



HILLINGDON
LONDON



Residents' and Environmental Services Policy Overview Committee

Councillors on the Committee

Susan O'Brien (Chairman)
Mary O'Connor (Vice-Chairman)
Lynne Allen
Kuldeep Lakhmana
Carol Melvin
David Payne
Michael White
David Yarrow

Date: THURSDAY, 15
NOVEMBER 2012

Time: 5.30 PM

Venue: COMMITTEE ROOM 4 -
CIVIC CENTRE, HIGH
STREET, UXBRIDGE UB8
1UW

**Meeting
Details:** Members of the Public and
Press are welcome to attend
this meeting

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2012

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This Agenda is available online at:

<http://modgov.hillingdon.gov.uk/ielistDocuments.aspx?CId=114&MId=1348&Ver=4>

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Residents' & Environmental Services Policy Overview Committee

Terms of Reference

To perform the policy overview role outlined below:

1. conduct reviews of policy, services or aspects of service which have either been referred by Cabinet, relate to the Cabinet Forward Plan, or have been chosen by the Committee according to the agreed criteria for selecting such reviews;
2. monitor the performance of the Council services within their remit (including the management of finances and risk);
3. comment on the proposed annual service and budget plans for the Council services within their remit before final approval by Cabinet and Council;
4. consider the Forward Plan and comment as appropriate to the decision-maker on Key Decisions which relate to services within their remit (before they are taken by the Cabinet);

In relation to the following services:

1. culture, arts and sport including the provision and/or management of museums, art galleries, theatres, archives and local history activities, libraries, leisure centres, swimming pools and other like facilities;
2. lifelong learning;
3. community safety;
4. the provision, planning and management of parks and open spaces, allotments, cemeteries, pitches and other like facilities;
5. transport, highways and parking;
6. waste management and recycling;
7. conservation and biodiversity;
8. safety education;
9. licensing and registration;
10. trading standards;
11. consumer protection;
12. environmental health functions
13. planning and building control
14. the Council's planning policies (including the Unitary Development Plan and other plans for the use and development of land), Local Agenda 21 Strategy and Local Transport (Implementation Plan).

Policy Overview Committees will not investigate individual complaints.

Agenda

Chairman's Announcements

- 1 Apologies for Absence
 - 2 Declaration of Interest in matters coming before this meeting
 - 3 To confirm that all items marked Part 1 will be considered in Public and that any items marked Part 2 will be considered in Private
 - 4 To agree the Minutes of the meeting held on 18 October 2012 (To follow)
 - 5 Review 1: Witness Session 3 - Review of Regulations and Byelaws relating to Cemeteries and Burial Grounds within Hillingdon 1 - 26
 - 6 Consider Topic for Second Review
 - 7 Statement of Gambling Principles Review - Consultation 27 - 32
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- Draft Statement of Gambling Policy Document 57 - 110**

REVIEW 1 – REVIEW OF REGULATIONS AND BYELAWS RELATING TO CEMETERIES & BURIAL GROUNDS WITHIN HILLINGDON – THIRD WITNESS SESSION

**Contact Officer: Nadia Williams
Telephone: 01895 277655**

REASON FOR ITEM

To hear from further witnesses to enable the Committee to gather evidence as part of their first review of the Regulations and Byelaws relating to Cemeteries & Burial Grounds within Hillingdon.

OPTIONS OPEN TO THE COMMITTEE

1. Question the witnesses.
2. To consider the scoping report (appendix 1) and to make amendments if necessary.
3. To make a note of possible recommendations for the review.

INFORMATION

1. This is the final witness session for the Committee's review of the Regulations and Byelaws relating to Cemeteries & Burial Grounds within Hillingdon. The review will examine the current regulations which are in need of modernising and updating, to reflect the changing needs and requirements of the different cultural and religious groups in the Borough.
2. At the first witness session meeting held on 20 September 2012, Members heard from the Council's Green Spaces, Sports and Leisure Senior Manager and from the Green Spaces Cemeteries Manager at London Borough of Harrow. The session helped the Committee to understand the maintenance aspects of cemeteries and burials grounds and to investigate best practice and experiences of a neighbouring borough in this area.
3. The second witness session held on 18 October 2012 helped the Committee to understand the range of issues and concerns of service users and stake holders. Details of the information provided by the witnesses are included in the Minutes of the last meeting of the Committee which will follow this agenda.

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4. On 4 September 2012, Members made a site visit to a number of the Council's cemeteries and burial grounds as part of their fact finding, evidence and enquiry.

Witnesses

5. For this meeting representatives from Funeral Directors have been invited to attend to help the Committee with their review and to hear their views about disseminating the rules and regulations to service users. In addition, the Anti-Social Behaviour Service Manager and representatives from the Metropolitan Police have been invited to discuss issues in respect of anti-social behaviour at cemeteries.

PAPERS WITH THE REPORT

Scoping Report



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Residents' and Environmental Services Policy Overview Committee Review Scoping Report 2012/13

OBJECTIVE

**A REVIEW OF THE REGULATIONS AND BYELAWS RELATING TO
CEMETERIES AND BURIAL GROUNDS WITHIN HILLINGDON**

Aim of review

To examine the Regulations and Byelaws which relate to the Council's 8 cemeteries and burial grounds and to look at modernising and updating them to reflect the differing cultural and religious requirements of residents of the Borough.

Terms of Reference

1. To look at the cemeteries and burial grounds within the Borough, and to examine how they are maintained to ensure they are at a good standard.
2. To review the existing Council policies, rules, regulations and byelaws as they relate to cemeteries and to look at their application and enforcement.
3. To look at the different religious and cultural requirements for burials and memorials within the Borough and how the Bereavement Service provides this.
4. To investigate best practice and experiences of other local authorities in relation to their cemeteries and burial grounds.
5. To examine the long term capacity and space which will be required at the Borough's cemeteries and burial grounds.

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6. To make recommendations to Cabinet on the outcome of this review.

Reasons for the review

The current regulations which relate to the Council's cemeteries and burial grounds were produced in 1994 (see attached **Appendix 1**) and they are in need of modernising and updating to reflect the changing needs and requirements of the different cultural and religious groups within the Borough.

The regulations will need to strike a balance in relation to the requirements of different cultures and religions. There are differences in terms of burials, memorials and the different manner in which people pay respect to their loved ones at their grave sides.

Supporting the Cabinet & Council's policies and objectives

The Council's Cemetery Regulations will be updated, together with policies and byelaws which relate to cemeteries.

INFORMATION AND ANALYSIS

Key Issues

1. Rules on mementos, furniture and memorials (including size, types, materials, permissions etc)
2. Rules on purchase of grave spaces
3. The use of authorised installers for memorials and maintenance of safe condition of memorials
4. Revision of the Council's byelaws
5. Maintenance and upkeep of the Council's cemeteries
6. Rules on behaviour?
7. Application of policies and byelaws

Remit - who / what is this review covering?

The review will look at the following Council owned and maintained cemeteries and burial grounds and look at the issue of modernising and updating the Council's regulations and byelaws which relate to them.

Cherry Lane Cemetery
Harlington Burial Ground
Harmondsworth Burial Ground
Hillingdon & Uxbridge Cemeteries
Northwood Cemetery
Victoria Lane Burial Ground
West Drayton Cemetery

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Woodland Burial Ground (to the rear of West Drayton Cemetery)

Connected work (recently completed, planned or ongoing)

There is no other current work in this area at Hillingdon Council. However, similar reviews recently took place in Harrow and Slough (albeit with slightly varying objectives).

Key information required

- Cemetery Regulations 1994
- Summary of existing bylaws and policies which apply to cemeteries and burial grounds
- Views of service users
- Examples of current noncompliance of byelaws and inconsistency of application

EVIDENCE & ENQUIRY

Witnesses

- Bereavement Services – London Borough of Hillingdon
- Funeral directors
- Services users/stakeholders
- Legal Services_Officers
- Officers from neighbouring boroughs
- Site visits if appropriate

Intelligence

- The Council's Cemetery Regulations (drafted in 1994)

Consultation and Communications

- Consultation with funeral directors?
- Neighbouring boroughs (that are seen as exemplars in this field)

Potential Lines of enquiry

- What policies are currently in place?
- What byelaws currently exist?
- What is the guidance to the size of memorials?
- Who is responsible for the maintenance of individual burial plots?
- Are there any sanctions for not maintaining individual burial plots?
- What steps are taken to promote dignity and respect for when visitors visit cemeteries?

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- What maintenance arrangements are currently in place?
- What regulations are there on what is acceptable and unacceptable in terms of memorials?
- Are there currently any policies in place with regards to authorised memorials?
- What processes are there in place for applying byelaws in terms of restrictions?
- Is equalities suitably covered by the policies?
- Are there restrictions to acquiring plot sizes and what plot sizes are currently available?
- By whom and how are decisions made on what can and cannot be installed around graves and where are the records of these decisions?
- What is seen as good practice across London (in terms of byelaws, weekend enforcement/monitoring of application of byelaws, etc)?

PROPOSALS

- 1) To create a 5 year strategy and implementation plan for the Council's cemeteries.
- 2) To develop a proper (and ongoing) survey of all graves for structural integrity.
- 3) To create a fair and consistent process for approving applications for graveside memorials.
- 4) To propose standards for the design and layout of future cemeteries.

LOGISTICS

Proposed timeframe & milestones

Meeting Date *	Action	Purpose / Outcome
30 July 2012	Agree Scoping Report	Information and analysis
20 September 2012	Witness Session 1	Evidence & enquiry
18 October 2012	Witness session 2	Evidence & enquiry
15 November 2012	Witness session 3	Evidence & enquiry
6 December 2012-06-28	Draft Final Report	Proposals – agree recommendations and final draft report

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** Specific meetings can be shortened or extended to suit the review topic and needs of the Committee*

Risk assessment

Risks include:

- continuing complaints about grounds maintenance, with knock-on income implications and costs to council budgets to cover shortfall;
- damage to Council's reputation;
- impact to arrangement with Harrow Council;
- byelaws remain out of date, leading to complaints;
- application of byelaws remains inconsistent leading to further noncompliance and subsequent complaints;
- benefits from appropriately and consistently applied byelaws not realised.



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CEMETERY REGULATIONS **1994**

*LONDON BOROUGH OF HILLINGDON
CEMETERY REGULATIONS*

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CEMETERIES MANAGER & REGISTRAR (ALL ENQUIRIES)

*Breakspear Crematorium
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Ruislip
Middlesex HA4 7SJ*

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Planning, Environment, Education
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jpurcell@hillingdon.gov.uk
London Borough of Hillingdon,
Cemeteries Office, Breakspear Crematorium,
Breakspear Road, Ruislip, Middlesex. HA4 7SJ





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HILLINGDON AND UXBRIDGE CEMETERY

*Hillingdon Hill
Hillingdon
Middlesex*

NORTHWOOD CEMETERY

*Chestnut Avenue
Northwood
Middlesex*

HARMONDSWORTH CEMETERY

*Harmondsworth Village
Harmondsworth
Middlesex*

CHERRY LANE CEMETERY

*Shepiston Lane
Harlington
Middlesex*

HARLINGTON BURIAL GROUND

*St. Peter's Way
Harlington
Middlesex*

WEST DRAYTON CEMETERY

*Harmondsworth Road
West Drayton
Middlesex*

VICTORIA LANE CEMETERY

*Victoria Lane
Harlington
Middlesex*





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LONDON BOROUGH OF HILLINGDON REGULATIONS FOR THE MANAGEMENT OF CEMETERIES

INTERPRETATIONS

THROUGHOUT THESE REGULATIONS THE FOLLOWING WORDS AND EXPRESSIONS SHALL HAVE THE MEANINGS STATED

“THE COUNCIL”

- Means the Council of the London Borough of Hillingdon

“THE CEMETERY”

- Means the Cemetery of Burial Ground as the case may be

“CEMETERIES MANAGER” OR “THE MANAGER”

- Means the Council’s Manager of Cemeteries and Burial Grounds

“THE 1977 ORDER”

- Means the Local Authorities Cemeteries Order 1977

“OFFICIAL RECEIPT”

- Means the official London Borough of Hillingdon receipt

“GRAVE”

- Means a burial place formed in the ground by excavation

“PRIVATE GRAVE”

- Means a grave in which the Exclusive Right of Burial has been purchased

“LAWN SECTION”

- Means a section of the cemetery that is grassed and maintained as a lawn





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1). MANAGEMENT OF CEMETERIES

The Council reserves the right to make any charges to these regulations as may from time to time be necessary.

The Council's cemeteries are managed under the terms of the 1977 Order, which forms these regulations. Your attention is drawn in particular to the following Articles of the 1977 Order:

Offences in Cemeteries

Article 18(1)

No Person shall:

- A] Wilfully create any disturbance in a cemetery
- B] Commit any nuisance
- C] Interfere with any burial taking place in a cemetery
- D] Interfere with any grave or vault, any tombstone or other memorial or any flowers or plants on any such matter; or
- E] Play any game or sport

Article 18(2)

No authorised person shall enter or remain in a cemetery at any time when it is closed to the public.

Penalties

Article 19

Any person who contravenes –

- A] Any prohibition under Article 5(6) (Cremated Remains) b] Article 10(6) (see item 19[c] of this booklet) c] Article 18(1) and 18(2) d] Part 1 of Schedule 2 (exercise of Burial Rights – available on request)





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shall be liable on summary conviction to a fine not exceeding £100 and in the case of a continuing offence to a fine not exceeding £10 for each day during which he offence continues after conviction.

2). CONTROL

a) Subject to these regulations and any changes made by the Council, the general management and control of the cemeteries shall be exercised by The Manager.

b) All enquires dealing with any of the Council's cemeteries should be made to the Cemeteries Manager & Registrar whose address and telephone number appears on page 2 of this booklet. Any complaints/comments should be made to The Manager in writing without delay.

c) All persons admitted to the cemeteries shall conform to these regulations. Every purchaser of the Exclusive Right of Burial in any earthen gravespace or vault, and every person who may acquire such right by assignment of transfer shall be subject to these regulations.

3). UNAUTHORISED GATHERINGS

It is prohibited for people to gather in any cemetery other than for purposes of remembrance or a funeral service

4). VEHICLES

a) Cycling is not allowed in the cemeteries

b) All vehicles entering the cemetery shall not drive faster than 10mph and only on approved routes. They must wait at places directed by The Manager

c) Unauthorised vehicles shall not be allowed on any grass area of the cemetery

5). ANIMALS

Dogs and horses (other than guide dogs for the blind or deaf and horses used in or as part of a funeral cortege) are prohibited in the cemeteries.





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6). MUSIC

Music shall not be played or broadcast in the cemetery without the prior written consent of The Manager

7). GLASS CONTAINERS, VASES ETC.

Glass jars, vessels or other unsightly articles will not be allowed, unless sunk in the ground up to the rim and in a manner preserving the tidy appearance of the grave. Any receptacle placed on a grave in contravention of this regulation will be removed.

8). FENCES / BRICK SURROUNDS

The placing of fences or brick surrounds on or around gravespaces is not allowed unless forming part of the design of an approved memorial.

9). FLORAL TRIBUTES

Floral tributes may be put on a grave on the day of burial and stay there until they become unsightly, when they will be removed.

Wreaths put on graves during the Christmas period will be removed in February.

10). RUBBISH

Dead flowers and other rubbish must be put in the bins provided for this purpose.

11). SALE OF GOODS AND SOLICITATION OF ORDERS

a) The sale of goods, services, plants or articles, the soliciting of orders for the erection or repair of monuments or memorials or for the work connected with the graves is strictly prohibited within the cemetery, unless as part of our Approved Scheme.

b) Monumental Masons and other people shall not distribute business cards, or ask of, or attempt to obtain from an employee, information concerning grave owners.





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12). FIREARMS / BANNERS

Firearms shall not be discharged or banners displayed within the Cemetery without the prior written consent of The Manager.

13). COUNCIL EMPLOYEES

Council employees or persons contracted to carry out works on the Council's behalf are not allowed to undertake any private work in time when employed by the Council. Neither should they be offered or accept any tips or gratuities.

14). PHOTOGRAPHS / FILMS

Written permission from The Manager must be obtained to undertake any filming, videoing or photography, other than that for personal use.

15). RESPONSIBILITY FOR LOSS OR DAMAGE

- a) The Council will not be responsible for the safe keeping of, or accept any liability in respect of any accident or damage to, monuments or memorials however so caused. The owner of the monument or memorial shall keep it in good condition and repair, failing which the Council reserves the right to remove any broken or damaged portions of monuments or memorials, or any other items which have become unsafe, unsightly or otherwise objectionable.
- b) The Council shall not be responsible or accept any liability for orders or documents sent by post. Neither will responsibility be accepted for errors following telephone instructions.
- c) The Council has the right when necessary to gain access across any grave, mound soil on any grave and remove or replace any monument/memorial without notice or compensation to the owner.

16). OPENING TIMES

- a) Cemeteries shall be open as sated below but the Council has the right to close or limit entry to them at any time:





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November, December, January & February	from 9am to 4pm
March and October	from 9am to 5pm
April	from 9am to 6pm
September	from 9am to 7pm
May, June, July and August	from 9am to 8pm
Sunday, Good Friday, Bank Holidays and Christmas Day	from 10am to the usual time

b) The Council may vary the above times without notice

17). REGULATIONS CONCERNING INTERMENTS AND PURCHASE OF EXCLUSIVE RIGHT OF BURIAL

a) All 'Notices of Interment' must be in writing on the printed forms supplied by the Council and obtainable from the Cemeteries Manager. They must be delivered between the hours of 9am and 4pm from Monday to Friday inclusive.

b) 'Notices of Interment' shall be delivered to the Cemeteries Manager at least two clear working days before the interment (excluding Saturday, Sunday, Christmas Day, Good Friday or other Public or Bank Holidays, or other holidays granted by the Council). This period is reduced to 24 hours when infectious diseases or other urgent cases are involved. (Failure to do so may result in the funeral being delayed).

c) Funeral Directors must give notice to the Cemeteries Manager whenever they have to conduct a funeral where the number of mourners is likely to exceed FIFTY.

d) To avoid inconvenience and delay at the graveside the NET outside dimensions of the coffin or casket shall be supplied in writing to the Council when the 'Notice of Interment' is given.





