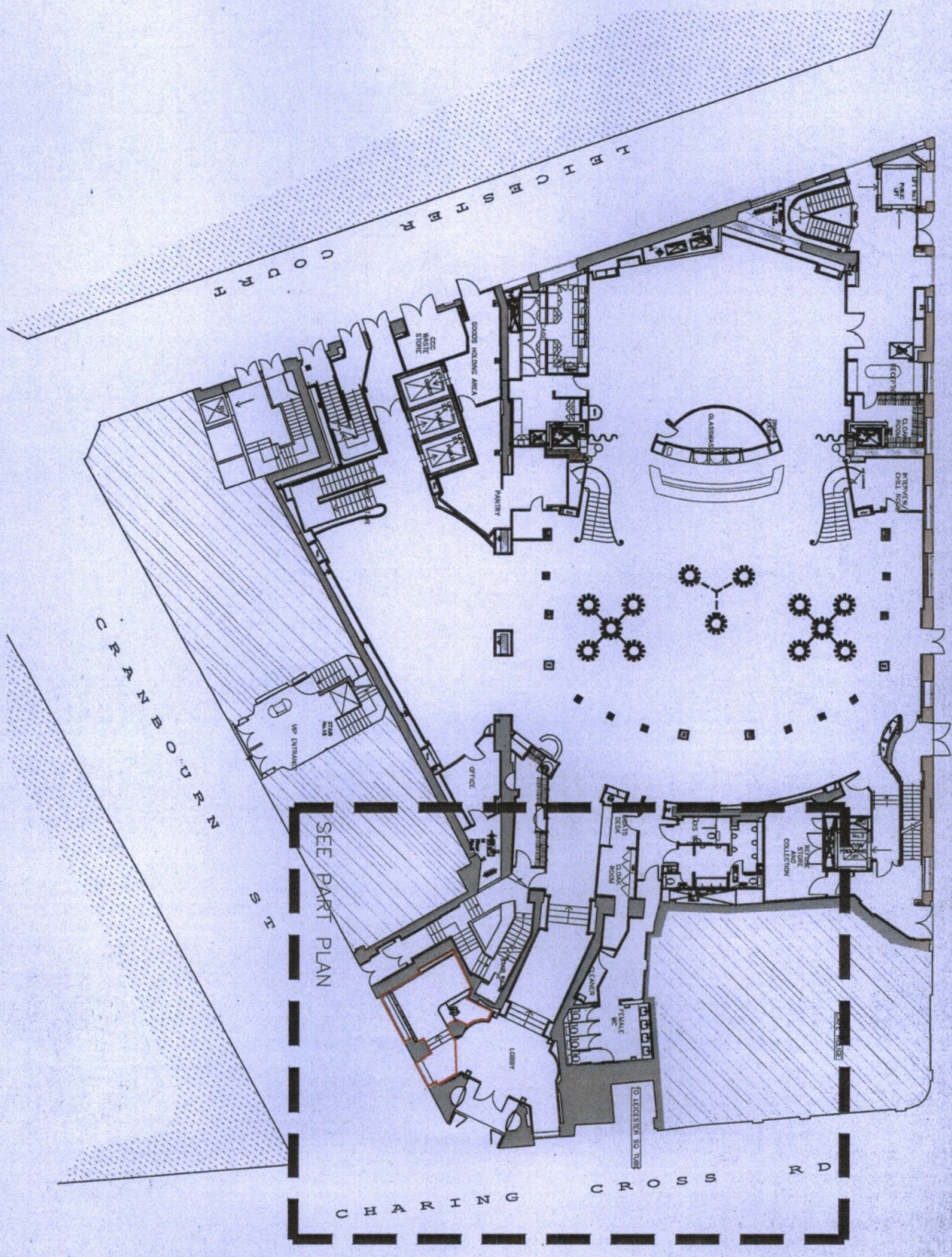
1. This drawing is copyrighted and no element or supporting information can be reproduced or altered without written consent from the architect.
2. The architect is not responsible for the accuracy of the information provided by the client or other sources.
3. The architect is not responsible for the accuracy of the information provided by the client or other sources.
4. All work shown on this drawing must comply with current building regulations and any relevant standards.
5. If it is found that the content of this drawing is not in accordance with the current building regulations, the architect shall be held liable for the purpose intended in the site block.



2 PART PLAN
Scale 1:50

CRANBOURN STREET

CHARING CROSS ROAD



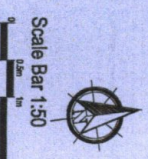
2 SITE PLAN
Scale 1:200

LEGEND

— SCREEN

NB. FINAL EQUIPMENT & POSITIONS TO BE AGREED

NO.	DATE	REVISIONS
1	09/05/14	PRELIMINARY
2	20/05/14	PLANNING
3	20/05/14	SUBMISSION
4	20/05/14	TENDER
5	20/05/14	CONSTRUCTION
6	20/05/14	AS BUILT



Scale Bar 1:50

harvey wright architects

LONDON HIPPODROME CASINO, LEICESTER SQ.

BETTING SHOP LICENSING PLAN

28/04/14 P-1402

DATE: APR 15

BY: [Signature]

Date: 15th June 2015
Our ref: CAB/24368.00002
Your ref:
DDI: 020 3400 2326
e-mail: craig.baylis@blplaw.com



Kerry Simpkin
The Licensing Team
Westminster City Council
City Hall
64 Victoria Street
London
SW1E 6QP

Dear Kerry

New Betting premises licence for the Hippodrome Casino

Thank you for your letter dated 22 May 2015.

First, we enclose our clients policies in relation to the licensing objectives and these policies will also cover policy LOC1.

Second, you have expressed a number of concerns. These include whether these premises can be regarded as separate from the existing casino; whether they can be accessed from the street and; whether there would be direct access between two premises. However, we believe this application will be fully compliant with the various legal requirements for the following reasons.

"Premises" is defined in Section 353 of the 2005 Act as "any place". Whilst you cannot have one licence covering the same place, you can have more than one licence in the same building as the Gambling Commissions Guidance to Licensing Authorities, 4th Edition (GLA) recognises in paragraphs 7.13 -7.14.

Paragraph 7.15 refers to the proposed premises being genuinely separate, and you can see from the plan that the betting shop will be a completely self-contained just inside the main entrance to the building.

As you are aware, we have applied to de-licence the entrance foyer. You have referred to paragraphs 7.18 and 7.19 of the GLA.

7.18 says it should not be possible to enter one premises through another. The application lodged with you is for the betting shop (and therefore there is no need for us to address matters in this regard concerning the casino - although we have no doubt that that will be fully compliant too) so if the entrance is de-licensed, entry will be from the unlicensed passageway. The casino will be beyond this area and therefore there is no need to step foot inside it.

You rightly say that there are four tests set out in paragraph 7.19.

To: The Licensing Team
Date: 15th June 2015
Page: 2

Our clients meet points 3 and 4.

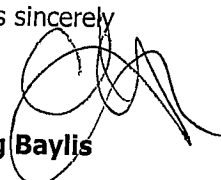
Point 3 because it will be accessed by the public passageway – which, following the wide definition of “a street” in Section 353 means that the passageway is considered to be “a street.”

Point 4 is met because, as we have just mentioned, there will be no need to step into the casino in order to enter the betting shop. This is further emphasised by paragraph 7.22 of the GLA which makes it clear entrance to a premises can be from an unlicensed area which (bearing in mind the wide definition given of “a street”) includes a foyer. Both premises will be able to be separately entered from an unlicensed foyer (“street”).

You also refer to paragraphs 7.23 and 7.24 of the GLA – but we have covered these in our explanation of the definition of “a street” and that there will not be direct access between the two separate premises.

We trust this now satisfies your concerns, but should you have any queries, please do not hesitate to contact me

Yours sincerely

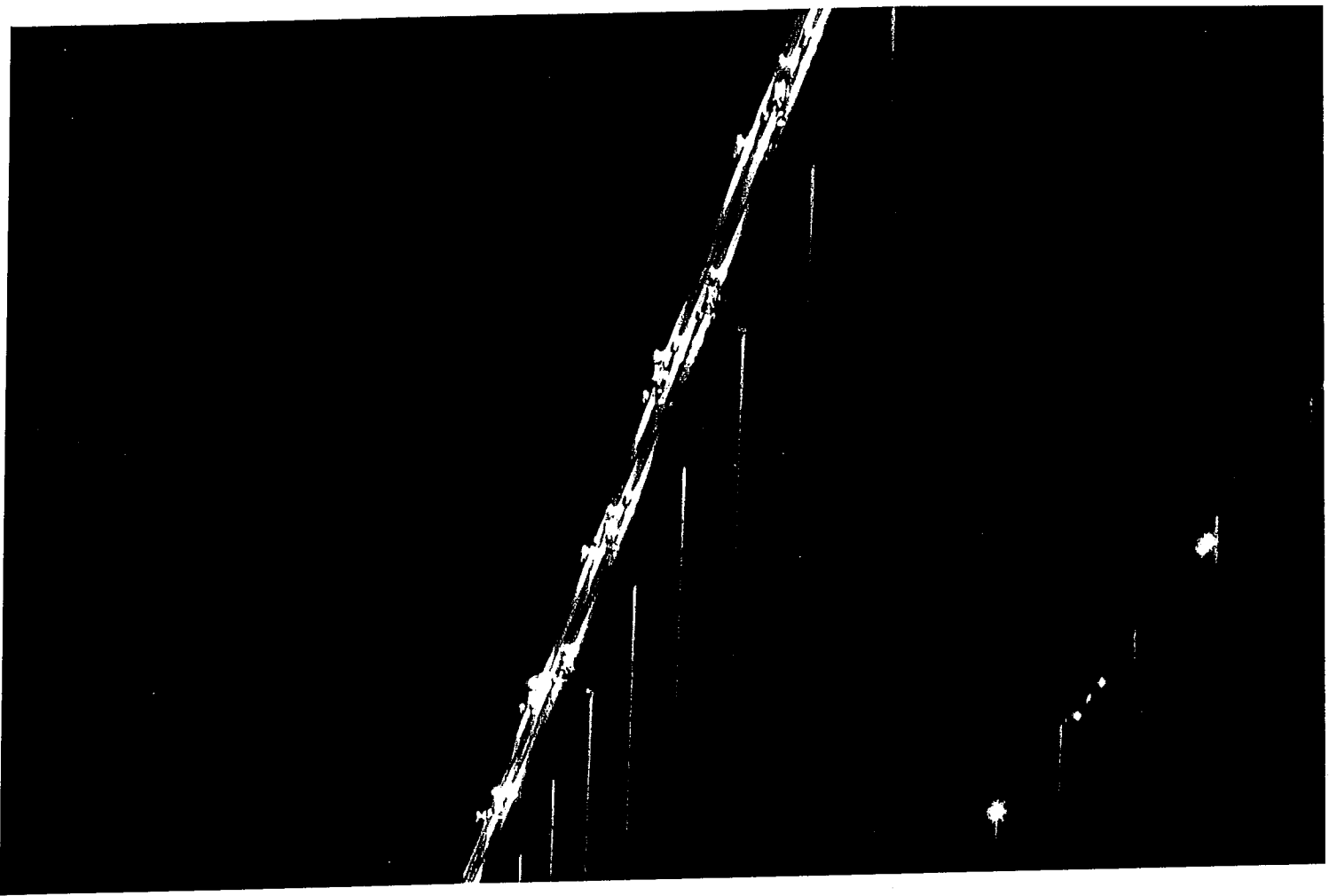


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Hippodrome Casino Limited Policy Information

June 2015

Hippodrome Casino Limited Policy Information

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Hippodrome Casino Limited Policy Information

Hippodrome Casino Limited ("HCL") will ensure that the Licence Conditions and Codes of Practice are adhered to and have policies and procedures in place to ensure compliance with them, in particular -

Licence Conditions and Codes of Practice

Operating licence conditions

- Compliance with any relevant social responsibility provisions
- Return of any money paid by a child or young person
- To not allow betting on the outcome of a lottery which forms part of the national lottery
- Bets only accepted on behalf of the license by persons permitted by the statutory conditions
- Personal management licences
- Protection of customer funds and relevant disclosure to customers
- Financial robustness including financial reserve
- Cash handling and payment methods and services
- General 'fair and open' provisions – gambling offered to be neither unfair or unreasonable
- Access to premises by the Commission's enforcement officers
- Information requirements (reporting suspicion of offences plus key and other reportable events)
- General and regulatory returns
- Primary gambling activity

Code provisions

- General – cooperation with the commission
- Responsibility for third parties
- Financial requirements – anti-money laundering
- Protection of children and other vulnerable persons
- 'Fair and open' provisions – including unfair terms and display of rules
- Marketing – including rewards and bonuses
- Complaints and disputes
- Gambling licensees' staff
- Information requirements
- Primary gambling activity

Hippodrome Casino Limited Policy Information

General Policy Statement

- HCL set an exemplary record of delivering all activities on their premises within a safe, secure and compliant environment. HCL and its employees will endeavour to ensure the Gambling Act 2005 licensing objectives are fulfilled at all times:
 - preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
 - ensuring that gambling is conducted in a fair and open way; and
 - protecting children and other vulnerable persons from being harmed or exploited by gambling.
- HCL will comply with all Codes of Practice issued by the relevant regulatory bodies and local authority.
- The directors and retained advisors of HCL have a long and established history in the gaming industry with an exemplary track record.
- HCL are aware of the Proceeds of Crime Act and its responsibilities in relation to the Act.

