

**Democratic Services**

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**Your ref:**

**Our ref:**

**Date:** 27 May 2011

**E-mail:** Democratic\_Services@bathnes.gov.uk

**To: All Members of the Licensing (Gambling and Licensing) Sub-Committee**

Councillors: Douglas Nicol (Chair), Gabriel Batt and Gerry Curran

Chief Executive and other appropriate officers  
Press and Public

Dear Member

**Licensing (Gambling and Licensing) Sub-Committee: Tuesday, 7th June, Wednesday 8<sup>th</sup> June and Thursday 9<sup>th</sup> June, 2011**

You are invited to attend meetings of the **Licensing (Gambling and Licensing) Sub-Committee**, to be held on **Tuesday, 7th June, Wednesday 8<sup>th</sup> June and, if necessary to complete the business, Thursday 9<sup>th</sup> June, 2011 at 10.30 am in the Kaposvar Room - Guildhall, Bath.**

The agenda for the meetings is set out overleaf.

A private briefing session for Members will be held in the meeting room at 09.15am each day.

Yours sincerely

Sean O'Neill  
for Chief Executive

**If you need to access this agenda or any of the supporting reports in an alternative accessible format please contact Democratic Services or the relevant report author whose details are listed at the end of each report.**

## NOTES:

- 1. Inspection of Papers:** Any person wishing to inspect minutes, reports, or a list of the background papers relating to any item on this Agenda should contact Sean O'Neill who is available by telephoning Bath 01225 395090 or by calling at the Riverside Offices Keynsham (during normal office hours).
- 2. Public Speaking at Meetings:** The Council has a scheme to encourage the public to make their views known at meetings. They may make a statement relevant to what the meeting has power to do. They may also present a petition or a deputation on behalf of a group. Advance notice is required not less than two full working days before the meeting (this means that for meetings held on Wednesdays notice must be received in Democratic Services by 4.30pm the previous Friday)

The public may also ask a question to which a written answer will be given. Questions must be submitted in writing to Democratic Services at least two full working days in advance of the meeting (this means that for meetings held on Wednesdays, notice must be received in Democratic Services by 4.30pm the previous Friday). If an answer cannot be prepared in time for the meeting it will be sent out within five days afterwards. Further details of the scheme can be obtained by contacting Sean O'Neill as above.

- 3. Details of Decisions taken at this meeting** can be found in the minutes which will be published as soon as possible after the meeting, and also circulated with the agenda for the next meeting. In the meantime details can be obtained by contacting Sean O'Neill as above.

Appendices to reports are available for inspection as follows:-

**Public Access points** - Riverside - Keynsham, Guildhall - Bath, Hollies - Midsomer Norton, and Bath Central, Keynsham and Midsomer Norton public libraries.

**For Councillors and Officers** papers may be inspected via Political Group Research Assistants and Group Rooms/Members' Rooms.

- 4. Attendance Register:** Members should sign the Register which will be circulated at the meeting.
- 5. THE APPENDED SUPPORTING DOCUMENTS ARE IDENTIFIED BY AGENDA ITEM NUMBER.**
- 6. Emergency Evacuation Procedure**

When the continuous alarm sounds, you must evacuate the building by one of the designated exits and proceed to the named assembly point. The designated exits are sign-posted.

Arrangements are in place for the safe evacuation of disabled people.

**Licensing (Gambling and Licensing) Sub-Committee - Tuesday, 7th June, 2011**

**at 10.30 am in the Kaposvar Room - Guildhall, Bath**

**A G E N D A**

1. EMERGENCY EVACUATION PROCEDURE

The Chair will draw attention to the emergency evacuation procedure as set out under Note 5 on the previous page.

2. ELECTION OF VICE-CHAIR (IF DESIRED)

3. APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

4. DECLARATIONS OF INTEREST

To receive any declarations from Members/Officers of personal/prejudicial interests in respect of matters for consideration at this meeting, together with their statements on the nature of any such interests declared.

5. TO ANNOUNCE ANY URGENT BUSINESS AGREED BY THE CHAIR

6. GAMBLING ACT PROCEDURE (Pages 5 - 10)

The Chair will explain the procedure.

7. APPLICATION BY APOLLO RESORTS AND LEISURE LIMITED FOR THE ISSUE OF A PROVISIONAL STATEMENT FOR A PROPOSED SMALL CASINO AT CATTLE MARKET SITE, WALCOT STREET, BATH BA1 5BD (Pages 11 - 30)

8. APPLICATION BY GALA CASINOS LTD FOR THE ISSUE OF A PROVISIONAL STATEMENT FOR A PROPOSED SMALL CASINO AT THE CATTLE MARKET SITE, WALCOT STREET, BATH BA1 5BD (Pages 31 - 66)

9. APPLICATION BY GROSVENOR CASINOS LIMITED FOR THE ISSUE OF A PROVISIONAL STATEMENT FOR A PROPOSED SMALL CASINO AT THE SITE OF THE EXISTING CAR PARK BOUNDED BY MANVERS STREET TO THE WEST, WALKWAY ADJACENT TO THE POLICE STATION TO THE SOUTH AND SOUTH PARADE TO THE NORTH, BATH (Pages 67 - 108)

The Committee Administrator for this meeting is Sean O'Neill who can be contacted on 01225 395090.



## APPLICATIONS MADE UNDER THE GAMBLING ACT 2005

### LICENSING (GAMBLING AND LICENSING) SUB COMMITTEE HEARING PROCEDURE

- 1) The Chair will introduce Members of the Sub-Committee and Officers present and will explain the procedure to be followed during the hearing
- 2) The Licensing Officer will outline the nature of the matter to be considered by the Sub-Committee.
- 3) In the following paragraphs:
- 4) where the term “party” or “parties” is used in addition to other terms this will mean anyone to whom notice of this meeting has been given.
- 5) Where the term Act is used this will mean the Gambling Act 2005.
- 6) (i) The Applicant/Licence Holder (“the Applicant”), or representative, addresses the Sub-Committee. The Applicant may be asked relevant questions with the Members’ consent.
  - i) (ii) The Applicant, or representative, may call witnesses in support of the application. Each witness may be asked relevant questions by the other parties and the Members with the Members’ consent.
  - ii) (iii) The Applicant, or representative, may be asked to provide further information on, or explanation of, any matter on which the Members may want further clarification.
- 7) (i) Any Interested Parties [defined in s.158 of the Act] making relevant representations, or representative, will take it in turn to address the Sub-Committee. The Interested Parties may be asked relevant questions by the other parties and the Members with the Members’ consent.
  - i) (ii) Any Interested Party, or representative, may call witnesses in support of their representations. Each witness may be asked relevant questions by the other parties and the Members with the Members’ consent.
- 8) (i) Any Responsible Authority [defined in s.157 of the Act] making a representation will address the Committee. The Responsible Authorities may be asked relevant questions by the other parties and the Members with the Members’ consent.
  - i) (ii) Any Responsible Authority may call witnesses in support of their representations. Each witness may be asked relevant questions by the other parties and the Members with the Members consent.
- 9) The Interested Parties will then be invited to briefly summarise their case if they wish.

