

Licensing Committee

Tuesday 11 February 2025

6.00 pm

Ground Floor Meeting Room G01A - 160 Tooley Street, London SE1 2QH

Membership

Councillor Renata Hamvas (Chair)
Councillor Jane Salmon (Vice-Chair)
Councillor Suzanne Abachor
Councillor Sunil Chopra
Councillor Ellie Cumbo
Councillor Barrie Hargrove
Councillor Jon Hartley
Councillor Sunny Lambe

Councillor Maria Linforth-Hall
Councillor Margy Newens
Councillor Andy Simmons
Councillor Charlie Smith
Councillor Emily Tester
Councillor Kath Whittam
Councillor Ian Wingfield

INFORMATION FOR MEMBERS OF THE PUBLIC

Access to information

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Contact

Andrew Weir by email: andrew.weir@southwark.gov.uk

Webpage: <http://www.southwark.gov.uk>

Members of the committee are summoned to attend this meeting

Althea Loderick

Chief Executive

Date: 3 February 2025



Licensing Committee

Tuesday 11 February 2025

6.00 pm

Ground Floor Meeting Room G01A - 160 Tooley Street, London SE1 2QH

Order of Business

Item No.	Title	Page No.
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.	MINUTES FROM THE LICENSING SUB-COMMITTEES	1 - 4
	To approve as a correct record the minutes of the open section of the meeting held on 20 June 2023.	
6.	THE GAMBLING ACT 2005: RENEWAL OF THE STATEMENT OF GAMBLING LICENSING POLICY 2025-2028	5 - 81

Item No.	Title	Page No.
7.	THE LICENSING ACT 2003: REMOTE LICENSING SUB-COMMITTEE HEARINGS	82 - 95
8.	UPDATE ON RECENT APPEALS	Verbal update

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

EXCLUSION OF PRESS AND PUBLIC

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.”

PART B - CLOSED BUSINESS

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

Date: 3 February 2025



Licensing Committee

MINUTES of the Licensing Committee held on Tuesday 20 June 2023 at 6.00 pm at Ground Floor Meeting Room G02B - 160 Tooley Street, London SE1 2QH

PRESENT:

Councillor Renata Hamvas (Chair)
 Councillor Jane Salmon (Vice-Chair)
 Councillor Suzanne Abachor
 Councillor Victor Chamberlain
 Councillor Sabina Emmanuel
 Councillor Barrie Hargrove
 Councillor Sunny Lambe
 Councillor Margy Newens
 Councillor Andy Simmons
 Councillor Charlie Smith
 Councillor Kath Whittam
 Councillor Ian Wingfield

**OFFICER
SUPPORT:**

Debra Allday (Senior Solicitor)
 Nick Stabeler (Neighbourhood Nuisance Service Manager)
 Andrew Heron (Principal Licensing Officer)
 Sergeant Garry Lawrence (Metropolitan Police and Night Time Economy Sergeant)
 Gordon Rice (Partnership Data Analyst)
 Gerald Gohler (Constitutional Officer)

1. APOLOGIES

No apologies had been received.

2. CONFIRMATION OF VOTING MEMBERS

Those members listed as present were confirmed as the voting members for the meeting.

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

The chair announced that the meeting would also discuss an informal TENS consultation currently being conducted, as well as possible national standards for licensing training for members.

4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

5. MINUTES FROM THE LICENSING COMMITTEE

RESOLVED:

That the minutes of the meeting held on 28 February 2023 be approved as a correct record and signed by the chair.

6. THE LICENSING ACT 2003 - REVIEW OF CUMULATIVE IMPACT AREAS WITHIN SOUTHWARK

The principal licensing officer presented his report. Members put questions to the licensing officers and the metropolitan police officer.

At 6:08pm, Councillor Suzanne Abachor joined the meeting and confirmed she was a voting member of the committee.

Members then continued discussing the report, and asked further questions of officers.

At 6:18pm, Councillor Sabina Emmanuel joined the meeting and confirmed she was a voting member of the committee.

Members then continued discussing the report, and asked further questions of officers.

ACTION:

Members asked for the following action points for licensing officers to be recorded:

- Information regarding the number of businesses and individuals signed up for licensing consultations to be circulated to the committee.
- A question regarding the definition of a night club to be included in the

next licensing policy review consultation.

- Information on the number of licensed premises in the individual CIA areas to be included in the next report.

Having taken into account the council's public sector equality duty, the committee agreed the resolution below.

RESOLVED:

That the Cumulative Impact Areas (CIAs) are to remain as they are in their current locations.

7. VERBAL UPDATES

The principal licensing officer presented updates on the following topics, and answered queries put by members of the committee around these subjects:

- Late night levy to be extended to late night refreshment premises
- Exempting hospitals from late night refreshment licenses within the council's policy
- Reviews of personal licences
- Government White Paper on reforms to gambling legislation
- Appeals
- The House of Lords Liaison Committee Report.

The committee also discussed an informal consultation around temporary events notices (TENs) currently underway.

ACTION:

Members asked the principal licensing officer to try to retrieve the information he had submitted in this online survey, and to circulate his responses to the committee, if possible.

The meeting then adjourned for a comfort break from 7:21pm to 7:28pm.

The senior solicitor informed the meeting about appeals which were currently going through the courts. Members discussed the information and asked questions of the officer.

Following this, the meeting discussed licensing training for members in Southwark and at a national level.

The meeting ended at 7:57pm.

CHAIR:

DATED:

Meeting Name:	Licensing Committee
Date:	11 February 2025
Report title:	The Gambling Act 2005: Renewal of the Statement of Gambling Licensing Policy 2025-2028
Ward(s) or groups affected:	All
Classification:	Open
Reason for lateness (if applicable):	Not applicable
From:	Acting Strategic Director of Environment Sustainability and Leisure

RECOMMENDATIONS

1. That the licensing committee:
 - a) Considers and approves the Southwark statement of gambling licensing policy 2025-2028 provided in Appendix A.
 - b) Considers whether any amendments to the Southwark statement of gambling licensing policy 2025-2028 are required following the public consultation.
 - c) Recommends that council assembly agree to the publication of the Southwark statement of gambling licensing policy for 2025-2028 (Appendix A).

BACKGROUND INFORMATION

2. The Gambling Act 2005 introduced a licensing regime for gaming and betting administered through a combination of the Gambling Commission and local licensing authorities.
3. The Act regulates the following sectors:
 - Arcades
 - Betting
 - Bingo
 - Casinos
 - Gambling software
 - Gaming machines
 - Lotteries
 - Remote (online) gaming.

4. The Gambling Commission is responsible for licensing operators and individuals involved in providing the above activities.
5. Licensing authorities are responsible for:
 - Issuing gambling operators with premises licences
 - Issuing gambling operators with permits (which allow low stakes gambling in venues which are primarily not for gambling)
 - Registering societies – allowing them to hold small lotteries
 - Compliance and enforcement of the Act locally.
6. Licensing authorities are required under section 349 of the Gambling Act 2005 to prepare and publish, every three years, a statement of the principles which they propose to apply when exercising their licensing functions. The Act requires that before the licensing authority publishes its statement of licensing principles it must carry out a public consultation exercise.
7. Section 153 of the Act provides that licensing authorities shall aim to permit the use of premises for gambling in so far as they think it:
 - In accordance with relevant codes of practice
 - In accordance with the guidance for licensing authorities issued by the Gambling Commission
 - Reasonably consistent with the licensing objectives
 - In accordance with the authority's statement of licensing policy.
8. The council does not licence online gambling, it is licensed nationally by the Gambling Commission.

KEY ISSUES FOR CONSIDERATION

Policy framework implications

Draft Policy

9. The proposed policy has been consulted for a four week period from 30 December 2024 to 26 January 2025.
10. It is not intended to make any changes to the policy on this renewal as there has been no significant recent changes to gambling legislation or statutory guidance.
11. No issues have been raised with regards to the policy during the last three-year period and the number of applications received by the council is very low.
12. Gambling premises in Southwark are declining, from 90 in 2013, 58 in 2019 to 50 in 2024 due to a combination of issues such as an increase in online gambling which is more easily accessible to gamblers from mobile phones and tablets and a reduction in prizes for category B machines in betting premises. Since January 2020, there have been no applications for new gambling establishments.

13. The changes that have been made to the policy are:
 - To update Section 2 – All about Southwark.
14. Two responses were received during the consultation period from a responsible authority and a person who appears to the authority to represent the interests of persons carrying on a gambling business. Where appropriate, changes will be incorporated into the draft policy. These can be seen in Appendix B.
15. No responses were received during the consultation period for the policy from residents, or the gambling industry.
16. Any amendments made by the licensing committee will be incorporated into the draft policy and presented to council assembly on 19 March 2024.

Community, equalities (including socio-economic) and health impacts

Community impact statement

17. The Southwark statement of gambling licensing policy recognises that as long as gaming and betting premises are well run and premises management acknowledges the value of working together with the local community, they can make a significant contribution toward building community cohesion and cultural development.
18. The policy equally recognises that negative impacts can also occur if good management practices are not followed. Potential negative impacts may arise in the form of noise, nuisance, disturbance and crime and disorder problems. With gaming and betting establishments there are also risks of individual gambling addiction.
19. The policy seeks to provide the necessary balance between responsible business operators contributing toward a thriving business and late night economy whilst ensuring that the quality of life of those who live and work in the Borough is protected and enhanced through the licensing system. We believe these aims are achievable if all parties concerned work together.
20. Central to this, is a licensing process which aims to be inclusive and ensures that local community concerns are understood, debated and resolved. This is supported by offering broad support to licensees, through the range of involved authorities, to establish best practice management, and by a strong directed enforcement resource.

Equalities (including socio-economic) impact statement

21. Equality impact assessments are an essential tool to assist councils to comply with the equalities duties and to make decisions fairly. Equalities and human rights impact assessments that are carried out should be mindful of the protected characteristics under the Equality Act 2010.

22. An assessment was carried out before the revision of the amendments were made to Section 2 – All about Southwark of the policy. Members will need to consider whether there are any potential negative impacts on the protected characteristics as outlined in the assessment at the committee hearing. A further assessment has carried out following the public and statutory consultation in preparation for returning to the licensing committee. The current assessment is available in Appendix C. Any decision made by members of the committee will also have to hold this in mind.

Health impact statement

23. The Gambling Act 2005 does not include health as a licensing objective except in the extend of the second licensing objective which is:
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.
24. In promoting this objective, operators of licensed premises are required to comply with licensing conditions and codes of practice issued by the Gambling Commission aimed at reducing risks associated with gambling to children or vulnerable adults
25. Section 153 of the Act requires licensing authorities, in exercising their functions, to have regard to any code of practice issued by the Commission. A full version of the Commission's licence conditions and codes of practice (LCCP) is available on the Commission's website:

<https://www.gamblingcommission.gov.uk/licensees-and-businesses/lccp/online>.

Climate change implications

26. Following council assembly on 14 July 2021, the council has committed to considering the climate change implications of any decisions.
27. The impact on climate change has been considered. As licensed gambling premises are usually small premises catering for local patrons the operation of the premises under the licence is not considered to have a significant effect on climate change.
28. Decisions on gambling licences must be in line with the licensing objectives, however as gambling premises require planning consent, climate change can be addressed as part of the planning process.

Resource implications

29. The Southwark statement of gambling licensing policy 2025-2028 has no resource issues.
30. The resource costs of managing this process may be borne within the current licensing budget.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Assistant Chief Executive - Governance and Assurance

31. The Gambling Act 2005 ("the 2003 Act") requires the council, as the licensing authority, to prepare and publish a statement of its gambling licensing policy every three years.
32. In determining its policy, the council is exercising a licensing function and as such must have regard to with codes of practice issued under section 24, the guidance issued by the Secretary of State under section 25 of the 2005 Act. It must also give appropriate weight to the views of those persons/bodies listed in the Act which it is required to consult before determining its policy.
33. Although the guidance represents best practice, it is not binding on the council. As long as the guidance has been properly and carefully understood and considered, licensing authorities may depart from it if they have reason to do so. In this event they will need to give full reasons for their decisions, which must be consistent with the objectives of the 2003 Act.
34. The council is required to have regard to the statement of licensing policy and make decisions in accordance with it. Licensing authorities may depart from their policy if the individual circumstances of any case merit such a decision in the interests of promoting the licensing objectives. In this event it is important that full reasons are given for departing from the published statement of licensing policy.
35. Members should note that the 2005 Act imposes a duty on the council, as the licensing authority, to carry out its functions under the Act with a view to promoting the three licensing objectives, namely:
 - 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.
36. Each of these objectives is of paramount and equal importance. There are no other licensing objectives and therefore the council cannot reject an application for a licence or impose conditions on a licence for any purpose unrelated to the promotion of these objectives.
37. The statement of gambling licensing policy cannot seek to impose blanket conditions. Each application must be considered on its own merits. Conditions can only be imposed on a licence if they are necessary to promote the licensing objectives in relation to the specific premises and are a proportionate response to the specific situation to be addressed. The guidance provides that if the situation the condition is intended to address is already addressed by a provision in the 2005 Act or any other legislation then the condition cannot be said to be 'necessary'.

38. The licensing is about regulating the carrying on of gambling activities within the terms of the 2005 Act. The statement of gambling licensing policy should make it clear that gambling law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are beyond the direct control of the individual, club or business carrying on gambling activities. However, the guidance also states that gambling law is a key aspect of such control and should always be part of a holistic approach to the management of the evening and night-time economy. It is therefore desirable that the statement of licensing policy is in line with the council's wider objectives and consistent with other policies.
39. Members should note that the statement of gambling licensing policy must not be inconsistent with the provisions of the 2005 Act and must not override the rights of any individual as provided for in that Act. Nor must the statement of gambling policy be inconsistent with obligations placed on the council under any other legislation, including human rights legislation. Members should also note that the council has a duty under section 17 of the Crime and Disorder Act 1998, when carrying out its functions as a licensing authority under the 2005 Act, to do all it reasonably can to prevent crime and disorder within the borough.
40. Positive equalities obligations are placed on local authorities, sometimes described as equalities duties, with regard to race, disability and gender. Race equality duties were introduced by the Race Relations Amendment Act 2000 which amended the Race Relations Act 1976. Gender equalities duties were introduced by the Equality Act 2006, which amended the Sex Discrimination Act 1975. Disability equality duties were introduced by the Disability Discrimination Act 2005 which amended the Disability Act 1995.
41. Equality impact assessments are an essential tool to assist Councils to comply with our equalities duties and to make decisions fairly and equalities and human rights impact assessments that are carried out should be mindful of the protected characteristics under the Equality Act 2010.
42. Under the Local Authorities (Functions and Responsibilities) (England) Regulations 2000, as amended, decisions relating to licensing matters cannot be the responsibility of an authority's executive. The 2005 Act provides that whilst the majority of the functions of the licensing authority, are to be taken or carried out by its licensing committee, decisions relating to the statement of licensing policy cannot be delegated in such a way. The decision on whether to adopt the statement of licensing policy must therefore be taken by Council assembly.

Strategic Director of Resources

43. The Strategic Director of Resources notes the recommendations for the continuation of the Southwark statement of gambling licensing policy for 2025-2028 and that the head of service has confirmed that the cost implications of this updated policy will be contained within the existing licensing revenue budget for the division.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
The Gambling Act 2005 plus secondary regulations https://www.legislation.gov.uk/ukpga/2005/19/contents	The Licensing Service, Southwark Council C/O PO BOX 64529 London SE1P 5LX	Name: Mrs Kirtikula Read Phone number: 020 7525 5748
The Gambling Commission Guidance to Local Licensing Authorities https://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities	As above	As above

APPENDICES

No.	Title
Appendix A	Draft Southwark statement of gambling licensing policy 2025-2028
Appendix B	Consultation responses
Appendix C	Equalities impact and need analysis

AUDIT TRAIL

Lead Officer	Toni Ainge, Acting Strategic Director of Environment, Sustainability and Leisure		
Report Author	Bina Patel, Business Unit Manager - Neighbourhood Nuisance		
Version	Final		
Dated	27 January 2025		
Key Decision?	Yes		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title		Comments Sought	Comments Included
Assistant Chief Executive - Governance and Assurance		Yes	Yes
Strategic Director of Resources		Yes	Yes
Cabinet Member		No	No
Date final report sent to Constitutional Team			30 January 2025

THE SOUTHWARK STATEMENT OF GAMBLING LICENSING POLICY 2025 - 2028

March 2025

LEGAL BACKGROUND TO THIS DOCUMENT

The Gambling Act 2005 (the Act) received royal assent on 7 April 2005. It repealed the Betting, Gaming and Lotteries Act 1963, the Gaming Act 1968 and the Lotteries and Amusement Act 1976 and provided a new regulatory system to govern the provision of all gambling in Great Britain other than the national lottery and spread betting.

The Act introduced a new unified regulator for gambling in Great Britain, the Gambling Commission. The commission replaced the gaming board of Great Britain.

The Act came into effect in 2007. Since 2007 the commission has been responsible for granting operating and personal licences for commercial gambling operators and personnel working in the industry. It also regulates certain lottery managers and promoters.

Licensing authorities have responsibility for licensing gambling premises in their area, as well as undertaking functions in relation to lower-stake gaming machines and clubs and miners' welfare institutes.

