



Alcohol and Entertainment Licensing Sub-Committee - Supplementary

Wednesday 4 July 2018 at 10.00 am

Boardroom 4 - 3rd Floor, Brent Civic Centre, Engineers
Way, Wembley, HA9 0FJ

Membership:

Members

Councillors:

Ahmed (Chair)
W Mitchell Murray
McLeish

Substitute Members

Councillors:

Allie, Chohan, Hector, Kennelly, Long, Maurice and
RS Patel

For further information contact: Devbai Bhanji, Governance Assistant
Tel: 020 8937 4011; Email: devbai.bhanji@brent.gov.uk

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minutes of this meeting have been published visit:

www.brent.gov.uk/committees

The press and public are welcome to attend this meeting

Notes for Members - Declarations of Interest:

If a Member is aware they have a Disclosable Pecuniary Interest* in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent and must leave the room without participating in discussion of the item.

If a Member is aware they have a Personal Interest** in an item of business, they must declare its existence and nature at the start of the meeting or when it becomes apparent.

If the Personal Interest is also significant enough to affect your judgement of a public interest and either it affects a financial position or relates to a regulatory matter then after disclosing the interest to the meeting the Member must leave the room without participating in discussion of the item, except that they may first make representations, answer questions or give evidence relating to the matter, provided that the public are allowed to attend the meeting for those purposes.

***Disclosable Pecuniary Interests:**

- (a) **Employment, etc.** - Any employment, office, trade, profession or vocation carried on for profit gain.
- (b) **Sponsorship** - Any payment or other financial benefit in respect of expenses in carrying out duties as a member, or of election; including from a trade union.
- (c) **Contracts** - Any current contract for goods, services or works, between the Councillors or their partner (or a body in which one has a beneficial interest) and the council.
- (d) **Land** - Any beneficial interest in land which is within the council's area.
- (e) **Licences** - Any licence to occupy land in the council's area for a month or longer.
- (f) **Corporate tenancies** - Any tenancy between the council and a body in which the Councillor or their partner have a beneficial interest.
- (g) **Securities** - Any beneficial interest in securities of a body which has a place of business or land in the council's area, if the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or of any one class of its issued share capital.

****Personal Interests:**

The business relates to or affects:

- (a) Anybody of which you are a member or in a position of general control or management, and:
 - To which you are appointed by the council;
 - which exercises functions of a public nature;
 - which is directed is to charitable purposes;
 - whose principal purposes include the influence of public opinion or policy (including a political party or trade union).
- (b) The interests of a person from whom you have received gifts or hospitality of at least £50 as a member in the municipal year;

or

A decision in relation to that business might reasonably be regarded as affecting the well-being or financial position of:

- You yourself;
- a member of your family or your friend or any person with whom you have a close association or any person or body who is the subject of a registrable personal interest.

Supplementary

Introductions, if appropriate.

Item	Page
3 Application for an Adult Gaming Centre Licence by Future Leisure Limited for the premises known as 9A Walm Lane, NW2 5SJ, pursuant to the provisions of the Licensing Act 2003	80 - 95



Please remember to ***SWITCH OFF*** your mobile phone during the meeting.

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APPLICANTS - Suggested Conditions
9A WALM LANE, NW2 5SJ

CCTV

1. A comprehensive CCTV system shall be installed and maintained on the premises as required by the Metropolitan Police Licensing Team. CCTV should cover the following:

- a) All entry and exit points to and from the premises enabling frontal identification of every person entering under any light conditions
- b) The areas of the premises to which the public have access (excluding toilets)
- c) Gaming machines and the counter area

2. The CCTV shall continue to record activities 24 hour a day for 31 days.

3. CCTV shall be made available for the police viewing at any time with minimum delays when requested.

4. The premises shall display notices near the entrance of the venue stating that CCTV is in operation.

5. A monitor showing the CCTV images shall be placed inside the premises visible to customers entering & exiting the premises.

Children and Young People

6. The Licensee shall maintain a bound and paginated 'Challenge 25 Refusals' register at the premises. The register shall be produced to the police or licensing authority forthwith on request.

7. Prominent signage and notices advertising the Challenge 25 will be displayed showing the operation of such policy.

8. Third party testing on age restricted sales systems purchasing shall take at least twice a year and the results shall be provided to the Licensing Authority upon request.

9. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

Identification of Offenders or Problem Persons

13. The Licensee shall implement a policy of banning any customers who engage in crime or disorder within or immediately outside the premises as far as they can be identified.

14. The licensee will refuse entry to customers who appear to be under the influence of alcohol or drugs.

Seating

15. The licensee shall ensure that all seating within the premises are either secured to the floor or are weighted to deter lifting.

Alarms

APPLICANTS - Suggested Conditions
9A WALM LANE, NW2 5SJ

16. The licensee shall install and maintain an intruder alarm on the premises.

17. The premises shall install and maintain a panic button conveniently available to staff. The premises shall install and maintain a panic button conveniently available to staff.

Toilets

18. The licensee will ensure that customer toilets are checked every hour for evidence of drug taking. Toilet checks are to be documented stating the time and member of staff who made the checks.

18a. Toilet doors to be kept locked and access given by staff only.

Signage, Promotional Material and Notices

19. Prominent GamCare documentation will be displayed at the premises.

Staff Training

20. The licensee shall provide training on the specific local risks to the licensing objectives that have been identified for these premises as part of the staff induction training programme and periodically provide refresher training to all of its staff working at these premises on the specific local risks to the licensing objectives.

21. The Licensee shall train staff on specific issues related to the local area and shall conduct periodic refresher training. Participation in this training shall be formally recorded and the records produced to the police or licensing authority upon request.

22. New staff must attend induction training and all staff will receive refresher training every six months. Participation in this training shall be formally recorded on each member of staffs training records which, if requested will be presented to the Licensing Authority as soon as practicable.

Homeless and Street Drinking

23. The Licensee shall take all reasonable steps to prevent street drinking of alcohol directly outside the premises and to ban from the premises those who do so.

24. The Licensee shall place a notice visible from the exterior of the premises stating that customers drinking alcohol outside the premises is not permitted and those who do so will be banned from the premises.

Recording of Incidents and Visits

25. An incident log shall be kept for the premises and made available on request to an authorised officer of the Council or the Police which will record the following;

- a) All crimes reported to the venue;
- b) Any complaints received regarding crime and disorder;
- c) Any incidents of disorder;

APPLICANTS - Suggested Conditions
9A WALM LANE, NW2 5SJ

- d) Any faults in the CCTV system; and
 - e) Any visit by a relevant authority or emergency service.
 - f) Refusals, banned and self excluded customers.*
26. *A fire alarm and smoke detection system will be installed.*

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From: Chan, Esther
Sent: 02 July 2018 14:23
To: 'Roger'
Cc: Business Licence; Legister, Linda
Subject: RE: AGC - 9A Walm Lane, NW2 5SJ

Dear Roger,

Thank you for your email.

I have looked at the revised risk assessment and believe that conditions 11 and 12 should still apply as the premise is located near vulnerable institutes.

Kind Regards
Esther Chan
Licensing Inspector
Planning, Transportation & Licensing
Brent Council

Tel: 0208 937 5303

From: Roger
Sent: 28 June 2018 11:39
To: Chan, Esther <Esther.Chan@brent.gov.uk>
Cc: Business Licence <business.licence@brent.gov.uk>
Subject: RE: AGC - 9A Walm Lane, NW2 5SJ

Esther

Thanks - your response is helpful

We can agree all those conditions except those relating to staffing (Nos. 11 and 12).

It appears that my clients originally provided me with the wrong Gambling Risk Assessment. The correct one is attached along with their explanation to me.

They always envisaged that there would be quiet times of the day when there would be a single member of staff and busier times when there would be 2.

I have to say I think this is reasonable and would invite you to agree to it because:-

- These premises are small (the smallest such premises in Brent) being 4.7m x 9m (15'5 x 29'6). The others are roughly double the size or more.
- The other similar premises in Brent are not generally subject to these conditions with, to the best of my knowledge, only one exception at Neasden where there is a recognised problem of street-drinking etc as you know. I have dealt with the applications in Brent at Kilburn High Road, Wembley (3), Harlesden (2) and none is restricted in this way. As you may know I have recently obtained a new licence for premises at 446 High Rd, Wembley where your colleague Susana Figueiredo agreed to single manning in much larger premises.
- None of the applicants other AGC premises have such a condition.

Please can I ask you to reconsider. We can then resolve the matter.

Yours

Roger

Roger Etchells

From: Chan, Esther [<mailto:Esther.Chan@brent.gov.uk>]
Sent: Wednesday, June 27, 2018 2:44 PM
To: 'Roger'
Cc: Business Licence
Subject: RE: AGC - 9A Walm Lane, NW2 5SJ

Dear Roger,

I have considered your comments, please find attached revised copy of my representation.

In terms of conditions 6 to 9 related to Children and Young People, the Licensing Authority will not negotiate these conditions in light of the fact that your client has stipulated 'Think 25' in the local risk assessment.

Please discuss this with your client and confirm in writing if your client is happy to accept all the conditions.

Kind Regards
Esther Chan
Licensing Inspector
Planning, Transportation & Licensing
Brent Council

Tel: 0208 937 5303

From: Roger
Sent: 21 June 2018 10:19
To: Chan, Esther <Esther.Chan@brent.gov.uk>; Nicola.McDonald@met.pnn.police.uk
Subject: AGC - 9A Walm Lane, NW2 5SJ

Esther/Nicola

I have received your representations and the 2 sets of conditions you propose. Because Esthers conditions are numbered I have adopted them as the base for the attached document which also incorporates (at the end) additional conditions proposed by Nicola which are not in Esthers original list. I hope you will find it convenient to see these in a single document.

I have retained the numbering (1-25 from Esthers list, the balance from Nicolas). I have omitted the numbered conditions which I suggest should be dropped and used italics for suggested changes to the wording of conditions. The changes are, I hope, self-explanatory but are generally to improve understanding/clarity.

In dealing with this one I think you need to bear in mind that the premises are small (the smallest such premises in Brent) being 4.7m x 9m (15'5 x 29'6). The others are roughly double the size or more. Obviously the number of machines is consequently lower. This also has implications for the supervision of the premises and the number of staff required.

You will note that I have omitted the condition restricting trading hours because there is already a planning condition which does that.

In relation to the safes this is the applicants explanation for not accepting Nicolas condition which I hope is self-explanatory.

In none our venues do we deposit takings via a slot, nor do we use a single safe requiring a time delay.

As part of our ongoing crime prevention measures, we install a number of small safes (minimum 3) hidden throughout each premises and spread any cash across these.

The cashier desk safe holds the least, the back office safe holds a little more and the general manager's safe (well hidden) holds the rest. Only the general manager has access to this via a code. It is important to bear in mind that the highest jackpots are not paid from the safe but either through the machines or the cash change machine. The trade is increasingly using ticket payouts for jackpots.

Future Leisure has two recorded robberies across our 6 venues in the past 14 years, one of which the perpetrator was caught and was sent to prison.

Obviously you will have in mind the fact that no local people (many of whom objected at the planning stage) now object at this licensing stage.

I look forward to hearing from you.

Roger

Roger Etchells FRICS

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Local Gambling Risk Assessment

Premises Address	9 Walm Lane, London, NW2 5SJ
Premises licence No.	
Operating Licence No.	000-036646-N-318600-006
Local Authority:	London Borough of Brent
Company details: (Name & Address)	Future Leisure Limited Unit 20, Fleetway West Business Park 14-16 Wadsworth Road Greenford Middlesex UB6 7LD
Name of Assessor:	Gavin Tresidder
Date of assessment	26/06/2018
Next Review (6mths)	

Locality/Premises				
Licensing Objective		Risks	Control Measures	Comments on review
1.1	Protecting children and other vulnerable persons from being harmed or exploited by gambling	<p>LOCALITY</p> <p>Awareness of schools: <i>St Mary Magdalen's Junior School, Linacre Road, NW2 5BB. Anson Primary School Anson Road, NW2 4AB. Gladstone Park Primary School, Sherrick Green Road, NW10 1LB.</i></p> <p>(Outside ½ Mile Radius – <i>Queens Park Community School, Aylestone Avenue, NW6 7BQ. Brondesbury College, 8 Brondesbury Park, NW6 7BT. Marylebone Boys School, 60 Christchurch Avenue, NW6 7BH)</i></p> <p>(Infant & Nursery – Convent of Jesus & Mary RC Infant School, 21 Park Avenue, NW2 5AN)</p> <p>Other: <i>247 London Hostel, 30 Chatsworth Road, NW2 4BS. Abbotts Hotel 283-285 Willesden Lane, NW2 5JA.</i></p> <p>(Outside ½ Mile Radius – <i>Pound Lodge, 115 Pound Lane, NW10 2HU. Brent North Community Health Team, 15 Borndesbury Road, North Maida Vale, NW6 6BX. Cricklewood Homeless Project, 60 Ashford Road, NW2 6TU. Willesden Centre for</i></p>	<ul style="list-style-type: none">• Staff to 'patrol' – supervising the whole of the premises• Implementation of the BACTA Toolkit policies including 'Think 25'• Training of staff with 6 monthly refreshers• Review self-excluded data to ensure continued exclusion• Monitoring customer behaviour and commencing interaction when required• Mystery shopper tests by BACTA• CCTV coverage of all public areas, office, frontage and rear door with recording device and ability for management to review remotely online• Posters and 'Stay in Control' leaflets (NB near ATM, toilets as well as in the main trading area)• Photo equipment available for self-exclusions• Ensure a stock of leaflets (stay in control and self-exclusion) through weekly checks of stock• Contact/sharing information with AGC operators within ½ mile (co-ordinated through BACTA)• Premises laid out to avoid blindspots• Ensure entrance readily visible from throughout the premises• Signage & window display not to attract under 18s• Machines to be properly labelled	

		<p><i>Health, Harlesden Road, NW10 3RY.</i></p> <p>PREMISES</p> <ul style="list-style-type: none"> • Layout to be considered • Consider 'blindspots' • Visibility of the entrance • Signage • Presentation of premises (signage/window display) <p>CUSTOMERS</p> <ul style="list-style-type: none"> • U18s entering • Problem Gambling • Providing Information • Administering self-exclusion • Signage 		
1.2	Preventing Gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime	<p>LOCALITY Assess threats</p> <p>PREMISES Layout to be considered</p> <ul style="list-style-type: none"> • Consider 'blindspots' • Visibility of the entrance 	<ul style="list-style-type: none"> • CCTV coverage of all public areas, office, frontage and rear door with recording device and ability for management to review remotely online • Intruder alarm installed and regularly serviced • Panic Button linked to Police • Roller shutters on the exterior when closed • Toughened/laminated glass to front window • Machine door opening keys only available to management • Maintain contact with Police • Log visits by Police, Local Authority and Gambling Commission officers • Review unusual patterns of play (as per PoCA), 'non- 	

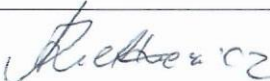

		CUSTOMERS Customer behaviour STAFF <ul style="list-style-type: none"> • Personal protection • Security • Staff behaviour 	regular' players and consider exclusion/reporting <ul style="list-style-type: none"> • Exclude badly behaved customers • Maintain contact with local traders and Police • Limited staff floats 	
1.3	Ensuring that gambling is conducted in a fair and open way	PREMISES <ul style="list-style-type: none"> • Promotions • Advertising EQUIPMENT <ul style="list-style-type: none"> • Information clear? • Maintenance • Compliance 	<ul style="list-style-type: none"> • Machines only obtained from licensed suppliers • Implementation of the BACTA Toolkit policies • Training of staff with 6 monthly refreshers • Review advertising material and promotions for compliance with LCCP • Machines to be maintained/serviced regularly • Machines to be turned off should a fault occur • Procedure for making refunds • Details of machine operation and winning combinations to be clearly shown on machines • Customer Complaints to be fully investigated in accordance with policy and referred to nominated ADR 3rd 	

		CUSTOMERS <ul style="list-style-type: none">• Treatment of customers• Complaints	party as required	
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Action Plan					
	OBJECTIVES	THIS REVIEW DATE	Action Required for review	Actioned	Date Completed
2.1	Protecting children and other vulnerable persons from being harmed or exploited by gambling	On opening			

2.2	Preventing Gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime	On opening			
2.3	Ensuring that gambling is conducted in a fair and open way	On opening			

Assessment Review

Next review (max. 6 mths)			
Person responsible for premises and implementation	Position	Signature	Date
Anna Zietkiewicz	Compliance Officer		26/06/2018
Gavin Tresidder	Director		26/06/2018

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