- 10) The Responsible Authorities will then be invited to briefly summarise their case if they wish.
- 11) The applicant will then be invited to briefly summarise their application.
- 12) The Chair will invite the Sub-Committee to move into private session to enable the Sub-Committee to deliberate in private. The Sub-Committee may reconvene to resolve any points of uncertainty on the evidence already given. During their deliberation the Sub-Committee will be accompanied for advice only by the Legal Advisor and the Committee Administrator. The Sub-Committee may retire to a private room or alternatively require vacation of the meeting room by all other persons.
- 13) When the Sub-Committee resumes, the Chair will announce the decision in public; this will include the reasons (or advise that the decision will be released in writing with reasons within the statutory time limit in this instance 5 working days).

PLEASE NOTE:

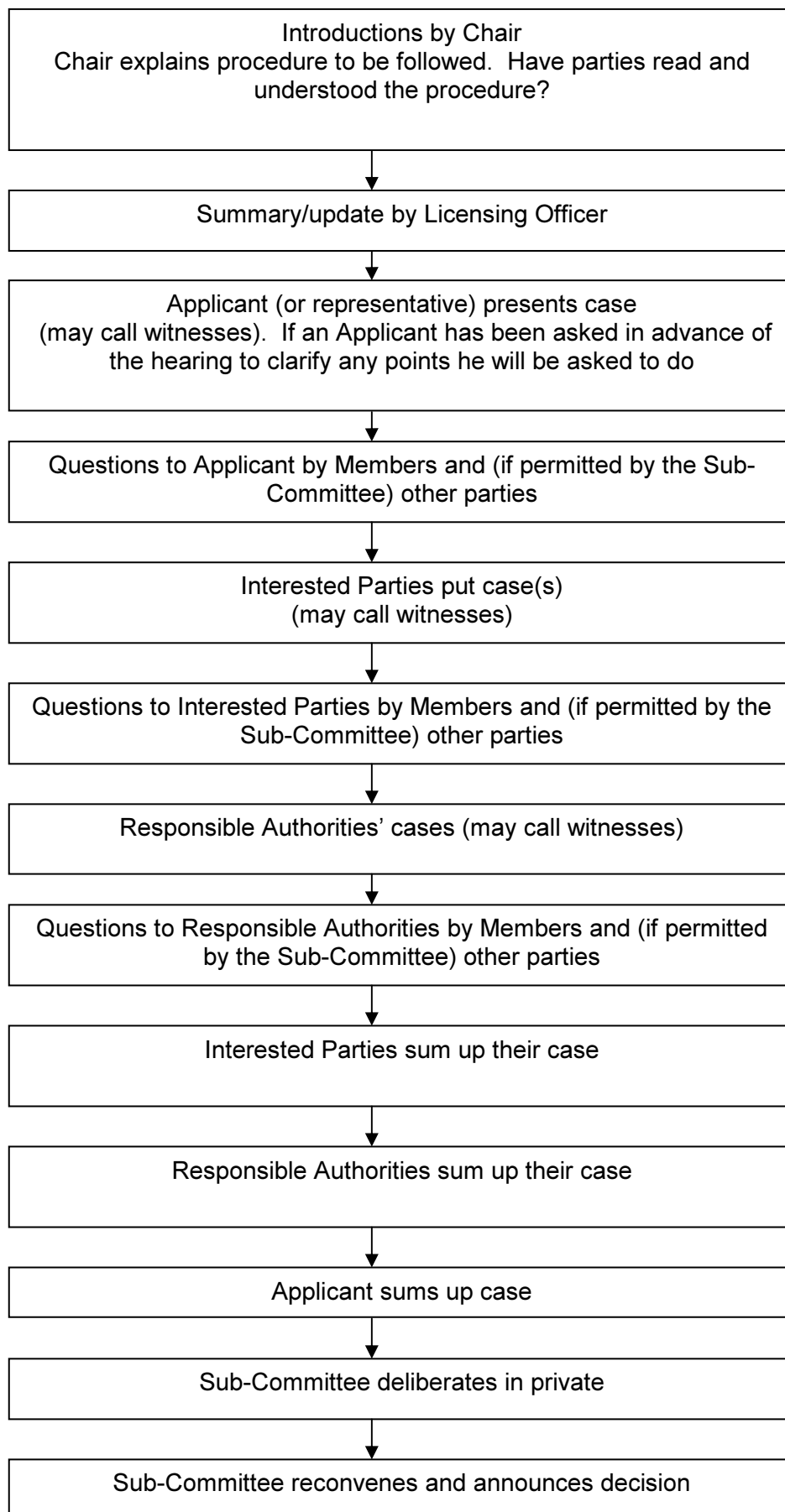
- 14) Where the Sub-Committee considers it necessary to do so, it may vary this procedure subject to The Gambling Act (Proceedings of Licensing Committees and Sub Committees) (Premises Licences and Provisional Statements) (England and Wales) Regulations 2007 (“the Regulations”).
- 15) The Sub Committee may proceed in the absence of a party or a party’s representative if that party has:-
  - a) Informed the Sub Committee that he does not intend to attend or be represented at the hearing (and has not subsequently advised the Sub Committee otherwise)
  - b) Failed to inform the Sub Committee whether he intends to attend or be represented at the hearing
  - c) Left the hearing in circumstances enabling the Sub Committee reasonably to conclude that he does not intend to participate further
  - d) Where a party has indicated that he does intend to attend or be represented at the hearing but fails attend or be represented the Sub Committee may decide to adjourn the hearing to a specified date if it considers it to be in the public interest
  - e) If the hearing is adjourned to a specified date the parties will be notified of the date, time and venue as soon as practicably possible
- 16) All notices and representations received from absent parties will be considered.

