

READING BOROUGH COUNCIL

REPORT BY HEAD OF PLANNING, DEVELOPMENT AND REGULATORY SERVICES

TO:	LICENSING APPLICATIONS SUB-COMMITTEE 1		
DATE:	27 OCTOBER 2015	AGENDA ITEM:	3
TITLE:	APPLICATION FOR THE GRANT OF AN ADULT GAMING CENTRE FOR THE PREMISES AT 365-367 OXFORD ROAD, READING, RG30 1HA		
LEAD COUNCILLOR:	COUNCILLOR GITTINGS	PORTFOLIO	CULTURE, SPORT AND CONSUMER SERVICES
SERVICE:	REGULATORY SERVICES - LICENSING	WARDS:	BATTLE
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1. PURPOSE AND SUMMARY OF REPORT

- 1.1 To allow you to consider an application for the grant of an Adult Gaming Centre licence made by Riva Bowl LLP (Gambling Operating Licence 7209) for premises located at 365-367 Oxford Road, Reading, RG30 1HA

2. RECOMMENDATION

- 2.1 That you consider the application as detailed in the report.
- 2.2 That if you approve the application, you delegate to the Head of Planning, Development and Regulatory Services authority to grant the licence subject to the applicant satisfying all licensing requirements.

3. POLICY CONTEXT

- 3.1 Reading Borough Council (“the Council”) adopted the Gambling Act 2005 (“the Act”) which fully came into effect on the 1 September 2007. This permitted the Council to licence and regulate gambling provision in the Borough of Reading
- 3.2 The Council approved its Statement of Gambling Licensing Principles on 1<sup>st</sup> December 2014. A copy of the Statement of Licensing Gambling Principles is attached as Appendix I to this report.
- 3.3 Determination of applications for the grant of a premises licence has been delegated to licensing officers if no objections are received. Applications that

attract objections must be referred to the Licensing Sub-Committee for determination.

## 4. BACKGROUND

### 4.1 Licensing Objectives

The Act requires that the Council performs its various licensing functions with a view to promoting the following three licensing objectives:-

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

Attached as Appendix II is the Guidance from the Gambling Commission regarding the licensing objectives issued in September 2012.

### 4.2 Reading Borough Council Statement of Gambling Licensing Principles

Paragraph 9.1 of the Council's Statement of Gambling Licensing Principles states:

*Nothing in this statement of principles will undermine the rights of any person to apply for any licence under the Act and have the application considered on its individual merits or override the right of any person to make representations on any application for a licence or a review of a licence where they are permitted to do so under the Act.*

Paragraph 9.2 goes on to state:

*On consideration of an application for a premises licence, provisional statement or on consideration of a temporary use notice, the presumption shall be to grant the application without conditions. Conditions will only be considered where they are needed to take cognisance of the licensing objectives and codes and guidance issued by the (Gambling) Commission. Any conditions applied will not be onerous and will be appropriate to the scale of the application and the risks involved. Conditions will generally be considered unnecessary if they are already adequately covered by other legislation.*

Paragraph 9.5 goes on to state:

*When considering any conditions to be attached to licences, the Council will primarily focus on the direct impact of the activities taking place at licensed premises on members of the public living, working or engaged in 'normal activity' in the area concerned.*

## 5. THE PROPOSAL

- ### 5.1
- Riva Bowl LLP have applied for the grant of an Adult Gaming Centre licence to permit the operation of Adult Gaming facilities at 365-367 Oxford Road,

Reading, RG30 1HA. The applicant holds an operating licence (000-007209-N-100893-00) and has not sought to amend the default conditions.

5.2 A copy of the application form and the location of the premises in Oxford Road are attached as Appendix III.

5.3 The application has been subject to a formal consultation process and 4 representations have been received who, as interested parties, are entitled to make representation pursuant to section 158 of the Gambling Act 2005. These representations are attached as Appendix IV.

5.4 There were no representations from Responsible Authorities such as Thames Valley Police and Reading Local Safeguarding Children Board.

5.5 Options available to the Committee

5.5.1 In considering an application for an Adult Gaming Centre the Act requires that a licensing authority shall aim to permit the use of the premises for gambling in so far as the authority thinks the application is-

- a) In accordance with any relevant code of practice issued by the Gambling Commission.
- b) In accordance with any relevant guidance issued by the Gambling Commission.
- c) Reasonably consistent with the licensing objectives (subject to paragraphs (a) and (b)).
- d) In accordance with the Council's Statement of Gambling Licensing Policy (subject to paragraphs (a) to (c)).

5.5.2 Section 25 of the Act states that regard must be had to the Guidance issued by the Gambling Commission.

5.5.3 However, the authority is not restricted to only the factors referred to in paragraphs 5.5.1 but may also take into consideration other factors which it considers relevant, although it must be significantly guided by the criteria referred to in paragraphs 5.5.1. The only factors specified by the Act which the Council ought not to take into consideration are:-

- (a) the expected demand for the gambling facilities for which the premises will be used and
- (b) whether or not the proposal by the applicant is likely to be permitted in accordance with planning and building law.

5.5.4 the authority may

- i) Grant the application
- ii) Grant the application and attach conditions.

iii) Refuse the application

## 6. CONTRIBUTION TO STRATEGIC AIMS

### 6.1. Community Safety Implications

6.1.1 The Act permits the Authority to grant the licence and paragraph 5.11 of the Gambling Commission Guidance details considerations in respect of the location of gambling premises.

### 6.2 Sustainability

6.2.1 Persons may apply for premises Licences as such premises do serve a section of the community. However, it is vital that mechanisms are available to allow control of such venues, in order to protect people and businesses located in the vicinity.

6.2.1 In the past applicants had to demonstrate that there was a demand for such premises. The introduction of the Act removed this requirement.

## 7. COMMUNITY ENGAGEMENT AND INFORMATION

7.1 Community engagement in respect of licensing matters occurs on an ongoing basis through the Neighbourhood Actions Groups, Notice in a local paper, and Notice on the premises, Antisocial Behaviour Action Groups and the Council's website.

7.2 Responsible authorities and interested parties are entitled to make representations in response to an application for a licence.

## 8. LEGAL IMPLICATIONS

8.1 Section 153 of the Act states:

(a) that an application may only be made by a person who holds an operating licence which authorises him to carry on the activity in respect of which the premises licence is sought or who has made an application for such an operating licence, which has not yet been determined.

(b) That an application may only be made by a person who has a right to occupy the premises to which the application relates

8.2 Section 169 of the Act enables the committee to attach conditions to a licence and exclude a default condition.

8.3 Section 210 of the Act states:

l) In making a decision in respect of an application, a licensing authority shall not have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with the law relating the planning or building

ii) A decision by the licensing authority shall not constrain any later decision by the authority under this law relating to planning or building.

## 9. FINANCIAL IMPLICATIONS

9.1 The costs associated with application process will be covered by the application fee and annual fee.

9.2 Any appeal against a refusal to grant or against any imposed conditions could result in the council having to bear the legal costs to defend its action.

## 10. BACKGROUND PAPERS

1. Appendix I Reading Borough Council statement of Licensing Principles.
2. Appendix II Gambling Commission Guidance concerning the Licensing Objectives.
3. Appendix III Copy of application
4. Appendix IV Local residents representations

# **Reading Borough Council**

# **Statement of Gambling Licensing Principles**

Approved 1 December 2014

**Reading Borough Council  
Statement of Gambling Licensing Principles**

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## STATEMENT OF GAMBLING LICENSING PRINCIPLES

### 1. Introduction

1.1 Section 2 of this Statement is the interpretation section.

1.2 The Council is the Licensing Authority under the Act. The Council is responsible for granting premises licences in the Borough of Reading in respect of:-  
Casino premises;  
Bingo premises;  
Betting premises, including tracks;  
Adult Gaming Centres;  
Family Entertainment Centres.

