

## Licensing Sub-Committee

May 18 2009

1.30 pm

Town Hall, Peckham Road, London SE5 8UB

### Membership

Councillor Jelil Ladipo  
Councillor Sandra Rhule  
Councillor Althea Smith

### Reserves

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### INFORMATION FOR MEMBERS OF THE PUBLIC

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#### Contact

on or email:

Webpage:

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Members of the committee are summoned to attend this meeting

**Annie Shepperd**

Chief Executive

Date: Date Not Specified



## Licensing Sub-Committee

Monday May 18 2009  
1.30 pm  
Town Hall, Peckham Road, London SE5 8UB

### Order of Business

Item No.	Title	Page No.
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#### **PART A - OPEN BUSINESS**

**1. APOLOGIES**

To receive any apologies for absence.

**2. CONFIRMATION OF VOTING MEMBERS**

A representative of each political group will confirm the voting members of the committee.

**3. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT**

In special circumstances, an item of business may be added to an agenda within five clear days of the meeting.

**4. DISCLOSURE OF INTERESTS AND DISPENSATIONS**

Members to declare any personal interests and dispensation in respect of any item of business to be considered at this meeting.

**5. LICENSING ACT 2003 - PADDY POWERS APPLICATION**

1 - 22

**ANY OTHER OPEN BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.**

#### **PART B - CLOSED BUSINESS**

**EXCLUSION OF PRESS AND PUBLIC**

**Item No.**

**Title**

**Page No.**

The following motion should be moved, seconded and approved if the sub-committee wishes to exclude the press and public to deal with reports revealing exempt information:

“That 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 paragraphs 1-7, Access to Information Procedure rules of the Constitution.”

**ANY OTHER CLOSED BUSINESS AS NOTIFIED AT THE START OF THE MEETING AND ACCEPTED BY THE CHAIR AS URGENT.**

**OPEN DISTRIBUTION LIST**

Date: Date Not Specified

Item No. <b>5</b>	Classification: <b>Open</b>	Date: <b>18 May 2009 1.30pm</b>	Meeting Name: <b>Licensing Sub- Committee</b>
Report title:		<b>GAMBLING ACT 2005 – APPLICATION FOR A PREMISES LICENCE IN RESPECT OF A BETTING SHOP, PADDY POWERS, 2 COLDHARBOUR LANE, LONDON SE5 9PR</b>	
Ward(s) or groups affected:		<b>CAMBERWELL GREEN</b>	
From:		<b>Strategic Director of Environment &amp; Housing</b>	

### RECOMMENDATION

1. That the Committee consider whether to grant the application by Power Leisure Bookmakers Limited for a Premises Licence in respect of a non track betting at Paddy Powers, 2 Coldharbour Lane, London SE5.
2. **Note:** The application is opposed by William Hill Organization Ltd; 4 local residents; and the Camberwell Green Safer Neighbourhood Community Panel.

### BACKGROUND INFORMATION

3. The Gambling Act 2005 came into effect on 1 September 2007. It introduced a new licensing regime for betting and gaming under the joint responsibility of the newly established gambling commission and the local licensing authority.
4. Under the Act, the gambling commission has primary responsibility for issuing operators licences and personal licences while the local authority has primary responsibility for issuing premises licences. Gaming and betting establishments are normally required to obtain all three types of licence before they are able to operate lawfully. No premises licence may be issued without an operating licence having been obtained from the commission.
5. In considering applications made to it under the Act this authority is required to have regard to
  - The Gambling Act 2005 and the secondary regulations issued under the Act;
  - The licensing objectives set out in the Act (see paragraph 6 below);
  - The Guidance given to licensing authorities by the gambling commission;
  - The authority's own statement of gambling licensing policy
6. The three licensing objectives set out under the Act 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; and
  - Protecting children and other vulnerable persons from being harmed or exploited by gambling.

7. The local licensing authorities primary concern under the Act will be with the third objective of protecting children and other vulnerable people.
8. Section 153 of the Act provides that in exercising its function under part 8 of the Act (which deals with premises licensing and provisional statements) a licensing authority should aim to permit the use of premises for gambling in so far as it thinks it
  - In accordance with any relevant code of practice under section 24 of the Act;
  - In accordance with any relevant guidance issued by the commission under section 25 of the Act;
  - Reasonably consistent with the licensing objectives (subject to the above); and
  - In accordance with the statement of policy published by the authority under section 349.