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18). FEES AND CHARGES

- a) All fees must be paid when the 'Notice of Interment' is given unless other arrangements have been agreed with the Cemeteries Manager. Official receipts will be given for fees paid.
- b) The charges set out in the Scale of Charges apply where the deceased was, and the purchaser is living in The London Borough of Hillingdon at the time of death or purchase. In the case of a stillborn child, at least one parent should be living in The London Borough of Hillingdon at the time of death. In all other cases the fees will be doubled.

19). RESTRICTION OF INTERMENTS

- a) All burials are subject to the statutory provisions in accordance with Schedule 2, Part 1 or the 1977 Order.
- b) Burials cannot take place on Sundays, Good Friday, Christmas Day or other public holidays or other general Council approved holidays.
- c) No body shall be buried, or cremated remains interred or scattered, in or over any grave or vault in which the Exclusive Right of Burial exists unless the owner has given approval in writing (or the deceased is the owner).
- d) In the case of a Grant of Exclusive Right of Burial not surrendered to the Cemeteries Manager with the 'Notice of Interment' the necessary 'Form of Indemnity' must be completed and signed.

20). REGISTRAR'S CERTIFICATE FOR DISPOSAL / CORONER'S ORDER FOR BURIAL

- a) A Registrars Certificate for Disposal or Coroners Order for Burial, or a declaration in the form prescribed by the Births and Deaths Registration Act 1926 and any amendment or re-inactment thereof must be produced at the Cemetery before the interment can take place.
- b) A Certificate of Cremation must be produced before a burial or the scattering of cremated remains can take place.





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c) Failure to produce the relevant certificate or order will result in the postponement or cancellation of the funeral.

21). TIMES OF BURIAL

a) The Cemetery will be open for interments as follows:

MONDAY to THURSDAY	9am to 3pm
FRIDAY	9am to 2.30pm

Interments at other times may be made at the discretion of the Cemeteries Manager and upon payment of the appropriate additional fee.

b) Applications for the scattering of cremated remains should be made in writing to the Cemeteries Manager at least 48 hours before the scattering is wanted. Ashes may only be scattered in the designated areas.

c) It is the responsibility of the funeral director / organiser to ensure that the funeral cortege arrives at the cemetery at the appointed time. Failure to do so may result in the funeral being held at the cemetery gates or in cases of late arrival fees being incurred or even the cancellation of the funeral.

22). POSTPONEMENT OR CANCELLATION OF INTERMENT

The prescribed fee will still be charged when an interment has been booked but is subsequently postponed or cancelled. Additional expenses in connection with the preparation of a private grave will also be payable.

23). PUBLIC HEALTH (CONTROL OF DISEASE) ACT 1984

The body of a person who has died from an infectious or contagious disease under the Public Health (Control of Disease) Act 1984 must not be taken into a chapel but may remain outside during the first part of the service for the burial of the dead. Otherwise the body must be taken directly to the grave.





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24). COFFINS (WHEN USED)

- a) The funeral director or other person(s) responsible for the burial shall provide sufficient bearers to lower the coffin into the grave or arrange for the hire of bearers with The Manager prior to the interment (at cost).
- b) For the interment of cremated remains in a grave or cremation plot, the ashes shall be contained within a sealed container.
- c) Where a coffin is not used, the body must be taken to the grave in a hearse or funeral director's removal shell.
- d) The body of a person who died from a notifiable disease must be enclosed in a sealed coffin before burial. A list of notifiable diseases is enclosed as appendix 'A'.

25). DIGGING AND OPENING OF GRAVES

- a) Without exception, all graves must be dug by people employed or contracted by the Council.
- b) All work in connection with the construction, re-opening and/or reinstatement of vault or walled graves must be undertaken by a monumental mason or other qualified person and at the expense of the registered owner of the Exclusive Right of Burial.
- c) The removal of a memorial to facilitate an interment, shall be the sole responsibility of the funeral director or responsible person(s). The memorial must be restored to its original position.

26). PUBLIC GRAVES

If a grave has not been purchased, an interment must be in a common grave to which no Exclusive Right of Burial exists.

Memorials must not be erected on a common grave unless it is to the memory of all those buried in the grave. Prior written consent from the Cemeteries Manager will also be necessary.





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27). PURCHASE OF GRAVES

- a) An Exclusive Right of Burial is granted for a maximum of 100 years
- b) The disposal of gravespaces is under the control of the Cemeteries Manager and granted serially.
- c) Grave may be purchased in advance of a burial taking place. The date of purchase will be the date of the commencement of the Grant of Exclusive Right of Burial.
- d) A maximum of 5 graves may be purchased by any one person on any one occasion.
- e) The Cemeteries Manager will try to meet the wishes of the relatives in the purchase of a gravespace at a particular cemetery but it may be necessary for burials to take place elsewhere in other borough cemeteries depending on the circumstances at the time.
- f) A grave will not be registered in the name of a funeral director or firm of funeral directors, or a partner, director or employee of such firms or monumental masons, unless evidence satisfactory to the Cemeteries Manager is given that the grave is required of use by the applicant as a private individual and not for purposes of business.

28). TRANSFER OF GRANT OF EXCLUSIVE RIGHT OF BURIAL

- a) After the interment of the registered owner of the Exclusive Right of Burial to any vault or earthen gravespace, the legal personal representative shall produce to the Council, Probate of the Will of the deceased or Letters of Administration to his or her Estate, or such evidence as the Council shall require so that the change of ownership may be duly established and registered after payment of the prescribed fee.

Until satisfactory proof of ownership is given, a vault or earthen gravespace shall not be opened or otherwise dealt with as per Article 10(6) of the 1977 Order.

- b) An assignee of an Exclusive Right of Burial is not entitled to hold or exercise the right in any vault or earthen gravespace unless the Deed of Assignment has been produced and duly registered by the Council.





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29). ATTENDANCE OF MINISTERS OF RELIGION

The Council will not make arrangements for any ministers of religion to officiate at a funeral. Persons shall make their own arrangements for attendance and for their expenses incurred.

30). DURATION OF SERVICE IN THE CHAPEL

A service or ceremony in the chapel shall not last longer than 30 minutes without the prior permission of the Cemeteries Manager

31). MONUMENTS AND MEMORIALS

- a) Memorials may only be placed upon graves in which the Exclusive Right of Burial has been made
- b) All monuments, memorials or vases to be put on a gravespace are subject to the approval of the Cemeteries Manager. A drawing showing the form and dimensions of the proposed memorial and its foundations with particulars of the materials to be used, and a copy of every inscription to be engraved on it must be submitted for approval before erection. Details should be shown using Council Form CEM5, which is obtainable from the Cemeteries Manager.

All applications must be signed by the registered owner of the Exclusive Right of Burial.

- c) Memorials shall not be altered or interfered with once erected unless permitted using Form CEM5 and paying the prescribed fee.

- d) Monuments and memorials must be prepared ready for fixing before being taken into the cemetery. Masons, etc. must provide their own tools and equipment for the work.

- e) Work on memorials shall not be carried out at the cemetery until a permit has been issued and all fees paid to the Cemeteries Manager.

- f) All work must be carried out in accordance with the National Association of Monumental Masons' Code of Working Practice and to the satisfaction of the Cemeteries Manager. People working on memorials must produce the permit for the works they are carrying out





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on request as otherwise the works may be suspended until a permit is produced. Surplus materials and debris must be removed from the cemetery and the gravespace and surrounding area left clean and tidy.

g) All works shall be carried out at the sole risk and liability of the person employed or engaged in the work of whatever nature. Any damage caused shall be made good to the satisfaction of the Cemeteries Manager and/or the owner of the damaged property.

h) No works, other than by the Council's employees or persons contracted to carry out works on the Council's behalf, shall carry out works within cemeteries on Saturdays, Sundays, Christmas Day, Good Friday, or other Public Holidays, or on other holidays granted by the Council.

i) All works persons employed in the cemetery on whatever manner of work must conform to the hours worked by the cemetery staff.

j) The Council may refuse permission for any memorial (of any type) or inscription of which it does not approve.

32). DIMENSIONS AND CONSTRUCTION OF MEMORIALS

Full Memorials

a) The area enclosed on a single gravespace shall not be more than 1950mm by 750mm (6'6" by 2'6") and on a double gravespace by more than 1950mm by 1950mm (6'6" by 6'6"). Memorials are permitted at the discretion of the Cemeteries Manager.

Lawn Memorials

b) Memorials in the lawned sections shall not exceed 750mm (2'6") in width and 300mm (12") in depth on a single gravespace. On a double gravespace the maximum dimensions are or 1,800mm (6 feet) in width or 300mm (12") in depth. The base shall be secured centrally to the memorial beam, where provided, or to a suitable foundation stone provided by the monumental mason where no rafters are present.





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Cremated Remains Section Memorials

c) Memorials placed on a cremation plot shall not exceed 450mm (1'6") in height, 600mm (2 feet) in width, 600mm (2 feet) in depth, nor be less than 50mm (2 inches) in thickness.

CHILDRENS SECTION MEMORIALS

d) *Hillingdon & Northwood Cemeteries*

The area enclosed by a memorial shall not exceed 450mm (1'6") in width, 450mm (1'6") in length, nor shall it exceed 380mm (15") in height or be less than 50mm (2") in thickness

Cherry Lane Cemetery

The area enclosed by a memorial shall not exceed 900mm (3 feet) in length, 450mm (1'6") in width nor shall it exceed 600mm (2 feet) in height.

e) Only one memorial stone will be allowed on any one gravespace.

f) No part of the soil of any gravespace shall be raised above the level of the surrounding soil, and no part of any gravespace shall be enclosed with fencing of any kind.

g) The Council will maintain the whole of the grassed area between each row and nothing will be placed or planted on that grassed area.

h) The correct section, plot and number of the gravespace must be clearly cut in some prominent position on all monuments and memorials in characters of not less than one inch.

i) Baths, Caens, soft artificial stones or materials of any description, will not be allowed in the construction of any memorial erected in the cemetery.

j) Where glass or natural stone chippings are used, they must be laid upon a slate or concrete bed.

k) Any items placed on graves that contravene these regulations will be removed and stored for collection by the owner. Items removed will be only stored for a period of 4 weeks, at which time they will be disposed of.





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l) The Manager has the power to rectify or remove anything, which does not comply with these regulations.

33). PLANTING OF GRAVESPACES – TRADITIONAL SECTIONS ONLY

a) If within one year after an interment in which the Exclusive Right of Burial has been granted, a memorial has not been erected, the surface of the gravespace shall be laid to grass.

b) Suitable shrubs, plants or flowers may be planted over any gravespace in which the Exclusive Right of Burial has been granted but the Council reserves the right to prune, cut down or dig up and remove any such shrubs, plants or flowers which are of an objectionable character or when they have become unsightly, overgrown or impede grave excavations.

34). REGULATIONS CONCERNING LAWN SECTIONS ONLY

a) The regulations for the management of other sections of the cemetery shall also apply to 'Lawn Sections' in addition to the following:

b) The Exclusive Right of Burial in gravespaces will only be granted serially.

c) As soon as practicable after an interment in the Lawn Section the Council will sow with grass seed or lay turf over the whole of the gravespace with the exception of a bed of 600mm by 1,200mm (2 feet by 4 feet) at the end of the gravespace as determined by the Council. Thereafter no one other than a Council authorised officer shall interfere or alter the gravespace.

The Council will maintain the whole of the grassed part of the Lawn Section and nothing must be planted or placed on the area.

d) The planting of large growing trees and shrubs is not allowed.





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e) The Council has the right to prune, cut down or dig up and remove any such shrubs, plants or flowers, which are of an objectionable character or when they have become unsightly, overgrown or impede grave excavations.

f) The Cemeteries Manager is authorised to rectify/remove anything which does not comply with these regulations.

35). REGULATIONS CONCERNING CREMATION SECTION ONLY

a) The area allocated to a cremation section grave is 2 feet (600mm) x 2 feet (600mm). This area may be covered in full or in part by a memorial or suitably planted. (Please refer to regulation 33b)

b) A cremation section grave will not contain more than 2 interments of cremated remains.

c) Cremated remains must be interred in a suitable container.

d) It is the responsibility of the person arranging the interment to produce the cremated remains for interment at the cemetery.

36). MUSLIM SECTION BURIALS

a) Graves may be mounded to a maximum height of 6 inches above normal ground level after settlement has occurred except in lawned areas where mounding is not permitted.

b) Graves will be orientated so that they face Mecca

c) Bodies to be buried without a coffin must be wrapped in a shroud or suitable cloth so that the body is hidden from public view during the burial service.

d) Bodies must be transported to the graveside in a removal shell, solid box, closed van or other means deemed suitable by the Cemeteries Manager.





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- e) The burial of a person who died from a notifiable disease will not be permitted unless wholly contained in a sealed coffin. See Appendix for notifiable diseases.
- f) The notice period for an interment is 24 hours. (This period may be shortened subject to availability and payment of the prescribed fee)
- g) Completed applications forms and full payment must be delivered to the Cemeteries Manager at least 4 working hours before the start of the funeral.
- h) Whilst every effort will be made to arrange a funeral for the precise time required, it may be necessary to arrange the funeral for an alternative time dependant on circumstances.
- i) The appropriate disposal certificate or burial order must be produced at the cemetery (see regulation 19)
- j) Any open grave is a potential danger, even those where shoring has been installed. No one should therefore enter an open grave, should they do so it is entirely at their own risk.
- k) If a green branch is required to mark the gravespace, it must be brought from outside the cemetery. Removal of foliage from plants within the cemetery is strictly forbidden.
- l) Lowering and covering boards can be supplied at cost if required. Alternatively, they may be supplied by the person arranging the funeral.





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APPENDIX (A) SAMPLE LIST OF NOTIFIABLE DISEASES

List of Notifiable Diseases

Anthrax	Malaria	Scarlet Fever
Cholera	Marbug Fever	Smallpox
Diphtheria	Measles	Tetanus
Dysentery	Meningitis	Acute Tuberculosis (all forms)
Encephalitis, Acute	Ophthalmia Neonatorum	Typhoid Fever
Food Poisoning	Parabphoid Fever	Typhus
Infective Jaundice	Plague	Viral Haemorrhagic Fever
Leprosy	Poliomyelitis	Acute Whooping Cough
Lassa Fever	Relapsing Fever	Yellow Fever
Leptospirosis	Rabies	



STATEMENT OF GAMBLING PRINCIPLES REVIEW

Officer Contact

Sharon Garner – Planning, Environment, Education and Community Services

Papers with report

- Draft Review of Statement of Gambling Principles 2013 – 2016
- Cabinet Report

REASON FOR ITEM

The Gambling Act 2005 requires the Council, as the Licensing Authority, to review its statement of gambling licensing policy every 3 years. This is the second review since the implementation of the Act in 2007. The Council will need to approve and adopt the revised policy which will be effective from 2013 to 2016.

OPTIONS AVAILABLE TO THE COMMITTEE

That the Committee provides any comments on the draft policy, which will be sent to Cabinet in December before final approval by Council in 2013.

INFORMATION

In May 2012, a second review of the Council's Statement of Gambling Licensing Policy was initiated. The current gambling licensing policy has worked well since its implementation in 2007 and has not been subject to any challenge. There have also been no significant amendments to the Gambling Act 2005. Little change to the content or format of the existing policy is being proposed.

Cabinet considered the draft policy at its September 2012 meeting and, as a policy framework document, the relevant Policy Overview Committee should be consulted before the policy is later sent for approval.

The policy acts as the framework for all decisions made by the Licensing sub-committees on gambling related matters.

Full details are provided within the covering Cabinet report. The proposed draft policy is also attached for reference.

BACKGROUND PAPERS

The Gambling Act 2005
Gambling Commission Guidance to Licensing Authorities

PART 1 – MEMBERS, PUBLIC & PRESS

Residents and Environmental Services Policy Overview Committee 15 November 2012

STATEMENT OF GAMBLING PRINCIPLES REVIEW

Cabinet Member	Cllr Jonathan Bianco
Cabinet Portfolio	Finance, Property & Business Services
Officer Contact	Sharon Garner – Planning, Environment, Education and Community Services
Papers with report	Appendix 1 - Draft Review of Statement of Gambling Principles 2013 – 2016 (CIRCULATED SEPERATELY)

HEADLINE INFORMATION

Purpose of report	To seek Cabinet's approval of the draft Statement of Gambling Principles for consultation.
Contribution to our plans and strategies	Sustainable Community Strategy
Financial Cost	There are no additional costs arising from the proposed changes to the Statement of Gambling Principles.
Relevant Policy Overview Committee	Residents' and Environmental Services
Ward(s) affected	All

RECOMMENDATION

As a Policy Framework Document, That Cabinet agree the draft Statement of Gambling Principles for consultation and receives consultation feedback at its December meeting before being recommended to Council for adoption.

INFORMATION

Reasons for recommendation

Under licensing legislation, Cabinet is required to approve a draft statement of gambling principles before is circulated for consultation purposes.

Alternative options considered / risk management

The Gambling Act 2005 requires the Council, as the Licensing Authority, to publish a statement of gambling principles, every 3 years.

The current policy expires in January 2013, and failure to have a new policy in place may affect Gambling Act 2005 decisions made by the Licensing Committee and/or its sub-committees.

Comments of Policy Overview Committee(s)

The Residents' and Environmental Services Committee will be consulted in October and comments provided to Cabinet in December 2012.

Supporting Information

In May 2012, a working party was convened to carry out the initial second review of the Council's Statement of Gambling Licensing Policy. The working party was made up of the following officers:

- Stephanie Waterford, Licensing Service Manager
- Sharon Garner, Licensing Officer
- Sarah White, Licensing Lawyer
- Paul Hewitt, Local Safeguarding Children Board

The current gambling licensing policy has worked well since its implementation in 2007 and has not been subject to any challenge. There have been no significant amendments to the Gambling Act 2005. It was therefore decided by the working party not to change the content or format of the existing policy to any great degree until further consultation is carried out.

The working party was re-convened after some discussion with relevant stakeholders and policy was amended accordingly.

In summary, the proposed changes to the policy include:

- Preface – Deleted as the working party felt that this was superfluous to the needs of the policy.
- Para 1.5 – 1.9 Deleted as the working party felt that they were superfluous to the needs of the policy.
- Para 1.13 – Deleted as this is not necessary to this review of the policy
- Para 1.14 – Amended - Full list of consultees provided
- Para 1.17 – Deleted as the working party felt that this was superfluous to the needs of the policy.
- Para 4.19 and 4.20 – Inserted to explain concisely how each case will be dealt with and how applicants should prepare their application.
- Para 4.30 – Inserted to address the resolution to prohibit casinos in the Borough
- Para 4.70 and 4.73 – Revised and expanded to explain the process of reviewing a premises licence.
- Para 7.13 – Amended to explain the expectation for small society lotteries to renew their registrations each year
- Appendix B – Deleted as the working party felt that it was not necessary to include a map of Hillingdon
- Appendix D – Amended - Delegation of powers to revoke an automatic entitlement for gaming machine notifications

Approval process and time-line

- Draft policy to Cabinet for comments before consultation 27/09/12
- Draft policy to RESPOC for consultation 18/10/12
- Draft policy to Cabinet for approval 20/12/12

- Draft policy to full Council 10/01/13
- Policy comes into force until 2016

Financial Implications

The costs to the Council of implementing the Statement of Gambling Principles are met from gambling licence fees and contained within the existing revenue budgets of the Planning Environment Education and Community Services group.

EFFECT ON RESIDENTS, SERVICE USERS & COMMUNITIES

What will be the effect of the recommendation?

The Gambling Act 2005 requires the Council, as the Licensing Authority, to have a Statement of Gambling Principles. This legislation requires the Licensing Authority to promote the three prime 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 conducted in a fair and open way and;
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

The Statement of Gambling Principles will therefore have an impact on local residents, service users, local businesses and communities.

Consultation Required

Subject to the agreement of this draft, full consultation on the minor amendments will be carried out between 28th September 2012 and 9th November 2012.

Consultees will be:

- Elected Members
- Gambling trade representatives
- Responsible Authorities
- Neighbouring local authorities
- Local residents associations and local community groups
- Licensing Solicitors
- Licensed premises

CORPORATE IMPLICATIONS

Corporate Finance

Corporate Finance has reviewed this report and concurs with the financial implications set out above; noting that all costs associated with this review will be met from existing revenue budgets.

Legal

The London Borough of Hillingdon is required to reconsider and produce a revised Statement of Principles under Section 349 of the Gambling Act 2005 which states:

- (1) A licensing authority shall before each successive period of three years:
 - (a) Prepare a statement of the principles that they propose to apply in exercising their functions under this Act during that period and,
 - (b) Publish the statement

The Statement of Principles has to be determined in consultation with the police, those representing the interests of persons carrying on local gambling businesses, those representing the interests of residents likely to be affected, the Gambling Commission and others that are suggested in the guidance. The process of consultation and the content of the proposed policy outlined in this report complies with the requirements of the Gambling Act 2005.

It is vital that the approval process and time-line detailed above is adhered to in order to ensure the timely approval of a new gambling policy.

BACKGROUND PAPERS

NIL

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SAFETY AT SPORTS GROUNDS

*Reporting Officer: Stephanie Waterford
Licensing Service
Planning, Environment, Education & Community Services*

SUMMARY

This is the annual report to inform the Committee of the action taken by Officers in respect of the Council's responsibilities under the Safety at Sports Grounds Act 1975 and the Fire and Safety at Places of Sport Act 1987. The Committee is asked to provide comments before submission to the relevant Cabinet Member for approval.

RECOMMENDATION

That the Committee note and provide any comments on this report, which will then be sent to the Cabinet Member for Finance, Property and Business Services for approval.

NB. The Committee may wish to draw their attention to Appendices A & B. Following any comments, it will be recommended to the Cabinet Member that Officers maintain the same level of inspection of sports grounds during 2013, as was undertaken in 2012.

REASONS FOR OFFICER RECOMMENDATION

The Council is the enforcing authority under the Safety of Sports Grounds Act 1975 and the Fire Safety and Safety of Places of Sport Act 1987. Following the publication of Lord Chief Justice Taylor's final report in January 1990 in respect of Hillsborough disaster, the Council decided to review its inspection and reporting regimes in respect of enclosed sports grounds located within the borough. A meeting was then arranged with the other agencies involved with safety at sports grounds, these being the Metropolitan Police Service, the London Fire and Emergency Planning Authority and the London Ambulance Service. This group is known as the Safety Advisory Group (S.A.G.). The S.A.G. identified the enclosed sports grounds detailed in Appendix A as premises that should be inspected at least once a year.

This year, a representative from the Food Health & Safety Team accompanied the S.A.G on the inspections as Health & Safety Officers are able to serve improvement notices under the Health & Safety legislation where necessary.

Alternative options considered

To increase, decrease, or maintain, the same level of safety inspections in 2013 that were conducted in 2012

Information

1. Following Lord Justice Taylor's recommendations after the Bradford City fire and the Hillsborough Stadium disaster, local authorities were advised to review their arrangements for discharging their responsibilities under the Safety of Sports Grounds Act 1975 and the Fire Safety and Safety of Places of Sport Act 1987. In addition, local authorities were advised to ensure that an accountable structure was in place, whereby the enforcing department/personnel were regularly and effectively supervised by Senior Officers who would then report direct to elected Members on the action instigated. The object is to ensure that Senior Officers and elected Members are fully aware of the action being instigated on their behalf in discharging the Authority's duties.
2. The principal instruments aimed at achieving a framework for safety of spectators at sporting events are:
 - a) Safety of Sports Grounds Act 1975
 - b) The Fire Safety and Safety of Places of Sport Act 1987
 - c) The Guide to Safety at Sports Grounds (5th edition Department of Culture, Media and Sport).
3. The Fire Safety and Safety of Places of Sport Act 1987 makes provision for the safety of stands at sports grounds. It requires the local authority to issue a 'Safety Certificate' in respect of covered spectator stands which accommodate 500 or more people. There are currently no Spectator Stands which fall into this category within the Borough.
4. The Safety of Sports Grounds Act 1975 makes provision for safety at sports stadia and other sports grounds. It governs the issue of safety certificates in respect of "designated sports grounds". It is for the Secretary of State to set the criteria for designation and in the case of football grounds the trigger spectator capacity for designation is 5,000. For other sports stadia it is 10,000. The Act also empowers a local authority to issue a Prohibition Notice in respect of all or part of any sports ground, irrespective as to whether or not it is a "designated" ground, where it feels that spectators cannot be accommodated safely. The legislation also requires the local authority to consult the police and fire authorities in respect of safety at sports grounds within their boundaries. It also places a duty on the Council to conduct periodic inspections of any "designated" sports ground and at any sports ground at which there is a regulated spectator stand which is subject to a Safety Certificate.
5. None of the sports grounds listed in Appendix A are 'designated' and are therefore not subject to a safety certificate. However, if the Council or a member of the Safety Advisory Group were of the opinion that the unrestricted admission of spectators to a ground for a particular game or event could present a significant safety risk, then the Council would have a duty to use its powers under Section 10 of the Safety of Sports Grounds Act 1975 to serve a 'Prohibition Notice'. The Prohibition Notice would stipulate the number of people that the Council has determined that could be safely accommodated within the sports ground.
6. The Guide to Safety at Sports Grounds advises the managers/owners of sports grounds to consult with the Local Authority, the Fire Brigade, the Ambulance Service and the Metropolitan Police in regard to safety issues. In order to ensure good liaison between all

PART 1 – MEMBERS, PUBLIC AND PRESS

the responsible authorities, the Council required the Licensing Service to organise the Safety Advisory Group inspections and to co-ordinate the input, observations and advice from each authority, which is then to be transmitted in a single communication to the managers/owners of the sports grounds. The Licensing Service Manager acts on behalf of the Council as the Senior Liaison Officer for the Safety Advisory Group.

7. Whenever the Licensing Service, or any member of the Safety Advisory Group, becomes aware of a particular game or event that may attract large numbers of spectators (normally in excess of 1,000), the Licensing Service Manager contacts the club's officials to request that they submit their risk assessments, emergency contingency plans etc for consideration and approval prior to the proposed event. If time permits, the Licensing Service will convene a meeting of the Safety Advisory Group at the ground to discuss the club's proposed safety plans/arrangements. The Licensing Service then, on behalf of the S.A.G, advises the Club's management team of any additional safety precautions that they require to be implemented to ensure the safety of the spectators. In addition the S.A.G informs the club's management team of the maximum number of persons who may be admitted into the stadium/ ground.
8. If the Safety Advisory Group were concerned that the Club's management were not going to follow their advice, the Licensing Service Manager would be requested to issue a 'Prohibition Notice' on behalf of the Council. The Licensing Service Manager would report back to the Deputy Director of Public Safety to seek his instruction as to whether or not a notice under section 10 of the Sports Grounds Act 1975 should be issued.
9. The Licensing Service Manager has consulted with the Council's Health & Safety team in respect of each Sports Ground and a number of inspections have been conducted with Officers of that team present. The Health & Safety team can use their own powers to enforce any findings of the SAG.
10. The procedures and inspections detailed in this report and as set out in Appendix A, are considered as reasonable and correct in discharging the Council's responsibilities under the afore-mentioned legislation. These procedures and inspections were implemented in 2012.
11. The Member with the Portfolio for Finance Property & Business can decide whether to maintain these procedures and inspections in 2013. Alternatively, the level of inspections can be increased, or decreased.

Conclusion

The Member with the Portfolio for Finance Property & Business will be advised that the inspection and reporting regimes as detailed in Appendix A would appear to comply with the recommendations and guidelines issued by the Department of Culture, Media and Sport.

Financial Implications

The recommendation to approve the report and action taken has no direct financial implications beyond the existing budget allocations, given that previous levels of inspections are being maintained.

Legal Implications

Members will note from the contents of the report that the Council is responsible for regulating the safety of sports grounds. There are two pieces of legislation which govern this area. Both Acts impose a duty on the Council to carry out periodic inspections of the grounds to ensure that they are complying with the requirements of the legislation.

As indicated in the report, officers are required to advise Members of the inspections they carry out. This requirement stems from guidance which was issued following inquiries into the Bradford Stadium fire and the Hillsborough Stadium disaster.

If the Council failed to carry out inspections of the relevant sports grounds it would be in breach of its statutory duties under these two pieces of legislation covering this area.

EXTERNAL CONSULTATIONS CARRIED OUT

When required (as set out in Appendix A, see item 3) the following authorities are consulted:-

The Metropolitan Police Service
The London Fire and Emergency Planning Authority
The London Ambulance Service

BACKGROUND DOCUMENTS

Safety of Sports Grounds Act 1975
Interim Report on Hillsborough Stadium Disaster
Final Report on Hillsborough Stadium Disaster
The Fire Safety and Safety of Places of Sport Act 1987
The Safety of Places of Sport Regulations 1988 (SI 1988/1807)
Home Office Circular 11/1990
The Guide to Safety at Sports Grounds (5th edition issued by the Department of Culture Media and Sport)

APPENDIX A

Standard Procedures Currently In Place under The Safety of Sports Grounds Act 1975 and The Fire Safety And Safety Of Places Of Sports Act 1987

1. The following enclosed sports grounds are inspected once a year and recommendations are made to the management of each club on measures that they should implement to improve safety. Brief details of each club are set out in Appendix B
 - AFC Hayes Football Club
 - Harefield Football Club
 - Hillingdon Athletics Stadium
 - Hillingdon Borough Football Club
 - Northwood Football Club
 - Uxbridge Football Club
 - Wealdstone Football Club
2. The Hayes FC site is being redeveloped for housing after the merger of Hayes and Yeading Football Clubs in 2009 to Hayes & Yeading United FC. The ground at Beaconsfield Road, Hayes is currently being redeveloped to be the new home for Hayes & Yeading United, due for completion late 2012. Meanwhile, the team have relocated to a ground in Surrey.
3. Whenever it becomes known that a larger than average number of spectator (normally over 1,000) may be attracted to a special game/event, then the Licensing Service Manager contacts the S.A.G. representatives from the Fire Brigade, the Metropolitan Police Service and the Ambulance Service to seek their requirements. The S.A.G.'s requirements/recommendations are then communicated to the club's management committee. If necessary, enforcement action is instigated to ensure the safety of the spectators who may be attracted to that particular game/event. This procedure is also implemented whenever Uxbridge Cricket Club is used for "special" matches that attract large numbers of spectators e.g when Middlesex County Cricket Club stage 20:20 games at the ground.
4. Whenever possible, an officer from the Licensing Service attends the special game/event to ensure that the Safety Advisory Group's requirements/recommendations are being implemented.
5. In addition, when considered necessary, an officer from the Licensing Service will make recommendations in respect of any temporary electrical installation, spectator stands and/or marquees that have been erected in respect of such a "special" sporting event, to ensure that they are safe and will not put the public at risk.

Reporting Procedures

- a) The Council's Licensing Services Manager is responsible for ensuring the matters detailed above are implemented and she reports to the Public Protection Service Manager

- b) An annual report is prepared by the Licensing Service Manager and it is then submitted to the Deputy Director of Public Safety for approval.
- c) Once approved by the Deputy Director, the report is submitted to the Residents Policy Overview Committee, for consideration and approval.
- d) Following scrutiny by RESPOC, the report is passed to the Cabinet Member for Environment for formal approval on behalf of the Council.

APPENDIX B

Guidance in regard to the safety of spectators at sports grounds is detailed in the publication **Guide to Safety at Sports Grounds** (Green Guide). This publication has 20 chapters and contains 223 pages of very detailed specific safety requirements. The following is just a very brief resume of each ground. If required, full detailed information on each ground can be obtained from the Licensing Service.

AFC Hayes Football Ground

This ground is not suitable for large numbers of spectators in that it does not have:-

- a) An emergency lighting system.
- b) A public address system with a secondary source of power.
- c) A suitable alternative means of escape route
- d) Crush barriers.

Harefield Football Club

This ground could accommodate about 1,000 spectators. However, additional safety measures should be implemented in the event of a game that would attract that number of people.

- a) The public address system is not to the required standard.
- b) The installed emergency lighting system is limited and does not cover all the public areas
- c) Crush barriers have not been installed.

Hillingdon Athletics Stadium

The stadium's public address system does not have a secondary source of power.

The stadium does not have a designated alternative means of escape route for spectators and participants should the main/exit route not be available (e.g. a suspect package in a car parked immediately in front of the main entrance to the stadium).

Note:- Whenever the stadium is used for an event that attracts a large number of participants and spectators, such as a combined schools sports meeting, then the Sports and Leisure Team and Fusion (the stadium managers) inform the Licensing Service who then meet to agree the maximum accommodation number and the additional safety provisions.

Hillingdon Borough Football Club

Exit A and Exit B are located immediately adjacent to the main social club-house building, consequently a fire or suspect package would effectively take out those two exit routes.

Exit C is remote from the social club-house, however this alternative means of escape pathway is routed up to, and adjacent to, the social club-house.

The installed public address system does not have a secondary source of power.

The ground has not been provided with crush barriers.

The ground is in a general state of disrepair.

The Licensing Service Manager has restricted the spectator capacity to 250 due to the state of the ground and the lack of emergency procedures.

Northwood Football Club

This ground is not suitable for large numbers of spectators in that it does not have:-

- a) An emergency lighting system.
- b) A public address system with a secondary source of power.
- c) The main entrance/exit to the ground, and the alternative means of escape from the grounds are not clearly identified..
- d) Crush barriers have not been installed.

Occasionally this ground is used for a "special" game that attracts many more spectators than the normal league games, for example, Northwood sometimes play a pre-season friendly match against a Championship side and such games attract large numbers of spectators. On being notified that such a match is to be played, the Licensing Service Manager will contact the other members of the Safety Advisory Group in regard to what additional safety measures should be implemented and then those requirements are passed onto the club's management committee.

Wealdstone (formally Ruislip Manor) Football Club

This ground is not suitable for large numbers of spectators in that it:-

- a) Does not have an emergency lighting system
- b) Does not have public address system with a secondary source of power.
- c) Crush barriers have not been installed.

A number large games are played at this ground each year. When this occurs and in accordance with the agreed procedure between the club and the Licensing Service, the Licensing Service's Manager is notified and (if time permits) she will convene a meeting of the SAG to obtain their requirements/recommendations. At this meeting, a spectator capacity is set, usually around 2000.

If possible a Licensing Officer will attend the match to monitor the number of spectators admitted into the ground and to check to see if the S.A.G's recommendations are implemented.

Uxbridge Football Club

This ground is not suitable for large numbers of spectators as it does not have:-

- a) A comprehensive emergency lighting system
- b) The public address system does not have a secondary source of supply.
- c) Crush barriers have not been installed.

Notes:-

The safe accommodation of spectators depends on all the factors, set out in the **Guide to Safety at Sports Grounds** document. Particular consideration must be to be given to each individual ground's infrastructure such as the pitch perimeter fence, the structural stability of walls and fences, the disposition and size of exits and the experience, competency and training of the management team and stewards.

All the above clubs are advised to consult with the Licensing Service's Manager/Safety Advisory Group before they stage any match that will attract more than the normal match day numbers.

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Agenda Item 9

RESIDENTS' AND ENVIRONMENTAL SERVICES POLICY OVERVIEW COMMITTEE 2012/13

Contact Officer: Nadia Williams
Telephone: 01895 277655

REASON FOR ITEM

All Committee meetings will begin at 5.30 p.m. That the Committee consider revisions to the scheduling of existing meetings based upon review topics during 2012/13 as set out below:

WORK PROGRAMME

30 May 2012	Review Discussion – to discuss and agree potential review topics for 2012/13
	Work Programme – review the annual work programme
	Cabinet Forward Plan – review forthcoming decisions and if appropriate, comment to the decision-maker.
30 July 2012	Review Discussion – consideration of scoping report
	Consideration of Budget Planning Report for Planning, Environment & Community Services 2013/14
	Work Programme – review the annual work programme.
	Cabinet Forward Plan – review forthcoming decisions and if appropriate, comment to the decision-maker.
20 September 2012	Review 1 Discussion – first witness session.
	Work Programme – review the annual work programme.
	Cabinet Forward Plan – review forthcoming decisions and if appropriate, comment to the decision-maker.
18 October 2012	Review 1 Discussion - second witness session.
	Mitigating the Environmental Effects of Telecommunication Masts and Cabinets in the London Borough of Hillingdon and beyond - Review Update.
	Work Programme – review the annual work programme.
	Cabinet Forward Plan – review forthcoming decisions and if appropriate, comment to the decision-maker.