1.3 The Act requires the Council to prepare and publish a Statement of Principles that it proposes to apply in exercising its functions under the Act. The Act requires that the Statement be reviewed every three years. This Statement was last reviewed in 2012.

1.4 This Statement has been prepared having regard to the provisions of the Guidance issued by the Commission and the licensing objectives of the Act and will be available on the Council's website.

1.5 This Statement will come into effect on the date of adoption by the Council and will be reviewed as necessary, and at least every three years from the date of adoption.

#### 1.6. The Borough of Reading

The Borough is some 4040 hectares in size with a current population of 155,000 persons within its boundary and a population of 255,000 persons within the greater Reading urban area. Over 13% of the population is made up from minority ethnic communities. The strategic location of M4 and the proximity to Heathrow Airport and London has permitted Reading to develop into a major employer in computer companies. In the centre of Reading is located a major shopping and leisure area, which also has a thriving evening economy. Unemployment in Reading is generally low. The areas surrounding the town centre are generally residential with some industrial zones and small shopping precincts.

#### 1.7 Consultees

The following have been consulted in respect of this Statement:-

- (a) Thames Valley Police;
- (b) Representatives of the holders of the various licences for premises within the Borough who will be affected by this Statement;
- (c) Persons/bodies representing the interests of persons likely to be affected by this Statement.

## 2. Interpretation Section

Within this Statement, the following words and terms are defined as stated:

Act:	The Gambling Act 2005
Applications:	Applications for licences and permits as referred to in Section 6 of this Statement
Borough:	The area of Reading administered by Reading Borough Council (Map appended at Appendix A)
Code of Practice:	Means any relevant code of practice under section 24 of the Act
Commission:	The Gambling Commission
Council:	Reading Borough Council
Default Condition:	Means a specified condition provided by regulations to be attached to a licence, unless excluded by the Council
Interested Party:	For the purposes of the Act, a person is an interested party in relation to a premises licence if, in the opinion of the Licensing Authority which issues the licence or to which the application is made, the person: -  (a) Lives sufficiently close to the premises to be likely to be affected by the authorised activities;  (b) Has business interests that might be affected by the authorised activities;  (c) Represents persons who satisfy a) or b) above.
Licences:	As defined in Section 5 of this Statement
Licensing Objectives:	As defined in Section 4 of this Statement
Mandatory Condition:	Means a specified condition provided by regulations to be attached to a licence
Notifications:	Means notification of temporary and occasional use notices
Premises:	Any place, including a vehicle or vessel.
Regulations:	Regulations made under the Act
Responsible Authority:	For the purposes of the Act, the following are responsible authorities in relation to premises:

The Licensing Authority in whose area the premises are wholly or mainly situated;  
The Gambling Commission;  
Thames Valley Police;  
Royal Berkshire Fire and Rescue Service;  
Planning Department, Reading Borough Council;  
Health & Safety Team, Reading Borough Council;  
Environmental Protection Team, Reading Borough Council;  
Reading Local Safeguarding Children Board;  
HM Customs and Excise.  
Any other person prescribed by regulation made by the Secretary of State.

### 3. Who may make representations

3.1 Responsible authorities and interested parties are entitled to make representations in response to applications for premises licences, provisional statements and applications for review of premises licences.

3.2 The Council will give due consideration to each case in deciding whether a person is an interested party. The factors which the Council shall take into consideration in determining whether a person lives sufficiently close to the premises to be likely to be affected by the authorised activities 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, and routes likely to be taken by those visiting the establishment);  
The circumstances of the complainant. This is not the personal characteristics of the complainant, but the interest of the complainant which may be relevant to the distance from the premises. For example, it could be reasonable for an authority to conclude that 'sufficiently close to be likely to be affected' could have a different meaning for (a) a private resident, (b) a residential school for children with truanting problems, and (c) a residential hostel for vulnerable adults.

3.3 In determining whether a person has a business interest that might be affected by the authorised activities, the Council will take a flexible approach. Such persons may include partnerships, charities, churches, medical practices, residents' associations, trade associations, trade unions and landlords.

3.4 In principle, the Council may allow any person to represent an interested party, although it may initially seek written confirmation that the person authentically represents the interested party. Generally, evidence shall be required that a person or body represents someone. However, this will not apply to a person's legal representative. The requirement will also not apply to interested parties' Councillors or Members of Parliament.

#### **4. Licensing objectives**

In carrying out its functions in respect of applications for, and review of, premises licences, and applications for provisional statements, and consideration of temporary use notices, the Act requires that the Council shall aim to permit the use of the premises for gambling insofar as the Council thinks it reasonably consistent with the three licensing objectives which 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 carried out in a fair and open way; and

Protecting children and other vulnerable persons from being harmed or exploited by gambling.

#### **5. Types of Licence**

This Statement sets out the policies that the Council will apply when making decisions upon applications made for:-

Premises Licences;  
Provisional Statement  
Temporary Use Notices;  
Permits as required under the Act;

#### **6. Licensable Premises and Permits**

This Statement relates to the following:-

- (a) Casinos Premises;
- (b) Bingo Premises;
- (c) Betting Premises;
- (d) Tracks;
- (e) Adult Gaming Centres;
- (f) Family Entertainment Centres;
- (g) Club Gaming Permits;
- (h) Prize Gaming and Prize Machine Permits;
- (i) Gaming machines on alcohol licensed premises;

#### **7. Applications**

7.1 An application for a premises licence can only be made by a person who either holds an operating licence authorising him to carry on the activity in respect of which a premises licence is sought, or has made an application for an operating licence which has not yet been determined.

7.2 Applications for the grant, transfer or variation of a premises licence and provisional statement must demonstrate how the applicant will prevent the licensing objectives being adversely affected. The applicant may ask the Council for advice as to the scope of information to be provided.

7.3 An applicant can apply for a provisional statement in respect of premises:

- (a) that he expects to be constructed,
- (b) that he expects to be altered, or
- (c) that he expects to acquire a right to occupy

## 8. Determination of Applications

The Council shall take into consideration the following in determining applications for the following:-

- (a) Premises Licences, provisional statement and temporary use notices

Codes of Practice issued by the Commission, guidance issued by the Commission, the licensing objectives, this Statement and other relevant factors.

- (b) Family entertainment centre gaming machine permit

The licensing objectives, guidance issued by the Commission and this Statement.

- (c) Club gaming permit and club machine permit

The licensing objectives, guidance issued by the Commission and this Statement.

- (d) Licensed premises gaming permit

The licensing objectives, guidance issued by the Commission, other relevant matters and this Statement.

- (e) Prize gaming permit

The licensing objectives and guidance issued by the Commission and this Statement.

## 9. General Principles

9.1 Nothing in this Statement shall undermine the rights of any person to apply for any licence under the Act and have the application considered on its individual merits or override the right of any person to make representations on any application for a licence or a review of a licence where they are permitted to do so under the Act.

9.2 On consideration of an application for a premises licence, provisional statement or on consideration of a temporary use notice the presumption shall be to grant the application without conditions. Conditions will only be considered where they are needed to take cognisance of the licensing objectives, and codes and guidance issued by the Commission, and any conditions applied will not be overly onerous and will be proportionate to the scale of the application and the

risks involved. Conditions will generally be considered unnecessary if they are already adequately covered by other legislation.

9.3 No conditions may be attached to permits.

9.4 Licensing is about the control of premises where facilities for gambling are provided. Conditions may be attached to licences that will cover matters that are within the control of individual licenses.

9.5 When considering any conditions to be attached to licences, the Council will primarily focus on the direct impact of the activities taking place at licensed premises on members of the public living, working or engaged in normal activity in the area concerned.

9.6 Conditions will be applied to licences that are proportionate and appropriate to the business, organisation or individual concerned. The Council will draw upon advice and the guidance issued by the Commission and attach conditions relative to the given circumstances of each individual case.

9.7 Conditions attached to licences will, so far as possible, reflect local crime prevention strategies. For example, closed circuit television cameras may be appropriate in certain premises.

9.8 The Secretary of State may by regulation provide for specified conditions to be attached to a premises licence as either “mandatory” or “default” conditions.

9.9 In determining an application for licences the Council may not have regard to the expected demand for the facilities for gambling that it is proposed to provide.

9.10 Responsible authorities and interested parties who make representations must relate their representations to any relevant code of practice and guidance issued by the Commission, the licensing objectives and this Statement.

9.11 The Council recognises that, apart from the licensing function, there are a number of other mechanisms available for addressing issues of unruly behaviour that can occur away from licensed premises, including:-

- (a) Planning controls;
- (b) Ongoing measures to create a safe and clean environment in these areas in partnership with local businesses, transport operators and other Council departments;
- (c) Regular liaison with the police on law enforcement issues regarding disorder and anti-social behaviour;
- (d) The power of the police, other responsible authorities or local residents and businesses to seek to have premises licences reviewed.

9.12 When determining an application, the Council cannot take into account irrelevant matters. In determining an application for a premises licence or a provisional statement, it cannot take into consideration whether the applicant’s

application for planning or building control permission in respect of the premises will be successful.

## **10. Location Policy**

When determining an application for the grant or review of a premises licence, the grant of a provisional statement or when considering a temporary use notice, regard will be given to the proximity of the premises to schools, vulnerable adult centres or residential areas where there may be a high concentration of families with children. It is very important in such circumstances that applicants demonstrate how the licensing objectives will not be adversely affected. The proximity of premises taken into consideration will vary depending on the size and scope of the gambling premises concerned. Each case will, however, be decided on its merits.

## **11. Prevention of Crime and Disorder Objective**

11.1 The Council places a considerable importance on the prevention of crime and disorder, and will fulfil its duty under s17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the borough. A high standard of control is, therefore, expected to be exercised over licensed premises.

11.2 The Council will, when determining applications, consider whether the grant of a premises licence will result in an increase in crime and disorder.

11.3 Public nuisance is not specified in the Act as a licensing objective. However, the Council may take cognisance of it, when considering applications for premises licences and a provisional statement and when considering a temporary use notice if it is of the opinion that in the circumstances of the case public nuisance may be tantamount to crime and/or disorder.

11.4 Applicants are encouraged to discuss the crime prevention procedures in their premises with the Council's Licensing Officers and Thames Valley police before making a formal application.

11.5 In considering licence applications, the Council will particularly take into account the following:-

- (a) The design and layout of the premises;
- (b) The training given to staff in crime prevention measures appropriate to those premises;
- (c) Physical security features installed in the premises. This may include matters such as the position of cash registers or the standard of CCTV that is installed;
- (d) Provision of door supervisors;
- (e) Where premises are subject to age restrictions, the procedures in place to conduct age verification checks;

(f) The likelihood of any violence, public order or policing problem if the licence is granted.

## **12. Ensuring that gambling is conducted in a fair and open way objective**

12.1 Generally, the Commission would not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way, as this will be a matter for either the management of the gambling business (and, therefore, relevant to the operating licence), or will be in relation to the suitability and actions of an individual (and, therefore, relevant to the personal licence). Both of these options fall under the purview of the Commission. However, if the Council suspects that gambling is not being conducted in a fair and open way, this will be brought to the attention of the Commission so that it may consider the continuing suitability of the operator to hold an operating licence or of an individual to hold a personal licence.

12.2 Without prejudice to paragraph 12.1 above, for the purpose of ensuring that gambling is conducted in a fair and open way the Council may take into consideration the following:-

Whether the applicant has been, and is, willing to co-operate with enforcement agencies checking compliance with the licensing objective;

The history of the applicant in complying with advice given by enforcement agencies, in particular, officers of the Council, about compliance with the licensing objectives.

## **13. Designation of Reading Local Safeguarding Children Board as responsible authority**

13.1 The Council is legally required to specify the principles which it will apply in exercising its powers under section 157(h) of the Act to designate, in writing, a competent body to advise it about the protection of children from harm. The principles are:-

the need for it to be a body in Reading and be responsible for, or interested in, matters relating to the protection of children from harm;

the Council's desire that the body should act responsibly in performing the function and be such that would be willing to advise the Council if necessary.

13.2 As the Reading Local Safeguarding Children Board is a responsible authority for the purposes of the Licensing Act 2003, the Council hereby designates it as the responsible authority for the purpose of the Act.

## **14. Protection of children and other vulnerable persons objective**

14.1 With limited exceptions, the access of children and young persons to those gambling premises that are adult only environments will not be permitted.



14.2 The Council will seek to limit the advertising for premises so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to children.

14.3 The Council will judge the merits of each separate application before deciding whether to impose conditions to protect children on particular categories of premises. This may include such requirements as:-

- (a) Supervision of entrances;
- (b) Segregation of gambling areas from areas frequented by children;
- (c) Supervision of gaming machines in non-adult gambling specific premises.

14.4 The Act provides for the Commission to issue one or more code of practice on access to casino premises by children and young persons and the Council will work closely with the police to ensure the appropriate enforcement of the law, especially relating to the sale and supply of alcohol to children.

14.5 In determining applications the Council shall take into consideration:-

Whether the applicant has been, and is, willing to co-operate with enforcement agencies checking compliance with this licensing objective;

The history of the applicant in complying with this licensing objective;

14.6 The applicant for premises licences, provisional statements and review of premises licences is required to serve a notice of the application on the Reading Safeguarding Children Board, which is a responsible authority.

## **15. Vulnerable Persons**

The Council does not seek to prohibit particular groups of adults from gambling in the same way that it seeks to prohibit children, but it will assume for regulatory purposes, that “vulnerable persons” include:

People who gamble more than they want to;

People who gamble beyond their means;

People who may not be able to make an informed or balanced decision about gambling due to a mental impairment, alcohol or drugs.

## **16. Licensing Reviews**

The Council will carry out a review of a premises licence where it has received a formal application for a review, or of its own volition, in accordance with the Act. The review must be relevant to any relevant code and guidance issued by the Commission, the licensing objectives and this Statement. Representations may include, amongst others, issues relating to the following:-

Use of licensed premises for the sale and distribution of class A drugs and/or the laundering of the proceeds of crimes;

Use of licensed premises for the sale and distribution of illegal firearms;

Use of licensed premises for prostitution or the sale of unlawful pornography;

Use of licensed premises as a base for organised criminal activity;

Use of licensed premises for the organisation of racist, homophobic or sexual abuse or attacks;

Use of licensed premises for the sale of smuggled tobacco or goods;

Use of licensed premises for the sale of stolen goods.

## **17. Enforcement**

17.1 Principles to be applied by the Council in exercising its functions under Part 15 of the Act with respect to the inspection of premises and the powers under Section 346 of the Act to institute criminal proceedings in respect of the offences specified in that Section are as follows:-

17.1.1 All licensing enforcement will be conducted in accordance with the Enforcement Concordat and the Council’s Corporate Enforcement Policy.

17.1.2 The Council is a signatory to the Enforcement Concordat and will follow the principles set out in it. The concordat is based around the principles of consistency, transparency and proportionality.

17.1.3 The Enforcement Concordat (available upon request) proposes that a graduated response is taken where offences against legislation occur. An isolated administrative offence, such as failing to maintain certain records, may be dealt

with by way of a written warning. More serious offences may result in a referral to Sub-Committee for a review of the premises licence or may result in a prosecution. Each case will be considered on its merits.

17.1.4 In deciding whether to institute criminal proceedings the Council shall take cognisance of the public interest test and the realist prospect of a conviction test as specified in the Attorney General Guidelines.

17.1.5 The Council intends to use appropriate enforcement to promote the licensing objectives. Once licensed, it is essential that premises are monitored to ensure that they are run in compliance with the specific requirements of the Act and in compliance with any licence conditions. It will also be important to monitor the Borough for unlicensed premises. The Council shall authorise officers for such purposes.

17.1.6 The Act provides for the Commission to issue one or more code of practice on access to casino premises by children and young persons and the Council will work closely with the police to ensure the appropriate enforcement of the law, especially relating to the sale and supply of alcohol to children.

## **18. Legislation**

18.1 In undertaking its licensing function under the Act the Council is also bound by other legislation, including:-

Section 17 of the Crime and Disorder Act 1988;

Human Rights Act 1998.

18.2 This Statement is not intended to duplicate existing legislation and regulatory regimes that already place obligations on employers and operators.

## **19. Complaints against licensed premises**

19.1 The Council will investigate complaints against licensed premises in relation to matters relating to the licensing objectives for which it has responsibility, including breach of a licence condition. In the first instance, complainants are encouraged to raise the complaint directly with the licence holder or business concerned to seek a local resolution.

19.2 Where an interested party or reasonable authority has made either a valid representation about licensed premises or a valid application for a licence to be reviewed, the Council may initially arrange a conciliation meeting to address and clarify the issues of concern.

19.3 This process will not override the right of any interested party or responsible authority to ask that the licensing committee consider their valid representations or for any licence holder to decline to participate in a conciliation meeting.

## **20. Assessment of Need**

Unmet demand is not a criterion that will be taken into consideration when determining an application for a premises licence or provisional statement under the Act.

## **21. Casinos**

There are currently 3 Casinos operating within the Borough. In addition to this there is a further premises currently licensed, but not operating. There are no plans to limit or restrict the number of casinos operating within the Borough.

## **22. Gaming Permits**

With regard to the number of gaming machines permitted on premises, the Council will grant permits in accordance with the Act as outlined in Appendix C to this policy. However, should applications be received for extra machines, where permitted, the council will determine each case on its merits giving due regard to the three licensing objectives.

## **23. Family Entertainment Centres (FECs)**

23.1 Children and young persons may enter FECs but are not permitted to play Category C machines. The Council will expect the applicant to ensure that there will be sufficient measures in place to prevent under 18 years olds having access to the adult only gaming machine area.

23.2 Under section 247 of the Act, if premises have only Category D machines, a Family Entertainment Centre Gaming Machine Permit can be issued by the authority without the need to have an operator's Licence. The lack of a requirement to have an operator's licence means that the Commission will not have considered the suitability of the applicant. As a result of this, in these circumstance the applicant shall be required to provide a criminal record check to enable the licensing authority to check the suitability of the applicant.

23.3 In exercising its functions in respect of Family Entertainment Centre Permits the Council need not, but may have regard to, the licensing objectives and must have regard to any guidance issued by the Commission.

## **24. Track Betting**

24.1 Tracks are horse racecourses, dog tracks, or other premises on any part of which a race or other sporting event takes place or is intended to take place.

24.2 An application can be made for a premises licence for a betting track even though the applicant does not have an operator's licence.

24.3 If a betting premises licence is granted for a track the holder of the licence must ensure that anyone coming on to the track to take benefit of the premises licence must have a betting operator's licence.

24.4 The Council will require a plan to be submitted with an application for a betting premises licence showing the areas of the premises where betting will take place.

## **25. Equality**

The Council, in undertaking its licensing function, will have due regard to the need to eliminate unlawful discrimination and to promote equality and good relations between persons of different ethnic groups.

## **26. Information exchange**

26.1 In fulfilling its functions under the Act the Council will exchange relevant information with other regulatory bodies, including persons and bodies identified pursuant to section 350 of and schedule 6 to the Act to enable them to perform their statutory functions and will establish protocols in this respect. In exchanging such information, the Council will conform to the requirements of data protection and freedom of information legislation in accordance with the Council's existing policies. The Council will also have regard to any relevant guidance issued by the Commission and regulations made by the Secretary of State.

26.2 Pursuant to section 29 of the Act the Commission may require the Council to provide information that forms part of the Council's register maintained under the Act or information which is in the Council's possession in connection with a provision of the Act. The Council shall endeavour to provide to the Commission such information as it requires, without delay, mindful of the Commission's:-

power to request the information.

duty to issue codes and guidance.

duty to promote the licence objectives.

duty to advise the Secretary of State on matters relating to gambling.

power to carry out activities for the purpose of assessing compliance with the Act and whether offences have been committed under the Act.

duty to determine whether to grant an operating licence, and to enable it to be in possession of such information as it considers necessary about the provision of gambling facilities in licensed premises in the Council's area.

enforcement duties pursuant to the Act.

## **27. Relationship with Planning Policies**

The granting of planning permission and or building control approval is a separate process, which is carried out by other departments within the Council.

## **28. National Strategies**

The Council will also seek to discharge its responsibilities identified by other Government Strategies, in so far as they impact on the objectives of the licensing function.

## **29. Local Strategies and Policies**

Where appropriate, the Council will consider applications with reference to other adopted local strategies and policies, including the following:-

The Council's Corporate Strategy;  
The Community Safety Strategy;  
Enforcement policy.

## **30. Integrating Strategies**

30.1 There are many stakeholders involved in the leisure industry and many are involved in the promotion of the licensing objectives. A number of stakeholders' plans and strategies deal with matters related to the licensing function. Where this is the case, the Council will aim, as far as possible, to co-ordinate them.

30.2 The Council recognises in particular the importance of the co-ordination and integration of this Statement with other plans aimed at the management of town centres and the night-time economy.

## **31. Relevant plans and strategies include:-**

31.1 Crime and Disorder Reduction Strategy - The Council will fulfil its duty under section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the Borough. As far as possible, licensing decisions will aim to contribute to the targets set in the Crime and Disorder Strategy and conditions attached to licences will reflect local crime prevention strategies.

31.2 Local Transport Plan - the Council will consider ways in which the public can be dispersed from licensed premises and events so as to avoid disturbance, crime and disorder. The police will be encouraged to report on matters related to the swift and safe dispersal of people from licensed premises.

31.3 Racial Equality - The Council is required under race relations legislation to have due regard to the need to eliminate unlawful discrimination and to promote equality of opportunity and good relations between persons of different racial groups. As far as possible, licensing decisions will take account of racial equality.

31.4 Human Rights - The Human Rights Act 1998 incorporates the European Convention on Human Rights and makes it unlawful for a local authority to act in a way which is incompatible with a Convention right. The Council will have particular regard to the following relevant provisions of the European Convention on Human Rights:-

Article 6 that in the determination of civil rights and obligations, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law;

Article 8 that everyone has the right to respect for his home and private and family life;

Article 1 of the First Protocol that every person is entitled to the peaceful enjoyment of his or her possessions, which may in certain circumstances include a licence.

31.5 Proper integration will be assured by the Council's Licensing Committee providing reports, when appropriate, to its Planning Committee on the situation regarding licensed premises in the area, including the general impact of gambling related crime and disorder, to enable the Planning Committee to have regard to such matters when taking its decisions.

31.6 Tourism and Town Centre Management - The Council aims to promote a high quality thriving night-time economy.

## 32. Committee Terms of Reference

32.1 A Licensing Sub-Committee normally made up of three Councillors will sit to hear applications where representations have been received from interested parties and responsible authorities. The quorum of two Councillors may comprise the Sub-Committee. Ward Councillors will not normally sit on a Sub-Committee involving an application within their ward.

32.2 Where a Councillor who is a member of the Licensing Committee is making or has made representations regarding a licence on behalf of an interested party, in the interests of good governance they will disqualify themselves from any involvement in the decision making process affecting the licence in question.

32.3 The Licensing Committee will refer to the Full Council any matter it is unable to deal with because of the number of its members who are unable to take part in the consideration or discussion of any matter or vote on any question with respect to it.

32.4 Every determination of a licensing decision by the Licensing Committee or a Licensing Sub-Committee shall be accompanied by clear, cogent reasons for the decision. The decision and the reasons for that decision will be sent to the applicant and those who have made relevant representations as soon as practicable.

32.5 The Council's Licensing Officers will deal with all other licensing applications where either no representations have been received, or where representations have been received and it is agreed by the parties that a hearing is not necessary.

32.6 Decisions as to whether representations are irrelevant, frivolous or vexatious will be made by Council Officers, who will make the decisions on whether representations or applications for premises licences, provisional statement or review of premises licence should be referred to the Licensing Committee or Sub-Committee. Where representations are rejected, the person making that representation will be given written reasons as to why that is the case. There is no right of appeal against a determination that representations are not admissible save for by way of judicial review to the High Court.

### **33. Allocation of Decision Making Responsibilities**

33.1 The Council will be involved in a wide range of licensing decisions and functions and has established a Licensing Committee to administer them as and when required or necessary.

33.2 Appreciating the need to provide a speedy, efficient and cost-effective service to all parties involved in the licensing process, the Committee has delegated certain decisions and functions and has established Sub-Committees to deal with them.

33.3 Many of the decisions and functions will be purely administrative in nature and the grant of non-contentious applications, including for example those licences and permits where no representations have been made, will be delegated to Council Officers.

33.4 The table shown at Appendix B sets out the agreed delegation of decisions and functions to Licensing Committee, Sub-Committee and Officers.

33.5 This form of delegation is without prejudice to Officers referring an application to a Sub-Committee or Full Committee if considered appropriate in the circumstances of any particular case.

### **34. Consideration of representations**

34.1 Due consideration will be given to all relevant representations unless they fit the following:-

The grounds are frivolous;

The grounds are vexatious;

The grounds are irrelevant;

The grounds will not cause the Licensing Authority to revoke or suspend a licence or to remove, amend or attach conditions on the premises licence;

The grounds are substantially the same as the grounds cited in a previous application relating to the same premises; or

The grounds are substantially the same as representations made at the time the application for a premises licence was considered.



### 35. Further information

Further information about the Gambling Act 2005, this Statement of gambling licensing principles or the application process can be obtained from:-

The Licensing Team  
Reading Borough Council  
Civic Offices  
Reading  
RG1 7AE

Tel: 01189 373762  
E-mail: [licensing@reading.gov.uk](mailto:licensing@reading.gov.uk)  
Website: [www.reading.gov.uk](http://www.reading.gov.uk)

Information is also available from:-

Gambling Commission  
Victoria Square House  
Victoria Square  
Birmingham  
B2 4BP

Tel: 0121 230 6500  
Email: [info@gamblingcommission.gov.uk](mailto:info@gamblingcommission.gov.uk)  
Website: [www.gamblingcommission.gov.uk](http://www.gamblingcommission.gov.uk)

Other Responsible Authorities Contact Details:-

The Environmental Protection Team  
Reading Borough Council  
Civic Centre  
Reading  
RG1 7AE

Tel: 01189 373737  
Email: [environmental.protection@reading.gov.uk](mailto:environmental.protection@reading.gov.uk)

The Health & Safety Team  
Reading Borough Council  
Civic Centre  
Reading  
RG1 7AE

Tel: 01189 373737  
Email: [consumerprotection@reading.gov.uk](mailto:consumerprotection@reading.gov.uk)

Licensing Officer Reading  
Thames Valley Police  
Reading Police Station

Castle  
Reading  
RG1 7TH

Tel: 01189 596368  
Email: [berkswest.licensing@thamesvalley.pnn.police.uk](mailto:berkswest.licensing@thamesvalley.pnn.police.uk)

Royal Berkshire Fire & Rescue Service  
103 Dee Road  
Tilehurst  
Reading  
RG30 4FS

Tel: 01189 384481  
Email: [readingfiresafety@rbfrs.co.uk](mailto:readingfiresafety@rbfrs.co.uk)

Planning Manager (Implementation)  
Planning Section  
Reading Borough Council  
Civic Centre  
Reading  
RG1 7AE

Tel: 0118 9373737

Reading Local Safeguarding  
Children Board  
Civic Centre  
Reading  
RG1 7AE

Tel 01189 374240



**APPENDIX B - TABLE OF DELEGATIONS OF LICENSING FUNCTIONS**

MATTER TO BE DEALT WITH	FULL COUNCIL	SUB-COMMITTEE	OFFICERS
Three year licensing policy	X		
Policy not to permit casinos	X		
Fee Setting - when appropriate			X (to be approved by Executive Councillor)
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a transfer of a 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/ representations have been withdrawn
Review of a premises licence		X	
Application for club gaming /club machine permits		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Cancellation of club gaming/ club machine permits		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	

APPENDIX 3

Type of Authorisation	Machine Categories Permitted						
	A	B1	B2	B3	B4	C	D
Betting (other) Premises Licence			Maximum of 4 machines Any combination from Categories <b>B2/B3/B4/C/D</b>				
Betting (track) Premises Licence			As Betting (other), but only if the licence-holder also holds a Pool Betting Operating Licence				
Bingo Premises Licence				20% of total gaming machines #		Unlimited	
Adult Gaming Centre Premises Licence				20% of total gaming machines #		Unlimited	
Family Entertainment Centre Premises Licence						Unlimited	
Family Entertainment Centre Gaming Machine Permit							Unlimited
Club Gaming Permit or Club Machine Permit				Maximum of 3 machines Members clubs - from Cat. <b>B3a/B4/C/D</b> Commercial clubs - from Cat. <b>B4/C/D</b>			
Alcohol-licensed premises Automatic entitlement						1-2 machines L.A. must be notified	
Alcohol-licensed premises Gaming Machine Permit						As allowed by permit	
Travelling funfair (no authorisation required)							Unlimited
Regional Casino Premises Licence	Maximum of 1250 machines (subject to a machine/table ratio) Any combination from Categories <b>A/B1/B2/B3/B4/C/D</b>						
Large Casino Premises Licence			Maximum of 150 machines (subject to a machine/table ratio) Any combination from Categories <b>B1/B2/B3/B4/C/D</b>				
Small Casino Premises Licence			Maximum of 80 machines (subject to a machine/table ratio) Any combination from Categories <b>B1/B2/B3/B4/C/D</b>				
Converted Casino Premises Licence			Maximum of 20 machines (no machine/table ratio) Any combination from Categories <b>B1/B2/B3/B4/C/D</b>				

Minimum age of 18 years to use Category A, B and C machines. No age limit on Category D machines

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

**5.9** The Commission play a leading role in preventing gambling from being a source of crime. It will maintain rigorous licensing procedures that aim to prevent criminals from providing facilities for gambling, or being associated with providing such facilities. The Act provides the Commission with powers to investigate the suitability of applicants for operating and personal licences, and others relevant to the application. This will provide the Commission with the power to make enquiries about and investigate those who are involved in the control of a company or the provision of gambling. In considering applications for operating and personal licences the Commission will, in particular, take a serious view of any offences involving dishonesty committed by applicants or persons relevant to the application.

**5.10** As applicants for premises licences (except occupiers of tracks who do not propose to offer gambling themselves) will have to hold an operating licence from the Commission before the premises licence can be issued, licensing authorities will not need to investigate the suitability of an applicant. If during the course of considering a premises licence application, or at any other time, the licensing authority receives information that causes it to question the suitability of the applicant to hold an operating licence, these concerns should be brought to the attention of the Commission without delay.

**5.11** Among other matters, 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, licensing authorities should think about what (if any) controls might be appropriate to prevent those premises becoming a source of crime. These might include conditions being put on the licence, such as a requirement for door supervisors.

**5.12** A licensing authority will need to consider questions raised by the location of gambling premises when:

- formulating its Licensing Authority Statement of Policy
- receiving relevant representations to an application
- dealing with applications as a responsible authority in its own right
- considering applications before it.

**5.13** Regulatory issues arising from the prevention of disorder are likely to focus almost exclusively on premises licensing, rather than on operating licences. (Although if there are persistent or serious disorder problems that an operator could or should do more to prevent, the licensing authority should bring this to the attention of the Commission so that it can consider the continuing suitability of the operator to hold an operating licence.) GLA4 September 2012 Part 5

**5.14** Local authorities are experienced in making judgements in relation to the suitability of premises, particularly those for which they have responsibilities under the Licensing Act 2003, in which context they have wider powers to also take into account measures to prevent nuisance.

**5.15** In relation to preventing disorder, licensing authorities have the ability under section 169 of the Act to attach additional conditions to premises licences, and are entitled to include a requirement for door supervision, as provided for in section 178 of the Act. If a person employed on door supervision would be required to hold a licence issued by the Security Industry Authority (SIA), that requirement will have force as though it were a condition on the premises licence. Further information on conditions can be found in part 9 of this Guidance.

**5.16** Local authorities should note that in the case of gambling premises licences, 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. There is not a clear line between nuisance and disorder and the licensing authority should take the views of its lawyers before determining what action to take in circumstances in which disorder may be a factor.

## **Objective 2**

### **Ensuring that gambling is conducted in a fair and open**

**5.17** The Commission is concerned to ensure that not only is gambling fair in the way it is played, but also that the rules are transparent to players and they know what to expect. It achieves this by working to ensure that:

- operating and personal licences are issued only to those who are suitable to offer gambling facilities or work in the industry
- easily understandable information is made available by operators to players about, for example: the rules of the game, the probability of losing or winning, and the terms and conditions on which business is conducted
- the rules are fair
- advertising is not misleading
- the results of events and competitions on which commercial gambling takes place are made public
- machines, equipment and software used to produce the outcome of games meet standards set by the Commission and operate as advertised.

**5.18** Generally the Commission would not expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be a matter for either the management of the gambling business, and therefore subject to the operating licence, or will be in relation to the suitability and actions of an individual and therefore subject to the personal licence. (However, if licensing authorities suspect that gambling is not being conducted in a fair and open way this should be brought to the attention of the Commission so that it can consider the continuing suitability of the operator to hold an operating licence or of an individual to hold a personal licence.)

**5.19** In relation to the licensing of tracks the licensing authority's role will be different from other premises in that track owners will not necessarily have an operating licence. In those circumstances the premises licence may need to contain conditions to ensure that the environment in which betting takes place is suitable. Please see part 20 of this Guidance for more information.

### **Objective 3**

#### **Protecting children and other vulnerable persons from being harmed or exploited by gambling.**

**5.20** With limited exceptions, the intention of the Gambling Act is that children and young persons should not be permitted to gamble and should be prevented from entering those gambling premises which are adult-only environments. The 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 or advertised in such a way that makes them particularly attractive to children, excepting Category D gaming machines.

**5.21** In relation to casinos, the Commission has issued a code of practice on access to casino premises by children and young persons, as provided for by section 176 of the Act. The code of practice is available as part of the *Licence Conditions and Codes of Practice (LCCP)* on the Commission website<sup>1</sup>. In accordance with that section, adherence to the code will be a condition of the premises licence. (Please see part 9 of this Guidance for more information.)

**5.22** The Act does not seek to prohibit particular groups of adults from gambling in the same way that it prohibits children. The Commission does not seek to define 'vulnerable persons', 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.

**5.23** Licensing authorities need to consider, in relation to particular premises, whether any special considerations apply in relation to the protection of vulnerable persons. Any such considerations need to be balanced against the authority's objective to aim to permit the use of premises for gambling.



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

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

Where the application is—

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

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

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

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

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

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

**Part 2 – Applicant Details**

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

**Section A**

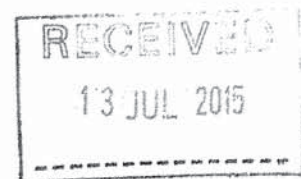
**Individual applicant**

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

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

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

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



Postcode:

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

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

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

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

### Section B

#### Application on behalf of an organisation

6. Name of applicant business or organisation:

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

7. The applicant's registered or principal address:

RIVA BOWL LLP  
AIRPORT BOWL  
BATH ROAD  
HARLINGTON  
MIDDLESEX

Postcode: UB3 5PL .

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

0007209 - N - 100893 - 006

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

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

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

### Part 3 - Premises Details

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

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

365-367 OXFORD ROAD  
READING  
BERKSHIRE  
RG30 1HA

Postcode:

12. Telephone number at premises (if known):

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

THERE IS A GROUND FLOOR AND A FIRST FLOOR. THE GROUND FLOOR IS WHERE THE PREMISES FOR THE AGL IS LOCATED.

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

Yes/No [delete as appropriate]

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

Part 4 – Times of operation

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

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

	Start	Finish	Details of any seasonal variation
Mon	10:00 hh:mm	22:00 hh:mm	NA
Tue	10:00	22:00	NA
Wed	10:00	22:00	NA
Thurs	10:00	22:00	NA
Fri	10:00	22:00	NA
Sat	10:00	22:00	NA
Sun	11:00	20:00	NA

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

**Part 5 – Miscellaneous**

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

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

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

19(a). Do you hold any other premises licences that have been issued by this licensing authority? Yes/ No [delete as appropriate]

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

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

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

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

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

**Checklist:**

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

**Part 7 – Signatures**

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

Signature:

*P. An*

Print Name:

*PUSHPINDERJIT GREWAL*

Date:

*04/07/15 (dd/mm/yyyy)*

Capacity:

*MANAGER*

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

Signature:

Print Name:

Date:

*(dd/mm/yyyy)*

Capacity:

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

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

**Part 8 – Contact Details**

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

*PUSHPINDERJIT GREWAL*

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

*07877 615 095*

24. Postal address for correspondence associated with this application:

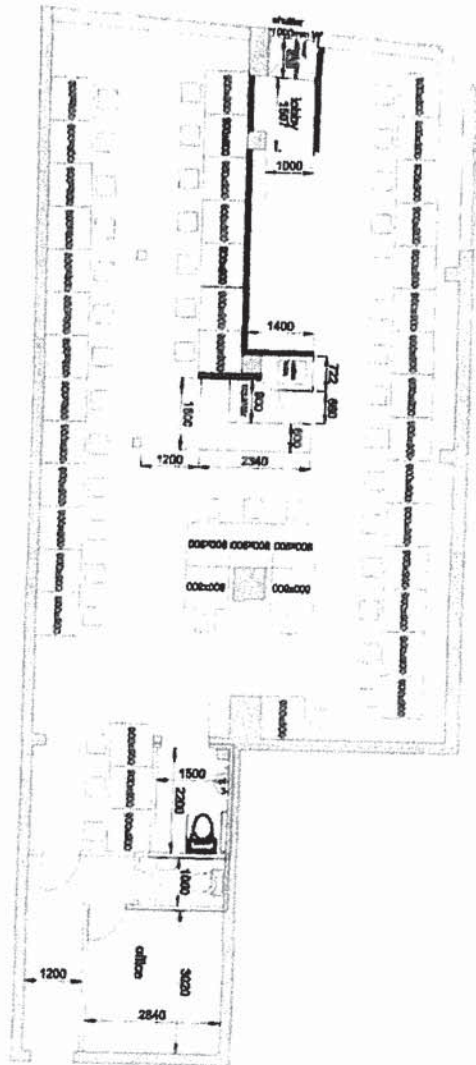
*46-48 VICTORIA ROAD, FIRST FLOOR.  
FARNBOROUGH  
HAMPSHIRE  
GU14 7PG.*

Postcode:

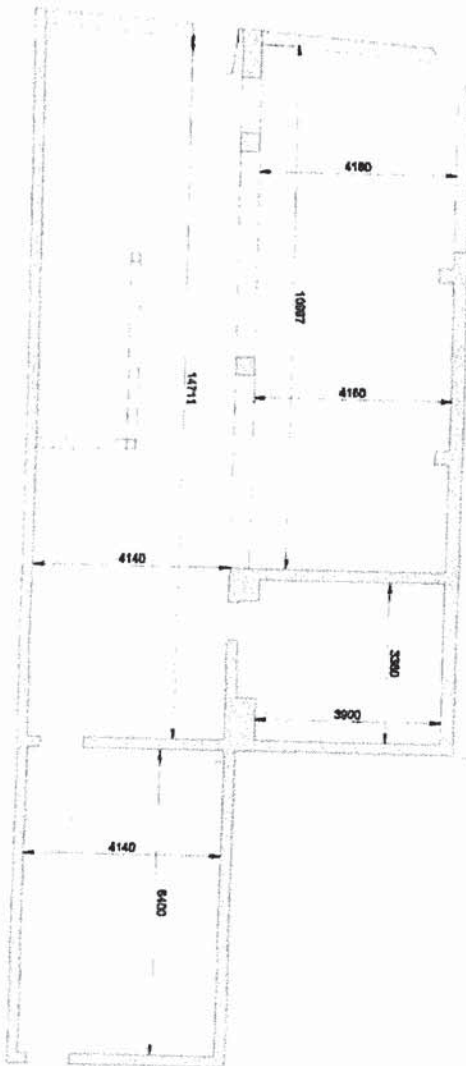
25. If you are happy for correspondence in relation to your application to be sent via e-mail, please give the e-mail address to which you would like correspondence to be sent:

*JEET@MIMOSPARESTAURANTS.COM*

note:  
there have 44 machines located  
in the proposal shop



proposal plan 1:100



existing plan 1:100

**Disclaimer:**  
Do not scale from this drawing.  
Check all dimensions on the below  
drawing. This drawing is not to be  
used for construction or any other  
purpose without the permission of  
the owner.

Agencies and States involved:

project: granite shop reading  
drawing title: existing plan  
drawing no.:  
scale: 1:100  
project no.: P000  
checked by: 30/08/2016  
sheet size: 1  
drawing no.: P000  
revision:



10<sup>th</sup> August 2015

Reading Borough Council  
Gaming Licence Department

Dear Sirs

Reference: Application for a Gaming Licence for 365-367 Oxford Rd, Reading

We are a charity shop situation next-door to the above premises. Our mission is to 'demonstrate God's love by meeting people's practical needs and restoring self-worth'.

We object to the granting of this licence on the following grounds:

- 1 Vulnerable Persons
- 2 Prevention of Crime and Disorder Objective

We fulfil our mission by assisting some of the most vulnerable residents in Reading. Our Support Centre which is located at 371 Oxford Road, i.e. next-door to the proposed gambling site, provides advice for local residents who are extremely vulnerable, often struggling with addictions such as, gambling, drugs and alcohol who find themselves in extreme financial difficulties. These individuals have complex and multiple issues. We signpost them to appropriate agencies and work in partnership with Communicare who specialise in debt and benefit advice. In 2014, we gave support and advice to 4.075 individuals – this was in the form of debt advice, emergency food, bedding and kitchen packs, baby / children's items.

We believe that the gaming centre would be detrimental to many of our clients who visit the Support Centre due to financial hardship. It does seem to be a somewhat paradoxical situation that the cause of individuals' problems (i.e. gambling) will be situated next-door to where they come when they need help with their dire financial issues due to gambling addictions – having the gaming site may be too much of a temptation for some who are trying to 'kick' their habit and so they return to their old ways.

Where an individual has an addiction, it is not solely themselves who suffer the whole family is adversely affected. Children are put at risk and caught in the trap of poverty, impacting their health and well-being, their education and ultimately their futures.

The Council's document 'Battle Ward Snapshot' identifies that in Battle Ward there are higher than national average levels of deprivation for children. The granting of the gaming licence will not help in alleviating this level of deprivation but may help sustain or even grow it!

The local Residents' Feedback state that they feel unsafe after dark – they feel vulnerable - stating that there are problems with:

- Large groups of people hanging around the streets;
- People using or dealing drugs;

**Christian Community Action Ministries, Central Services Department, 369, Oxford Road, Reading. RG30 1HA**  
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- People being drunk or rowdy in public places.

We believe that this application will not make local residents feel any safer or any less vulnerable as the shop will be open in the evening. There will be groups congregating in the vicinity even more so than now. We see the signs of alcohol abuse and consumption every day as we have to clear away cans of lager / beer, bottles of cheap vodka, drug paraphernalia and often human bodily fluids.

We want to see the Oxford Road being a thriving area for everyone living, working and shopping in the local area. The granting of this gaming licence will not enhance the area at all. The business of gaming does not enhance well-being, financial or economic security or future sustainability. Society's vulnerable, needy and most at risk are attracted to this activity and granting this licence will do far more harm than good.

Yours faithfully

Gillian Kaiser  
Interim CEO.

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VAT No. 108232741



Mr. Marco S. Zuppone MBCS

July 30, 2015

To: Reading Borough Council  
Civic Offices  
Bridge Street  
Reading RG1 2LU

READING BOROUGH  
COUNCIL  
04 AUG 2015

LICENSING SECTION

Subject: representation against the concession of the premises license n. **0007209-N-100893-00** under the section 161 of the Gambling Act 2005

Dear Council,

More than two years ago I filed a representation against the conversion of the old Blue Gym at the 365-367 Oxford Rd corner with Connaught Rd in an Adult Gaming Centre.

I was not the only one to oppose to the concession of the license: I remember that a strong action was made by the councilors Ms. Sarah Hacker & Mr. Gul Khan and Alok Sharma MP.

I had personally a short speech during a Council meeting where we were able to discuss the matter.

All the objections to the concession of the license for this kind of business were valid two years ago and they are still valid now.

I want to re-state why I **oppose** to the concession of the license in brief:

1. The social situation of Reading West improved a lot in these 9 years: I always lived in this area and I can see how the things improved slowly in the area and not thanks to the "Holy Grail" CrossRail project that actually is improving mostly the pockets of whom invested in properties but thanks to the strong action of the local politicians very active in this area.
2. All these improvements will be vanished establishing this kind of business because it will attract in most of the cases not causal people that are looking for fun but desperate people that may see in gambling a possible but illusory form of revenue. Due to the fact that the expected illusory revenue will not come (am I pessimists?) will make these people more and more desperate and in need of money and potentially stimulate criminal activities in the area to obtain the money they will need to "waste" (or invest to be always politically correct) in the gambling center.
3. The premise may attract drug dealers or people that are in need to launder their money (pimps/thieves/etc. etc.); the trick is simple and well known: you only need to put the "dirty money" in the slot machine or in any other generic gambling device, play a bit (win a bit..lose a bit)...and then get the ticket back: if the person is stopped by the police with an

Mr. Marco S. Zuppone - Connaught Rd. - Reading RG30 2UP  
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July 30, 2015

unreasonable amount of cash he/she can simply claim that he/she won the money legally from the slot machine and show the ticket....job done.