## **KEY ISSUES FOR CONSIDERATION**

### **The application**

9. On 3 March 2009 an application for a grant of a Premises Licence was made to this Council on behalf of Power Leisure Bookmakers Limited and in respect of the ground floor of the premises situated at Paddy Powers, 2 Coldharbour Lane, London SE5. The application seeks a Premises Licence in regard of a non-track betting premises. A copy of the application is attached to this report as Appendix 1. The application includes a plan of the premises in 1:50/500 (to be supplied at the hearing).
10. Consultation on the application has been undertaken in accordance with the Act and relevant regulations. Notification of the application has been given by the applicant to the relevant responsible authorities and the application has been advertised by way of a poster displayed at the premises and in a local newspaper.

### **The representations**

#### **Responsible authorities**

11. There has been no representations from the responsible authorities.

#### **Interested parties**

12. Representations have been received in respect of this application from interested parties. The representations are made by William Hill Organization Ltd, 4 local residents and the Camberwell Green Safer Neighbourhood Community Panel. The representations make similar arguments, that the area is already well served by betting and gaming establishments, and that the grant of a further licence may lead to an over-proliferation of such in the area with consequent impact on children and vulnerable people.
13. The Committee will understand that demand is not a matter to be taken into account under this Act but that the potential impacts upon the licensing objectives are. The representations are reproduced as Appendix 2.

### The conciliation process

14. No attempt at conciliation has been made in this case given the nature of the representations. The matter is referred straight to the Licensing Sub- Committee for determination.

### Local Vicinity

15. A map of the local vicinity is attached as Appendix 3. Listed below are premises that are currently operating in the local vicinity within 200m radius as gambling premises under the Gambling Act 2005.

- **Coral**, 14 Denmark Hill, London SE5
- **Quicksilver**, 38 Denmark Hill, London SE5
- **William Hill**, 48-50 Denmark Hill Road, London SE5
- **Tote, 23** Camberwell Green, London SE5

### Mandatory licence conditions

16. The Committee should be aware that in event that a premises licence may be granted in respect of this application the following mandatory conditions applicable to all categories of premises must be attached to that licence.

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

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

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

(4) The premises shall not be used for –

- (a) The sale of tickets in a private lottery; and
- (b) The sale of tickets in any other lottery in respect of which the sale of tickets on the premises is otherwise prohibited

(5) In this regulation –

- (a) A “private lottery” means a private society lottery or a work lottery within the meaning of paragraphs 10 and 11 of Schedule 11 to the Act; and
- (b) A “customer lottery” has the same meaning as in Part 3 of schedule 11 to the 2005 Act.

17. Additionally, the following mandatory conditions applicable to betting premises licences (other than tracks) will be applied

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

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

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

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

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

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

(a) Communicating information about, or coverage of, sporting events, including

–

- (i) Information relating to betting on such an event; and
- (ii) Any other matter or information, including an advertisement, which is incidental to such an event

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

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

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

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

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

### **Default licence conditions**

18. The Committee should also be aware that in the event that any premises licence is issued in respect of this application the following default condition should also be added to that licence

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

### **Compliance with conditions**

19. The premises in question are not yet operable. Accordingly the applicant company has been asked to confirm that it will be able to comply with each of the mandatory and default conditions listed in paragraphs 16 to 18 above.

### **The Gambling Commission's code of practice for gambling operators**

20. Under Section 24 of the Act the Commission is empowered to make Codes of Practice about the manner in which facilities for gambling are provided. One of these codes - The Code of Practice for Gambling Operators – contains requirements with which all operators must comply through conditions attached to the operating licence.
21. Relevant to this Committee's considerations are the social responsibility provisions of the operators licence.
22. In dealing with combating problem gambling operators licences require that
- (1) Licensees must have and put into effect policies and procedures intended to promote socially responsible gambling
  - (2) Licensees' policies and procedures for socially responsible gambling must include but not be confined to
    - The specific policies and procedures required by the following provisions of section 2 of this code;
    - A commitment to and how they will contribute to research into the prevention into treatment of problem gambling;
    - A commitment to and how they will contribute to public education on the risks of gambling and how to gamble safely; and
    - A commitment to and how they will contribute to the identification of and treatment of problem gamblers.
23. In dealing with the protection of children, gambling operators licences require that
- (1) Licensees must have and put into effect policies and procedures designed to prevent underage gambling, and monitor the effectiveness of these;
  - (2) This must include procedures for:
    - Checking the age of apparently underage customers;
    - Removing from adult only licensed premises anyone who appears to be underage who tries to access the gambling facilities and cannot produce an acceptable form of identification;
    - Taking action when there are attempts by under 18s to enter adult only premises;
    - Refusing entry to any adult only area of a track to anyone unable to produce an acceptable form of identification; and
    - Taking action when there are unlawful attempts to enter the adult only areas.
  - (3) Licensees must not deliberately provide facilities for gambling in such a way as to appeal particularly to children or young people, for example by reflecting or being associated with youth culture;
  - (4) In premises restricted to adults, service should be refused in any circumstances where any adult is accompanied by a child or young person;



(5) Licensees must take all reasonable steps to ensure that all staff understand their responsibilities for preventing under-age gambling. This should include appropriate training which must cover the legal requirements on returning stakes and not paying prizes to underage customers;

(6) Licensees must only accept identification which:

- Contains a photograph from which the individual can be identified;
- States the individual's date of birth;
- Is valid; and
- Is legible and has no visible signs of tampering or reproduction.

**The Southwark statement of gambling licensing policy and the licensing objective of the protection of children and vulnerable persons from harm or exploitation by gambling.**

24. The representations received in respect of this application relate to the third licensing objective of the protection of children and vulnerable persons from harm or from being exploited by gambling. Section 122 of this authority's statement of licensing policy sets out that the authority will wish to consider the steps taken by the applicant to comply with the social responsibility requirements of the operating licence, in determining the application.

**The Southwark statement of gambling licensing policy and location.**

25. Sections 91 to 93 of the authority's statement of policy deals with the matter of location. It states

“(91). As per the Gambling Commission's Guidance for local authorities, 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;

(92). In pursuit of these objectives, when determining applications for premises licences, this authority will have regard to the location of the premises. The authority will give special consideration in relation to the proximity of premises to

- Local schools, youth clubs, shops, parks, leisure and recreational establishments and any other similar premises directed at, or primarily used by children or families
- Places where vulnerable people are housed or treated, including clinics, recovery centres, outpatients clinics and homes
- Residential areas where there is a high concentration of children and young people or vulnerable people
- Areas where there is a high level of organised crime
- Places of worship, community facilities or public buildings
- Areas where there is considered to be an over-concentration of similar existing licensed operations

(93). This list is not exhaustive and, as stated, each case will be considered upon its own merits. If an applicant can show how they can overcome licensing objective concerns this must be taken into account.”

26. The premises located at 361 / 363 Walworth Road are set in a mixed commercial and residential area. A copy of a map of the local vicinity is attached as Appendix 5.

### **Community Impact Statement**

27. The contention raised by the representations is that the addition of this one further betting shop in the Walworth area will impact upon existing established betting and gaming facilities and have effects upon the local community in terms of the protection of children and other vulnerable persons from being harmed or exploited by gambling licensing objective.
28. The Committee will be aware that under the laws of natural justice each application is required to be considered upon its own merits with all relevant matters taken into account.
29. In doing so the Committee will wish to address the specific steps proposed to be taken by the applicant company to address this issue.

### **Resource Implications**

30. Upon application to the Council the applicant company paid a fee of £2,280.00 This fee contributes toward the processing and determination of the licence application and subsequent inspection and enforcement issues. There are no other resource implications contained within this report.

### **Consultation**

31. Consultation undertaken in connection with this report is set out in paragraph 10.

### **CONCURRENT REPORT BY THE STRATEGIC DIRECTOR OF LEGAL & DEMOCRATIC SERVICES – LEGAL ISSUES**

32. The Sub-Committee is asked to determine the application for a premises licence under Section 159 of the Gambling Act 2005.
33. The principles which Sub-Committee members must apply when determining applications are contained in section 153 of the Act as set out below:
 

"In exercising their functions under this part a licensing authority shall aim to permit the use of premises for gambling in so far as the authority think it-

  - (a)- in accordance with any relevant code of practice under section 24
  - (b)- in accordance with any relevant guidance issued by the Commission under section 25
  - (c)- reasonably consistent with the licensing objectives; and
  - (d)- in accordance with the statement of licensing policy, subject to paragraphs (a)-(c)"
34. Section 153 (2) of the Act states that a licensing authority may not have regard to the demand for the facility which is proposed to be provided.
35. Section 210 of the Act states that a licensing authority shall not have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with the law relating to planning or building.

### **Hearing Procedures**

36. Subject to the Proceedings of Licensing Committees and Sub-committees Premises Licences and Provisional Statements Regulations, the Licensing Sub-Committee may determine its own procedures.

37. Hearings will take the form of a discussion led by the Sub-committee. Cross examination will not generally be permitted.
38. The hearing must take place in public; however, the Sub-committee may direct that part, or all of a hearing shall be in private if it is satisfied that it is necessary to do so. When making such a decision, the Sub-committee must have regard to-
  - a) any unfairness to a party that is likely to result from a hearing in public; and
  - b) the need to protect as far as possible, the commercial or other legitimate interests of a party.
39. The Sub-committee must ensure that each party is given the opportunity to-
  - a) address the committee on all relevant matters;
  - b) call witness to give evidence on all relevant matters;
  - c) provide further information on any matter on which clarification has been sought by the Sub- committee.
40. The Sub-committee must permit any party to question any other party on any matter that is relevant to the application, or representations made, where the sub-committee considers that in all the circumstances it is appropriate to do so.
41. The Sub-committee must consider documentary evidence produced by a party either before the hearing, or at the hearing with the consent of all the other parties attending the hearing.

#### **The role of the licensing Sub-committee**

42. Members should note that the Licensing Sub-Committee is meeting on this occasion solely to perform the role of licensing authority. The Sub-Committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, Members should disregard the Council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the Gambling Law, the Commission's Guidance and the Council's Statement of Gambling Licensing Policy.
43. As a quasi-judicial body the Licensing Sub-Committee is required to consider the application on its merits. The Sub-Committee must take into account only relevant factors, and ignore irrelevant factors. The Licensing Sub-Committee must give fair consideration to the contentions of all persons entitled to make representations to them.
44. Members will be aware of the Council's Code of Conduct which requires them to declare personal and prejudicial interests. The Code applies to Members when considering gambling applications. In addition, as a quasi-judicial body, Members are required to avoid both actual bias, and the appearance of bias.
45. The Sub-Committee can only consider matters within the application that have been raised through representations from interested parties and responsible authorities. Interested parties must -
  - a) live sufficiently close to the premises to be affected by the authorised activities; or
  - b) have business interests that might be affected by the authorised activities; or
  - c) represents persons in either of these two groups.

Interested parties can be persons who are democratically elected such as councillors and MPs.

46. Under the Human Rights Act 1998. the Sub Committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision.

### Appeals

47. Interested Parties, Responsible Authorities and the applicant have the right to appeal the decision of the Sub-Committee to the Magistrates' Court within a period of 21 days beginning with the day on which the applicant was notified by the licensing authority of the decision to be appealed against.

Background Papers	Held At	Contact
The Gambling Act 2005 plus relevant secondary regulations	Southwark Community Safety Enforcement Business Unit, The Health Safety & Licensing Unit, C/O The Chaplin centre, Thurlow Street, London, SE17 2DG As above	Mrs Kirty Read 020 7525 5748
The Gambling Commission's Guidance on the Act plus relevant codes of practice		
The Southwark Statement of Gambling Licensing Policy		
Various papers from the file HSL/Paddy Powers/2 coldhour lane		

### APPENDICES

No.	Title
Appendix 1	Copy of the application
Appendix 2	Copies of the representations received to the application
Appendix 3	Copy of the local area map

### AUDIT TRAIL

Lead Officer	Gill Davies, Strategic Director of Environment & Housing	
Report Author	Dorcas Mills, Principal Licensing Officer	
Version	Final	
Dated	7 May 2009	
Key Decision?	No	
<b>CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / EXECUTIVE MEMBER</b>		
Officer Title	Comments Sought	Comments included
Strategic Director for Legal and Democratic Services	Yes	Yes
Finance Director	No	No
Executive Member	No	No
Date final report sent to Constitutional/Community Council/Scrutiny Team	7 May 2009	

APPENDIX 1

RECEIVED

10 MAR 2009

**Application for a premises licence  
under the Gambling Act 2005 (standard form)**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

Where the application is—

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

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

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

Regional Casino

Large Casino

Small Casino

Bingo

Adult Gaming Centre

Family Entertainment Centre

Betting (Track)

Betting (Other)

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

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

**Part 2 – Applicant Details**

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

**Section A**

**Individual applicant**

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

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

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

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

Postcode: \_\_\_\_\_

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

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

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

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

## Section B

### Application on behalf of an organisation

6. Name of applicant business or organisation: Power Leisure Bookmakers Limited

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

7. The applicant's registered or principal address:

Crowne House  
56-58 Southwark Street  
London

Postcode: SE1 1UN

8(a) The number of the applicant's operating licence (as given in the operating licence):  
000-001034-N-103643-001

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

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

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

## Part 3 – Premises Details

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

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

Ground Floor  
2 Coldharbour Lane  
Camberwell  
London

Postcode: SE5 9PR

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

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

Ground floor premises in a parade of shops with living/offices above on the three floors with separate entrances.

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

No *[delete as appropriate]*

14(b). If the answer to question 14(a) is yes, please give the names of all the licensing authorities within whose area the premises are partly located, **other than the licensing authority to which this application is made:**

#### Part 4 – Times of operation

15(a). Do you want the licensing authority to exclude a default condition so that the premises may be used for longer periods than would otherwise be the case? No *[delete as appropriate]* *[Where the relevant kind of premises licence is not subject to any default conditions, the answer to this question will be no.]*

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

	<i>Start</i>	<i>Finish</i>	<i>Details of any seasonal variation</i>
Mon	<i>hh:mm</i>	<i>hh:mm</i>	
Tue			
Wed			
Thurs			
Fri			
Sat			
Sun			

16. If you wish to apply for a premises licence with a condition restricting gambling to specific periods in a year, please state the periods below using calendar dates:

**Part 5 – Miscellaneous**

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

18(a). Does the application relate to premises which are part of a track or other sporting venue which already has a premises licence? No *[delete as appropriate]*

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

19(a). Do you hold any other premises licences that have been issued by this licensing authority? Yes *[delete as appropriate]*

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

(1) 261-265 Southwark Park Road, SE16 3TP

(2) 220-222 Walworth Road SE17 1JE

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

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

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

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

Checklist:

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



**Part 7 – Signatures**

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

Signature:

*John Morse*

Print Name: John Frederick Morse

Date: 02/03/2009 (dd/mm/yyyy) Capacity: Solicitor

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

Signature:

Print Name:

Date: (dd/mm/yyyy) Capacity:

*[Where there are more than two applicants, please use an additional sheet clearly marked "Signature(s) of further applicant(s)". The sheet should include all the information requested in paragraphs 21 and 22.]*

*[Where the application is to be submitted in an electronic form, the signature should be generated electronically and should be a copy of the person's written signature.]*

**Part 8 – Contact Details**

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

John Morse of John Morse Solicitors

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

01792 648111 07703126416

24. Postal address for correspondence associated with this application:

John Morse Solicitors  
St Helens House  
156 St Helens Road  
Swansea

Postcode: SA1 4DG

25. If you are happy for correspondence in relation to your application to be sent via e-mail, please give the e-mail address to which you would like correspondence to be sent:

email: mail@johnmorse.co.uk

APPENDIX 2



**GOSSCHALKS**  
SOLICITORS



Licensing Unit  
Southwark Council  
Chaplin Centre  
Thurlow Street  
London  
SE17 2DG

**Our ref:** RJT/VHL/97000-628-8

**Your ref:**

**Date:** 27 March 2009

**E-Mail:** rjt@gosschalks.co.uk

**Direct Fax:** 0870 600 5958

RECEIVED  
30 MAR 2009

Dear Sirs

re: Gambling Act 2005

Premise Licence Application - Paddy Power, 2 Coldharbour Lane, Camberwell, London, SE5 9PR

We act for William Hill Organization Limited who operate premises at 45-50 Denmark Hill which is approximately 100 metres from the application premises. Our client is therefore an interested party as defined by Section 158 Gambling Act 2005 and is entitled to make representations to this Premise Licence application.

This representation is to invite the Licensing Authority to consider whether or not the grant of an additional Licence is consistent with the licensing objective relating to the protection of the vulnerable and whether or not the grant of a Licence would be in accordance with its own Policy Statement.

The Licensing Authority Policy Statement indicates at paragraph 92 that "When determining applications for Premises Licences, this authority will have regard to the location of the premises. The authority will give special consideration in relation to the proximity of the premises to:-

- Local schools, youth clubs, shops, parks, leisure, recreational establishments and any other similar premises directed at, or primarily used by children or families.
- Places where vulnerable people are housed or treated, including clinics, recovery centres, out patients clinics and homes.
- Residents areas where there is a high concentration of children and young people or vulnerable people.
- Areas where there is a high level of organised crime.

Queens Gardens, Hull, HU1 3DZ 01482 324252 0870 600 5984 info@gosschalks.co.uk www.gosschalks.co.uk T1902 - Hull

Partners: Simon Lunt, Bruce Raper, Ian Lynch, Richard Llewellyn, Neil Johnson, Clare Johnson, Richard Gooch, Roy Taylor, Robert Thomson, Jonathan Bhammel, Nigel Beckwith, Zeb Carmichael, Nicholas Dean, Mark Ted, Stephen Walker, Andrew Mallory, Ian Brown, Robert Hostie, Richard Taylor, Andrew Johnson, Jonathan Peet, James Phinn, Justin Graves, Matthew Fletcher, John Coulson, Andrew Tarbutt, Ted Flanagan, Kate Groves, Craig Beetham, Stephen Dillon, Ashie Prescott, Chris Groves, Paul Paxton.

Associates: Victoria Quinn, Nicola Barross, Andrew Bell, Charlotte Chilcott, Caroline Rule

- Places of worship, community facilities or public buildings.
- Areas where there is considered to be an over concentration of similar existing licensed operations.


We understand that in addition to our client's premises there are premises operated by Coral at 14 Denmark Hill and Tote at 23 Camberwell Green. Both of these premises are within 200 metres of the application site and the Committee is therefore invited to consider whether or not an additional Licence would constitute an over concentration as defined in the policy.

In addition, we are instructed that Marina House, Addictions Resource Centre is situate at 63-65 Denmark Hill. We understand that the Centre treats vulnerable persons and is within 85 metres of the application premises. This unit is in addition to the Maudesley Hospital which treats persons with mental health difficulties.

We respectfully submit that the Licensing Authority should consider whether or not the grant of an additional Premise Licence may pose an additional risk to the vulnerable and it may be that the Committee may wish to exercise its discretion to refuse.

We would be grateful if the contents of this letter could be included within the Licensing Authority Committee bundle and you could notify us of the date of the hearing in order that we may make arrangements for our client to attend if it wishes to expand upon the points raised above.

Yours faithfully



GOSSCHALKS

**Please note:** Our main fax number has changed to 0870 600 5984.

5 Valmar Road  
Camberwell  
SE5 9NG

11<sup>th</sup> March 2009,

London Borough of Southwark  
Licensing Services  
C/o Environmental Health & Trading Standards  
The Chaplin Centre  
Thurlow Street  
SE17 2DG

RECEIVED  
16 MAR 2009

Dear Madam/Sir,

**Paddy Power Gaming Licence Application  
For 2 Coldharbour Lane SE5 9PR**

As very local residents to 2 Coldharbour Lane where Power Leisure Bookmakers Ltd are seeking a Betting Premises Licence under Section 159 of the Licensing Act 2005 in the name of Paddy Power my wife and I wish to oppose the granting of any such licence.

We appreciate that the 2005 Licensing Act is designed to discourage any legitimate objection to the granting of any licenses but still feel sufficiently aggrieved at the proposal to object. The Licensing Committee has accepted that Camberwell has reached saturation point on Drinks Off Licence Premises we feel gaming premises have reached a similar saturation point in Camberwell. There are 4 gaming licensed premises within 200 metres North of 2 Coldharbour Lane (William Hill 48 Denmark Hill 85m, Quicksilver 38 Denmark Hill 118m, Corals 14 Denmark Hill 172m and Tote 23 Camberwell Green 200m) while another William Hill is 280metres to the South.

When Corals recently transferred their betting office from 1 Valmar Road to 14 Denmark Hill the number of undesirables congregating in Valmar Road greatly reduced. There are however regular groups of vulnerable people, Marina House clinic clients, Street drinkers\*, (\*despite the drinking control order) smokers etc which congregate at the pavement pinch point outside Rock Steady Eddies 4 Coldharbour Lane and in Milkwell Yard each side of the proposed betting shop. Both the William Hill branches regularly have drinkers\* and smokers loitering outside generally causing some obstruction. The committee should also be aware of the close proximity of Marina House drug addiction clinic (80 metres) nearby Crawford School and the NACRO hostel in Valmar Road plus the numerous Maudsley and Kings College Hospitals clinics (nearest 90 metres). Camberwell's high crime statistics should also be considered.

We trust the licensing committee will have the courage to reject Paddy Power's application on the grounds set out above i.e. sufficient existing provision, proximity to school and other vulnerable people, congestion and crime figures.

An acknowledgement of this objection would be appreciated.

Yours faithfully

*A Marten*

A Marten

*J. Marten*

J Marten

## Camberwell Green Safer Neighbourhood Community Panel

London Borough of Southwark  
Licensing Services  
C/O Environmental Health & Trading Standards  
Thurlow Street  
SE17 2DG

RECEIVED  
16 MAR 2009

Dear Sir/Madam,

### Paddy Power Gaming Licence Application 2 Coldharbour Lane SE5 9PR

Members of the Camberwell Green Safer Neighbourhood Community Panel were horrified at last night's meeting to learn that a gaming license was being sought for 2 Coldharbour Lane SE5 9PR. "What do we need another betting office for?" was the immediate general reaction.

The following discussion covered the mass of people currently gathering outside William Hills branch at 48 Denmark Hill, 17 at about 3 o'clock on the 16<sup>th</sup> March, one guy was quite openly selling what could only be stolen pre-packed ham to the others. The police advised us that they were aware of the problem having had it brought to their attention by others.

Members at the meeting unanimously agreed that representations should be made to the licensing committee, expressing the panel's opposition to the granting of any further gaming licenses within the Camberwell Green Ward. Appreciating that the gaming act restricts objections that will be considered the panel are opposing the application because: -

- 1/ Camberwell already has too many betting shops
- 2/ As clients are not permitted to smoke or drink in betting shops they tend to gather outside which will create an intimidating, obstructive and unpleasant environment for others to negotiate.
- 3/ An additional betting shop in this location could have a detrimental effect on the numerous vulnerable people in the area, particularly clients of nearby Marina House and Bondway.
- 4/ The Ward already has high crime figures, which in reality are probably higher given the number of minor offences members see daily.

While opposing this application the Panel members felt that such applications, in the spirit of partnership, transparency and co-operation, should as a matter of course be referred to the Panel.

An acknowledgement of this Panel's objection would be appreciated.

Yours faithfully



John Marten  
For Stephen Bourne  
Panel Co Chair

Phone (020) 7274 2608

5 Valmar Road  
Camberwell  
SE5 9NG

11<sup>th</sup> March 2009.

London Borough of Southwark  
Licensing Services  
C/o Environmental Health & Trading Standards  
The Chaplin Centre  
Thurlow Street  
SE17 2DG

Dear Madam/Sir,

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We trust the licensing committee will have the courage to reject Paddy Power's application on the grounds set out above i.e. sufficient existing provision, proximity to school and other vulnerable people, congestion and crime figures.

An acknowledgement of this objection would be appreciated.

Yours faithfully

A Marten

J Marten

**Franklin, David**

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**From:** Regen, Licensing  
**Sent:** 19 March 2009 17:01  
**To:** Franklin, David  
**Subject:** FW:

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**From:** Treadwell, Jean [mailto: [REDACTED]]  
**Sent:** 18 March 2009 14:03  
**To:** Regen, Licensing  
**Subject:**

As a resident and worker in Camberwell I would like to raise my strong objections to the proposed betting office 'Paddy Power' on Coldharbour Lane. This not only increases unsociable by the people who used these types of premises, such as drinking alcohol on the street – something that is supposed to be against the law, but there are also groups of quite intimidating men who hang around the William Hill betting office on Camberwell Green

Jean Treadwell  
F Management Office  
2nd Floor Hambleden Wing  
Kings College Hospital NHS Foundation Trust  
T 020 3299 4246  
F 020 3299 4245

Read, Kirty

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**From:** Jason Williamson [mailto:jason.williamson@cam.ac.uk]  
**Sent:** 30 March 2009 11:57  
**To:** Regen, Licensing  
**Subject:** Re: There's a Coral on Coldharbour Lane just on the corner of Valmar Road

Dear Mr Franklin,

Thank you for your quick response, and for explaining to me the process through which to voice my concerns, it is much appreciated. My email is as follows:

I object to the premises licence being applied for at 2 Coldharbour Lane by Paddy Power under the Gambling Act 2005.

I am concerned that the presence of Paddy Power at 2 Coldharbour Lane will be a source of crime or disorder, or in the least, it will be associated with crime or disorder. I live within a close proximity of this (300 metres) and fear this association with crime and disorder will impact upon me.

I make this connection between gambling establishments and crime/disorder for the following reasons. I walk past bookmakers (on Coldharbour Lane, towards Brixton) daily and witness street drinking, disorder and illegal dealing. I also note that begging and street drinking (and associated disorders) occur regularly on Denmark Hill outside and around the premises of bookmakers. I do not wish this to expand further through the area of Camberwell.

In addition, the presence of the Maudsley Hospital will mean that vulnerable persons, such as the patients, will be susceptible to nearby gambling facilities, and I am concerned that this connection has been overlooked (particularly with the prevalence of so many gambling establishments in the surrounding area).

I thank you for your time.

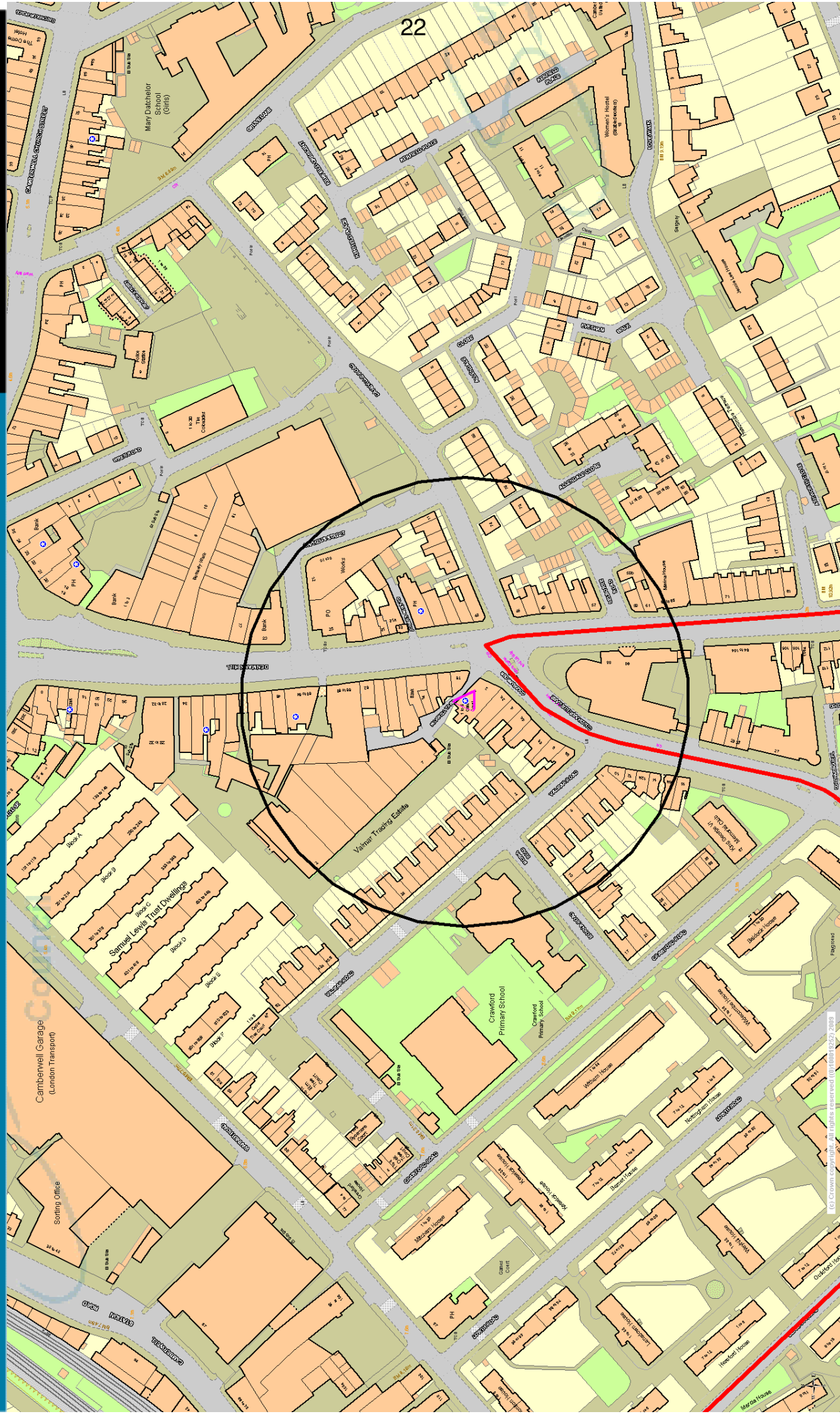
Kind regards,

Name: Jason Williamson  
Address: 7 Venetian Road, SE5 9RR



# Paddy Power, 2 Coldharbour Lane

Date 6/5/2009



<b>Distribution List</b>  <b>Open</b>  <b>Licensing Sub-Committee</b>	<b>MUNICIPAL YEAR 2008-09</b>  <b>Date of Meeting: 18.05.2009</b>  <b>Time: 1.30pm</b>
<b>Note:</b> Original held in Constitutional Team; all amendments/queries to Sean Usher, Constitutional Team, Tel: 020-7525-7222.	
<b>Councillors (1 Copy Each)</b>	<b>Applicants and Interested Parties</b>
<p>Councillor Linda Manchester  Councillor Jelil Ladipo  Councillor Althea Smith</p> <p>Councillor Sandra Rhule (Reserve)</p> <p><b>Officers</b></p> <p>Deborah McCallum, Legal Services South House  Dorcas Mills, Licensing Unit  Rosanna Keogh Licensing Unit  Alan Blissett, Noise Team</p> <p><b>Ward Councillors – Riverside</b></p> <p>Councillor Annood Al-Samerai  Councillor Eliza Mann  Councillor Nick Stanton</p> <p><b>Ward Councillors – Camberwell Green</b></p> <p>Councillor Dora Dixon-Fyle  Councillor John Friary  Councillor Chris Page</p> <p><b>Total Copies to be printed: 82</b></p> <p><b>PLEASE BRING YOUR PAPERS TO THE MEETING.</b></p>	<p><b>Paddy Power</b></p> <p>Paddy Powers, 2 Coldharbour Lane, London SE5.</p> <p>John Morse Solicitors, St Helens House, 156 St Helens Rd  Swansea, SA1 4DG</p> <p>(local residents and objectors details on file)</p> <p><b>The Don</b></p> <p>The Don, 224a Tower Bridge Road, London, SE1 2UP</p> <p>PC Paul Compton, Licensing Office, Walworth Police Station  London SE17 3RL</p> <p>Shad Thames RA</p> <p>(local residents and objectors details on file)</p> <p><b>Total copies to be circulated: 74</b></p> <p><b>All spares to be delivered to Constitutional Team.</b></p> <p><b>Day of Despatch 08.05.2009</b></p>