Licensing authorities are required under section 349 of the Gambling Act 2005 to consult upon and publish a statement of the principles, which they propose to apply when exercising their functions under the act. This statement must be published at least every three years and be reviewed from "time to time". Any amendments must be subject to further consultation.

Southwark Council's original statement of licensing policy was first published on 3 January 2007, following approval by Council Assembly on 6 December 2006. This revision of the policy was compiled in 2024. In producing this revision, this authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, the guidance to the licensing authorities issued by the Gambling Commission, and any responses from those consulted on the policy statement.

A list of those parties with whom the Council consulted directly is attached in Appendices A-B to this document.

The full list of comments made and the consideration by the Council of those comments is available by request to

Licensing
Southwark Council Regulatory Services
Floor 3, Hub 1
PO BOX 64529
London
SE1P 5LX
Tel contact – The customer service centre on 020 7525 2000 or
Email – licensing@southwark.gov.uk

This policy was approved by the full Council assembly on **XX March 2025**.
Hard copies are available from the licensing service. Copies will be placed in the public libraries of the area as well as being available in the town hall.

Should you have any comments as regards this policy statement please send them via e-mail or letter to the address given above.

DRAFT

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SECTION ONE – EXECUTIVE SUMMARY

This policy, alongside our complementary (alcohol, entertainment and late night refreshment) licensing policy recognises the change that is taking place within Southwark and how recent development and regeneration projects are adding to the growing value and importance of our Borough. It recognises also the extent of the contribution of the leisure and entertainments industry.

Southwark enjoys a widespread and diverse selection of licensed premises and venues. Some 1,200 premises are currently licensed for either the sale or supply of alcohol; the provision of regulated entertainment; and / or the provision of late night refreshment. These range from off-licences, shops and supermarkets; restaurants, cafes and take-away establishments; to pubs, bars, members clubs, night clubs, theatres, cinemas and indoor sports facilities. There are in excess of 100 additional gaming and betting facilities, comprising of bingo halls, amusement arcades, betting offices and gambling machines in clubs and bars. Together they combine to provide a wide-range of leisure and cultural opportunities; support tourism; provide employment; and make a significant economic contribution to the local community.

As long as premises are well run and premises management acknowledges the value of working together with the local community, they can make a significant contribution toward building community cohesion and cultural development.

Of course, negative impacts can also occur if good management practices are not followed. Potential negative impacts may arise in the form of noise, nuisance, disturbance and crime and disorder problems. With gaming and betting establishments there are also risks of individual gambling addiction.

Our policy seeks to provide the necessary balance between responsible business operators contributing toward a thriving business and late night economy whilst ensuring that the quality of life of those who live and work in the Borough is protected and enhanced through the licensing system. We believe these aims are achievable if all parties concerned work together.

The opening sections of this policy help establish how we set out to address our licensing responsibilities under the Act. Section two of our policy provides an introduction to our Borough and our Council, while section three sets out the purpose and scope of the policy. Section four covers our administrative arrangements for determining applications (including consultations), confirming the bodies the authority recognises as competent to advise on issues of child protection and protection of vulnerable adults; and the principles this Authority will apply in determining whether someone qualifies as an interested party.

Section five deals with premises licences in some detail and applicants for such licences are urged to carefully read this section in particular. It provides advice on the provision of gambling activities, definitions of premises and helps clarify the position on provisional statements. It goes on to examine issues relevant to the three licensing objectives (with particular consideration given to the third objective of preventing harm to children and vulnerable people by gambling) and, importantly, gives advice and information of the expectations of the licensing authority and the other responsible authorities around these objectives. This includes access arrangements, age identification schemes, restrictions on advertising and social responsibility. Section five also sets out this Authority's policy on the location of licensed premises. This section also covers issues around social responsibility and sets out requirements for access arrangements across categories of premises.

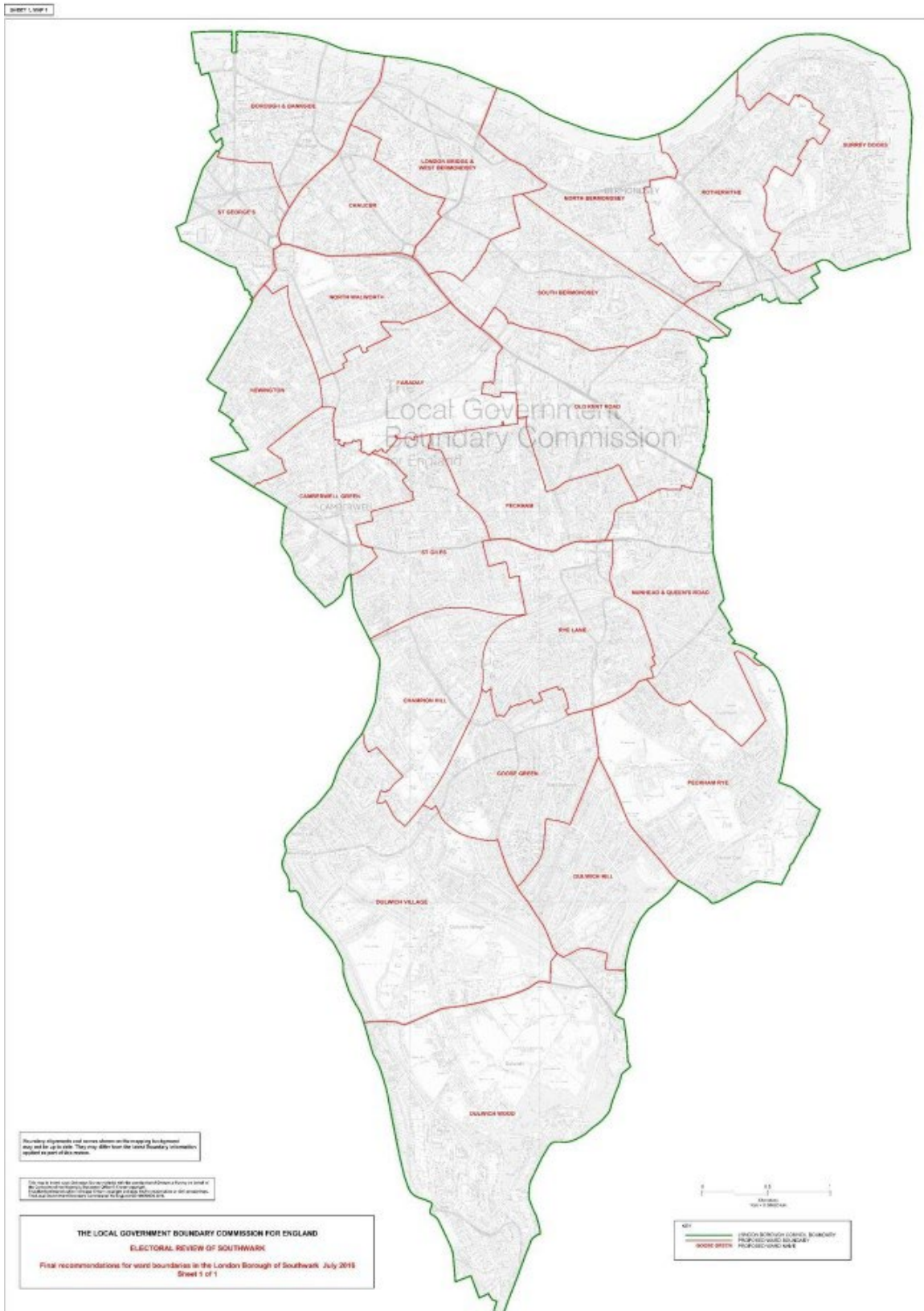
Section six of this policy provides a statement of the principles this Authority will consider when considering applications for permits, temporary and occasional use notices. Section seven of the document deals with small society lotteries.

Section eight of our policy sets out our approach to regulation, examining how we aim to ensure that our enforcement actions are targeted where they are needed most and co-ordinated together with our partners. It also sets out how we aim to ensure that our enforcement actions are carried out in a fair, consistent and transparent manner.

This policy will be regularly reviewed and will be subject of public consultation at least every three years. We welcome your thoughts on its content and the manner in which we undertake our responsibilities under it.

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SECTION TWO – ALL ABOUT SOUTHWARK



1. Southwark is London's most historic Borough. It has witnessed and participated in a wide variety of important events over the centuries, playing a crucial role not only in London's history but shaping the very world we live in today.
2. Southwark is made up of very distinctive neighbourhoods that extend along the river Thames and down into southeast London. The Borough encompasses some of London's top attractions (e.g. Tate Modern, the Globe Theatre and the London Dungeons); creative hotspots (e.g. Camberwell College of Arts and the Design Museum); and acclaimed green spaces (e.g. Peckham Rye and Dulwich Park).
3. Southwark also offers a wide-range of leisure and cultural opportunities, including a vibrant late night-economy; which makes a significant economic and employment contribution to the local community. The north of the Borough, with considerable development currently taking place (e.g. the London Bridge and Blackfriars Station redevelopments; the Shard; and More London) is recognised as one of London's fastest growing tourist quarters and a thriving business location.
4. Home to over 312,000 people, Southwark is a patchwork of communities: from leafy Dulwich in the south, to bustling Peckham and Camberwell, and the rapidly changing Rotherhithe peninsula. Towards the north, Borough and Bankside are thriving with high levels of private investment and development. While there has been a marked improvement in many socio-economic and health outcomes in recent years, these can mask the significant inequalities that exist, with many communities affected by high levels of deprivation and poor health. This is particularly evident in neighbourhoods stretching from Elephant & Castle, through to Camberwell and across to Peckham.
5. Southwark is a young and culturally diverse Borough with large numbers of young adults and residents from a wide range of ethnic backgrounds. The median age in Southwark is 32.9 years; seven years younger than the England average and two years younger than the London average. This stems not from a large number of children, but from a large number of young working age residents: over 40% of the Southwark population is aged 20 to 39, compared to just 34% in the rest of London. In terms of ethnicity, just over half of Southwark's residents are White, a quarter Black and a quarter Asian, mixed or other ethnicities. The ethnic diversity of the Borough varies markedly across age groups and the population under 20 is much more diverse than other age groups, with a similar proportion of young people from White and Black ethnic backgrounds. According to the 2011 census, 39% of Southwark residents were born outside the UK, showing that Southwark is both ethnically and culturally diverse.
6. The population of Southwark is growing rapidly, with projections suggesting there will be an additional 63,000 people in the Borough by 2026. Over the coming decade our population is predicated to grow older, with the largest relative increase in those aged 60-69. Population growth is set to take place across almost all parts of the Borough, but the largest increases are expected in redevelopment areas around Old Kent Road, South Bermondsey and Elephant and Castle. Urban redevelopment is an opportunity for shaping place to improve health and wellbeing by influencing the built and social environment. It is a process in which local authorities are strategic leaders, working with partners towards a shared vision for health through place-shaping that accounts for local health needs and is critical to helping tackle the wider social determinants of health.

7. While there has been significant regeneration in Southwark in recent years, the Borough remains one of the most deprived in the country. As a whole, Southwark is the 40th most deprived of 326 local authorities in England and ninth most deprived out of 32 local authorities in London. Two in five Southwark residents live in communities ranked in the 20% most deprived areas nationally. By contrast, only two in one hundred residents live in communities considered the least deprived nationally. Deprivation has an important impact on health, which is clearly exemplified by the differences in life expectancy across the Borough. Women living in the most deprived areas in Southwark live on average 5.5 years less than their least deprived neighbours. For men the discrepancy is even larger at 9.5 years and this gap has been widening over time. There have been a number of significant improvements in health outcomes in Southwark as life expectancy continues to increase and the rate of premature mortality falls, with levels of cardiovascular mortality more than halving since 2001. Levels of teenage pregnancy in Southwark are at their lowest levels since monitoring began, with over 200 conceptions per year fewer than 1998. While there have been improvements in many areas, challenges remain, particularly in relation to sexual health, childhood obesity and mental health.

Leading Southwark

8. The London Borough of Southwark is made up of 23 wards consisting of 63 Councillors. The Labour party currently has 52 Councillors; the Liberal Democrat party has 11; and there are no Conservative party Councillors. These Councillors sit on the Council Assembly, which is the “sovereign” body of the Council. The assembly is chaired by the Mayor of Southwark and is responsible for approving the budget and policy framework.
9. The Council operates a strong leader / cabinet model. The cabinet is headed by the leader and deputy leader. Ten members hold individual portfolios.
10. The Cabinet is responsible for leading the community planning and consultation process, drafting the budget and policy framework, and taking most decisions on resources and priorities.
11. Scrutiny Committees take a close look at Council decisions and activities and call for the Council to be open and accountable. They examine services provided by the Council and review the Council’s budget and policies. Scrutiny can look at, or ‘call- in’ decisions made by the cabinet and recommend decisions are changed or reconsidered.
12. A Licensing Committee is established to consider licensing policy with contested licence applications being considered by Sub-Committees of the main Committee as set down in table 1 in section 4 of this document.

Fairer future principles

13. The Council recognises that in times of reduced funding from central government, there is a need to focus resources on the areas where the most impact can be made.
14. Southwark’s 2030 strategy identifies a number of principles that underpin our Fairer Future for all vision and guide the promises and commitments agreed through the plan. The five core principles are:
 - Treating residents as if they were a valued member of our own family;
 - Being open, honest and accountable;
 - Spending money as if it were from our own pocket;

- Working for everyone to realise their own potential;
- Making Southwark a place to be proud of.

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SECTION THREE – PURPOSE AND SCOPE OF THE POLICY

Purpose of the policy

15. This policy has four main objectives:

- To reinforce to elected members on the Licensing Committee, the boundaries and power of the local authority as licensing authority and provide the parameters under which these licence decisions are made.
- To inform licence applicants of the parameters under which this authority will make licence decisions and how a licensed premises is likely to be able to operate within an area.
- To inform residents and businesses of the parameters under which licence decisions will be made and how their needs will be addressed.
- To support licensing decisions that may be challenged in a court of law.

Scope of the policy

16. This policy covers matters arising from the range of functions and duties falling to the licensing authority under the Gambling Act 2005.

17. The main functions of the licensing authority are to:

- Licence premises for gambling activities (including betting shops and adult gaming centres);
- Consider notices given for the temporary use of premises for gambling;
- Grant permits for gaming and gambling machines in clubs and miners' welfare institutes;
- Regulate gaming and gaming machines in alcohol-licensed premises;
- Grant permits to family entertainment centres (FECs) for the use of certain lower stake gaming machines;
- Grant permits for prize gaming;
- Consider occasional use notices for betting at tracks; and
- Register small societies' lotteries.

18. The authority also has an obligation to provide information to the Gambling Commission, including details of licences, permits and registrations issued.

Definitions

19. "Gambling" is defined in the Act as either gaming, betting, or taking part in a lottery.

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

Principles to be applied.

The licensing objectives

20. In exercising most of their functions under the Gambling Act 2005, the licensing authority 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; and
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling.

Other considerations

21. This Licensing Authority also understands that, in carrying out its functions under the Act, it must have regard to the guidance issued by the Gambling Commission. This general principle applies to a number of the authority's functions, including considering temporary use notices and occasional use notices and issuing permits. 'Must have regard' does not mean that the authority must always follow the Guidance to the letter; however, the expectation is that there should be strong and defensible reasons for departing from it.
22. However, the Guidance has a particular role and significance in the context of the principles that must be applied by licensing authorities when exercising their functions in relation to Part 8 of the Act, including premises licences. Section 153 of the Act provides that licensing authorities shall aim to permit the use of premises for gambling in so far as they think it:
- In accordance with any relevant code of practice under section 24;
 - In accordance with any relevant guidance issued by the gambling commission under section 25;
 - Reasonably consistent with the licensing objectives; and
 - In accordance with the authority's own statement of licensing policy.
23. Thereby a licensing authority has no discretion in exercising its function under Part 8 of the Act to grant premises licences where that would mean taking a course which it did not think accorded with the Guidance provided by the Gambling Commission, any relevant code of practice or its own statement of policy; or be consistent with the licensing objectives. In reaching a view that a grant would be in accordance with such Guidance, code of practice or statement of policy, the authority is obliged to act fairly and rationally.
24. The authority may depart from its own policy if the individual circumstances of a case merit such decision in promoting the licensing objectives. Where such a decision is taken, full reasons for the departure from the policy will be given.
25. While this statement sets out the Council's general approach to the making of licensing decisions, nothing in this statement overrides the right of any person 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.

'Demand' for gaming premises

26. Previous legislation required that the grant of certain gambling permissions should take account of whether there is unfulfilled demand for the facilities. Section 153 of the Act makes it clear that unmet demand is not relevant nor a criterion for licensing authorities in considering applications for premises licences.

Duplication

27. This Authority gives a firm commitment to avoid duplication with other regulatory regimes, as far as is possible. For instance, this Authority recognises that a range of general duties are imposed on the self-employed, employers and operators of gambling premises, both in respect of employees and of the general public, by legislation governing health and safety at work and fire safety. Therefore, such requirements need not be covered in this statement of policy.

Human Rights Act 1998

28. In considering applications and taking enforcement actions under the Act, this authority will bear in mind that it is subject to the Human Rights Act and, in particular:
- Article 1, Protocol 1 – Peaceful enjoyment of possessions. A licence is considered a possession in law and people should not be deprived of their possessions except in the public interest;
 - Article 6 – The right to a fair hearing;
 - Article 8 – Respect for private and family life. In particular, removal or restriction of a licence may affect a person's private life; and
 - Article 10 – Right to freedom of expression.
29. When applying this licensing policy this Authority will consider whether, in the light of relevant representations made to it, exceptions to these policies should be made in any particular case. In deciding to reject any application this authority shall rely on reasons that demonstrate that the licensing objectives are not being met, or are unlikely to be, met. Moral or ethical reasons are not valid reasons to reject applications for premises licences.

SECTION FOUR – ADMINISTRATION, EXERCISE AND DELEGATION OF THE FUNCTION

30. The ability to provide gaming and betting facilities is dependent upon a range of licences and consents being obtained from the gambling commission and the local licensing authority. This document does not set out to deal with the circumstances under which any one of the available licences or consents may be required, nor does it attempt to set out the applications process.
31. Full information is provided on each of the licences and consents relevant to each individual gambling sector on the gambling commission web site at www.gamblingcommission.gov.uk. All potential operators are referred to this information in the first instance.
32. Further advice on licences and consents issued by this authority may be obtained, together with copies of application forms, from our own web site at <http://www.southwark.gov.uk/business/licences> or from the licensing team (see contact details at the end of this document).

Applications – general

33. Applications for any of the variety of licences and consents available from this authority must be made on the form prescribed in regulations laid down by the Secretary of State. Copies may be downloaded from our web site. Applications shall not be progressed until the form has been completed in full and this, together with the relevant fee, and all other required information has been received by the Licensing Authority. Applications will be progressed in accordance with the Act. Prospective applicants should refer to the relevant guidance document for further information.

Provision of scale plans

34. Section 51 of the Act requires applicants to submit plans of the premises with their applications, in order to ensure that the licensing authority has the necessary information to make informed judgement about whether the premises are fit for gambling. The plan will also be used by the licensing authority to plan future premises inspection activity.
35. Applicants should note that this Council requires that current plans in scale 1:100 be submitted with all new applications for premises licences and for any application for a variation of a premises licence, unless otherwise agreed by this authority in writing. Plans need not be professionally drawn but must include all required detail.

Responsible authorities

36. Responsible authorities are public bodies that must be notified of applications and that are entitled to make representations to the licensing authority in relation to applications for, and in relation to, premises licences. All representations made by responsible authorities are likely to be relevant representations if they relate to the licensing objectives. Section 157 of the Act identifies the bodies that are to be treated as responsible authorities. They are:
 - Each licensing authority within whose area the premises is wholly or partly situated;

- The Gambling Commission;
 - The Commissioner of the Metropolitan Police Authority;
 - The Chief Officer of the London Fire and Emergency Planning Authority;
 - The local planning authority;
 - The local environmental health service;
 - The Southwark Children's Social Care Service (being the body designated in writing by this authority as being competent to advise about the protection of children from harm;
 - The Southwark Safeguarding Adults Partnership (being the body designated in writing by this authority as being competent to advise about the protection of vulnerable adults; and
 - HM Revenue & Customs.
37. The principles applied by this authority in exercising its powers under section 157(h) of the Act to designate, in writing, bodies competent to advise the authority about the protection of children and vulnerable adults from harm are:
- The need for the body to be responsible for an area covering the whole of Southwark; and
 - The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group etc.
38. Section 211 (4) of the Act provides that in relation to a vessel, but no other premises, responsible authorities also include navigation authorities, that have statutory functions in relation to the waters where the vessel is usually moored or berthed, or any waters where it is proposed to be navigated at a time when used for licensable activities. This includes:
- The Environment Agency;
 - The British Waterways Board; and
 - The Secretary of State
39. The contact details of all the responsible bodies under the Gambling Act 2005 are provided at the end of this document.

Interested parties

40. Interested parties are also entitled to make representations concerning applications for premises licences or apply for a review of an existing licence. Representations that relate to the Licensing Objectives will be relevant and those that are irrelevant will not be considered. Interested parties are defined in the Act as follows:
41. "A person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority 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 in either of these two groups."
42. This authority will consider whether a person is an interested party on a case-by-case basis, taking all relevant factors into account.

People living close to the premises.

43. The factors that this Authority will take into account when determining what 'sufficiently close to the premises' means will include:

- The size of the premises.
- The nature of the premises.
- The distance of the premises from the location of the person making the representation.
- The potential impact of the premises (number of customers, routes likely to be taken by those visiting the premises).
- The circumstances of the complainant. This is not to be taken as the personal characteristics of the complainant, but the interests of the complainant which may be relevant to the distance from the premises. For example, it may be reasonable to conclude that 'sufficiently close to be likely to be affected' could have a different meaning for (a) a private resident; (b) residential school for children with truanting problems; and (c) a residential home for vulnerable adults.

The nature and scope of business interests that could be affected.

44. When considering the matter of business interests, this Authority will give the term the widest possible interpretation and include such as partnerships, faith groups, educational establishments, and medical practices.

45. As to whether a person has business interests that might be affected by the premises under consideration, factors that are likely to be relevant will include:

- The size of the premises;
- The catchment area of the premises (that is how far people travel to visit the premises); and
- Whether the person making the representation has business interests in that catchment area that might be affected.

People representing those in the above categories.

46. Interested parties includes democratically elected representatives, including local ward Councillors; the Community Council; and MPs.

47. Any other relevant representation made on behalf of qualifying interested parties will also be considered for acceptance on a case-by-case basis with all relevant matters taken into account. The authority will generally require written evidence that the person/body concerned does represent the interested party or parties stated. In the case where a meeting has been convened at which the decision to raise a representation has been made a copy of the formal minutes of the meeting should be supplied. For cases where a representation is to be submitted by a friend, family member, advocate or similar, a pro forma authorisation form is available on the licensing website or upon request from the licensing office.

48. If individuals wish to approach Councillors to ask them to represent their views then care should be taken that the Councillors are not part of the licensing sub-committee dealing with the licence application. If there are any doubts then please contact the licensing service (see contact details provided at the end of this document).

Consultation arrangements

49. This authority considers it important that the local community is fully aware of local licensing applications being made within its area. Requirements for applicants to advertise applications for new and varied premises licences by way of a public notice displayed at the premises and in the local press are laid down under statute. No applications for licences will be progressed by this Council unless all public consultation requirements are met in full. Checks will be made to ensure that notices at application premises are displayed, so as to be clearly seen by passers by and maintained in position for the length of the consultation period.
50. As an additional aide to community awareness the licensing service has established a public register at:
<http://app.southwark.gov.uk/licensing/licenseregister.asp>
upon which detail of all current licence applications under consideration (alongside detail of currently licensed premises) will be maintained. It is open to any person who wishes to be kept abreast of the latest applications to subscribe to "licensing alerts", by which e- mail notifications will be sent to those who have registered, when a new licence application is made within the relevant ward. Furthermore, the licensing service will ensure that local ward Councillors are informed of all new applications in their area.

Representations

51. It is open to any "responsible authority" or "interested party", to lodge representations in respect of an application for a premises licence during the set consultation period. A representation would only be "relevant" if it relates to one or more of the licensing objectives, or raises issues under the policy statement, or under the commission's guidance or codes of practice.
52. The commission's guidance for local authorities advises that "moral objections to gambling are not a valid reason to reject applications for premises licences" (except as regards any 'no casino resolution' see section on casinos) and also that unmet demand is not a criterion for a licensing authority.
53. It is also for the licensing authority to determine on its merits whether any representation by an interested party is "frivolous" or "vexatious".
54. When considering whether any representation made to it is "frivolous" or "vexatious" the authority will consider matters such as:
 - Who is making the representation, and whether there is a history of making representations that are not relevant;
 - Whether it raises a "relevant" issue" or
 - Whether it raises issues specifically to do with the premises that are the subject of the application.
55. Representations must be received in writing at the licensing service office by the last date for representations. Representations must be signed, dated, provide the grounds of representation in full and include the name and address of the person / body making the representation.
56. Where representations are being made by a trade association, trade union, residents', and tenants' association, or similar, information must be provided on the membership that live sufficiently close to the premises to be classed as interested parties.

Determinations

57. Section 154 of the act provides that all decisions relating to premises licences are delegated to the licensing committee of the authority that has been established under section 6 of the Licensing Act 2003 except:
 - A resolution not to issue casino licences;
 - Functions in relation to the three year licensing policy; and
 - Setting fees.
58. Decisions that are delegated to a Licensing Committee may be further delegated to a sub-committee of the Licensing Committee. The Council's Licensing Committee is established with provision for sub-committees of three members to be drawn from the overall pool of the main committee membership.
59. The Council intends to establish a speedy, efficient and cost-effective licensing system and, thereby, where the Act carries a presumption of grant for non-contentious applications, these matters will be delegated to officers. All such matters will be reported for information and comment only to the next full licensing committee meeting.
60. Where matters are subject of representations, this Council will normally attempt to reach a negotiated outcome through our conciliation process. Conciliation is offered as we recognise that the best solutions are normally ones that all concerned parties can sign up to, and in order to attempt to save the time and costs associated with holding a public hearing. Conciliation will be attempted up until 24 hours before the arranged hearing date. Where it is not possible to reach an agreement, the application and representations will be determined by the sub-committee.
61. Table 1 below sets out proposals for the delegation of decisions and functions to licensing committee, sub-committees, and officers. This form of delegation is without prejudice to the Council's right to redirect an application as appropriate in the circumstances of any particular case.

Table 1 – Delegation of decisions and functions			
Matter to be dealt with	Full Council	Sub-committee of the licensing committee	Officers
Final approval of three-year policy	X		
Policy not to permit casinos	X		
Fee setting (when appropriate)	X		
Application for premises licence		Where representations have been received and not withdrawn	Where no representations received or representations withdrawn
Application for a variation to a premises licence		Where representations have been received and not withdrawn	Where no representations received or representations withdrawn
Application for a transfer of a premises licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received or representations withdrawn
Review of a premises licence		X	
Application for a club gaming/club machine permit		Where objections have been made (and	Where no objections have been made / objections have not been withdrawn.
Cancellation of a club gaming/club machine permit		X	
Applications for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	

Licence reviews

62. Requests for a review of a premises licence can be made by interested parties or responsible authorities. Such applications must be submitted to the licensing authority in the prescribed form, stating the reasons why a review is being requested.
63. An application for a review may be rejected if this authority thinks that the grounds on which the review is requested:
 - Are not relevant to the principles that must be applied by the licensing authority;
 - Are frivolous or vexatious;
 - Will certainly not cause the authority to revoke or suspend a licence or to remove, amend or attach conditions on the premises licence;
 - Are substantially the same as the grounds cited in a previous application relating to the same premises; or
 - Are substantially the same as representations made at the time the application for a premises licence was considered.
64. The licensing authority must carry out the review as soon as possible after the 28-day period for making representations has passed.
65. 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 (e.g. opening hours) or remove or amend such an exclusion;
 - Suspend the premises licence for a period not exceeding three months; and
 - Revoke the premises licence.
66. 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.
67. 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.
68. 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

69. Further information, including an outline of the process that is followed at review hearings, can be found in the separate document “Guidance to the Hearing of Representations and Licence Reviews”.

Exchange of Information

70. Licensing authorities are required to include in their policy statement 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.
71. The principle that this licensing authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened. The licensing authority will also have regard to any guidance issued by the gambling commission on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.
72. Should any protocols be established as regards information exchange with other bodies then they will be made available.

SECTION FIVE – PREMISES LICENCES

Introduction

73. This section considers the licensing objectives and some of the matters that this licensing authority may consider when determining applications for premises licences under the Act. It also sets out this authority's approach to the setting of conditions on premises licences.
74. When considering matters in this section, the authority will have regard to any guidance, or codes of practice issued by the Secretary of State and/or the Gambling Commission which may relate to a specific premises or category of premises.
75. In the interests of good practice, this licensing authority will expect applicants to offer their own measures to meet the licensing objectives based on a risk-assessment approach. However, advice may be obtained from any of the responsible bodies when preparing a licence application.
76. While this section sets out some of the expectations of the authority and the responsible bodies, the authority will, however, always treat each case on its own individual merits.

Gaming machines in gambling premises

77. Gaming machines may be made available for use in licensed gambling premises for betting and bingo where there are also substantive facilities for non-remote gambling, provided in reliance on this licence, available in the premises.
78. Facilities for gambling must only be offered in a manner which provides for appropriate supervision of those facilities by staff at all times.
79. Licensees must ensure that the function along with the internal and/or external presentation of the premises are such that a customer can reasonably be expected to recognise that it is a premises licensed for the purposes of providing non-machine facilities.

Definition of "premises"

80. In the Act, "premises" is defined as "any place".
81. Section 152 prevents more than one premises licence applying to any place. However, there is no reason in principle why a single building could not be subject to more than one premises licence, provided each licence is for a different part of the building and each part of the building can be reasonably regarded as being different premises. This approach allows large, multiple unit premises such as a pleasure parks, tracks or shopping malls to discrete premises licences, where appropriate safeguards are in place. However, this authority will pay particular attention to issues around sub-division of a single building or plot and will ensure that mandatory conditions relating to access between premises are observed.
82. 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 team. However, it should be noted that this authority does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can be properly regarded as different premises.

83. This authority also takes particular note of the Commission's guidance which states that: licensing authorities should take particular care in considering applications for multiple premises 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, if they cannot participate in them. 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; and
 - Customers should be able to participate in the activity named on the premises licence.
84. Factors that this authority might consider in determining whether two or more premises are truly separate, include:
 - Is a separate registration for business rates in place for the premises?
 - Is the 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?

Relationship between planning permission, building regulations and granting of a premises licence.

85. In determining applications, the licensing authority has a duty to take into consideration all relevant matters and not to take into consideration any irrelevant matters, in effect those not related to gambling and the licensing objectives. One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal. Licensing authorities are advised to bear in mind that a premises licence, once it comes into effect, authorises premises to be used for gambling. Accordingly, 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. This is why the Act allows a potential operator to apply for a provisional statement if construction of the premises is not yet complete, or they need alteration, or he does not yet have a right to occupy them.

86. As the Court has held in the case of *The Queen (on the application of) Betting Shop Services Ltd V Southend on Sea Borough Council* (2008), operators can apply for a premises licence in respect of premises which have still to be constructed or altered, and licensing authorities are required to determine any such applications on their merits. Such cases should be considered in a two stage process;
- Firstly, licensing authorities must decide whether, as a matter of substance after applying the principles in section 153 of the Act, the premises ought to be permitted to be used for gambling; and
 - Secondly, in deciding whether or not to grant the application a licensing authority will need to consider if appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place. An 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.
87. For example, where the operator has still to undertake final fitting out of the premises but can give a reasonably accurate statement as to when the necessary works will be completed, it may be sufficient to simply issue the licence with a future effective date. The application form allows the applicant to suggest a commencement date and the notice of grant allows the licensing authority to insert a date indicating when the premises licence comes into effect. In other cases, it may be appropriate to issue the licence subject to a condition that trading in reliance on it shall not commence until the premises have been completed in all respects in accordance with the scale plans that accompanied the licence application. If changes to the pre-grant plans are made, then parties who have made representations should be able to comment on the changes made.
88. If the plans submitted at the time of the application for a premises licence are changed in any material respect during the fitting out of the premises after the grant of the licence, then the applicant will be in breach of the licence. If the applicant wishes to change the proposed plans after grant then, in order to avoid breaching the licence, it will be necessary for the applicant to either make a fresh application under section 159 or seek an amendment to a detail of the licence under section 187 of the Act. If there are substantive changes to the plans, then this may render the premises different to those for which the licence was granted. In such a case, variation of the licence under section 187 is not possible. For this reason, and while this is a matter of judgement for the authority, we consider it would be more appropriate in the case of any material post grant change, for the applicant to make a fresh application under section 159 to preserve the rights of interested parties and responsible authorities to make representations in respect of the application. This authority will need to be satisfied in any individual case that the completed works comply with the original, or changed, plan attached to the premises licence. Depending upon circumstances, we consider that this could be achieved either through physical inspection of the premises or written confirmation from the applicant or surveyor that the condition has been satisfied.
89. Requiring the building to be complete before trading commences would ensure that the authority could, if considered necessary, inspect it fully, as could other responsible authorities with inspection rights under Part 15 of the Act. Inspection will allow authorities to check that gambling facilities comply with all necessary legal requirements. For example, category C and D machines in a licensed family entertainment centre must be situated so that people under 18 do not have access to the category C machines. The physical location of higher-stake gaming

machines in premises to which children have access will be an important part of this, and inspection will allow the authority to check that the layout complies with the operator's proposals and the legal requirements.

90. If faced with an application in respect of uncompleted premises which it appears are not going to be ready to be used for gambling for a considerable period of time, this authority will consider whether applying the two-stage approach advocated above, it should grant a licence or whether the circumstances are more appropriate to a provisional statement application. For example, the latter would be the case if there was significant potential for circumstances to change before the premises opens for business. In such cases, the provisional statement route would ensure that the limited rights of responsible authorities and interested parties to make representations about matters arising from such changes of circumstance are protected.
91. 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. Section 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.

Provisional statements

92. 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.
93. Developers may wish to apply to this authority for provisional statements before they enter 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. It is also possible for an application to be made for premises that already have a premises licence (either for a different type of gambling or the same type).
94. Applicants for premises licences must fulfil certain criteria. They must hold or have applied for an operating licence from the Commission (except in the case of a track) and they must have the right to occupy the premises in respect of which their premises licence application is made. However, these restrictions do not apply in relation to an application for a provisional statement.
95. Once the premises are constructed, altered or acquired the holder of a provisional statement may then apply for a premises licence. The licensing authority will be constrained in the matters it can consider when an application for a premises licence is made subsequently in relation to the same premises. 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
96. 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 operator's circumstances; or
 - Where the premises has not been constructed in accordance with the plan and information 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.

The Licensing Objectives

97. Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this licensing authority has considered the gambling commission's guidance to local authorities and some comments are made below.

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

98. This licensing authority is aware that the gambling commission takes a leading role in preventing gambling from being a source of crime and that licensing authorities will not need to investigate the suitability of an applicant.
99. The commission's guidance does, however, envisage that licensing authorities may need to consider the location of premises in the context of this licensing objective. If an application for a licence or permit is received in relation to premises that are in an area noted for particular problems with organised crime, for example, this authority will consider what controls (if any) might be appropriate to prevent those premises being a source of crime.
100. Thereby, where representations are received to premises licence applications under the crime and disorder objective, this authority will give appropriate consideration to the location of the premises (see separate section below) and also to issues such as:
- The configuration, design and layout of the premises, paying particular attention to steps taken to "design out" crime;
 - Security arrangements within the premises, including whether CCTV is installed and, if so, the standard of the CCTV and the positioning of cash registers;
 - Training provided to staff around crime prevention measures
 - The level of staffing provided at the premises, including whether door supervisors are employed;
 - The arrangements in place to conduct age verification checks
 - Steps taken to redress the recurrence of any historical crime and disorder issues; and
 - The likelihood of any violence, public disorder or policing problems if the licence is granted.
 - It would be considered to be best practice for the Licensee to keep a

written record of all staff authorised to verify the age of customers, the record to contain the full name, home address, date of birth and national insurance number of each person so authorised;

- It would also be considered to be best practice for the licensee to keep a register (Refusals Book) to contain details of time and date, description of under age persons entering the premises, and the name/signature of the sales person who verified that the person was under age and the Refusals Book to be kept on the licensed premises and made available for inspection

101. The above list is not exhaustive.

102. Where it is considered necessary for the promotion of the crime and disorder objective, this authority will impose appropriate conditions. In doing so, this licensing authority would note that it is aware of the distinction between disorder and nuisance in the case of gambling premises licences and that disorder is intended to mean activity that is more serious and disruptive than mere nuisance. Factors to consider in determining whether a disturbance was serious enough to constitute disorder would include whether police assistance was required and how threatening the behaviour was to those who could see or hear it.

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

103. This licensing authority has noted that the gambling commission states that it generally does not expect licensing authorities to be concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences.

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

104. With limited exceptions, the intention of the Gambling Act is that children and young persons should not be permitted to gamble and be prevented from entering those gambling premises which are adult-only environments.

105. The third objective refers to protecting children from being harmed or exploited by gambling. That means preventing them from taking part in gambling and for there to be restrictions on advertising so that gambling products are not aimed at children in such a way that makes them attractive to children, excepting Category D machines.

106. This authority is aware that the Gambling Commission's general licence conditions and associated codes of practice under the Gambling Act 2005 (8 May 2015) include requirements made under operating licences that licensees must have and put into effect social responsibility policies and procedures designed to prevent underage gambling and monitor the effectiveness of these.

107. In order that this authority and the other responsible authorities are able to make a proper informed judgement as to the effectiveness of these policies and procedures, it is requested that copies of the relevant documents are submitted for consideration as part of the application for any new, varied or transferred premises licence. These will be considered upon their individual merits.

108. Where concerns are raised under the representation system, consideration will be given to whether specific measures are required at particular premises with regard to this licensing objective.

Preventing children from taking part in gambling

109. It is noted that the Act allows children (under 16) and young persons (16 – 17) to take part in private and non-commercial betting and gaming, but places the following restrictions on the circumstances in which they may participate in gambling or be on premises where gambling is taking place:

- Casinos cannot admit anyone under 18;
- Regional casinos cannot permit under 18s into the gambling area;
- Betting shops cannot admit anyone under 18;
- Bingo clubs may admit those under 18 but must have policies to ensure they do not gamble, except on category D machines;
- Adult entertainment centres cannot admit those under 18;
- Family entertainment centres and premises with liquor licences (e.g. pubs) can admit under 18s, but they must not play category C machines which are restricted to those over 18;
- Clubs with a club premises certificate can admit under 18s, but they must have policies to ensure those under 18 do not play machines other than category D machines;
- Horse and dog tracks can admit under 18s and they may have access to gambling areas on race days only. Tracks will be required to have policies to ensure that under 18s do not participate in gambling other than on category D machines.
- It would be considered to be best practice for the Licensee to keep a written record of all staff authorised to verify the age of customers, the record to contain the full name, home address, date of birth and national insurance number of each person so authorised;

110. Accordingly, this authority will wish to ensure that these restrictions are complied with.

111. This licensing authority will expect applicants to offer their own proposals to achieve the licensing objective. However, there are a range of measures and controls that this authority and the other responsible authorities would recommend that consideration is given to where appropriate:

- The use of proof of age schemes;
- It would be considered to be best practice for the Licensee to keep a written record of all staff authorised to verify the age of customers, the record to contain the full name, home address, date of birth and national insurance number of each person so authorised;
- Use of a refusal book (a requirement for operating licenses issued by the Gambling Commission but recommended for all permits) to contain details of time and date, description of under-age persons entering the premises, and the name/signature of the salesperson who verified that the person was under age and the Refusals Book to be kept on the licensed premises and made available for inspection;
- The installation of CCTV systems with the maintenance of a 31 day library of recordings;
- The supervision of entrances to the premises and/or machine areas;
- The physical separation of areas;
- Careful consideration as to the location of entrances;
- The provision of suitable notices/signage; and
- Setting of specific opening hours

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

113. As assistance to prospective licensees, the minimum expectations of this authority and the responsible bodies in relation to proof of age are given in Table 2 below with issues shown as being, in our view, either essential or desirable.

Table 2 – Proof of age schemes	
Essential	For premises where under 18s are not allowed access, notices shall be displayed informing customers and staff that under 18s will not be admitted to the premises or will not be permitted to take part in gambling activities (as applicable) and that age identification will be required
Essential	That a proof of age compliance scheme shall be established and maintained. The scheme shall require the production of evidence of age (comprising any PASS accredited card or passport or driving licence) from any person appearing to staff to be under the age of 18 and who is attempting to enter the premises or, where admission of under 18s is permitted, who is attempting to take part in gambling. Evidence of this scheme (in the form of documented procedures) shall be made available for inspection by authorised officers
Desirable	That a “Challenge 25” or “Think 25” proof of age compliance scheme shall be established and maintained. The scheme shall require the production of evidence of age (comprising any PASS accredited card or passport or driving licence) from any person appearing to staff to be under the age of 25 and who is attempting to enter the premises or, where admission of under 18s is permitted, who is attempting to take part in gambling. “Think 25” or “Challenge 25” notices shall be displayed informing customers and staff that admission to the premises will not be given to anyone appearing to be under 25 unless they can prove they are 18 or over. Evidence of this scheme (in the form of documented procedures) shall be made available for inspection by authorised officers.
Essential	That all staff shall be trained in the premises proof of age compliance scheme and records of such training shall be retained on the premises and made available for inspection by authorised officers.
Essential	That an incident log shall be maintained and details of all age related refusals recorded. This book shall be reviewed monthly by the nominated responsible member of staff and any actions taken recorded in the book and signed off by that member of staff. This log shall be retained on the premises and made available for inspection by authorised officers.
Desirable	That, if a CCTV recording system is installed inside the premises, it shall be so arranged as to monitor each entrance and exit and the gaming areas. A library of recordings taken by the system shall be maintained for 31 days and made available to authorised officers upon request.

Restriction to areas where category C or above machines are on offer

114. 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; and
- Only adults are admitted to the area where the machines are located; and
- Access to the area where machines are located is supervised at all times, either by one or more persons whose responsibilities include ensuring that under 18s do not enter the area or by CCTV observed by one or more persons whose responsibilities include ensuring that under 18s do not enter the area; or
- The areas where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- A notice stating that no person under the age of 18 is permitted to enter the area must be displayed in a prominent place at the entrance to the area.

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

Restriction of advertising so that gambling products are not aimed at or are, particularly attractive to children

116. The Gambling Act 2005 removed virtually all of the existing statutory restrictions on the advertising of lawful gambling conducted in Great Britain. Responsibility for the advertising by gambling operators will be shared by the Secretary of State, the Commission, and the advertising regulatory bodies. We note, however, that the commission's codes of practice require all advertising of gambling products to be undertaken in a socially responsible manner, consistent with the advertising codes of practice which apply to the form and media in which they advertise their gambling services. This authority understands that the following general principles apply:

- Not to encourage irresponsible or excessive gambling;
- Not to seek to harm or exploit children, the young, or other vulnerable persons;
- Not to direct advertisements at those under 18; and
- Only to feature in their advertisements people who are, and seem to be, over 25

117. This authority may accept that further conditions on this matter should not normally be necessary, but all issues of non-compliance with the code will be rigorously investigated and reported to the relevant authorities.

Protection of vulnerable people

118. The Act does not seek to prohibit particular groups of adults from gambling in the same way that it prohibits children.

119. This authority notes that the Commission does not seek to define 'vulnerable people', but it does 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 mental health needs learning disability or substance misuse relating to alcohol or drugs. This licensing authority will consider this licensing objective on a case-by-case basis.

120. This authority notes that the commission's codes of practice place general requirements on operators to put into effect policies and procedures which promote socially responsible gambling. In particular, the codes of practice place responsibilities upon licensees to make information available to their customers on how to gamble responsibly and how to access information about, and help in respect of, problem gambling. The information is required to cover:

- Any measures provided by the licensee to help individuals monitor or control their gambling, such as restricting the duration of a gambling session or the amount of money they can spend;
- Timers or other forms of reminders or reality checks where available;
- Self-exclusion options; and
- Information about the help of further help or advice.

121. Again, the codes of practice do not require an operator to inform the licensing authority and other responsible authorities of these policies and procedures when applying for the premises licence. However, in order that this authority and the other responsible authorities are able to make a proper informed judgement as to the suitability of these policies and procedures, this authority asks that copies of the relevant documents be submitted to the appropriate authorities for consideration as part of the application for any new, varied or transferred premises licence. These will be considered upon their individual merits. If concerns are raised under the representations system then, consideration will be given to additional relevant conditions.

122. This authority and the other responsible authorities would expect that:

- Self-exclusion schemes introduced are clearly publicised on licensed premises; and
- That information is made publicly available about organisations that can provide advice and support, both in relation to gambling itself and to debt, for example for gambling addiction - GamCare, Gamblers Anonymous, and the Gordon House Association, and for debt counselling Blackfriars Advice Service and National Debt line.

123. While the value of self-exclusion schemes is recognised, the authority would emphasise that these should not relieve responsibility from staff to be alert to any customers who are exhibiting signs of 'problem gambling' and from providing support where possible.

Location

124. This licensing authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives are relevant to its decision-making. As per the Gambling Commission's guidance to licensing 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.

125. 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 which have a high usage by children

126. This list is not exhaustive.

127. It should be noted, however, that this policy does not preclude any application being made and each application will be decided upon its own merits, with the onus being on the applicant showing how potential concerns can be overcome.

128. Although this authority recognises that nuisance is not one of the three stated licensing objectives and that the guidance to the Act states that disorder is intended to mean activity that is more serious and disruptive than nuisance, this authority will receive information from the Council's environmental protection team on nuisance issues as being relevant to matters of location of premises.

Local area profiles

129. The Gambling Commission Licence Conditions and Codes of Practice (LCCP) requires all applicants 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. In undertaking their risk assessments, they must take into account relevant matters identified in the licensing authority's statement of policy.

130. To assist operators in conducting their risk assessments and Members of the Licensing Committee in determining contested applications the Licensing Authority has conducted a Local Area Profile.

131. In line with the current Gambling Commission statutory guidance for Local Authorities regarding Local Area Profile; this is available as a separate document attached to this Policy. This is to enable the consultation on updating the Local Area Profile to take place independently from a consultation to amend the full gambling policy.

132. The local area profile will be key to identifying those 'risk areas' within the Borough for gambling-related harms. It is within these areas that more rigorous controls will be required. The 'high risk' areas and the associated restrictions the Council will enforce with regards to new gambling premises (assuming new premises will be permitted in these areas).

133. Appendix 1 to this policy contains "*Local Area Profile for Gambling Premises in Southwark*". This analysis was conducted in March 2017. Licence holders and applicants for gambling premises licences are advised to ask the Licensing Authority for up-to-date area analysis of the location of the gambling premises, please contact the Licensing Authority.

Conditions generally

134. This authority understands that mandatory conditions will be attached to all premises licences. The mandatory conditions specify the number of gaming machines of particular categories in each type of gambling premises (for further information on gaming machine categories, please see the Gambling Commission website). They also require that:

- The summary of the terms and conditions of the premises licence issued by the licensing authority must be displayed in a prominent place on the premises;
- The layout of the premises must be maintained in accordance with the plan that forms part of the premises licence;
- Neither national lottery products nor tickets in a private or customer lottery may be sold on the premises; and
- That, facilities for gambling must not be provided on Christmas Day.

135. Section 169 of the Act gives licensing authorities:

- The ability to exclude from premises licences any default conditions that have been imposed under s168; and
- The power to impose additional conditions on the premises licences they issue.

136. However, this authority understands that it has a duty to act in accordance with the principles set out in section 153 of the Act and that as it must aim to permit the use of premises for gambling, it may not attach conditions that limit the use of premises for gambling, except where that is necessary as a result of the requirement to act:

- In accordance with the guidance issued by the commission, the commission's codes of practice or its own licensing policy statement; and
- In a way that is reasonably consistent with the licensing objectives.

137. This authority also understands that it should not turn down applications for premises licences where relevant objections can be dealt with through the use of conditions.

138. This authority also notes that it is the Commission's view that the conditions necessary for the general good conduct of gambling premises are those set as default and mandatory conditions by the Secretary of State.

139. This authority will attach individual additional conditions to licences, however, where there are specific, evidenced risks or problems associated with a particular locality, or specific premises, or class of premises.

140. This authority will aim to ensure that such conditions imposed upon premises licences will be proportionate to the circumstances it is sought to address. In particular, premises licence conditions should 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; and
- Reasonable in all other respects.

141. This authority will take decisions on individual conditions on a case-by-case

basis, against the background of the general policy set out in guidance and the statement of licensing policy.

142. It is noted that there are conditions which the licensing authority cannot attach to premises licences. These are:

- 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); and
- Conditions in relation to stakes, fees, winning or prizes.

Door supervisors

143. Where this authority chooses to attach a condition to a premises licence in respect of door supervision (i.e. a condition requiring someone to be responsible for guarding the premises against unauthorised access or occupation, against outbreaks of disorder or against damage) any requirement for that person to be licensed under the Private Security Industry Act 2001 must be treated as though it were a condition of the premises licence.

144. It is noted that door supervisors at casinos or bingo premises, who are directly employed by the casino or bingo premises operator, are not required to be licensed by the Security Industry Authority. However, it would be considered to be best practice for such door supervisors to have:

- a competency qualification of Level 2 for Door Supervision in the National Qualification Framework (NQF), or
- an equivalent qualification or training which would meet the criteria of the Security Industry Authority for the licensing of that person as a Door Supervisor by that Authority.

Casinos

145. This licensing authority 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 this licensing authority 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 taken by the full Council assembly. At the time of publication, Southwark did not have any licensed casino premises.

Adult gaming centres

146. This authority notes that the following specific mandatory conditions must be added to each AGC premises licence:

- That a notice must be displayed at all entrances to AGCs stating that no person under the age of 18 years is permitted to enter the premises;
- That there can be no direct access between an AGC, and any other premises licensed under the Act or premises with a family entertainment centre, club gaming, club machine or licensed premises gaming machine permit;
- Any Automated Telling Machine (ATM) made available for use on the premises shall be located in a place that requires any customer who wishes

- to use it to cease gambling at any gaming machine in order to do so; and
 - The consumption of alcohol in AGCs is prohibited at any during which facilities for gambling are being provided on the premises. A notice stating this should be displayed in a prominent place at every entrance to the premises.
147. This authority will wish to have specific regard to the location of an entry to AGCs to minimise the opportunities for children to gain access. This may be of particular importance in areas where young people may be unsupervised for example, where an AGC is in a complex, such as a shopping centre.
148. All AGCs within the Borough are considered to be potentially 'high risk' premises by their nature and are fully inspected on an annual basis by Licensing Enforcement Officers.

Bingo premises

149. This authority notes that the following specific mandatory conditions must be attached to each bingo premises licence:
- That a notice stating that no person under the age of 18 years is permitted to play bingo on the premises shall be displayed in a prominent place at every entrance to the premises;
 - That no customer shall be able to enter bingo premises directly from a casino, an adult gaming centre or betting premises;
 - That over 18 areas within bingo halls that admit under 18s must be separated by a barrier with prominently displayed notices stating that under 18s are not allowed in that area and with adequate supervision in place to ensure that children and young people are not able to access these areas or the category B or C machines. Supervision may be done by placing the terminals within the line of sight of an official of the operator or via monitored CCTV;
 - That any admission charges, the charges for playing bingo games and the rules of bingo must be displayed in a prominent position on the premises. Rule scans be displayed on a sign, by making available leaflets or other written materials containing the rules, or running an audio-visual guide to the rules prior to any bingo game being commenced; and
 - That 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 cease gambling at any gaming machine in order to do so.
150. This authority notes that the following default condition will be placed upon bingo premises licences unless this authority chooses to exclude it:
- That bingo facilities within bingo premises may not be offered between the hours of midnight and 09:00. However, there are no restrictions on access to gaming machines in bingo premises.
151. This authority will need to satisfy itself that bingo can be played in any bingo premises for which it issues a premises licence. This is a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.
152. Children and young people are allowed into bingo premises; however, they are not permitted to participate in 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.

153. All bingo premises within the Borough are considered to be a potentially 'high risk' premises by their nature and are fully inspected on an annual basis by Licensing Enforcement Officers.

Betting premises

154. This authority notes that the following mandatory conditions must be attached to each betting premises licence (non-track):

- That a notice shall be displayed at all entrances to the betting premises stating that no person under the age of 18 years will be admitted. The notice should be clearly visible to people entering the premises;
- There must be no access to betting premises from other premises that undertake a commercial activity (except from other premises with a betting premises licence including tracks). Except where it is from other licensed betting premises, the entrance to a betting shop should be from a street (defined as any bridge, road, lane, footway, subway, square, court, alley or passage – including passages through enclosed premises such as shopping centres – whether a thorough fare or not);
- That 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.
- That no apparatus for making information or any other material available in the form of sounds or visual images may be used on the licensed premises, except where used to communicate:
 - Information about the coverage of sporting events, including information relating to betting on such events (and incidental information including advertisements); or
 - Information relating to betting (including results) on any event in connection with which bets may have been effected on the premises.
- No music, dancing or other entertainment is permitted on betting premises;
- The consumption of alcohol is prohibited;
- The only publications that may be sold or made available on the premises are racing periodicals or specialist betting publications; and
- That a notice setting out the terms on which a bet may be placed must be displayed in a prominent position on the premises.

155. This authority notes that the following default condition will be placed upon bingo premises licences unless this authority chooses to exclude it:

- That gambling facilities may not be offered in betting premises between the hours of 2200 on one day and 0700 on the next day, or any day.

156. Section 181 of the Act contains an express power for licensing authorities to restrict the number of betting machines, their nature and circumstances in which they are made available by attaching a licence condition to betting premises licence. When considering whether to impose such condition, this authority will take into account, among other things, the size of the premises; the number of counter positions available for person to person transactions, and the ability of employees to monitor the use of the machines by children and young people or by vulnerable people.

157. This licensing authority 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 ensure, for example, that under 18 year olds do not have access to the premises.

158. All betting premises (book makers) within the Borough are considered to be a potentially 'high risk' premises by their nature and are fully inspected on an annual basis by Licensing Enforcement Officers.

(Licensed) family entertainment centres

159. This authority notes that the following mandatory conditions must be attached to each family entertainment centre premises licence:

- The summary of the terms, conditions and restrictions of the premises licence issued by the licensing authority must be displayed in a prominent position within the premises;
- The layout of the premises must be in accordance with the plan;
- The premises must not be used for the sale of tickets in a private lottery or customer lottery, or the National Lottery;
- No customer shall be able to enter the premises directly from a casino, an adult gaming centre or betting premises (other than a track);
- Any ATM made available for use on the premises must be located in a place that requires any customer who wishes to use it to cease gambling at any gaming machine in order to do so;
- Over 18 areas within FECs that admit under 18s must be separated by a barrier with prominently displayed notices at the entrance stating that under 18s are not allowed in that area and with adequate supervision in place to ensure that children and young persons are not able to access these areas or the category C machines. Supervision may be done by placing the terminals within the line of sight of an official of the operator or via monitored CCTV. And
- The consumption of alcohol in licensed FECs is prohibited at any time during which facilities for gambling are being provided. A notice stating this should be displayed in a prominent position on the premises

160. This licensing authority 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 under 18 year olds do not have access to the adult only gaming machine areas.

161. Given that this category of premises is one to which children may properly have access, operators should also consider measures / training for staff on how to deal with suspected truant school children upon the premises.

SECTION SIX – PERMITS / TEMPORARY & OCCASIONAL USE NOTICES

Introduction

162. The following part of this policy considers the various permits that this licensing authority is responsible for issuing under the Act. These are:

- Family entertainment centre gaming permits;
- Club gaming permits and club machine permits;
- Prize gaming permits; and
- Notifications from holders of alcohol licences that they intend to exercise their automatic entitlement to two gaming machines.

163. Licensing authorities may only grant or reject an application for a permit. There is no provision to attach conditions.

Unlicensed family entertainment centre gaming machine permits (statement of principles on permits – schedule 10 paragraph 7)

164. Where a FEC does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for a permit.

165. The licensing authority may grant or refuse an application for a permit but cannot add conditions. An application for a permit may only be granted if the authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted. Applicants must show that the premises will be used wholly or mainly for making gaming machines available for use.

166. As unlicensed FECs are not subject to scrutiny by the commission, applicants will also be asked to demonstrate:

- A full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs.
- That the applicant has no relevant convictions; and
- That employees are trained to have a full understanding of the maximum stakes and prizes.

167. The Commission's guidance for local authorities also states that within its "statement of licensing policy a licensing authority may include a statement of principles that it proposes to apply when exercising its function 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 will particularly appeal 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."

168. This licensing authority has duly prepared a statement of principles, which is that each applicant will be expected 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.

169. Copies of these policies and procedures must be submitted with any application for a permit. Applicants are advised that the minimum expectations of the local safeguarding children board are that policies and procedures will demonstrate:

- How employees or contracted agencies will be made aware of the company's/organisation's policy/statement on keeping children safe from harm.
- That recruitment processes for staff who may have to deal directly with children under the age of 18 seek to ensure, as best the company/organisation can, that the appointed applicant has not been known to have harmed children.
- That there will be clear expectations on staff with regard to their personal conduct in direct relations with children under 18 and guidance on what is appropriate in dealing with specific situations which may arise.
- That there are systems in place and that staff are aware of them for dealing with possible abuse or violence to children from other users of the licensed facility.
- That there are clear and accessible complaints systems for children to report if they have been harmed and that there are clear whistle-blowing procedures for staff who may have concerns about the welfare of children on the premises; and
- That all duty managers or staff in charge of the premises are aware of how to refer any concerns about the welfare of children to the local police, education authority or social services as necessary.

170. It is expected that policies and procedures will be consistent with the position set out in the London Safeguarding Children's Board 'Safeguarding Children Policy for Licensed Premises' which can be viewed using the link provided https://www.londoncp.co.uk/sg_licensed.html#. All unlicensed family centre operators are asked to agree to display a copy of the procedure and accompanying poster available upon the premises. Policies and procedures may also include appropriate 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.

(Alcohol) Licensed premises gaming machine permits – (schedule 13 para 4(1))

171. There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have 2 gaming machines of categories C and / or D. In such cases the premises licence holder under the Licensing Act 2003 must give notice to the licensing authority of their intention to make the gaming machines available for use and pay the relevant fee.

172. This authority understands that it has no discretion to consider the notification or reject it. 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 Act (for example that gaming machines have been made available in a way that does not comply with requirements in the

commission's code of practice on the location and operation of gaming machines);

- The premises are mainly used for gaming; or
- An offence under the Gambling Act has been committed on the premises

Permit for 3 or more machines

173. If a premises wishes to have more than 2 machines, then an application must be made for a permit and the licensing authority must consider that application based upon the licensing objectives; guidance issued by the gambling commission; and other matters considered relevant to the application.

174. This licensing authority 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 under 18 year olds do not have access to the adult only gaming machines.

175. Measures which will satisfy the authority may include:

- That adult machines are located within a bar or segregated area to which under 18s are not admitted; and
- That procedures are in place to ensure that under 18s are not admitted (see advice in section five of this policy); or
- That adult machines are situated in full sight of the bar staff, or other staff who will monitor that the machines are not being used by those under 18; and
- That procedures are in place that will ensure that under 18s are not able to play upon the machines (see advice in section 5 of this policy).
- Additionally, notices and signage may also be of help in both circumstances.

176. Applicants should also see advice provided in s168 of this policy regarding the LCSB policy. As regards the protection of vulnerable persons applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.

177. 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.

178. 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.

179. 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.

Prize gaming permits

180. The Act states that a licensing authority should include a statement of the principles that it proposes to apply in considering applications for permits and, in particular, specify matters that the licensing authority proposes to consider in determining the suitability of the applicant for a permit. Given that the premises will particularly appeal to children and young persons, licensing authorities may

want to give weight to matters relating to child protection issues.

181. This licensing authority has prepared a statement of principles, which is that each applicant will be expected 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. Prospective applicants are directed toward the information contained in sections 161 and 162 of this statement.
182. This licensing authority 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;
 - That the gaming offered is within the law; and
 - Clear policies that outline the steps to be taken to protect children from harm.
183. 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.
184. 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 monetary prize), or the prescribed value (if non-monetary prize); and
 - Participation in the gaming must not entitle the player to take part in any other gambling.

Club gaming and club machines permits

185. Members clubs and miners' welfare institutes (but not commercial clubs) may apply for a club gaming permit or a club machine permit. Commercial clubs such as snooker clubs run on a profit basis may apply for a club machine permit. Each type of permit allows the provision of different types of gaming and provision of gaming machines. The current entitlements can be found by visiting the Gambling Commission's website: (www.gamblingcommission.gov.uk).
186. A commercial club is defined as a club where membership is required but the club is operated for commercial gain.
187. A non-commercial club is a club where no commercial gain is made. A non-commercial club must meet the following criteria to be considered a members'

club:

- it must have at least 25 members;
- it must be established and conducted wholly or mainly for purposes other than gaming (with the exception of bridge or whist);
- it must be permanent in nature;
- it must not be established to make a commercial profit;
- it must be controlled by its members equally.

188. Examples of these include working men's clubs, branches of the Royal British Legion and clubs with political affiliations.

189. The Licensing Authority may only refuse an application on the grounds that:

- a) 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;
- b) the applicant's premises are used wholly or mainly by children and/ or young persons;
- c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- d) a permit held by the applicant has been cancelled in the previous ten years; or
- e) an objection has been lodged by the Gambling Commission or the Police.

190. There is also a "fast-track" procedure available under the Act for premises that hold a club premises certificate under the Licensing Act 2003. Under the fast-track procedure there is no opportunity for objections to be made by the Gambling Commission or the Police, and the grounds upon which a Licensing Authority can refuse a permit are reduced. The grounds on which an application under this process may be refused are that:

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

191. There are statutory conditions on club gaming permits that no child may use a Category B or C gaming machine on the premises and that the holder complies with any relevant provision of a Gambling Commission Code of Practice about the location and operation of gaming machines.

192. The Licensing Authority will need to satisfy itself that the club meets the requirements of the Gambling Act 2005 to hold a club gaming permit. In order to do this, it may require proof of additional information from the operator such as:

- Is the primary activity of the club something other than gaming?
- Are the club's profits retained solely for the benefit of the club's members?
- Are there 25 or more members?
- Are the addresses of members of the club genuine domestic addresses

- and do most members live reasonably locally to the club?
- Do members participate in the activities of the club via the internet?
- Do guest arrangements link each guest to a member?
- Is the 48 hour rule being applying for membership and being granted admission being adhered to?
- Are there annual club accounts available for more than one year?
- How is the club advertised and listed in directories and on the internet?
- Are children permitted in the club?
- Does the club have a constitution and can it provide evidence that the constitution was approved by members of the club?
- Is there a list of Committee members and evidence of their election by the club members?

193. When examining the club's constitution, the Licensing Authority would expect to see evidence of the following:

- Who makes commercial decisions on behalf of the club?
- Are the aims of the club set out in the constitution?
- Are there shareholders or members? Shareholders indicate a business venture rather than a non-profit making club.
- Is the club permanently established? (Clubs cannot be temporary).
- Can people join with a temporary membership? What is the usual duration of membership?
- Are there long-term club membership benefits?

194. Aside from bridge and whist clubs, clubs may not be established wholly or mainly for the purposes of gaming. The Licensing Authority may consider such factors as:

- How many nights a week gaming is provided;
- How much revenue is derived from gambling activity versus other activity;
- How the gaming is advertised;
- What stakes and prizes are offered;
- Whether there is evidence of leagues with weekly, monthly or annual winners;
- Whether there is evidence of members who do not participate in gaming;
- Whether there are teaching sessions to promote gaming such as poker;
- Where there is a tie-in with other clubs offering gaming through tournaments and leagues;
- Whether there is sponsorship by gaming organisations;
- Whether participation fees are within limits.

195. 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.

Temporary use notices

196. Temporary use notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. The Commission's guidance suggests that premises that might be suitable for a temporary use notice would include hotels, conference centres and sporting venues.

197. Section 218 of the Act refers to 'a set of premises' and provides that a set of premises is the subject of a temporary use notice if 'any part' of the premises is the subject of a notice.
198. The meaning of 'premises' in Part 8 of the Act is discussed in Part 7 of the Commission's 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", licensing authorities will need to look at, amongst other things, the ownership/occupation and control of the premises. A large exhibition centre, for example, would be likely to come within the definition as it is properly one premises, and should not be granted a temporary use notice for 21 days in respect of each of its halls. But in relation to other covered areas, such as shopping centres, this authority will need to consider different units are in fact different 'sets of premises', given that they may be occupied and controlled by different people. This authority expects 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.

Occasional use notices

199. The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This licensing authority will consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.

SECTION SEVEN – SMALL SOCIETY LOTTERIES

200. The Act sets out a definition of a lottery and provides that promoting or facilitating a lottery is illegal, unless it falls within one of two categories:
- Licensed lotteries (these are large society lotteries and lotteries run for the benefit of local authorities that are regulated by the commission and require operating licences); and
 - Exempt lotteries (including the small society lottery).
201. The local licensing authority is responsible for registering societies to run small society lotteries.
202. This authority will define ‘society’ as the society, or any separate branch of such a society, on whose behalf a lottery is to be promoted, and will need to understand the purposes for which a society has been established in ensuring that it is a non-commercial organisation. Section 19 of the Act defines a society as such if it is established and conducted:
- For charitable purposes;
 - For the purpose of enabling participation in, or supporting sport, athletics or a cultural activity; or
 - For any other non-commercial purpose other than that of private gain.
203. Applicants for registration of a small society lottery must apply to the licensing authority in the area in which their principal office is located. Where this authority believes that the society’s principal office is situated in another area, it will inform the society as soon as possible and where possible, will inform the other licensing authority.
204. Applications must be made in the form prescribed by the Secretary of State and be accompanied by both the required regulation fee and all documents necessary to assess the application. To this effect, this authority will wish to receive a copy of each applicant societies’ terms and conditions and constitution so as to establish that the society is a non-commercial society.
205. This authority notes that the Commission advises that in a case where a society applies for more than one registration, care should be taken to ensure that the applicant societies have separate and different aims and objectives. Where a society applies for more than one registration, the aims and objectives of the applicant societies are the same and the combined proceeds are likely to exceed the threshold limits for small society lotteries, the applicant will be advised to apply to the Commission for a society operating licence, instead of obtaining society lottery registrations.
206. Lotteries will be regulated through a licensing and registration scheme; conditions imposed on licences by the gambling commission; codes of practice and guidance issued by the Gambling Commission. In exercising its functions with regard to small society and exempt lotteries, the licensing authority will have due regard to the Gambling Commission’s guidance.
207. The licensing authority will keep a public register of all applications and will provide information to the gambling commission on all lotteries registered by the licensing authority. As soon as the entry on the register is completed, the licensing authority will notify the applicant of his registration. In addition, the

licensing authority will make available for inspection by the public the financial statements or returns submitted by societies in the preceding 18 months and will monitor the cumulative totals for each society to ensure the annual monetary limit is not breached. If there is any doubt, the licensing authority will notify the gambling commission in writing, copying this to the society concerned. The licensing authority will accept return information either manually but preferably electronically by emailing licensing@southwark.gov.uk

208. This authority may refuse applications for registration if either

- An operating licence held by the applicant for registration has been revoked or an application for an operating licence made by the applicant has been refused in the past five years;
- The society in question cannot be deemed non-commercial;
- A person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence; or
- Information provided in or with the application for registration is found to be false or misleading.

209. Where this authority intends to refuse registration of a society, it will give the society an opportunity to make representations and will inform the society of the reasons why it is minded to refuse registration, and supply evidence on which it has reached that preliminary conclusion.

210. This authority may determine to revoke the registration of a society if it thinks that it would have had to, or would be entitled to, refuse an application for registration if it were being made at that time.

211. However, no revocation will take place unless the society has been given the opportunity to make representations. The licensing authority will inform the society of the reasons why it is minded to revoke the registration and will provide an outline of the evidence on which it has reached that preliminary conclusion.

212. Where a society employs an external lottery manager, it will need to satisfy itself that the manager holds an operator's licence issued by the Gambling Commission, and the licensing authority will expect this to be verified by the society.

SECTION EIGHT – REGULATION

213. Under the Legislative and Regulatory Reform Act 2006, any person exercising a specified regulatory function has a legal duty to have regard to the statutory principles of good regulation in the exercise of the function. These provide that regulatory activity should be carried out in a way which is:

- **Proportionate:** Remedies should be appropriate to the risk posed, and costs identified and minimised;
- **Accountable:** Decisions should be justified and subject to public scrutiny;
- **Consistent:** Rules and standards must be joined up and implemented fairly;
- **Transparent:** Regulators should be open, and keep regulations simple and user friendly; and
- **Targeted:** Regulation should be targeted only at cases in which action is needed and focused on the problem, and minimise side effects

214. This authority will have regard to these principles in relation to its activities under the Gambling Act 2005 and also to the requirements of the Regulators' Compliance Code. The purpose of the Code is to promote efficient and effective approaches to regulatory inspection and enforcement which improve regulatory outcomes without imposing unnecessary burdens on business.

215. In order to ensure that this authorities enforcement activities are targeted and make the best use of resources, this licensing authority 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; and
- The principles set out in this statement of licensing policy.

216. Our risk methodology is available upon request.

217. The main enforcement and compliance role for this licensing authority 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 is the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines are not dealt with by the licensing authority but should be notified to the Gambling Commission.

218. This authority will work together with the Gambling Commission to identify and investigate organised or persistent illegal activity and will exchange information on non-compliance with licences and permits to ensure that any action taken is co-ordinated.

219. It remains the over-riding intention, however, of this authority to work together with other enforcement agents, in support of responsible licence holders and operators to help them run a successful business that play a positive role within the local community. Where operators are acting responsibly we will look to provide support, advice and education and we will look to give early warning of any concerns identified at any premises. However, the authorities will use the range of enforcement powers made available under the Act where individuals act with disregard to their responsibilities.

SECTION NINE – CONTACT DETAILS

Southwark Licensing Service

You can contact the Licensing Service in a number of ways by email, post or in person by appointment during office hours.

Southwark Licensing Unit Southwark

Council Regulatory Services Floor 3,

Hub 1

PO BOX 64529

London

SE1P 5LX

By telephone: (Via the Customer Contact Centre 24/7) 020 7525 5000 By e-mail:

licensing@southwark.gov.uk

By visiting our web site at:

<https://www.southwark.gov.uk/business/licences/business-premises-licensing>

Other Responsible Authorities

The Gambling Commission

Victoria Square House Victoria Square

Birmingham, B2 4BP

Email: info@gamblingcommission.gov.uk

Tel: 0121 230 6666

www.gamblingcommission.gov.uk

Commissioner of Police for the Metropolis

Southwark Police Licensing Unit Southwark Police Station

323 Borough High Street London, SE1 2RL

Tel: 020 7232 6210

Email: SouthwarkLicensing@met.pnn.police.uk

The London Fire and Emergency Planning Authority

Fire Safety Regulation: South East Area 3

London Fire Brigade

169 Union Street

London, SE1 0LL

E-mail: FireSafetyRegulationSE@london-fire.gov.uk

Telephone number: 020 8555 1200 Extension: 36500

Fax Number: 020 8536 5924

HM Revenue and Customs

Excise Processing Teams

Gambling Duties

BX9 1GL

Email: nrubetting&gaming@hmrc.gsi.gov.uk

Southwark Planning

The Council's Building and Development Control Services

Council Offices

5th Floor Hub 2

Southwark Council
 PO Box 64529
 London
 SE1P 5LX
 E-mail: planning.enquiries@southwark.gov.uk

Environmental Protection Team

Southwark Council
 Floor 3, Hub 1
 PO Box 64529
 London
 SE1P 5LX
 E-mail: Environmental.Protection@southwark.gov.uk

The Local Safeguarding Vulnerable Adults Board

Safeguarding Adults Manager
 Southwark Safeguarding Adults Partnership Tel: 0207 525 3733
 Fax: 0207 525 3236

The Local Safeguarding Children Board

Southwark Social Services
 PO Box 64529
 London SE1P 5LX
 E-mail: gau.safeguarding@southwark.gov.uk
 Tel: 020 7525 4646

Please note that in the case of applications made in respect of vessels a different set of responsible authorities apply. Please contact the Licensing Service for information.

OTHER AGENCIES

Trading Standards

Southwark Council Regulatory Services
 Floor 3, Hub 1
 PO BOX 64529
 London
 SE1P 5LX
 Email tradingstandards@southwark.gov.uk

Southwark Disablement Association

Southwark Disablement Association 10 Bradenham Close
 London SE17 2QB
 Tel: 020 7701 1391

Appendix A – Consultation

The Gambling Act requires that the following parties be consulted by Licensing Authorities:

- The chief officer of the police;
- One or more persons who appear to the authority 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.

In preparing this Statement of Gambling Licensing Policy this authority has:

- Placed public notices in the local media and on the Council's website advertising the opportunity to comment on the draft policy;
- Wrote directly to all known potential licence applicants.
- Wrote directly to all known tenants and residents' organisations.
- Wrote directly to all known gambling business representatives.
- Wrote directly to all known community representatives and other interest groups.
- Wrote directly to all ward Councillors; and
- Provided information to each community council.

Details of the written submissions received, and analysis of those submissions can be obtained from the licensing service.

Consultation Responses	Comments	Policy Amended Yes/No (Reasons if applicable)
Responsible Authority	Remove reference to ‘ <i>The proof of age London (PAL) card</i> ’ as Southwark’s proof of age scheme ceased in 2021.	Yes
A person who appears to the authority to represent the interests of persons carrying on gambling business	Executive summary (untitled para 7) - The executive summary references the third Licensing Objective as “ <i>preventing harm to children and vulnerable people</i> ”, but this Licensing Objective, and indeed s1 of the Gambling Act 2005 (the “Act”) specifically relates to protecting children and other vulnerable people from being harmed or exploited <u>by gambling</u> . We suggest that the words “ <i>by gambling</i> ” should be added to the end of the sentence to align with the third Licensing Objective and the Act.	Yes
	Para 24 – We are concerned that the inclusion of this para 24 may be interpreted as giving the Authority a much wider remit to reject legitimate applications than is envisaged by the legislation.	No
	Para 26 – This para should make it clear that s153 of the Act makes it clear that unmet demand is not relevant, nor a criterion for licensing authorities in considering applications. We suggest that the wording “ <i>not relevant</i> ” be added to this para 26.	Yes
	Para 36 (bullet point 8) – This bullet point includes ‘The Southwark Safeguarding Adults Partnership’; however, the responsible authorities set out in 157 of the Act does not include an authority in relation to vulnerable adults. Therefore, we suggest this entity should be removed from the list of responsible authorities. Similarly, reference to ‘The Local Safeguarding Vulnerable Adults Board’ should be removed from the list of responsible authorities attached at section nine of the Draft.	No This is defined by Southwark.

	Para 37 – Similarly, para 37 includes reference to the protection of vulnerable adults, but vulnerable adults are not included s157(h) of the Act. The reference to vulnerable adults should be removed from para 37.	No This is defined by Southwark
	Para 40 - While the reference is correct in that those classed as “Interested Parties” may make representations about an application, it is important to also state that only representations that relate to the Licensing Objectives will be relevant and that those that are irrelevant will not be considered and, in accordance with s162(3) of the Act, nor will those as described as vexatious or frivolous, or those that will certainly not influence the authority's determination of the application, be considered. This point is acknowledged in para 69 to para 74, but we suggest it is also included within para 40 to remove any potential ambiguity.	yes
	Para 101 (bullet point 1) - As acknowledged in para 123 and para 127, children are permitted to gamble in some situations on Category D gaming machines. The use of “ <i>where they are prohibited from participating</i> ” is useful within the final sentence, but we suggest that the words “ <i>if they cannot participate in them</i> ” is inserted at the end of the earlier sentence after “ <i>close proximity to gambling</i> ”. This will remove any potential ambiguity and ensure such guidance only applies to those gaming machines that children are prohibited from using.	Yes
	Para 144 – The legislation and relevant codes have been carefully drawn to address the process in place for determining applications. With respect, it is not appropriate for the Authority to add additional layer of obligations on applications to obtain such licences. Furthermore, it is not appropriate for some responsible authorities (for example HMRC, environmental health, planning authorities and fire) to receive the policies requested within this para 144. It is possible for such responsible authorities to request any policies or information during the application process if they desire such policies.	No The authority sees this as appropriate to provide relevant information as part of the application.
	Para 155 – The final sentence on this para does not make sense. It appears some wording is missing at the end.	Yes Updated for clarity.

	Para 157 (bullet point 1) - Regulation 3 of The Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007 (the "Regulations") requires " <i>The summary of the terms and conditions of the premises licence issued under section 164(1)(c) of the [2005] Act shall be displayed in a prominent place within the premises</i> ". This regulation does not include 'restrictions' and we therefore propose that reference to restrictions within para 157 be removed to align with this Regulation.	Yes
	Para 158 – It is important to include reference to local risk assessments and their role in mitigating against any potential risks.	No S.169 sets out Conditions imposed or excluded by the licensing authority. Applicants must consider the local area profile and demonstrate within risk assessments steps they have taken to mitigate the risks identified.
	Para 169 (bullet point 1) – Schedule 3 of the Regulations state " <i>A notice stating that no person under the age of 18 years is <u>permitted to enter</u> the premises shall be displayed in a prominent place at every entrance to the premises</i> ". We suggest that the wording used within para 169 is amended to reflect the underlined wording.	Yes
	Para 171, para 176 and para 181- It is unusual to label these types of premises as potentially 'high risk' premises. We suggest that an explanation should be added to justify why these types of premises have been designated as potentially 'high risk' premises.	No Southwark considers risk associated and any application will be assessed on its own merit.
	Para 173 (bullet point 1) - The reference to the restrictions on gaming machines is unclear. We suggest that this para 173 is amended to reference that the restrictions do not apply at any time.	No This is referenced as per para 18.24 in the Commission's guidance issued to licensing authorities.
	Para 182 (bullet points 1, 2 and 3) – These bullet points apply to all premises licences as set out in para 157. Such management conditions do not need to be repeated, particularly as they have not been repeated for other types of licences. We suggest that this repetition should be removed to avoid any uncertainty.	No The authority sees this as appropriate to provide clarity
	Para 184 - As mentioned in bullet point 1 above, the third Licensing Objective of the Act is to protect children and other vulnerable people from being harmed or exploited <u>by gambling</u> . The obligations placed on the operator in para 184 go beyond this Licensing Objective. We suggest this para should be removed.	No The authority sees this as appropriate to provide clarity

	<p>Para 191, para 192, para 204 and para 205 - As noted within the bullet points 1 and 10 above, the third Licensing Objective of the Act is to protect children and other vulnerable people from being harmed or exploited <u>by gambling</u>. Para 191, para 192, para 204 and para 205 go beyond this Licensing Objective and the Gambling Commission's guidance for licensing authorities (see 24.8 of such guidance). We suggest these paras should be amended to only relate to harm caused by gambling.</p>	<p>Yes This is redrafted as per para 24.8 of the guidance.</p>
	<p>Para 237 – This para 237 correctly acknowledges the Authority's requirement to have regard to the Regulator's Code; but para 237 suggests that it is only relevant to inspection and enforcement activities. The draft does not address its obligation to carry out its activities in a way that it supports those it regulates to comply and grow. Furthermore, under the Regulator's Code when designing and reviewing policies, the Authority must among other things understand and minimise the negative economic impact of its regulatory activities and regulate and minimise the costs of compliance of those it regulates. We suggest this vitally important point para is moved to the beginning of the Draft, particularly as such importance has been voiced by Government.</p>	<p>No The authority deems it appropriate to keep this matter with Section Eight – Regulation.</p>



Equality Impact and Needs Analysis
Statement of Gambling Policy 2025-2028

Guidance notes

Things to remember:

Under the Public Sector Equality Duty (PSED) public authorities are required to have due regard to the aims of the general equality duty when making decisions and when setting policies. Understanding the affect of the council's policies and practices on people with different protected characteristics is an important part of complying with the general equality duty. Under the PSED the council must ensure that:

- Decision-makers are aware of the general equality duty's requirements.
- The general equality duty is complied with before and at the time a particular policy is under consideration and when a decision is taken.
- They consciously consider the need to do the things set out in the aims of the general equality duty as an integral part of the decision-making process.
- They have sufficient information to understand the effects of the policy, or the way a function is carried out, on the aims set out in the general equality duty.
- They review policies or decisions, for example, if the make-up of service users changes, as the general equality duty is a continuing duty.
- They take responsibility for complying with the general equality duty in relation to all their relevant functions. Responsibility cannot be delegated to external organisations that are carrying out public functions on their behalf.
- They consciously consider the need to do the things set out in the aims of the general equality duty not only when a policy is developed and decided upon, but when it is being implemented.

Best practice guidance from the Equality and Human Rights Commission recommends that public bodies:

- Consider all the [protected characteristics](#) and all aims of the general equality duty (apart from in relation to marriage and civil partnership, where only the discrimination aim applies).
- Use equality analysis to inform policy as it develops to avoid unnecessary additional activity.
- Focus on the understanding the effects of a policy on equality and any actions needed as a result, not the production of a document.
- Consider how the time and effort involved should relate to the importance of the policy to equality.
- Think about steps to advance equality and good relations as well as eliminate discrimination.
- Use good evidence. Where it isn't available, take steps to gather it (where practical and proportionate).
- Use insights from engagement with employees, service users and others can help provide evidence for equality analysis.

Equality analysis should be referenced in community impact statements in Council reports. Community impact statements are a corporate requirement in all reports to the following meetings: the cabinet, individual decision makers, scrutiny, regulatory committees and community councils. Community impact statements enable decision makers to identify

more easily how a decision might affect different communities in Southwark and to consider any implications for equality and diversity.

The public will be able to view and scrutinise any equality analysis undertaken. Equality analysis should therefore be written in a clear and transparent way using plain English. Equality analysis may be published under the council's publishing of equality information, or be present with divisional/departmental/service business plans. These will be placed on the website for public view under the council's Publications Scheme. All Cabinet reports will also publish related

Equality analysis should be reviewed after a sensible period of time to see if business needs have changed and/or if the effects that were expected have occurred. If not then you will need to consider amending your policy accordingly. This does not mean repeating the equality analysis, but using the experience gained through implementation to check the findings and to make any necessary adjustments.

Engagement with the community is recommended as part of the development of equality analysis. The council's Community Engagement Division and critical friend, the Forum for Equality and Human Rights in Southwark can assist with this (see section below on community engagement and www.southwarkadvice.org.uk).

Whilst the equality analysis is being considered, Southwark Council recommends considering implications arising from socio-economic disadvantage, as socio-economic inequalities have a strong influence on the environment we live and work in. As a major provider of services to Southwark residents, the council has a policy commitment to reduce socio-economic inequalities and this is reflected in its values and aims. For this reason, the council recommends considering impacts/needs arising from socio-economic disadvantage in all equality analyses, not forgetting to include identified potential mitigating actions. **The Council has adopted the Socio-Economic Duty as part of its overall equality, diversity and inclusion policy commitments in the Southwark Equality Framework.** This requires us to ensure we do not make any conditions worse for those experiencing socio-economic disadvantage through our policies and practices.

Section 1: Equality impact and needs analysis details

Proposed policy/decision/business plan to which this equality analysis relates		Consultation on the Southwark Statement of Gambling Policy, running from 2025 to 2028			
Equality analysis author		Bina Patel			
Strategic Director:		Toni Ainge			
Department		Strategic Director of Environment, Sustainability & Leisure		Division Regulatory Services	
Period analysis undertaken		August 2025			
Date of review (if applicable)		After completion of consultation			
Sign-off		Position		Date	

Section 2: Brief description of policy/decision/business plan

1.1 Brief description of policy/decision/business plan

The Gambling Act 2005 came into effect on 01 September 2007. The Act repealed existing legislation relating to alcohol, entertainment and late night refreshment and introduced a new licensing regime, administered by the local licensing authority.

Section 349 of the Gambling Act 2005 requires each licensing authority to prepare and publish a gambling licensing policy and statement of the principles every three years. The initial Southwark Statement of Licensing Policy received formal approval in January 2007. It has been frequently revised and updated since in order to keep up to date with changes in law, guidance and local policy. Revisions has been developed through public consultation with full regard had to the Act; the secondary regulations made under the Act and the guidance for local licensing authorities produced, by the Gambling Commission.

The three licensing objectives that underpin the policy 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, and
- (c) protecting children and other vulnerable persons from being harmed or exploited by gambling.

The Act states in section 153, that the principles to be applied when considering a gambling licence are:

1. In exercising their functions under this Part a licensing authority shall aim to permit the use of premises for gambling in so far as the authority think it—
 - a. in accordance with any relevant code of practice under section 24,
 - b. in accordance with any relevant guidance issued by the Commission under section 25,
 - c. reasonably consistent with the licensing objectives (subject to paragraphs (a) and (b)), and
 - d. in accordance with the statement published by the authority under section 349

Any changes made to the current policy must take into account whether or not the 'protected characteristics' of a wide range of people may be adversely affected. The Licensing Authority is confident that it would never deliberately make policy decision that would do this. One of the aims of the consultation will be to identify any groups that may be negatively impacted, whether subjectively or objectively.

Applicants for most gambling premises licences are required to hold an operating licence and personal licence issued by the Gambling Commission.

Section 3: Overview of service users and key stakeholders consulted

2. Service users and stakeholders	
Key users of the department or service	<ul style="list-style-type: none"> • Premises licence holders • members of the public
Key stakeholders were/are involved in this policy/decision/business plan	<p>The consultation will be introduced by email and circular letter and sent to:</p> <ul style="list-style-type: none"> • All Premises Licence holders • Representatives of businesses and residents, • Amenity groups, • Community associations, • Ethnic group associations, • Faith groups, • Traders' associations, • Neighbouring Licensing Authorities, • Responsible Authorities, • Council employees and Members

Section 4: Pre-implementation equality impact and needs analysis

This section considers the potential impacts (positive and negative) on groups with 'protected characteristics', the equality information on which this analysis is based and any mitigating actions to be taken, including improvement actions to promote equality and tackle inequalities. An equality analysis also presents as an opportunity to improve services to meet diverse needs, promote equality, tackle inequalities and promote good community relations. It is not just about addressing negative impacts.

The columns include societal issues (discrimination, exclusion, needs etc.) and socio-economic issues (levels of poverty, employment, income). As the two aspects are heavily interrelated it may not be practical to fill out both columns on all protected characteristics. The aim is, however, to ensure that socio-economic issues are given special consideration, as it is the council's intention to reduce socio-economic inequalities in the borough. Key is also the link between protected characteristics and socio-economic disadvantage, including experiences of multiple disadvantage.

Socio-economic disadvantage may arise from a range of factors, including:

- poverty
- health
- education
- limited social mobility
- housing
- a lack of expectations
- discrimination
- multiple disadvantage

The public sector equality duty (PSED) requires us to find out about and give due consideration to the needs of different protected characteristics in relation to the three parts of the duty:

1. Eliminating discrimination, harassment and victimisation
2. Advancing equality of opportunity, including finding out about and meeting diverse needs of our local communities, addressing disadvantage and barriers to equal access; enabling all voices to be heard in our engagement and consultation undertaken; increasing the participation of underrepresented groups
3. Fostering good community relations; promoting good relations; to be a borough where all feel welcome, included, valued, safe and respected.

The PSED is now also further reinforced in the two additional Fairer Future For All values: that we will

- Always work to make Southwark more equal and just
- Stand against all forms of discrimination and racism

Age - Where this is referred to, it refers to a person belonging to a particular age (e.g. 32 year olds) or range of ages (e.g. 18 - 30 year olds).

Potential impacts (positive and negative) of proposed policy/decision/business plan; this

Potential Socio-Economic impacts/ needs/issues arising from socio-economic

also includes needs in relation to each part of the duty.	disadvantage (positive and negative)
Any changes to the policy must take into account protected characteristics.	None
Equality information on which above analysis is based	Socio-Economic data on which above analysis is based
protected characteristics by disability status England and Wales: Census 2021 and London data stats	None
Mitigating and/or improvement actions to be taken	
No mitigation is necessary.	

Disability - A person has a disability if s/he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.

Please note that under the PSED due regard includes:

Giving due consideration in all relevant areas to "the steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities." This also includes the need to understand and focus on different needs/impacts arising from different disabilities.

Potential impacts (positive and negative) of proposed policy/decision/business plan; this also includes needs in relation to each part of the duty.	Potential socio-economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative)
No specific impacts have been identified or raised in relation to this. It is acknowledged that businesses should make 'reasonable adjustments' to accommodate people identifying with having a disability.	None identified
Equality information on which above analysis is based	Socio-economic data on which above analysis is based
protected characteristics by disability status England and Wales: Census 2021 and London data stats	None

Mitigating and/or improvement actions to be taken	
N/A	

Gender reassignment: - The process of transitioning from one gender to another. Gender Identity: Gender identity is the personal sense of one's own gender. Gender identity can correlate with a person's assigned sex or can differ from it.	
Potential impacts (positive and negative) of proposed policy/decision/business plan; this also includes needs in relation to each part of the duty.	Potential socio-economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative)
It is unlikely that the proposal will lead to differential impact for people based on this protected characteristic.	None
Equality information on which above analysis is based.	Socio-economic data on which above analysis is based
None	N/A
Mitigating and/or improvement actions to be taken	
N/A	

Marriage and civil partnership – In England and Wales marriage is no longer restricted to a union between a man and a woman but now includes a marriage between a same-sex couples. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'. Civil partners must not be treated less favourably than married couples and must be treated the same as married couples on a wide range of legal matters. (Only to be considered in respect to the need to eliminate discrimination.)	
Potential impacts (positive and negative) of proposed policy/decision/business plan	Potential socio-economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative)
Any changes to the gambling policy will have no particular impact on marital status and does not treat same sex couples or those in civil	None

partnerships less or more favourably than anyone else.	
Equality information on which above analysis is based	Socio-economic data on which above analysis is based
N/A	N/A
Mitigating or improvement actions to be taken	
N/A	

Pregnancy and maternity - Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth, and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

Potential impacts (positive and negative) of proposed policy/decision/business plan; this also includes needs in relation to each part of the duty.	Potential socio-economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative)
It is unlikely that the proposal will lead to differential impact for people based on this protected characteristic	None
Equality information on which above analysis is based	Socio-economic data on which above analysis is based
None	N/A
Mitigating and/or improvement actions to be taken	
N/A	

Race - Refers to the protected characteristic of Race. It refers to a group of people defined by their race, colour, and nationality (including citizenship) ethnic or national origins. N.B. Gypsy, Roma and Traveller are recognised racial groups and their needs should be considered alongside all others

Potential impacts (positive and negative) of proposed policy/decision/business plan; this also includes needs in relation to each part of the duty.	Potential socio-economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative)
<p>The cultural makeup of the Borough is wide and varied. The Licensing Authority would want to encourage this diversity. The policy would never be intended to prevent any particular ethnic group from applying and holding a gambling licence or from enjoying gambling at a licenced gambling premises.</p> <p>It should however be noted that the Borough is continually changing in terms of regenerating community areas. This has had an effect on local amenities.</p>	<p>Policy changes not intended to restrict any premises from opening or staying open. There may be crossovers with Planning and Regeneration that may have to address this risk.</p>
Equality information on which above analysis is based	Socio-economic data on which above analysis is based
None	N/A
Mitigating and/or improvement actions to be taken	
N/A	

Religion and belief - Religion has the meaning usually given to it but belief includes religious and philosophical beliefs including lack of belief (e.g. Atheism). Generally, a belief should affect your life choices or the way you live for it to be included in the definition.	
Potential impacts (positive and negative) of proposed policy/decision/business plan; this also includes needs in relation to each part of the duty.	Potential socio-economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative)
<p>It is unlikely that the proposal will lead to differential impact for people based on this protected characteristic.</p>	None
Equality information on which above analysis is based	Socio-economic data on which above analysis is based

None	N/A
Mitigating and/or improvement actions to be taken	
N/A	

Sex - A man or a woman.	
Potential impacts (positive and negative) of proposed policy/decision/business plan; this also includes needs in relation to each part of the duty.	Potential socio-economic impacts/ needs/issues arising from socio-economic disadvantage (positive and negative)
<p>Gambling Commission research including in its 'Strategy 2018-2021' showed that 6% of men and 1.9% of women are deemed 'at risk' of developing gambling problems and that men are more likely to be classed as problem gamblers. https://www.gamblingcommission.gov.uk/pdf/strategy-2018-2021.pdf</p> <p>It is to be noted that men developing problem gambling has further impacts on women and families relating to men, and these women and families may well be more vulnerable to developing problem gambling or suffering from gambling-related harm as a result.</p>	None
Equality information on which above analysis is based	Socio-economic data on which above analysis is based
None	N/A
Mitigating and/or improvement actions to be taken	
N/A	

Sexual orientation - Whether a person's sexual attraction is towards their own sex, the opposite sex or to both sexes	
Potential impacts (positive and negative) of proposed policy/decision/business plan; this also includes needs in relation to each part of the duty.	Potential socio-economic impacts/ needs/issues arising from socio-economic

	disadvantage (positive and negative)
Policy changes will have no apparent benefit or disadvantage as a result of a person's sexual orientation.	None
Equality information on which above analysis is based	Socio-economic data on which above analysis is based
None	N/A
Mitigating and/or improvement actions to be taken	
N/A	

Human Rights There are 16 rights in the Human Rights Act. Each one is called an Article. They are all taken from the European Convention on Human Rights. The Articles are The right to life, Freedom from torture, inhuman and degrading treatment, Freedom from forced labour , Right to Liberty, Fair trial, Retrospective penalties, Privacy, Freedom of conscience, Freedom of expression, Freedom of assembly, Marriage and family, Freedom from discrimination and the First Protocol
Potential impacts (positive and negative) of proposed policy/decision/business plan
None
Information on which above analysis is based
N/A
Mitigating and/or improvement actions to be taken
Adherence to council policy and UK law.

Conclusion

The evidence examined as part of the Equality Impact Assessment indicates no negative impacts on protected characteristics in Southwark. The proposal aims to establish a proactive approach to addressing the risks associated with problem gambling and gambling-related harm. This approach is expected to benefit individuals with various protected characteristics, such as those with low income, experiencing deprivation, individuals with disabilities, and young people or students who may be vulnerable to problem gambling.

Any negative impacts on individuals or groups with protected characteristics that are identified during the consultation, research, or implementation process will be addressed promptly in this live working document, and an updated version will be circulated.

This document will be included in the documents used in the decision-making process for the gambling policy.

The council keeps the policy statement under review and may from time to time, commission research to inform changes to the policy.

Section 5: Further equality actions and objectives

5. Further actions			
Based on the initial analysis above, please detail the key mitigating and/or improvement actions to promote equality and tackle inequalities; and any areas identified as requiring more detailed analysis.			
Number	Description of issue	Action	Timeframe
1	Review policy statement	The council will keep the policy under constant review	ongoing

5. Equality and socio-economic objectives (for business plans)				
Based on the initial analysis above, please detail any of the equality objectives outlined above that you will set for your division/department/service. Under the objective and measure column please state whether this objective is an existing objective or a suggested addition to the Council Plan.				
Objective and measure	Lead officer	Current performance (baseline)	Targets	
			Year 1	Year 2
None				

6. Review of implementation of the equality objectives and actions				
Objective	Lead officer	Current performance (baseline)	Targets	
			Year 1	Year 2
None				

Implementation Equality Impact and Needs Analysis

Meeting Name:	Licensing Committee
Date:	11 February 2025
Report title:	The Licensing Act 2003: Remote Licensing Sub-Committee Hearings
Ward(s) or groups affected:	All
Classification:	Open
Reason for lateness (if applicable):	Not applicable
From:	Head of Regulatory Services for Environment, Sustainability and Leisure

RECOMMENDATIONS

1. That the licensing committee agrees:
 - a) That all full licensing committee meetings shall take place in person.
 - b) That there shall be a combination of remote and in-person licensing sub-committee hearings with hybrid arrangements (options C and D).
 - c) That the proposed guidance on licensing sub-committee hearings, attached as Appendix A of this report, shall be approved.

BACKGROUND INFORMATION

2. The authority is obliged by virtue of Section 6 of the Licensing Act 2003 (“the 2003 Act”) to establish a licensing committee consisting of at least 10 but no more than 15 members of the authority. All matters, save for those matters expressly dealt with by full council, relating to the discharge by the authority of its licensing functions under the 2003 Act are referred to this committee and the committee must discharge those functions on behalf of the authority. The proceedings of the licensing committee are governed by the 2003 Act and Regulations made under it, in particular, the Licensing Act 2003 (Hearings) Regulations 2005 (“the 2005 Regulations”).
3. Section 9(1) of the 2003 Act permits the licensing committee to establish one or more sub-committees consisting of three members of the committee and Section 9(3), subject to any such regulations, each licensing committee may regulate its own procedure and that of its sub-committees.
4. Regulation 21 of the 2005 Regulations enables the licensing committee, subject to the provisions of the 2005 Hearing Regulations, to determine the procedure to be followed at licensing sub-committee hearings.

5. On 25 March 2020 Parliament passed the Coronavirus Act 2020 in response to the Covid-19 pandemic. Section 78 of that Act authorised regulations (the Flexibility of Local Authority and Police and Crime Panels Meetings (England and Wales) Regulations 2020) to make provision for (among other things) “the manner in which persons may attend, speak at, vote in, or otherwise participate in, local authority meetings. Since this time, licensing sub-committees have largely been convened remotely on Microsoft Teams.
6. The provisions in the Coronavirus Act 2020 was limited in application to local authority meetings required to be held, or held, before 7 May 2021.
7. In expectation of the expiry of the 2020 Act, Hertfordshire County Council (and others) issued proceedings and sought a declaration from the Divisional Court that (in effect) “meetings” held under the Local Government Act 1972 did not have to be in the same physical space and might occur by way of a remote or virtual hearing.
8. In Hertfordshire County Council and others v Secretary of State for Housing, Communities and Local Government [2021] EWHC 1093 (Admin) the Divisional Court considered whether the reference to a ‘meeting’ in schedule 12 to the Local Government Act 1972 (Meetings and Proceedings of Local Authorities) could include a meeting conducted wholly or partly remotely. The court decided it could not. The decision focused on local authority meetings held under the provisions of the Local Government Act 1972 and did not focus on local authorities acting in their capacity as licensing authorities holding licensing hearings under the provisions of the 2003 Act and specifically the 2005 Hearing Regulations made under it.
9. The licensing committee is not a committee established under the Local Government Act 1972, rather they were established by virtue of Section 6 and licensing sub-committees by virtue of Section 9 of the Licensing Act 2003. Section 101(15) of the Local Government Act 1972 makes it clear that nothing relating to the arrangements for discharge of functions by local authorities applies in relation to any function under the Licensing Act 2003 of a licensing authority.
10. On 11 July 2024 the issue relating solely to licensing applications was subsequently considered by the Divisional Court in Walk Safe Security Ltd v Lewisham London Borough Council [2024] EWHC 1787 (Admin), which the judgment establishes the principle that remote hearings are lawful, it contains only limited guidance on the practicalities of holding a remote hearing.
11. Although the judgment establishes the principle that remote hearings are lawful, only limited guidance is provided on the practicalities of holding remote hearing. The judgement makes clear, reference to procedural fairness, is that authorities should have a written protocol, setting out:
 - Criteria for holding an in-person hearing, fully remote hearing or hybrid procedure.

- What constitutes valid attendance by members of the committee, parties to the hearing, officers and members of the public.
- How access to the hearing by members of the public would be ensured.
- Additional measures to ensure that a remote hearing will not result in unfairness any party to the hearing.

KEY ISSUES FOR CONSIDERATION

12. On 28 February 2023 the licensing committee resolved that a combination of remote and in-person licensing sub-committee hearings, be agreed in that:
 - All reviews under the Licensing Act 2003 to be held in person.
 - All other Licensing Act 2003 application to be considered remotely.
 - All non-Licensing Act 2003 related licensing sub-committees to be held in person. This would include hearings under the Gambling Act 2005, markets applications under the Food Act 1984, special treatments licence applications under the London Local Authority Act 1990.
13. Although the judgement in Walk Safe Security Ltd determined it is lawful that all Licensing Act 2003 matters can be considered remotely, including issues of policy, the remit of the licensing committee is wider than the Licensing Act 2003. In view of this, it is proposed the licensing committee meets in person.

Options available to the committee

14. Remote Licensing Sub-Committee hearings have transformed licensing and modernised local democracy. It has enabled national expertise in terms of expert evidence and representation without the economic and environmental costs of individuals travelling to physically attend hearings, where physical attendance can be inconvenient, expensive or impossible. Both Members and Officers have observed that there has been a marked increase in resident participation, providing openness, and transparency to the system and local democracy.
15. Options available to the licensing committee are:

Option A: All licensing sub-committees return to in person hearings.

- This would mean consistency for all hearings considered by licensing sub-committees.

Option B: All licensing sub-committees are remote hearings.

- Remote hearings would only be available for Licensing Act 2003 applications.

Option C: There is a combination of remote and in person hearings.

- This would include:
 - Due to the powers available to a sub-committee includes a revocation of a premises licence, it is proposed that all reviews under the Licensing Act 2003 to be held in person. The only exemptions to this would be s.53B interim steps hearings and representations against interim steps hearings, due to emergency nature of the applications and the very short statutory timeframe these applications need to be heard by.
 - All other Licensing Act 2003 related applications licensing sub-committees to be held remote.
 - All non-Licensing Act 2003 related licensing sub-committees to return to be held in person. This would include hearings under the Gambling Act 2005, markets applications under the Food Act 1984 and special treatments licence applications under the London Local Authority Act 1990, which are low in number.

Option D: Hybrid arrangements for licensing sub-committees.

- With the exception of review applications, all non-Licensing Act 2003 applications would be in-person hearings requiring both members and council officers to attend in person for the duration of the hearing.
16. For equality and procedural fairness, any individual that has submitted a representation to any application and:
1. Is physically unable to attend a sub-committee hearing; or
 2. Is unable to attend a sub-committee hearing due to reasons related to their religion and/or belief;
 3. Does not have access to the technology to attend an in person sub-committee hearing

May request their attendance in their preferred format.

17. Although such hybrid arrangements may be appear “disjointed”, it would maintain the increased of resident participation and comply with the council’s public sector equality duty.

Statement of licensing policy 2021-2026

18. It is not proposed that the statement of licensing policy 2021-2026 that was ratified by council assembly on 25 November 2021 is amended at this stage to include hearing arrangements. The licensing sub-committee arrangements will be addressed in the future statement of licensing policy.

Draft protocol

19. If members agree that options C and D are the most appropriate option, a proposed protocol for licensing sub-committees is attached at Appendix A, which members are asked to approve.
20. On 11 July 2024 the issue relating solely to licensing applications was subsequently considered by the Divisional Court in Walk Safe Security Ltd v Lewisham London Borough Council [2024] EWHC 1787 (Admin).
21. The judgment established the principle that remote hearings are lawful, it contains only limited guidance on the practicalities of holding a remote hearing in that:
22. Although the judgment establishes the principle that remote hearings are lawful, only limited guidance is provided on the practicalities of holding remote hearing. The judgement makes clear, reference to procedural fairness, is that authorities should have a written protocol, setting out:
 - Criteria for holding an in-person hearing, fully remote hearing or hybrid procedure.
 - What constitutes valid attendance by members of the committee, parties to the hearing, officers and members of the public.
 - How access to the hearing by members of the public would be ensured.
 - Additional measures to ensure that a remote hearing will not result in unfairness any party to the hearing.

Draft licensing sub-committee hearings guidance

23. If members agree that options C and D are the most appropriate option, a proposed protocol for licensing sub-committees is attached at Appendix A, which members are asked to approve.
24. It is not intended to make any changes to Southwark's statement of licensing policy 2021-2026.

Policy framework implications

25. The proposals detailed supports the council's Delivery Plan 2022-2026 under the themes:
 - A thriving and inclusive economy
 - A healthy environment.
26. By utilising the ability to hold licensing sub-committees remotely it empowers residents to shape the place they live in and make decisions about licensing issues that may affect their lives.

- 27. Assists in tackling discrimination in local democracy, giving residents the alternatives to engage in the local democratic process.
- 28. Encourages making Southwark a more digitally connected borough.
- 29. Holding licensing sub-committees remotely, also plays a part tackles the climate emergency in reducing the borough's carbon emissions.

COMMUNITY, EQUALITIES (INCLUDING SOCIO-ECONOMIC) AND HEALTH IMPACTS

Community impact statement

Equalities (including socio-economic) impact statement

- 30. Positive equalities obligations are placed on local authorities, sometimes described as equalities duties, with regard to race, disability and gender. Race equality duties were introduced by the Race Relations Amendment Act 2000 which amended the Race Relations Act 1976. Gender equalities duties were introduced by the Equality Act 2006, which amended the Sex Discrimination Act 1975. Disability equality duties were introduced by the Disability Discrimination Act 2005 which amended the Disability Act 1995.
- 31. The council in exercising its licensing function must have regard to the 2003 Act, guidance issued by the Secretary of State under Section 182 of the 2003 Act and the council's own statement of licensing policy. It must also give appropriate weight to the views of those persons/bodies listed in the Act which it is required to consult before determining its policy.
- 32. Equality impact assessments are an essential tool to assist councils to comply with our equalities duties and to make decisions fairly and equalities and human rights impact assessments that are carried out should be mindful of the protected characteristics under the Equality Act 2010.

Health impact statement

- 33. The Licensing Act 2003 does not include health as a licensing objective although Public Health is a responsible authority by virtue of Section 13(4)(bb) Licensing Act 2003 who may submit representations in respect of applications to promote the licensing objectives: the prevention of crime and disorder, the public safety, the prevention of public nuisance and the protections of children from harm.

Climate change implications

- 34. Following council assembly on 14 July 2021, the council has committed to considering the climate change implications of any decisions.
- 35. Decisions on licensing must be to promote the licensing objectives.

36. The impact on climate change has been considered in the context of this report and the continued use of remote licensing sub-Committee hearings avoids the physical attendance at hearings without the economic and environmental costs of individuals travelling to physically hearings.

Resource implications

37. The proposed protocol on remote licensing sub-committee meetings does not have any resource issues in itself.
38. The resource costs of managing this process may be borne within the current licensing budget.

Consultation

39. No consultation has taken place nor is it required to be undertaken concerning the content of this report.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

Assistant Chief Executive - Governance and Assurance

40. Matters reserved for licensing committee and its sub-committees are detailed in Southwark's constitution (September 2022) at Part 3G: Licensing Committee and Sub-Committees as:
- Determinations of applications under the Licensing Act 2003
 - Determinations of Gambling Act 2005
 - Sex establishment applications
 - New designations for sites for street trading and market
 - Revocation of permanent street trading licences and markets.
 - Determine the revocation of any licence following successful prosecution of the holder for breach of licence terms, conditions and restriction
 - Any application for consent to provide hypnotism or like entertainment
 - Any application for the grant, renewal, variation or transfer of any general safety certificate in respect of a sports stadium or regulated stands
 - Any application for the grant, renewal, variation or revocation of any scrap metal licence (which involves the applicant making representations).
41. Section 10 of the Licensing Act 2003 provides for the sub-delegation of functions by licensing committee by establishing a sub-committee established by it.
42. Part 3G: Licensing Committee And Sub-Committees, The Head Of Service And Officer Panel Exercising Licensing Functions of the council's constitution (23 May 2024) provides that the function of the licensing committee is:
- “3. To establish policies and procedures for considering and determining additional licensing functions conferred on the authority by statute.

4. To consider and determine the following applications:
 - the grant, renewal, variation or transfer of any general safety certificate in respect of a sports stadium or regulated stands
 - street trading and markets
 - film classification
 - any other licensing responsibilities of the authority created by statute and delegated to the committee.
 - 5 Where appropriate to hear and consider the case for the applicant either by way of written or oral representation and consider objections and representations to the application from authorised persons and interested parties or their designated representatives.
 - 6 To consider and determine the revocation of licences and registrations reserved to the licensing committee.
 - 7 To consider the designation of new sites for street trading and markets.
 - 8 To establish sub-committees under the relevant statutory provisions empowered to discharge any and all of the authority's licensing functions".
43. The link for this can be found at:
- <https://moderngov.southwark.gov.uk/documents/s109072/3G%20Licensing%20-%20July%202017.pdf>
44. Most local authority committees are established under powers contained in the Local Government Act 1972. The expiry of The Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020, removed the temporary provisions which enabled such Committees to meet remotely during the coronavirus pandemic. Licensing sub-committees are, however, governed by the Licensing Act 2003 and the Licensing Act 2003 (Hearings) Regulations 2005.
45. Section 9(3) of the Licensing Act 2003 states that a licensing committee may regulate its own procedure and that of its sub-committees, subject to regulations made by the Secretary of State.
46. Regulation 21 of the Licensing Act 2003 (Hearings) Regulations 2005 gives a wide discretion to local authorities to determine the procedures for hearings: "Subject to the provisions of these Regulations satisfying the requirements set out in those regulations the authority shall determine the procedure to be followed at the hearing".
47. The Regulations require hearings to be conducted in public and this can be satisfied by the live streaming of hearings. There is therefore no impediment to conducting most hearings under the Regulations remotely.

48. Licensing sub-committees are also responsible for dealing with a range of other functions which do not fall under the 2005 Regulations, including street trading licences. These tend to be relatively few in number but when they arise will have to be dealt with at in person hearings.
49. There is a legal requirement to hold licensing sub-committee hearings in a fair manner. This applies whether a hearing is held in-person or remotely. Care needs to be taken when holding remote hearings to ensure all parties are present throughout the meeting, to ensure any loss of connection is picked up and resolved as soon as possible, and that the hearing is adjourned on resuming the meeting that a repetition and/or summary of what the party missed during loss of connectivity is provided.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Licensing Act 2003	https://www.legislation.gov.uk/ukpga/2003/17/contents	Bina Patel, Business Unit Manager - Neighbourhood Nuisance
The Licensing Act 2003 (Hearings) Regulations 2005	https://www.legislation.gov.uk/uksi/2005/44/contents	
Licensing Committee Decision 28/02/2023	https://moderngov.southwar.k.gov.uk/documents/g7595/Printed%20minutes%20Tuesday%2028-Feb-2023%2018.00%20Licensing%20Committee.pdf?T=1	
Walk Safe Security Ltd v Lewisham London Borough Council [2024] EWHC 1787 (Admin)	https://www.bailii.org/ew/cases/EWHC/Admin/2024/1787.html	

APPENDICES

No.	Title
Appendix 1	Guidance on licensing sub-committee hearings – January 2025

AUDIT TRAIL

Lead Officer	Anju Sidhu, Head of Regulatory Services for Environment, Sustainability and Leisure		
Report Author	Bina Patel, Business Unit Manager - Neighbourhood Nuisance		
Version	Final		
Dated	27 January 2025		
Key Decision?	No		
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER			
Officer Title	Comments Sought	Comments Included	
Assistant Chief Executive - Governance and Assurance	Yes	Yes	
Strategic Director of Resources	No	No	
Cabinet Member	No	No	
Date final report sent to Constitutional Team		30 January 2025	

GUIDANCE ON LICENSING SUB-COMMITTEE HEARINGS

1. Introduction

1. The London Borough of Southwark conduct a combination of in-person and remote hearings consisting of:
 - i. All reviews under the Licensing Act 2003 to be held in person because the powers available to a sub-committee include the revocation of a premises licence. The only exemptions to this would be:
 - a. s.53B interim steps hearings
 - b. Representations against interim steps hearings
These hearings will be heard remotely due to emergency nature of the applications and the very short statutory timeframe these applications need to be heard by.
 - c. Reviews due to be heard in person may with the Chair or Vice-Chair of the Licensing Committee be held remotely in the event of a public emergency or the safety of attendees may be heightened (e.g. riot, security alerts etc.).
 - ii. All other Licensing Act 2003 related applications Licensing Sub-Committees to be held remotely.
 - iii. All non-Licensing Act 2003 related Licensing Sub-Committees to be held in person. This includes hearings under the Gambling Act 2005, Markets applications under the Food Act 1984, Special Treatments Licence Applications under the London Local Authority Act 1990.
 - iv. Concerning all Licensing Sub-Committee hearings, for equality and procedural fairness, any individual that has submitted a representation to any application and:
 2. Is physically unable to attend a sub-committee hearing; or
 3. Is unable to attend a sub-committee hearing due to reasons related to their religion and/or belief;
 4. Does not have access to the technology to attend an in person sub-committee hearing

May request their attendance in their preferred format.

2. This document gives details on how remote meetings will take place and establish some rules of procedure. This guidance should be read in conjunction with Part 3(G) (Who takes decisions) and Part 7 (Committee Procedure Rules) of the Council's constitution.

2. Prior to the Hearing

1. Once the date for a hearing has been set, an electronic email/invitation appointment will be sent to all parties. This will include a link to access

the virtual meeting as well as guidance on the use of the technology involved.

2. The electronic appointment should not be shared with any other party.
3. Before a remote hearing, parties are encouraged to submit brief email submissions, at least 24-hours before the hearing is due to start summarising the points they wish to make at the hearing and any outstanding issues. Although the submissions are voluntary, they are likely to assist in the conduct of the remote hearing and the decision making process. The submissions should be e-mailed to the clerk of the hearing, as shown on the front of the agenda papers for the meeting, in addition to the Licensing Unit at Licensing.Regan@southwark.gov.uk so that they may be circulated to all parties and considered in advance of the hearing.
4. Remote Licensing Sub-Committee hearings will be convened via Microsoft Teams. This will be accessible via the web or by downloading the app to a PC, laptop, I-Pad etc. or mobile/landline telephone and the instructions sent with meeting appointments will cover how to do this which will be sent at least five clear days in advance of the hearing. A weblink to view and, where appropriate, participate in the meeting will be included with the electronic appointment for the virtual meeting and will also be published on the Council's website, on the same page as the agenda for the meeting.

3. Meeting Agenda

1. The meeting agenda setting out the items for the hearing will be issued in advance to all parties to the hearing in accordance with statutory timetables. This will include details of the licence application or variation together with all representations on the matter. The agenda will also be published on the Council's website – www.southwark.gov.uk in the normal way.
2. Full copies of restricted agenda packs will be distributed to relevant parties in advance of the hearing.

4. Format of the Meeting

1. Although held in a virtual format, Licensing Sub-Committee Hearings dealing with new licences, variations to existing licences and temporary event notices will follow the standard procedure with the following principal stages:
 - i. Housekeeping
 - ii. Introductions of all attendees
 - iii. Apologies
 - iv. Voting Members of Licensing Sub-Committee
 - v. Disclosure of Members Interests and Dispensations
 - vi. Items of Business deemed Urgent

vii. Hearing Procedure of Application Order:

- Licensing Officer
 - Applicant/Applicant's Representative
 - Responsible Authorities
 - Other Persons
2. Each party has up to 5 minutes to make its presentation; this includes any witnesses called. Parties who are speaking should not repeat the information which they have already given in writing in their representation. They will be able to expand on the written information given, provided the information remains relevant. Any additional information should be limited to the grounds of their representation(s). Parties are not expected nor required to talk for the full 5 minutes and the clerk to the hearing will monitor the time.
 3. Members may ask questions of any party at any time, although questions are usually taken after each party has spoken. Following each presentation the members of the sub-committee may ask questions of each party or their representative and of any witnesses.
 4. There is no time limit for members' questions.
 5. There is no automatic right for the parties to question one another, except with the Chairs permission. If the Chair allows questions, there is a time limit of [x] minutes.
 6. At the end of the hearing, each party has 5 minutes to make a closing statement. The party subject to the application¹ will make the final closing statement.
 7. The Licensing Sub-Committee will then deliberate in a closed private session with the Legal Adviser and Clerk present. The Sub-Committee will usually announce a summary of the decision following the closed private session.

5. Meeting Etiquette and Rules

1. Parties should be aware that on occasions there will be a strain upon broadband network infrastructure. This may result in Licensing Sub-Committee hearings experiencing intermittent faults whereby participants can lose contact for short periods of time before reconnecting to the hearing.
2. This guidance explains how the meeting is to be conducted, including advice on what to do if a participant cannot hear the speaker, and etiquette of participants during the call.
3. For some participants, this will be their first conference call or virtual meeting. In order to make the hearing productive, the following rules must be adhered to and etiquette observed:
4. Parties are advised to log on at least 15-minutes before the hearing is due to start.
5. A telephone number of an officer will be provided in case of technical difficulties on the day.

¹ For Licensing Act 2003 applications "the party subject to the application" is those identified in column 2 of Schedule 3 of the Licensing Act 2003 (Hearings) Regulations 2005. For non-Licensing Act 2003 applications, "the party subject to the application" will mean the licence holder (or proposed licence holder) of Gambling Act 2005 applications and London Local Authorities Act 1990 applications. For markets applications, it will be the market stall licence holder (or proposed licence holder).

6. To ensure that the virtual hearing runs smoothly only one individual shall be allowed to speak at a time. The meeting will be presided over by the Chair who will indicate when participants may to speak individually at appropriate points. All other participants will have their microphones muted by the Clerk until invited by the Chairman to speak as background and potential noise interruptions can disturb participants.
7. Virtual video backgrounds can easily be used to avoid distractions and preserve the privacy of participants if they are calling in from their homes.
8. All persons shall have their have their microphones muted until invited to speak by the Chair.

All persons shall have their cameras on when speaking.

Any person speaking must be permitted to finish what they are saying without interruption.

11. If the Chair requests that an individual stops speaking they should do so immediately.
12. Under Regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005 the licensing authority may exclude a party from all or part of the hearing where it considers that the public interest in doing so outweighs the public interest in the hearing or part of that hearing taking place in public. This includes persistent interruptions by a party. In such circumstances, on direction by the Chair, the clerk to the hearing will terminate the party's link to the hearing.
13. In addition, there may be information in the agenda pack pertaining to the hearing be exempt from publication or discussion in public under Schedule 12A of The Local Government Act 1972 as amended. In these circumstances the public will be excluded from part of the whole hearing as appropriate. There may be a closed Microsoft Teams hearing arranged by the clerk.

6. Post Hearing

1. Notification of the Licensing Sub-Committee's decision together with detailed reasons will be given approximately five working days beginning with the day or the last day on which the hearing was held in accordance with the regulations. The notification of decision will also include information about the right of appeal as appropriate.
2. Minutes of the meeting will also be published on the Council's website. For any further information on the hearing, please contact Constitutional.Team@southwark.gov.uk or Licensing.Regen@southwark.gov.uk

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LICENSING COMMITTEE DISTRIBUTION LIST (OPEN)**MUNICIPAL YEAR 2024-25**

NOTE: Original held by Constitutional Team; all amendments/queries to
Andrew Weir Tel: 020 7525 7222

Name	No of copies	Name	No of copies
Members		Officers	
Councillor Renata Hamvas (Chair)	1	Debra Allday, Legal services	By email
Councillor Jane Salmon (Vice-chair)	By email	Bina Patel, Licensing team	By email
Councillor Suzanne Abachor	1		
Councillor Sunil Chopra	1		
Councillor Ellie Cumbo	1		
Councillor Barrie Hargrove	1	Andrew Weir, Constitutional Team	4
Councillor Jon Hartley	1		
Councillor Sunny Lambe	1		
Councillor Maria Linforth-Hall	1		
Councilor Margy Newens	1		
Councillor Andy Simmons	1	Total print: 18	
Councillor Charlie Smith	1	Date: 3 February 2025	
Councillor Emily Tester	1		
Councillor Kath Whittam	1		
Councillor Ian Wingfield	1		