Objectives

- The continued safety of customers, colleagues and contractors is paramount at all times and we will create and maintain a safe and secure environment free of crime and disorder by endeavouring to prevent (and, having appropriate polices where necessary):
 - money laundering;
 - cheating;
 - illegal credit betting;
 - illegal gambling;
 - under 18s entering the premises;
 - antisocial or inappropriate behaviour;
 - use of drugs;
 - substance misuse;
 - alcohol misuse;
 - violence;
 - assault with any deadly weapon;
 - robbery;
 - fraud;
 - theft;
 - vandalism;
 - groups of customers larger than the management believe is appropriate;
 - graffiti;
 - pickpockets; and
 - prostitution.

Hippodrome Casino Limited Policy Information

Strategy

- The objectives stated above are not exhaustive, but by consulting and working in partnership with the relevant enforcement officers, police authority, transport police, local crime prevention groups, key local stakeholders and Crimestoppers we will work collectively to improve, promote and deliver our prevention of crime and disorder policy. Particular attention will be paid to the local sensitivities and trend.
- Compliance with all relevant Gambling Commission requirements, including PML's and PFL's and sharing best practice wherever possible.
- Consult and communicate with the local community at all times.
- Regular evaluation and review of the policy.
- CCTV to cover all potential high risk areas including entry and exit points, perimeter areas, gaming machines, and cash desk etc.
- Door supervisors will be on duty at all times the premises are open, and high level security awareness and training will be continually monitored and updated.
- Operational procedure manuals to include social responsibility, security, anti-money laundering, betting, management interaction, dispute resolution and cash desk policies.

Implementation of strategy

- Door Supervisors to be qualified and licensed by the Security Industries Authority.
- The directors of HCL undertake to provide on-going training for all relevant employees and this training programme will be, continually monitored and evaluated with particular focus on the three Licensing Objectives.
- CCTV to be operational on a 24 hour continuous basis; maintained with the operators holding a PFL and recordings held as per legal, licensing and operational requirements.
- Employees will have a responsibility to report all suspicious incidents, dishonesty and suspected contraventions of security, legislation or procedures to Management, Security, Surveillance or Compliance at all times.
- All serious and unusual incidents that the door supervisors deal with will be reported to the surveillance department who will ensure a report is compiled.
- These records will be kept and maintained by surveillance.
- Door Supervisors and surveillance staff are trained to recognise the signs and symptoms of people under the influence of illegal drugs.
- Money Laundering approach is covered in detail later in this document.

Hippodrome Casino Limited Policy Information

Compliance with general conditions

Personal licences

- HCL will ensure that the appropriate individuals hold a personal licence for the relevant responsibilities.
- HCL will ensure that the person responsible for gambling regulatory compliance shall not, unless otherwise approved by the Commission, occupy any other specific management office.
- HCL will monitor performance of those holding specific management positions to ensure compliance with the terms and conditions of the relevant management licences.

Protection of customer's funds

The terms and conditions under which customers funds are held will be clearly set out, including whether customers funds are protected in the event of insolvency, the level of such protection and the method this is achieved.

Cash handling and payment methods and services

Robust internal controls, procedures and policies will be put in place in relation to cash handling (and other financial equivalents) so as to minimise the risk of crime. Cash will only be handled by suitably trained staff subject to supervision and CCTV monitoring.

Compliance with terms

HCL will ensure that the terms on which gambling is offered will be neither unfair or unreasonable under the Unfair Contract Terms Act 1977 and the Unfair Terms in Consumer Contracts Regulations 1999.

Access to premises

HCL will ensure through polices, training and procedures that staff co-operate with the commission's enforcement offices.

Reporting of suspicion of offences

HCL will as soon as is reasonable practical, ensure the Commission is provided with any information in relation to offences under the Act, of breaches of licence conditions or of code provisions.

Reporting of key events and other reportable events

HCL will ensure it notifies the Commission of any key events, unique reference numbers in relation to Suspicious Activity Reports or other reportable events as set out by the commission in the LCCP and will keep itself up to date on any changes to these reportable matters. Additionally HCL will notify the Commission of the conclusion of any dispute referred to an ADR entity and of any adverse proceedings taken against HCL by any customers in relation to a gambling transaction.

General regulatory returns

HCL will provide such information as requested by the Commission and will provide within the required time after each quarter and each annual period the appropriate regulatory return.

Hippodrome Casino Limited Policy Information

Dealing with third parties

HCL will vet potential business parties through business and personal recommendations and where relevant, public search facilities (such as Companies House) to determine the integrity of such business parties. HCL will take responsibility for third parties contracted with in relation to the licensed activities in accordance with the social responsibility code provisions.

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

HCL will fully promote this licensing objective. HCL already work with the Police; attend and actively participate in local forum and partnership meetings and are keen to continue to work in tandem with the proactive Licensing Unit in addressing issues of crime and disorder should any arise.

Compliance with this licensing objective has been covered in part in the preceding "Implementation of strategy" however in summary:

- Door Supervisors will be licensed by the Security Industries Authority
- SIA Supervisor(s) will always be on duty when the premises are open and will have local knowledge of persons barred by the main premises or persons drawn to their attention by police or other partnership agencies
- Door Supervisors and surveillance staff are trained to recognise the signs and symptoms of people who are drunk or under the influence of illegal drugs and will refuse entry to persons deemed unsuitable.
- The premises has a comprehensive CCTV system installed that incorporates coverage of all areas of the premises, back of house, perimeter and other areas deemed necessary by the premises. This is covered in more detail later in this document.
- Subject to the betting shop layout being agreed, the area will have at least 5 CCTV colour cameras and audio installed at the counter. These cameras will be monitored by on-site surveillance personnel licensed by the Gambling Commission.
- A panic attack alarm will be installed at the counter which will be monitored by surveillance
- Betting shop personnel will be immediately able to contact the on-site surveillance department

Hippodrome Casino Limited Policy Information

Prevention of money laundering

Policy statement

- The directors of HCL take seriously their responsibilities to ensure that anti-money laundering legislation is complied with. The directors will ensure that all employees of HCL, with their individual obligations in respect of anti-money laundering, will take seriously the robust measures that will be put in place. The objective of these robust measures is to ensure that any efforts to launder the proceeds of criminal activity through the company's operations are prevented.
- Procedures will be in place to deal with any suspicion of money laundering, so that it can be dealt with appropriately and within the associated legislation.
- The company recognises the penalties for failure to comply with anti-money laundering legislation that could affect the ability of the company to operate in the future. The company will regularly assess the adequacy of their systems and controls.
- In order to ensure that the company and its employees are not in breach of anti-money laundering legislation the company has -
 - appointed a designated Nominated Officer and Deputy Nominated Officer;
 - deliver staff training at all levels to explain the importance of compliance with the AML procedures, including identification of suspicious gaming transactions, activity or incidents and the correct reporting process;
 - audit process that measures compliance with anti-money laundering legislation and procedures identifying points of difficulty or uncertainty;
 - provide a source of communication for all enquiries or questions regarding this Policy and a reporting process that directs information to the Nominated Officer;
 - make Suspicious Activity Reports (SARs) in accordance with anti-money laundering legislation and National Crime Agency (NCA) guidelines;
 - cooperate fully with the Gambling Commission, police, NCA and local authority licensing department and ensure management to do this at all times; and
 - consider any action by an employee that is in breach of company instruction or policy in relation to anti-money laundering as an action which may lead to summary dismissal.
- It will be the responsibility of every member of staff to report any suspicions regarding potential money laundering to the Nominated Officer deputy or in their absence to the PML holder on duty. All reports will be dealt with in the strictest confidence and handled by the Nominated Officer.
- The company will produce a policy and procedure manual on anti-money laundering that will include:
 - training of management, cashiers and security/surveillance staff;
 - on-going training;
 - Nominated/Deputy Officer;
 - management and departmental responsibilities;
 - customer due diligence;
 - customer enhanced due diligence;
 - record-keeping;
 - audit;

Hippodrome Casino Limited Policy Information

financial transactions;

reporting of suspicious activity;

retention of records;

breaches of regulations;

no "tipping off" allowed;

full compliance with Gambling Commission Guidance for the Prevention of Money Laundering and Combating the Financing of Terrorism;

full compliance with the Money Laundering Regulations 2007;

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)";

money laundering offences;

money laundering staff training record (new employees);

money laundering on-going staff training record;

cash transaction record; and

suspicious activity report (internal).

- The company will produce and upkeep procedure manuals that will include policies and support on:

fraternisation, collusion and socialising with customers;

security of the premises;

security of the count;

intruder alarm systems;

Key Security;

Cash Security;

cash desk key security;

security of gaming equipment;

security of non-gaming goods;

lost and found property;

close circuit television systems (cash desk, betting shop, count room and entrances);

personal safety (dealing with confrontations and violence);

fire precautions;

health and safety

drug and alcohol policy; and

major incident guidance incident reporting.

Counterfeit Money Protection

Ultra Violet forgery detectors will be available within the premises to be used when the staff are suspicious that forged notes may have been proffered. In cases where large amounts of cash are tendered at the counter it will be put through a note counting machine with counterfeit detection.

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A note counter with counterfeit detection will also be used on the count. Upon detecting counterfeit money staff will be required to follow the appropriate company procedures.

Suppliers

HCL only deals with reputable companies and those licensed by the Gambling Commission to ensure any gaming equipment used has been tested by approved test houses. This will give us the assurance that the equipment complies with the Gambling Commission's technical standards and equipment requirements.

Hippodrome Casino Limited Policy Information

Money lending between customers

- The directors of HCL take seriously their responsibilities to ensure that steps are taken to prevent systematic or organised money lending between customers on their premises.
- These steps will include:
 - 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; and
 - excluding from the premises, either temporarily or permanently as appropriate, any person whom the evidence suggests has become involved in organised, commercial, or systematic money lending, or involved in any money laundering.
- There will be appropriate arrangements in place to cover any cases where it appears that the lending may be commercial, organised, or systematic in nature or may involve money laundering. In the latter case, the requirements in respect of reporting suspicious transactions will be followed. In all cases where the operator encounters systematic or organised money lending, a report will be made to the Commission.

Staff training

HCL will ensure staff training at all levels is provided to explain the importance of employee vigilance in respect of the awareness of money lending and their duties in reporting such incidents.

Suspicion of money lending

If any member of staff suspect money lending transactions between customers may be taking place within or immediately outside the premises they must immediately inform management or compliance.

Enquiries

Management will make enquiries to determine whether there is any money lending taking place. If there is evidence that shows money lending is taking place within or immediately outside the premises, management will initiate an investigation with the assistance of security.

Investigation and required action to be taken

The investigation will consider whether the findings fall within the following headings and take the appropriate action as described below

No evidence of money lending taking place

No further action required

Trivial amounts (inconsequential)

A security investigation report will be made for future reference. Also management to take note and monitor the customer(s) to ensure there is no escalation in amounts
No further action required

Transient (temporary)

A case where a customer may for example have given their friend/relative some money to complete their bet. No further action is required

Hippodrome Casino Limited Policy Information

Playing together (where a couple or friends play from the same bankroll and management are satisfied that they are keeping within the stated maximums)

No further action is required

Significant (substantial)

All significant money lending transactions which fall into the headings below will involve the appropriate action being taken as stated:

- Commercial (Profitable, money-making)

If the evidence suggests any person has become involved in commercial money lending they will be excluded either temporarily or permanently from the casino

- Organised (prearranged, planned)

If the evidence suggests any person has become involved in organised money lending they will be excluded either temporarily or permanently from the casino

- Systematic (orderly, regular)

If the evidence suggests any person has become involved in systematic money lending they will be excluded either temporarily or permanently from the casino

- Money laundering

If the evidence suggests any person has become involved in money lending that may involve money laundering a suspicious transaction report will be completed and sent to the Money Laundering Reporting Officer (MLRO) and they will be excluded either temporarily or permanently from the casino. Care will be taken that such action would not amount to tipping off the person concerned and all cases where the operator encounters commercial, systematic or organised money lending, a report will be made to the Commission).

Hippodrome Casino Limited Policy Information

Reporting

Honesty

- All employees will have a responsibility to report all suspicious incidents and suspected breaches of security, procedure or legislation. It is not acceptable to ignore suspected dishonesty or breaches of legislation.
- Overlooking such matters may, in itself, result in disciplinary action. Any member of staff who feels they are party, or witness to, dishonest conduct has a duty to report it immediately to management, compliance or security (where applicable). Wherever possible, confidentiality will be respected but the premises director, director of security and director of compliance must be informed.
- HCL require staff to undertake and discharge their responsibilities with the highest possible standards of integrity and honesty, at all times.
- The company will report any instance of criminal activity to the Gambling Commission and the Police Authority and where appropriate NCA.
- The HCL security manual will outline how the company intend to operate in the various areas of security.