4. What I stated in the previous point it is very well explained and documented here:  
<http://www.theguardian.com/uk-news/2013/nov/08/gambling-machines-drug-money-laundering-bookies> or <http://bit.ly/1k0J4Dx>.
5. It will not be a simple "warning" or "policy disclaimer" affixed inside the premise to stop or dissuade these kind of business: the employees of the shop know very well who's paying their wages... (Or to be more politically correct: they are aware that the revenue needed to pay their salaries is generated from this kind of customers as well).
6. The shop is close (the door after) to the Christian Action charity: the charity's customer are generally vulnerable people in need, ex-alcoholic, drug and or gambling addicted and they will find the shop only the next door....so...does this make sense?!?!? It's like to have a shop that sells spirits the next door to an addicted detox center!!!! If the therapy is not appealing than let's pop into the next-door shop. **We do not need a genius to understand that this is intrinsically and profoundly wrong.**
7. What is the need for the business to operate until the 10 p.m. when rarely there are other "social activities" in the area except of some restaurants?
8. Opening this shop in this area of the city will not have the same impact than opening it in the city center because Reading West is different from the city center and the impact of these kinds of activities needs to be carefully assessed by the Council that should look after the wellbeing of the residents.
9. Two years ago, during the discussion in the Council session about a similar license application for the same shop someone (I can't remember who) from the Council said that was not a problem of the Council if the place was going to generate disorders or not: that will be a problem to be addressed from the Thames Valley Police. Fantastic: so why we do not open a nuclear power station in Oxford Road and if someone will get cancer due to the radiation we will call the NHS!

For all these reasons I oppose to the concession of the license **0007209-N-100893-00.**

I'd like to invite the Council to consider carefully the license application and conscientiously assess the impact on the life of the residents.

**That's not the kind of business Reading West needs at all.**

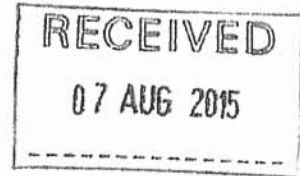
Yours truly,  
Marco S. Zuppone MBCS



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Alok Sharma, MP for Reading West



HOUSE OF COMMONS  
LONDON SW1A 0AA

Mr Ian Wardle  
Managing Director  
Reading Borough Council  
Civic Offices  
Bridge Street  
Reading  
RG1 2LU

Ben  
Pratley

05 August 2015  
Our ref: J17435

Dear Ian,

Further to my letter of 21 July, it is my understanding that the owners of 365-367 Oxford Road applied to Reading Borough Council for a gambling premises licence on 13 July.

As you are aware, an application (ref: 121332) was made in 2012 for the change of use of 365-367 Oxford Road to an adult gaming centre. There was strong opposition for the proposals within the local community, with a fear that an adult gaming centre would encourage street drinking and anti-social behaviour in the area. There were also concerns that as the property is next door to the Christian Community Action office, this proximity to an adult gaming centre would have a detrimental effect on the clients of Christian Community Action, some of which suffer from debt and addiction difficulties. At the time I raised these concerns with David Peasley, former Director and Council Manager at Reading Borough Council and received the enclosed responses.

Given my understanding that there remain concerns about the licence within the local community, I would be grateful if you could please take this letter into consideration as part of the licence application.

Thank you for your attention to this issue.

Yours sincerely,

  
Alok Sharma MP

Enc.

**French, Richard**

---

**From:** DoNotReply@reading.gov.uk  
**Sent:** 04 August 2015 19:26  
**To:** Licensing  
**Subject:** Form Submitted

## Contact the Licensing Team

REF CON-04-08-15-SJ041-G4

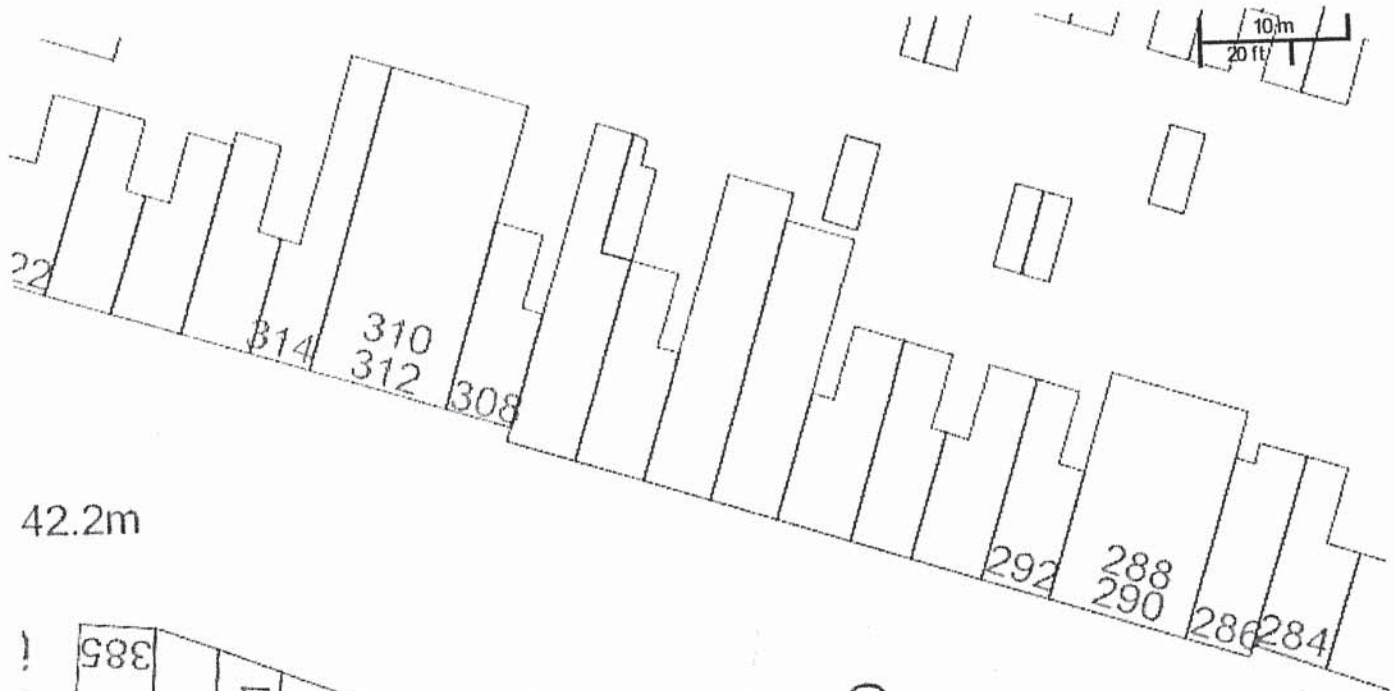
### Your Contact Details

Title NoTitle  
 First Name Carol  
 Last Name Carson  
 Flat name/number  
 Building name/number 365-367  
 Street Oxford Road  
 Town/area (eg Caversham) West Reading  
 Postcode RG30 2UN  
 Telephone [REDACTED]  
 Email [REDACTED]  
 Confirm Email Address [REDACTED]  
 Subject Adult Gaming Centre

Your message  
 (maximum 2000  
 characters)

I have concerns about the proposed Adult Gaming Centre at 365-367 Oxford Road. This is not suitable for this predominantly residential area. Some flats over shops in the vicinity are occupied. There could be an increase in anti- social behaviour nearby which may not be visible on the gaming centre CCTV. This could affect neighbouring streets. The town centre adult gaming centre is easily accessible and in a location fitting in with other leisure establishments in Friar Street. This is not an equivalent leisure activity to the gym which was there before. It is unlikely that the gaming centre would attract more shoppers. The adult gaming centre would not enhance this area.

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