



Licensing Committee

Date: WEDNESDAY, 2 FEBRUARY 2022

Time: 1.45 pm

Venue: COMMITTEE ROOM - 2ND FLOOR WEST WING, GUILDHALL

Members:

Sophie Anne Fernandes (Chairman)	Marianne Fredericks
Shravan Joshi (Deputy Chairman)	Michael Hudson
Caroline Addy	Deputy Jamie Ingham Clark
Deputy Peter Dunphy	Graham Packham
Mary Durcan	Judith Pleasance
Deputy Kevin Everett	Jason Pritchard
John Fletcher	James Tumbridge

Enquiries: John.Cater@cityoflondon.gov.uk

Lunch will be served for Members in the Guildhall Club at 1pm
NB: Part of this meeting could be the subject of audio or video recording

John Barradell
Town Clerk and Chief Executive

AGENDA

1. **APOLOGIES**

2. **MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA**

3. **PUBLIC MINUTES**
To agree the public minutes of the meeting held on 13th October.

For Decision
(Pages 5 - 10)

4. **MINUTES OF THE LICENSING (HEARING) SUB-COMMITTEE - BARBIE GREEN
12 JANUARY 2022**

For Decision
(Pages 11 - 16)

5. **DRAFT HIGH-LEVEL BUSINESS PLAN 2022/23**
Report of the Executive Director Environment.

For Decision
(Pages 17 - 24)

6. **GAMBLING ACT 2005: REVIEW OF STATEMENT OF LICENSING PRINCIPLES**
Report of the Executive Director Environment.

For Information
(Pages 25 - 104)

7. **GAMBLING ACT - ANNUAL REVIEW OF FEES 2022/23**
Report of the Executive Director Environment.

For Decision
(Pages 105 - 114)

8. **SEX ESTABLISHMENTS - ANNUAL REVIEW OF FEES 2022/23**
Report of the Executive Director Environment.

For Decision
(Pages 115 - 122)

9. **COVID UPDATE**
Oral update of the Assistant Director of Public Protection.
For Information
10. **POLICE LICENSING REPORT**
Report of the Commissioner of the City of London Police.
For Information
(Pages 123 - 126)
11. **APPEALS AGAINST LICENSING (HEARING) SUB COMMITTEE DECISIONS**
The Comptroller and City Solicitor to be heard.
For Information
12. **DELEGATED DECISIONS OF THE DIRECTOR OF MARKETS AND CONSUMER PROTECTION PERTAINING TO PREMISES LICENCES**
Report of the Director of Markets and Consumer Protection.
For Decision
(Pages 127 - 144)
13. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**
14. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**
15. **EXCLUSION OF THE PUBLIC**
MOTION - That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Part I of Schedule 12A of the Local Government Act.
16. **NON-PUBLIC MINUTES**
To agree the non-public minutes of the meeting held on 13th October 2021.
For Decision
(Pages 145 - 146)
17. **NON PUBLIC QUESTIONS RELATING TO THE WORK OF THE COMMITTEE**

18. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED**

LICENSING COMMITTEE

Wednesday, 13 October 2021

Minutes of the meeting of the Licensing Committee held in Committee Rooms 3 and 4, 2nd Floor West Wing, Guildhall on Wednesday, 13 October 2021 at 1.45 pm

Present

Members:

Shravan Joshi (Deputy Chairman)
Deputy Peter Dunphy
Deputy Kevin Everett
John Fletcher
Marianne Fredericks

Michael Hudson
Deputy Jamie Ingham Clark
Graham Packham
Judith Pleasance

Officers:

Jon Averbs	- Director of Markets & Consumer Protection
Frank Marchione	- Comptroller & City Solicitor's Department
Gavin Stedman	- Port Health and Public Protection Director
Rachel Pye	- Markets & Consumer Protection
Simon Owen	- Chamberlain's Department
Peter Davenport	- Markets & Consumer Protection
Paul Holmes	- City of London Police
Matthew Cooper	- Media Team, Town Clerk's Department
Leanne Murphy	- Town Clerk's Department

1. APOLOGIES

Apologies were received from Sophie Fernandes, Caroline Addy, Mary Durcan, Karina Dostalova, Jason Pritchard and James Tumbridge

2. MEMBERS' DECLARATIONS UNDER THE CODE OF CONDUCT IN RESPECT OF ITEMS ON THE AGENDA

There were no declarations.

3. PUBLIC MINUTES

The public minutes of the meeting held on 14 July 2021 were approved as a correct record.

4. MINUTES OF LICENSING (HEARING SUB) COMMITTEES

4.1 Blank Gallery Ltd 1 - Adjourned

Members noted the public minutes of the adjourned Licensing Review Hearing in respect of the premises Blank Gallery, 27B Throgmorton Street, London, EC2N 2AN on 24 August 2021.

4.2 **Blank Gallery Ltd 2 - Adjourned**

Members noted the public minutes of the adjourned Licensing Review Hearing in respect of the premises Blank Gallery, 27B Throgmorton Street, London, EC2N 2AN on 14 September 2021.

4.3 **One Stop Food and Wine**

Members noted the public minutes of the Hearing in respect of the application for One Stop Food and Wine, 8 Minorities, London, EC3N 1BJ on 15 September 2021.

5. **APPEALS AGAINST LICENSING (HEARING) SUB COMMITTEE DECISIONS**

The Comptroller & City Solicitor advised the Committee that there were currently no appeals.

6. **COVID-19 UPDATE**

The Committee received an oral update from the Director of Markets and Consumer Protection providing Members with an update on the current situation as a result of the Covid-19 pandemic.

At the time of the last meeting, the Government had just moved to Step 4 of its roadmap and an almost complete deregulation affecting the hospitality sector. The City has since re-opened and returned, in part, to the vibrancy experienced pre-pandemic.

Members were advised that the City's Al Fresco Policy and Pavement Licences had been well used, adding to that vibrancy, particularly in areas where road closures were possible, e.g. Widgate Street, Artillery Lane and Carter Lane. 90 licences were issued during 2021 with 55 to date taking advantage of the streamlined licence extension to September 2022. Officers were expecting this number to continue to increase.

The City has committed to the Transport for All 'Equal Pavements Pledge' and the policy fully complied with that Pledge.

With reference to licence fees and recovery:

- The City Corporation has a statutory duty to suspend a Licence if fees are not paid by the due date.
- During COVID restrictions, the decision was taken to delay the sending of suspension letters until premises re-opened.
- When licensed premises could re-open in July 2021, to further assist businesses, it was permitted for premises to open on the condition that if fees were not up to date, a payment plan of up to a maximum of 12 months was in place.
- To date, approximately 150 premises are still to pay their full fees and no premises has been suspended due solely to fees being late.
- Approximately 5-10% of premises in the City have closed, i.e. premises boarded up, company gone into liquidation or licence has been surrendered.

Looking forward

The Government published its Winter Plan for 2021/22 on 14 September. Plan A detailed the approach to steer the UK through a likely challenging autumn and winter.

Plan B detailed the further measures that may be required in some settings, e.g. mandatory masks, mandatory vaccines and working from home, all depend on a variety of data. It was understood that the proposal for vaccine passports for England had been scrapped but would remain in place in Wales and Scotland.

A Member enquired what restrictions were in place for patio heaters. Members were informed that pre-pandemic, all patio heaters were subject to a risk assessment. The policy would soon apply again with no heaters allowed as part of the City streetscape.

A Member voiced concern that struggling restaurants might be buying equipment and furniture that they would not be able to use when the rules reverted back to the old policy. Officers advised it had been made abundantly clear that this was a temporary provision.

7. REVENUE BUDGETS 2022/23

Members considered a joint report of the Chamberlain and Executive Director of Environment concerning revenue budgets for 2022/23.

A Member was concerned by the delays concerning the unidentified savings which would be shared with other committees and noted that shortfalls needed to be covered and books balanced. Officers confirmed that the new Executive Director of Environment was currently reviewing the TOM structure and the unidentified savings required would be picked up in the various expenditure and income streams, which should be balanced by the end of March 2022. Officers agreed to share the savings with Members when identified.

RESOLVED – That Members:-

- review and approve the proposed revenue budget for 2022/23 for submission to Finance Committee;
- authorise the Chamberlain, in consultation with the Executive Director Environment to revise these budgets to allow for any further implications arising from subsequently approved savings proposals, Target Operating Model (TOM) implementation, or changes to the resource envelope; and
- agree that amendments for 2021/22 and 2022/23 budgets arising from changes to recharges during budget setting be delegated to the Chamberlain.

8. NEW LICENSING POLICY

Members considered a report of the Executive Director of Environment concerning Licensing Act 2003: Review of Statement of Licensing Policy.

Members were informed that there were few changes to the previously shared document and mainly concerned vulnerability. It was noted that comments regarding suicide awareness had not yet been included and would be added when received from Public Health Officers. Members agreed that delegated authority be given to the Town Clerk, in consultation with the Chairman and Deputy Chairman, to review and approve these final paragraphs.

RESOLVED – That Members:-

- Consider the Licensing Policy 2022 in light of the consultation responses and agree the final text;
- Delegated authority be given to the Town Clerk, in consultation with the Chairman and Deputy Chairman, to review and approve additional paragraphs regarding suicide awareness;
- Recommend the Policy document to Common Council for their approval.

9. **CRIMES AT LICENSED PREMISES**

The Committee considered a report of the Chief Superintendent regarding violent crime from licensed premises during the period 1 July 2021 to 30 September 2021.

It was noted that licensed premises continued to return from Covid-19 closures and an increase in footfall had been seen in the City. However, different premises were following different guidelines of their own due to capacity and premises layout.

A Member noted reference to cases of administering poison with intent to injure, aggrieve and annoy. Officers confirmed there were cases of spiking investigated but that in most cases it was found the person was over intoxicated.

Members requested a wider snapshot including pre-pandemic to pick up themes and Officers agreed the data would be available for the next meeting.

It was noted that policing of the recent London marathon went well and the Committee congratulated the Police for their work keeping the marathon safe.

RECEIVED.

10. **DELEGATED DECISIONS OF THE DIRECTOR OF MARKETS AND CONSUMER PROTECTION PERTAINING TO PREMISES LICENCES**

The Committee noted a report of the Executive Director of Environment regarding the delegated decisions of the Director of Markets and Consumer Protection pertaining to premises licences.

RECEIVED.

11. **QUESTIONS ON MATTERS RELATING TO THE WORK OF THE COMMITTEE**

Closure of listed pubs

A Member alerted the Committee and Officers to the sad closure of The Tipperary Pub in Fleet Street advising that the contents of this listed building had been removed. The Member asked everyone to be aware of closures and ensure the contents within heritage pubs were protected.

Members acknowledged that some pub owners could see the current climate as an opportunity to remove residents and sell historic land and property. Officers agreed to raise this concern at the Licensing Liaison Partnership.

Noise nuisance

A Member noted that as the City was becoming busier, some residents were not adjusting to noise and asked that premises be reminded to be considerate, e.g. delivery times, to ensure there were no unnecessary impacts on residents. Officers confirmed the 24-hour noise service was still live and responding to complaints.

12. **ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT**

The Chairman advised Members that this was the last Licensing Committee meeting for the Director of Markets & Consumer Protection and read a statement thanking him for his service and hard work. Members echoed these thanks and gave best wishes for the future.

13. **EXCLUSION OF THE PUBLIC**

RESOLVED – That under Section 100A(4) of the Local Government Act 1972, the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraph 3 of Part I of Schedule 12A of the Local Government Act.

14. **NON-PUBLIC MINUTES**

The non-public minutes of the meeting held on 14 July 2021 were approved as a correct record.

15. **NON-PUBLIC APPENDIX: DELEGATED DECISIONS OF THE DIRECTOR OF MARKETS AND CONSUMER PROTECTION PERTAINING TO PREMISES LICENCES**

The Committee received a non-public appendix report to the report under agenda item 10 pertaining to premises licenses which included the names of each premises.

16. **RESOLUTION FROM THE HEALTH & WELLBEING BOARD**

The Committee noted a resolution from the Health & Wellbeing Board dated 16 July 2021 expressing the Board's serious concerns and noting the Town Clerk's commitment to review what can be done to prevent suicides in the City.

17. **SUICIDE PREVENTION IN THE CITY OF LONDON**

The Committee considered a report of the Deputy Town Clerk and Chief Executive concerning Suicide Prevention in the City of London.

18. NON-PUBLIC QUESTIONS RELATING TO THE WORK OF THE COMMITTEE

There was one question.

19. ANY OTHER BUSINESS THAT THE CHAIRMAN CONSIDERS URGENT AND WHICH THE COMMITTEE AGREE SHOULD BE CONSIDERED WHILST THE PUBLIC ARE EXCLUDED

There was one item of any other business.

The meeting ended at 2.51 pm

Chairman

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MINUTES OF THE LICENSING (HEARING) SUB-COMMITTEE

HELD ON WEDNESDAY 12 JANUARY, 2022 AT 2.30PM

APPLICANT: Daisy Green Food Ltd
PREMISES: Daisy Green, 2 London Wall Place, EC2Y 5DH

Sub-Committee:

James Tumbridge (Chairman)
Deputy Peter Dunphy
Marianne Fredericks

Officers:

Town Clerk – Leanne Murphy/Julie Mayer
Comptroller and City Solicitor – Frank Marchione
Markets & Consumer Protection - Peter Davenport

Given Notice of Attendance:

Applicant:

Prue Freeman (Director, Daisy Green)

Making representation:

Ms Mary Bonar (Chair, Wallside House Group);
Ms Fionnuala Hogan (Chair, Willoughby House Group);
Liz Hirst (Willoughby House Group);
Mr Ian Dixon (Chair, Gilbert House Group);
James Durcan (Chair, Andrewes House Group)
Dr Dimitri Varsamis, speaking on behalf of Ravi Rupal (both residents of Roman House)

In attendance and had made written representations but not speaking:

Ms Sue Cox (Deputy Chair, Barbican Association),
Helen Kay (former Chair of Barbican Association, Licensing and Planning Committee)
Cheng Han-Li (Roman House resident)

Licensing Act 2003 (Hearings) Regulations 2005

A virtual public Hearing was held at 2.00pm to consider the representations submitted in respect of an application to vary the premises licence in respect of Daisy Green, 2 London Wall Place, EC2Y 5DH, the Applicant being Daisy Green Food Ltd.

The Sub-Committee had before them the following documents:

Hearing Procedure

Report of the Director of Markets & Consumer Protection

Appendix 1: Copy of Application

Appendix 2: Minutes of Hearing held on 13 August 2019

Appendix 3: Minutes of Hearing held on 12 August 2020

Appendix 4: Current Licence

Appendix 5: Those making representations in objection (x26)

Appendix 6: Premises Location Maps

Appendix 7: Plans

1. The Hearing commenced at 14:00.
2. At the commencement of the Hearing, the Chair stated that all written representations had been read by the Sub Committee. The Chair then sought clarity in terms of what the Variation was actually seeking, as there appeared to be contradictory information in the application. The Applicant confirmed that the only variation being sought was to bring forward the sale of alcohol to 9 am (from 11 am) seven days a week, as set out in the report of the Director of Markets and Consumer Protection:

<u>Activity</u>	<u>Current Licence</u>	<u>Proposed Licence</u>
Sale of Alcohol	Mon-Sun:11:00-22:30	Mon-Sun:09:00-22:30

3. The Applicant explained that the Variation would bring consistency to the brunch offer across all 11 Barbie Green premises in London, 10 of which were now serving alcohol from 9 am. The Sub Committee, and all those in attendance and making representations, were asked to note that an error had been made on the application form by Thomas & Thomas Partners LLP, and no changes were being sought in respect of off-sales.
4. The Chairman invited those making representations to set out their objections, noting the written representations had already been considered. There were no representations in support of the application or from responsible authorities.
5. Liz Hirst and Fionnuala Hogan, representing residents of Willoughby House, felt that the lack of consultation had undermined residents' trust, as had the number of applications made over the past couple of years, which might gradually erode amenity. The Sub Committee were asked to note that this part of the Barbican Estate experiences high levels of construction noise during the week, and residents particularly value peaceful enjoyment of their property between 9 and 11 am at weekends. Residents were concerned that increasing the brunch trade would encourage more noise from clients gathering outside the premises and on dispersal.
6. Jim Durcan, representing Andrewes House, endorsed this view, particularly in terms of protecting peaceful amenity on Sunday mornings, when there is no construction works and less traffic noise. Residents were also concerned about the substantial external area to the premises, and the lack of any statement on the application about proposals to manage noise disturbance. There was a

further concern expressed that the earlier licensing hours might be attractive to patrons leaving nightclubs.

7. Dr Dimitri Varsamis of Roman House (also speaking on behalf of Mr Ravi Rupal of Roman House) felt that promoting the sale of alcohol from 9 am at a 'bottomless brunch' was inappropriate, given the premises' close proximity to the Girls' School. Furthermore, Roman House's glass construction made its residents particularly vulnerable to external noise.
8. Mary Bonar, representing Wallside residents, felt that the external terrace should not be open at 9 am, and there should have been a noise assessment of the current seating arrangements of the premises. Whilst keeping alcohol sales inside would have some mitigation, subsequent gatherings outside the premises and on dispersal were likely to be disruptive.
9. Ian Dixon, the Chair of Gilbert House acknowledged the applicant's wish for consistent hours across their premises but felt that any licence granted should be relevant to each location and its amenity.
10. The Chair invited the applicant to respond. The applicant stressed that Barbie Green are very mindful of the amenity of their neighbours, as the Barbican residents and surrounding areas make up 90% of their trade. Barbie Green prides itself on strict observation of the Licensing Act, which prohibits sale of alcohol to any person(s) already intoxicated. The Applicant felt that prior consultation with the resident groups had not been necessary, as the Variation was not seeking an unreasonable start time, past concern was with trade toward the end of the day and was in keeping with the City of London Corporation's Licensing Policy.
11. The applicant explained that Barbie Green's business model is based on the Australian brunch culture; i.e. - breakfast business meetings and celebrations. The premises operate in Central London across Zone 1, for local residents and office workers, and also attract brunch customers to areas of interest across the City. The business is seasonal and winter trade is often 40% lower than summer. There is capacity for 30-40 covers in the on-sales areas, and most of the clients require sit down meals with alcohol served. There might be vertical drinking at office gatherings during the week, observing social distancing, but 90% of business is seated. Other Barbie Green premises, which are already serving alcohol before 10 am, see fairly low numbers at this time.
12. The Chair stressed that the impact on the business model; i.e. – the Premises Manager's projection that the Variation was only likely to attract a few additional clients, could not be a determining factor in this decision. Furthermore, repeat applications/variations are acceptable under the Licensing Act, as they allow businesses to adapt and grow. The Applicant was reminded of the Licensing Department's pre-application service, which would have facilitated consultation with local residents and highlighted the error in the application recorded at the start of the Hearing.

13. The Chairman offered all parties the opportunity to make a concluding statement. The applicant reiterated Barbie Green's commitment to providing a good service for all and its position on upholding the Licensing Act, which prohibits the sale of alcohol to any person(s) already intoxicated. Barbie Green is a successful business and, whilst the slight extension to the licensing hours is unlikely to have much impact on the business, they are seeking consistency across their customer base/experience.
14. There were no concluding comments from the Objectors.
15. The Chairman thanked all attendees for their comments and explained that a written decision letter would be sent to all parties within five working days by email only.
16. The Sub Committee retired and considered the application and carefully deliberated upon the representations submitted in writing and orally at the Hearing by those making representations and the Applicant. It was evident that the most relevant licensing objective that required the Sub Committee's consideration was the prevention of public nuisance from noise. Once the position had been clarified in that the Variation only sought to extend licensing hours in the morning, the Sub Committee agreed that the written representations were mainly concerned about an extension to off-sales later in the day and were not raising many concerns on the earlier morning start time. In reaching its decision, the Sub Committee were mindful of the provisions of the Licensing Act 2003, in particular the statutory licensing objectives, together with the guidance issued by the Secretary of State in pursuance of the Act and the City of London's own Statement of Licensing Policy dated January 2017.
17. In determining what constituted a public nuisance, the Sub Committee relied upon the definition of "public nuisance" contained in Halsbury's Laws of England which defines public nuisance as *"one, which inflicts damage, injury or inconvenience on all the Queen's subjects or on all members of a class who come within the sphere or neighbourhood of its operation. The character of the neighbourhood is relevant to determination of the question of whether a particular activity constitutes a "public nuisance"*.
18. The Sub Committee considered that, given the size of the premises, the Variation was unlikely to attract a considerable number of additional brunch clients. Whilst noting residents' concerns about patrons from night clubs being able to visit the premises earlier in the day, Barbie Green fully understands the Licensing Act's position on serving alcohol to any person(s) already intoxicated. This business had operated without any significant issues to date and, the Applicant had made significant concessions to help address the key concerns of the Objectors, as set out in the extensive list of conditions, and there had been no representations from responsible authorities. Furthermore, there was no historic evidence that groups congregating alongside London Wall Road were Barbie Green clients, as they might have purchased alcohol from elsewhere. Whilst noting and empathising with the cumulative effect of noise from other developments on the Barbican Estate, this is not a determining factor in reaching a decision, neither is any material impact on the business.

19. The Sub Committee sought to strike a balance for residents and the business and, taking into account the fact that Sunday is a relatively quiet day for City residents, the Sub Committee agreed to grant a Variation of the Licence and extend the licensing hours to 9 am on Monday to Saturday and 10 am on Sundays, as follows:

<u>Activity</u>	<u>Current Licence</u>	<u>Proposed Licence</u>
Sale of Alcohol	Mon-Sun: 11:00-22:30	Mon-Sat: 09:00-22:30 Sun: 10:00-22:30

20. The Sub Committee concluded that it would be possible for the Applicant to continue to operate the premises in accordance with the licensing objectives and did not consider a need to impose further conditions.
21. The Sub Committee concluded that it would be possible for the Applicant to operate the premises in accordance with the licensing objectives. The Sub Committee sought to strike a balance for residents and the business, and it was the Sub Committee's decision to grant the variation of the premises licence to permit alcohol sales between the hours of 09:00-22:30 Monday to Saturday and 10:00-22.30 Sunday. The Sub Committee did not consider there to be a need for any additional conditions.

The meeting closed at 16:00

Chairman

Contact Officer: julie.mayer@cityoflondon.gov.uk

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Committee(s): Licensing Committee	Dated: 2 February 2022
Subject: Draft High-Level Business Plan 2022/23	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	Outcomes: 1, 2, 3, 4, 5, 6, 8, 10, 11, 12
Does this proposal require extra revenue and/or capital spending?	No
Report of: Juliemma McLoughlin, Executive Director Environment	For Decision
Report author: Joanne Hill, Performance Management Officer	

Summary

This report presents for approval the draft 2022/23 High-Level Business Plan for the Port Health and Public Protection Division of the Environment Department, parts of which fall within the remit of the Licensing Committee.

Recommendation

Members are asked to approve, subject to the incorporation of any changes sought by this Committee, the elements of the 2022/23 High-Level Business Plan for the Port Health and Public Protection Division which fall within the remit of the Licensing Committee.

Main Report

Background

1. As part of the framework for corporate and business planning, departments have been required to produce standardised High-Level Business Plans since the 2018/19 financial year. Members generally welcomed these high-level plans for being brief, concise, focused and consistent statements of the key ambitions and objectives for each department.
2. At the time of this report, the proposed structure of the new Environment Department is progressing through the governance stage of the Target Operating Model (TOM) and will not be finalised until the end of the 2021/22 financial year. For this reason, High-Level Business Plans for 2022/23 have been prepared at a Divisional level rather than for the Environment Department as a whole.
3. For 2022/23, the Port Health and Public Protection High-Level Business Plan gives an overview of how the work of the Division, including the Licensing Team, contributes to the Corporate Plan and the priorities of the Division mainly, but not limited to, the coming 12 months.

4. The draft High-Level Business Plan 2022/23 for the Port Health and Public Protection Division of the new Environment Department is attached at Appendix A for Members' consideration and approval. A detailed Business Plan for the Licensing Team will be presented to your Committee at a later date.

Draft High-Level Business Plan 2022/23

5. This report presents, at Appendix 1, the draft High-Level Business Plan 2022/23 for the Port Health and Public Protection Division which includes the Licensing Team.
6. The High-Level plan shows the key areas of work that will be undertaken during 2022/23, all of which are focused on the need to continue to deliver statutory regulatory services in an efficient and compliant manner, while maximising opportunities to reduce expenditure and generate income.
7. The Licensing Team's major workstreams in 2022/23 will include supporting City businesses to recover from the COVID-19 pandemic and associated restrictions through the City's Al Fresco Eating and Drinking Policy. The Team will also implement relevant recommendations in the government's 'Build Back Better High Streets' Strategy, aiding the recovery of hospitality businesses and making the City's streets safe and vibrant.

Corporate & Strategic Implications

8. **Strategic implications** – The Corporate Plan outcomes the Division has a direct impact upon are listed in the Business Plan. The Plan also shows which Corporate Strategies the Division is helping to deliver.
9. **Financial implications** - The High-Level Business Plan has been drawn up in liaison with Chamberlain's Department and takes into consideration opportunities to reduce expenditure and increase income in order to make necessary savings. Further detail is included in the Plan.
10. **Resource implications** - Any changes to resources will be identified and delivered through the move to the new Target Operating Model and/or to meet budget savings. Requests for capital funding for projects will be made as part of the annual capital bidding process
11. **Equalities implications** – Where we develop new policies, strategies, service provision and capital projects we will undertake 'tests of relevance' and where appropriate a full equalities analysis.
12. **Climate Implications** – All areas of the new Environment Department will be contributing to the delivery and success of the City's Climate Action Strategy.
13. **Legal implications** – None

14. **Risk implications** – The key risks are set out within the Business Plan and risk will continue to be managed throughout 2022/23 in accordance with the Corporate Risk Management Framework.

15. **Security implications** – None

Conclusion

16. This report presents the draft High-Level Business Plan 2022/23 for the Port Health & Public Protection Division of the new Environment Department. Members are asked to consider and approve the elements of the Plan which fall within the remit of the Licensing Committee.

Appendices

- Appendix A – Port Health and Public Protection Division, Draft High-Level Business Plan 2022/23

Contacts

Port Health and Public Protection

Joanne Hill, Performance Management Officer, Environment Department

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Our key aim is...

To protect consumers, public and animal health, and support legitimate business through advice and regulatory enforcement.

The Corporate Plan outcomes we have a direct impact on are...

Outcome 1: People are safe and feel safe.

Outcome 2: People enjoy good health and wellbeing.

Outcome 5: Businesses are trusted and socially and environmentally responsible.

Outcome 6: We have the world's best legal and regulatory framework and access to global markets.

Outcome 8: We have access to the skills and talent we need.

Outcome 11: We have clean air, land and water and a thriving and sustainable natural environment.

What changed during 2021/22

- The Service adjusted quickly to respond to the impact of COVID-19 and continual changes in the regulatory landscape. Port Health and HARC remained operational throughout to ensure the free movement of live animals, food and feed into the UK. Public Protection teams maintained a presence in the City, with a focus on supporting businesses in their recovery, investigating complaints and undertaking interventions.
- The City's Al Fresco Eating and Drinking Policy was fully implemented, leading the recovery of the City's hospitality sector from the COVID-19 pandemic. In addition, a new 5-year Licensing Policy Statement was introduced in January 2022.
- Understanding of the impacts of Brexit, particularly for Port Health and the HARC, developed during the year. Officers continued to prepare for the forthcoming phased implementation of controls on high-risk food and feed and live animals.
- The World Health Organisation issued new guidelines for air quality and the Environment Act 2021 introduced new air quality responsibilities for local government.

Our major workstreams during 2022/23 will be...

- Implement alternative, more efficient methods of delivery across all the services we provide to make the required savings, by **reducing expenditure and increasing income**.
- Implement actions arising from the new **Target Operating Model**.
- Continue to support City businesses as they recover from the **COVID-19** pandemic and associated restrictions, through the City's Al Fresco Eating and Drinking Policy; and the provision of relevant information to the public.
- Prepare for and adapt to manage the phased implementation of **border controls** on high-risk food and feed and live animal imports from the EU at the Ports and HARC.
- Improve **air quality** and manage the risk to our residents and stakeholders. Implement the new statutory requirements for local air quality management.
- Continue to explore opportunities for **income generation** and contracts with partner organisations at the HARC.
- Deliver the **food and health and safety interventions** in the Commercial Environmental Health Team's Service Plan.
- Implement the action plans of the **air, land and noise strategies** to manage, improve and enhance the environment for the City community.
- Implement the legislative changes and recommendations in the government's '**Build Back Better High Streets**' Strategy.
- Implement the **Construction Impacts Levy** via the section 106 process and ensure the negative impacts of construction on noise, dust and air quality are fully mitigated.

Our strategic commitments

Undertake the actions identified in the Department's **Equality, Diversity and Inclusion** Action Plan.

Ensure that the City complies with the statutory requirements for London Local Air Quality Management, we will demonstrate leadership for London by implementing the actions identified in the **Air Quality Strategy 2019-2024** and further obligations outlined in the Environment Act 2021.

Continue to develop, and implement the actions identified within, the **Noise Strategy 2016-2026** and **Contaminated Land Strategy 2021-2030**.

Actively work to deliver, and provide advice on, relevant Corporate Strategies, including (but not limited to):

- The Recovery Taskforce**
- Climate Action**
- Joint Health & Wellbeing**
- Anti-Social Behaviour**
- Lighting**
- Transport**
- Local Plan**
- Visitor Destination**
- Culture**
- Apprenticeships**
- Responsible Business**
- Corporate Volunteering**

Our Key Risks*

		Impact			
		Minor	Serious	Major	Extreme
Likelihood	Likely		1		
	Possible	1	1	5	1
	Unlikely	2	6		
	Rare	1	2	2	

*N.B. All Key Risk information was correct on 21 December 2021 but is subject to continual review and change.

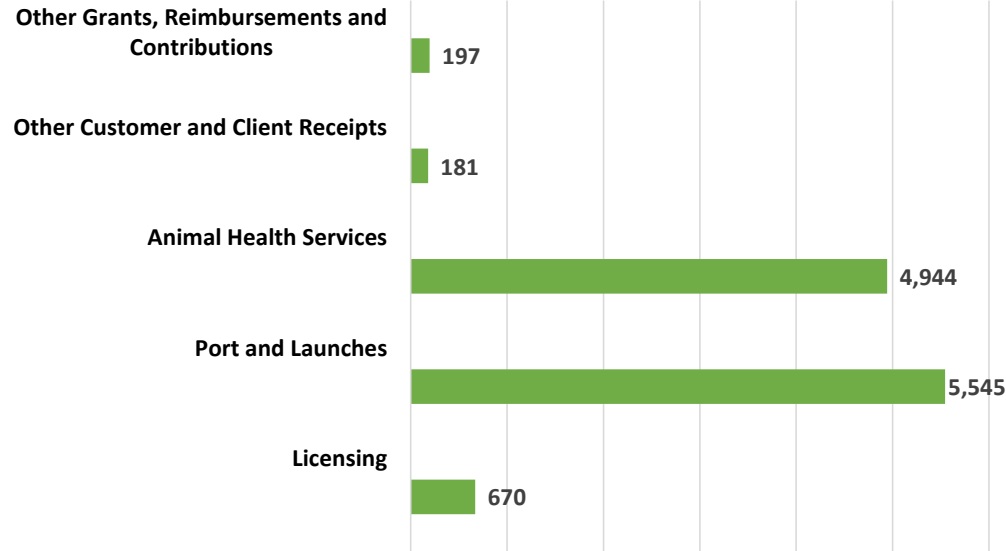
Departmental Equalities, Diversity & Inclusion Self Assessment	Score
Monitoring and use of data and information	4
Completing Equality Analysis (EQIA) and tackling discrimination and barriers to inclusion	3
Target setting and mainstreaming equalities into performance systems	2
Using procurement and commissioning to achieve equality and cohesion targets	1
Engagement and partnership	3
Employment and training	4
Where 4 is 'excellent' and 1 is 'requires improvement'	

Port Health & Public Protection Key Risks	
Risk Title	Score
PH&PP – Brexit: Impact on Port Health and Animal Health	24
Air Quality (Corporate Risk)	12
PH&PP – Lack of available staff	12
HARC – Increase in throughput	12
HARC – Reduced throughput	12
Port Health – Inadequate staffing	12
Port Health – Infectious disease control	8
Port Health – Fee recovery	6
Port Health – Insufficient workspace	4
Port Health – Loss of trade	4
Port Health – No access to workplace	4
Port Health – Launch unavailable	4
HARC – Venomous or toxic species	4
HARC – Legislative changes	4
HARC – Safety mechanism failure	4
HARC – Repair delays	4
HARC – Implementation of OCR regulations	3
HARC – Loss of database support	2
HARC – Loss of facility	2
HARC – Zoonotic disease outbreak	2
HARC – Loss of utilities	2
HARC – IS Systems failure	1

Performance Measures	2021/22 Performance	2022/23 Direction of travel
Air pollution in the City: % of the City's area that meets the health-based Limit Values and WHO Guidelines for nitrogen dioxide levels by 31 March 2023. (Ultimate target is 90% by 31 March 2025). (This was a new measure introduced in 2021/22)	Annual measure 2021/22 data not yet available	Improve
Over the course of the year, secure a positive improvement in the overall Food Hygiene Ratings Scheme (FHRS) ratings profile for City food establishments compared to the baseline profile at 31 March 2013.	Annual measure 2021/22 data not yet available (2020/21: positive improvement)	Improve against baseline
85% of imported food and feed consignments that satisfy the checking requirements are cleared within 5 days: a) Products of Animal Origin (POAO) b) High Risk Products of Non-Animal Origin.	a) 63% (at 30/11/2021) b) 98% (at 30/11/2021)	Improve Maintain/Improve
85% of imported food and feed consignments (Products of Non-Animal Origin) are subjected to mandatory documentary controls within 5 days.	96% (at 30/11/2021)	Maintain/Improve
Less than 1% of missed flights for transit of animals caused by the Heathrow Animal Reception Centre.	0% (at 30/11/2021)	Maintain
Respond to 100% of victims of investment fraud identified to the Trading Standards Service within five working days to advise on the risk of repeat targeting, assess the need for safeguarding interventions and initiate the safeguarding process where appropriate.	100% (at 30/11/2021)	Maintain
90% of justifiable noise complaints investigated result in a satisfactory outcome.	98% (at 30/11/2021)	Maintain/Improve
Complete the annual risk-based cooling towers inspection programme in order to ensure that the risk of Legionnaires' disease is being effectively managed by all those responsible.	Annual measure 2021/22 data not yet available (2021/21: 100%)	Maintain
Ensure that, within 12 months, 90% of licensed premises entering the red or amber zone of the Traffic Light Scheme are brought back to the amber or green zone respectively. (Scheme was suspended in 2020/21 due to COVID-19)	Annual measure 2021/22 data not yet available (2019/20: 95%)	Maintain/Improve

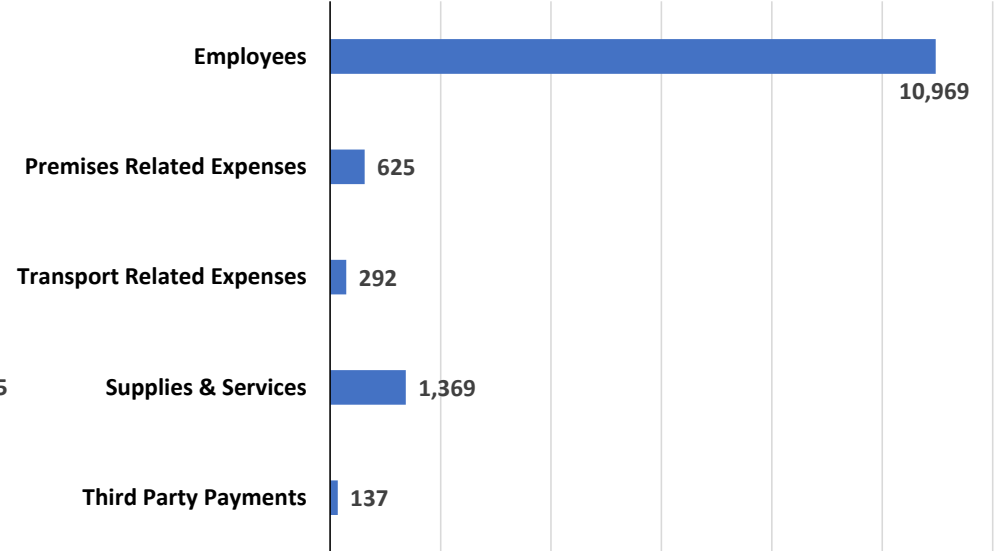
Where our money comes from *(PH&PP incl. Licensing)*

Original Budget 2022-23 (£'000)

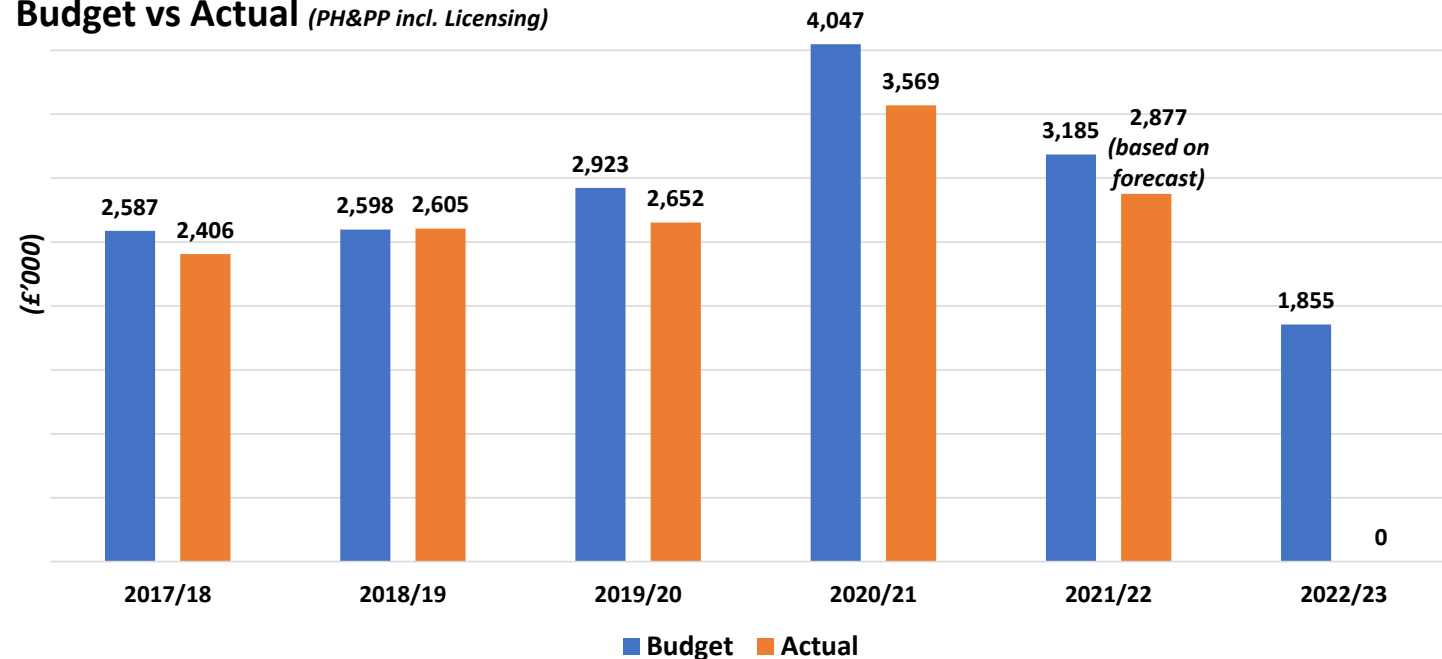


Where our money is spent *(PH&PP incl. Licensing)*

Original Budget 2022-23 (£'000)



Budget vs Actual *(PH&PP incl. Licensing)*



Agenda Item 6

Committee(s)	Dated:
Licensing	02 February 2022
Subject: Gambling Act 2005: Review of Statement of Licensing Principles	Public
Which outcomes in the City Corporation's Corporate Plan does this proposal aim to impact directly?	1,2,5
Does this proposal require extra revenue and/or capital spending?	N
If so, how much?	n/a
What is the source of Funding?	n/a
Has this Funding Source been agreed with the Chamberlain's Department?	n/a
Report of: Juliemma McLoughlin – Executive Director Environment	For Noting
Report author: Peter Davenport - Licensing	

Summary

The Gambling Act 2005 requires all licensing authorities to produce and publish a Statement of Licensing Principles ('policy'). The City Corporation produced its first such statement, as prescribed by the statutory timetable, when the Act came into force in January 2007.

The legislation requires that all authorities review their policy at least every three years. The policy is due for renewal in 2022.

The City Corporation attaches, as part of the policy, the work it completed in 2017/18 on producing a Local Area Profile in order that licensees can fully assess the local risk to the licensing objectives posed by their gambling operations. The local area profile has not been updated for the 2022 policy to permit businesses a 'settling; in period following COVID restrictions and the disruption generally to trade.

The updated Policy (Appendix 1) and the two documents 'Local Area Profile' (Appendix 2) and the 'Guidance on Undertaking Risk Assessments' (Appendix 3) formed the basis of the proposals which went out to consultation on 21st January 2022.

Recommendation(s)

Members are asked to:

1. Note the contents of this report.

Main Report

Background

1. The Gambling Act 2005 (the 'Act') requires licensing authorities to prepare and publish a statement of licensing principles (the 'policy') that they will apply in exercising their functions under the Act. The legislation further prescribes that the policy shall remain valid for a period of three years, after which it must be reviewed and re-published.
2. In order to comply with the statutory process, the City Corporation must consult with the following:
 - The Chief Officer of Police for the City of London
 - Persons representing the interests of persons carrying on gambling businesses within the City of London
 - Persons representing the interests of persons who may be affected by the City Corporation exercising its functions under the Act
3. The Gambling Commission has produced a Guidance to Licensing Authorities – updated May 2021 (the 'Guidance') and a document entitled 'Licence Conditions and Codes of Practice' – updated October 2020 (LCCP).
4. The social responsibility code provision requires licensees to assess the local risk to the licensing objectives posed by their gambling operations at each of their premises. In making these assessments, licensees must take into account relevant matters identified in the corporation's licensing policy.
5. The new ordinary code provision requires operators to share their risk assessment with licensing authorities when applying for a premises licence or a variation, or otherwise on request. The effect of this is that when an application is submitted, the authority can expect to see how risks which it has identified in its policy are to be mitigated.
6. The City's current policy is largely based on a concise template drafted by the Local Authority Coordinating Body on Regulatory Services (now Local Government Regulation) with amendments made to specifically suit the City of London and amended to reflect Government changes to published guidance. By using this template the City Corporation has ensured that the statutory requirements and inclusions recommended by the Guidance were adhered to.
7. However, following the release of the LCCP the Gambling Commission published a special bulletin making it clear that the national templates (from which the Policy was drafted) were unlikely to fully and adequately address local concerns, risks and features of the gambling landscape. This in turn would mean that licensees would not have sufficient information on which to base their required risk assessments.

8. The Gambling industry, as controlled by the Gambling Act 2005, has a relatively light impact on the City of London. The City of London is not permitted to have a casino and has no Adult Gaming Centres.

Premises licensed within the City are currently as follows:

- Betting Shops 15 (previously 36)
- Gaming Machine Permits (2 or less) 95 (previously 92)
- Gaming Machine Permits (3 or more) 12 (previously 17)
- Bingo Establishments 1 (previously 0)

Current Position

9. The Licensing Service undertook an in-depth local area 'socio-economic' profile to take account of such risk and features which may affect the licensing objectives. This has resulted in the production of two documents:
 - The Gambling Local Area Profile – Spatial Analysis Report
 - Guidance on Undertaking Local Gambling Risk Assessments
10. The above documents can be seen as Appendix 2 and Appendix 3 respectively. The new Policy can be seen as Appendix 1. The new policy is almost identical to the previous policy with minor changes to reflect the statutory position and increase the number of consultees.

Proposals

11. The draft documents at Appendices 1,2 and 3 form the basis of the paper that was forwarded to consultees. The consultation period began on Friday 21 January 2022 and will finish on Friday 15 April 2022.
12. The consultation meets the principles held with HM Government's Code of Practice on Consultation.
13. The following persons were consulted, representing the interests of persons carrying on businesses in the City of London:
 - Representatives of the trade
 - Ladbrokes
 - William Hill
 - Coral
 - Betfred
14. The following persons were consulted, representing the interests of persons who may be affected by the City exercising its functions under the Act:
 - City of London Members
 - Director of Community and Children's Services
 - GambleAware
 - Gamcare

- Gambling Commission
 - HM Revenue and Customs
 - Betting and Gaming Council
 - National Association of Bookmakers
 - Bingo Association
 - British Amusement Trade Catering Association
 - Safer Business Network
 - City of London Residents Associations
 - City of London Business Improvements Districts
 - Members of the Licensing Liaison Panel.
 - Highways
 - Environmental Health
 - Planning
 - Community Safety
 - Immigration Services
 - Street Enforcement
 - Public Health
 - Trading Standards
 - London Fire Brigade
15. The remaining statutory consultee, The Chief Officer of Police for the City of London, was also consulted.
16. In addition, the consultation document can be viewed on the City of London Corporation's web site.
17. Following completion of the consultation the final policy will come before this Committee on 27 April 2022 for agreement.
18. The final report will then be formally adopted by the Court of Common Council on 19 May 2022. This is a mandatory process to comply with statutory requirements.

Corporate & Strategic Implications

19. The proposals within this report will meet one of the objectives contained within the Licensing Business Plan for 2021/22, namely, 'Review and revise Gambling Policy'.
20. The licensing policy is also in line with two of the City's Core Strategy Aims namely, Contribute to a Flourishing Society and Support a Thriving Economy.

Implications

21. There are no direct financial or risk implications for the Corporation's services associated with this report. Costs for the publication of the new policy can be met within current budget.

Appendices

- Appendix 1 – Statement of Licensing Principles 2022
- Appendix 2 - The Gambling Local Area Profile
- Appendix 3 - Guidance on Undertaking Local Gambling Risk Assessments

Background Papers

- Guidance to Licensing Authorities – Updated May 2021 (Gambling Commission)
- Licence Conditions and Codes of Practice – Updated October 2020 (Gambling Commission)
- HM Government Code of Practice on Consultation 2008

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CITY OF LONDON CORPORATION

GAMBLING ACT 2005

STATEMENT OF LICENSING PRINCIPLES

January 2022

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PART A

GENERAL

1. Introduction

- 1.1 The City of London Corporation provides local government services for the financial and commercial heart of Britain, the “Square Mile”. It is committed to maintaining and enhancing the status of the business City as the world’s leading international financial and business centre through the policies it pursues and the high standard of services it provides. Its responsibilities extend far beyond the City boundaries in that it also provides a host of additional facilities for the benefit of the nation. These include open spaces such as Epping Forest and Hampstead Heath and the Barbican Arts Centre.
- 1.2 The City of London combines its ancient traditions and ceremonial functions with the role of a modern and efficient local authority, looking after the needs of its residents, businesses and, pre COVID, over 450,000 people who come to work in the “Square Mile” every day. Among local authorities the City of London is unique; not only is it the oldest in the country but it operates on a non-party political basis through the Lord Mayor, Aldermen and Members of the Court of Common Council. The Lord Mayor, in particular, has an important role as the principal ambassador of the City of London Corporation and the Business City, supporting and promoting the City generally and particularly as the world's leading international financial and business centre both at home and abroad; consulting widely within the City community on business needs.
- 1.3 Licensing authorities are required by the Gambling Act 2005 (‘the Act’) to publish a statement of the principles (‘Policy’) which they propose to apply when exercising their functions under the Act. This statement must be published at least every three years. The statement must also be reviewed from and any amended parts re-consulted upon. The statement must then be re-published.
- 1.4 The City of London Corporation consulted widely upon this statement before finalising and publishing it. A list of those persons consulted is provided below:
- Chief Officer of Police
 - Gambling Commissions
 - Representatives of the Trade:

- Ladbrokes
- William Hill
- Coral
- Betfred
- Gamcare
- GambleAware
- HM Revenue and Customs
- Betting and Gaming Council
- National Association of Bookmakers
- Bingo Association
- British Amusement Trade Catering Association
- Safer Business Network
- City Residents Associations
- City Business Improvement Districts
- Director of Community and Children’s Services
- Local Members
- Members of the Licensing Liaison Panel
 - Highways
 - Environmental Health
 - Planning
 - Community Safety
 - Immigration Services
 - Street Enforcement
 - Public Health
 - Trading Standards
 - London Fire Brigade
- In addition the Statement was placed on the City Corporation web site for comment

The Gambling Act requires that the following parties are consulted by licensing authorities:

- Chief Officer of Police;
- One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority’s area;
- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority’s functions under the Gambling Act 2005.

1.5 Our consultation took place from 21 January 2022 to 15 April 2022.

- 1.6 The policy was approved at a meeting of the Court of Common Council on 19 May 2022 and is published via our website. Hard copies are available on request.
- 1.7 Should you have any comments as regards this policy statement please send them via e-mail or letter to the contact details at the end of this document.
- 1.8 It should be noted that this policy statement will not override the right of any person able to make an application, make representations about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.

2. The Licensing Objectives

2.1 In exercising most of their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:

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

2.2 It should be noted that the Gambling Commission has stated:

‘The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling.’

2.3 The City of London Corporation is aware that, as per Section 153, in making decisions about premises licences and [provisional statements] it should aim to permit the use of premises for gambling in so far as it thinks it is:

- in accordance with any relevant code of practice [under section 24 of the Act]
- in accordance with any relevant guidance issued by the Gambling Commission
- reasonably consistent with the licensing objectives and
- in accordance with the [licensing] authority’s Statement of Licensing Principles.

3. Declaration

- 3.1 In producing this Policy statement, the City of London Corporation declares that it has had regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission, and any responses from those consulted on the statement. It shall be noted that this statement does not fully reflect the new guidance issued in September 2015 and the Gambling Commission's 'Licence conditions and codes of practice' issued in October 2020.
- 3.2 In producing the final statement, the City of London Corporation gives appropriate weight to the views of those it has consulted. In determining what weight to give particular representations, the Corporation took into account the following factors:
- who is making the representations (what is their expertise or interest)
 - relevance of the factors to the licensing objectives
 - how many other people have expressed the same or similar views
 - how far the representations relate to matters that the licensing authority should be including in its policy statement

4. Responsible Authorities

- 4.1 The City of London Corporation is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:
- the need for the body to be responsible for an area covering the whole of the City of London Corporation's area; and
 - the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.
- 4.2 In accordance with the suggestion in the Gambling Commission's Guidance for local authorities, this authority designates the Director of Community and Children's Services for this purpose.

5. Interested Parties

5.1 Interested parties can make representations about licence applications or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

‘For the purposes of this Part a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the City of London Corporation which issues the licence or to which the application is made, the person:

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

5.2 The City of London Corporation is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are:

- each case will be decided upon its merits
- this authority will not apply a rigid rule to its decision making
- it will consider the examples of considerations provided in Part 8 of the Gambling Commission’s Guidance for Local Authorities.
- it will also consider the Gambling Commission’s Guidance that ‘has business interests’ should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices

5.3 Interested parties can be persons who are democratically elected such as Aldermen, Common Councilmen and Members of Parliament. No specific evidence of being asked to represent an interested person will be required as long as the elected representative represents the ward likely to be affected. Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate / relative) ‘represents’ someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation will be sufficient.

5.4 If individuals wish to approach Aldermen & Common Councilmen to ask them to represent their views then care should be taken that they are not part of the Licensing

Committee dealing with the licence application. If there are any doubts then please contact the Licensing Section as detailed at the end of the document.

- 5.5 Where an application is made for a premises licence an interested party, as detailed in paragraph [5.3] of this document, or a responsible authority may make representations in writing to the City of London Corporation. Such representations must be made within such period as the Government set and must relate to the licensing objectives.
- 5.6 Where a licence is held an interested party or a responsible authority may apply for a review. Applications for review must be made in a manner and format which complies with The Gambling Act 2005 (Premises Licences) (Review) Regulations 2007.

6. Exchange of Information

- 6.1 Licensing authorities are required to include in their statements the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.
- 6.2 The principle that the City Corporation applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes compliance with current Data Protection legislation. The City of London Corporation will also have regard to any Guidance issued by the Gambling Commission to local authorities on this matter when it is published, as well as any relevant Regulations issued by the Secretary of State under the powers provided in the Act.
- 6.3 Should any protocols be established as regards information exchange with other bodies then they will be made available.

7. Enforcement

- 7.1 Licensing authorities are required by regulations made under the Act to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.

- 7.2 The City Corporation's principle is that it will be guided by the Gambling Commission's Guidance for local authorities and will endeavour to be:
- proportionate: regulators should only intervene when necessary: remedies should be appropriate to the risk posed, and costs identified and minimised;
 - accountable: regulators must be able to justify decisions, and be subject to public scrutiny;
 - consistent: rules and standards must be joined up and implemented fairly;
 - transparent: regulators should be open, and keep regulations simple and user friendly;
 - targeted: regulation should be focused on the problem, and minimise side effects.
- 7.3 Following the Gambling Commission's Guidance for local authorities the City of London Corporation will endeavour to avoid duplication with other regulatory regimes as far as possible.
- 7.4 The City of London Corporation has adopted and implemented a risk-based inspection programme, based on;
- The licensing objectives
 - Relevant codes of practice
 - Guidance issued by the Gambling Commission, in particular Part 36
 - The principles set out in this statement of licensing principles.
- 7.5 The main enforcement and compliance role for the City Corporation in terms of the Gambling Act 2005 will be to ensure compliance with the premises' licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines will not be dealt with by the City Corporation but will be notified to the Gambling Commission.
- 7.6 The City Corporation will also keep itself informed of developments as regards the work of the Department of Business, Energy and Industrial Strategy in its consideration of the regulatory functions of local authorities.
- 7.7 Bearing in mind the principle of transparency, the City Corporation's enforcement/compliance protocols/written agreements will be available upon request from the Licensing Section detailed at the end of this document.

8. Licensing Authority Functions

8.1 Licensing authorities are required under the Act to:

- be responsible for the licensing of premises where gambling activities are to take place by issuing Premises Licences
- issue Provisional Statements
- regulate members' clubs and miners' welfare institutes who wish to undertake certain gaming activities through issuing Club Gaming Permits and/or Club Machine Permits
- issue Club Machine Permits to Commercial Clubs
- grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres
- receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
- issue Licensed Premises Gaming Machine Permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines
- register small society lotteries below prescribed thresholds
- issue Prize Gaming Permits
- receive and Endorse Temporary Use Notices
- receive Occasional Use Notices
- provide information to the Gambling Commission regarding details of licences issued (see section 6 above concerning Exchange of Information)
- maintain registers of the permits and licences that are issued under these functions

8.2 It should be noted that local licensing authorities will not be involved in licensing remote gambling at all. This will fall to the Gambling Commission via operating licences.

PART B

PREMISES LICENCES

9. General Principles

9.1 Premises licences will be subject to the requirements set out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State. Licensing authorities are able

to exclude default conditions and also attach others, where it is believed to be appropriate.

9.2 The City of London Corporation is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it considers such use to be:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and,
- in accordance with the authority's statement of licensing policy.

9.3 It is appreciated that as per the Gambling Commission's Guidance for local authorities 'moral objections to gambling are not a valid reason to reject applications for premises licences' (except as regards any 'no casino resolution' - see paragraph 12.1 below concerning Casinos) and also that unmet demand is not a consideration for a licensing authority.

9.4 'Premises' in the Act is defined as including 'any place'. Section 152 therefore prevents more than one premises licence applying to any place. But a single building could be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-divisions of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.

9.5 The Gambling Commission states in the latest edition of its Guidance to Licensing Authorities (issued May 2021) that: '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 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.’

9.6 The City of London Corporation takes particular note of the Gambling Commission’s Guidance to Licensing Authorities which states that, ‘licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:

- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.
- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised, and people do not “drift” into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- Customers should be able to participate in the activity named on the premises licence.

9.7 The Guidance also gives a list of factors which the licensing authority should be aware of, which may include:

- Do the premises have a separate registration for business rates?
- 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?

9.8 The City of London Corporation will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

Premises ‘ready for gambling’

- 9.9 The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.
- 9.10 If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, then an application for a provisional statement should be made instead.
- 9.11 In deciding whether a premises licence can be granted where there are outstanding construction or alteration works at a premises, this authority will determine applications on their merits, applying a two stage consideration process:
- First, whether the premises ought to be permitted to be used for gambling
 - Second, whether appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.
- 9.12 Applicants should note that this authority is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

Multiple Premises

- 9.13 The City Corporation recognises that certain bookmakers have a number of premises within its area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to give the authority a single named point of contact, who should be a senior individual, and whom the authority will normally contact first should any compliance queries or issues arise. The above is notwithstanding issues to be taken up under the Home Authority Principle.

Location

- 9.14 The City of London Corporation is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. As per the Gambling Commission’s Guidance, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. Should any specific policy be decided upon as regards areas where gambling premises should not be located, this statement will be updated. It should be noted that any such policy

does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

Planning

- 9.15 The Gambling Commission's Guidance to Licensing Authorities states:
In determining applications, the licensing authority should not take into consideration matters that are not related to gambling and the licensing objectives. One example would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal.
- 9.16 This authority will not take into account irrelevant matters as per the above guidance. In addition, this authority notes the following excerpt from the Guidance:
'When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have to comply with the necessary planning or building consents. Nor should fire or health and safety risks be taken into account. Those matters should be dealt with under relevant planning control, building and other regulations, and must not form part of the consideration for the premises licence. S.210 of the Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally, the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building.'
- 9.17 Duplication with other regulatory regimes - The City of London Corporation will seek to avoid any duplication with other statutory/regulatory systems where possible, including planning. This authority will not consider whether a licence application is likely to be awarded planning permission or building regulations approval, in its consideration of it. It will though, listen to, and consider carefully, any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.
- 9.18 When dealing with a premises licence application for finished buildings, this authority will not take into account whether those buildings have to comply with the necessary planning or buildings consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, buildings and other regulations and must not form part of the consideration for the premises licence.

Licensing objectives

- 9.19 Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, the City Corporation has considered the Gambling Commission's Guidance to local authorities and some comments are made below.
- 9.20 Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime - The City of London Corporation is aware that the Gambling Commission will be taking a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective. Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. The City of London Corporation is aware of the distinction between disorder and nuisance and will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it, so as to make that distinction. Issues of nuisance cannot be addressed via the Gambling Act provisions.
- 9.21 Ensuring that gambling is conducted in a fair and open way - The City Corporation has noted that the Gambling Commission has stated that it would generally not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences.
- 9.22 Protecting children and other vulnerable persons from being harmed or exploited by gambling - The City Corporation has noted that the Gambling Commission's Guidance states that this objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at, or are particularly attractive to, children). The City Corporation will, therefore, consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include supervision of entrances / machines, segregation of areas etc.
- 9.23 The City Corporation will also make itself aware of the Codes of Practice which the Gambling Commission issues as regards this licensing objective, in relation to specific premises such as casinos.
- 9.24 As regards the term 'vulnerable persons' it is noted that the Gambling Commission is not seeking to offer a definition but states that 'it will, for regulatory purposes, assume

that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.” The City of London Corporation will consider this licensing objective on a case by case basis.

Conditions

- 9.25 Any conditions attached to licences will be proportionate and will be:
- relevant to the need to make the proposed building suitable as a gambling facility;
 - directly related to the premises and the type of licence applied for;
 - fairly and reasonably related to the scale and type of premises;
 - reasonable in all other respects.
- 9.26 Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures the City Corporation will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard under some of the licence types below. The City Corporation will also expect the licence applicant to offer his/her own suggestions as to the way in which the licensing objectives can be met effectively.
- 9.27 The City Corporation will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance. The Secretary of State has prescribed the categories of gaming Machine and current details of the stakes and prizes of each category are available on the City of London's website in the licensing section.
- 9.28 This authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:
- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
 - only adults are admitted to the area where these machines are located;
 - access to the area where the machines are located is supervised;

- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18 years of age.

These considerations will apply to premises including buildings where multiple premises licences are applicable.

9.29 As per the Gambling Commission's Guidance, the City Corporation will consider the impact upon the third licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

9.30 It is noted that there are conditions which the licensing authority cannot attach to premises licences as follows:

- any condition on the premises licence which makes it impossible to comply with an operating licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated);
- conditions in relation to stakes, fees, winnings or prizes.

Door Supervisors

9.31 Door Supervisors – The Gambling Commission advises in its Guidance to Licensing Authorities that if a licensing authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children and young persons) then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a premises licence to this effect.

9.32 Where it is decided that supervision of entrances/machines is appropriate for particular cases, door supervisors are expected to be SIA licensed.

10. Adult Gaming Centres

10.1 The City Corporation will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the

applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that people under 18 years of age do not have access to the premises.

10.2 The City of London Corporation will expect applicants to offer their own measures to meet the licensing objectives. Appropriate measures / licence conditions may cover issues such as:

- proof of age schemes
- CCTV
- supervision of entrances / machine areas
- physical separation of areas
- location of entry
- notices / signage
- specific opening hours
- self-barring schemes
- provision of information leaflets / helpline numbers for organisations such as GamCare.

10.3 This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

11. Licensed Family Entertainment Centres

11.1 The City Corporation will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that people under 18 years of age do not have access to the adult only gaming machine areas.

11.2 The City of London Corporation will expect applicants to offer their own measures to meet the licensing objectives however appropriate measures / licence conditions may cover issues such as:

- proof of age schemes
- CCTV
- supervision of entrances / machine areas
- physical separation of areas
- location of entry
- notices / signage
- specific opening hours
- self-barring schemes

- provision of information leaflets / helpline numbers for organisations such as GamCare.
- measures / training for staff on how to deal with suspected truant school children on the premises

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

11.3 The City Corporation will, as per the Gambling Commission's guidance, refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. The City of London Corporation will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

12. Casinos

12.1 No Casinos resolution – The City Corporation has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but is aware that it has the power to do so. Should the City of London Corporation decide in the future to pass such a resolution, it will update this policy statement with details of that resolution. Any such decision will be made by the Court of Common Council.

13. Bingo Premises

13.1 The City corporation notes that the Gambling Commission's Guidance states:

Licensing authorities need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. An operator may choose to vary their licence to exclude a previously licensed area of that premises, and then apply for a new premises licence, or multiple new premises licences, with the aim of creating separate premises in that area. Essentially providing multiple licensed premises within a single building or site. Before issuing additional bingo premises licences, licensing authorities need to consider whether bingo can be played at each of those new premises.

13.2 The Guidance further states:-

Children and young people are allowed into bingo premises; however they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed. Social Responsibility (SR) code 3.2.5(3) (now amalgamated in the Licence Conditions and Codes of Practice (LCCP) published October 2020) states

that ‘licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises’ in order to prevent underage gambling.

14. Betting Premises

14.1 Betting machines – The City Corporation will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons or by vulnerable people (it is an offence for those under 18 years of age to bet), when considering the nature and circumstances of betting machines an operator wants to offer.

14.2 While the City Corporation has discretion as to the number, nature and circumstances of use of betting machines, there is no evidence that such machines give rise to regulatory concerns. This authority will normally consider limiting the number of machines only where there is clear evidence that such machines have been or are likely to be used in breach of the licensing objectives. Where there is such evidence, this authority may consider, when reviewing the licence, the ability of staff to monitor the use of such machines from the counter.

15. Travelling Fairs

15.1 It will fall to the City Corporation to decide, where category D machines and / or equal chance prize gaming without a permit is made available for use at travelling fairs, if the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

15.2 The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

15.3 It has been noted that the 27 days statutory maximum for the land being used as a fair is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. The City of London Corporation will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

16. Provisional Statements

16.1 Developers may wish to apply to this authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

16.2 S204 of the Gambling Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:

- expects to be constructed;
- expects to be altered; or
- expects to acquire a right to occupy.

16.3 The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

16.4 In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.

16.5 The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The licensing authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless:

- they concern matters which could not have been addressed at the provisional statement stage, or
- they reflect a change in the applicant's circumstances.

16.6 In addition, the authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional statement stage;
- which in the authority's opinion reflect a change in the operators' circumstances;

- where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.

17. Reviews:

17.1 Requests for a review of a premises licence can be made by interested parties or responsible authorities. However, it is for the licensing authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below:

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives;
- in accordance with the authority's statement of licensing principles.

Consideration will also be given as to whether the request for a review is frivolous, vexatious or substantially the same previous representations or requests for review.

17.2 The licensing authority can also initiate a review of a licence on the basis of any reason which it thinks is appropriate.

Once a valid application for a review has been received, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins 7 days after the application was received by the licensing authority, who will publish notice of the application within 7 days of receipt.

The licensing authority must carry out the review as soon as possible after the 28 day period for making representations has passed.

17.3 The purpose of the review will be to determine whether the licensing authority should take any action in relation to the licence. If action is justified, the options open to the licensing authority are:

- add, remove or amend a licence condition imposed by the licensing authority;
- exclude a default condition imposed by the Secretary of State or Scottish Ministers (e.g. opening hours) or remove or amend such an exclusion;
- suspend the premises licence for a period not exceeding three months;
- revoke the premises licence.

- 17.4 In determining what action, if any, should be taken following a review, the licensing authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations
- 17.5 In particular, the licensing authority may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.
- 17.6 Once the review has been completed, the licensing authority must, as soon as possible, notify its decision to:
- the licence holder
 - the applicant for review (if any)
 - the Commission
 - any person who made representations
 - the chief officer of police or chief constable; and
 - Her Majesty's Commissioners for Revenue and Customs

PART C

PERMITS / TEMPORARY & OCCASIONAL USE NOTICE

18 Unlicensed Family Entertainment Centre (UFEC): Gaming Machine Permits (Statement of Principles on Permits - Schedule 10, Paragraph 7)

- 18.1 Where a premises does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238).
- 18.2 The Gambling Act 2005 states that a licensing authority may prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit. In preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under section 24.

18.3 The Gambling Commission's Guidance for local authorities also states:

'In its statement of policy, a licensing authority may include a statement of principles that it proposes to apply when exercising its functions in considering applications for permits. In particular it may want to set out the matters that it will take into account in determining the suitability of the applicant. Given that the premises is likely to appeal particularly to children and young persons, licensing authorities may wish to give weight to matters relating to protection of children from being harmed or exploited by gambling and to ensure that staff supervision adequately reflects the level of risk to this group'

18.4 The Guidance further states:

'An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an UFEC, and if the chief officer of police has been consulted on the application.....' The licensing authority may also consider asking applicants to demonstrate:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in UFECs
- that the applicant has no relevant convictions (as set out in Schedule 7 of the Act)
- that employees are trained to have a full understanding of the maximum stakes and prizes.

18.5 It should be noted that a licensing authority cannot attach conditions to this type of permit.

18.6 Statement of Principles - The City Corporation will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits. However, they may include appropriate measures / training for staff as regards suspected truant school children on the premises, measures / training covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on / around the premises.

**19 Alcohol Licensed Premises: Gaming Machine Permits - Schedule 13,
Paragraph 4(1)**

19.1 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have two gaming machines, of categories C and/or D. The premises merely need to notify the licensing authority. The licensing authority can remove the automatic authorisation in respect of any particular premises if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the licensing authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with);
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

19.2 If a premises wishes to have more than two machines, then it needs to apply for a permit and the licensing authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and ‘such matters as they think relevant.’ The City Corporation considers that ‘such matters’ will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that people under 18 years of age do not have access to the adult only gaming machines.

19.3 Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18. Notices and signage may also be of help. As regards the protection of vulnerable persons applicants may wish to consider the provision of information leaflets / helpline numbers for organisations such as GamCare.

19.4 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with, as an Adult Gaming Centre premises licence.

19.5 It should be noted that the licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

19.6 It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

20 Prize Gaming Permits: Statement of Principles on Permits - Schedule 14, Paragraph 8 (3)

20.1 The Gambling Act 2005 states that a licensing authority may ‘prepare a statement of principles that they propose to apply in exercising their functions under this Schedule’ which ‘may, in particular, specify matters that the licensing authority propose to consider in determining the suitability of the applicant for a permit’.

20.2 The City of London Corporation has prepared a Statement of Principles which is that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant should be able to demonstrate:

- that they understand the limits to stakes and prizes that are set out in Regulations;
- and that the gaming offered is within the law.

20.3 In making its decision on an application for this permit the licensing authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.

20.4 It should be noted that there are conditions in the Gambling Act 2005 with which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:

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

- participation in the gaming must not entitle the player to take part in any other gambling.

21 Club Gaming and Club Machines Permits

21.1 Members Clubs and Miners welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Clubs Gaming machines permit. The Club Gaming Permit will enable the premises to provide gaming machines (three machines of categories B, C or D), equal chance gaming and games of chance as set-out in forthcoming regulations. A Club Gaming machine permit will enable the premises to provide gaming machines (three machines of categories B, C or D).

21.2 The Act states:

‘...members clubs must have at least 25 members and be established and conducted wholly or mainly for purposes other than gaming, unless the gaming is restricted to that of a prescribed kind (currently bridge and whist). Members’ clubs must be permanent in nature but there is no need for a club to have an alcohol licence.’

21.3. The Commission Guidance also notes that licensing authorities may only refuse an application on the grounds that:

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

21.4. There is also a ‘fast-track’ procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). As the Gambling Commission’s Guidance for local authorities states, ‘Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which an authority can refuse a permit are reduced.’ and the grounds on which an application under the process may be refused are:

- that the club is established primarily for gaming, other than gaming prescribed under Schedule 12;
- that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

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

22. Temporary Use Notices

22.1. There are a number of statutory limits as regards temporary use notices. Gambling Commission Guidance is noted that the meaning of premises in part eight of the Act is discussed in Part 7 of the guidance. As with premises, the definition of a ‘set of premises’ will be a question of fact in the particular circumstances of each notice that is given. In the Act premises is defined as including ‘any place’. In considering whether a place falls within the definition of a ‘set of premises’, the City Corporation will need to look at, amongst other things, the ownership/occupation and control of the premises. The Guidance states, ‘This is a new permission and licensing authorities should be ready to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises.’

23. Occasional Use Notices:

23.1. The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of eight days in a calendar year is not exceeded. The City Corporation will however consider the definition of a ‘track’ and whether the applicant is permitted to avail him/herself of the notice.

PART D

Local Risk Assessments/Local Area Profile

24. Local Risk Assessments

24.1. The Gambling Commission’s Social Responsibility Code 10.1.1 requires all premises licensees to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control

measures to mitigate those risks. In undertaking their risk assessments, they must take into account relevant matters identified in this Policy.

- 24.2. Licensees are required to undertake a local risk assessment when applying for a new premises licence. Their risk assessment must also be updated:
- when applying for a variation of a premises licence
 - to take account of significant changes in local circumstances, including those identified in a licensing authority's statement of policy
 - when there are significant changes at a licensee's premises that may affect their mitigation of local risks
- 24.3. The new Social Responsibility provision is supplemented by an ordinary code provision that requires licensees to share their risk assessment with licensing authorities when applying for a premises licence or applying for a variation to existing licensed premises, or otherwise at the request of the licensing authority, such as when they are inspecting a premises.
- 24.4. More information on Local Risk Assessments can be found in The City of London's guide on risk assessments.¹

25. Local Area Profile

- 25.1. In order to assist licensees in formulating their local risk assessments the City of London has produced a Local Area Profile.² The aim of the Local Area Profile is to increase awareness of local risks that licensees will need to address in their risk assessments.
- 25.2. Although this profile was developed in 2017 the majority of the points made are still relevant today. It is the view of the Licensing Team that this profile does not have to be repeated at this stage, particularly in light of the uncertainty as to levels of trading, number of licensed premises etc., following Government COVID restrictions and the reduction in footfall within the City of London.
- 25.3. It is expected that a new Local Area Profile be produced prior to the review of the Gambling Act 2005: Review of Statement of Licensing Principles due in 2025.
- 25.4. The City Corporation will expect local risk assessments to contain control measures that seek to mitigate those risks identified in the Local Area Profile.

¹ Guidance on Undertaking Gambling Risk Assessments – January 2018

² Gambling Local Area Profile – April 2017

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Gambling Local Area Profile

Spatial Analysis Report

Exploring area-based vulnerability to gambling related-harm:
Developing the gambling-related harm risk index

April 2017

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Executive Summary

Background

In Great Britain, there is a changing gambling policy and regulatory environment which has increased focus on risk. Local area risk assessments have been introduced into the Gambling Commission's updated Licensing Conditions and Codes of Practice with understanding local risk, and taking appropriate steps to mitigate risk, being highlighted as a key concern.

Policy is also becoming more focused on understanding and mitigating gambling-related harm more broadly, rather than focusing on problem gambling alone.

Finally, in the Gambling Act 2005, children and vulnerable people were singled out for special regulatory attention. However, to date, about who may be vulnerable or why and how vulnerability and harm may vary at a local level has not previously been explored and has been subject to very little investigation.

Aims of the Analysis

The analysis aimed to explore and document what different types of harms arise from gambling, and who may be at greater risk of harm, explore and document who are the City of London's most vulnerable groups, and provide the basis for an informed and astute led approach in decision making.

Methods

To develop the theoretical basis of our risk models, we first had to ascertain which types of people were viewed as vulnerable to, or at risk of, gambling-related harm. This necessitated the development of the City of London's stakeholder consultation survey.

The survey questionnaire was based on the format generated by GeoFutures¹ on behalf of the City of Westminster and Manchester City Council, but modified for our purposes.

Furthermore, individual consultation interviews were arranged with a diverse range of key stakeholders within the City of London who were identified and approached purposely from those who had experienced the effects of gambling-related harm first hand.

Results

The City of London's very unique demography resonated with our stakeholders who confirmed the long-standing knowledge that those working in jobs that involve high-level financial risk (executives, traders and financial advisors) are at a greater risk to gambling-related harm.

The introduction of smart phone technology and the installation of gambling applications has engaged a higher volume of users. It's anonymous, hence being regarded as a hidden addiction. Those who are gambling on-line are specifically professional males aged between 18-35² years old who are in uncontrolled environments where warnings and control is limited, and often during working hours.

¹ Geofutures Ltd, Bath

² EPIC Risk Management

Children now regularly see gambling advertising and the number of gambling commercials on British TV has increased exponentially since the deregulation of the sector nearly 10 years ago, and since the Gambling Act 2005 came into force in September 2007.

Consequences of this are two-fold:

- The harm it causes to the gambler themselves, their employer, their colleagues, family, extended family, friends, and the community.
- The cost it causes to the UK Government in health care, welfare, housing and to the criminal justice system.

The City of London's transient workforce, those working on the plethora of construction sites around the city are not immune to gambling-related harm. We have no direct evidence to support this however, it would be remiss not to at least remark on this situation.

Implications

When reflecting on who may be vulnerable to gambling-related harm, a holistic approach needs to be taken as personal circumstances of each individual are not known. Therefore, for the groups outlined in this analysis, it does not mean that everyone with those characteristics **will** experience harm rather that based on these characteristics there is an increased risk that they **may** experience harm.

There are likely to be multiple and complex risk factors for harm, with some people having multiple characteristics of potential vulnerability.

Limitations

This analysis is constrained by actual evidence. Therefore, some risk factors, groups or themes may have been overlooked (such as minority ethnic groups) where we had very limited available data and therefore have not so far included them to date.

The specific aim was to merely assemble an authentic 'Local Area Profile' which underpins the basis for an informed and astute led approach in decision making for the City of London Licensing Authority.

1. Introduction

1.1 Overview

National gambling policy and regulatory authorities have an increasing focus on risk, and to date, there has been very little examination of who is vulnerable to gambling-related harm, how these people can be identified and what might be done to protect them.

This report has been formed from a specific undertaking to explore area-based vulnerability to gambling-related harm within the City of London. It is now compulsory for all industry operators to undertake local area risk assessments to investigate the risks gambling venues pose to the licensing objectives.

The focus on vulnerable persons and harm comes directly from the licensing objectives set out in the Gambling Act 2005, which states that children and vulnerable people should be protected from being harmed or exploited by gambling.

New code provisions covering risk assessments and local authority profiles came into effect from April 2016.

2. Background

The Gambling Act 2005 gives Licensing Authorities responsibility for issuing premises licences for gambling venues. The advice contained within the Act is that Licensing Authorities should 'aim to permit' premises licences as long as applications are reasonably consistent with the following objectives:

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

More recently, there have been some changes in the recommended approach to gambling licensing and regulation, as outlined in various documents published by the Gambling Commission.^{3,4}

These changes can be summarised into three broad areas:

- Increased focus on risk and regulation;
- Greater attention to local area risk, and;
- Encouragement of partnership and collaboration between stakeholders to mitigate risk.

Aims of the Analysis

2.1 As a reference guide, the examination process accomplished by the City of Westminster and Manchester City Council, in particular '*Exploring area-based vulnerability to gambling-related harm: Developing the gambling-related harm risk index*' and '*Exploring area based vulnerability to harm: who is vulnerable?*' was also explored by the City of London and established three main aims;

1. Explore and document what different types of harms arise from gambling, and who may be at greater risk of harm;
2. Explore and document who are the City of London's most vulnerable groups;
3. Provide the basis for an informed and astute led approach in decision making.

Approach

2.2 Spatial analysis has been used to examine local variation in vulnerability to gambling related-harm in the City of London. In order to do this we have;

- Identified the main characteristics associated with gambling-related harm referencing the process completed by the City of Westminster and Manchester City Council.
- For each characteristic, the availability of local level data was considered, and further datasets were assessed against within the local context.
- Encapsulated this information into a single model visually that outlines areas of greater or lower potential risks.

³ Gambling Commission Licence Conditions Codes and Practice – January 2018

⁴ Gambling Commission Guidance to Licensing Authorities 5th Edition – September 2016

3. City of London

3.1 Overview

The City of London is also known as the 'Square Mile', and is the financial district and historic centre of London. It is one of 33 areas with local authority responsibilities into which London is divided. Administratively, London is divided into 32 boroughs and the City of London.

The City Corporation has a special role and wide remit that goes beyond that of an ordinary local authority with three main aims:

- to support and promote London as the world's leading international financial and business centre and attract new business to the capital and the whole UK
- to work in partnership with local communities to increase skills, employment and opportunities for all Londoners, including through the City Bridge Trust
- to enhance the capital as a hub of culture, history and green spaces for Londoners – residents, workers, and visitors.

The residential population of the City of London is approximately 12,000 people. The daytime population of the City increases significantly, with approximately 400,000 people commuting into the City each day for work. Additionally, a transient labour-force increases the number of commuters to the city working on the many building/construction sites.

In addition to the above over 18 million tourists visit London every year, many to see the popular attractions in the City of London which include St Paul's Cathedral, the Monument to the Great Fire of London, Guildhall Galleries, the Barbican Centre and the Museum of London.

Notable buildings in the area include 30 St Mary Axe (Gherkin), the Leadenhall Building (Cheesegrater) at 122 Leadenhall Street, 20 Fenchurch Street (Walkie-Talkie), the Broadgate Tower and the Heron Tower.

The city is also full of upscale eateries, celebrity chef restaurants and markets including the historic Leadenhall Market and Petticoat Lane.

4. Developing the risk index models: theoretical basis

4.1 Overview

The Licensing team at the City of London conducted research to establish the theoretical and first-hand basis for our risk-index models. Our stakeholder consultation consisted of a two-phase approach:

1. Stakeholder consultation survey
2. Stakeholder face to face interviews

4.2 Methods

4.2.1 Stakeholder Consultation Survey

To develop the theoretical basis of our risk models, we first had to ascertain which types of people were viewed as vulnerable to, or at risk of, gambling-related harm, and this necessitated the development of the City of London's stakeholder consultation survey.

The survey questionnaire was based on the format generated by GeoFutures on behalf of the City of Westminster and Manchester City Council, but modified for our purposes. (See Appendix 1)

4.2.2 Stakeholder Consultation face to face Interviews

Furthermore, face to face consultation interviews were arranged with a diverse range of key stakeholders within the City of London who were identified and approached purposely from those who had experienced the effects of gambling-related harm first hand.

4.3 Definitions

Before considering the evidence relating to who is vulnerable to, or at risk of, gambling-related harm, the following definitions apply.

4.3.1 Gambling-related harm

Gambling-related harm can be defined as:

'The adverse financial, personal and social consequences to players, their families, and wider social networks that can be caused by uncontrolled gambling.'⁵

4.3.2 Problem gambling

Problem gambling (or ludomania, but usually referred to as 'gambling addiction' or 'compulsive gambling') is defined as:

'an urge to gamble continuously despite harmful negative consequences or a desire to stop'.⁶

⁵ Responsible Gambling Strategy Board - 2009

⁶ Helpstopgambling.org

4.3.3 Nature of harms

The following represents the nature of harms to individuals which can be broadly grouped as follows:

- Detriments to the person's health, both morbidity and mortality
- Emotional or psychological distress
- Financial difficulties, diverted financial resources, bankruptcy or reduction of financial situation
- Reduced performance / loss of role at employment or study
- Relationship conflict or breakdown.
- Criminal activity. While a rare outcome of gambling problems, entering the judicial system creates acute harm to individuals as well as the community. This includes (but is not limited to) incarceration, along with psychological harms of shame and stigma.
- Harm to family and friends (in terms of the partner (or spouse) and the children of people with gambling problems)
- Harm to the community (self-reported missed work, levels of debt, proceeds from crime, and costs to the judicial system and welfare system).
- Indirect harm to the community (poverty, poor health, lower levels of social and human capital)
- Financial loss to the community (loss of money from the community or the transporting of harm – on-line gambling)

4.3.4 Who can be vulnerable to gambling-related harm?

The Gambling Commission has stated that whilst they did not want to explicitly define who vulnerable people are, this is likely to include people who gamble more than they want to.⁷

The following represents those persons who can be vulnerable to gambling-related harm:

- Young people (youth)
- Students
- Those with Mental Health problems
- Those afflicted with substance use/misuse issues
- Those with learning disabilities / difficulties
- Immigrants
- Ethnic minorities
- Homeless people
- Those living in constrained economic circumstances
- Those living in deprived areas
- Prisoners
- Older people
- Those with personality / cognitive impairments
- Women potentially vulnerable to harm
- Other groups/people

⁷ Gambling Commission 2012

4.4 Gambling-Related Harm

Extracted from our stakeholder questionnaire survey the following is a generic representation.

4.4.1 Stakeholder perspective: What different types of harms arise from gambling?

As with the list overleaf outlining the nature of harms to individuals our stakeholders echoed the same views; however, the fundamental element delineated is the ancillary harm impacting families and communities in particular:

- Crime (funding a gambling addiction)
- Child abuse
- Domestic violence
- Deterioration of family relationships, marriage breakdown
- Employability (loss of job/career issues)
- Family personal safety (debt with lenders)
- Financial stress
- Health issues (nutrition and general wellbeing including lack of sleep)
- Homelessness (rent is not paid or is in arrears), and dependents including children being made homeless
- Reputation and brand loss to an organisation including legal implications
- Social isolation.

4.4.2 Stakeholder perspective: Who do these harms affect?

Mostly our stakeholders established that the individual/person who is significantly affected is the gambler themselves, followed by their family (especially children), extended family and friends, employers/colleagues, broader social network, and the community.

The detriment to the individual gambler extends to anti-social behaviour, including compulsive lying, bullying, and the extreme where the individual has self-harmed or tragically committed suicide.

4.4.3 Stakeholder perspective: How might harms vary from person to person?

The consensus portrayed by our stakeholders characterised that harm varies from person to person dependent on personal circumstances, and they range from:

- The type of gambling
- The support offered by family
- The severity of the addiction
- The culture and acceptance of gambling
- The gamblers emotional wellbeing (depression or low self-esteem)
- The gamblers mental health (unable to make informed or balanced decisions)
- The gamblers individual character (tendency towards anxiety or stress)
- The gamblers income (high income earner or receiving benefits)

4.4.4 Stakeholder perspective: Over what time frame might harm be experienced?

Individuals can become pathological instantaneously, or within a few weeks or even years. Some individuals can take over a decade or even a lifetime.

Regrettably gambling is a hidden addiction and therefore often goes unnoticed. However the time frame that gambling-related harm is experienced is wide-ranging and this can also be attributed to the personality of the gambler, and whether or not it is an entrenched behaviour.

4.5 Vulnerable people

Extracted from our stakeholder questionnaire survey the following is a generic representation.

4.5.1 Stakeholder perspective: Identifying vulnerability

Vulnerability has many components, and can be identified with many causes contributing to being categorised as being vulnerable.

Predominantly our stakeholders implied the following risk factors which can all be identified through assessment, behaviour and observation:

- Those individuals who have an addictive personality.
- Those with lower levels of education.
- Those from deprived or poorer communities.
- Those with fewer psychological coping resources or those being manipulated or controlled either physically, mentally or emotionally.
- Those who have difficulties in coping with daily living, and the absence of an adequate support structure around them.
- Those who need support or protection because of age, learning difficulties, mental health, mobility issues, or with a disability.
- Those with an alcohol or substance abuse dependency.

4.5.2 Stakeholder perspective: Who is vulnerable to gambling-related harm?

Largely 'everyone' is vulnerable to gambling-related harm, particularly anyone who is related to the gambler (spouses, partners, extended family and friends).

4.5.3 Stakeholder perspective: Which groups are most vulnerable to gambling-related harm?

The clear majority of our stakeholders specified that the group most vulnerable to gambling-harm were young people/children trailed by the gambler themselves which appears to be more men than women. Furthermore, their partner/spouse, immediate family, and friends.

5. Developing the risk index models: modelling and spatial analysis

5.1 Introduction

The datasets, data sources and statistics used to collate the City of London spatial analysis are representative of the best and most recent local data available to signify the risk factors identified, some of which have multiple datasets.

5.2 Characteristics of vulnerability

The following characteristics considered for inclusion in the City of London model were those with supplementary evidence to support each one at this time, however the models will be regularly reviewed and amended to take into account varying factors.

Risk factor: problem gamblers seeking treatment

Dataset used: *GamCare counselling locations and Gamblers Anonymous Meetings*

These locations are derived from the lists sourced from GamCare and Gamblers Anonymous website. These locations indicate the places where people with gambling problems will be visiting and hence bring those potentially vulnerable groups to these locations.

Risk factor: crime, individuals gambling illegally in the streets

Dataset used: *City of London Police Crime Statistics*

This dataset is capturing information about individuals who have been caught gambling illegally in the streets.

Risk factor: crime, including theft/robbery, and stealing from employers

Dataset used: *City of London Police Crime Statistics*

This dataset is capturing information about individuals who have either been caught stealing, and employees committing theft from Gambling Licensed Premises, and theft from Automatic Teller Machines (ATM's) located within Gambling Licensed Premises.

Risk factor: crime, including criminal damage

Dataset used: *City of London Police Crime Statistics*

This dataset is capturing information about individuals who have committed a crime relating to criminal damage.

Risk factor: crime, involving employee fraud

Dataset used: EPIC Risk Management

This data represents those working in the financial sector who have access to company money (expense accounts, credit cards and client money).

Risk factor: individuals using hand-held devices during work hours

Dataset used: EPIC Risk Management

This data is used to represent that it is a known fact that gambling is now 24/7, anonymous, and engages a higher volume of users, specifically professional males aged between 18-35⁸ and working in the financial sector who are in uncontrolled environments.

Risk factor: those with financial difficulties and or debt

Dataset used: location of payday loan shops, loan sharks, and pawn brokers

This dataset represents locations where those with financial difficulties and debt problems are more likely to be present, accessing credit through less secured means.

Location of food banks and soup kitchens

This dataset aims to model financial difficulties and debt problems, through places where people are so severely impoverished that they cannot afford to buy food.

Risk factor: homelessness

Dataset used: The location of homeless accommodation and City of London supported housing

There are limited accommodation provision types for the homeless within the City of London with the majority of hostels being outside the 'Square Mile'.

Risk factor: people with poor mental health

Dataset used: Mental health services and mental health care facilities

Capturing accurate information about people with poor mental health is difficult and we acknowledge limitations with this, however we believe that there is sufficient, albeit a conservative measure of poor mental health within the City of London.

Risk factor: people with substance abuse or misuse problems

Dataset used: Drug and alcohol treatment and recovery centre clinics and clinics within GP surgeries and needle exchanges

As with problem gambling treatment locations, these clinics are likely to attract potentially vulnerable people to these locations. This data set is an amalgamation of an internal list supplemented by web searches.

Risk factor: youth

Dataset used: number of residents aged 10-24years

The age range of 10-24 has been selected based on the interpretation of the evidence including 'emerging adults' as well as younger children in 'transitional life stages'

education institutions with students of 13-24 years

This data is a list of all known educational institutions for people aged 13-24 and are derived from a current Local Authority list, and as such can be considered a reliable source.

These locations have been included as they represent areas where younger people will be present in greater numbers at certain points of the day.

6. The changing environment of gambling

6.1 Stakeholder perspective: How has the environment of gambling changed in the past 10yrs?

The gambling landscape has changed exponentially in the past 10 years due to on-line/internet gambling – hand-held technology has spawned a whole new customer base. Gambling is now 24/7, anonymous, and engages a higher volume of users.

Recent statistics expressed that 1 in 5⁹ of the United Kingdom are now gambling on-line. However, the most alarming statistic is that over 500,000⁹ children are reported to gamble each week. The most predominant demographic however is professional males aged between 18-35 years old¹⁰ who invariably are in uncontrolled environments where warnings and control are very limited.

The ‘hidden’ gambling landscape is the damage to company profitability, branding and reputation, particularly where clients are involved. Criminal acts involving gambling particularly in the financial services sector is increasing, and figures recently released indicate that gambling fraud is now responsible for 12.5% of all frauds in the United Kingdom.¹⁰

Television gambling advertisements have risen 600% from 234,000 in 2007 to 1.4m in 2012.¹¹ These advertisements produced 30.9bn ‘impacts’ – i.e. the number of times a commercial was seen by viewers. Gambling advertising on social media has also increased as the gambling industry owns a ‘freedom’ on the internet that it has never been able to fully realise in the actual, physical world.

⁹ Gambling Commission – Young People and Gambling 2016

¹⁰ EPIC Risk Management

¹¹ Ofcom Research - 2012

7. The Local Area Profile of the City of London

7.1 Introduction

The City of London is the financial district and historic centre of London. It is one of the 33 areas with local authority responsibilities into which London is divided. Administratively, London is divided into 32 boroughs and the City of London.

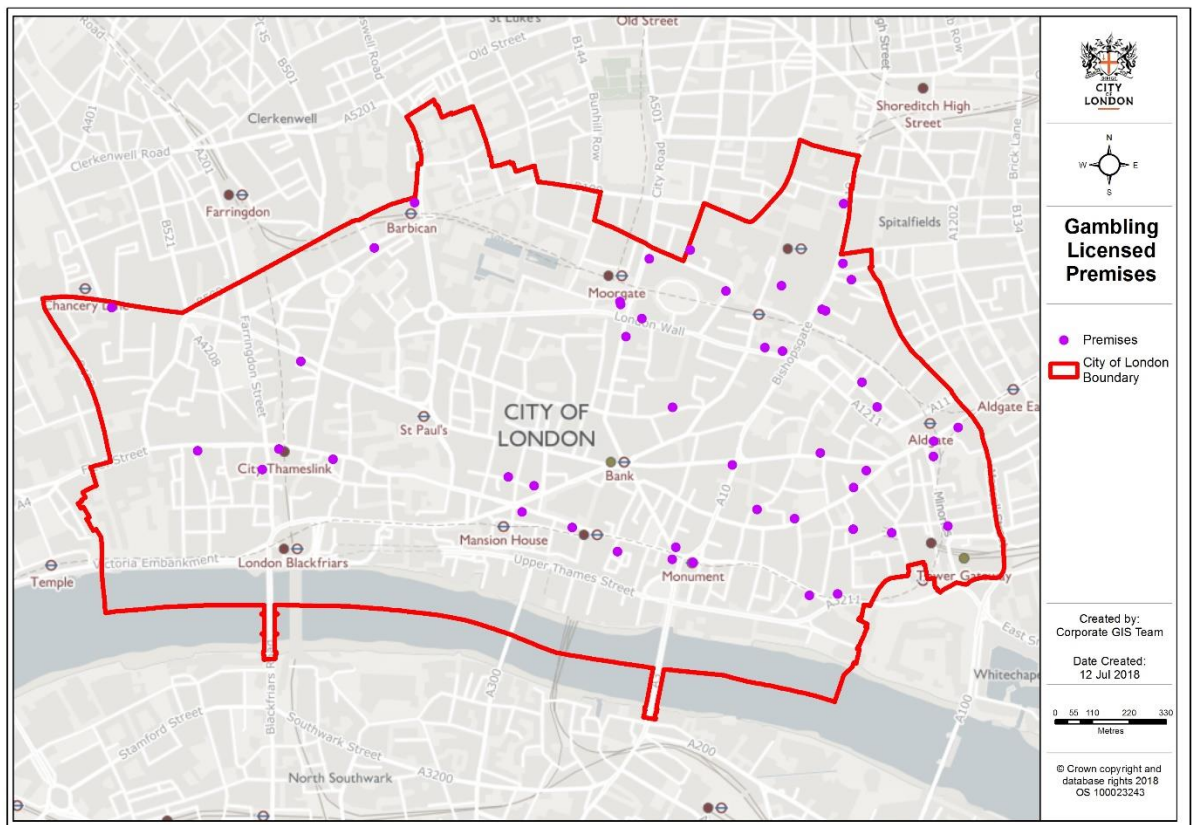
The City of London has a unique demography with a relatively low residential population but an estimated daily working population of approximately 400,000. The City is the only area in the United Kingdom in which the number of workers significantly outnumber the residents.

Additionally, over 18 million tourists visit London every year many of which visit the City of London as they acknowledge that the City is home to many popular attractions including St Paul's Cathedral, the Monument to the Great Fire of London, Guildhall galleries, Barbican Centre and the Museum of London.

7.2 Gambling premises

Within the City of London there are 36 Licensed Gambling Premises, and the number has remained stable since the inception of the Gambling Act 2005. The majority of gambling premises are situated in the eastern half of the city.

The map below provides an overview of all current licences within the City of London:



7.3 City of London's 'hot spot' affected most by gambling-related harm

Although gambling is a legal entertainment activity it has been recognised that if you work in the financial services industry, you are at a greater risk of developing a gambling dependency than other professions. It is estimated 1 in 30¹² employees in the financial services sector are suffering from a gambling addiction.

Coincidentally our stakeholders also confirmed that those working in the financial services sector are at a greater risk of developing a gambling addiction – it is now the most prevalent sector in the United Kingdom and rising.

Those who work in the financial services sector are commonly highly intellectual including executives, stock market traders and financial advisors who are gambling whilst at work. There are several common denominators which is intrinsically linked including:

- Adrenalin driven
- Thrill seekers
- Risk takers
- Optimistic outlook
- Competitive

The ward area of Portsoken within the City of London was highlighted as the area/location that was most likely to be affected by gambling-related harm, and ties in with the cluster of current licences in the east of the City of London, and the hub of the financial district.

7.4 GamCare Statistics

The information above is evident in the recent statistic provided by GamCare.

In 2016/17 GamCare recorded 40% of HelpLine and NetLine calls, and during this time received calls from 400 people with a postcode in the City of London.

Additionally, GamCare were able to provide face-to-face counselling for 5 people registered within the City of London from their Clapham Junction offices, and an additional 41 clients at their Liverpool Street location (an overall increase from the previous year).

¹² National Problem Gambling Clinic

7.5 Evidence review – who are the City of London’s vulnerable groups?

Extracted from our stakeholder questionnaire surveys, and the evidence obtained from our various datasets, the following is a generic representation of those areas that put people most at risk of gambling-related harm within the City of London.

- Those individuals who are affected by an alcohol misuse/addiction.
- Those individuals who are affected by a drug, and or substance misuse.
- Those individuals who are homeless and sleeping/living rough on the streets (huddles of homelessness within the City of London include Liverpool Street, Tower Hill, Fleet Street, and the Barbican Estate).
- Those individuals who have low educational attainment and learning and intellectual functioning difficulties.
- Adults with mental health issues, depression, anxiety, and low self-esteem.
- Those individuals who have become socially isolated.
- Those individuals who are on low incomes or have experienced financial difficulties (in debt), loss of job and even bankruptcy.
- Those individuals who work within the financial sector (typically executives, traders, bankers etc.)
- Children who have a parent who gambles and are unable to provide for day-to-day living expenses, and asylum seeking young people.

7.6 Local Area Profile Table

As outlined overleaf the table below demonstrates which of the identified characteristics had first-hand evidence. The characteristics which are shaded in darker grey show where there was evidence to support that these characteristics are associated with a higher risk of harm.

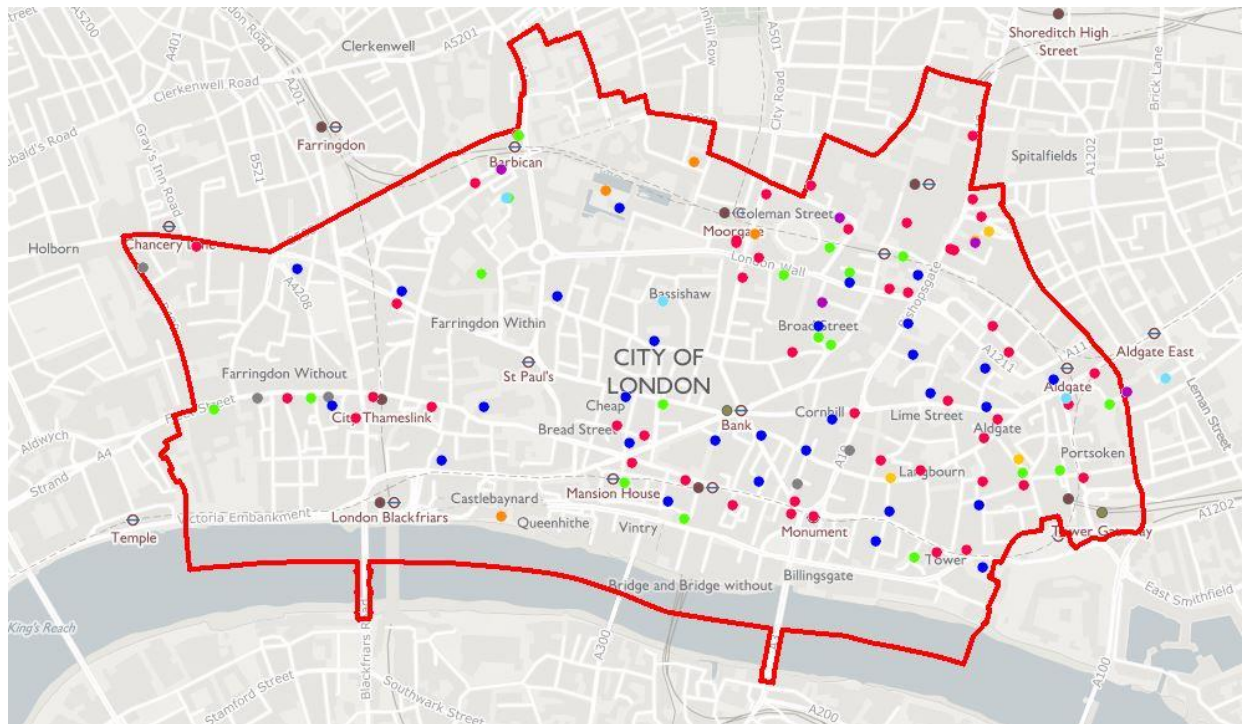
Lighter grey demonstrates emerging evidence, and the remaining characteristics are mixed/limited or no evidence.

Demographics	Socio-economic	Poor judgement/ Impairment	Other
Youth	Unemployment	Low educational attainment	Poor mental health
Older people	Low Income	Low IQ	Substance abuse/ misuse
Women	Deprived areas	Under influence alcohol/drugs	Problem gamblers
Ethnic Groups	Financial difficulties/debt	Learning disabilities	Financial Workers
	Homeless	Personality Traits	
	Immigrants		
	Prisoners/ probation		

7.7 Demographic Profile

The City of London Licensing Authority has identified specific concerns and risks relating to gambling in the local area.

The map below provides an overview; however the full demographic profile has been visually mapped and can be found at [Map Profile](#).



- Addiction Support
- Education Establishments
- Financial
- Gambling Licenced Premises
- Healthcare Services
- Homelessness Support
- Mental Health Support
- Religious Institutes

8. Summary

The City of London's very unique demography resonated with our stakeholders who confirmed the long-standing knowledge that those working in jobs that involve high-level financial risk (executives, traders and financial advisors) are at a greater risk to gambling-related harm.

The introduction of smart phone technology and the installation of gambling applications has engaged a higher volume of users. It's anonymous hence being regarded as a hidden addiction. Those who are gambling on-line are specifically professional males aged between 18-35 years old¹³ who are in uncontrolled environments where warnings and control is limited, and often during work hours.¹³

Advertising is now seen regularly by a younger audience¹⁴, and the number of gambling commercials on British TV has increased exponentially since the deregulation of the sector nearly 10 years ago, and since the Gambling Act 2005 came into force in September 2007.

Consequences of this are two-fold:

- The harm it causes to the gambler themselves, their employer, their colleagues, family, extended family, friends, and the community.
- The cost it causes to the UK Government in health care, welfare, housing and to the criminal justice system.

The City of London's transient workforce, those working on the plethora of construction sites around the city are not immune to gambling-related harm. We have no evidence to support this, however it would be wrong not to at least remark on this situation.

How can we protect those vulnerable to gambling-related harm?

The majority of our stakeholders reacted by proposing that statutory safeguarding measures be imposed, additional support resources be available, and improved links with networks (family and other community) where appropriate.

Preventative technology, restricting financial transactions (high-stakes) for on-line gambling, paralleled with better education and reduced promotional material (TV, point-of-sale, street advertising), and additionally a fit for purpose at work policy, including a risk-register.

These are long term aspirations and mainly outside the control of the City of London Licensing Team. However, to assist licensees of gambling premises, a document providing guidance on undertaking gambling risk assessments has been produced. The document provides information on how and when a risk assessment should take place based upon the Gambling Statement of Principles and the information provided in this Local Area Profile.

¹³ EPIC Risk Management

¹⁴ Ofcom research - 2012

Stakeholder Consultation Survey Questionnaire

Introduction

The Gambling Act 2005 (The Act) gives Local Authorities responsibility for issuing premises licences for gambling venues. The Act requires that Local Authorities should 'aim to permit' premises licences as long as they are consistent with three objectives, one being 'protecting children and other vulnerable persons from being harmed or exploited by gambling'.

In April 2016 the Gambling Commission (the Commission) introduced new provisions of a social responsibility code within the Licence Conditions and codes of Practice (LCCP), which require gambling operators to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and to have policies, procedures and control measures to mitigate those risks. It is a change in national policy and is intended to provide a well evidenced and transparent approach to considering and implementing measures to address the risks associated with gambling.

To date, there has been little investigation about who may be vulnerable or why, and how vulnerability and harm may vary at a local level has not been explored. This survey aims to assist the City of London fill this gap, and aim to map our results visually, so that areas of potential risks are highlighted. Our intention is that these results become a tool for when making a decision about the location of gambling venues, consider the needs of the local communities and enable the City of London to develop plans to protect vulnerable people.

We would be very appreciative if you could please take the time to complete this survey which should take 20-30 minutes. Please comment on your responses as appropriate in the areas provided.

The City of London Corporation is a registered data controller under the Data Protection Act 1998 (DPA), and will process any personal information provided by you in accordance with that Act.

By providing your information, you are confirming that you consent to your information being processed in this way. If you would like further information at any point, please contact Andre Hewitt, Licensing Officer on 0207 332 3406.

Section 1: Gambling related-harm

1. What does the term gambling-related harm mean to your organisation?
2. How does this differ from problem gambling?
3. Do these differences matter? If so, in what way?
4. What different types of harms arise from gambling?
5. Who do these different harms affect?
6. How might harms vary from person to person?
7. Over what time frame might harm be experienced?
8. Can you please identify what area/location within the City of London you know is affected most by gambling-related harm.

Section 2: Vulnerable people

9. How would you identify vulnerability?
10. What does the term 'vulnerable people' mean to your organisation?
11. In respect of your answer to Question 10, what type of vulnerable groups interact with your organisation?
12. In respect of your answer to Question 11, what measures might be used to protect vulnerable people?
13. In respect of your answer to Question 12, which groups specifically?
14. Who would you consider to be vulnerable to gambling-related harm?
15. Are these groups different to those who are vulnerable to gambling problems?
16. In respect of your answer to Question 15, why is that? Is this evidence based?
17. Which groups do you think are *most* vulnerable to gambling-related harm?
18. What are the characteristics that suggest someone is vulnerable to gambling-related harm?
19. How do you think the characteristics of who is vulnerable have changed over the last 10 years?

Section 3: Other

20. Do you think there is a conflict between the local authority's function under The Gambling Act 2005 in aiming to permit licences and the objective of protecting vulnerable people? Which should take precedence and why?
21. Is there anything else you would like to add on this topic?

Thank you for completing this survey.

22. Could you please indicate below the capacity in which you are making your comments?
 - Gambling Care Provider
 - Community Service Provider (including Police & Fire Brigade)
 - Drug and Alcohol Treatment Provider
 - Education Provider
 - Financial Advice Provider
 - Healthcare Service Provider (including GP Surgery's & Hospitals)
 - Homelessness Support Provider (including accommodation)
 - Mental Healthcare Service Provider
 - Religious Establishment
 - Other (please specify)



Guidance on Undertaking Local Gambling Risk Assessments

Gambling Act 2005

January 2018

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1. Introduction

- 1.1 The Gambling Commission (the Commission) has introduced new provisions in its social responsibility code within the Licence Conditions and Codes of Practice (LCCP), which require gambling operators to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and to have policies, procedures and control measures to mitigate those risks. This change in national policy is intended to provide a well evidenced and transparent approach to considering and implementing measures to address the risks associated with gambling.
- 1.2 The introduction of new provisions in the social responsibility code within the LCCP encourages Local Authorities, the Commission and the industry to work in partnership to address local issues and concerns.
- 1.3 The risk based approach provides a better understanding of, and enables a proportionate response, to risk. This approach includes looking at future risks and thinking about risks in a probabilistic way. Risk is not necessarily related to an event that has happened. Risk is related to the probability of an event happening and the likely impact of that event. In this case it is the risk of the impact on the licensing objectives.
- 1.4 The City Corporation has developed this guidance to assist gambling operators in undertaking and preparing their local (premises) risk assessments. This guidance provides a framework for the local risk assessment process that will provide a uniform approach across all non-remote gambling sectors. This will benefit the City Corporation as Licensing Authority under the Gambling Act 2005 (the Act), as well as responsible authorities and interested parties when considering new and variation applications. The local risk assessment will also enable the City of London Corporation to establish a more progressive compliance inspection regime.
- 1.5 Gambling operators had to undertake a risk assessment for all of their existing premises by 6th April 2016. Following that date operators must undertake a review of those assessments when certain triggers are met. These triggers, along with the Licensing Authority's views on what would instigate either a new assessment or the review of an existing one are detailed within this guidance document.
- 1.6 The Licensing Authority considers that these local risk assessments are a key component of the overall assessment and management of the local risks. The Licensing Authority will assist operators in this process by providing specific information on its concerns surrounding gambling within the City and the impact that premises can have on the licensing objectives through the development of a local area profile.

- 1.7 This local risk assessment process is not the same as other forms of risk assessment undertaken by gambling operators, such as Health and Safety at Work, Fire Safety and Food Hygiene, etc. These local risk assessments are specific to the potential harm that gambling premises can have on one or more of the licensing objectives under the Act. They are specific to the premises, the local area and the local community.

2. Background

- 2.1 The City of London Court of Common Council is the Licensing Authority for the City of London in terms of the Act. The Licensing Authority is responsible for considering and determining applications for premises licences which offer gambling facilities within the City of London.
- 2.2 The Act contains three licensing objectives which guides the way that the Licensing Authority performs its function and the way that gambling operators carry on their activities. They are:
- (a) preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime.
 - (b) ensuring that gambling is conducted in a fair and open way.
 - (c) protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 2.3 The Act places a legal duty on the Licensing Authority to aim to permit gambling in so far as it thinks it reasonably consistent with the licensing objectives. The effect of this duty is that the Licensing Authority must approach its functions in a way that seeks to regulate gambling by using its powers where appropriate, for example to attach conditions to licences to moderate their impact on the licensing objectives, rather than by setting out to prevent gambling altogether.
- 2.4 The Licensing Authority will set out how it intends to carry out its functions under the Act in its Policy Statement. This statement is kept under review and is updated every three years (as a minimum).
- 2.5 The Commission is responsible for issuing operating licences to gambling operators who are deemed suitable and competent to provide facilities for gambling. As a requirement of these operating licences operators must ensure that they comply with and meet the requirements of the LCCP.
- 2.6 Although gambling is a legal entertainment activity it can, in some locations have a negative impact on individuals and the wider community. The City Corporation has understood its responsibility in trying to comprehend how gambling can affect its residents, work-force, and visitors. The City Corporation

has actively been examining individuals and vulnerable groups who are potentially susceptible to gambling-related harm.

- 2.7 In February 2015, following substantial consultation with relevant stakeholders the Commission introduced a new social responsibility code provision making it a requirement for certain gambling operators to assess the local risks to the licensing objectives posed by each of their premises based gambling operations. The Commission also introduced an ordinary code provision relating to sharing local risk assessments. Both provisions came into effect on 6 April 2016. The relevant provisions of the code state:

Social responsibility code provision 10.1.1

Assessing local risk

All non-remote casino, adult gaming centre, bingo, family entertainment centre, betting and remote betting intermediary (trading room only) licences, except non-remote general betting (limited) and betting intermediary licences. This provision came into effect on 6 April 2016.

1. Licensees must assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In making risk assessments, licensees must take into account relevant matters identified in the licensing authority's statement of licensing policy.
2. Licensees must review (and update as necessary) their local risk assessments:
 - (a) To take account of significant changes in local circumstances, including those identified in a licensing authority's statement of licensing policy;
 - (b) When there are significant changes at a licensee's premises that may affect their mitigation of local risks;
 - (c) When applying for a variation of a premises licence; and
 - (d) In any case, undertake a local risk assessment when applying for a new premises licence.

Ordinary code provision 10.1.12

Sharing local risk assessments

All non-remote casino, adult gaming centre, bingo, family entertainment centre, betting and remote betting intermediary (trading room only) licences, except non-remote general betting (limited) and betting intermediary licences. This provision came into effect on 6 April 2016.

1. Licensees should share their risk assessment with licensing authorities when applying for a premises licence or applying for a variation to existing licensed premises, or otherwise on request.

- 2.8 These code provisions came into effect on 6th April 2016. As a result, all premises that provide facilities for gambling within the City of London must be assessed to identify the local risks posed by the provision of gambling facilities in their respective locations. This guide will assist operators in complying with these code provisions.

3. Risk assessment triggers

- 3.1 The local risk assessment code provisions provide a number of triggers for when a new assessment is required and for when an existing one requires review. This section sets out the Licensing Authority's views on what these triggers are and when operators should provide a copy of their assessments to the Licensing Authority.

New premises

- 3.2 If an operator intends to apply for a new premises licence under Part 8 of the Act then a local risk assessment must be carried out. That assessment should be based on how the premises are proposed to operate at the premises location and must consider the local area. The completed assessment should be provided with the application for a new premises licence upon submission to the Licensing Authority.

Significant changes in local circumstances

- 3.3 Operators are required to review their local risk assessment if significant changes in local circumstances occur. Changes to local circumstances happen frequently and can be either temporary or permanent depending on the change, how long that change will remain in place and how it affects the local area. However, the requirement for review of the risk assessment is only applicable when that change is significant.
- 3.4 The following list sets out some examples of what the Licensing Authority considers to be significant local circumstances:
- Any substantial building development or conversion of existing premises in the local area which may increase or decrease the number of visitors. For example, where a new office building is constructed nearby.
 - Any new pay day loan or pawn brokers open in the local area
 - Changes are made to the provision, location and/or timings of public transport to the local area, such as a bus stop which has been used by children to attend school is moved to a location in proximity to gambling premises or where London Underground services to a local station are extended later into the evening.
 - Educational facilities increase in the local area. This may occur as a result of the construction of a new school/college or where a significant change is made to an existing establishment.
 - The local area is identified as a crime hotspot by the police and/or Licensing Authority.
 - Any vulnerable group which is identified by the Licensing Authority or venues relating to those vulnerable groups are opened in proximity to gambling premises (e.g. additional homeless hostels or gambling or mental health care/support facilities are opened in the local area).

- A new gambling premises opens in the local area.

3.5 The list above is not an exhaustive list of what could be considered significant changes in local circumstances. The Licensing Authority will provide information to gambling operators when it feels a significant change has occurred in the local area. The Licensing Authority will set out what that change is and may provide information on any specific concerns it may have that should be considered by operators.

However, operators must also consider what is happening in their local areas and it is their responsibility to identify significant changes which may require a review and possibly an amendment to their risk assessment. A significant change can be temporary, and any temporary changes should be considered and adjustments made to the local risk assessment if necessary.

Significant changes to the premises

3.6 From time to time operators will undertake a refresh of the premises' layout and décor, which is unlikely to prompt a review of the risk assessment for that premises. However, where there is a significant change at the premises that may affect the mitigation of local risks, then an operator must review its risk assessment and if necessary update it, taking into account the change and how it may affect one or more of the licensing objectives.

3.7 The following list sets out some examples of what the Licensing Authority considers to be significant changes to the premises (some of which may also require a variation to the existing premises licence). As with the examples of significant changes in local circumstances set out previously, the following list is not an exhaustive list – operators must consider whether any change that they are proposing to their premises is one that may be considered significant.

- Any building work or premises refit where gambling facilities are relocated within the premises.
- The premises licence is transferred to a new operator who will operate the premises with its own procedures and policies which are different to those of the previous licensee.
- Any change to the operator's internal policies which as a result requires additional or changes to existing control measures; and/or staff will require retraining on those policy changes.
- The entrance or entrances to the premises are changed, for example, the door materials are changed from metal with glazing to a full glass door or doors are reallocated from egress to ingress or vice versa.
- New gambling facilities are made available on the premises which were not provided previously, for example, bet in play, handheld gaming devices for customers, Self Service Betting Terminals, or a different category of gaming machine is provided.

- The premises operator makes an application for a licence at that premises to provide an activity under a different regulatory regime e.g. to permit the sale of alcohol.

3.8 The Licensing Authority will not, as general practice, request a copy of the reviewed risk assessment if a significant change to the licensed premises has occurred, unless the change is one that will necessitate a variation application.

Variation of the premises licence

3.9 Variations to premises licences are only those required to be made under section 187 of the Act and will not include changes of circumstances such as a change of premises' name or a change of licensee's address, etc.

3.10 When preparing an application to vary the premises licence the operator must undertake a review of the local risk assessment and update it if necessary. Operators submitting a variation application to the Licensing Authority should provide a copy of the reviewed local risk assessment when submitting the application.

Regular review of risk assessment

3.11 As a matter of best practice the Licensing Authority recommends that operators establish a regular review regime in respect of their local risk assessments. This review programme can be carried out alongside other reviews on Health and Safety risk assessments for the premises. This review programme would ensure that, regardless of whether any of the trigger events set out above have occurred, these risk assessments are considered at regular intervals and updated as necessary.

4. Local risks and control measures

4.1 There are two specific parts to the risk assessment process, the assessment of the local risks, and the determination of appropriate mitigation to reduce those risks.

4.2 The risks that operators must identify relate to the potential impact a gambling premises and its operation may have on the licensing objectives. The gambling operator will be expected to identify and list all of the local risks within the assessment. The level of such risks can range from being low to very high depending on the potential impact they can have on the licensing objectives. The level of any given risk will have a direct impact on the type and extent of the control measures necessary to mitigate such risk.

- 4.3 This process is not new to gambling operators as they are already undertaking elements of this assessment, albeit in a far less formalised way. Operators will already be assessing locations when looking for new sites or when reviewing the performance of their premises. The design of premises is also assessed to ensure that they will meet the needs of the gambling operation, will provide protection for staff and customers; and will have facilities for recording crime. Operators will also have implemented policies and procedures for the operation of premises in line with statutory and other regulatory requirements placed upon them by the Commission and other agencies.
- 4.4 Operators will already be familiar with identifying risks in relation to health and safety legislation. Risk assessments are also used for security and crime purposes, for example for money laundering and as part of trade association best practice, such as the Safe Bet Alliance.
- 4.5 This local risk assessment process, although similar requires a much broader range of considerations when identifying local risk. Operators must consider the local area in which the premises are situated, the gambling operation and the premises both internally and externally.

Local area risks

- 4.6 There are a number of factors relating to the local area that operators may identify as local area risks which are independent of who the operator believes is their target market. While it is for the operator to identify and determine these factors, the Licensing Authority considers the following list may be of assistance to operators in identifying local area risks:
- The types of premises and their operation in the local area surrounding these premises.
 - The footfall in the local area, for example, does it predominately comprise residents, workers or visitors.
 - Transport links and parking facilities.
 - Educational facilities.
 - Community centres.
 - Hospitals, mental health or gambling care providers.
 - Homeless shelters, hostels and support services.
 - The age and economic makeup of the local community
- 4.7 The local area will be different depending on the premises and the size of its operation.

Gambling operational risks

- 4.8 The gambling operation relates to how the premises will be or is run. This will include the operator's policies and procedures which have been put in place to meet the requirements of the business, the Act and/or specific code provisions within the LCCP. It will also include other elements such as:
- The gambling products it provides in the premises.
 - The facilities to enable gambling within premises.
 - Marketing materials within premises
 - Security and crime prevention arrangements.
 - Shop displays and provision of information to customers.
 - Staffing levels.
- 4.9 It is likely that the identification of risks associated with this element of the assessment will be very similar for all premises with slight variations depending on any specific factors that relate to the premises or the local area.
- 4.10 The control measures that operators will put in place to mitigate any risk associated with the gambling operation will be dependent on the type of gambling activities provided, how the company operates and the size of the organisation.

Premises design risks

- 4.11 The design of the premises is an extremely important factor when considering local risks. For example, premises which are located within an area which has a high number of children and young people present throughout the day may identify that their standard external design means that children and young people can see into the premises and see gambling taking place. The appropriate mitigation in this case may be for the operator to amend the premises design by installing a screen or by covering the windows to obscure the interior of the premises. Such changes would be considered as control measures to mitigate the risk of attracting children to gambling.
- 4.12 As part of the design process, the layout of the premises is a major consideration as poorly conceived design may create significant risks to one or more of the licensing objectives.

Interior design risks

- 4.13 The internal design and layout will reflect the premises operation and the type of gambling facilities that it offers. For some premises the design will be subject to certain limitations due to mandatory conditions on the gambling premises licence such as restrictions on the location of Automated Teller Machines (ATM's), and unobstructed views in placing Gaming Machines.

- 4.14 Operators will need to assess the risk presented by the internal layout of the premises and the location of gambling facilities within them. For example, if a gaming machine is placed within the direct line of sight of the cashier counter then staff will be able to monitor player behaviour and undertake interventions if there is a concern over the customers' spending habits. Staff can also monitor the use of the machines and can challenge any customers who are believed to be under the age of 18, or who damage the machines, or who appear to be attempting to launder money. By a simple assessment of the optimum location for these machines, operators can significantly reduce the risk to the licensing objectives.

Exterior design risks

- 4.15 The exterior of premises will be a major advertisement for the gambling operator. However, the design will need to be assessed based on the associated risk. Operators will identify the risk associated with the design and introduce control measures based on that perceived risk. For example, if the premises have a large amount of glass frontage in an area prone to criminal damage, operators may consider the risk of damage to the standard toughened glass to be high and introduce a control measure such as roller shutters and/or external CCTV.

Control measures

- 4.16 Depending on the nature of the risk factors, the control measures identified to mitigate the perceived risk may be a combination of systems, design and physical measure. Control measures that relate to systems will be measures that have been put in place through policies and procedures. These can either be systems that apply to all of the operator's premises or systems that have been developed specifically for particular premises to deal with a specific local risk factor. System control measures will include staff training, security policies and procedures. They may also relate to having security personnel on entrances, implementing membership criteria and/or providing support to local vulnerable groups through financial or other means.
- 4.17 Design control measures are measures that are built into the design of the premises. These can include the location of gambling facilities and the design and location of cashier counters within the premises, and the exterior design of premises. For example, a control measure for the interior of the premises could involve moving a cashier counter from the rear of the premises to the front next to the main entrance. An external design control measure may involve the exterior design being tailored to address local risks, for example, more open window displays to enable staff to see out of the premises or a design to avoid attracting children to the premises.
- 4.18 The final control measures relate to specific physical measure that will address an identified risk factor. These physical control measures may, for example,

include alarms, CCTV cameras, doors, magnetic locks, time locks on safes, window shutters, UV lights in toilets.

- 4.19 As aforesaid, the control measures identified to mitigate a perceived risk may involve a combination of systems, design and physical measures. For example to address the risk factors relating to children gaining access to an over 18 restricted gambling premises, the operator may identify the following control measures:

Systems: PASS card or age verification policies, challenge 21 scheme, staff training and door staff.

Design: Exterior design which will not attract children into the premises, the entrance layout will enable staff and security to watch those entering the premises and challenge them on the grounds of age.

Physical: Magnetic door locks, ID scans, and door staff.

- 4.20 As outlined in the code provisions, applications for new premises licences and for variations to existing licences will require a local risk assessment. The control measures specified in these risk assessments may be incorporated into the new or varied premises licences through the imposition of appropriate conditions.

5. Undertaking a local risk assessment

- 5.1 A local risk assessment of gambling premises should be embarked on through a step-by-step approach. The approach that the Licensing Authority suggests is to first assess the local area and identify the relevant risk factors, then to assess the gambling operation, and finally to assess the premises design, both internal and external. Once the risk factors have been identified, the control measures to mitigate the risks should be considered. These control measures will either already be in place or will need to be implemented. To assist, the Licensing Authority has developed a local risk assessment form that encompasses the step-by-step approach to the assessment (See Appendix A). While operators can develop their own style of local risk assessment, they are encouraged to have regard to the issues set out in this Guidance. The form also enables the assessor to identify actions such as the installation or production of control measures, the individual made responsible for carrying out those actions, and to record when those actions were completed.

Who should undertake the assessment

- 5.2 It will be the responsibility of the gambling operator to assign the assessor for assessing the local risks for their premises. The person assigned as the assessor must be competent to undertake this role as failure to properly carry out this function could result in a breach of the provisions of the LCCP. The assessor must understand how the premises operate or will operate, its design, and

where it is located. The assessor will need to understand the local area and can use staff or area managers to assist in gaining an understanding of that local area.

Step 1: The local area

- 5.3 Operators will be expected to identify the local risk factors surrounding the premises. The risk factors will differ from location to location therefore a clear understanding of the specific characteristics of the local area and the people who live, work or visit that area is imperative.
- 5.4 To assist in assessing the local area the Licensing Authority has produced a Local Area Profile within its Statement of Licensing Principles. The Local Area Profile sets out the demographic profile area of the City of London, and the specific concerns and risks that the Licensing Authority has identified in relation to gambling in those areas.
- 5.5 The first step is to identify the local risk factors associated with the local area in which the premises are located. Local risk factors are risks that affect one or more of the licensing objectives. The Licensing Authority Statement of Licensing Principles will identify some of these risk factors which are considered to be of significance for areas of the City.
- 5.6 The list below is a small representative example of some of the risk factors that may be present in an area where gambling premises are located:
 - The types of premises and their operation in the local area surrounding these premises.
 - Transport links and parking facilities.
 - Educational facilities.
 - Community centres.
 - Hospitals, mental health or gambling care providers.
 - Homeless shelters, hostels and support services.
 - Significant presence of young children.
 - High crime and unemployment area.
 - Nearby alcohol or drug support facility.
 - Pawn broker/pay day loan businesses, food banks and soup kitchens in the vicinity.
 - Other gambling premises in the vicinity.

Step 2: The gambling operation

- 5.7 In assessing the risk factors associated with a gambling operation the assessor should take into account the local risks which are commonly accepted by broader stakeholders and how that gambling operation may affect that risk.

The assessor may wish to consider:

- how the gambling operation will relate to how the operator conducts its business
- what gambling products it provides in the premises
- the facilities to enable gambling within the premises
- the staffing levels within the premises
- the level and requirement for staff training
- whether loyalty or account cards are used or not
- the policies and procedures it has in place in relation to regulatory requirements of the Act or to comply with the LCCP
- the security and crime prevention arrangements it has in place
- how it advertises locally and on the premises
- the marketing material within the premises
- the display and provision of information, including the ability to signpost customers to support services with respect to problem gambling, financial management, debt advice etc.

Step 3: The design of the premises

- 5.8 The design and layout of the premises is a key consideration as this could have a significant impact on the risk to the licensing objectives. In assessing the risk factors associated with the premises design and layout reference is needed to the local area risks factors already identified to ensure the design doesn't add to that risk. The design, both internal and external should be considered and specific risk factors identified and noted. For example:

- the premises may have a number of support pillars which the assessor identifies as obstructing the view of the gaming machines from the cashier counter.
- premises which are located within an area which has a high number of children and young people present throughout the day, may identify that their standard external design means that children and young people can see into the premises and see gambling taking place.
- if a premises has a large amount of glass frontage in an area prone to criminal damage, the assessor may consider the risk of damage to the standard toughened glass to be high.

These would be identified risk factors that would need to be documented.

Step 4: Control measures

- 5.9 Once the risk factors have been identified, the assessor should seek to identify control measures that would mitigate the identified risks. Such control measures will relate to one of the three categories of control measures mentioned above (systems, design and physical). Some risk factors may require a combination of control measures to adequately mitigate the risk.

Completed Assessments

- 5.10 The control measures must be implemented on the premises, and if applicable, staff on the premises should be trained in their use or trained on the new policy and procedure. The assessment must be retained and should be reviewed whenever a trigger occurs or as part of a regular review regime (as outlined).
- 5.11 Where appropriate the Licensing Authority will assess the risks identified and the measures implemented to mitigate those risks. When a completed assessment is provided with a new application or with a variation application, the Licensing Authority will consider the assessment in the course of determining whether to grant the application or not. Some control measures identified in the assessment may be put forward as conditions to be attached to the licence to address any significant local concerns.



Local Area Gambling Risk Assessment Template

Notes for completing this form

This risk assessment must be completed for all new premises or when the premises licence is varied. The assessment must also be reviewed when there are any significant changes to either the local circumstances and/or the premises.

Licensing Objectives: The Gambling Act 2005 (The Act) gives Local Authorities responsibility for issuing premises licences for gambling venues. The Act requires that Local Authorities should 'aim to permit' premises licences so long as they are consistent with three objectives:

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

Risks: Area of consideration that may impact on one or more of the licensing objectives.

Local Risks: These are the identified factors that may pose a risk to licensing objectives by virtue of the provision of gambling facilities at the premises.

Control Measures: These are measures that the operator can put in place to mitigate the risk to the licensing objectives from the risk factors.

Frequency of Review: Operators will need to specify the time period in which a review of this risk assessment should be carried out. The frequency will be up to the gambling operator but it should be longer than 36 months.

Local Area Gambling Risk Assessment

Premises number or Licence No:

Ward:

Area (if applicable):

Premises address:

Category of gambling premises licence:

Name of person completing assessment:

Date of Assessment:

Review Date:

Notes:

1. Local Area

Licensing Objective		Risks	Existing Control Measures	Further Controls Recommended
1.1	Preventing Gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime			
1.2	Ensuring that gambling is conducted in a fair and open way			
1.3	Protecting children and other vulnerable persons from being harmed or exploited by gambling			

2. Gambling Operation & Physical Design (Internal and External) (and External)

Licensing Objective		Risks	Existing Control Measures	Further Controls Recommended
2.1	Preventing Gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime			
2.2	Ensuring that gambling is conducted in a fair and open way			
2.3	Protecting children and other vulnerable persons from being harmed or exploited by gambling			

3. Action Plan

Local Area Risk (insert number)	Gambling Operation and Physical Design Risk(insert number)	Question	Action required	Action by Whom (name)	Action by When (name)	Date completed

Committee(s)	Dated:
Licensing	02 February 2022
Subject: Gambling Act – Annual Review of Fees 2022/23	Public
Which outcomes in the City Corporation’s Corporate Plan does this proposal aim to impact directly?	1,4,5
Does this proposal require extra revenue and/or capital spending?	N
If so, how much?	n/a
What is the source of Funding?	n/a
Has this Funding Source been agreed with the Chamberlain’s Department?	n/a
Report of: Juliemma Mcloughlin Executive Director Environment	For Decision
Report author: Peter Davenport – Licensing Manager	

Summary

The City of London Corporation has to set annual fees for those premises requiring a licence under the Gambling Act 2005. The report outlines current case law which has indicated that the process for setting the fees must be robust and that income received through the licensing process cannot exceed the cost of obtaining that income.

The matters considered by the licensing service in setting the proposed fees are discussed and include all aspects within the licensing process.

The proposed fees will result in slightly less income compared with previous years due primarily to a reduction in the forecast for the number of gambling premises in the City of London.

Recommendation(s)

Members are asked to:

- Agree the proposed fees for 2022/23 as set out in Appendix 1 (column 6, ‘Proposed Fee’).

Main Report

Background

1. The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007 (the 'Regulations') sets out the statutory provisions and limitations for setting gambling fees.
2. The City of London Licensing Authority must determine the appropriate fees subject to a maximum as set out in the schedule to the regulations. The fee structure allows for various types of applications associated with varying classes of premises licence, many of which do not currently apply within the City of London e.g. Casinos. The maximum fees permissible can be seen in Appendix 1 (column 4, 'Maximum permitted fee').
3. Licences are valid for life from the date of grant unless surrendered or revoked. An annual fee is due for payment within thirty days of the licence issue (effective date) and then annually thereafter.
4. Section 212 of the Gambling Act 2005 states that the licensing authority, '...shall aim to ensure that the income from fees of that kind [*determined by the licensing authority*] as nearly as possible equates to the costs of providing the service to which the fee relates...'.
5. A High Court case held on 16 May 2012 (*R (Hemming and Others) v Westminster City Council*) concluded that the amount of the fee is required to be determined every year and further that a local authority was precluded from making a profit from the licensing regime. A full account of the fee income and expenditure would therefore need to be considered to ensure a surplus is not being made.
6. Successive appeals/decisions in the Court of Appeal, The Supreme Court and the European Court of Justice decided that the fee can include administrative costs involved, the costs of vetting the applicants (in the case of applications for a licence) and the costs of investigating/enforcing the licensing scheme including costs involved in enforcement against those premises that are not licensed.

Calculation of Fees for 2022/23

7. In order to avoid possible complications arising from non-compliance with the Hemming decision, the licensing service has carried out an in-depth examination of the processes that are undertaken in order to administer the licence application/renewal and the costs of investigating compliance with any licence condition.
8. In determining the proposed fee structure for gambling premises licences the following factors have been taken into account:
 - Officer time spent on processing applications including site inspections and the issue of any licence

- Officer time spent on the development and maintenance of processes and guidance notes
- Training of staff as necessary
- A proportion of the service costs such as accommodation, equipment and central recharges
- Officer time spent on inspections of licensed premises to ensure compliance with terms and conditions of any licence
- Time spent on the compilation of a new 'Statement of Licensing Principles'.

An example of those factors taken into account in the calculation of fees can be seen as Appendix 2.

9. Gambling fees for 2022/23 have been calculated on the above basis for each of a number of different types of licence. Some of the proposed fees have increased slightly due primarily to an increase in pay costs. Proposed fees for 2022/23 can be seen as Appendix 1, column 6.
10. The forecast number of applications for each main type of gambling licence can be seen in the table below along with the number of licences/registrations that were actually granted in previous years.

	2020/21		2021/22		2022/23
	Forecast	Actual	Forecast	Actual	Forecast
New Betting Shop	0	0	0	0	0
Annual fee (renewal)	24	21	17	15	15
Variation Betting Shop	0	0	0	0	0
New/Annual Fee Bingo	1	1	1	1	1
Temporary Use notice	1	0	0	0	0
Gaming machine permits	17	17	17	12	12
Small Society Lotteries (New)	5	5	5	2	2
Small Society Lotteries (Renewal)	20	20	20	20	20

Proposals/Options

11. If fees are set lower than those recommended the result will be an increased deficit for 2022/23 as costs of administering the licence will not be fully met from income received.
12. Fees set higher than those recommended, where permissible, will result in a surplus i.e. an income which exceeds the cost of providing the service.
13. Any such under or over recovery of costs from 2022/23 will be calculated after the end of that financial year and will be carried forward to be taken into consideration in setting fees for 2024/25, except in cases where costs are higher than the statutory maximum fee and there is therefore no prospect of offsetting the under recovery through future fee increases.
14. The surplus or deficit on each fee type from 2020/21 would normally have been taken into account when setting the fees for 2022/23. However, due to the exceptional circumstances during 2020/21, the decreasing number of gambling premises and additional resources required to assist/carry out inspections on businesses following the COVID restrictions, it has not been possible to calculate the exact amount of any surplus or deficit from 2020/21.
15. This will be rectified when setting future fees once we are able to accurately calculate the surplus or deficit. Fees set for 2023/24 will include any under/over recovery from 2021/22. Ignoring a surplus or deficit could result in the City Corporation being subject to legal challenge.

Corporate & Strategic Implications

16. The proposals within this report meet the statutory requirement to set fees for the licensing of activities within the Gambling Act 2005, as they apply to the City of London Corporation.

Implications

17. Setting the recommended fees will result in an estimated income from Gambling licence fees for 2022/23 of £10,490, against a budgeted income of £16,000.
18. Setting fees above or below those recommended will have the implications as set out in paragraphs 11- 15 above.

Appendices

- Appendix 1 – Proposed Fees for 2022/23
- Appendix 2 – Factors taken into account when calculating Fees

Background Papers

None

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Proposed Fee Structure 2022 – 2023

Application Type	Estimated No	Current fee	Maximum permitted fee	Predicted cost of licence/ permit	Proposed Fee	Income Forecast
New Betting Shop	0	£880	£3,000	£910	£910	£0
New Casino (small) *	0	£3,060	£8,000	£3,145	£3,140	£0
New Bingo	0	£910	£3,500	£942	£940	£0
New AGC	0	£910	£2,000	£942	£940	£0
New FEC	0	£910	£2,000	£942	£940	£0
Annual fee Betting Shop	15	£560	£600	£584	£580	£8,700
Annual fee Casino (small) *	0	£1,370	£5,000	£1,416	£1,420	£0
Annual fee Bingo	1	£690	£1,000	£707	£710	£710
Annual fee AGC	0	£690	£1,000	£707	£710	£0
Annual fee FEC	0	£690	£750	£707	£710	£0
Variation betting shop	0	£300	£1,500	£390	£390	£0
Variation Casino (small) *	0	£2,490	£4,000	£2,555	£2,550	£0
Variation Bingo	0	£380	£1,750	£390	£390	£0
Variation AGC	0	£380	£1,000	£390	£390	£0
Variation FEC	0	£380	£1,000	£390	£390	£0
Transfer/reinstatement betting shop	0	£260	£1,200	£277	£280	£0
Transfer/reinstatement Casino (Sm)	0	£350	£1,800	£367	£370	£0
Transfer/reinstatement Bingo	0	£270	£1,200	£277	£280	£0
Transfer/reinstatement AGC	0	£270	£1,200	£277	£280	£0
Transfer/reinstatement FEC	0	£270	£950	£277	£280	£0
Provisional statement Betting Shop	0	£880	£3,000	£910	£910	£0
Provisional statement Casino (Sm)	0	£3,060	£8,000	£3,145	£3,140	£0
Provisional statement Bingo	0	£910	£3,500	£942	£940	£0
Provisional statement AGC	0	£910	£2,000	£942	£940	£0
Provisional statement FEC	0	£910	£2,000	£942	£940	£0
New app with prov statement Bet Shop	0	£900	£1,200	£931	£930	£0
New app with prov statement Casino (sm)	0	£3,000	£3,000	£3,115	£3,000 ¹	£0
New app with prov statement Bingo	0	£900	£1,200	£931	£930	£0
new app with prov statement AGC	0	£900	£1,200	£931	£930	£0
New app with prov statement FEC	0	£900	£950	£931	£930	£0
Change of circumstances	0	£50	£50	£50	£50	£0
Copy of licence	0	£25	£25	£25	£25	£0
Temporary use notice (TUN)	0	£500	£500	£664	£500 ¹	£0
Replacement TUN (copy)	0	£25	£25	£25	£25	£0
Prize Gaming Permit	0	£300	£300	£300	£300	£0
Gaming machine permit (2 or less)	0	£50	£50	£50	£50	£0
Gaming machine permit (3 or more)	0	£150	£150	£150	£150	£0
Annual gaming machine permit (3 or more)	12	£50	£50	£50	£50	£600
Variation to gaming machine permit (3 or more)	0	£100	£100	£100	£100	£0
Transfer of gaming machine permit (3 or more)	0	£25	£25	£25	£25	£0
Small society lotteries (new)	2	£40	£40	£40	£40	£80
Small society lotteries (renewal)	20	£20	£20	£20	£20	£400
Total						£10,490

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Example of factors taken into account when calculating fee for a renewal of a gambling (betting shop) licence

2022/23 (Proposed fee is £580)

Task	Predicted cost £
General queries <ul style="list-style-type: none"> • Time spent answering queries including emails and telephone calls 	12.58
Collection of annual payment <ul style="list-style-type: none"> • Preparation of data for finance • Update M3 database and public register 	18.87
Compliance <ul style="list-style-type: none"> • Inspections for compliance with licence conditions • Update information on database • Correspondence with licence holder 	63.75
Post-renewal <ul style="list-style-type: none"> • Member queries • Maintain website • Quarterly return to Gambling Commission 	34.86
Policy <ul style="list-style-type: none"> • Policy development • Committee work • Consultation with final report to Court of Common Council • Legislative updates • Training 	454.39
Total predicted cost	584.45

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Committee(s)	Dated:
Licensing	02 February 2022
Subject: Sex Establishments – Annual Review of Fees 2022/23	Public
Which outcomes in the City Corporation’s Corporate Plan does this proposal aim to impact directly?	1,4,5
Does this proposal require extra revenue and/or capital spending?	N
If so, how much?	
What is the source of Funding?	
Has this Funding Source been agreed with the Chamberlain’s Department?	
Report of: Juliemma McLoughlin – Executive Director Environment	For Decision
Report author: Peter Davenport - Licensing	

Summary

The City of London Corporation has to set annual fees for those premises requiring a licence under the Local Government (Miscellaneous Provisions) Act 1982 as a sex establishment. The report outlines case law which indicates that the process for setting the fees must be robust and that income received through the licensing process cannot exceed the cost of administering that process.

The matters considered by the licensing service in setting the proposed fees are discussed and include all aspects within the licensing process.

The proposed fees are the same as for 2021/22. This will not affect budget income targets as we currently do not have any premises that have a Sex Establishment Licence.

Recommendation(s)

Members are asked to:

- Agree the proposed fees for 2022/23 as set out in Appendix 1

Main Report

Background

1. The Local Government (Miscellaneous Provisions) Act 1982 Schedule 3, as amended by s.27 of The Policing and Crime Act 2009 sets out the statutory provisions for setting Sex Establishment fees.

2. A Sex Establishment is defined as a Sex Shop, Sex Cinema or Sexual Entertainment Venue (SEV) (primarily lap dancing clubs). A premises is not a Sexual Entertainment Venue if any relevant entertainment is only provided on eleven or less occasions during a twelve month period and, each of the occasions are at least one month apart.
3. The City of London Licensing Authority must determine the appropriate fees for the granting, renewal, transfer and variation of a licence. Any fee set must be 'reasonable'.
4. Licences are valid for 12 months from the date of grant unless surrendered or revoked. A process similar to the granting of a new licence is to be followed for each renewal including consultation.
5. A High Court case held on 16 May 2012 (*R (Hemming and Others) v Westminster City Council*) concluded that the amount of the fee is required to be determined every year and further that a local authority was precluded from making a profit from the licensing regime. A full account of the fee income and expenditure would therefore need to be considered to ensure a surplus is not being made.
6. Successive appeals/decisions in the Court of Appeal, The Supreme Court and the European Court of Justice decided that the fee can include administrative costs involved, the costs of vetting the applicants (in the case of applications for a licence) and the costs of investigating/enforcing the licensing scheme including costs involved in enforcement against those premises that are not licensed.

Calculation of Fees for 2022/23

7. In order to avoid possible complications arising from non-compliance with the Hemming decision, the licensing service has carried out an in-depth examination of the processes that would be undertaken in order to administer a licence application/renewal and the costs of investigating compliance with any licence conditions.
8. In determining the proposed fee structure for a Sex Establishment, the following factors have been taken into account (an example of the factors taken into account if we received a new application for a Sexual Entertainment Venue can be seen as Appendix 2):
 - Officer time spent on processing applications including site inspections and the issue of any licence
 - Officer time spent on the development and maintenance of processes and guidance notes
 - Training of staff as necessary

- A proportion of the service costs such as accommodation, equipment and central recharges
 - Officer time spent on inspections of licensed premises to ensure compliance with terms and conditions of any licence
9. The proposed fees for 2022/23 have been set at the same rate as in 2021/22.

Proposals/Options

10. If fees are set lower than those recommended the result will be a deficit for 2022/23 if an application is received, as costs of administering the licence will not be fully met from income received. Fees set higher than those recommended will result in a surplus i.e. an income which exceeds the cost of providing the service.
11. Any such under or over recovery of costs from 2022/23 will be calculated after the end of that financial year and be carried forward to be taken into consideration in setting fees for 2024/25. Ignoring a surplus or deficit could result in the City Corporation being subject to legal challenge. There was no under or over recovery to take into account in calculating the proposed fees for 2022/23, as no applications were received in 2020/21.

Corporate & Strategic Implications

12. The proposals within this report meet the statutory requirement to set fees for the licensing of Sex Establishments.

Implications

13. Setting the recommended sex establishment fees will not have a detrimental effect on the licensing budget as there are currently no sex establishments and thus no income.
14. Setting fees above or below those recommended will have the implications as set out in paragraphs 10 and 11 above.

Conclusion

15. Setting the proposed fees will permit the Corporation to meet its statutory obligations and recover all costs if an application for a Sex Establishment is received during 2022/23.

Appendices

- Appendix 1 – Proposed Fees for 2022/23
- Appendix 2 – Example of factors taken into account when calculating a proposed fee

Background Papers None

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Proposed Sex Establishment Fees for 2022/23

Application Type	Estimated number in 2022/23	Current Fee 2021/22	Proposed Fee 2022/23	Income Forecast 2022/23
New sex shop / sex cinema application	0	£8,350	£8,350	£0
Renewal of sex shop / sex cinema licence	0	£7,790	£7,790	£0
Variation of sex shop / sex cinema licence	0	£6,860	£6,860	£0
Transfer of sex shop / sex cinema licence	0	£710	£710	£0
New sexual entertainment venue application	0	£8,350	£8,350	£0
Renewal of sexual entertainment venue licence	0	£7,790	£7,790	£0
Variation of sexual entertainment venue licence	0	£6,860	£6,860	£0
Transfer of sexual entertainment venue licence	0	£710	£710	£0
Change of details	0	£60	£60	£0
Copy of licence	0	£40	£40	£0
Total				£0

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Example of the factors taken into account when calculating the fee for an application for a Sexual Entertainment Venue.

Fee set for 2022/23 at £8,350 (for a New Application)

Task	Predicted Cost £
Pre-application queries <ul style="list-style-type: none"> • Queries from applicant • Keeping forms etc. up to date 	61
Receipt of application <ul style="list-style-type: none"> • Allocation of work, review of application • Preliminary enquiries of applicant • Processing fee 	81
Consultation <ul style="list-style-type: none"> • Scanning of application and loading onto M3 database • Posting details on website • Consultation with both internal and external teams 	115
Consultation responses <ul style="list-style-type: none"> • Interviewing applicant and site visit, locality assessment • Check newspaper advertisement • Consider representations • Queries from responsible authorities • Update database 	937
Determination <ul style="list-style-type: none"> • Planning team and noise team logs/information • Pre-hearing admin • Hearing process (including costs for legal and other City departments) 	1,945
Post-hearing and production of licence <ul style="list-style-type: none"> • Work of committee officer producing minutes, decision letters, notifying applicant etc • Preparation of licence, update database 	669
Policy costs <ul style="list-style-type: none"> • Policy development • Committee work • Consultation with final report to Court of Common Council • Legislative updates, training 	2,014
Post-licence <ul style="list-style-type: none"> • Member queries; responding to FOIs • Updating website • Review of fees 	1,039
Compliance costs <ul style="list-style-type: none"> • Proactive compliance visits 	1,484
Total Predicted Cost per Application	8,345

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Committee(s): Licensing Committee – For Information	Date(s): 17/01/2022
Subject: Police Licensing Report	Public
Report of: Ch/Supt Heatley	For Information
Report author: Georgina Cox	

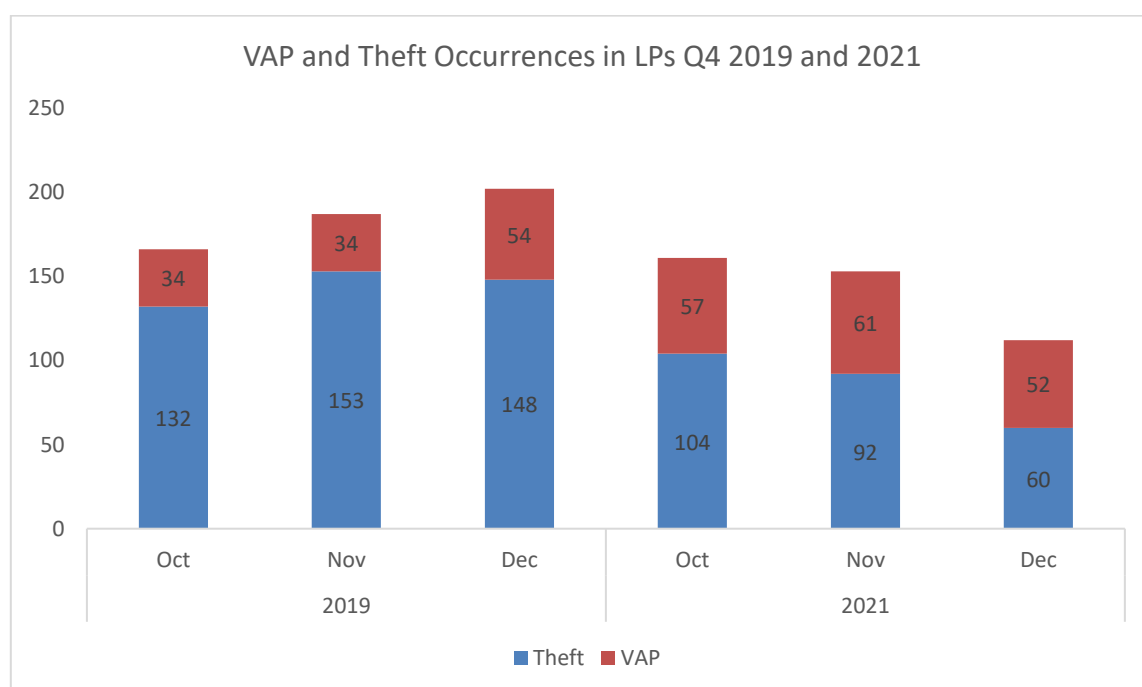
Summary

This is a report from the City of London Police for the Licensing Committee to update on crimes committed linked to Licensed Premises in **Q4 2021** (from 01 October 2021 – 31 December 2021). Offending in Licensed Premises reduced during Q4 2021. This is thought to be mainly due to Covid restrictions and fewer premises being open. VAP in LPs was higher in 2021 than it was in 2019. This is primarily due to an increase in Drink Spiking offences, however, Common Assault offences in LPs were also at higher levels than 2 years ago.

Recommendation(s)

- Note the report.

Main Report



Crime Type	Subcategory	Oct		% change	Nov		% change	Dec		% change	Q4 Total		% change
		2019	2021		2019	2021		2019	2021		2019	2021	
Theft	Theft - Other	118	80	-32%	131	77	-41%	130	49	-62%	379	206	-46%
	Theft from the Person	12	23	92%	18	10	-44%	17	10	-41%	47	43	-9%
	Bilking	2	1	-50%	4	5	25%	1	1	0%	7	7	0%
Theft Total		132	104	-21%	153	92	-40%	148	60	-59%	433	256	-41%
VAP	Common Assault	16	22	38%	13	29	123%	27	21	-22%	56	72	29%
	ABH	14	14	0%	14	11	-21%	15	19	27%	43	44	2%
	Drink Spiking	1	16	1500%		18	n/a	3	12	300%	4	46	1050%
	GBH	3	5	67%	5	3	-40%	8		-100%	16	8	-50%
	Threats to Kill			n/a	1		-100%	1		-100%	2	0	-100%
	Malicious Comms			n/a	1		-100%			n/a	1	0	-100%
VAP Total		34	57	68%	34	61	79%	54	52	-4%	122	170	39%
Total		166	161	-3%	187	153	-18%	202	112	-45%	555	426	-23%

In Q4 2021 the number of VAP and Theft offences in Licensed Premises (LPs) reduced between October and December. Typically, offending increases over the holiday season, as can be seen in Q4 2019. However, due to the outbreak of the Omicron variant in October, the introduction of Plan B in December and the impact of Op Illuminate (Nov-Dec), offending in LPs decreased during the quarter in 2021.

The drop in offending in LPs between 2019 and 2021 was only seen in Theft offences. VAP in LPs was actually higher in 2021 than in 2019. This is due to a higher number of Drink Spiking offences in 2021 (46 in 2021 compared to 4 in 2019), however, Common Assault offences in LPs were also significantly higher (72 offences in 2021 compared to 56 in 2019).

Theft-Other offences remained the most prolific type of offences in LPs in Q4 2021 (206 occurrences), followed by Common Assault (72 occurrences).

Day and Hour of Theft and VAP Offending in LPs - Q4 2021

Hour	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Total
00	1	3	0	6	10	13	4	37
01	0	1	1	2	7	7	7	25
02	0	0	0	2	3	6	6	17
03	0	0	1	0	0	5	4	10
04	0	0	0	1	0	2	2	5
05	0	0	0	0	1	0	0	1
08	0	0	0	1	0	0	0	1
09	0	0	1	2	1	0	0	4
10	0	0	1	0	0	0	0	1
11	0	1	1	1	1	1	0	5
12	0	0	0	3	1	0	0	4
13	0	0	0	1	1	0	0	2
14	1	0	0	0	1	1	1	4
15	1	0	1	1	1	1	1	6
16	1	1	2	4	1	0	1	10
17	3	9	3	8	1	3	1	28
18	1	7	4	10	5	3	0	30
19	3	9	10	16	7	2	1	48
20	1	9	5	7	7	9	1	39
21	0	7	8	15	7	7	0	44
22	1	0	3	14	16	15	1	50
23	0	0	10	20	16	7	2	55
Total	13	47	51	114	87	82	32	

Thursday accounted for the largest proportion of offences (27%) in Q4 2021, whereas in 2019 Friday was the most common day for offending. It would appear to be the case that Thursday has become the favoured night ahead of Friday potentially because of the working from home and long weekend opportunities of Friday's.

Offending between 2100-2300 hours was the peak time for VAP and Theft offences in LPs in Q4 2021 (35%). This is the same as in 2019 (36%).

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Committee(s)	Dated:
Licensing	16 January 2022
Subject: Delegated decisions of the Director of Markets and Consumer Protection pertaining to premises licences	Public
Which outcomes in the City Corporation’s Corporate Plan does this proposal aim to impact directly?	1, 4
Does this proposal require extra revenue and/or capital spending?	N
If so, how much?	N/A
What is the source of Funding?	N/A
Has this Funding Source been agreed with the Chamberlain’s Department?	N/A
Report of: Executive Director Environment	For Noting
Report author: Robert Breese, Licensing Officer	

Summary

This report details the premises licences, and variations to premises licences, granted under the Licensing Act 2003 by the Licensing Service from 1 October 2021 to 31 December 2021. It does not include any premises where Members have been involved in the decision-making process i.e. decisions made at Licensing Sub-Committee hearings.

The report also gives a summary of the enforcement action taken under the Licensing Act 2003 between 1 October 2021 to 31 December 2021.

Recommendation(s)

Members are asked to:

Note the report

Main Report

1. The Licensing Team has faced many challenges over the past two years due to the ever-changing environment presented by various Covid-related lockdowns and easements. Notwithstanding, a way of flexible working has been developed that maintains the working relationships and the level of service that our stakeholders have become accustomed to. Output remains high, and all applications across all licensing functions and regimes are processed and considered in a consistent and thorough manner.

2. Pursuant to the instructions from your committee, I attach for your information lists detailing ‘premises licence’ applications (Appendix 1) and variations (Appendix 2) granted by the Licensing Service between 1 October 2021 to 31

December 2021. Each of these appendices contain details of any conditions attached to the premises licences.

3. The report also contains information appertaining to the number of personal licences issued. This information is also contained in Appendix 2.
4. Any questions of detail concerning premises licences can be obtained from the Corporation's public register which can be found at: <http://www.cityoflondon.gov.uk/business/licensing/alcohol-and-entertainment/Pages/Search-the-public-register.aspx> or by email to the Licensing Team at licensing@cityoflondon.gov.uk.
5. This report also outlines the enforcement activity of the Licensing Service in relation to premises with a licence granted under the Licensing Act 2003 (Appendix 3). The table in Appendix 3 shows the number of visits undertaken, number of complaints received and the number of enforcement actions taken. Enforcement actions include warning letters, notices, simple cautions, legal proceedings etc. Appendix 3 provides data from 1 October 2021 to 31 December 2021.
6. Licensing Officers undertake routine enforcement visits to check on premises licence conditions where there are concerns, e.g. closing times, compliance with Temporary Event Notices and managing numbers of people consuming alcohol outside venues, and in response to complaints. The Department's Enforcement Policy is followed prior to escalating action and taking legal proceedings.
7. The Enforcement Policy conforms to the Regulators' Compliance Code and the regulatory principles required under the Legislative and Regulatory Reform Act 2006. It sets out the general principles and approach which Officers are expected to follow and addresses issues of proportionality, consistency, targeting, transparency and accountability.
8. More widely, enforcement arrangements are currently coordinated at the Licensing Liaison Partnership meetings that are held monthly and are attended by representatives from all enforcement agencies. Joint visits are organised via this forum and subsequent reports are used to add to the top-level premises list that comprises those premises that have accrued the most points under the 'traffic light' risk scheme. These are then targeted by relevant enforcement officers.
9. There is a very good working relationship between the Port Health & Public Protection (PH&PP) Licensing Team, the City of London Police Licensing Team and the PH&PP Pollution Control Team, all of whom are based at the Guildhall. These relationships and lines of communication have been maintained with regard to working from home, a number of communications now taking place remotely.
10. The Memorandum of Understanding (MoU) between the City of London Police and the Environment Department agreed in November 2011 (when it was the Markets and Consumer Protection Department) outlines specific arrangements for cooperation between the Licensing Teams.

11. The other City Corporation Department that is routinely involved in enforcement is the Department of the Built Environment (DoBE), which now also forms part of the Environment Department. Where it appears that a material change of use has occurred, or there is a failure to comply with any condition attached to a planning permission or a breach of planning controls, when it is expedient to do so, officers from this Department seek authorisation to take the appropriate enforcement action.
12. Any complaints about licensed premises are dealt with by the relevant agency/team, e.g. crime and disorder – Police, fire safety – London Fire Brigade. As far as PH&PP are concerned, complaints relating to the conditions on a licence will be dealt with in the first instance by the Licensing Team, but if there are noise issues the Pollution Team will also be involved.
13. Investigations are undertaken and if there are grounds for a review of the licence in relation to the licensing objectives, then the responsible authorities can apply accordingly. In practice, potential applications are considered at the Licensing Liaison Partnership meetings, and agencies/authorities support one another in providing evidence and making applications.

Implications

15. Corporate & Strategic Implications:

Strategic implications – None

Financial implications - None

Resource implications - None

Legal implications - None

Risk implications - None

Equalities implications – None

Climate implications - None

Security implications – None

Appendices

- Appendix 1 – New Licence Applications issued between 01 October 2021 to 31 December 2021.
- Appendix 2 – Applications to vary a licence issued between 01 October 2021 to 31 December 2021.

- Appendix 3 - Enforcement Action carried out between 01 October 2021 to 31 December 2021 (including complaints received).

Background Papers

None

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Licensing Officer

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Appendix 1

New Licence Applications Issued by way of Delegated Authority (01 October 2021 to 31 December 2021)

Name	Address	Ward	Details	
Caffeina Latina	5 Lloyds Avenue, EC3N 3AE	Aldgate	A, (f)	22:00
London School of Barbering	13 Artillery Lane, E1 7LP	Bishopsgate	A	20:00
London School of Barbering	6 West Smithfield, EC1A 9JX	Farringdon Without	A	20:00
Patisserie @ Devonshire House	3 Bishopsgate Plaza, EC2M 4AF	Bishopsgate	A	23:00
ZX Ventures	Bureau-8th Floor, 90 Fetter Lane, EC4A 1AN	Farringdon Without	A	22:00
Swamp Motel	55-56 Aldgate High Street, EC3N 1AL	Portsoken	A, (f)	23:00
Hotel Chocolat	Liverpool Street Station, EC2M 7PY	Bishopsgate	A	22:00
Joe's Kitchen	34-36 Ludgate Hill, EC4N 7DE	Farringdon Within	A, (b), (e), (f), L	00:00
Al Dente Monument	Unit 2 Providian House, 16-18 Monument Street, EC3R 8AJ	Bridge and Bridge Without	A	22:30
Daisy Green	100 Bishopsgate, EC4N 4AG	Bishopsgate	A, (f), L	02:00
Café Brera	60 Cannon Street, EC4N 6NP	Vintry	A, (f)	17:00

Total Licences Issued = 11

Key to Details:

- | | |
|----------------------------|---------------------------|
| A Sale of Alcohol | (e) Live Music |
| L Late Night Refreshment | (f) Recorded Music |
| (a) Plays | (g) Performances of Dance |
| (b) Films | (h) Making Music |
| (c) Indoor Sporting Events | |
| (d) Boxing or Wrestling | |

Times stated are the latest terminal hour for at least one of the licensable activities.

Number of Licences by Ward

WARD	No.
Aldgate	1
Bishopsgate	4

Bridge and Bridge Without	1
Farringdon Within	1
Farringdon Without	2
Portsoken	1
Vintry	1

Conditions Applied to Licences Granted by way of Delegated Authority

Caffeina Latina

1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment, will be covered enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recordings shall be kept available for a minimum of 31 days with date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present, on the premises, at all times when they are open to the public. This staff member shall be able to show the police or Licensing Authority recordings of the preceding two days immediately when requested.

London School of Barbering (Artillery)

1. Alcohol will only be provided to clients that are receiving a haircut or another pre booked service.
2. A 'Challenge 25' Scheme shall operate to ensure that any person attempting to purchase alcohol who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, a photo card driving licence, an EU/EEA national ID card or similar document, or an industry approved proof of age identity card.
3. The premises shall install and maintain a comprehensive digital CCTV system.

London School of Barbering (West Smithfield)

1. Alcohol will only be provided to clients that are receiving a haircut or another pre booked service.
2. A 'Challenge 25' Scheme shall operate to ensure that any person attempting to purchase alcohol who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, a photo card driving licence, an EU/EEA national ID card or similar document, or an industry approved proof of age identity card.
3. The premises shall install and maintain a comprehensive digital CCTV system.

Patisserie @ Devonshire House

1. The external seating area shall only be used by customers between 0700 hours and 2300 hours.

2. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment, will be covered enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recordings shall be kept available for a minimum of 31 days with date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public. This member of staff shall be able to show the police and the Licensing Authority recordings of the preceding two days immediately when requested.

3. An incident log shall be kept at the premises and made available on request to the Police or an authorised officer of the City of London Corporation. The log will record the following: (a) all crimes reported to the venue (b) all ejections of customers (c) any incidents of disorder (d) any faults in the CCTV system (e) any refusal of the sale of alcohol during the hours the premises is licensed to sell it.

ZX Ventures

1. Off sales will be by virtue of digital purchase and dispatch to the consumer.

2. All sales shall be via a digital portal which will have checks in relation to the age of customers so as to ensure underage sales are not permitted and that age verification takes place.

3. The premises shall maintain a CCTV system. Recordings shall be kept available for a minimum of 30 days and be capable of being produced to the police or the Licensing Authority when requested.

Swamp Motel

1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment, will be covered enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually records whilst the premises are open to the public and recordings shall be kept available for a minimum of 31 days with date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public. This staff member shall be able to show the police or Licensing Authority recordings of the preceding two days immediately when requested.

Hotel Chocolat

1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment, will be covered enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually record whilst the premises are open to the public and recordings shall be kept available for a minimum of 31 days with date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public. This staff member shall be able to show the police or the Licensing Authority recordings of the preceding two days immediately when requested.

Joe's Kitchen

1. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment, will be covered enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually records whilst the premises are open to the public and recordings shall be kept available for a minimum of 31 days with date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public. This staff member shall be able to show the police or Licensing Authority recordings of the preceding two days immediately when requested.
2. Promoted events will not be held at the premises. A promoted event is an event involving music and dancing where the musical entertainment is provided at any time by a disc jockey or disc jockeys one or some of whom are not employees of the licensee (premises licence holder) and the event is (independent of the licensee) promoted to the general public.
3. The sale of alcohol and all named regulated entertainment is permitted until 0100 hours the following morning on Friday, Saturday, Sunday and Monday at Bank Holiday weekends, Christmas and Boxing Day and Friday and Saturday during the month of December. Christmas Day to operate without a break in operational hours.
4. On New Years Eve all named licensable activities are permitted from 0900 on 31st December through until 0100 on 2nd January.

Al Dente Monument

1. The premises shall install and maintain a comprehensive digital colour CCTV system.

Daisy Green

1. All named licensable activities are permitted from the start of permitted hours on New Years Eve through until the end of permitted hours of New Years Day.
2. There shall be no sales of alcohol for consumption off the premises after 23.00 hours.
3. All outside tables and chairs shall be rendered unusable by 23.00 hours each day.
4. The premises shall install and maintain a comprehensive digital colour CCTV system. All public areas of the licensed premises, including all public entry and exit points and the street environment, will be covered enabling facial identification of every person entering in any light condition. The CCTV cameras shall continually records whilst the premises are open to the public and recordings shall be kept available for a minimum of 31 days with date and time stamping. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public. This staff member shall be able to show the police or Licensing Authority recordings of the preceding two days immediately when requested.
5. Promoted events will not be held at the premises. A promoted event is an event involving music and dancing where the musical entertainment is provided at any time by a disc jockey or

disc jockeys one or some of whom are not employees of the licensee (premises licence holder) and the event is (independent of the licensee) promoted to the general public.

Café Brera

1. The premises shall install and maintain a comprehensive digital CCTV system.

2. A 'Challenge 25' Scheme shall operate to ensure that any person attempting to purchase alcohol who appears to be under the age of 25 shall provide documented proof that he/she is over 18 years of age. Proof of age shall only comprise a passport, a photo card driving licence, an EU/EEA national ID card or similar document, or an industry approved proof of age identity card.

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Appendix 2

Licence Variations Issued by way of Delegated Authority (01 October 2021 to 31 December 2021)

Name	Address	Ward	Variation
Satyrio	49 Aldgate High Street, EC3N 1AL	Portsoken	<ul style="list-style-type: none">To change plans to add outside bar in garden
Shree Food & News	105 Minories, EC3N 1HN	Tower	<ul style="list-style-type: none">To increase trading hours from 1am until 2am
Worshipful Company of Goldsmiths	Goldsmiths Hall, Foster Lane, EC2V 6BN	Cheap	<ul style="list-style-type: none">To change plans to include the garden area as part of licensed area
Brand Finance	3 Birchin Lane, EC3V 9BN	Langbourn	<ul style="list-style-type: none">To extend hours to allow online and home delivery

Total Number of Variations Issued = 4

Number of Licences by Ward

WARD	No.
Cheap	1
Langbourn	1
Portsoken	1
Tower	1

Conditions Added to Licences Granted by way of Delegated Authority

Satyrio

No additional conditions added.

Shree Food & News

No additional conditions added.

Worshipful Co. Of Goldsmiths

1) No live or recorded music and no alcohol sales are permitted in the garden after 21:00 hours on any day.

Brand Finance

No additional conditions added.

Personal Licences Issued by way of Delegated Authority

01 October 2021 to 31 December 2021

0

**Enforcement Action Carried out Under the Licensing Act 2003
01 October 2021 – 31 December 2021**

Total Number of Inspections	55
Number of Warning Letters	4
Number of Premises advised	48
Number of simple cautions	0
Number of suspension notices	7 (all on closed premises)
Licence lapsed*	1
'Dead' Suspensions**	0
'Live' Suspensions***	0
Under determination	0

*Licences are deemed lapsed in circumstances where the licence holder no longer exists e.g. a company has gone into liquidation.

**A 'dead' suspension is where the premises is closed but there is no evidence to suggest that the licence holder is still in existence. If the licence holder returns to the premises the outstanding fee will have to be paid in order for the licence to be resurrected.

***A 'Live' suspension is where the premises is still trading and can now no longer carry on licensable activities until the licence fee has been paid.

Number of complaints received between
01/10/2021 and 31/12/2021

Total number of complaints: 42

<u>Details</u>	<u>Time</u>	<u>Date</u>	<u>Outcome</u>	<u>Ward</u>
Be At One, 28 King William Street, London, EC4R 9AT				
Bottling out noise in early hours of morning	17:14	24/10/2021	Resolved informally	Candlewick
Noise from emptying bottles and loud conversations from staff members	21:31	28/11/2021	Case still in progress	Candlewick
Cococure, Retail Unit, 5 Minories, London, EC3N 1BJ				
Noise From Co Co Cure Loud Music And People	02:31	12/11/2021	Case still in progress	Tower
DoubleTree by Hilton, 7 Pepys Street, London, EC3N 4AF				
Loud People Sitting Outside On Hotel Tables	01:30	08/10/2021	Case still in progress	Tower
Editors Tap, Ground Floor Retail Unit, 5-11 Fetter Lane, London, EC4A 1BR				
Loud music complaint to ooh seo	23:50	11/12/2021	Resolved informally	Castle Baynard
Five Guys, Retail Unit, 186-190 Bishopsgate, London, EC2M 4NR				
LOUD NOISE COMING FROM FIVE GUYS RESTAURANT - BISHOPSGATE	00:32	08/12/2021	Resolved informally	Bishopsgate
Noise From Doors Banging At Five Guys Bishopsgate	00:47	23/11/2021	Resolved informally	Bishopsgate
Noise From Hammering Downstairs At Five Guys Bishopsgate	00:59	03/12/2021	Ceased not likely to	Bishopsgate

<u>Details</u>	<u>Time</u>	<u>Date</u>	<u>Outcome</u>	<u>Ward</u>
Noise From Cafe Underneath	01:07	27/10/2021	Resolved informally	Bishopsgate
Noise From Cafe Underneath (Fiveguys) Bishopsgate	01:23	22/10/2021	Case still in progress	Bishopsgate
Woken Up From Noise From Five Guys Underneath They Are Dropping Things	01:41	26/11/2021	Resolved informally	Bishopsgate
Banging From Five Guys Downstairs	02:23	06/12/2021	Resolved informally	Bishopsgate
Noise From Fiveboys Downstairs	02:24	23/10/2021	Resolved informally	Bishopsgate
Noise From Doors Banging Five Guys Bishopsgate	02:32	25/11/2021	Resolved informally	Bishopsgate
Humming noise from Five Guys Bishopsgate	02:36	17/12/2021	Case still in progress	Bishopsgate
noise from aircon unit and lights still left on	03:00	05/12/2021	Resolved informally	Bishopsgate
noise from extractor fan	03:03	16/12/2021	Case still in progress	Bishopsgate
Noise From Doors Banging And Chairs Scraping (Cleaners)	03:08	10/11/2021	Resolved informally	Bishopsgate
Turbine noise from restaurant below complainants property. Passed to SEO PNC @ 07:10	07:08	10/12/2021	Resolved informally	Bishopsgate
Noise complaint from resident about Five Guys, complainant reporting excessive noise travelling up to flat through the night - Please see Actions for Full Report	10:37	25/10/2021	Case still in progress	Bishopsgate

<u>Details</u>	<u>Time</u>	<u>Date</u>	<u>Outcome</u>	<u>Ward</u>
Noise from turbine in 5 Guys Restaurant- below complainants property. Passed to SEO KH @ 18:11	18:09	22/12/2021	Case still in progress	Bishopsgate
Noise from banging coming from restuarant below the complainants property- all day. Passed to SEO KH @ 19:16	19:11	26/11/2021	Resolved informally	Bishopsgate
LOUD NOISE COMING FROM FIVE GUYS RESTAURANT - BISHOPSGATE	22:21	03/11/2021	Resolved informally	Bishopsgate
noise from dragging rubish from shop	22:23	12/11/2021	Resolved informally	Bishopsgate
Noise From Cafe Fiveguys Bishopsgate Chairs Doors	22:42	28/10/2021	Resolved informally	Bishopsgate
Noise from chairs being draged across floor	22:43	31/10/2021	Resolved informally	Bishopsgate
Noise From Five Guys Downstairs	22:51	01/11/2021	Resolved informally	Bishopsgate
Banging From Downstairs At Five Guys	23:09	20/12/2021	Case still in progress	Bishopsgate
LOUD NOISE COMING FROM THE MOVING OF FURNITURE - FIVE GUYS RESTAURANT	23:22	08/12/2021	Resolved informally	Bishopsgate
noise from shop underneath Five Guys Scraping And Doors Banging	23:23	28/11/2021	Case still in progress	Bishopsgate
Noise From Five Guys Bishopsgate Scraping And Banging	23:24	29/11/2021	Resolved informally	Bishopsgate

Leonardo, 8-14 Cooper's Row, London, EC3N 2BQ

<u>Details</u>	<u>Time</u>	<u>Date</u>	<u>Outcome</u>	<u>Ward</u>
Loud Opera Music Coming From Trinity Square Area Ongoing Now	22:18	11/11/2021	Case still in progress	Tower
Patch Bar, 58-62 Carter Lane, London, EC4V 5EA				
Noise (Music and shouting) coming from a bar near complainants address. Passed to SEO KS @ 01:33	01:31	19/12/2021	Resolved informally	Farrington Within
Pham Sushi, 5 Moor Lane, London				
Noise from party at Pham Sushi, Moor Lane. Passed to SEO KS @ 23:35	23:33	18/12/2021	Ceased not likely to	Cripplegate
Sfoglia Bologna, 3 Middlesex Street, London, E1 7AA				
Elizabeth Jones is a resident of Tower Hamlets and was referred to us by Tower Hamlets, her address is Flat 11 Brunswick House, E1 7PR. She has called to complain about loud music coming from 3 Middlesex Street, the premises is playing	16:10	03/12/2021	Resolved informally	Portsoken
Slug and Lettuce, St Clare House, 30-33 Minories, London, EC3N 1DD				
LOUD NOISE COMING FROM THE SLUG & LETTUCE PUB - MINORIES	01:11	10/12/2021	Case still in progress	Tower
The M Bar, Ground Floor, 48-51 Leadenhall Market, London, EC3V 1LT				
Loud music being played outside	10:10	04/11/2021	Resolved informally	Langbourn
The Old Tea Warehouse, The Old Tea Warehouse Public House, 4-8 Creechurch Lane, London, EC3A 5AY				
Ms Hillbourne called regarding chanting and shouting from the Old Tea Warehouse. Her partner has spoken with the manager who indicated that they have a licence and can allow people to talk loudly until 11pm.	19:15	18/11/2021	Case still in progress	Aldgate
The Otherist, 111 Old Broad Street, London, EC2N 1AP				
Party noise disturbing resident	01:32	12/12/2021	Resolved informally	Broad Street
The Refinery, 12 Great New Street, London, EC4A 3BN				
Loud Music from the Bar name Refinery 12 New Street Square. Broke developer rule 9pm Curfew Customer states.	15:20	12/11/2021	Resolved informally	Castle Baynard

<u>Details</u>	<u>Time</u>	<u>Date</u>	<u>Outcome</u>	<u>Ward</u>
The Trinity Bell, Cree House, 20 Creechurch Lane, London, EC3A 5AY				
Noise from TENS event on weekend	15:19	18/10/2021	Resolved informally	Aldgate
Ye Olde Watling, Ye Olde Watling Public House, 29 Watling Street, London, EC4M 9BR				
Noise from a Pub causing disturbance for a resident - Please see Actions for Full	08:03	29/10/2021	Resolved informally	Cordwainer

By virtue of paragraph(s) 3 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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