Hippodrome Casino Limited Policy Information

Personal safety

Introduction

- No procedures can cover every hazardous or potential violent situation. There are many triggers to violent behaviour and an equal number of ways for violence to manifest itself.
- These procedures are designed to offer advice and a plan of action should employees encounter any potential violent situation.

The Threat

Any organisation that deals with the general public faces a potential threat of violence, especially if alcohol is involved, so there is a potential for disputes.

Prevention

- Prevention is always preferable. The premises director and director of security will risk assess the premises to assess the risk for potential violence. There are often key indicators occurring days, even weeks, before a violent incident. In assessing the situation and seeking advice there may be an opportunity to put in control measures before any incident occurs. Additional information is contained in the Major Incident Guide.
- Assessment of any situation is the key to successful handling of the situation.
- Remember, aggressive behaviour is associated with a person endeavouring to dominate another, to get his or her own way.

Triggers to Aggression

Frustration.

Lack of service or unrealistic expectation of service.

Alcohol abuse.

Drug or substance abuse.

Pain.

Behavioural patterns in certain groups of young men and women.

Definition

Violence can be defined as the unlawful exercise of physical force or intimidation by exhibition of threatened force.

Look for the warning signs

Few attacks are sudden and unexpected; the majority of attacks are preceded by warnings. These follow a progressive path that lead up to a level where violence occurs.

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Preparing to deal with a potentially violent encounter

- Recognise and assess the situation.
- Calm yourself.
- Brief other staff.
- Attempt to calm aggressor, attempt to move to a less public space.

Some of the signs to look for

- Excessive complaints made loudly.
- Threats.
- Prolonged eye contact.
- Short sudden movements away or towards victim.
- Violence to property or things, eg banging a work surface; throwing a chair.
- Direct threat to an individual.
- Seizure of an article as a potential weapon.
- Actual acts of violence pushing or poking in the chest, for example.

Dealing with a potentially violent person

- Be tactful but be firm.
- Listen to what they have to say.
- Diplomacy is the key.
- Distract them.
- Compromise only if compromise is realistic.
- If compromise is not an option explain why this is the case.

Dealing with violence

Sudden acts of violence leave no time for manoeuvre and are often associated with a criminal act.

- On no account put yourself in danger.
- Give the thieves what they want.
- If this is not possible offer an alternative, eg the time lock is on the safe - offer safe keys for robbers to try it themselves, offer alternative cash.
- If it safe to do so, use the panic attack alarm.
- Make mental notes of everything you can remember about the aggressor to give the police later.
- Once the thieves leave, lock the premises and await the police arrival.
- Try to preserve the area where the attack occurred.
- Establish who are witnesses and ask them not to discuss the incident until police interview them.

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Confrontations

The Criminal Law Act 1967 allows a person to use such force as is reasonable in the circumstances in the prevention of crime or in effecting or assisting in the arrest of offenders or suspect offenders. This applies in self-defence and in ejecting people from the premises using reasonable force.

Factors to consider when confronted with a violent person

- Assess the situation.
- Summon assistance, including the police.
- Consider the factors to overcome.
- Decide what action to take.
- If possible choose the location where to take this action.
- Never signal your intended reaction.
- Try not to panic, panic will fuel the attack.
- The use of physical force should be the absolute last resort when all other options have expired.
- If physical force is your intended response, decide on the force you will use, use it quickly and only for as long and extent as is absolutely necessary.

Suspicious persons

The CCTV Operators/Security should be contacted for information or advice if Management are suspicious or concerned about the conduct of an individual. This may enable a possible undesirable person to be identified before they actually become involved in an incident or cheat move.

Close Circuit Television System - CCTV

- The premises will have a comprehensive CCTV system installed that will incorporate coverage of all areas of the premises, back of house, perimeter and other areas deemed necessary by the premises management.
- CCTV is installed as an aid to management in all aspects of the business. It provides additional safeguards when monitoring gambling and is an asset in the general security of the premises.
- The system will record digitally and all betting take out, cash desk and count room areas will be recorded in real time 25 images per second.
- The betting shop will have at least 5 cameras installed and with audio at the counter area.
- CCTV cameras and audio are also installed in the counter areas:
- Additionally, in some locations, full zoom pan and tilt covert colour/monochrome cameras in domes are installed for general surveillance purposes.
- A CCTV service agreement will be set up with the installers.
- No alteration to the functionality or design of the CCTV system can be made without the knowledge and authorisation of the Director of Security. It follows that fixed cameras cannot be moved or their angles altered without prior authorisation.
- At the start of each shift, surveillance officers should run a check on all of the system's premises functions to ensure that they are performing properly. All cameras, particularly those covering the counter counting area should be manually checked ensuring positioning and focus are usable for a review. Zoom, Pan and

Hippodrome Casino Limited Policy Information

Tilt (ZPT) cameras should be checked to ensure functionality. In areas where audio is used, test reviews should be conducted on a regular basis.

- Reception (entry and exit) coverage

The entry cameras will be operational 24 hours a day and provide a clear view of persons entering the premises from outside the building. Audio is provided as an additional aid in the event of incidents.

- Premises coverage

The premises cameras, together with audio will be situated to provide a recording of all transactions that take place, including cash pay-outs.

- Count room coverage

At least three CCTV cameras will be installed in the count room with audio, covering the count table. Count coverage will be retained for 7 days.

- External camera coverage

External cameras are used to view the approach to the premises and staff entrance. These cameras are recorded at a lesser frame rate by the CCTV system.

- Retention

CCTV storage will be as follows:

7 days count;

14 days cash desk; and

31 days on reception areas and perimeter areas.

- The control room will incorporate two operator positions.

- Facilities will exist to "burn" footage onto an industry standard format and in a media that can be easily removed when requested to do so by an authorised officer of the local authority, Gambling Commission, police or other law enforcement agency.

- Every recording created by the system has the potential for containing evidence that may be used in court and as such recordings must be compliant with the Data Protection Act 1998.

- The security department will maintain records of the following information - incident log, a record of video stills taken, access and duty rota register, record of data viewed and removed from control room.

- Further detail will be specified in the surveillance manual.

Computer equipment

- HCL will not provide computers to customers which have -

icons for gambling websites displayed on the desktop screen;

links to gambling websites available via the start menu;

screensavers, desktop wallpapers referring to gambling websites;

internet browsing history or favourites menu containing gambling websites;

promotional material (ie posters/flyers) indicating the use of computers for gambling;

gambling software downloaded onto a computer;

staff informing customers of the existence of the computer for access to gambling websites; and

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emails or other promotional material sent to customers/individuals referring to the availability of computers on premises for gambling purposes.

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Ensuring that gambling is conducted in a fair and open way

To ensure compliance with the "fair and open" provisions as stated in LCCP the rules will be displayed to all patrons of the premises:

- Licenses rules

HCL will display its betting terms and rules concerning void and late bets and maximum pay-outs. Any rule change will be prominently displayed within the premises both before and after the rules comes into effect.

- Provision of betting receipts

Where customers undertake a transaction, they will be issued with a betting slip or an electronic acknowledgement 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*".

Rewards and bonuses

- Any reward or bonuses scheme or any such similar arrangements will be operated in a way that clearly sets out to customers what is being offered and the conditions and these details will be readily accessible to the customer.
- Neither the receipt, value or amount of the benefit will be dependent on the customer gambling for a pre-determined length of time or frequency.
- Any value or benefit will not increase at a greater rate than which the amount of spend increases, and any incentive or reward schemes will be in proportion to the type and level of customers' gambling.

Advertising codes

All advertising of gambling products and services will be undertaken in a socially responsible manner. It will be compliant with the relevant advertising and industry codes of practise.

Gambling licensees' staff

Staff involved in the provision of gambling will be made aware of advice on socially responsible gambling and of where to get confidential advice should their own gambling become hard to control.

Complaints and disputes

Dispute resolution

- General

HCL will maintain a complaints log has a written procedure for handling customer complaints and disputes.

- First level complaints

HCL will 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; and
- all complaints are handled in accordance with the procedure.

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- Second level complaints: disputes

Where a complaint is not resolved at the initial level, it will become a "dispute" HCL will also ensure that it has arrangements in place for disputes to be referred to an independent third party. Therefore, 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. This decision will be stated contractually to be binding on HCL.

HCL must keep a record of all complaints that are not resolved at the first stage of the complaints procedure.

HCL will 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.

- Access operator's dispute resolution

HCL is aware of its responsibility to notify customers of the availability of the operator's dispute resolution policy. It will therefore do so via leaflets and posters, and take all reasonable steps to facilitate the satisfactory outcome of this process.

Gaming equipment

All gaming equipment will be inspected and tested by security and the gaming staff. Equipment will be purchased from a reputable supplier and where appropriate supplied with a GLI certificate.

Suppliers

HCL only deals with reputable companies and those licensed by the Gambling Commission to ensure any equipment used has been tested by approved test houses. This will give us the assurance that the equipment complies with the commission's technical standards and equipment requirements.

Issue of keys

- Keys will be securely held by security, management and appropriate heads of department. They will be issued to authorised personnel and records will be maintained of the date, time and name of person holding the key.
- All keys appertaining to betting, gaming machines, ATMs and the cash desk will be secured and movement monitored by Security and key logs kept.
- Where applicable, the issue and return of the seal numbers of key pouches will also be recorded. The opening seal number will be checked as agreeing with the previous closing seal number, to prove that the pouch has not been opened in the meantime.

Financial reserve

HCL will ensure sufficient funds are available to pay out any winners.

Hippodrome Casino Limited Policy Information

Details of our policy to ensure that children and other vulnerable persons will be protected from being harmed or exploited by gambling

Underage gambling

- Social Responsibility training will be given to all employees and will encompass underage gambling and the vulnerable.
- HCL will have in place measures designed to prevent those underage from entering the premises and gambling.
- Signage on entry will clearly show that no person under the age of 18 is permitted entry.
- Also signage on entry will clearly show a "Challenge 21 Policy" is in place. Anyone who wishes to enter the premises and appears to be below the age of 21, will be requested to prove their age prior to allowing entry.
- Entry will be covered by CCTV.
- Supervisor(s) will always be on duty when the premises are open.
- Door Supervisors will be licensed by the Security Industries Authority

Employment of young people

No person under the age of 18 will be employed.

Staff training

- Appropriate training will be given to ensure that all staff understand their responsibilities for preventing underage gambling.
- Staff training will:
 - include all employees;
 - encourage ownership of our policies and procedures that are designed to minimise harm to our customers;
 - raise awareness of the issues, emphasising the importance of taking social responsibility seriously and enable our staff to deal with relevant situations in an appropriate manner;
 - inform staff at all levels and give them the skills and confidence to respond appropriately when customers express concern about their gambling or a problem gambling issue arises; and
 - incorporate social responsibility requirements in induction and on-going staff training.
- Involve the appropriate external organisations where necessary to assist in the development of our staff training programmes.
- Supervisor(s) will ensure implementation of the following age verification check 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 when challenged, ie one which:
 - contains a photograph from which the individual can be identified;
 - states the individual's date of birth;

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is valid;

is legible and shows no signs of tampering or reproduction; and

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.

- Take action when there are unlawful attempts to enter the premises, including removing anyone who appears to be underage.
- Removal of anyone who appears to be underage who has gained access and cannot produce an acceptable form of identification.
- In compliance with section 83 of the Gambling Act, if HCL or anyone employed by HCL becomes aware that a child or young person is using or has used facilities for gambling provided, HCL (a) will return any money paid in respect of the use of the gambling facilities (whether by way of fee, stake or otherwise) by the child or young person, as soon as is reasonably practicable; and (b) will not give a prize to the child or young person. However HCL will not demand repayment of, and shall not require a child or young person to return, a prize paid before HCL became aware that the participant was a child or young person.
- No facilities or marketing will be deliberately targeted at children or young people.
- See our admissions policy submission for further clarity on our procedures to ensure no underage persons are granted entry.

The vulnerable

Employees will be instructed to advise a customer to seek professional advice and then ensure they are excluded from entry to the premises if they are not deemed capable of making an informed decision about gambling, because of mental health problems, learning disabilities or substance misuse relating to alcohol or drugs.

Hippodrome Casino Limited Policy Information

Details of our policy for the promotion of social responsibility in gambling

Social responsibility

- The directors of HCL will fulfil their obligations by providing their customers and employees with an effective Social Responsibility Policy.
- HCL and its employees are committed to delivering betting within a socially responsible environment by complying with all the requirements of the Licence Conditions and Codes of Practice.
- For the majority of people gambling, it is an enjoyable and harmless activity but for a small minority gambling can become a behavioural problem. To address this HCL intend to work closely with Gamcare.

Training

Employees must have received training in social responsibility and problem gambling awareness. Training will be refreshed annually. All new employees will receive training, appropriate to their functions, when they join the company.

Assessment

- Visual Assessment of premises to assess current procedures and safeguards with regards to social responsibility, player protection and the LCCP requirements.
- Interview with members of staff, betting and betting.

Gamcare certification requirements at assessment

- Age Verification - a system to verify age and ID of customers must be in place.
- Self-exclusion - the ability for a customer to self-exclude must be available.
- Sources of Help - leaflets, posters, containing information regarding responsible gambling and sources of help must be displayed and readily available to the customer together with the National Gambling Helpline number on all ATMs, gaming machines, gaming terminals and in other appropriate locations.
- Awareness - assessing knowledge and understanding of social responsibility, the LCCP requirements and awareness of problem gambling.

Duty of care

- We are responsible to our customers to provide a duty of care that will include an awareness of the symptoms of problem gambling in our training programmes and promote responsible gambling in our casino operation.
- In circumstances where a customer appears not to be in control of their gambling, or where we are provided with reliable information of that fact, we will offer them help and advice.

“Enjoy, and Play Responsibly” and Self-Exclusion

- Circumstances where help and advice will be offered:
when a customer approaches us and says that they are no longer in control of their gambling;

Hippodrome Casino Limited Policy Information

when a customer appears not to be in control of their gambling, in particular when a customer appears to be very distressed as a result of their gambling; and

when a relative or third party asks for help or information on behalf of someone they feel has, a problem with their gambling.

- In the above circumstances help and advice is offered by responding positively to the situation as follows:
 - responsibility for meeting with the customer, or the relative/third party, or both individuals, is with the Duty Manager. The Duty Manager or his/her deputy will have received appropriate training so that they are able to act with integrity, support the customer's wishes and provide practical help and advice. There may be situations where the advice and support of the Premises Director is required and the Director may decide to meet the customer with the Duty Manager;
 - the customer and/or the relative/third party will be informed of the options available, provided with information about and contact details for the National Gambling Helpline, provided with copies of the "Enjoy, And Play Responsibly" leaflet and informed about the option of self-exclusion; and
 - if the customer wishes to take up self-exclusion, the Duty Manager or his/her deputy will explain the procedure, provide the customer with a copy of the self-exclusion leaflet and formalise this with the customer in line with the HCL Customer Self-Exclusion Procedure.
- In extreme circumstances the Company may decide to refuse service to a person exhibiting severe and repeated indicators of problem gambling that has not taken up the option of self-exclusion. This would only be done in the best interests of the customer concerned and in consultation with the premises Director.

Customer win/loss

Win/Loss records of customers at a certain level will be kept. This will assist in identifying gamblers gambling beyond their normal limits. If it is considered that this may be the case a player will be spoken to by management and the outcome entered in an interaction report.

Availability of help

- Gaming machines and electronic terminals will all have gamble responsibly stickers with the National Gambling Helpline telephone number should their help be required.
- There will be available a private secluded area for any confidential conversations with players who wish to discuss their possible problem gambling with HCL management. It is not the duty of management to provide counselling, but to refer customers who they believe have problems with their gambling to Gamcare or other problem gambling referral agency.
- "Enjoy, And Play Responsibly" leaflets will be available throughout the Premises.

Staff training

- Staff training will:
 - include all employees;
 - encourage ownership of our policies and procedures that are designed to minimise harm to our customers;
 - raise awareness of the issues, emphasising the importance of taking social responsibility seriously and enable our staff to deal with relevant situations in an appropriate manner;
 - inform staff at all levels and give them the skills and confidence to respond appropriately when customers express concern about their gambling or a problem gambling issue arises;

Hippodrome Casino Limited Policy Information

incorporate social responsibility requirements in induction and on-going staff training;

involve the appropriate external organisations where necessary to assist in the development of our staff training programmes.

- Customers must never be encouraged to:
 - re-stake their winnings, it is their own decision;
 - increase the amount they have decided to commit to gamble;
 - chase their losses;
 - continue gambling when they have indicated that they wish to stop;
 - enter into continuous play on a machine for a prolonged period of time;

Information

Whilst the responsibility for an individual's gambling is their own we do remind our customers of the need to gamble responsibly and do this through the "Enjoy, And Play Responsibly" material, which:

- is available in the form of posters and leaflets in the customer area;
- can be obtained without approaching a member of staff;
- includes our commitment to the promotion of responsible gambling;
- gives clear guidance that in order to keep gambling a fun social activity our customers need to "Enjoy, And Play Responsibly";
- draws attention to further information available in our premises;
- indicates a source of help, GamCare, that they can access;
- is clear and legible;
- is appropriately and prominently displayed in the Premises in a clean and tidy condition in clear view of customers; and
- includes additional signage and leaflets in close proximity to our gaming machines and in discreet locations where possible.

Maintaining integrity

- This Policy outlines our duty of care to a customer who appears not to be in control of their gambling or where we are provided with reliable information of that fact by a relative or third party. The integrity of the Policy relies on our staff exercising their responsibilities and, in the case of self-exclusion, supporting the wishes of the customer to be excluded.
- Situations may arise where the customer asks our staff to collude with them by giving false information to a relative or third party or during the exclusion period asks staff to "turn a blind eye" to the exclusion. Staff must comply with the "Duty of Care" policy and the "Customer Self-Exclusion" procedure and any failure to do so may result in disciplinary action. If our staff are asked by a customer to do anything that contravenes either the policy or procedure they are advised to report the matter to their casino manager or duty manager.
- "Enjoy, And Play Responsibly" will be the HCL strap line. We want customers to enjoy their visits, and gamble responsibly.
- "Enjoy, And Play Responsibly" self help guide leaflets will be made available within the casino. The self help guide will include the following:

Hippodrome Casino Limited Policy Information

indicators of problem gambling;

self-exclusion; and

contact details of organisations that can help.

- HCL will make a financial contribution to the to The GREaT (Gambling Research, Education and Treatment) Foundation.

Procedure for self-exclusion

- Whilst most customers are able to enjoy their gambling HCL recognises its duty of care to any of its customers for whom gambling becomes a problem. Our duty of care towards our customers includes the provision of a self-exclusion facility. This facility enables customers to request their exclusion from our premises for a minimum period of six months and a maximum period of five years. At the end of the period of self-exclusion the customer can opt for a further period of self-exclusion or they can make a declaration to re-commence gambling.
- The customer is provided with a copy of the self-exclusion leaflet and has the process explained to them including the full implications of self-exclusion before commencing completion of the documentation, ie that the self-exclusion scheme cannot be withdrawn or amended during the self-exclusion period. The self-exclusion leaflet gives details of organisations where they can seek help, such as Gamcare and Gamblers Anonymous.
- When a customer requests self-exclusion both the customer and the manager or his deputy will complete the customer self-exclusion form.
- It must be made clear to customers that they may not change or withdraw their self-exclusion at any time during the period elected by the customer on the self-exclusion form. The manager must check the self-exclusion agreement and signature. Verify ID and photo, sign, and give one copy to the customer.
- The manager or duty manager will inform all relevant staff in the premises (management, reception, security, and pit staff) that the customer is excluded for the period specified on the self-exclusion form and should not be allowed to enter the casino during this period.
- The scheme does not apply to other operators and the customer may wish to contact other operators to extend their self-exclusion.
- Management must ensure the customer's details are removed from any marketing data base within two days and ensure the customers registration details are marked accordingly so no further admittance is allowed. At the end of the self-exclusion period, at the instigation of the customer, the manager or his deputy and the customer will review the self-exclusion. The manager will inform the staff of the outcome of the review.
- Customer options are:
 - the customer feels in control of their gambling and does not ask to be self-excluded for another period. The customer is then free to decide whether or not to gamble at the premises. If the customer decides that they are in control of their gambling and wishes to recommence gambling, they must discuss their intent with a member management and a period of 24 hours to cool off must elapse prior to the customer signing a declaration to recommence gambling, which must be retained with the original self-exclusion form; and
 - the customer wants to be self-excluded for another period.
- The original form and all copies of the form held will be retained for a period of five years. If exclusion is to continue, the customer will complete a new self-exclusion scheme and the above procedure is actioned again in its entirety.

Hippodrome Casino Limited Policy Information

Primary gambling activity

Overall range and frequency of events

The premises will offer the usual range of events found in high street betting shops, such as (but not exclusively) horseracing, greyhound racing, football, rugby, tennis, golf and cricket. These events will be offered daily, or as frequently as they take place. Information will be provided to customers which enables them to access details of the events, the outcome of the event.

Range and frequency of events involved in core products

- Horseracing
 - regular daily service offering horseracing betting from Great Britain and Ireland in line with the respective fixture list; and
 - foreign meetings;
- Greyhound Racing
 - regular daily service from six venues divided by morning, afternoon and evening slots;
- Football
 - UK domestic league football;
 - domestic and European cup competitions; and
 - international matches;
- Numbers
 - number betting products (such as 49s and Irish lottery);
- Other Sports Betting
 - PGA and US PGA golf each week;
 - tennis; and
 - international and domestic cricket.

Broadcasting of live event pictures for core products

- There will be daily live broadcasts in relation to UK horse and dog racing.
- Events such as football, golf and tennis will be shown on televisions within the premises.

Range of bets available on core products

A full range of bets will be available including single bets on all of the five core products and multiple bets across all of the five categories, including such bets as doubles, trebles, patents and Yankee and super Yankee additionally, ante-post betting will be available on high profile competitions in all core products.

Specific bet type range by core product

- Horse and Greyhound Racing
 - forecast and tricast betting will be available; and

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the customer will have an option to choose between the current 'live show' price or the starting price;

- Football

range of bets will be offered including first goal scorer, correct score and scorecast betting; and dedicated football coupons will be available in formats to facilitate the placing of multiple bets;

- Customer information

information will be provided concerning upcoming events, betting opportunities and results from previous events;

- Events

event details including form/results details of the day's horse and dog meetings will be provided as well as results from previous meetings.

Betting in relation to gaming

There will be a maximum of four gaming machines within the premises. Whilst these machines are available there will be sufficient facilities for betting on core products.

General

Customers will be able to bet over the counter or on self-service terminals. There will be maximum size bets/stakes and this information will be clearly set out and displayed for customers to see.

Mr Kerry Simpkin
Licensing Team Manager

Mr Craig Baylis
Berwin Leighton Paisner
Adelaide House
London Bridge
London
EC4R 9HA

Tel: 020 7641 1884

ksimpkin@westminster.gov.uk

Date: 22nd May 2015

Ref:15/03306/LIGN

Dear Mr Baylis

New Betting (Other) Premises Licence application for the Hippodrome, Cranbourn Street, London WC2H 7JH

You have submitted an application on behalf of Hippodrome Casino Ltd for a new Betting (Other) Premises Licence for the above mentioned premises under the Gambling Act 2005 (the Act). The proposed premises are located on the ground floor within the Hippodrome Casino. The Hippodrome Casino currently has a premises licence under Part 8 of the Act.

As a responsible Authority under the Act the Licensing Authority has gone through this application in detail and has considered the application in relation to the principles to be applied under section 153 of the Act, the Mandatory conditions as specified in Schedule 1 of the Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007 (Mandatory and Default Conditions Regs) and the Gambling Act 2005 (Premises Licences and Provisional Statements) Regulations 2007 (Premises Licence Regs).

The Licensing Authority has identified a number of aspects to this application which raise significant concerns relating to the current application. These concerns are that:

1. the Licensign Auhtority cannot determine this application in its current form as if the licence were granted it would not be legally compliant with the mandatory condition in paragraph 2(1) of Part 1, Schedule 5 of the Mandatory and Default Conditions Regs
2. the licence cannot be issued by the Licensing Authority as there is already a premises licence in effect for the premises and if the current casino licence was varied to remove the proposed betting premises area from the casino premises licence there would be a direct access issue which could also be a breach of the mandatory conditions for both premises..
3. the premises layout, operation and systems may not allow the premises to operate in accordance with the Gambling Commissions Codes of Practice issued under section 24 of the Act, the Gambling Commissions Guidance to Licensing Authorities issued in accordance with section 25 of the Act or the Licensing Authority's Statement of Licensing Principles for Gambling published in accordance with section 349 of the Act and that the premises may not operate so as to be reasonably consistent with the Licensing Objectives under the Act.

The specific concerns and issues relating to this application are set out in detail below.

1. Breach of mandatory condition

The first concern that the Licensing Authority has in relation to this application concerns the proposed plans for the premises and the access to the premises. The entrance and exit for the premises is via the Lobby within the Hippodrome Casino and not to Cranbourn Street which is shown in figure 1 below.

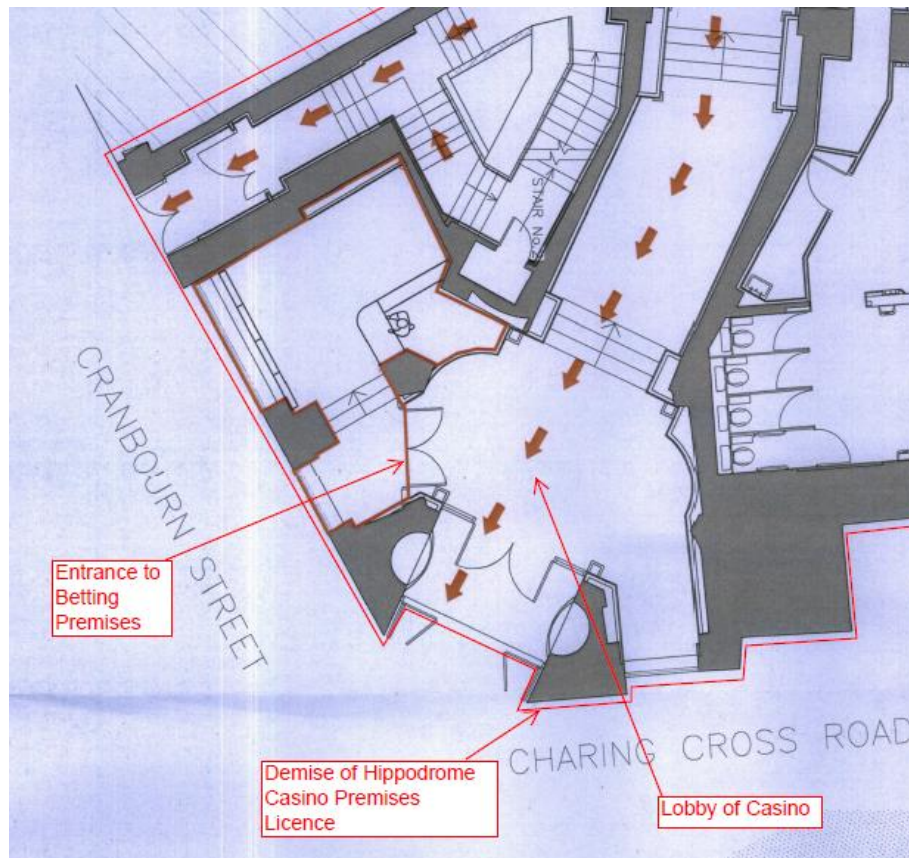


Figure 1

Schedule 5 of the Mandatory and Default Regs place a number of mandatory conditions on a Betting Premises Licence. Paragraph 2(1) of this schedule state “*Access to the premises shall be from a street or from other premises with a betting premises licence*”. The explanatory notes relating to these mandatory conditions describe the Governments reasoning for establishing conditions relating to access between gambling premises. Paragraph 7.6 of the explanatory notes states “*We [the Department] were also concerned that people who entered premises for one type of gambling should not be exposed to another potentially harder, form of gambling*”. This paragraph also goes on to state: “*...we [the Department] were determined to ensure that all gambling premises have publically accessible entrances...*”

The key principle with regard to this application is that the premises entrance does not allow access from the street and that betting premises customers will have access to casino gambling facilities which are a harder form of gambling.

The Gambling Commissions Guidance to Licensing Authorities, 4th Edition (GLA) states in paragraph 7.23 that *“The Gambling Act 2005 (Mandatory and Default Conditions) Regulations set out the access provisions for each type of premises. The Broad principle is that there can be no access from one licensed gambling premises to another...”*

Paragraph 7.24 of the GLA states: *“It should be noted that the Gambling Act 2005 (Mandatory and Default Conditions) Regulations define street as ‘including any bridge, road, lane, footway, subway, court, alley, or passageway (including passage through enclosed premises such as shopping malls), whether a thoroughfare or no’. This is to allow access, for example, to casinos from hotel foyers.”*

The plans clearly show that the entrance for these premises will be to the lobby area of the Hippodrome Casino. The Lobby area of the casino does not fall within the definition of a street in our view as the lobby is part of the casino premises and is not used for any other purposes apart from to access the casino.

The premises and the lobby area are currently within the demise of the premises licence for this Hippodrome Casino which would also present a potential non-compliance of the Hippodrome Casino Premises licence mandatory condition. Paragraph 1(3), Part 1 of Schedule 1 of the Mandatory and Default Conditions Regs which sets out the mandatory conditions for converted casino premises licences state that *“No customer shall be able to enter the premises directly from any other premises in respect of which a licence issued under Part 8 [Premises Licences] of the Act..., has effect”*.

When a customer exits the betting premises they would walk directly into the casino which would be a breach of the mandatory condition. The implications and requirements on the Licensing Authority relating to a casino premises licence already being in effect for this premises is provided in more detail below.

As the proposed application, if granted would not be compliant with the mandatory conditions for betting shops and casinos premises licences the Licensing Authority cannot legally grant this application in its current form. The entrance to these premises must be from the street and it is the Licensing Authority's view that this should be to Cranbourn Street.

2. Premises Licence already has effect in relation to the premises and direct access

The second element of concern for the Licensing Authority is that the proposed application is located within the Hippodrome Casino which already is subject to a premises licence under the Act. Section 152 of the Act provides that a premises licence may not be issued in respect of premises if a premises licence already has effect in relation to the premises, except for a track premises licences. However, this section does not prohibit the Licensing Authority from determining the application.

The Explanatory Notes for section 152 state “The general position for premises licensing is that premises may only be subject to one premises licence at a time... The effect of this requirement is to limit the principal activity on the premises to the provision of facilities for a particular type of gambling activity.”

Paragraphs 7.13 of the GLA describes what may be considered as a premises, it states that:

“...there is no reason in principle why a single building could not be subject to more than one premises licence, provided they are for different parts of the building, and the different parts of the building can reasonably be regarded as being different premises. The approach has been taken to allow large, multiple unit premises such as pleasure parks, tracks, or shopping malls to obtain discrete premises licences, where appropriate safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-division of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed”

In this case the application for a betting premises licence is within the area defined on the plans for the casino premises licence. Although this area is marked as a non-gambling area it is still defined as part of the current casino premises licence for the Hippodrome.

To allow the Licensing Authority to issue the licence if it determined to grant the application your clients will either have to surrender the current casino premises licence or apply to vary that casino premises licence remove the betting shop from the gambling premises licence area. However, that variation application would potentially create a further issue relating to the direct access and the arrangements to make the premises specific different premises. This would add further concerns for the Licensing Authority which are set out below.

Direct Access is not defined within the Act but is referred to within the Mandatory conditions for the casino premises and betting premises licences. Paragraph 7.25 of the GLA states “*There is no definition of ‘direct access’ in the Act or regulations. However, it could be said that there should be an area separating the premises concerned (for example a street or café), which the public goes for purposes other than gambling, for there to be shown to be no direct access.*”

The GLA describes what Licensing Authorities should consider when dealing with applications for multiple premises licences for a building. Paragraph 7.18 states:

“...they [Licensing Authorities] should be aware of the following:

-
- Entrances to and exits from parts of a building covered by one or more premises licences should be separated and identifiable so that the separation of different premises is not compromised and people do not ‘drift’ into a gambling areas. In this context it should normally be possible to access the premises without going through another licensed premises...”

The Commission within paragraph 7.19 of the GLA sets out factors that the Licensing Authority can use to assist in determining whether premises are truly separate. These factors may include:

- Is a separate registration for business rates in place for the premises?
- Is the premises neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or a public passageway?
- Can the premises only be accessed from any other gambling premises?

Based on the minimal amount of information submitted with this application, the Licensing Authority answers these questions as follows.

- The Authority cannot identify whether these betting premises will be registered for businesses rates separately,
- the casino is owned by the same operator,
- the betting premises cannot be accessed from the street or a passageway that could be considered a street under the definition within the Mandatory and Default Conditions Regs,
- the betting premises can only be accessed from the Casino premises, and
- There is also no indication within the application that the betting premises will trade and be presented as a separate single business.

Based on the current application and subject to you addressing the other concerns within this letter the Licensing Authority cannot issue a betting shop premises licence due to the requirements of S152 of the Act. If that area was unlicensed there would be a need to discuss in detail whether your clients can meet the requirements of direct access. At present it is the Authority's view that direct access would be present and that would mean that the licence could not be permitted as it would then breach the mandatory conditions for both premises licences.

3. Insufficient Information

In addition to the above the Licensing Authority has significant concerns relating to this application as no information has been provided that would show how this premises, if granted would be reasonably consistent with following licensing objectives:

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

The Council's Statement of Principles relating to gambling in Westminster sets out the Council's policy when considering applications made under the Act. The Council will consider each application on its own merits and consider how that new premises if in operation would meet council's policies. The Council will consider how the premises will meet the licensing objectives, whether the location of the premises is suitable having regard to those objectives and whether the premises and its operation will be suitable for the betting (other) gambling activity.

In considering this application we have also taken into account the considerations relating to the guidance issued by the Gambling Commission. The question relating to this application is

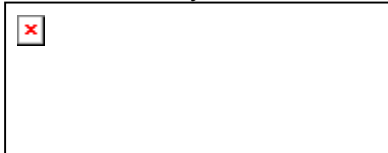
whether these premises and its operation will have an effect on the gambling licensing objectives.

Unfortunately, based on the very limited information you have provided with your application the Licensing Authority cannot be satisfied that this premises and its operation will meet the requirements of the Act. You should consider providing a detailed response setting out how this premises and its operation will be reasonably consistent with the licensing objectives, meet the Council's policy, and be compliant with the Gambling Commission Guidance or whether you will meet the Commissions Codes of Practice. Any response should relate to how your client will operate these premises and how it will meet or operate in accordance with the above mentioned objectives, policy, guidance and codes of practice. You should also set out how these premises will fit within this particular area. The Council Policy LOC1 provides further information on the criteria that the Licensing Authority will consider when determining your application.

Please take this letter as a formal representation to your clients application from the Licensing Authority

If you have any questions relating to this matter or wish to discuss it further please do not hesitate to contact either of us on the contact details listed above.

Yours sincerely



Mr Kerry Simpkin
Licensing Team Manager
Public Protection and Licensing

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Mr Kerry Simpkin
Licensing Team Manager

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Date: 2nd September 2015

Your Ref: CAB/24368.00002
Our Ref: 15/03306/LIGN and 15/04522/LIGV

Dear Mr Baylis

Application for a new Betting (Other) Premises Licence for the Hippodrome Casino, London

Thank you for your letter dated the 15th June 2015 and for meeting with me on Tuesday 1st September 2015. The representation from the Licensing Authority clearly sets out the Authority's views in relation to the application for a new Betting (Other) Premises Licence. However, since that time I have considered your submission relating to that representation and the discussions we had at our meeting.

At the meeting on the 1st September you expressed your client's view that he felt it was unfair that a new Small or Large Casino Premises Licence, which cannot be applied for within Westminster, can provide betting under their licences. You stated that it was your client's view that this was unfair and that it was his intention to lobby government on that issue. Although I can understand your client's frustrations regarding this issue, the Licensing Authority must ensure that all applications are considered against the requirements of the Gambling Act 2005 and associated regulations; that the licence, if granted would operate in accordance with the Gambling Commission's Codes of Practice and Guidance to Licensing Authorities, reasonably consistent with the licensing objectives and in accordance with the Authority's Statement of Principles for Gambling (SOP).

At this meeting you also raised that other local authorities have granted betting shop licences in other casino premises without any issues and you made reference to the Grosvenor Casino in Southend. We are approaching the application for a new betting shop and application to vary the Casino Licence applications in the same way we approach any other application. We assess the application to establish if there are any concerns relating to application in whether it is compliant with the Act and the Licensing Objectives either via the application process or when granted. Whilst other Licensing Authorities may have granted similar applications in their jurisdiction, Westminster City Council as the Licensing Authority for this application will consider all of the information and make its own interpretation of the Act and regulations when determining this application. We are not in a position to comment on the reasoning of another licensing authority and any such decision is not binding on Westminster's Licensing Authority.

The Licensing Authority is of the opinion that the new Betting (Other) Premises Licence application as currently proposed would breach the mandatory condition in paragraph 2(1) of Part 1, Schedule 5 of the Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007 (2007 Regs) relating to direct access. This mandatory condition states:

“Access to the premises shall be from a street or from other premises with a betting premises licence.”

You have stated that “we believe that this application will be fully compliant with the various legal requirements...” and you explain why you believe this to be the case. The Licensing Authority disagrees with this interpretation of the requirements surrounding direct access and the requirements relating to this mandatory condition.

Firstly you state paragraph 7.13 – 7.15 of the Gambling Commissions Guidance to Licensing Authorities 4th Edition (GLA) which refers to a single building could be subject to more than one premises licence. For clarity the full wording of these paragraphs are provided bellow:

“Meaning of premises

7.13 *In the Act, ‘premises’ is defined as including ‘any place’. Section 152 therefore prevents more than one premises licence applying to any place. But, there is no reason in principle why a single building could not be subject to more than one premises licence, provided they are for different parts of the building, and the different parts of the building can reasonably be regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as pleasure parks, tracks, or shopping malls to obtain discrete premises licences, where appropriate safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-division of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.*

7.14 *In most cases the expectation is that a single building/plot will be the subject of an application for a licence, for example, 32 High Street. But that does not mean that 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. However, the Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises.*

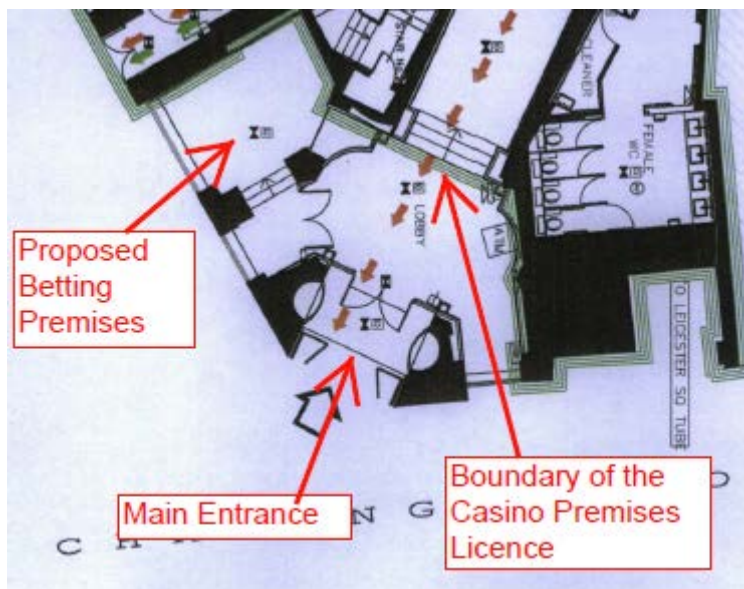
7.15 *We recognise that different configurations may be appropriate under different circumstances but the crux of the matter is whether the proposed premises are genuinely separate premises that merit their own licence with, for example, the machine entitlements that brings and are not an artificially created part of what is readily identifiable as a single premises.”*

Paragraph 7.13 clearly sets out that with regard to single buildings having more than one licensed premises within it was directed at multiple-use buildings. The Commission specifies some examples of these within this paragraph such as pleasure parks, tracks or shopping malls. These examples are clearly multiple unit venues which offer different types of activity other than gambling and are provided by different operators or businesses.

The Licensing Authority is aware that the Hippodrome does have other licences for the premises to enable Sexual Entertainment, Civil Marriages and the sale of alcohol, provision of regulated entertainment and the provision of late night refreshments. However, it is the Licensing Authority’s view that the Hippodrome is not a multi-unit premises as the other activities provided by the Hippodrome all relate to promoting or augmenting the main offering for the premises as a licensed casino and that all of the operations are run by the Casino and not separate operators or businesses.

Paragraph 7.14 then refers to single buildings, which is what the Hippodrome is classified as by the Licensing Authority. The Commission does state that a building can have more than one gambling premises licence within in it as long as those licensed premises are “properly regarded as separate”.

Since my representation to the betting shop application you have subsequently applied to vary the existing Converted Casino Premises Licence for the Hippodrome so as to move the boundary of the licence. By moving the boundary of the licensed premises from the main boundary of the building the betting shop and the main entrance lobby area will no longer be within that licensed area. The edited snapshot from the plan provided as part of that variation application is shown below:



The 2007 Regs adds a Mandatory Condition on the Hippodrome Casino Licence that “The principle entrance to the premises shall be from a street” (Regulation 4, Part 1 of Schedule 1, paragraph 1(1)). The definition of a street in the 2007 Regs are broad and does make reference to a passage way which includes a passageway though an enclosed premises such as a shopping mall. It is your view that the lobby area would fall within the definition of a street and that would then mean that there would be no direct access between the casino and proposed betting shop as access would be from the ‘street’.

The Licensing Authority is of the view that the lobby is not a street and the principle entrance cannot be from the lobby and must be to Cranbourn Street. A passageway is given as including a passageway through a building such as a mall. It is highly likely that the intention of Government in relation to this was to allow premises that are located in a mall or other multiple use premises (premises that offer other services than gambling).

Policy DAP1 of the Licensing Authority’s Statement of Principles (SOP) specifically addresses applications and licensed premises that have more than one gambling premises licence and the division and access between those premises. This policy states:

“Policy: DAP1

Applications to have more than one licensed premises within a building, or divide and separate a building into different premises will be determined subject to other policies in this Statement of Principles and subject to the relevant criteria in Policies OBJ1, OBJ2 and OBJ3, and other policies in this statement, and it will need to be demonstrated that:

- (1) *the different premises are genuinely separate premises, and not an artificially created part of what is readily identifiable as a single premises*
- (2) *separation between the premises is appropriate*
- (3) *access between premises is restricted to prevent unlawful direct access by customers between licensed premises”*

The reason for this policy is clearly stated within the SOP at paragraphs 22.1 to 22.3. The Licensing Authority states at paragraph 22.3 of its SOP:

“22.3 Some applicants have attempted to create an unlicensed area accessed from the street which then leads into separate licensed premises, see figure 1. In such cases the premises are not clearly identifiable as separate premises and the unlicensed area is not likely to be used by the public other than by those using the gambling premises. Applications to place two licensed premises in one premises with a unlicensed area separating them, (see figure 2) will also not meet this policy because of the artificial nature of the premises, access, and likely use issues which arise.”

This paragraph refers to figures which have not been included in this letter but can be viewed within the SOP on page 21. Figure 1 clearly represents a similar example to the one being suggested in relation to the lobby area to both the casino and the proposed betting shop.

Paragraph 22.4 of the Licensing Authority SOP then goes on to state:

“22.4 It is possible to have a foyer area or passage way which separates one licensed premises from another. However, such a foyer or passage way must be accessible and generally used by members of the public other than those using the gambling premises. An example of this would be a hotel lobby which has an entrance to a casino and adult gaming centre off it. The foyer itself will be used by hotel guests and visitors who may have no intention of using either licensed premises.”

It is the Licensing Authority's view that the current application does not meet policy DAP1 for the following reasons:

1. The betting shop and the casino are not separate premises and are artificially created within one building (the Hippodrome Casino)
2. The separation between the two premises is not appropriate as you can readily access one from the other and that the only distinction between the two premises are the lines drawn on the plans. The betting shop will be within the Hippodrome Casino which when viewing the premises main entrance from Cranbourn Street will not be separately branded or distinguishable from the Casino itself.
3. Access between the premises is not restricted and as such would be a breach of the mandatory condition relating to direct access.

It is the Licensing Authority's view that the new and variation applications as currently applied for are an attempt to circumvent the requirements of the Mandatory Conditions in relation to direct access. The Explanatory notes for the 2007 Regs set out the Government's reasons for implementing the Mandatory Condition relating to direct access. It states:

“7.6 The Act provides that, except in the case of tracks, a single premises may not have more than one premises licence authorising a type of gambling activity. There were concerns that some unscrupulous operators might seek to circumvent this by artificially subdividing their premises and securing separate premises licences for its composite parts, which would undermine the different categories of premises licence created by the Act.”

Whilst the Licensing Authority is in no way suggesting that your client is an unscrupulous operator, we feel that there is an intention to gain the licence to allow your client to operate on the same terms in relation to offering betting as the Small and Large Casino Premises Licence categories. As such these applications are clearly going to undermine the categories of premises licences created by the Act. It was clearly the government's intention to enable betting in licensed Small and Large Casinos and to restrict it from Converted Casino licences.

Having regard to the lack of information in the new betting shop application, you have provided a document called "Hippodrome Casino Limited Policy Information" which sets out the policies that your client will apply relating to the operation of the licence. This document is very generic and addresses, at a high level, the approach you will take to meet the requirements of the Act; and the operating and premises licences. However, you have not provided any specific information to show how you will ensure that the betting shop premises will be reasonable consistent with the licensing objectives.

As you will no doubt be aware Cranbourn Street and Leicester Square is an extremely busy area which draws in a large number of visitors at all times of the day. There are a large number of alcohol and entertainment premises and due to the high crime rate in the area the Metropolitan Police Service has defined this area a high risk location. To combat the risk the police have established the Impact Team to provide a 24 hour presence of Police Officers in the area.

You have advised that access to the betting shop will be restricted by the Hippodrome's SIA licensed security. The CCTV system within the betting shop will be part of the casino's CCTV system and monitored by the Hippodromes security staff. As a result the requirements for CCTV that the Licensing Authority and the Police would normally wish to be installed are already present. There will also be a panic alarm fitted at the counter to alert security.

It is not clear whether there is an intention to provide a screen for the member of staff behind the betting shop counter but as the security arrangements are in place it would suggest that this may not be necessary, however your client should have undertaken a risk assessment relating to this to determine the level of risk and potential hazard of not putting in a counter screen.

There may be times when customers are identified by staff or other agencies such as the police that should be prevented from accessing the premises. I note that you have not provided any policies associated with a banning system that you will operate on the premises. It is the Licensing Authority's view that there will be times when banning customers will be necessary to protect one or more of the licensing objectives.

There is also a need to record significant incidents and aspects of staff intervention. A form of recording these incidents should be implemented on the premises.

The Licensing Authority is proposing the following conditions to address this risk.

- *The licensee shall develop a banning system which will include policy and procedure for that system which would be triggered if a customer:*
 - (a) *is insulting or abusive to staff or other customers*
 - (b) *does not comply with the rules or by instruction from a member of staff*
 - (c) *causes anti-social behaviour on or outside the premises*
 - (d) *engage in crime or disorder within or outside the premises*

- (e) *uses drugs or tries to bring in or consumes alcohol on the premises*
 - (f) *is under the required age for entry and persistently attempts to gain entry, and*
 - (g) *for any other reason that the operator deems appropriate.*
- *The licensee shall:*
 - (a) *provide training on the premises banning system as part of the staff induction training programme, and*
 - (b) *periodically provide refresher training to all of its staff working at these premises if that system changes in anyway*

Participation in this training shall be formally recorded on each member of staff's training records which, if requested will be presented to the Licensing Authority as soon as practicable.
 - *If at any time (whether before or after the opening of the premises), the police or licensing authority supply to the premises names and/or photographs of individuals which it wishes to be banned from the premises, then they shall be banned with immediate effect*
 - *An incident log shall be kept for the premises and made available on request to an authorised officer of the City Council or the Police which will record the following;*
 - (a) *All crimes reported to the venue;*
 - (b) *Any complaints received regarding crime and disorder;*
 - (c) *Any incidents of disorder;*
 - (d) *Any faults in the CCTV system; and*
 - (e) *Any visit by a relevant authority or emergency service.*
 - *Gaming Machines shall not be emptied whilst customers are on the premises and when there is only one member of staff on the premises.*

Vulnerable groups in the area

The area surrounding Leicester Square is known to have a homeless population and there are a number of homeless hostels or homeless support services within a 400 metre radius of these premises. The City of Westminster has the largest population of homeless people in the Country and has approximately 50% of London's total homeless population. The Council has undertaken research that show that the homeless are at significantly higher risk to gambling than the general population.

The Licensing Authority considers the homeless to be a vulnerable group under the third licensing objective and expects operators to identify what risks their operation may have on that group. There is very little evidence from your submissions that you have assessed the local risk relating to the homeless.

With a view to restricting the potential appeal for the homeless, who may not be easily identifiable at the point of entry into the casino, the Licensing Authority have proposed the following conditions that the Licensing Authority may wish to attach to the licence if they determine to grant the application. The proposed conditions would mitigate this risk associated with the homeless.

- *Customer shall not be permitted to leave bags or other belongings on the premises.*
- *The licensee will contact the local homeless hostels/shelters and offer to provide information on problem gambling support services and how their residents can self-exclude from the Hippodrome betting premises.*
- *The Licensee shall take all reasonable steps to prevent customers from drinking alcohol directly outside the premises and to ban from the premises those who do so.*
- *The Licensee shall place a notice visible from the exterior of the premises stating that customers drinking alcohol outside the premises are not permitted and those who do so will be banned from the premises.*
- *There shall be no cash point or ATM facilities on the premises.*

Another vulnerable group identified by the Licensing Authority is the Chinese community within and around China Town. The local Chinese population have been identified as at risk to being susceptible to gambling related harm due to a number of factors which includes their cultural heritage and association with gambling.

The Licensing Authority is keen to ensure that operators put measures in place to reduce the risk to this local vulnerable community. You have not provided any information to show that you have assessed the risks associated to this community from your gambling operation. The Licensing Authority is proposing the following conditions are attached to your betting premises licence if granted.

- *The licensee shall ensure that no advertisement or promotion is provided or advertised on or near the premises which could entice participation in gambling by the local Chinese community.*
- *All public signage/documentation relating to age restrictions, gambling advice and gambling support information (e.g. GamCare or similar support service) is displayed or provided on the premises in written English and Chinese (Simplified and Traditional).*
- *The licensee shall not offer any enticement promotions, such as happy hours during which gaming machines stakes are reduced.*

It should also be noted that the Casino does provide alcohol to its customers. This means that some of the customers who have been in the Casino consuming alcohol could move between the two premises and that those under the influence of alcohol would be more vulnerable to gambling related harm. No information has been provided to address this issue within the policy document and through discussions. This concern should be addressed through staff training and robust procedures relating to those who have consumed too much alcohol. It is proposed that the following condition is attached to the licence if the Licensing Authority are minded to grant the licence.

- *The licensee shall:*
 - a) *Provide training on the risk associated to those under the influence of alcohol in respect of gambling related harm and the Hippodromes policy on intervention to protect those individuals as part of the staff induction training programme.*
 - b) *Periodically provide refresher training on a regular basis or when the Hippodromes policies are changed to all betting staff and security personnel who work at these premises on these risks and intervention policies to the licensing objectives.*

Participation in this training shall be formally recorded on each member of staffs training records which, if requested will be presented to the Licensing Authority as soon as practicable.

Gaming machine seating

The Licensing Authority are concerned that gaming machine stools can be used to cause criminal damage or be used as a weapon if they are not weighted appropriately or permanently affixed to the floor. The Licensing Authority is proposing the following condition if the licence is to be granted.

- *The licensee shall ensure that all gaming machine seating within the premises are weighted to prevent lifting or permanently affixed to the floor.*

Self Service Betting Terminals

Due to the size of the proposed betting premises and that the premises can have, by right, up to 4 category B2 gaming machines, there is a concern over the ability to provide Self Service Betting Terminals (SSBT). Section 181 of the Gambling Act 2005 enables the Licensing Authority to attach a condition relating to the number of SSBT's that can be used on the premises, the nature of those machines and the circumstances in which those machines are made available for use.

The Licensing Authority is proposing the following condition on the Betting (Other) Premises Licence if the Licensing Authority were to grant the licence:

- *The number of Self Service Betting Terminals shall be limited to*
 - (1) *One if no gaming machines are made available for use on the premises, or*
 - (2) *Zero if gaming machines are made available on the premises.*

Advertising the Casino

As casino games are a potentially higher form of gambling and that betting's shops should not promote other categories of gambling premises, the following condition is proposed for the new Betting (Other) Premises Licence if the Licensing Authority are minded to grant the application:

- *No promotional material or advertising in any form shall be provided within the premises relating to the Hippodromes casino operation.*

Application to vary the converted casino Premises Licence for the Hippodrome Casino, London

With regard to the application to vary the Converted Casino premises licence, if the Licensing Authority determines to grant the application as proposed then the following conditions are proposed to address the Authority's concerns:

- *No alcohol is permitted beyond the main entrance into the lobby area.*
- *One SIA licensed security staff shall be on duty between the hours of 07:30 to 22:00 Monday to Saturday and 07:30 to 00:00 on Sundays at the principal entrance of the Casino.*
- *No promotional material or advertising in any form shall be provided within the premises relating to the Hippodromes betting shop operation.*

In summing up it is the Licensing Authority's view that both applications if granted would breach the mandatory conditions relating to the primary entrance for Casinos and direct access. The applications appear to be an attempt to circumvent the restrictions on the Converted Casino Premises Licence prohibiting betting and the intention of Government in relation to the mandatory conditions. It is our view that both applications should be rejected on this basis. However, if the Licensing Authority are minded to permit these applications then in order to address the concerns associated with the licensing objectives the above conditions must be attached.

I will send further information and photographs for the Licensing Sub-Committee hearing which I will send to you shortly. I am unable to be present at the hearing due to other

commitments so Nick Nelson, Senior Licensing Officer will be attending and presenting the Licensing Authority's representation on my behalf.

If you need to discuss any element of this letter or any other matter relating to these applications please do not hesitate to contact Nick Nelson on 020 7641 3431 or email him at nnelson@westminster.gov.uk.

Yours sincerely

A handwritten signature in black ink, appearing to read 'K. Simpkin', written over a faint rectangular box.

Mr Kerry Simpkin
Licensing Team Manager
Public Protection & Licensing

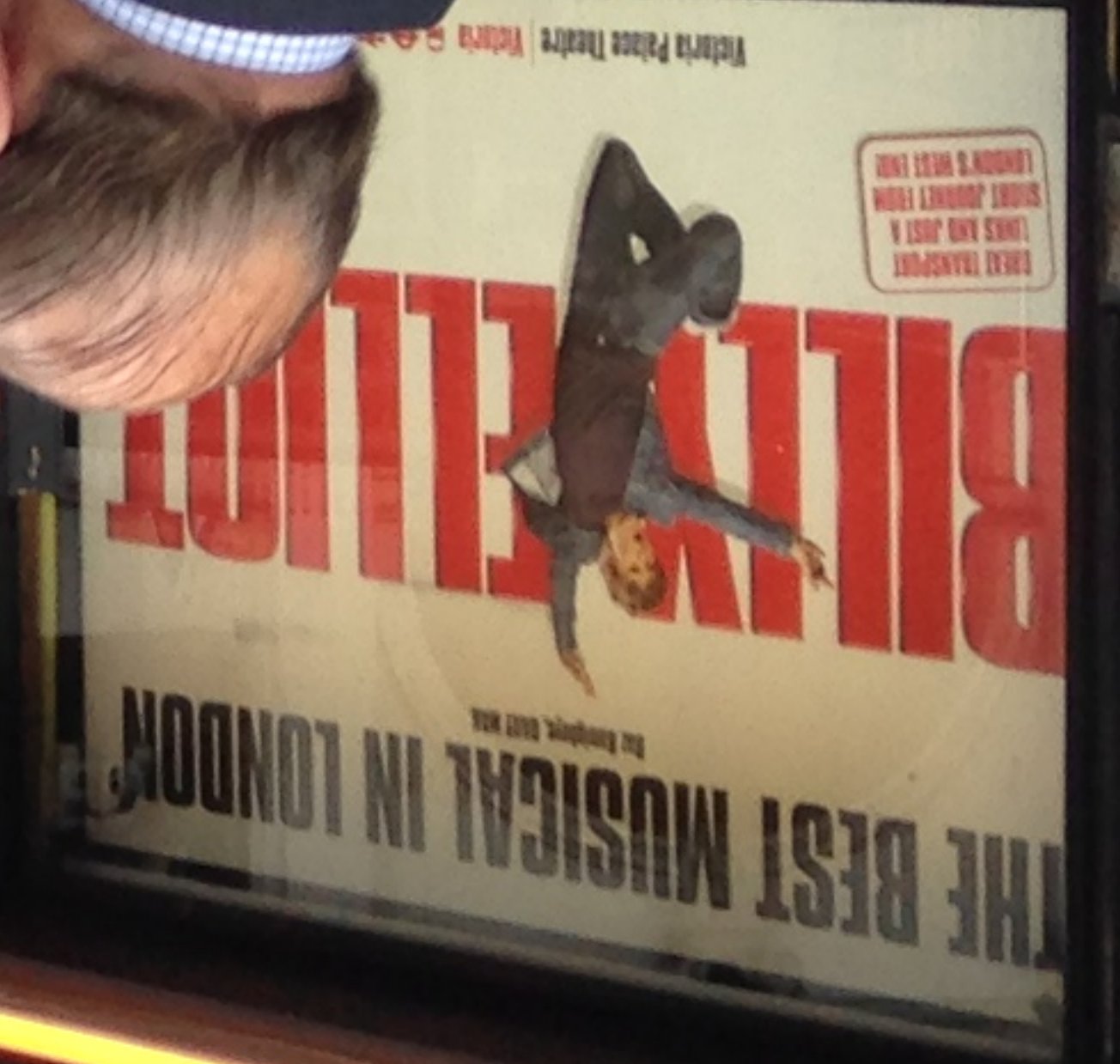


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180



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CASINO

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THE HIPPODROME CASINO LONDON

Sorry...

ID or membership required at this time

HIPPONDIA
CASINO
LONDON





**HIPPODROME CASINO
OPEN 24/7**

OPEN 24 HOURS

OPEN 24 HOURS

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CIGARETTES
CLOSET
CLOTHING TABLES
COFFEE
COURTESY
COURTESY

COCKTAIL BAR
CIGARETTES
CLOSET
CLOTHING TABLES
COFFEE
COURTESY
COURTESY

18
18
18



OPEN 24 HOURS

OPEN 24 HOURS

you'll love a bit of...

BETFRED

26 MAY 2015

Westminster City Council
Licensing Service
14th Floor
Westminster City Hall
64 Victoria Street
London
SW1E 6QP

Our Ref: DW/HIPPODROME
Your Ref:

e-mail: david.wheeler@betfred.com
Direct Tel: 01925 288582
Direct Fax: 01925 288586

22 May 2015

BY EMAIL AND POST

Dear Sir/Madam

**Hippodrome, 10-14 Cranbourn Street, London
Gambling Act 2005 - Application for Betting (Other) Premises Licence**

We act for Done Brothers (Cash Betting) Limited T/A Betfred who operate a number of betting offices in the vicinity of Hippodrome. As Done Brothers (Cash Betting) Limited T/A Betfred has business interests that might be affected by the proposals at these premises, the company satisfies the definition of "interested party" laid out in s158 Gambling Act 2005 and may make a representation to the application.

The representation made is not a representation in relation to the licensing objectives but is intended to point out the fact that if these premises were granted a betting premises licence on the basis of the current proposals, the operation of that betting premises licence would be in breach of the mandatory conditions that attach to betting premises licence.

Schedule 5 of the Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007 sets out the mandatory conditions attaching to betting premises licences. Condition 2(1) requires that "Access to the premises shall be from a street or from other premises with a betting premises licence."

The plan that accompanies the application for the premises licence shows the proposed betting office edged red. Access to those premises is afforded to a customer through a foyer within the casino. Access is not from a street or from another premises with a betting premises licence. In the circumstances, if these premises were to operate then the mandatory condition would be breached.

The only way by which the premises as proposed could meet the mandatory conditions is if there were direct access to these premises on to Cranbourn Street. The mandatory conditions cannot be met by a customer having to proceed through a set of doors into a casino foyer and thereafter enter the premises from that foyer. The foyer can never satisfy the definition of "a street".

you'll love a bit of...

BETFRED

We would be grateful if you could acknowledge receipt of this representation and advise us when the application will be listed before the licensing committee. We suspect, that the application may be withdrawn and resubmitted and if so, we would be grateful if you could confirm to us when this is done.

We look forward to hearing from you.

Yours faithfully

Betfred

BETFRED

21 May 2015

Licensing Department
Westminster City Council
64 Victoria Street
London
SW1E 6QP



Bond Dickinson LLP

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Our ref:
EDM1/SLE1/212884.1204
Your ref:
15/03306/LIGN

By post and email: gambling@westminster.gov.uk;
srowe@westminster.gov.uk

Dear Sirs

**Hippodrome Casino Limited - 10-14 Cranbourn Street, London, WC2H 7JH
Application for Premises Licence - Betting Office (Other) Gambling Act 2005**

We are instructed by Coral Racing Limited ("**Coral**") in relation to the above matter.

Coral is an interested party to this application as set out in s.158 of the Gambling Act 2005.

Coral makes a relevant representation against the application on the basis that it is inconsistent with the Gambling Act (Mandatory and Default Conditions) (England and Wales) Regulations 2007 (SI 2007/1409) ("**the Regulations**").

The Regulations (Schedule 5 Part 1) require that the "*access to the (betting) premises shall be from a street or from other premises with a betting premises licence*".

A street is defined at para. 2 of the Regulations as:

"any bridge, road, lane, footway, subway, square, court, alley or passage (including passages through enclosed premises such as shopping malls), whether a thoroughfare or not"

The plan that has been lodged with the application show that access to the Premises is from within the existing casino premises and NOT from a street (as set out and defined above).

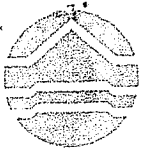
In the circumstances, given that the Premises do not comply with the Regulations, the Licensing Authority has no discretion but to refuse the application.

Coral reserves their position in relation to any other aspect of the application and will expand on the nature of their representation at any future hearing.

We would be grateful if you could please kindly acknowledge receipt of this representation and confirm to us, in due course, when this matter will be listed for a hearing.

Yours faithfully


Bond Dickinson LLP



GOSCHALKS
SOLICITORS

Westminster City Council
Licensing Service
14th Floor
Westminster City Hall
64 Victoria Street
London SW1E 6QP



Please ask for: Richard Taylor
Direct Tel: 01482 590216
Email: rjt@gosschalks.co.uk
Our ref: RJT / LHK / 097100.00732
#GS174668
Your ref:
Date: 20 May 2015

BY EMAIL AND POST

Dear Sir/Madam ,

**Re: Hippodrome, 10-14 Cranbourn Street, London
Gambling Act 2005 – Application for Betting (Other) Premises Licence**

We act for William Hill Organization Limited who operate a number of betting offices in the vicinity of Hippodrome. As William Hill Organization Limited has business interests that might be affected by the proposals at these premises, the company satisfies the definition of "interested party" laid out in s158 Gambling Act 2005 and may make a representation to the application.

The representation made is not a representation in relation to the licensing objectives but is intended to point out the fact that if these premises were granted a betting premises licence on the basis of the current proposals, the operation of that betting premises licence would be in breach of the mandatory conditions that attach to betting premises licences.

Schedule 5 of the Gambling Act 2005 (Mandatory and Default Conditions)(England and Wales) Regulations 2007 sets out the mandatory conditions attaching to betting premises licences. Condition 2(1) requires that "*Access to the premises shall be from a street or from other premises with a betting premises licence.*"

The plan that accompanies the application for the premises licence shows the proposed betting office edged red. Access to those premises is afforded to a customer through a foyer within the casino. Access is not from a street or from another premises with a betting premises licence. In the circumstances, if these premises were to operate then the mandatory condition would be breached.

The only way by which the premises as proposed could meet the mandatory conditions is if there were direct access to these premises on to Cranbourn Street. The mandatory conditions cannot be met by a customer having to proceed through a set of doors into a casino foyer and thereafter enter the premises from that foyer. The foyer can never satisfy the definition of "a street".

Queens Gardens, Hull, HU1 3DZ T 01482 324252 F 0870 600 5984

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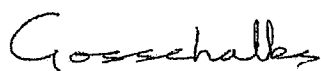
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We would be grateful if you could acknowledge receipt of this representation and advise us when the application will be listed before the licensing committee. We suspect, that the application may be withdrawn and resubmitted and if so, we would be grateful if you could confirm to us when this is done.

We look forward to hearing from you.

Yours faithfully



GOSSCHALKS

City of Westminster Licensing
Licensing Service
14 Floor
Westminster City Hall
64 Victoria Street
London
SW1E 6QP



Our ref: AW/AS/JOE001-1-8/1963



20 May 2015

Dear Sirs

Hippodrome Casino Limited

**Application for Betting Shop to be located on ground floor of casino operation over multiple levels
10-14 Cranbourn Street, London**

We are instructed by Joe Jennings (Harlow) Limited who have a betting premises licence and a business interest in 3-5 Wardour Street, London and we write to make formal representation on behalf of our clients to the above application.

The grounds for the representation as an interested party are as follows:

1. Failure to promote the licensing objectives.

Our clients object to the application as our clients feel that the submitted application lacks detail specifically with regard to the promotion of the licensing objectives;

- The operating hours are mentioned as being between 07:30am and 10:00pm. An 07:30am opening for a betting shop in this area would be wholly undesirable especially given the vulnerable persons that often frequent this area.
- No conditions are offered to support the licensing objectives in respect of this application.
- Is the applicant planning on proposing any conditions in support of the licensing objectives?
- Will the applicant comply with Home Office and local guidance in respect of CCTV? Will the applicant comply with Westminster Police and Westminster Licensing Department's requirements with regard to the promoting of the licensing objectives in China Town.
- How does the applicant propose to protect children and other vulnerable persons from being harmed or exploited by gambling.
- What procedures and staff training will be in place to identify young and vulnerable persons?
- What procedures are in place to guard against money laundering?

- Is the applicant a member of any industry good practice initiatives or organisations promoting responsible gambling.
2. The applicant does not comply with the Gambling Act 2005 or the Gambling Commission Guidance to Local Authorities (Part 7 Premises Licence).

- The applicant confirms in the application that the proposed trading name of the betting office is to be "Hippodrome Casino."
- The applicant further confirms as follows "Betting shop to be located on ground floor of casino operating over multiple levels."
- The address of the premises is 10-14 Cranbourn Street, London.

The Gambling Commission guidance to local authorities at 7.13 confirms as follows:

- "Section 152 (Gambling Act 2005) therefore prevents more than one premises licence applying to any place. But there is no reason in principle why a single building could not be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can reasonably be regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as pleasure parks, tracks or shopping malls to obtain discreet premises licences. However licensing authorities should pay particular attention if there are issues about sub-division of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed."

Paragraph 7.19 of the guidance states; "In determining whether two or more proposed premises are truly separate, the Licensing Authority should be aware of facts as which could assist them in making their decision. Depending on all the circumstances of the case, these may include;

- Is a separate registration for business rates in place for the premises?
- Is the premises neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed on the street or a public passageway?
- Can the premises only be accessed from any other gambling premises?

Paragraph 7.26 confirms the relevant access for betting shops is as follows:

- Access must be from a street (as defined above) or from other premises with a betting premises licence.
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind and you cannot have a betting shop at the back of a café - the whole area would have to be licensed.

The answers to the questions raised in the Gambling Commission Guidance to the local authorities is clearly dealt with in the application submitted by the applicant.

- The betting shop is intended to be located on the ground floor of the casino i.e. incorporated in the casino building – one place.

- The betting shop and casino will be owned and operated by the same company.
- The betting office and casino have operating licences in the name of Hippodrome Casino Limited.
- The proposed Betting Office has a proposed trading name of ' Hippodrome Casino'!
- The betting office does not have access from the street. It quite clearly has access in to the casino which then leads to the street. This is a mandatory requirement that is not complied with and the application cannot be granted.

In summary therefore our representation against the application is on the following grounds and we reserve the right to expand on these grounds in more detail at the hearing.

- There is a complete and utter failure to promote the licensing objectives in particular given the proposed location of the betting office.
- Access to the betting office is not from the street.
- This application as submitted is wholly against the Gambling Act 2005 and the Gambling Commission guidance to local authorities with relation to the division of the premises, meaning of premises and access between premises.

Yours faithfully

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Woods Whur

Conditions attaching to betting premises licences

**PART 1 Mandatory conditions attaching to betting premises licences
(other than track premises licences)**

1. A notice stating that no person under the age of 18 years is permitted to enter the premises shall be displayed in a prominent place at every entrance to the premises.
2. (1) Access to the premises shall be from a street or from other premises with a betting premises licence.
(2) Without prejudice to sub-paragraph (1), there shall be no means of direct access between the premises and other premises used for the retail sale of merchandise or services.
3. Subject to anything permitted by virtue of the 2005 Act, or done in accordance with paragraphs 4, 5, 6 and 7 below, the premises shall not be used for any purpose other than for providing facilities for betting.
4. Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to leave any gaming machine or betting machine in order to do so.
5. No apparatus for making information or other material available in the form of sounds or visual images may be used on the premises, except for apparatus used for the following purposes—
 - (a) communicating information about, or coverage of, sporting events, including—
 - (i) information relating to betting on such an event; and
 - (ii) any other matter or information, including an advertisement, which is incidental to such an event;
 - (b) communicating information relating to betting on any event (including the result of the event) in connection with which betting transactions may be or have been effected on the premises.
6. No publications, other than racing periodicals or specialist betting publications, may be sold or offered for sale on the premises.
7. No music, dancing or other entertainment shall be provided or permitted on the premises, save for entertainment provided in accordance with paragraph 5.
8. (1) No alcohol shall be permitted to be consumed on the premises at any time during which facilities for gambling are being provided on the premises.
(2) A notice stating the condition in sub-paragraph (1) shall be displayed in a prominent place at every entrance to the premises.

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

PART 2 Default conditions attaching to betting premises licences (other than in respect of tracks)

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











City of Westminster

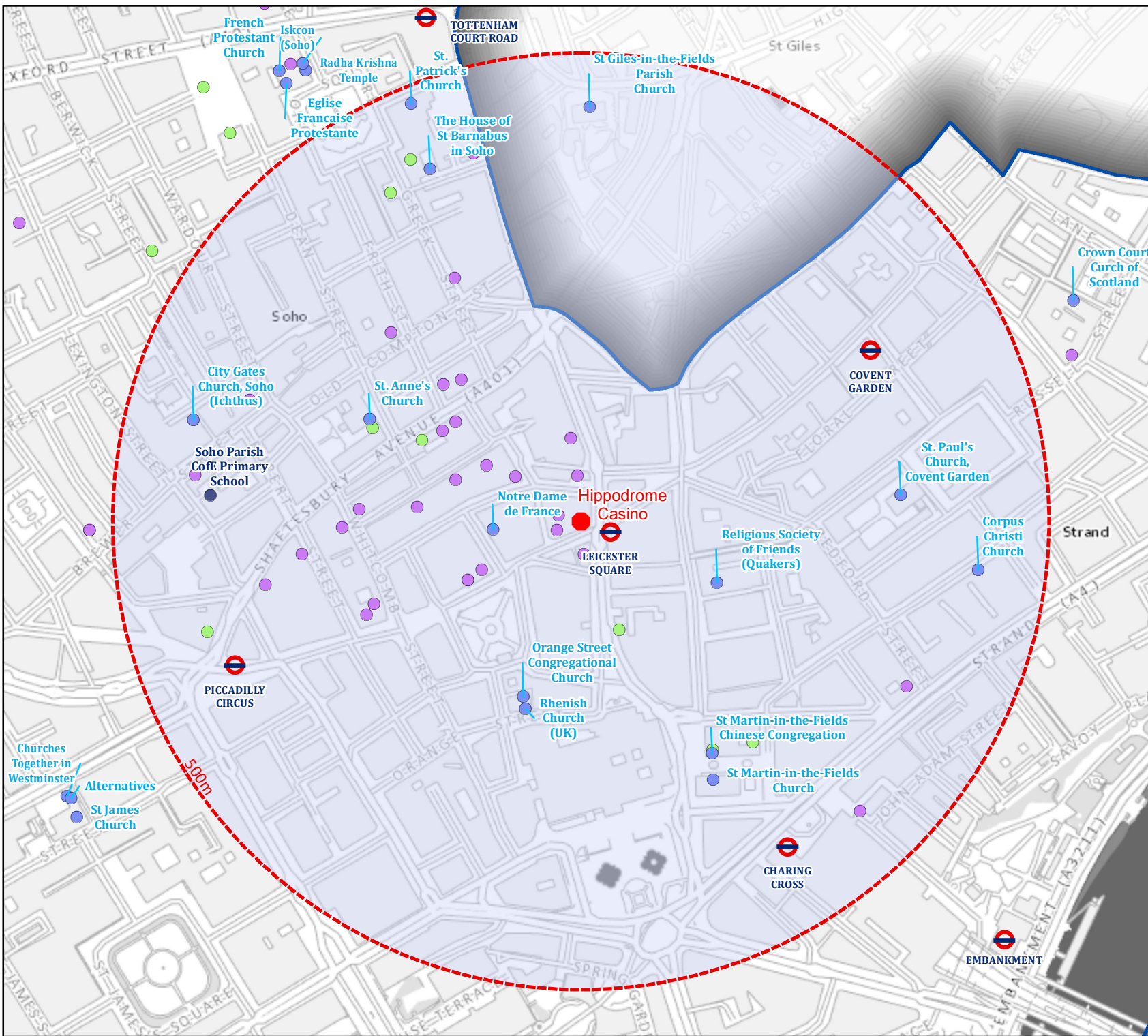
Corporate GIS Team

Hippodrome Casino

10-14 Cranbourn Street,
London,
WC2H 7JH

Legend

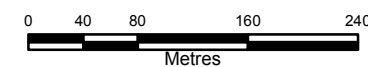
-  Hippodrome Casino
-  Licensed Gambling Estab.
-  Faith Groups
-  Schools
-  Hostels - Special Needs Schemes
-  Tube Stations
-  500m Casino Buffer
-  Westminster Boundary



Map produced by:
Westminster Corporate GIS Team

Date: July 2015

Ref: 992



TradingName	Address	PremisesUse
William Hill	Lower Ground Floor Trocadero 46 Shaftesbury Av	Providing facilities for other betting
William Hill	1A Bedford Street London WC2E 9HD	Providing facilities for other betting
Play To Win	Basement 36 Old Compton Street London W1D 4	Operation of an adult gaming centre
Ladbrokes	7 Villiers Street London WC2N 6NQ	Providing facilities for other betting
WSOPE Poker Room & Slots	Basement To Second Floor 5 - 6 Leicester Square	Converted Casino
Ladbrokes	118-120 Shaftesbury Avenue London W1D 5EP	Providing facilities for other betting
Ladbrokes	39-41 Charing Cross Road London WC2H 0AR	Providing facilities for other betting
William Hill	18 Newport Court London WC2H 7JS	Providing facilities for other betting
Las Vegas	89-91 Wardour Street London W1F 0UB	Operation of an adult gaming centre
Betfred	32 Gerrard Street London W1D 5PP	Providing facilities for other betting
The Casino At The Empire	Basement To Second Floor 5 - 6 Leicester Square	Converted Casino
Joe Jennings Bookmakers	3-5 Wardour Street London W1D 6PB	Providing facilities for other betting
Genting Casino London China Town	93-107 Shaftesbury Avenue London W1D 5DY	Converted Casino
Coral	Basement And Ground Floor 30 Frith Street Lond	Providing facilities for other betting
Family Leisure Co	32 Wardour Street London W1D 6JJ	Operation of an adult gaming centre
Coral	1-3 Newport Place London WC2H 7JR	Providing facilities for other betting
William Hill	121-125 Charing Cross Road London WC2H 0EA	Providing facilities for other betting
Ladbrokes	39 Wardour Street London W1D 6PX	Providing facilities for other betting
Golden Nugget Casino	22-32 Shaftesbury Avenue London W1D 7EU	Converted Casino
William Hill	Ground Floor 22 Greek Street London W1D 4DY	Providing facilities for other betting
Ladbrokes	Third Floor 45 Gerrard Street London W1D 5QQ	Providing facilities for other betting
William Hill	Basement 33 Brewer Street London W1F 0RU	Providing facilities for other betting
Napoleon's Casino	Basement Queens House 1 Leicester Place Lond	Converted Casino
Paddy Power	Ground Floor 40 Gerrard Street London W1D 5QE	Providing facilities for other betting
Ladbrokes	112 Shaftesbury Avenue London W1D 5EJ	Providing facilities for other betting
G Casino Piccadilly	3 - 4 Coventry Street London W1D 6BL	Converted Casino
The Hippodrome Casino	The Hippodrome Cranbourn Street London WC2F	Converted Casino
Crystal Rooms	Basement And Part Ground Floor 7 - 9 Cranbourn	Facilities for the playing of bingo
William Hill	55 Charing Cross Road London WC2H 0NE	Providing facilities for other betting