PART 1 – MEMBERS, PUBLIC AND PRESS

Residents' and Environmental Services Policy Overview Committee – 15 November 2012

15 November 2012	Review 1 Discussion – third witness session.
	Consider topics for 2 nd Review.
	Statement OF Gambling Principles Review – consultation.
	Annual Safety at Sports Grounds Report.
	Work Programme – review the annual work programme
	Cabinet Forward Plan – review forthcoming decisions and if appropriate, comment to the decision-maker.
6 December 2012	First Review – conclusions and recommendations.
	Second Review – Scoping report.
	Mitigating the Environmental Effects of Telecommunication Masts and Cabinets in the London Borough of Hillingdon and beyond - Review Update.
	Work Programme – review the annual work programme
	Cabinet Forward Plan – review forthcoming decisions and if appropriate, comment to the decision-maker.
22 January 2013	First Review – agree final report.
	Second Review – Witness Session 1.
	Budget Reports for consideration.
	Work Programme – review the annual work programme
	Cabinet Forward Plan – review forthcoming decisions and if appropriate, comment to the decision-maker.
13 February 2013	Second Review – witness session 2.
	Work Programme – review the annual work programme.
	Cabinet Forward Plan – review forthcoming decisions and if appropriate, comment to the decision-maker.
26 March 2013	Second Review – witness session 3.
	Work Programme – review the annual work programme.
	Cabinet Forward Plan – review forthcoming decisions and if appropriate, comment to the decision-maker.
24 April 2013	Second Review - final report.
	Work Programme – review the annual work programme.
	Cabinet Forward Plan – review forthcoming decisions and if appropriate, comment to the decision-maker.

PART 1 – MEMBERS, PUBLIC AND PRESS

FORWARD PLAN NOVEMBER – FEBRUARY 2012

Contact officer: Nadia Williams
Telephone: 01895 277655

REASON FOR ITEM

The Committee is required by its terms of reference to consider the Forward Plan and comment as appropriate to the decision-maker on key decisions which relate to services within its remit (before they are taken by Cabinet or Cabinet Member).

OPTIONS OPEN TO THE COMMITTEE

- To comment on items going to the Cabinet or Cabinet Members for decision.
- Or to note the items and decide not to comment.

INFORMATION

The Forward Plan

1. The Forward Plan for the following months has been published. Those items that are within this Committee's remit are shown on the attached version of the Forward Plan. The Committee may wish to consider these items and comment to the decision-maker.
2. Committee Members are requested to send in any questions they have on any items in the attached Forward Plan or in the published Cabinet agenda and reports, and to request any officers that they wish to be present to give advice.

SUGGESTED COMMITTEE ACTIVITY

- To consider whether there are comments or suggestions that the Committee wishes to make that will aid Cabinet's decision-making.

Ref	Decision	Further information	Ward(s)	Report to Full Council	Cabinet Member(s) Responsible	Officer Contact for further information	Consultation on the decision	NEW ITEM	Private decision?
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Cabinet meeting - 22 November 2012

844	The Borough's Grounds Maintenance Provision	Cabinet will consider a report on the future of the Borough's Grounds Maintenance services.	All		Cllr Jonathan Bianco / Cllr Scott Seaman-Digby	Paul Richards	Corporate Teams	New	Private (3)
823	Enhanced household kerbside recycling scheme	This report to Cabinet will give the outcome of the grant funding bid to the Government for an enhanced household kerbside recycling scheme. Subject to the bid's outcome, the report will propose the building of recycling storage bays at New Years Green Lane Civic Amenity Site to facilitate the scheme. The report will also put forward procurement options for co-mingled recycle.	All		Cllr Jonathan Bianco and Cllr Scott Seaman-Digby	Colin Russell	Corporate consultees		Private (3)
SI	Monthly Council Budget - monitoring report	The Cabinet receives a monthly report setting out in detail the council's revenue and capital position.	All		Cllr Jonathan Bianco	Paul Whaymand			
817	Eastcote House Gardens: Stage 2 Heritage Lottery Fund Bid	Draft proposals for the Stage 2 Submission to the Heritage Lottery Fund, for the repair and extension of the buildings, and improvement of the gardens of the former Eastcote House, for educational and community use, have been drawn up, and subject to public consultation. This report will present to Cabinet the consultation response, the proposals to be put forward and request permission to proceed with the submission of the Stage 2 Bid.	Eastcote & East Ruislip		Cllr Keith Burrows	Charmian Baker	Public consultation		

Ref	Decision	Further information	Ward(s)	Report to Full Council	Cabinet Member(s) Responsible	Officer Contact for further information	Consultation on the decision	NEW ITEM	Private decision?
822	Renewal of Parking Enforcement Contract	The existing contract is due to expire in August 2013 and this report will consider whether there are changes, such as the inclusion of other parking related service areas, that should be incorporated into the contract before it is retendered.	All		Cllr Keith Burrows and Cllr Scott Seaman-Digby	Roy Clark	Corporate Teams		Private (3)
SI	Reports from Policy Overview Committees	Major Policy Review recommendations for consideration by the Cabinet as and when completed.	TBC		as appropriate	Democratic Services			
SI	Gift Funding for Planning Functions	To report to Cabinet any gift funding from developers to meet the Council's reasonable and justifiable costs associated with discharging its planning function.	TBC		Cllr Keith Burrows	James Rodger			

Report to Full Council	Cabinet Member(s) Responsible	Officer Contact for further information	Consultation on the decision	NEW ITEM	Private decision?
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Ward(s)

Ref Decision Further information

Cabinet Member Decisions - November 2012

SI	Standard Items taken each month by the Cabinet Member	Cabinet Members make a number of decisions each month on standard items - details of these standard items are listed at the end of the Forward Plan.	Various	All	Democratic Services	Various		
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Ref	Decision	Further information	Ward(s)	Report to Full Council	Cabinet Member(s) Responsible	Officer Contact for further information	Consultation on the decision	NEW ITEM	Private decision?
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Cabinet meeting - 20 December 2012

833	Accessible Hillingdon - Supplementary Planning Document	This report will seek Cabinet approval to consult on updated supplementary planning guidance to developers and planning applicants on accessible housing, access to public buildings and inclusive environments in light of the Hillingdon Local Plan (i.e. both Part 1 and the saved policies which now constitute Part 2) and the 2011 London Plan.	All		Cllr Keith Burrows	Ali Kashmiri	Various stakeholders	New	
801a	The Council's Budget - Medium Term Financial Forecast 2013/14 - 2016/17 BUDGET & POLICY FRAMEWORK	This report will set out the Medium Term Financial Forecast (MTFF), which includes the draft General Fund reserve budget and capital programme for 2013/14 for consultation, along with indicative projections for the following three years.	All	21-Feb-13	Cllr Jonathan Bianco	Paul Whaymand	Public consultation through the Policy Overview Committee process and statutory consultation with businesses & ratepayers		
804b	Review of Statement of Gambling Policy POLICY FRAMEWORK	The Gambling Act 2005 requires the Licensing Authority to review its Statement of Gambling Policy every three years. Cabinet will be asked to recommend a policy to Council for decision, following consultation.	All	17-Jan-13	Cllr Jonathan Bianco	Sharon Garner	Wide consultation, including RESPOC, Licensing Committee, relevant partners and the public		
SI	Monthly Council Budget - monitoring report Part 1 - MEMBERS, PUBLIC AND PRESS	The Cabinet receives a monthly report setting out in detail the council's revenue and capital position.	All		Cllr Jonathan Bianco	Paul Whaymand			

Ref	Decision	Further information	Ward(s)	Report to Full Council	Cabinet Member(s) Responsible	Officer Contact for further information	Consultation on the decision	NEW ITEM	Private decision?
SI	Reports from Policy Overview Committees	Major Policy Review recommendations for consideration by the Cabinet as and when completed.	TBC		as appropriate	Democratic Services			
SI	Quarterly Planning Obligations Monitoring report	Regular monitoring report with information about spending on section 106 (developer contribution) monies.	All		Cllr Keith Burrows	Jales Tippell / Vanessa Scott			
826	Community Heritage Initiative Project: Draft Conservation Appraisals for consultation	The CHIP scheme for the Borough, funded by English Heritage, aims to empower local residents to write their own conservation area appraisals. Four of the five studies commenced have now progressed to draft reports. This report seeks agreement to go out to public consultation on the four documents. The proposals include changes to existing conservation area boundaries; a potential Article 4 Direction, to change permitted development rights in Morford Way Conservation Area and additions to the Local List of Buildings of Local Architectural or Historic Importance. The latter will however be taken forward separately as part of the next Local List Review.	Various, in particular Eastcote & East Ruislip		Cllr Keith Burrows	Jales Tippell			
SI	Gift Funding for Planning Functions	To report to Cabinet any gift funding from developers to meet the Council's reasonable and justifiable costs associated with discharging its planning function.	TBC		Cllr Keith Burrows	James Rodger			

Ref	Decision	Further information	Ward(s)	Report to Full Council	Cabinet Members(s) Responsible	Officer Contact for further information	Consultation on the decision	NEW ITEM	Private decision?
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Cabinet Member Decisions - December 2012

834	Anti-Social Behaviour Policy for Tenants and Leaseholders	Following Hillingdon Homes' return to the Council, a revised policy is being recommended for approval.	All		Cllr Douglas Mills, Cllr Philip Corthorne & Cllr Ray Puddifoot	Ed Shaylor	Local Tenants Forum, Housing Management	New	
803	Safety at Sports Grounds	This is the annual report to inform the Cabinet Members of action taken by officers in respect of the Council's responsibilities under the Safety of Sports Grounds Act 1975 and the Fire Safety and Safety of Places of Sport Act 1987. The Cabinet Members will be asked to approve action taken by officers to ensure the safety of the public (as spectators) at sports grounds within the Borough during 2012 and to determine the level of safety inspections which should be implemented in 2013.	All		Cllr Jonathan Bianco & Cllr Henry Higgins	Stephanie Waterford	Residents' & Environmental Services POC. Other members of the Safety Advisory Group (Metropolitan Police, London Fire and Emergency Planning Authority, London Ambulance Service).		
SI	Standard Items taken each month by the Cabinet Member	Cabinet Members make a number of decisions each month on standard items - details of these standard items are listed at the end of the Forward Plan.	Various		All	Democratic Services	Various		

Ref	Decision	Further information	Ward(s)	Report to Full Council	Cabinet Member(s) Responsible	Officer Contact for further information	Consultation on the decision	NEW ITEM	Private decision?
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Cabinet meeting - 24 January 2013

SI	Reports from Policy Overview Committees	Major Policy Review recommendations for consideration by the Cabinet as and when completed.	TBC		as appropriate	Democratic Services			
SI	Monthly Council Budget - monitoring report	The Cabinet receives a monthly report setting out in detail the council's revenue and capital position.	All		Cllr Jonathan Bianco	Paul Whaymand			
SI	Gift Funding for Planning Functions	To report to Cabinet any gift funding from developers to meet the Council's reasonable and justifiable costs associated with discharging its planning function.	TBC		Cllr Keith Burrows	James Rodger			

Ref	Decision	Further information	Ward(s)	Report to Full Council	Cabinet Member(s) Responsible	Officer Contact for further information	Consultation on the decision	NEW ITEM	Private decision?
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Cabinet Member Decisions - January 2013

SI	Standard Items taken each month by the Cabinet Member	Cabinet Members make a number of decisions each month on standard items - details of these standard items are listed at the end of the Forward Plan.	Various		All	Democratic Services	Various		
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Ref	Decision	Further information	Ward(s)	Report to Full Council	Cabinet Member(s) Responsible	Officer Contact for further information	Consultation on the decision	NEW ITEM	Private decision?
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Cabinet meeting - 14 February 2013

831	Mayor of London refit programme - Investment Grade proposals	The report will advise Cabinet of the results of the energy consumption benchmarking exercise undertaken with recommendations for investment to reduce consumption, thereby reducing costs and carbon emissions.	All		Cllr Jonathan Bianco	Steve Smith	Corporate consultees	New	Private (3)
801b	The Council's Budget - Medium Term Financial Forecast 2013/14 - 2016/17 BUDGET & POLICY FRAMEWORK	This report will set out the Medium Term Financial Forecast (MTFF), which includes the proposed General Fund reserve budget and capital programme for 2012/13, along with indicative projections for the following three years.	All	21-Feb-13	Cllr Jonathan Bianco	Paul Whaymand	Public consultation through the Policy Overview Committee process and statutory consultation with businesses & ratepayers		
SI	Reports from Policy Overview Committees	Major Policy Review recommendations for consideration by the Cabinet as and when completed.	TBC		as appropriate	Democratic Services			
SI	Monthly Council Budget - monitoring report	The Cabinet receives a monthly report setting out in detail the council's revenue and capital position.	All		Cllr Jonathan Bianco	Paul Whaymand			
SI	Gift Funding for Planning Functions	To report to Cabinet any gift funding from developers to meet the Council's reasonable and justifiable costs associated with discharging its planning function.	TBC		Cllr Keith Burrows	James Rodger			

Ref	Decision	Further information	Ward(s)	Report to Full Council	Cabinet Member(s) Responsible	Officer Contact for further information	Consultation on the decision	NEW ITEM	Private decision?
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Cabinet Member Decisions - February 2013

SI	Standard Items taken each month by the Cabinet Member	Cabinet Members make a number of decisions each month on standard items - details of these standard items are listed at the end of the Forward Plan.	Various		All	Democratic Services	Various		
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Preface

~~London Borough of Hillingdon Council recognises that gambling today has become part of the mainstream of leisure activity and the potential impact it has on the community within the Borough, including the valuable cultural, social and economic importance of the leisure industry and the benefits it brings to the area and its citizens. We also recognise some of the downsides, such as gambling presenting particular risks to children and the vulnerable that other forms of leisure do not.~~

~~We are aware that the three licensing objectives underpinning the legislation highlight an important need for businesses offering commercial gambling to operate in a socially responsible manner and we endorse this as a central principle in our Statement of Principles and decision-making responsibilities.~~

~~Our principles statement also aims to reflect that everyone in the community has a stake in the licensing decisions made by us, the licensing policies and strategies applied and how competing needs and aspirations will be met to achieve a fair balance between local stakeholders. Ultimately, this will involve striking a balance between the different aspirations and needs of local businesses, residents and visitors to the borough.~~

~~In adopting this policy, we seek to address the needs and concerns of residents and businesses to ensure a safe and healthy environment in which to live and work, together with safe and well-run entertainment premises that will promote and sustain a forward-looking and prosperous local economy.~~

PART 1 THE GAMBLING ACT 2005

INTRODUCTION

1.1 London Borough of Hillingdon Council is the Licensing Authority under the Gambling Act 2005. This means that the Council is responsible for granting Premises Licences in respect of betting premises, bingo premises, casino premises, adult gaming centres and family entertainment centres as well as issuing a range of gaming permits and other authorisations for gambling within the Borough. As Licensing Authority, we are also empowered under the Act to impose conditions and review licences, as well as take enforcement action when an offence under the Act has been committed or when premises or activities are unlicensed, or licence conditions are not complied with. This is coupled with powers of entry and inspection to ensure compliance.

The Licensing Framework

1.2 In exercising most of our decision-making functions we are required to have regard to the three Licensing Objectives set out in Section 1 of the Gambling Act, namely:

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

1.3 We are also bound by section 153 of the Act, which requires us, in making decisions concerning Premises Licences and Temporary Use Notices, to aim to permit the use of premises for gambling insofar as we think fit, subject to such decisions being:

- In accordance with any relevant code of practice issued by the Gambling Commission
- In accordance with any relevant guidance issued by the Gambling Commission
- Reasonably consistent with the licensing objectives; and
- In accordance with this Statement of Licensing Principles

The Policy

- 1.4 Section 349 of the Act requires us to publish a *Statement of Principles* (or policy) that we will apply when exercising our various functions under the Act. This Statement of Principles fulfils that statutory requirement and details throughout the document the Council's general approach to the making of licensing decisions.
- ~~1.5 **Part 1** of the principles document gives a summarised overview of the statutory framework within which most of our decisions will be made. It also includes a short profile of the Borough of Hillingdon, which is intended to set the scene from a local perspective.~~
- ~~1.6 The Council's approach to addressing the licensing objectives is discussed in detail in **Part 2**, but will be referred to, where relevant, throughout this document.~~
- ~~1.7 **Part 3** reflects that we have taken an integrated approach, as far as is possible, to ensure that the key objectives of the Act are met as well as provide important support to the Council's Community Strategy, "*Working together for a better future*" and various other core council objectives, initiatives and strategies. It also addresses the principle of non-duplication with other regulatory regimes.~~
- ~~1.8 **Parts 4 - 7** inclusive, sets out in detail the main principles this authority intends to apply when making decisions in respect of Premises Licences, Gaming and Gaming Machine Permits, Notices and Lottery Registrations.~~
- ~~1.9 **Part 8** describes our decision-making responsibilities and the allocation of those responsibilities and Part 9 comprises the various appendices referred to within the document.~~
- 1.10 Nothing in this policy will override the right of any person to make an application under the Act and have that application considered on its individual merits. Equally, nothing in this policy will undermine the right of any person to make representations on an application, or seek a review of a licence where there is a legal power to do so.
- 1.11 This document should be read in conjunction with the Act, Regulations made under the Act and Guidance issued by the Gambling Commission. Our Statement of Principles is designed to be a strategic (Gambling) Licensing Policy, not an operational guide to the Gambling Act or a guide to the application process.
- 1.12 This policy is supplemented by guidance documents for residents and the trade on the application and licensing process. These documents will assist applicants and objectors in understanding their rights and responsibilities under the Act in respect of:

- applying for licences and other gambling permissions
- making representations
- complaints about a premises licensed under the Act and review rights
- committee hearings and the decision making process

- The information is available on the Council's website or on request by contacting the Hillingdon Licensing Service.

CONSULTATION

~~1.13 Consultation on Hillingdon's Statement of Licensing Principles lasted 6 weeks, commencing on 17th July 2009 and ending on 28th August 2009.~~

1.14 The Council has, in accordance with the section 349(3) of the Gambling Act, consulted with:

- i) London Borough of Hillingdon Council Licensing Authority
- ii) The Gambling Commission
- iii) The Chief Officer of Police for the London Borough of Hillingdon (where relevant, Chief Officer of Police for Heathrow)
- iv) London Fire & Emergency Planning Authority, Hillingdon Fire Station
- v) London Borough of Hillingdon Council Planning Authority
- vi) London Borough of Hillingdon Council Environmental Protection Unit (*i.e. authority responsible for pollution and harm to human health*)
- vii) Hillingdon Local Safeguarding Board
- viii) HM Revenue and Customs
- ix) Authority for Vulnerable Adults
- x) A Licensing Authority in whose area the premises is situated (*i.e. the Council itself and also any adjoining Council where premises straddle the boundaries between the two*).