- 17) The Sub Committee will take into account any additional late documentary or other information produced by an existing party in support of their application/representation before the hearing or at the hearing with the consent of all the other parties attending the hearing. No new representations will be allowed at the hearing.
- 18) The hearing will take the form of a discussion but formal cross examination will not be permitted unless the Sub Committee considers that it is required for it properly to consider the application or representations made by a party.
- 19) The Authority will disregard any information or representation given by a party which is not relevant to the application, the Act, statutory guidance, or the Council's Statement of Principles.
- 20) The Chair will allow the parties an equal maximum period of time in which to make representations. The amount of time will be at the discretion of the Chair, but in the interests of costs and efficiency will not normally exceed twenty minutes. This will include the time taken for the presentation and the summing up, but not the time taken for questions.
  - a) N.B. Where there is more than one party making relevant representations it is advised that a spokesperson is nominated in order to avoid duplication and repetition. It is recommended that they arrive early to discuss the application with the other interested parties.
- 21) The Chair may require any person attending the hearing who is behaving in a disruptive manner to leave the hearing and may refuse to allow that person to return, or only allow them to return subject to certain conditions as the Sub Committee may specify.
- 22) Any such person may be permitted to remain at the hearing under such conditions as the Sub Committee may specify.
- 23) If such a person is required to leave the hearing the Sub Committee will allow them to submit to the Sub-Committee, before the end of the hearing, any information which they would have been entitled to give orally had they not been required to leave. The Sub Committee will take into account that information in determining the application.
- 24) Bath & North East Somerset Council is committed to taking decisions in an honest, accountable and transparent fashion, but on occasion may find it necessary to exclude members of the press and public based upon the legal framework given in Regulation 8 of the Regulations. On these occasions decisions based on the above framework will be given.





**GAMBLING ACT 2005  
LICENSING (GAMBLING AND LICENSING) SUB-COMMITTEE  
HEARINGS PROCEDURE**





<b>Bath &amp; North East Somerset Council</b>		
<b>MEETING:</b>	<b>Licensing (Gambling and Licensing ) Sub Committee</b>	
<b>MEETING DATE:</b>	<b>Tuesday 7<sup>th</sup> June 2011</b>	<b>AGENDA ITEM NUMBER</b>
<b>TITLE:</b>	<b>Application for the Issue of a Provisional Statement for a proposed small casino at Cattle Market Site, Walcot Street, Bath BA1 5BD</b> <b>Apollo Resorts and Leisure Limited, 24 Adam and Eve Mews, London W8 6UJ</b>	
<b>WARD:</b>	<b>ALL</b>	
<b>AN OPEN PUBLIC ITEM</b>		
<p>List of attachments to this report:</p> <p>Appendix A; Copy of the application for a Provisional Statement</p> <p>Appendix B; Copy of Location Map and Plans</p> <p>Appendix C; Copy of a relevant representation</p>		

## 1. THE ISSUE

- 1.1 An application has been received from Apollo Resorts and Leisure Limited, 24 Adam and Eve Mews, London W8 6UJ, under the Gambling Act 2003 (“the Act”). The application is for the issue of a Provisional Statement in respect of a proposed small casino on the Cattle Market Site, Walcot Street, Bath BA1 5BD.

## 2. RECOMMENDATION

- 2.1. The Sub-Committee is asked to determine the application having considered the application, the supporting information provided by the applicant and the representation made against the application.

### **3. FINANCIAL IMPLICATIONS**

- 3.1. An application fee of £8,000 has been received, which covers the cost of the application process.

### **4. THE REPORT**

- 4.1. An application has been received for the issue of a Provisional Statement to provide gambling facilities by way of a small casino. A copy of the application form can be found at Appendix A.
- 4.2. The hours applied for are Monday to Sunday 00.00 to 24.00.
- 4.3. A map showing the location of the application and plans showing the proposed use of the premises can be found at Appendix B.
- 4.4. A relevant representation has been received from an Interested Party. A copy of the representation can be found at Appendix C. The representation relates to the late night economy, which is causing crime and disorder, and they fear that the addition of a casino will lead to more crime and disorder.
- 4.5. In accordance with the requirements of the Act the applicant served copies of the application upon the Gambling Commission, police, the fire authority, environmental health, development control, trading standards, and the child protection agency.
- 4.6. The applicant is required to place a notice at the premises for a period of 28 days, starting on the closing date for the receipt of applications (see paragraph 5.5.below), and place an advert in a local newspaper within 10 days of the closing date.

### **5. BACKGROUND**

- 5.1. The licensing authority ("the authority") was awarded permission to grant one small casino premises licence ("the licence") in its area on 20 May 2008 (under The Gambling (Geographical Distribution of Casino Premises Licences) Order 2008). These Regulations state that no more than one such licence issued by a licensing authority may have effect at any time.
- 5.2. Under the Act a licence is required where an applicant intends to provide gambling facilities. The application seeks to provide gambling facilities in the form of a small casino.
- 5.3. A small casino is classified in The Categories of Casino Regulations 2008, as having a combined floor area of those parts of the casino, which are used for providing facilities for gambling, that are equal to or exceed 500 square metres, but is less than 1,500 square metres.
- 5.4. Under section 204 of the Act an applicant may apply for a Provisional Statement in respect of premises that he expects to be constructed or altered or expects to acquire a right to occupy. Once a Provisional Statement has been issued, the applicant can then apply for a licence at a later date.

- 5.5. The issue of one Provisional Statement for a small casino is governed by a competition procedure which is governed by Paragraphs 4 and 5 to Schedule 9 of the Act. An invitation to apply for the licence was advertised in October 2010 with a closing date of 28 February 2011.
- 5.6. Stage 1 of the competition procedure is regulatory. At Stage 1 an authority must not;
  - 5.6.1. take into account any matters which they would not ordinarily take into account in determining an application for a licence
  - 5.6.2. have regard to whether any of the competing applications is more deserving of the other at Stage 1.
  - 5.6.3. have regard to the expected demand for the facilities which it is proposed to provide.
  - 5.6.4. take into account whether or not the proposal is likely to be permitted in accordance with the law relating to planning or building.
- 5.7. At Stage 1 the Licensing Authority may either make a provisional decision to grant a Provisional Statement or reject the application. If issued, an authority shall attach mandatory conditions to the Provisional Statement and may attach default conditions. These conditions are governed by The Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007 (“the 2007 Regulations”).
- 5.8. The applicant has requested that the default condition, found in Part 6 of the 2007 Regulations, be excluded. This states that no facilities for gambling shall be provided on the premises between the hours of 6.00 am and noon on any day.
- 5.9. In addition the authority can impose further conditions to promote the licensing objectives
- 5.10. Where licensing authorities determine that they would, if they were able, to issue more than one Provisional Statement, the applicants who made those applications must be invited to participate in Stage 2.
- 5.11. The award of the Provisional Statement for a small casino at Stage 2 of the competition is determined by the full Licensing Committee. (“the Committee”). At Stage 2, the Committee must award the Provisional Statement to the application which would, in the licensing authority’s opinion be likely, if granted, to result in the greatest benefit to its area.

## **6. PRINCIPLES TO BE APPLIED**

- 6.1. Under the provisions of the Act an authority, in making decisions at stage 1, shall aim to permit the use of premises for gambling in so far as the authority thinks it is:

- 6.1.1. in accordance with any relevant code of practice issued by the Gambling Commission (“the Commission”), and
  - 6.1.2. in accordance with any relevant guidance issued by the Commission and,
  - 6.1.3. reasonably consistent with the licensing objectives (subject to 6.1.1 and 6.1.2 above) and,
  - 6.1.4. in accordance with the authority’s Statement of Principles (“the Statement”) under the Act (subject to all of the above).
- 6.2. With regard to paragraph 6.1.3 above, the licensing objectives are:
- 6.2.1. Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
  - 6.2.2. Ensuring that gambling is conducted in a fair and open way
  - 6.2.3. Protecting children and other vulnerable persons from being harmed or exploited by gambling (it should be noted that the requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling.)
- 6.3. The authority shall also have regard to the Act, the Statutory Guidance issued under Section 25 of the Act and its Statement in making its determination.
- 6.4. The committee should give specific consideration to the relevant representation received and whether or not it is satisfied that the premises can operate without risk to the licensing objectives listed in paragraph 6.2. If it is not satisfied then the committee should consider whether the risk can be alleviated through the implementation of a licence condition or, if not, whether it is necessary to refuse the application.

## **7. APPEAL PROVISIONS**

- 7.1. If the application is refused the applicant may appeal within 21 days of written notification from the authority to the Magistrates’ Court. If the application is granted any person making a relevant representation may appeal within 21 days of written notification from the authority to the Magistrates’ Court.
- 7.2. On appeal the court may either dismiss the appeal, substitute the decision appealed against for any other decision which the authority could have made, or remit the case to the authority to dispose of in accordance with the direction of the court. The court may make such order for costs as it thinks fit.
- 7.3. In the event that an appeal is lodged, Stage 2 of the competition is suspended.
- 7.4. This report has not been sent to the Trades Union because they would have no involvement.

## 8. RISK MANAGEMENT

8.1. A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

## 9. EQUALITIES

9.1. The Council's Equality Policy has been followed in writing this report.

9.2. The committee will take into account their equality duties in determining this application.

## 10. CONSULTATION

10.1. As part of the application process the applicant placed a public notice in the Bath Chronicle, public notices were also displayed around the boundary of the proposed site and a copy of the application was sent to all the Responsible Authorities.

## 11. ISSUES TO CONSIDER IN REACHING THE DECISION

11.1. Section 153 of the Gambling Act 2005, Licensing Objectives, Human Rights, Equalities.

## 12. ADVICE SOUGHT

12.1. The Council's Monitoring Officer (Council Solicitor) has had the opportunity to input to this report and have cleared it for publication.

Contact person	Andrew Jones, Environmental Monitoring and Licensing Manager.  Tel: 01225 477557
Background papers	The Gambling Act 2005 The Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007 The Gambling (Geographical Distribution of Casino Premises Licences) Order 2008 The Categories of Casino Regulations 2008 The Gambling (Inviting Competing Applications for Large and Small Casino Premises Licences) Regulations 2008 Code of Practice - Determinations under Paragraphs 4 and 5 of Schedule 9 to the Gambling Act 2005 relating to Large and Small Casinos dated 26 February 2008 Guidance to Licensing Authorities issued by the Gambling Commission 3 <sup>rd</sup> Edition dated May 2009. BANES Statement of Principles dated February 2010
Please contact the report author if you need to access this report in an alternative format	





## Application for a provisional statement under the Gambling Act 2005 (standard form)

## PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

Where the application is in respect of a vessel the application should be made on the relevant form for that type of premises.

## Part 1 – Type of premises to which the application relates

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

## Part 2 – Applicant Details

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

## Section A

## Individual applicant

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

2. Surname:

Other name(s):

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

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

Postcode:

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

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

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

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

### Section B

#### Application on behalf of an organisation

6. Name of applicant business or organisation: APOLLO RESORTS AND LEISURE LTD.

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

7. The applicant's registered or principal address:

APOLLO RESORTS AND LEISURE LTD.  
24 ADAM & EVE MEWS  
LONDON

Postcode: W8 6UJ

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

8(b) If the applicant does not hold an operating licence but is in the process of applying for one, give the date on which the application was made: 24/05/2010

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

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

### Part 3 – Premises Details

10. Proposed trading name to be used at the premises (if known): Not known at present

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

The Small Casino will be sited in a seven storey development (including a lower ground floor) at the following address: Cattlemarket site, Walcot Street, Bath. BA1 5BD.  
This is bordered by Walcot Street to the West, the River Avon to the East and the Hilton Hotel to the South. The Cattlemarket site is owned by BANES Council.  
The casino has a principal entrance from Walcot Street at ground floor level.  
The casino is based on the first floor of the seven storey building. The only access to the casino at first floor level is via the principal entrance. Also at the lower ground and ground floor levels, in separate units, will be commercial uses (that may include bars, restaurants, retail).  
The entrance to the hotel is at ground floor level with the accommodation sited on floors 2, 3, 4 & 5.

Postcode: BA1 5BD

12. Telephone number at premises (if known): Not known at present

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

Answer to 13. is provided in a separate sheet at the end of this form. (\*)

14(a) Are the premises or proposed premises situated in more than one licensing authority area?  
Yes/No *[delete as appropriate]*

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

#### Part 4 – Times of Operation

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

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

	Start	Finish	Details of any seasonal variation
Mon	00:00 <i>hh:mm</i>	24:00 <i>hh:mm</i>	N/A
Tue	00:00	24:00	
Wed	00:00	24:00	
Thurs	00:00	24:00	
Fri	00:00	24:00	
Sat	00:00	24:00	
Sun	00:00	24:00	

16. If you want the premises licence to have a condition restricting gambling to specific periods in a year, please state the periods below using calendar dates: N/A

**Part 5 – Miscellaneous**

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

17(b) If the answer to question 17(a) is yes, please confirm by ticking the box that an application to vary the main track premises licence has been submitted with this application:

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

18(b) If the answer to question 18(a) is yes, please provide full details:

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

We have included a sample of our Policies:

1. Crime and Disorder Policy
2. Social Responsibility and other policies.

These are attached separately at the end of this form.

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

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

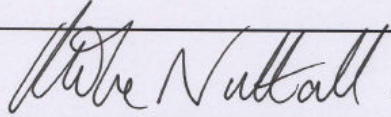
## Checklist:

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

**Part 7 – Signatures**

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

Signature of Applicant:



Print Name: MR MICHAEL EDWARD NUTTALL

Date: (28/02/2011)

Capacity: MANAGING DIRECTOR

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

Signature:

Print Name: \_\_\_\_\_

Date: \_\_\_\_\_

*[Where there are more than two applicants, please use an additional sheet clearly marked "Signature(s) of further applicant(s)". The sheet should include all the information requested in paragraphs 20 and 21.]*

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

**Part 8 – Contact Details**

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

MR MIKE NUTTALL

22(b) Please give one or more telephone numbers at which the person identified in question 22(a) can be contacted:

T: 020 7937 1773

23. Postal address for correspondence associated with this application:

APOLLO RESORTS AND LEISURE LTD.

24 ADAM AND EVE MEWS

LONDON

Postcode: W8 6UJ

24. If you are happy for correspondence in relation to your application to be sent via e-mail, please give the e-mail address to which you would like correspondence to be sent:  
**mn@apolloresorts.com**

\*

**Answer No. 13**

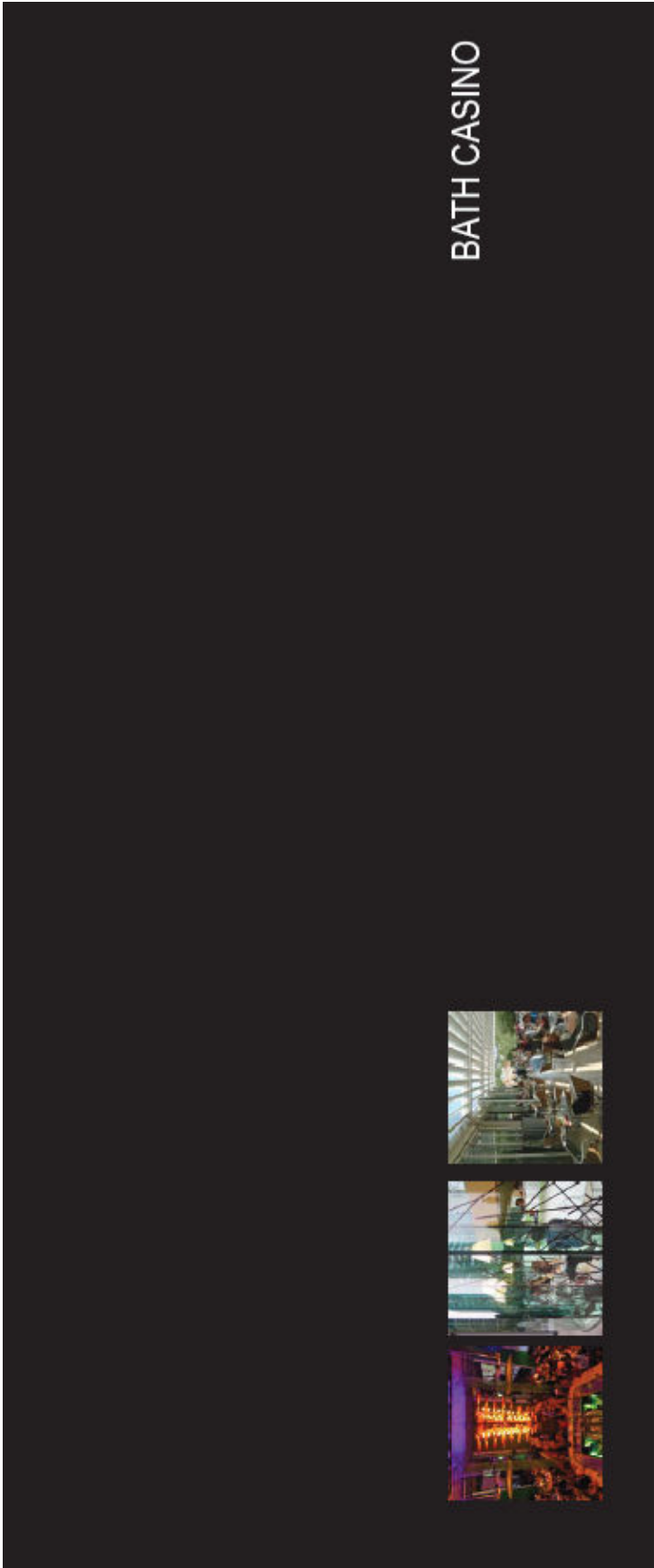
**The Small Casino will be sited in a seven storey mixed use (leisure, entertainment, hotel, commercial development (including a lower ground floor) at the following address:  
Cattlemarket site, Walcot Street, Bath. BA1 5BD.**

**This is bordered by Walcot Street to the West, the River Avon to the East and the Hilton Hotel to the South. The Cattlemarket site is owned by BANES Council.**

**The casino has a principal entrance from Walcot Street at ground floor level. The casino is based on the first floor of the seven storey building. The only access to the casino at first floor level is via the principal entrance.**

**Also at the lower ground and ground floor levels, in separate units, will be commercial uses (that may include bars, restaurants, retail). The entrance to the hotel is at ground floor level with the accommodation sited on floors 2, 3, 4 and 5.**

-X-





Proposed Casino Location

Proposed Site Location





**GENERAL NOTES**

1. All fire exits and fire alarm pull stations shall be marked with the word "EXIT" or "FIRE ALARM" respectively.
2. All fire exits shall be kept clear and unobstructed at all times.
3. All fire alarm pull stations shall be kept clear and unobstructed at all times.
4. All fire exits shall be kept clear and unobstructed at all times.
5. All fire alarm pull stations shall be kept clear and unobstructed at all times.

Do not scale from this drawing.

TABLE GAMING AREA
OTHER GAMING AREA (ANY)
NON-GAMING AREA (ANY)
BOTH (ANY)
CIRCULATION
STAIR AND ELEVATOR
STAIR AND ELEVATOR
STAIR AND ELEVATOR

**BATH CASINO**

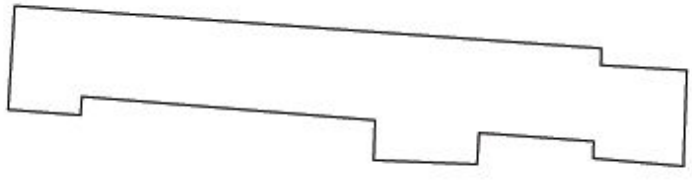
**APOLLO RESORTS & LODGING LTD**

**TRULU**

CASINO FLOOR LEVEL 01

**PRELIMINARY**

A • 02



**GENERAL NOTES**

1. All dimensions are to the centerline of walls unless otherwise noted.
2. All work is to be in accordance with the approved specifications and standards.
3. All work is to be in accordance with the approved drawings and specifications.
4. All work is to be in accordance with the approved drawings and specifications.
5. All work is to be in accordance with the approved drawings and specifications.

Do not scale from the sheets.

**LEGEND**

- THICK CONCRETE SLAB
- CRACK CONCRETE SLAB (existing structure, existing)
- NOV CONCRETE SLAB
- NOV CONCRETE (in place)
- Development (in place)
- CIRCULATION
- Other building features of (in place)
- Other of provision to be inserted
- Station Line

**PROJECT INFORMATION**

**BATH CASINO**

**APOLLO RESORTS & CASINO LTD**

**RTKL**

RTKL Architects  
 27, Jalan Sultan  
 50088 Kuala Lumpur  
 Tel: +603 2033 8888  
 Fax: +603 2033 8889  
 Email: info@rtkl.com

**CASINO LEVEL -01**

**PRELIMINARY**

PROJECT NO: 10000000000000000000  
 DRAWING NO: 10000000000000000000  
 DATE: 10/10/2010

DESIGNED BY: [ ]  
 CHECKED BY: [ ]  
 APPROVED BY: [ ]

SCALE: 1:100



**APOLLO RESORTS & RESIDENTS**  
**BATH CASINO**

**APOLLO RESORTS & RESIDENTS**  
**BATH CASINO**  
**PRELIMINARY**

SECTION: A  
 DRAWING NO.: 04  
 DATE: 08

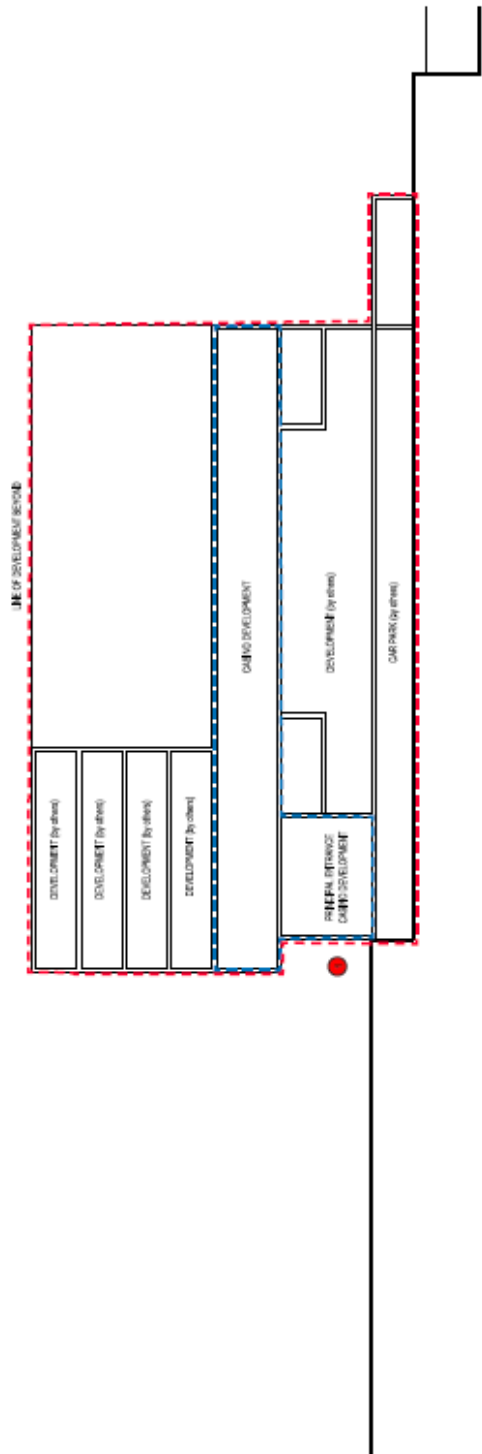
**THE APOLLO RESORTS & RESIDENTS**  
**BATH CASINO**

APOLLO RESORTS & RESIDENTS  
 11550 WEST 107TH AVENUE  
 GREENWOOD VILLAGE, CO 80120  
 303.253.5300

**LEGEND**  
 ■ TOILET / BATH / SHOWER  
 ■ OFFICE / RECEPTION  
 ■ SERVICE / WAITING  
 ■ BAR / LOBBY / CLUB  
 ■ KITCHEN / BUFFET  
 ■ STAIRS / ELEVATOR  
 ■ DEVELOPMENT (BY OTHER)  
 ■ DEVELOPMENT (BY OTHER)

--- DEVELOPMENT (BY OTHER)  
 --- DEVELOPMENT (BY OTHER)  
 ○ NUBIA 1250

The Original Contractor is liable for all errors and omissions. Adjust to the project team.



**Andrew Jones**

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**From:** Licensing  
**Sent:** 04 March 2011 14:35  
**To:** Andrew Jones  
**Subject:** FW: FAO Andre Jones

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**From:** John Siddall [mailto:john@finecheese.co.uk]  
**Sent:** 04 March 2011 14:26  
**To:** Licensing  
**Cc:** 'Ann-Marie Dyas'  
**Subject:** FAO Andre Jones

Dear Mr Jones

I am writing to you with regard to an article in *This is Bath*: Four firms battle it out to build a casino in Bath.

One of the candidate sites mentioned in the article is the Cattle Market site in Walcot Street.

The article claimed that "the council has launched a consultation exercise...with business interests likely to be affected by a casino".

We have a business at 29 and 31 Walcot Street, but have not been consulted.

I read that Apollo Resorts and Leisure is proposing a ground floor at the Cattle Market site that will include bars.

You may or may not be aware that groups of young people often gather and walk along Walcot Street at night. They are frequently boisterous and sometimes clearly intoxicated.

As a result, from time to time one of our shop windows is broken. That results in our being called out late at night, helping the police, and waiting for an emergency glazier to arrive.

The cost of repair is always below our insurance excess, and so we end up paying the entire repair bill.

I am concerned that more bars and late-night venues such as a casino will attract more groups of young people – whether or not they choose to, or are old enough to, use those facilities – with the consequent increase in petty crime and public disorder.

Please take this message as The Fine Cheese Co.'s representation. However, if you need the representation in another format, please let me know.

Yours sincerely

John Siddall



<b>Bath &amp; North East Somerset Council</b>		
<b>MEETING:</b>	<b>Licensing (Gambling and Licensing ) Sub Committee</b>	
<b>MEETING DATE:</b>	<b>Tuesday 7<sup>th</sup> June 2011</b>	<b>AGENDA ITEM NUMBER</b>
<b>TITLE:</b>	<b>Application for the Issue of a Provisional Statement for a proposed small casino at the Cattle Market Site, Walcot Street, Bath BA1 5BD.  Gala Casinos Limited, 71 Queensway, London W2 4QH</b>	
<b>WARD:</b>	<b>ALL</b>	
<b>AN OPEN PUBLIC ITEM</b>		
<p>List of attachments to this report:</p> <p>Appendix A; Copy of the application for a Provisional Statement</p> <p>Appendix B; Copy of Location Map and Plans</p> <p>Appendix C; Copy of a relevant representation</p>		

## **1. THE ISSUE**

- 1.1 An application has been received under the Gambling Act 2003 (“the Act”) from Gala Casinos Limited, 17 Queensway, London W2 4QU. The application is for the issue of a Provisional Statement in respect of a proposed small casino on the Cattle Market Site, Walcot Street, Bath BA1 5BD.

## **2. RECOMMENDATION**

- 2.1. The Sub-Committee is asked to determine the application having considered the application, the supporting information provided by the applicant and the representation made against the application.

### **3. FINANCIAL IMPLICATIONS**

- 3.1. An application fee of £8,000 has been received, which covers the cost of the application process.

### **4. THE REPORT**

- 4.1. An application has been received for the issue of a Provisional Statement to provide gambling facilities by way of a small casino. A copy of the application form can be found at Appendix A.
- 4.2. The hours applied for are Monday to Sunday 00.00 to 24.00.
- 4.3. A map showing the location of the application and plans showing the proposed use of the premises can be found at Appendix B.
- 4.4. A relevant representation has been received from an Interested Party. A copy of the representation can be found at Appendix C. The representation relates to the late night economy, which is causing crime and disorder, and they fear that the addition of a casino will lead to more crime and disorder.
- 4.5. In accordance with the requirements of the Act the applicant served copies of the application upon the Gambling Commission, police, the fire authority, environmental health, development control, trading standards, and the child protection agency.
- 4.6. The applicant is required to place a notice at the premises for a period of 28 days, starting on the closing date for the receipt of applications (see paragraph 5.5 below), and place an advert in a local newspaper within 10 days of the closing date.

### **5. BACKGROUND**

- 5.1. The licensing authority ("the authority") was awarded permission to grant one small casino premises licence ("the licence") in its area on 20 May 2008 (under The Gambling (Geographical Distribution of Casino Premises Licences) Order 2008). These Regulations state that no more than one such licence issued by a licensing authority may have effect at any time.
- 5.2. Under the Act a licence is required where an applicant intends to provide gambling facilities. The application seeks to provide gambling facilities in the form of a small casino.
- 5.3. A small casino is classified in The Categories of Casino Regulations 2008, as having a combined floor area of those parts of the casino, which are used for providing facilities for gambling, that are equal to or exceed 500 square metres, but is less than 1,500 square metres.
- 5.4. Under section 204 of the Act an applicant may apply for a Provisional Statement in respect of premises that he expects to be constructed or altered or expects to acquire a right to occupy. Once a Provisional Statement has been issued the applicant can then apply for a licence at a later date.



- 5.5. The issue of one Provisional Statement for a small casino is governed by a competition procedure which is governed by Paragraphs 4 and 5 to Schedule 9 of the Act. An invitation to apply for the licence was advertised in October 2010 with a closing date of 28 February 2011.
- 5.6. Stage 1 of the competition procedure is regulatory. At Stage 1 an authority must not;
  - 5.6.1. take into account any matters which they would not ordinarily take into account in determining an application for a licence
  - 5.6.2. have regard to whether any of the competing applications is more deserving of the other at Stage 1.
  - 5.6.3. have regard to the expected demand for the facilities which it is proposed to provide.
  - 5.6.4. take into account whether or not the proposal is likely to be permitted in accordance with the law relating to planning or building.
- 5.7. At Stage 1 the Licensing Authority may either make a provisional decision to grant a Provisional Statement or reject the application. If issued, an authority shall attach mandatory conditions to the Provisional Statement and may attach default conditions. These conditions are governed by The Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007 (“the 2007 Regulations”).
- 5.8. The applicant has requested that the default condition, found in Part 6 of the 2007 Regulations, be excluded. This states that no facilities for gambling shall be provided on the premises between the hours of 6.00 am and noon on any day.
- 5.9. In addition the authority can impose further conditions to promote the licensing objectives
- 5.10. Where licensing authorities determine that they would, if they were able, to issue more than one Provisional Statement, the applicants who made those applications must be invited to participate in Stage 2.
- 5.11. The award of the Provisional Statement for a small casino at Stage 2 of the competition is determined by the full Licensing Committee. (“the Committee”). At Stage 2, the Committee must award the Provisional Statement to the application which would, in the licensing authority’s opinion be likely, if granted, to result in the greatest benefit to its area.

## **6. PRINCIPLES TO BE APPLIED**

- 6.1. Under the provisions of the Act an authority, in making decisions, at stage 1, shall aim to permit the use of premises for gambling in so far as the authority thinks it is:

- 6.1.1. in accordance with any relevant code of practice issued by the Gambling Commission (“the Commission”), and
  - 6.1.2. in accordance with any relevant guidance issued by the Commission and,
  - 6.1.3. reasonably consistent with the licensing objectives (subject to 6.1.1 and 6.1.2 above) and,
  - 6.1.4. in accordance with the authority’s Statement of Principles (“the Statement”) under the Act (subject to all of the above).
- 6.2. With regard to paragraph 6.1.3 above, the licensing objectives are:
- 6.2.1. Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime
  - 6.2.2. Ensuring that gambling is conducted in a fair and open way
  - 6.2.3. Protecting children and other vulnerable persons from being harmed or exploited by gambling (it should be noted that the requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling.)
- 6.3. The authority shall also have regard to the Act, the Statutory Guidance issued under Section 25 of the Act and its Statement in making its determination.
- 6.4. The committee should give specific consideration to the relevant representation received and whether or not it is satisfied that the premises can operate without risk to the licensing objectives listed in paragraph 6.2. If it is not satisfied then the committee should consider whether the risk can be alleviated through the implementation of a licence condition or, if not, whether it is necessary to refuse the application.

## **7. APPEAL PROVISIONS**

- 7.1. If the application is refused the applicant may appeal within 21 days of written notification from the authority to the Magistrates’ Court. If the application is granted any person making a relevant representation may appeal within 21 days of written notification from the authority to the Magistrates’ Court.
- 7.2. On appeal the court may either dismiss the appeal, substitute the decision appealed against for any other decision which the authority could have made, or remit the case to the authority to dispose of in accordance with the direction of the court. The court may make such order for costs as it thinks fit.
- 7.3. In the event that an appeal is lodged, Stage 2 of the competition is suspended.
- 7.4. This report has not been sent to the Trades Union because they would have no involvement.

## 8. RISK MANAGEMENT

8.1. A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

## 9. EQUALITIES

9.1. The Council's Equality Policy has been followed in writing this report.

9.2. The committee will take into account their equality duties in determining this application.

## 10. CONSULTATION

10.1. As part of the application process the applicant placed a public notice in the Bath Chronicle, public notices were also displayed around the boundary of the proposed site and a copy of the application was sent to all the Responsible Authorities.

## 11. ISSUES TO CONSIDER IN REACHING THE DECISION

11.1. Section 153 of the Gambling Act 2005; Licensing Objectives; Human Rights, Equalities.

## 12. ADVICE SOUGHT

12.1. The Council's Monitoring Officer (Council Solicitor) has had the opportunity to input to this report and have cleared it for publication.

Contact person	Andrew Jones, Environmental Monitoring and Licensing Manager. Tel: 01225 477557
Background papers	The Gambling Act 2005 The Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007 The Gambling (Geographical Distribution of Casino Premises Licences) Order 2008 The Categories of Casino Regulations 2008 The Gambling (Inviting Competing Applications for Large and Small Casino Premises Licences) Regulations 2008 Code of Practice - Determinations under Paragraphs 4 and 5 of Schedule 9 to the Gambling Act 2005 relating to Large and Small Casinos dated 26 February 2008 Guidance to Licensing Authorities issued by the Gambling Commission 3 <sup>rd</sup> Edition dated May 2009. BANES Statement of Principles dated February 2010
Please contact the report author if you need to access this report in an alternative format	



**GALA CORAL**  
GROUP

The Licensing Authority  
Licensing Services  
Bath and North East Somerset Council  
9 – 10 Bath Street  
Bath  
BA1 1SN

28<sup>th</sup> February 2011

**By Hand**

Dear Sir

**GALA CASINOS LIMITED**

**PROPOSED GALA CASINO, GROUND, MEZZANINE & LOWER GROUND FLOOR (WITH AN ENTRANCE FROM A NEW PIAZZA OFF WALCOT STREET) OF A PROPOSED DEVELOPMENT ON LAND CURRENTLY KNOWN AS WALCOT STREET CATTLE MARKET CAR PARK, WALCOT STREET, BATH, BA1 5BD**

**APPLICATION FOR PROVISIONAL STATEMENT – SMALL CASINO LICENCE**

**GAMBLING ACT 2005**

We refer to the above and enclose:

1. Notice of Application for Provisional Statement for a Small Casino Licence including:
  - (a) Annex A;
  - (b) GamCare Certificate of Social Responsibility.
  
2. Bundle of Photographs and Plans comprising:
  - (i) Site Location - Photograph;
  - (ii) Site Location - Plan;
  - (iii) Ground Floor Drawing Number NW1881/001;
  - (iv) Mezzanine Floor Drawing Number NW1881/002;
  - (v) Lower Ground Floor Drawing Number NW1881/003;



INVESTOR IN PEOPLE

Gala Coral Group, New Castle House, Castle Boulevard, Nottingham, NG7 1FT

**Telephone** 0115 851 7500 **Fax** 0115 851 7536

Gala Coral Group Limited Registered Office 71 Queensway, London W2 4QH

Web [www.galacoral.com](http://www.galacoral.com) Registered in England 7254686



(vi) Proposed Cross Section.

3. Fee in the sum of £8,000.

We would be grateful if you could please kindly acknowledge receipt.

Within the application we have included a request to exclude the default condition so as to enable the proposed premises to provide facilities for gambling 24 hours a day, 7 days a week.


We can confirm that a copy of this letter and the statutory notice has been sent to the responsible authorities listed at the bottom of this letter.

We have also arranged for the application to be advertised in the local press. A copy of the newspaper will be forwarded to you in due course.

We have also arranged for the notice of application to be displayed on the site.

Should you wish to discuss this application then please do not hesitate to contact Ewen Macgregor on 0115 851 7534.

Yours sincerely,

  
**EWEN MACGREGOR**  
**GROUP LEGAL COUNSEL**  
**GALA CORAL GROUP**

**c.c – by email and Special Delivery**

The Gambling Commission, Victoria Square House, Victoria Square, Birmingham, B2 4BP  
([info@gamblingcommission.gov.uk](mailto:info@gamblingcommission.gov.uk))

HM Revenue and Customs, National Registration Unit (Betting and Gambling), Portcullis House, 21 India Street, Glasgow, G2 4PZ ([nrubetting&gaming@hmrc.gsi.gov.uk](mailto:nrubetting&gaming@hmrc.gsi.gov.uk))

Avon and Somerset Constabulary, Licensing Bureau, Bath Police Station, