

Annex 5



LICENSING AUTHORITY REPRESENTATION

This representation is made by Enfield's Licensing Enforcement Team and is made in consultation with and on behalf of the Trading Standards Service (inspectors of Weights & Measures), Planning authority, Health & Safety authority, Environmental Health authority and the Child Protection Board.

I confirm I am authorised to speak at any hearing on behalf of the Licensing authority, Trading Standards Service (inspectors of Weights & Measures), Planning authority, Health & Safety authority, Environmental Health authority, and Child Protection Board).

Name and address of premises: Merkur Slots
292 Green Lanes
London
N13 5TW

Type of Application: Review of a Bingo Premises Licence

Background

This is a review application for a Bingo Premises Licence.

The application is to revoke the premises licence and is based on the following licence objectives:

1. Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
2. Protecting children and other vulnerable persons from being harmed or exploited by Gambling.

The premises licence was granted on 4th January 2021. The premises is under construction and is expected to open in July 2021.

This premises was previously a William Hill Betting Shop. Merkur Slots has replaced one type of gambling premises with another although the hours each type of premises can trade differ greatly. Betting shops are permitted to trade from 07:00 – 22:00 hours. Bingo facilities in bingo premises may not be offered between the hours of midnight and 9am. However, there are no restrictions on access to gaming machines in bingo premises so the premises could remain open 24 hours a day.

The Premises Licence Holder also holds a premises licence for Cashino in Edmonton. Historically that premises has been the subject of complaints from local residents in relation to street drinkers loitering outside the premises causing noise late at night and during the early hours of the morning. However, matters have always been resolved informally by the Licensing Enforcement Team, Police Licensing Team and Head

Office Managers. No formal action has been required. It is believed that a security guard is employed at that premises.

Location

The premises is located on Green Lanes approximately 200-300m from the junction with Aldermans Hill.

The premises is located close to the Alfred Herring Public House which is one of the largest public houses in the area. The Alfred Herring opens 07:00 until 00:30 hours daily with alcohol sales 09:00 until 00:00 hours.

Systems should be in place to ensure those who have left this and other nearby premises under the influence of alcohol do not enter Merkur Slots.

On page 10 of the Local Area Risk Assessment it states:

Maglock systems will be deployed during times of public houses closing.

Children

There is a bus stop directly outside the premises and the area becomes busy just before the school day starts and when it ends with large numbers of children waiting for buses and passing by. The increase in under 18s in the immediate location during these times should have a bearing on staffing levels at these times.

Children and young people are legally allowed into bingo premises; however, they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed. Social Responsibility code 3.2.5(3) states that 'licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises' in order to prevent underage gambling.

In both the Operational Standards document and the Local Area Risk Assessment submitted with the Premises Licence Application it states that Merkur Slots will not permit anyone under the age of 18 years to enter the premises. To reassure residents that this policy will not change and that children will not be subjected to gambling this could be turned into an additional licence condition.

In the Local Area Risk Assessment it also states:

Age verification test purchasing, and mystery shopper visits are frequently carried out by 3rd party companies - Check Policy and Store Checker. Age verification tests for 2019/2020 resulted in a pass rate of 96.09% which is 20% higher than the industry average, all venues receive 3 or 4 random test visits per year.

This could also be turned into a licence condition.

Bingo

Having looked at the plan attached to the premises licence it is not clear where customers will play bingo as there is no allocated seating area for them. The only

seating is in front of the gaming machines. The Licensing Authority would welcome a response from the premises licence holder explaining where customers would play bingo if all the gaming machines were in use.

The Gambling Commission Guidance to Local Authorities states:

'18.26 The LCCP requires (Social Responsibility Code Provision 9) that gaming machines are only made available in combination with the named non-remote activity of the operating licence. So, unless a bingo premises operator offers substantive facilities for non-remote bingo it should not make gaming machines available for use on the premises in question. To contain the unavoidable risk to the licensing objectives associated with gaming machines, premises which offer machines must be appropriately supervised.

Licensing authorities are not being asked to impose a 'one size fits all' view of how a bingo premises should look and function. Rather they are ensuring that a premises licensed for the purposes of providing facilities for bingo is operating as such and is not merely a vehicle to offer higher stake and prize gaming machines.'

The gaming machines are remote and so are the tablets. It may be more pertinent for the Gambling Commission to raise this question with the holder of the Operator's Licence but it is not clear to the Licensing Authority what 'substantive facilities for non-remote bingo' will be offered at the premises. The Licensing Authority would welcome this information.

Conclusion

As the premises has not started to trade yet the Licensing Authority has no evidence as to whether the operation of the premises is undermining the Licensing objectives. However, the Licensing Authority does appreciate the applicant's and local resident's concerns about a 24 hour gambling premises opening up and how this could potentially impact the local area.

Having reviewed the Local Area Risk Assessment and Operational Standards documents again the Licensing Authority believes that there are many good business practices referred to in those documents which could be turned into licence conditions to ensure that these business practices and policies do not suddenly change.

The Licensing Authority believes that the following additional conditions would help prevent gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime and also to protect children and other vulnerable persons from being harmed or exploited by gambling.

1. The premises shall only open between the hours of 07:00 and 00:00 Monday and Sunday.
2. A magnetic locking device, commonly referred to as a Maglock shall be installed and maintained on the main entrance/exit to the premises which shall be operated by staff.
3. Between the hours of 22:00 and closing the entrance will be locked with admittance to the premises only by video and buzzer using the maglock.

4. The licensee shall refuse entry to customers who appear to be under the influence of alcohol or drugs.
5. Only refreshment purchases or supplied on the premises may be consumed on the premises.
6. The door of the toilets shall be lockable by key and the key shall be available at the discretion of staff.
7. There shall be two or more members of staff on the shop floor between 15:00 and 17:00 hours Monday to Friday and between 20:00 hours and closing Monday to Sunday.
8. Customers shall not be permitted to leave bags or other belongings at the premises.
9. No-one under the age of 18 years shall be permitted inside the premises at any time. Notices to this effect shall be displayed at the entrance of the premises.
10. Third party testing on age restricted sales systems shall be carried out on the premises a minimum of 3 times a year.

If the Licensing Sub Committee is not minded to reduce the hours of the premises then the wording of condition 3 and 7 above will need to be amended. The Licensing Authority would then also invite the Licensing Sub Committee to consider whether a condition requiring security staff such as the one set out below would be appropriate:

11. At least one SIA registered Door Supervisor shall be employed at the premises every day from 22:00 – 07:00.

If these additional conditions were accepted by the Premises Licence Holder, I would withdraw my representation.

I reserve the right to provide further information to support this representation.

Duly Authorised: Charlotte Palmer, Senior Licensing Enforcement Officer

Contact: charlotte.palmer@enfield.gov.uk

Signed: CPALMER

Date: 17/05/2021