- (i) Persons who appear to this authority to represent the interests of persons carrying on gambling businesses in the borough of Hillingdon and neighbouring boroughs

- (ii) Persons who appear to us to represent the interests of persons who are likely to be affected by the exercise of this authority's functions under the Gambling Act 2005

1.15 A comprehensive list of the persons and/or bodies we have consulted is attached at Appendix A. A summary of the consultation responses can be found on the Council's website. The full list of comments made and consideration given to those responses is available on request by contacting the Authority's Licensing ~~Service Team~~.

DECLARATION

- 1.16 In producing the final Statement of Principles, this Licensing Authority declares that it has had regard to the Licensing Objectives and the Gambling Act 2005, the Guidance issued by the Gambling Commission and responses from those consulted on the policy statement.

PROFILE OF HILLINGDON

~~1.17 Hillingdon is a vibrant outer London Borough. Its 42 square miles make it London's second largest borough. Buckinghamshire, Hertfordshire, Surrey and the London Boroughs of Hounslow, Harrow and Ealing are our neighbours. It is home to approximately 248,000 people, representing a vast range of cultures and nationalities. Hillingdon contributes greatly to the economic success of the capital, yet it remains one of London's greenest boroughs. As the home of Heathrow airport it is also London's foremost gateway to the world. The 2001 UK census suggested that Hillingdon was a relatively affluent area. Unemployment overall was lower than the national average with 2.7% of 16 to 74 year olds registered unemployed compared to a national average of 3.4%. 26% of Hillingdon's population is children and young people aged 0-19 years.~~

~~1.18 A Map of Hillingdon is attached at Appendix B showing the geographical area covered by this Policy.~~

AUTHORISED ACTIVITIES

- 1.19 Gambling' is defined in the Act as either gaming, betting or taking part in a lottery:
- (i) Gaming means playing a game of chance for a prize
 - (ii) Betting means making or accepting a bet on the outcome of a race, competition, or any other event; the likelihood of anything occurring or not occurring; or whether anything is true or not true
 - (iii) A Lottery is where persons are required to pay in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process that relies wholly on chance.

- 1.20 Private gaming in private dwellings and on domestic occasions is exempt from licensing or registration providing that no charge is made for participating; only equal chance gaming takes place; and it does not occur in a place to which the public have access. Domestic betting between inhabitants of the same premises or between employees of the same employer is also exempt.
- 1.21 Non-commercial gaming and betting (where no parts of the proceeds are for private gain) may be subject to certain exemptions. Further advice should be sought from the Council's Licensing Team where appropriate.

LICENSING AUTHORITY FUNCTIONS

1.22 Under the Act, the Council will be responsible for:

- Licensing of premises where gambling activities are to take place by issuing premises licences
- Issuing Provisional Statements
- Regulating Members' Clubs and Miners' Welfare Institutes who wish to undertake certain gaming activities via issuing club gaming permits and/or club machine permits
- Issuing Club Machine Permits to commercial clubs
- Granting permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres
- Receiving Notifications from Alcohol Licensed premises (under the Licensing Act 2003) of the use of two or less gaming machines
- Granting licensed premises gaming machine permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where more than two machines are required
- Registering Small Society Lotteries below prescribed thresholds
- Issuing Prize Gaming Permits
- Receiving and endorsing Temporary Use Notices
- Receiving Occasional Use Notices
- Providing information to Gambling Commission regarding details of Licences issued (see section on Information Exchange)
- Maintaining Register of Licences and Permits issued under these functions
- Exercising its powers of enforcement under the Act in partnership with the Gambling Commission and other relevant responsible Authorities.

RESPONSIBLE AUTHORITIES

- 1.23 These are generally public bodies that must be notified of all applications and who are entitled to make representations to the Council if they are relevant to the licensing objectives.
- 1.24 Within the meaning of Section 157 of the Act, those authorities are:
- xi) London Borough of Hillingdon Council Licensing Authority
 - xii) The Gambling Commission
 - xiii) The Chief Officer of Police for the London Borough of Hillingdon (where relevant, Chief Officer of Police for Heathrow)
 - xiv) London Fire & Emergency Planning Authority, Hillingdon Fire Station
 - xv) London Borough of Hillingdon Council Planning Authority
 - xvi) London Borough of Hillingdon Council Environmental Protection Unit (*i.e. authority responsible for pollution and harm to human health*)
 - xvii) Hillingdon Local Safeguarding Board
 - xviii) HM Revenue and Customs
 - xix) Authority for Vulnerable Adults
 - xx) A Licensing Authority in whose area the premises is situated (*i.e. the Council itself and also any adjoining Council where premises straddle the boundaries between the two*).

For Vessels only:

- (xi) Section 211(4) of the Act provides that the following are Responsible Authorities in addition to the authorities listed under section 157 of the Act:
 - (a) The Navigation Authority (*whose statutory functions are in relation to waters where the vessel is usually moored or berthed*)
 - (b) The Environment Agency,
 - (c) British Waterways and
 - (d) The Secretary of State for Culture, Media and Sport (DCMS)
- 1.25 Subject to any other person being prescribed in Regulations by the Secretary of State. The contact addresses for these authorities are illustrated at Appendix C, or available via the Council's website.

DESIGNATED BODY PROTECTING CHILDREN FROM HARM

- 1.26 The Council is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the Licensing Authority about the protection of children from harm.

- 1.27 The principles are that:
- (i) The designated body must be responsible for an area covering the whole of the Licensing Authority's area
 - (ii) The designated body must be answerable to democratically elected persons, rather than any particular vested interest group etc.
- 1.28 In accordance with the Gambling Commission's Guidance for local authorities this authority designates the Local Safeguarding Children Board for this purpose.
- 1.29 The remit of the Board is to co-ordinate and scrutinise arrangements for safeguarding and promoting the welfare of Hillingdon's children. It operates throughout the Borough, is responsible for the area covered by the Licensing Authority and this Policy; and has specialist knowledge and experience in the protection of children to fulfil this role.

INTERESTED PARTIES

- 1.30 Interested parties can make representations about licence applications, or apply for a review of an existing licence. For the purposes of the Gambling Act 2005 interested parties will include persons who:
- (i) Live sufficiently close to premises carrying out gambling activities
 - (ii) Have business interests that might be affected; and
 - (iii) Represent persons listed above
- 1.31 We are required by regulations to state the principles we will apply in exercising our powers under the Gambling Act 2005 to determine whether a person is an interested party. This Licensing Authority's principles are set out in the following paragraphs:

Statement of Principles

- 1.32 Each case will be decided upon its merits. We will not apply a rigid rule to our decision- making. In the case of doubt, the benefit will be given to the party making the representation until the contrary can be shown.
- 1.33 Interested parties can include trade associations and unions; and residents' or tenants' associations, providing that they can show they represent someone who would be classed as an interested party in their own right. Within the meaning of the Act, interested parties can also be persons who are democratically elected such as Councillors and MPs.

1.34 Generally, the principles we will apply when deciding whether or not a person is an interested party will include looking at the size of the premises where larger premises may be considered to affect people over a broader geographical area compared to smaller premises offering similar facilities and the nature of the activities being conducted on the premises. As to the different elements of the definition of "Interested Party", the Licensing Authority will take into account the following specific matters of principle:

1.35 Persons living "Sufficiently Close"

The Licensing Authority recognises "sufficiently close to be likely to be affected" could have a different meaning for, for instance, a private resident, a residential school for children with problems and a residential hostel for vulnerable adults and will therefore deal with each representation on its individual merits.

1.36 In determining whether someone lives sufficiently close to a particular premises as to likely to be affected by the authorised activities the Council may take account of the:

- (i) Size of the premises
- (ii) Nature of the premises
- (iii) Nature of the authorised activities being proposed
- (iv) Distance of the premises from the person making the representation
- (v) Characteristics of the complainant
- (vi) Potential impact of the premises

1.36 Persons with business interests likely to be affected

With regard to those persons with business interests that could be affected, the Licensing Authority will (in addition to factors set out in paragraph 1.38 above) need to be satisfied that the relevant business is indeed likely to be affected and the following factors will therefore be taken into account:

- i) The 'catchment' area of the premises (i.e. how far people travel to visit); and
- ii) Whether the person making the representation has business interests in that catchment area that might be affected.
- iii) Whether or not the representation is purely based on 'competition' as the Licensing Authority does not consider this to be a relevant representation.

1.37 Persons/bodies representing persons named above

With regard to persons representing persons living sufficiently close and persons having business interests that may be affected, the Licensing Authority will include trade associations and unions.

- 1.39 Where a Councillor represents an interested party, in order to avoid conflict of interest, the Councillor cannot be part of the Licensing Committee dealing with the licence application. When in doubt, Councillors are asked to contact the Council's Legal Services to gain further advice.
- 1.40 Other than Councillors and MPs, this authority will require written evidence that a person represents someone who either lives sufficiently close to the premises to be likely to be affected by authorised activities and/or business interests that might be likewise affected. A letter from one of these persons confirming their wish to be represented will be sufficient.

Exchange of Information

- 1.41 Under the Gambling Act, we will have a key role in providing information to the Gambling Commission to assist it in carrying out its functions. This Licensing Authority recognises the need to work closely with the Gambling Commission in exchanging information as and when required.
- 1.42 As Licensing Authority we are required to include in our policy statement the principles we intend to apply in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between us and the Gambling Commission, and the functions under section 350 of the Act with the respect to the exchange of information between us and the other persons listed in Schedule 6 to the Act.

Statement of Principles

- 1.43 This Licensing Authority will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened. The Licensing Authority will also have regard to any Guidance issued by the Gambling Commission to Local Authorities on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.
- 1.44 Details of applications and representations which are referred to a Licensing Sub-Committee for determination will be published in reports that are made publicly available in accordance with the Local Government Act 1972 and the

Freedom of Information Act 2000. Personal details of people making representations will be disclosed to applicants and only be withheld from publication on the grounds of personal safety where the Licensing Authority is asked to do so.

- 1.45 The Licensing Authority will work closely with the Gambling Commission, Local Police Enforcement in Hillingdon; and with other Responsible Authorities where there is a need to determine whether there is a need for exchange of information on specific premises.
- 1.46 We are aware that the Gambling Commission recommends in its Guidance to Local Authorities that a Protocol for the sharing of such information should be established between, us, the Licensing Authority, the Gambling Commission itself and relevant Responsible Authorities in order to target agreed problem and high risk premises that require greater attention while providing a lighter touch in respect of well-run, low risk premises.

Enforcement

- 1.47 Licensing authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the 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.
- 1.48 This Licensing Authority's principles are that:
- (i) It will be guided by the Gambling Commission's Guidance for local authorities and it will endeavour to be:
 - Proportionate: we will only intervene when necessary, remedies will be appropriate to the risk posed, and costs identified and minimised
 - Accountable, with decisions being justifiable, and be subject to public scrutiny
 - Consistent: rules and standards will be joined up and implemented fairly
 - Transparent and Open: Licence conditions will be kept simple and user friendly
 - Targeted: regulation will be focused on the problem, and minimise side effects.
 - (ii) The Council will avoid duplication with other regulatory regimes so far as possible.
 - (iii) This licensing authority will also keep itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.

- (iv) We note the Gambling Commission's guidance that: in order to ensure compliance with the law, this Licensing Authority must prepare a Risk - based Inspection Programme and that we carry out regular 'routine' day time programmed inspections, based on risk assessment in the categories High, ~~Medium High~~, Medium and Low; and that we also carry out 'non routine' evening programmed inspections. Where one-off events are taking place under a Temporary Use Notice or Occasional Use Notice, the Licensing Authority may also carry out inspections to ensure the Licensing Objectives are being promoted.
 - (v) High-risk premises are those premises that require greater attention with low risk premises needing only a lighter touch so that resources are effectively concentrated on problem premises.
- 1.49 The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 will be to ensure compliance with the Premises Licences and other permissions which is authorises.
150. The Gambling Commission will be the enforcement body for the Operator and Personal Licences. Concerns about manufacture, supply or repair of gaming machines will not be dealt with by the licensing authority but will be notified to the Gambling Commission. This authority also understands from LACORS that the Gambling Commission will be responsible for compliance as regards unlicensed premises.
- 1.51 In considering enforcement action, the Licensing Authority will bear in mind the Human Rights Act 1998, in particular:
- i) Article 1, of the First Protocol: that every person is entitled to the peaceful enjoyment of his or her possessions, including for example the possession of a licence.
 - ii) Article 6: that in the determination of civil rights and obligations everyone is entitled to a fair hearing within a reasonable time by an independent and impartial tribunal established by law.
 - iii) Article 8: that everyone has the right to respect for his or her home and private family life.
 - iv) Article 10: that everyone has the right to freedom of expression within the law.
- 1.52 Any decision to instigate legal proceedings will take account of the criteria set down in the Code of Crown Prosecution and Attorney General Guidelines.

PART 2 PROMOTING THE LICENSING OBJECTIVES

- 2.1 In exercising its functions under the Gambling Act 2005, London Borough of Hillingdon Council will have regard to the three statutory licensing objectives, which are:
- (i) Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
 - (ii) Ensuring that gambling is conducted in a fair and open way
 - (iii) Protecting children and other vulnerable persons from being harmed or exploited by gambling
- 2.2 In promoting these objectives, the Council has considered the Gambling Commission's Guidance to Local Authorities and makes the following observations as to the principles it intends to apply when considering the three objectives:

PREVENTING GAMBLING FROM BEING A SOURCE OF CRIME OR DISORDER, BEING ASSOCIATED WITH CRIME OR DISORDER OR BEING USED TO SUPPORT CRIME.

- 2.3 The Gambling Commission will play a leading role in preventing gambling from being a source of crime and will maintain rigorous licensing procedures that aim to prevent criminals from providing facilities for gambling.
- 2.4 Anyone applying to the Council for a Premises Licence will have to hold an Operating Licence from the Gambling Commission before a licence can be issued. Therefore, the Council will not generally be concerned with the suitability of an applicant. However, if during the course of considering a Premises Licence application or at any other time, the Licensing Authority receives such information that causes it to question the suitability of the applicant, those concerns will be brought to the immediate attention of the Gambling Commission.
- 2.5 If an application for a licence or permit is received in relation to premises which are in an area noted for particular problems with organised crime **or crime directly associated with gambling premises**, the Council will, in consultation with the Police and other relevant Responsible Authorities, consider whether specific controls need to be applied to prevent those premises from being a source of crime. In appropriate circumstances, the Licensing Authority may consider appropriate conditions to be attached to the Licence, such as Door Supervisors.

- 2.6 Issues of disorder should only be dealt with under the Act if the disorder amounts to a form of activity, which is more serious and disruptive than mere nuisance, and it can be shown that gambling is the source of that disorder. A disturbance might be serious enough to constitute disorder if police or ambulance assistance was required to deal with it. Another factor which could be taken into account is how threatening the behaviour was to those who could see or hear it, and whether those people live sufficiently close to be affected or have business interests that might be affected.
- 2.7 The Licensing Authority recognises that disorder may be focused on premises and therefore recommends an applicant takes such controls as necessary to prevent such disorder and nuisance. Examples may include thought given to the way that gambling is conducted on the premises, sighting of large payout machines, levels of noise from public address systems that should ideally be sited at the back of the premises away from residential areas.
- 2.8 Where there are persistent levels of disorder, the Licensing Authority will liaise closely with the Gambling Commission to consider the suitability of the applicant as an operator. In addition, the Licensing Authority will strive to have a good working relationship with the Police in accordance with any protocol that is currently in place.

ENSURING THAT GAMBLING IS CONDUCTED IN A FAIR AND OPEN WAY

- 2.9 All gambling should be fair in the way it is played with transparent rules such that players know what to expect. Examples may include easily understandable information being made available on the rules and probability of winning/losing, ensuring the rules are fair and that advertising is not misleading. Further recommendations would be to ensure that the results of competitions/events are made public; and that machines, equipment and software meet the required standards set by the Gambling Commission.
- 2.10 Generally, it is for the Gambling Commission to ensure this Licensing Objective is complied with through the Operating and Personal Licence regime covering the management of a gambling business and the suitability and actions of an individual.
- 2.11 However, with regard to Race Tracks, where Betting Track Operators do not need an Operators Licence from the Gambling Commission, the role of the Licensing Authority is more significant. The Licensing Authority, in certain circumstances, may seek to impose conditions to ensure that the environment in which betting takes place is suitable. The Licensing Authority may wish to know the nature of the venue, have sight of a plan of the track which would include access to the tent where gambling is to take place, where the operators will conduct on course betting and whether or not there are any off course betting operators.

PROTECTING CHILDREN AND OTHER VULNERABLE PERSONS FROM BEING HARMED OR EXPLOITED BY GAMBLING

- 2.12 Apart from one or two limited exceptions, the intention of the Act is that children and young persons should not be allowed to gamble and should therefore be prevented from entering gambling premises which are 'adult-only' environments.
- 2.13 This Authority notes and endorses the Gambling Commission statement that: "The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling".
- 2.14 In practice, steps will generally be taken to prevent children from taking part in, or being in close proximity to, gambling especially with regard to premises situated in areas where there may be a high rate of reported truancy. There may also 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. In relation to casinos only, the Gambling Commission will be issuing a code of practice about access to casino premises for children and young persons.
- 2.15 When considering whether to grant a premises licence or permit the Council will consider whether any measures are necessary to protect children or vulnerable young persons from being harmed or exploited by gambling, such as the supervision of entrances, the segregation of gambling from areas frequented by children and the supervision of gaming machines in non-adult gambling specific premises, such as pubs, clubs, betting tracks etc. These measures will be particularly relevant on mixed use premises, tracks where children have freedom of movement in betting areas on race days and in particular to the non-gambling areas of casinos. Other such measures may include appropriate signage, location of machines and numbers of staff on duty.
- 2.16 Whilst the Gambling Act does not prohibit vulnerable groups in the same manner as children and young persons, with regard to vulnerable people, the Licensing Authority will consider whether or not any measures have been taken to protect such a group. Any such considerations will be balanced against the Licensing Authority's aim to permit the use of premises for gambling; each application will be treated on its own merit. The term "vulnerable persons" has not been defined under the Act, but in seeking to protect vulnerable people the Council will consider that "vulnerable persons" include (but not limited to):
- (i) People who gamble more than they want to
 - (ii) People who gamble beyond their means, and
 - (iii) People who may not be able to make informed or balanced decisions about gambling, perhaps due to a mental impairment, alcohol or drugs

- 2.17 Children (defined in the Act as under 16s) and young persons (16-17s) may take part in private and non-commercial betting and gaming but the Act contains a number of restrictions on the circumstances in which they may participate in gambling or be on premises where gambling is taking place. An adult is defined as 18 and over. In summary:
- i) Betting Shops cannot admit anyone under 18
 - ii) Bingo Clubs may admit those under 18 but must have policies to ensure they do not gamble, except on category D machines
 - iii) Adult Entertainment Centres cannot admit those under 18
 - iv) Family Entertainment Centres and premises with an alcohol premises licence such as pubs) can admit under-18s, but they may not play category C machines which are restricted to those over 18
 - v) Clubs with a Club Premises Certificate can admit under-18s, but they must have policies to ensure those under 18 do not play machines other than category D machines
 - vi) Tracks will be required to have policies to ensure that under 18s do not participate in gambling other than on category D machines.
- 2.18 With this Licensing Objective in mind, the Licensing Authority will take particular care when considering applications for more than one licence for a building and those relating to a discrete part of a building used for other non-gambling purposes, such as shopping malls. Where relevant, applicants will be expected to take measures to ensure young persons, and children are not in close proximity to gambling. Such measures could include sighting machines at the back of a premises so as to ensure young children do not have sight of such machines, not advertising gambling so as to encourage children and ensuring there is no accidental access to observe or enter premises used for gambling.
- 2.19 The Licensing Authority recommends that measures are taken to ensure entrances and exits from parts of a building covered by one or more licences are separate and identifiable so that people do not drift into a gambling area in error. Such measures could include appropriate signage, physically separating Family Entertainment Centres and Adult Gaming Centres, and supervision of entrances.
- 2.20 The Licensing Authority will pay particular attention to applications where access to the licensed premises is through another premises and will consider whether or not children can gain access; the compatibility of the two establishments and its ability to comply with requirements of the Gambling Act. The Licensing Authority will also consider whether the co-location of the licensed premises with

other facilities will create an arrangement that is likely to be prohibited under the Act.

- 2.21 The Licensing Authority will consider multiple licences carefully and applicants are recommended to configure these buildings carefully if they seek to develop multi purpose developments and in particular consider how they will protect children from being harmed by gambling as well as preventing children from being in close proximity to gambling. Applicants are also requested to consider entrances and exits from parts of the building covered by one or more licences. These exits and entrances should be separate and identifiable to ensure children do not 'drift' into a gambling area.
- 2.22 The Licensing Authority recommends that all staff are suitably trained and aware of the Gambling laws, social responsibility and statutory requirements related to age restrictions on gaming machines. Appropriate measures should be taken to prevent under age use of such machines, including clear and appropriate signage, an approved Proof of Age scheme, a requirement for staff to be vigilant and aware at all times and ensuring the Adult Gaming area is not visible from the street.
- 2.23 The Council will always treat each case on its own individual merits and when considering whether specific measures are required to protect children and other vulnerable people it will balance its considerations against the overall principle of aiming to permit the use of premises for gambling.
- 2.24 When determining the location of proposed gambling facilities, this Licensing Authority in appropriate circumstances, will consider very carefully the following factors when considering applications for Premises Licences, permits and other permissions:
- i) Proximity of premises to local schools
 - ii) Proximity of premises to centres that pose a high risk to vulnerable and young persons
 - iii) Proximity of premises to residential areas where there is a high concentration of children and young people
 - iv) Proximity of premises to places of worship, particularly where Sunday Schools are in operation

PART 3 INTEGRATING STRATEGIES AND OTHER REGULATORY REGIMES

INTEGRATING STRATEGIES

- 3.1 The Council considers that the Licensing Statement of Principles should provide clear indications of how we, as Licensing Authority, will secure the proper integration of this policy with local crime prevention, planning, transport, tourism, equalities and diversity schemes together with other council plans introduced for the management of town centres and the night-time leisure economy. Many of these strategies are not directly related to the promotion of the three licensing objectives, but indirectly impact upon them. Coordination and integration of such policies, strategies and initiatives, so far as is possible and consistent with the licensing objectives, is therefore important to us. We will liaise with the relevant authorities or its directorates with regard to this and in doing so adopt a multi-disciplinary approach to ensure proper integration of local and national strategies to promote the licensing objectives, including making arrangements for the Council's Licensing Committee to receive reports from time to time on the:
- i) Needs of the local tourist economy;
 - ii) Cultural strategy for the area;
 - iii) Employment situation in the area and the need for new investment and employment where appropriate;
 - iv) Local Crime Prevention Strategies
 - v) Race Equality Schemes
 - vi) Enforcement Policy
- 3.2 Reports to the Licensing Committee from other relevant departments should enable the various agencies or departments with their own strategies, aims and objectives to keep the Licensing Committee aware of the wider picture in pursuance of the licensing objectives. It is our intention that we will, through the Council's Licensing Committee, monitor how the matters above set out impact on the licensing of gambling activities and facilities and other functions in order to achieve seamless integration of our licensing function with other relevant strategies and initiatives.
- 3.3 In order to avoid duplication with other statutory regimes, the Licensing Authority will not attach conditions to a licence unless they are considered necessary for the promotion of the licensing objectives. Conditions will generally be considered unnecessary if they are already adequately covered by other legislation.
- 3.4 Similarly, where other legislation confers powers on inspection and enforcement agencies in relation to separate activities and concerns relating to licensed premises, this policy does not affect the continued use of such powers by the relevant agency.

PART 4**PREMISES LICENCES****GENERAL PRINCIPLES**

- 4.1 Premises Licences authorise the provision of gambling facilities on the following:
- i) Casino Premises
 - ii) Bingo Premises
 - iii) Betting Premises, including race tracks used by betting intermediaries
 - iv) Adult Gaming Centres
 - v) Family Entertainment Centres
- 4.2 Except in the case of Tracks (where the occupier may not be the person offering gambling), Premises Licences will only be issued to people with the relevant Operating Licences.
- 4.3 Premises Licences will be subject to the permissions/restrictions set out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State.
- 4.4 We as the Licensing Authority will be able to exclude default conditions and also attach other conditions, where we believe it to be appropriate.
- 4.5 Under the Act the Hillingdon Council has no discretion to grant Premises Licences in circumstances where that would mean departing from the Gambling Commission Guidance and Codes of Practice and this Licensing Authority's own Statement of Licensing Principles. Therefore, our primary focus shall be to aim to permit the use of premises for gambling in so far as we think it:
- i) In accordance with any relevant Code of Practice issued by the Gambling Commission
 - ii) In accordance with any relevant Guidance issued by the Gambling Commission
 - iii) Reasonably Consistent with the Licensing Objectives and
 - iv) In accordance with this Statement of Licensing Principles
- 4.6 The Council appreciates that gambling can be an emotive subject but acknowledges and endorses the Gambling Commission Guidance that "moral objections to gambling are not a valid reason to reject applications for premises licences " (except as regards any "no casino resolution") and also that unmet demand is not a criterion for a Licensing Authority.

- 4.7 We recognise that the responsibility for an individual's gambling is his or her own and that the responsibility to exercise a duty of care lies with the site operator. However, the Licensing Authority recommend applicants for Adult Gaming and Family Entertainment Centres to consider adopting BACTA's *Code of Social Responsibility and Good Practice* and where gaming machines are concerned, applicants are recommended to adopt BACTA's *Code of Practice for AWP's* in Family Entertainment Centres and Adult Gaming Centres.
- 4.8 Where there are age restrictions on entry to certain premises, the Licensing Authority recommends applicants consider and adopt BACTA's and GamCare's joint training initiative on a *Site Age-of-Entry Control Policy*.
- 4.9 We also recognise that most customers are able to enjoy and control their gambling, however, where there are those who are unable to control gambling, the Licensing Authority recommends that applicants adopt BACTA's and GamCare's *Site Self-Exclusion Policy* for those particular clients to request their exclusion for a fixed period.

Definition of Premises

- 4.10 Premises are defined in the Act as "any place". Different premises licences cannot apply in respect of a single premise at different times. It is however possible for a single building to be subject to more than one premises licence, providing that each licence is for a different part of the building and such different parts can reasonably be regarded as different premises.
- 4.11 The Council will judge each case on its individual merits to decide as a matter of fact, whether different parts of a building can be properly regarded as being separate premises.
- 4.12 We note that the Gambling Commission, in their guidance, do not consider that areas of a building that are artificially or temporarily separate can be properly regarded as different premises. We support this view.
- 4.13 This licensing authority takes particular note of the Gambling Commission's Guidance for Local Authorities, which states that:
- i) Licensing Authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular, they should be aware that entrances and exits from parts of a building covered by one or more licences should be separate and identifiable so that the separation of different premises is not compromised and that people do not 'drift' into a gambling area.

- ii) Licensing authorities should pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed). Clearly there will be specific issues that authorities should consider before granting such applications, for example, whether children can gain access; compatibility of the two establishments; and the ability to comply with the requirements of the Act. But in addition an overriding consideration should be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would, or should, be prohibited under the Act.

Provisional Statement

- 4.14 Under the Act an applicant cannot obtain a full premises licence until the premises in which it is proposed to offer the gambling are constructed. The Gambling Commission has advised that reference to the term, “the premises” are to the premises in which gambling may now take place. Therefore a licence to use premises for gambling will only be issued in relation to premises that are ready to be used for gambling.
- 4.15 It is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence. The Gambling Commission emphasises that requiring the building to be complete ensures that the Licensing Authority can, if necessary, inspect it fully, as can other responsible authorities, with inspection rights under the Act.

Location

- 4.16 The Gambling Commission Guidance stipulates that demand issues cannot be considered in relation to the location of premises but that considerations made in terms of the licensing objectives can.
- 4.17 In accordance with the Gambling Commission’s Guidance for Local Authorities, this Licensing Authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.
- 4.18 This authority has not adopted any specific policy in relation to areas where gambling premises should not be located. Should any such policy be decided upon, this policy statement will be updated accordingly. It should be noted that any such future policy will not preclude any application being made ~~and each application will be decided on its merits~~, with the onus upon the applicant showing how any potential concerns can be overcome.

- 4.19 Each case will be decided on its merits and will depend, to a large extent, on the type of gambling that it is proposed will be offered on the premises.
- 4.20 If an applicant can demonstrate appropriate measures to overcome concerns, that will be taken into account by the Council.

Duplication with other regulatory regimes

- 4.21 This authority will seek to avoid any duplication with other statutory or regulatory systems where possible, including the statutory planning regime.
- 4.22 We emphasise that under section 210 of the Act this Licensing Authority is not entitled to have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with the law relating to planning or building control.
- 4.23 The Planning Department are a Responsible Authority under this Act and have the opportunity to make representations should they desire so to do. The Licensing Authority will therefore consider relevant representations from the local planning authority about the effect of the grant of a premises licence on an extant planning permission where this relates to the licensing objectives, a Commission code of practice, or this Statement of Policy. This authority will also listen to, and consider carefully, any concerns about conditions that cannot be met by licensees due to planning restrictions, should such a situation arise. Otherwise the two regimes will be treated as completely separate.

Conditions

- 4.24 Any conditions attached to licences will be proportionate and will be:
- i) Relevant to the need to make the proposed building suitable as a gambling facility
 - ii) Directly related to the premises and the type of licence applied for;
 - iii) Fairly and reasonably related to the scale and type of premises: and
 - iv) Reasonable in all other respects.
- 4.25 Decisions upon individual conditions will be made on a case-by-case basis, although there will be a number of control measures this licensing authority will consider utilising should there be a perceived need, such as the use of door supervisors, supervision of adult gaming machines, appropriate signage for adult-only areas etc. There are specific comments made in this regard under each of the licence types below.
- 4.26 This policy acknowledges that there are conditions that the licensing authority cannot attach to premises licences:

- i) Any condition on the premises licence which makes it impossible to comply with an operating licence condition
- ii) Conditions relating to gaming machine categories, numbers, or method of operation
- iii) Conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated) and
- iv) Conditions in relation to stakes, fees, winning or prizes.

Door Supervisors

- 4.27 The Gambling Commission advises in its Guidance for local authorities that Licensing Authorities may consider whether there is a need for door supervisors in terms of the licensing objectives of protection of children and vulnerable persons from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of crime.
- 4.28 This policy recognises that door supervisors at bingo or casino premises cannot be licensed by the Security Industry Authority (SIA). This Licensing Authority does not have specific requirements for door supervisors working at bingo or casino premises. Each case will be determined on its individual merits.
- 4.29 It is noted that for premises other than casinos and bingo premises, operators and licensing authorities may decide that supervision of entrances or machines is appropriate for particular cases but it will need to be decided whether these need to be SIA licensed or not. It will not be automatically assumed that they need to be.

CASINO PREMISES

- ~~4.29 This Licensing Authority has not passed a 'no casino' resolution, under Section 166 of the Gambling Act 2005, to prohibit casinos in the Borough at present, but is aware that it has the power to do so. The Council reserves its right to review this situation and may at some time in the future resolve not to permit casinos.~~
- 4.30 To date, the Licensing Authority has chosen not to pass a resolution under section 166 (5) of the Gambling Act to prohibit casinos in the Borough.
- 4.31 Should the Council choose to make such a resolution, this will be a resolution of full Council following considered debate and the reasons for making the resolution will be given.

BINGO PREMISES

- 4.32 Bingo is a class of equal chance gaming and ~~is will~~ be permitted in alcohol licensed premises and in clubs provided it remains below a certain threshold, otherwise it will be subject to a bingo operating licence which will have to be obtained from the Gambling Commission.
- 4.33 The holder of a Bingo Operating Licence will be able to provide any type of bingo game including cash and prize bingo. Where bingo is permitted in alcohol licensed and non-gambling premises, this must not become a predominant commercial activity, otherwise a bingo operating licence will be required.
- 4.34 Commercial bingo halls will require a bingo premises licence from the Council. Amusement arcades providing prize bingo will require a prize gaming permit from the Council.
- 4.35 In each of the above cases it is important that where children are allowed to enter premises licensed for bingo, in whatever form, they are not allowed to participate in any bingo game, other than on category D machines. When considering applications of this type the Council will therefore take into account, among other things, the location of the games or machines, access to those areas, general supervision of the premises and the display of appropriate notices.
- 4.36 The Licensing Authority recognises that there is no ban on children or young people having access to Bingo premises, that it is illegal for Under 18s to play or use Category B and C machines and that they cannot be employed in providing facilities for gambling or bingo premises. In any event, children under 16 cannot be employed in any capacity at a time when facilities for playing bingo are being offered. 16 and 17 year olds may be employed while bingo is taking place provided the activities on which they are employed are not connected with the gaming or gaming machines. Where children aged 16 and 17 are employed in bingo premises, the Licensing Authority would expect to see sufficient controls restricting access to Category B and C machines.
- 4.37 A limited number of gaming machines may also be made available at Bingo licensed premises. **A list of categories of gaming machines is on page 32.** Where category C or above machines are available in premises to which children are admitted, the licensing authority will seek to ensure that:
- i) All such machines are located in an area of the premises separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance
 - ii) Only adults are admitted to the area where these machines are located
 - iii) Access to the area where the machines are located is supervised
 - iv) The area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder and

- v) At the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.
- 4.38 With regard to segregation of Category B and C machines from Category D machines, there is a requirement that there must be clear segregation between these types of machine so that children do not have access to Category B or C machines and the Licensing Authority will take into account any guidance issued by the Gambling Commission in the light of any regulations made by the Secretary of State.

Members' Clubs and Commercial Clubs

- 4.39 Bingo may be provided at clubs and institutes either in accordance with a permit or providing that the limits in section 275 of the Act are complied with. These restrictions limit the aggregate stake or prizes within any seven days to £2000, and require the Commission to be notified as soon as is reasonably practicable if that limit is breached. Stakes or prizes above that limit will require a Bingo Operators Licence and the corresponding Personal and Premises licences.
- 4.40 With regard to turnover, where the Licensing Authority is suspicious that a licensee or club exceeds the turnover in the required 7-day period, the Licensing Authority will inform the Gambling Commission accordingly.
- 4.41 The Licensing Authority will take into account any additional guidance issued by the Gambling Commission in relation to the suitability and layout of bingo premises.

BETTING PREMISES

- 4.42 The Licensing Authority is responsible for issuing and monitoring Premises Licences for all betting premises. Anyone wishing to operate a betting office will require a Betting Premises Licence from the Council.
- 4.43 Children and young persons will not be able to enter premises with a betting premises licence.
- 4.44 Betting premises will be able to provide a limited number of gaming machines and some betting machines. **A table showing the number and category of gaming machines permitted in betting premises is on page 33.**
- 4.45 The Council has the power to restrict the number of betting machines, their nature and the circumstances in which they are made available. It will not generally exercise this power though unless there are good reasons to do so

taking into account, among other things: the size of the premises, the level of management, supervision and ability of staff to monitor the use of machines especially where children and young or vulnerable people are concerned; and the number of counter positions available for person-to-person transactions.

TRACKS

- 4.46 Only one Premises Licence can be issued for any particular premises at any time unless the premises is a 'track'. A track is a site where races or other sporting events take place.
- 4.47 Track operators are not required to hold an 'Operators Licence' granted by the Gambling Commission. Therefore, premises licences for tracks, issued by the Council are likely to contain requirements for premises licence holders about their responsibilities in relation to the proper conduct of betting. Track operators will have an important role to play, for example in ensuring that betting areas are properly administered and supervised.
- 4.48 Although there will primarily be a betting premises licence for the track, there may be a number of subsidiary licences authorising other gambling activities to take place. Unlike betting offices, a betting premises licence in respect of a track does not give an automatic entitlement to use gaming machines.
- 4.49 Licensing authorities have a power under the Gambling Act 2005 to restrict the number of betting machines, their nature and the circumstances in which they are made available, by attaching a licence condition to a betting premises licence. When considering whether to exercise its power to restrict the number of betting machines at a track the Council will consider the circumstances of each individual application and, among other things will consider the potential space for the number of machines requested, the ability of track staff to supervise the machines, especially if they are scattered around the site, and the ability of the track operator to prevent children and young persons and vulnerable people betting on the machines.
- 4.50 This Licensing Authority is aware that the Gambling Commission may provide further specific guidance as regards tracks. We have taken note of the Guidance from the Gambling Commission which highlights that tracks are different from other premises in that there may be more than one premises licence in effect and that the track operator may not be required to hold an operator licence as there may be several premises licence holders at the track which will need to hold their own operator licences.

- 4.51 There may be some specific considerations with regard to the protection of children and vulnerable persons from being harmed or exploited by gambling and this authority would expect the premises licence applicants to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, although they are still prevented from entering areas where gaming machines (other than category D machines) are provided.
- 4.52 Measures such as the use of self-barring schemes, provision of information leaflets and helpline numbers for organisations such as GamCare will be considered suitable in relation to the protection of children and vulnerable people.
- 4.53 Where appropriate, in order for the Licensing Authority to gain a proper understanding of what it is being asked to licence, applicants will be asked to:
- i) Provide a detailed plan of the grounds indicating where the betting is to take place and the location of the race track;
 - ii) In the case of dog tracks and horse racecourses, indicate the location of any fixed and mobile pool betting facilities operated by the Tote or track operator as well as any other proposed gambling facilities;
 - iii) Evidence measures taken to ensure the third Licensing Objective will be complied with;
 - iv) Indicate what arrangements are being proposed for the administration of the betting; the Gambling Commission and Licensing Authority recommend that betting takes place in areas reserved for, and identified as being for, that purpose.
 - v) Define the areas of the track that will be used by on course operators visiting the track on race days.
 - vi) Define any temporary structures erected on the track for providing facilities for betting.
 - vii) Define the location of any gaming machines (if any).
- 4.54 Plans should make clear what is being sought for authorisation under the track betting premises licence and what, if any, other areas are to be subject to a separate application for a different type of premises licence.

Betting Machines at Tracks

- 4.55 In addition to the comments above at betting machines in betting premises, similar considerations apply in relation to tracks, where the potential space for such machines may be considerable, bringing with it significant problems in

relation to the proliferation of such machines, the ability of track staff to supervise them if they are scattered around the track and the ability of the track operator to comply with the law and prevent children betting on the machine. The licensing authority may consider restricting the number and location of betting machines, in the light of the circumstances of each application for a track betting premises licence.

- 4.56 This licensing authority notes the Commission's view, that it would be preferable for all self-contained premises operated by off-course betting operators on tracks to be the subject of separate premises licences. This would ensure that there was clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.

Condition on rules being displayed

- 4.57 In line with guidance from the Gambling Commission the Council will attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office.

ADULT GAMING CENTRES

- 4.58 As no one under the age of 18 is permitted to enter an Adult Gaming Centre, this Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the Licensing Authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the premises. Applicants are recommended to consider this Licensing Objective very carefully when applying for an Adult Gaming Centre.
- 4.59 As regards the protection of vulnerable persons, this Licensing Authority will consider measures such as the use of self-barring schemes, provision of information leaflets or helpline numbers for organisations such as GamCare.
- 4.60 Where the Adult Gaming Centre is situated in a complex such as an airport, shopping area or motorway services station, the Licensing Authority will pay particular attention to the location of entry so as to minimise opportunities for children gaining access.
- 4.61 **A table showing the number and category of gaming machines permitted in adult gaming centres is on page 33.**

FAMILY ENTERTAINMENT CENTRES (FECs)

4.62 There are two classes of family entertainment Centres. Licensed FECs provide Category C and D machines and require a Premises Licence. Unlicensed FECs provide Category D machines only and are regulated through FEC Gaming Machine Permits.

(Licensed) Family Entertainment Centres

4.63 Children and young persons may enter FECs but are not permitted to play Category C machines. This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to ensure that there will be sufficient measures to prevent under 18 year olds having access to the adult only gaming machine areas.

4.64 With regard to vulnerable persons, the Licensing Authority will consider measures such as the use of self barring schemes, provision of information leaflets/help line numbers for organizations such as GamCare as appropriate measures.

4.65 With regard to segregation of Category C machines in licensed FECs, there is a requirement that there must be clear segregation between the two types of machine so that children do not have access to Category C machines and the Licensing Authority will take into account any guidance issued by the Gambling Commission in the light of any regulations made by the Secretary of State.

4.66 Applicants are recommended to visit the Gambling Commission's web site in order to familiarise themselves with the conditions applicable to these premises.

Statement of Principles

4.67 As these premises are open to children and young persons, the Licensing Authority will wish to see additional information, such as:

- i) A plan of the premises showing clear segregation of Category C and D machines.
- ii) Clear Notices excluding under 18 year olds from the designated areas where Category C machines are located;
- iii) Age Restriction Policy;

- iv) Evidence of ongoing staff training in administering all aspects of age restriction policy;
- v) Solid physical barriers separating adult gaming area from the main floor, i.e. the barriers to be a min. of 1 metre in height from the floor;
- vi) Completion of a training programme in social awareness in respect of gambling
- vii) Evidence of compliance with BACTA's Code of Practice

TRAVELLING FAIRS

- 4.68 Travelling fairs do not require any permit to provide gaming machines but must comply with the legal requirements on the way the machine operates. They may provide an unlimited number of Category D gaming machines and it will fall to the licensing authority to decide whether, where category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.
- 4.69 The Licensing Authority will consider whether or not a travelling fair falls within the statutory definition of a travelling fair and recognises that the 27 day statutory maximum for the land being used as a fair, is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. The Licensing Authority will work with the neighbouring authorities to ensure that land that crosses joint boundaries is monitored so that the statutory limits are not exceeded.

REVIEW OF PREMISES LICENCES

- ~~4.69 A Premises Licence may be reviewed by the Licensing Authority itself following an application or on its own volition. An Interested Party or Responsible Authority may also request that a premises licence be reviewed.~~
- 4.70 A premises licence may be reviewed by the Licensing Authority of its own volition or following receipt of an application for a review, which is essentially a request by a third party to the Licensing Authority to review a particular licence.
- 4.71 However, it is for the Licensing Authority to decide whether or not the review is to be carried out. This will be on the basis of whether the request for the review is relevant to the matters listed below as well as consideration as to whether the request is frivolous, vexatious, will certainly not cause the Authority to wish to alter/revoke/suspend the licence or whether it is substantially the same as previous requests for review.

4.72 The review will be:

- i) In accordance with any relevant Code of Practice issued by the Gambling Commission
- ii) In accordance with any relevant Guidance issued by the Gambling Commission
- iii) Reasonably consistent with the Licensing Objectives and
- iv) In accordance with the Licensing Policy Statement.

4.73 Licensing Authority officers may be involved in the initial investigations of complaints leading to a review, or may try informal mediation or dispute resolution before a full review is conducted. **An application for review must be granted, unless it decides to reject the application in accordance with the act.**

4.74 The Licensing Authority can also initiate a review of a licence on the basis of any reason that it thinks is appropriate **with regard to the licensing objectives**. This can extend to a review of a class of licences where it considers particular issues have arisen.

PART 5 GAMING PERMITS

INTRODUCTION TO PERMITS

- 5.1 Permits are required when premises provide a gambling facility but either the stakes and prizes are very low or gambling is not the main function of the premises. The permits regulate gambling and the use of gaming machines in a specific premises.
- 5.2 The Licensing Authority is responsible for issuing the following permits:
- Family Entertainment Centre (FEC) Gaming Permits
 - Club Gaming Permits and Club Machine Permits
 - Alcohol –licensed Premises Gaming Machine Permits
 - Prize Gaming permits
- 5.3 The Licensing Authority may only grant or reject an application for a permit and cannot impose or attach any conditions.
- 5.4 There are different considerations to be taken into account when considering the different types of permit applications. Please refer to the relevant parts of this below.

GAMING MACHINES

- 5.5 A gaming machine can cover all types of gambling activity, which can take place on a machine, including betting on virtual events. A machine is not a gaming machine if the winning of a prize is determined purely by the player's skill. However, any element of chance imparted by the action of the machine would cause it to be a gaming machine.
- 5.6 Where the Licensing Authority is uncertain of whether or not a machine is a gaming machine as defined under the Act, it will seek the advice of the Gambling Commission.
- 5.7 There are four classes of gaming machines: Categories A, B, C and D, with category B further divided in sub-categories B1, B2, B3, B3A and B4. The table below sets out the current maximum stakes and prizes that apply to each category:

CATEGORIES OF GAMING MACHINES

CATEGORY	MAXIMUM STAKE	MAXIMUM PRIZE
A	Unlimited	Unlimited
B1	£2	£4,000
B2	£100 (in multiples of £10)	£500
B3	£1	£500
B3A	£1	£500
B4	£1	£250
C	£1	£70
D*	-	-
D non-money prize (other than crane grab machine)	30p	£8
D non-money prize (crane grab machine)	£1	£50
D money prize	10p	£5
D combined money and non-money prize (other than coin pusher or penny falls machines)	10p	£8 (of which no more than £5 may be a money prize)
D combined money and non-money prize (coin pusher or penny falls machine)	10p	£15 (of which no more than £8 may be a money prize)

* Category D machines with a 10p stake are entitled to offer prizes of up to £5 in cash, or up to £5 in cash and £3 in non-monetary prizes. Category D machines with a 30p stake can offer £8 in non-monetary prizes only.

- 5.8 The Gambling Act also prescribes the maximum number and category of gaming machines that are permitted in each type of gambling premises. This includes premises with permit entitlements, as well as licensed premises (see table on page 33):

NUMBER OF GAMING MACHINES BY PREMISES TYPE

TYPE	GAMING TABLES (MINIMUM)	GAMING MACHINES
REGIONAL CASINO	40	25 GAMING MACHINES CATEGORY A TO D FOR EACH TABLE AVAILABLE FOR USE MAXIMUM OF 1,250 MACHINES
LARGE CASINO	1	5 GAMING MACHINES CATEGORY B TO D FOR EACH TABLE AVAILABLE FOR USE MAXIMUM OF 150 MACHINES
SMALL CASINO	1	2 GAMING MACHINES CATEGORY B TO D FOR EACH TABLE AVAILABLE FOR USE MAXIMUM 80 MACHINES
BINGO PREMISES	N/A	20% 8 GAMING MACHINES CATEGORY B3, B3A AND B4 UNLIMITED MACHINES CATEGORY C UNLIMITED CATEGORY D MACHINES
BETTING PREMISES	N/A	4 GAMING MACHINES CATEGORY B2 TO D
TRACK BETTING PREMISES WHERE POOL BETTING LICENCE HELD	N/A	4 GAMING MACHINES CATEGORY B2 TO D
ADULT GAMING CENTRE	N/A	20% 4-GAMING MACHINES CATEGORY B3 TO D UNLIMITED CATEGORY C UNLIMITED CATEGORY D
FAMILY ENTERTAINMENT CENTRE WITH OPERATING LICENCE	N/A	UNLIMITED GAMING MACHINES CATEGORY C TO D
FAMILY ENTERTAINMENT CENTRE WITH GAMING PERMIT	N/A	UNLIMITED GAMING MACHINES CATEGORY D
MEMBERS CLUB PREMISES	N/A	3 GAMING MACHINES CATEGORY B4 TO D
ON SALES ALCOHOL LICENSED PREMISES WITHOUT FOOD RESTRICTION	N/A	2 GAMING MACHINES CATEGORY C TO D BY NOTIFICATION UNLIMITED CATEGORY C TO D WITH ALCOHOL PREMISES GAMING PERMIT

(UNLICENSED) FEC GAMING MACHINE PERMITS

- 5.9 Where Premises do not hold a Premises Licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that under section 238 the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use.
- 5.10 The Act states that a licensing authority may prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit. In preparing that statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under section 25.
- 5.11 A FEC gaming machine permit may be granted only satisfied that the premises will be used as an unlicensed FEC, and if the Chief Officer of Police has been consulted on the application. The Licensing Authority may grant or refuse a permit but cannot impose conditions upon the grant of a permit. Therefore the licensing authority will wish to be satisfied as to the applicant's suitability before granting a permit. Unlicensed FECs, by definition, will not be subject to scrutiny by the Gambling Commission as no operating (or other) licences will be applied for and issued.

Statement of Principles

- 5.12 Applicants will be expected to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits. However, they may include background checks on staff, training for staff in dealing with unsupervised very young children being on the premises, or children causing perceived problems on or around the premises.
- 5.13 Applicants will be expected to demonstrate:
- i) A full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs
 - ii) That the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act)
 - iii) That staff are trained to have a full understanding of the maximum stakes and prizes; and
 - iv) An awareness of local school holiday times and how to identify the local education office should truants be identified.
- 5.14 Compliance with the Code of Practice in relation to FECs, issued by BACTA, will be taken by the Licensing Authority as evidence that (apart

from the criteria relating to criminal convictions) the applicant has met the above.

- 5.15 As these premises are open to children and young persons, the Licensing Authority will require additional information when an applicant applies for this Permit, as follows:
- (i) A plan of the premises to a scale of 1:100, showing the exits/entrances to the premises, location of gaming machines, and the location of safety equipment such as fire extinguishers and indicating the location of appropriate clear and prominent notices and barriers, such Notices to state:
 - (a) That no unaccompanied child will be permitted to remain on the premises if that person is required by law to attend school;
 - (b) Highlighting the need to play responsibly;
 - (c) The number and location of Category D machines;
 - (ii) Evidence of staff training by way of a Premises Log Book, covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on/around the premises;
 - (iii) The amount of space around gaming machines to prevent jostling of players or intimidation.
 - (iv) Location and supervision of Automated Teller Machines
 - (v) Proof of Age scheme
 - (vi) Evidence that the applicant has complied with Health and Safety and Fire Safety legislation.
 - (vii) Details of opening hours.
 - (viii) Details of external appearance of premises
 - (ix) Numbers of staff employed
 - (x) Insurance documents and any other such information the Licensing Authority will from time to time require.
 - (xi) Any other policies or procedures in place to protect children from harm.
- 5.16 The above statement of principles will apply in relation to initial applications only and not to renewals.
- 5.17 With regard to renewals, the Licensing Authority may refuse an application for renewal of a permit only on the grounds that an authorised local authority officer has been refused access to the premises without reasonable excuse, or that renewal would not be reasonably consistent with pursuit of the licensing objectives.
- 5.18 Where an applicant fails to comply with the above requirements, the Licensing Authority may refuse the application. Where there is such a refusal, the Licensing Authority will notify the applicant of its intention to refuse and the reasons for the refusal. The applicant will then have an

opportunity to make representations orally, in writing or both and will have a right of appeal against any decision made.

- 5.19 Where the Permit has been granted the Licensing Authority will issue the permit as soon as is reasonably practicable and in any event in line with the Regulations issued by the Secretary of State. The permit will then remain in effect for 10 years unless surrendered or lapsed.
- 5.20 As these premises particularly appeal to children and young persons, the Licensing Authority will give weight to child protection issues and will also consider an applicant's suitability for FEC permits and factors taken into account will include the Applicant's criminal record and previous history and experience of running similar premises, if any.

CLUB GAMING AND CLUB MACHINES PERMITS

- 5.21 Members Clubs and Miners' Welfare Institutes (not Commercial Clubs) may apply for a Club Gaming Permit or Club Gaming Machine Permit.

5.22 Club Gaming Permit

Club gaming permits allow the premises to provide:

- i) Up to three machines of categories B, C or D
- ii) Equal chance gaming; and
- iii) Games of chance as set out in regulations.

5.23 Club Gaming Machine Permit

A club gaming machine permit will enable the premises to provide up to three machines of categories B, C or D.

- 5.24 Before granting a permit, the Licensing Authority will wish to be satisfied that applicants for these permits meet the statutory criteria for members' clubs contained in sections 266 and 267 of the Gambling Act and may grant the permit provided the majority of members are over 18.

- 5.25 The Licensing Authority recognises that there is a 'fast track' procedure for premises holding a Club Premises Certificate under the Licensing Act 2003 and that there is no opportunity for objections to be made by the Commission or the Police and the grounds upon which the Licensing Authority can refuse a permit are reduced.

ALCOHOL LICENSED PREMISES GAMING MACHINE PERMITS

- 5.26 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have two gaming machines, of categories C and/or D. The premises licence holders merely need to notify the Licensing Authority that they intend to

exercise their automatic entitlement to gaming machines in their premises.

5.27 Under section 284 the Licensing Authority can remove the automatic authorisation in respect of any particular premises if:

- i) Provision of the machines is not reasonably consistent with the pursuit of the licensing objectives
- ii) Gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the Licensing Authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with)
- iii) The premises are mainly used for gaming; or
- iv) An offence under the Gambling Act has been committed on the premises.

5.28 Should it necessary to issue section 284 order, the licence-holder will be given at least twenty-one days' notice of the intention to make the order, and consider any representations which might be made. The authority will hold a hearing if the licensee requests it.

5.29 If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the licensing authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and "such matters as they think relevant."

Statement of Principles

5.30 This Licensing Authority considers that such matters will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under-18 year olds do not have access to the adult-only gaming machines.

5.31 Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff that will monitor that the machines are not being used by those under 18. Notices and signage may also be help. As regards the protection of vulnerable persons applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.

5.32 The Licensing Authority will usually expect holders of gaming machine permits to ensure that the gaming machines are sited in accordance

with any relevant code of practice issued by the Gambling Commission and to ensure that they can be adequately supervised whilst in use.

- 5.33 It is recognised that some alcohol-licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would need to be applied for, and dealt with as an adult entertainment centre premises licence.
- 5.34 It should be noted that the Licensing Authority is empowered to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than **those restricting the number or category of machines** these) cannot be attached.
- 5.35 It should also be noted that the holder of a permit to must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.
- 5.36 Notifications and applications for two or three machines will be determined by Licensing Officers. Those for four to five machines will be determined by Licensing Officers' in consultation with the Chairman of the Licensing (Licensing Act 2003) Committee. Applications for more than five machines will be referred to a Licensing sub-Committee for determination.

PRIZE GAMING PERMITS

- 5.37 The licensing authority may prepare a statement of principles which they propose to apply in exercising their functions which may, in particular, specify matters that the licensing authority propose to consider in determining the suitability of the applicant for a permit.
- 5.38 Prize gaming may be provided in bingo premises as a consequence of their bingo operating licence. Any type of prize gaming may be provided in adult gaming centres and licensed family entertainment centres. Unlicensed family entertainment centres may offer equal chance prize gaming under a gaming machine permit. Prize gaming without a permit may be provided by travelling fairs providing none of the gambling facilities at the fair amount to more than an ancillary amusement. Children and young people may participate in equal chance gaming only.
- 5.39 In making its decision on an application for this permit the Licensing Authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.
- 5.40 Applicant should set out the types of gaming they are intending to offer and should be able to demonstrate:

- i) That they understand the limits to stakes and prizes that are set out in Regulations; and
- ii) That the gaming offered is within the law.

5.41 It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the Licensing authority cannot attach conditions. The conditions in the Act are:

- i) The limits on participation fees, as set out in regulations, must be complied with
- ii) All chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played
- iii) The prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
- iv) Participation in the gaming must not entitle the player to take part in any other gambling.

5.42 Applications may only be made by people who occupy or plan to occupy the premises, are aged 18 or over (if an individual), and no premises licence or club gaming permit under the Gambling Act 2005 may be in force.

Statement of Principles

5.43 This licensing authority considers that such matters will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under-18 year olds do not have access to unequal chances prize gaming.

5.44 A plan must accompany applications indicating where, and what type, of prize gaming is to be provided.

5.45 The grounds for decision making as regards renewals are the same as for initial applications.

5.46 Where the Licensing Authority intends to refuse the application for a permit, it will notify the applicant of its intention to refuse it stating the reasons and offering the applicant an opportunity to make representations orally or in writing or both.

PART 6 TEMPORARY AND OCCASIONAL USE NOTICES

TEMPORARY USE NOTICES (TUN)

- 6.1 A Temporary Use Notice (“TUN”) is a notice which authorises a person or an organisation to conduct gaming activities for a temporary period of time at a particular premises. However, a TUN may only be granted if the premises user is already in possession of a relevant Operating Licence. The London Borough of Hillingdon is bound by a number of statutory limits as regards TUNs. Section 218 of the Act refers to a ‘set of premises’ and provides that a set of premises is the subject of a temporary use notice if ‘any part’ of the premises is the subject of a TUN.
- 6.2 The reference to a ‘set of premises’ prevents one large premise from having a temporary use notice in effect for more than 21 days in a year by giving notification in relation to different parts of the premises and re-setting the clock.
- 6.3 The Licensing Authority will decide what constitutes a ‘set of premises’ where Temporary Use Notices are received relating to the same building / site.
- 6.4 In considering whether a place falls within the definition of a ‘set of premises’ the Licensing Authority will look at the ownership/occupation and control of the premises and the Licensing Authority will consider whether different units are in fact different ‘sets of premises’. An example would be a large exhibition centre with different exhibition halls. This would be considered properly as one premise and would not be granted a temporary use notice for each of its exhibition halls.
- 6.5 A TUN must be lodged with the Licensing Authority not less than three (3) months and one (1) day before the day on which the gambling event will begin. The person who is giving the TUN must ensure that the notice and copies are with the Licensing Authority and named responsible authorities within seven (7) days of the date of the notice.
- 6.6 On receipt of a TUN the Licensing Authority will send a written acknowledgement as soon as is reasonably practicable and this may be by way of e-mail.
- 6.7 If no objections are made within 14 days of the date of the temporary use notice, the Licensing Authority will grant and return the notice with an endorsement of validity.
- 6.8 If objections are received within 14 days of the date of notice, a hearing will be held to consider the issue of a TUN. Those who raise objections may offer modifications to the notice that will resolve their

objections. If all participants to a hearing agree that a hearing is unnecessary, the hearing may be dispensed with.

- 6.9 The Licensing Authority may object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises. The Licensing Authority and other bodies to which the notice is copied may give notice of objection but they must have regard to the Licensing Objectives and where there are such objections, they must give a notice of objection to the person who gave the TUN, such notice will be copied to the Licensing Authority.

OCCASIONAL USE NOTICES (OUN)

- 6.7 An Occasional Use Notice may be used where there is betting on a track on 8 days or less in a calendar year. The OUN dispenses with the need for a Betting Premises Licence for a track and the Licensing Authority will maintain a register of all applications.
- 6.8 The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. The licensing authority will though need to consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.
- 6.9 Tracks are normally thought of as permanent race courses, but the meaning of track not only covers horse racecourses or dog tracks, but also any other premises on any part of which a race or other sporting event takes place or is intended to take place. Although the track need not be a permanent fixture, land used temporarily as a track providing races or sporting events may qualify.

PART 7 REGISTRATION OF SMALL SOCIETY LOTTERIES

DEFINITION OF SMALL SOCIETY LOTTERY

7.1 The Gambling Act repeals the Lotteries and Amusements Act 1976. The Licensing Authority will register and administer smaller non-commercial lotteries. Promoting or facilitating a lottery will fall within 2 categories:

- i) Licensed Lotteries (requiring an Operating Licence from the Gambling Commission); and
- ii) Exempt Lotteries (registered by the Licensing Authority)

7.2 Exempt Lotteries are lotteries permitted to run without a licence from the Gambling Commission and these are:

- i) Small Society Lotteries;
- ii) Incidental Non-Commercial Lotteries;
- iii) Private Lotteries:
- iv) Private Society Lottery
- v) Work Lottery
- vi) Residents' Lottery
- vii) Customer Lotteries

7.3 Societies may organise lotteries if they are licensed by the Gambling Commission or fall within the exempt category, and therefore registered by the Licensing Authority, because their proceeds are below specified levels. The Licensing Authority recommends those seeking to run lotteries take their own legal advice on which type of lottery category they fall within. However, guidance notes with regard to all lotteries, limits placed on small society lotteries and information setting out financial limits will be made available on the Council's website or by contacting the Licensing Authority.

THE LICENSING AND REGISTRATION SCHEME

7.4 Applicants for lottery licences must apply to the Licensing Authority in the area where their principal office is located. Where the Licensing Authority believes that the Society's principal office is situated in another area it will inform the Society as soon as possible and where possible, will inform the other Licensing Authority.

7.5 Lotteries will be regulated through a licensing and registration scheme, conditions imposed on licences by the Gambling Commission, Codes of Practice and any Guidance issued by the Gambling Commission. In exercising its functions with regard to small society and exempt

lotteries, the Licensing Authority will have due regard to the Gambling Commission's Guidance.

- 7.6 The Licensing Authority will keep a Public Register of all applications and will provide information to the Gambling Commission on all lotteries registered by the Licensing Authority. As soon as the entry on the Register is completed, the Licensing Authority will notify the applicant of his registration. In addition, the Licensing Authority will make available for inspection by the public, the financial statements/returns submitted by societies in the preceding 18 months and will monitor the cumulative totals for each society to ensure the annual monetary limit is not breached. If there is any doubt, the Licensing Authority will notify the Gambling Commission in writing, copying this to the Society concerned.
- 7.7 The Licensing Authority will refuse applications for registration if in the previous five years, either an Operating Licence held by the applicant for registration has been revoked, or an application for an Operating Licence made by the applicant for registration has been refused. Where the Licensing Authority is uncertain as to whether or not an application has been refused, it will contact the Gambling Commission to seek advice.
- 7.8 The Licensing Authority may refuse an application for registration if in their opinion:
- i) The applicant is not a non-commercial society;
 - ii) A person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence; or
 - iii) Information provided in or with the application for registration is false or misleading.
- 7.9 The Licensing Authority will ask applicants to set out the purposes for which the Society is established and will ask the Society to declare that they represent a bona fide non-commercial society and have no relevant convictions. The Licensing Authority may, however, seek further information from the Society.
- 7.10 Where the Licensing Authority intends to refuse registration of a Society, it will give the Society an opportunity to make representations and will inform the Society of the reasons why it is minded to refuse registration and supply evidence on which it has reached that preliminary conclusion. In any event, the Licensing Authority will make available on its website its procedures on how it handles representations.
- 7.11 The Licensing Authority may revoke the registered status of a society if it thinks that they would have had to, or would be entitled to, refuse an application for registration if it were being made at that time. However, no revocations will take place unless the Society has been given the

opportunity to make representations. The Licensing Authority will inform the society of the reasons why it is minded to revoke the registration and will provide an outline of the evidence on which it has reached that preliminary conclusion.

7.12 Where a Society employs an external lottery manager, they will need to satisfy themselves that they hold an Operator's Licence issued by the Gambling Commission and the Licensing Authority will expect this to be verified by the Society.

7.13 The Licensing Authority will expect registered small society lottery societies to renew their registrations each year. It is not the responsibility of the Licensing Authority to issue reminders to small society lottery societies to advise of renewals. Registrations will expire if they are not renewed in a timely way. Cancellation of a small society lottery will be confirmed in writing by the Licensing Authority.

PART 8 DECISION MAKING

THE LICENSING COMMITTEE

- 8.1 The Licensing Committee will consist of at least 10 Members. Licensing Sub-committees consisting of 5-3 Committee Members will hear any relevant representations from Responsible Authorities and interested parties. Any of these individuals or groups may specifically request a representative to make representations on the applicant's behalf. This could be a legal representative, a friend, an MP or a Ward Councillor.
- 8.2 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.
- ~~8.3~~ The Licensing Committee will not place themselves in situations where their honesty or integrity may be questioned, will make decisions on their merit and will reach their own conclusions on the issues laid before them and will act in accordance with those conclusions taking into account as necessary and proper, the views of others.
- 8.4 Licensing Authorities must have regard to the licensing objectives when exercising their functions in relations to premises licences, temporary use notices and some permits.
- 8.5 The decision determined by the Sub-Committee will be accompanied with clear, cogent reasons for that decision, having had due regard to being reasonably consistent with the Licensing Objectives; the Human Rights Act 1998; any relevant code of practice under Section 24 of the Gambling Act 2005; any relevant guidance issued by the Commission under Section 25 of the Gambling Act 2005; and this Statement of Policy. 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.

DELEGATION OF DECISION MAKING RESPONSIBILITIES

- 8.5 The Council will be involved in a wide range of licensing decisions and functions and has established a Licensing Committee to administer them.
- 8.6 Appreciating the need to provide a speedy, efficient and cost-effective service to all parties involved in the licensing process, decisions on all

licensing matters will be taken in accordance with an approved scheme of delegation, as attached at Appendix D.

- 8.7 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.

PART 9

APPENDIX A

SCHEDULE OF CONSULTEES TO DRAFT POLICY

PERSONS OR BODIES
REPRESENTING THE
INTERESTS OF THOSE
CARRYING ON GAMBLING
BUSINESSES IN THE BOROUGH

Association of British Bookmakers
Association of Licensed Multiple Retailers
British Amusement Catering Association
British Beer and Pub Association
National Casino Industry Forum
British Holiday & Home Parks Association
Greyhound Board of Great Britain
British Institute of Innkeeping
Business in Sport and Leisure Ltd
Casino Operators Association, UK
Community Trade Union
Federation of Licensed Victuallers
Gamcare
AGE UK
Hillingdon Chamber of Commerce
Remote Gambling Association
Responsibility in Gambling Trust
Rugby Football Union
The Bingo Association
The Football Association
The Lotteries Council
The Working Men's Club & Institute Union

PERSONS OR BODIES
REPRESENTING THE
INTERESTS OF THOSE WHO
ARE LIKELY TO BE AFFECTED
BY THE EXERCISE OF THE
AUTHORITY'S FUNCTIONS

All Elected (Ward) Councillors,
London Borough of Hillingdon
Council

All "Responsible Authorities" as defined under the Gambling Act (see *Appendix C for list and contact details*)

Alcoholics Anonymous (AA)
Gamblers Anonymous
Government Organisations: (LGA, ODPM, LACORS)
Hillingdon Action Group for Addiction Management (HAGAM)
Hillingdon Association of Voluntary Services
Hillingdon's Children and Young People's Partnership Board (CYPSPB)
Hillingdon Community and Police Consultative Group
Hillingdon Drug and Alcohol Services
Hillingdon Law Centre
Hillingdon Mind
Hillingdon NHS
Hillingdon Salvation Army
Hillingdon Samaritans
Hillingdon Youth Offending Service
Hillingdon Tenants and Residents Associations
Hillingdon Federation of Community Associations & similar bodies
Local Licensing Solicitors in Hillingdon
Local Strategic Partnership
Uxbridge Initiative
Uxbridge Magistrates Court

NEIGHBOURING LONDON,
COUNTY AND DISTRICT
COUNCILS

London Boroughs of: Brent, Ealing, Hammersmith & Fulham, Harrow and Hounslow

(West London Alliance Members)

And:

Slough Borough Council

Spelthorne Borough Council

Hertfordshire County Council

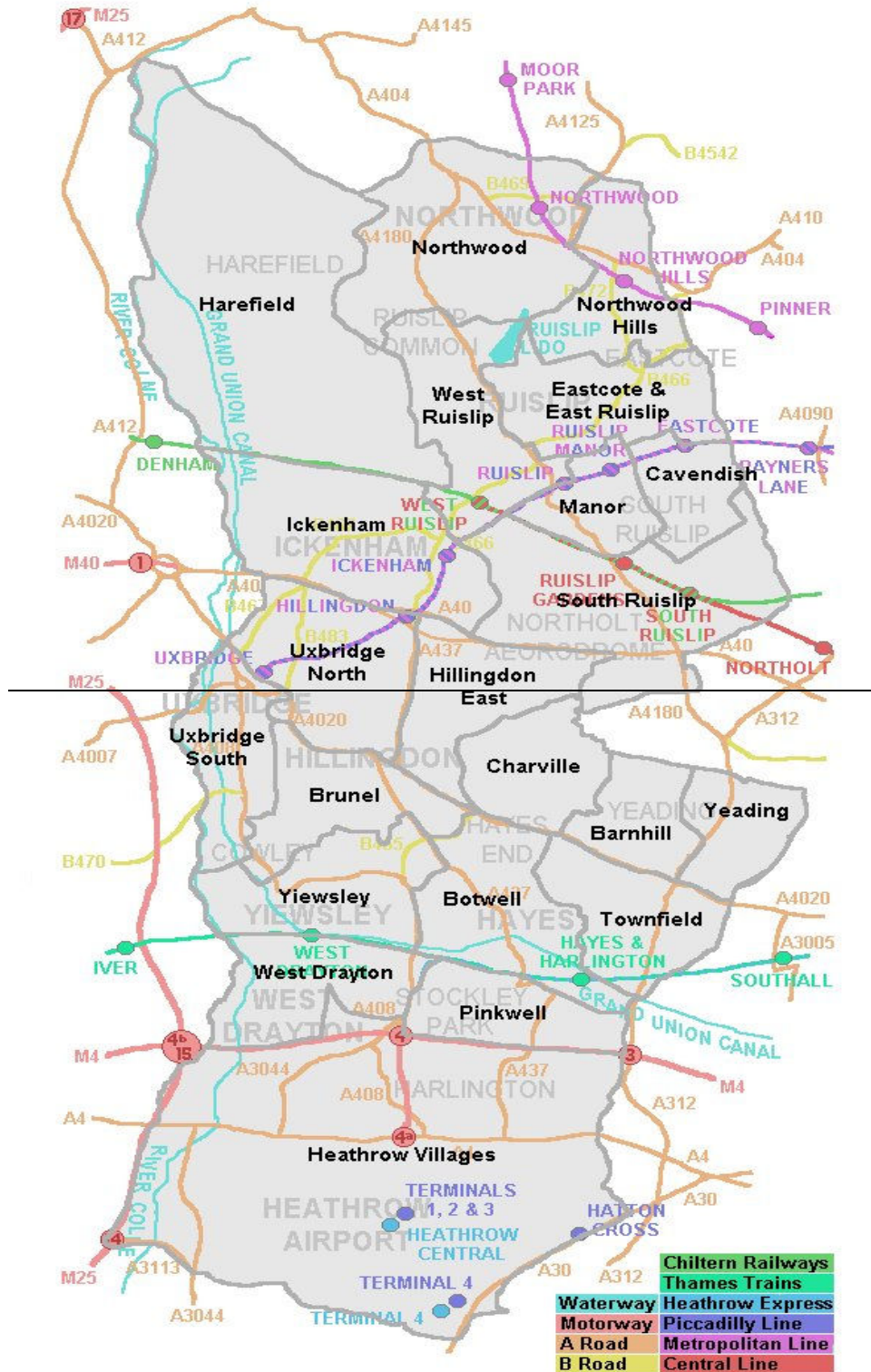
South Bucks District Council

Three Rivers District Council

Note: This list was not intended to be exhaustive. Comments and observations were welcomed from anyone affected by this policy.

APPENDIX B

MAP OF HILLINGDON



APPENDIX C

SCHEDULE OF RESPONSIBLE AUTHORITIES

For the purposes of the Act, Responsible Authorities are public bodies that must be notified of all applications and who are entitled to make representation in relation to Premises

Hillingdon Licensing Authority
c/o The Licensing Service Manager
~~Environment & Consumer
Protection~~

**Planning, Environment, Education
and Community Services**

London Borough of Hillingdon
Civic Centre, Uxbridge
UB8 1UW

The Gambling Commission
Victoria Square House
Victoria Square
Birmingham
B2 4BP

Chief Officer of Police, London
Borough of Hillingdon
c/o Licensing Sergeant
Northwood Police Station
2 Murray Road
Northwood
HA6 2YW

Chief Officer of Police, Heathrow
Metropolitan Police,
East Ramp
London Heathrow Airport
TW6 2DG

London Fire and Emergency
Planning Authority
Hillingdon Fire Safety Team
Hillingdon Fire Station
Uxbridge Road
Hillingdon
UB10 0PH

Hillingdon Planning Authority
~~c/o The Development Control
Manager~~
Head of Planning and Enforcement
~~Department of Planning &
Transportation~~
**Planning, Environment, Education
and Community Services**

London Borough of Hillingdon
Civic Centre, Uxbridge
UB8 1UW

Authority for Pollution & Harm to
Human Health
c/o Divisional Environmental Health
Officer
Environmental Protection Unit
London Borough of Hillingdon
Civic Centre, Uxbridge
UB8 1UW

Local Safeguarding Children Board
c/o Director of Children Services
London Borough of Hillingdon
Civic Centre, Uxbridge
UB8 1UW

HM Revenue & Customs
~~National Registration Unit~~
Betting and Gambling Department
Portcullis House
21 India Street
Glasgow
G2 4PZ

Authorities for Vessels:
Navigation Authority
The Enforcement Agency
The British Waterways Board

The Secretary of State

APPENDIX D

SUMMARY OF DELEGATION OF POWERS

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	
Section 284 Order to revoke the automatic entitlement for 2 gaming machine notifications		X	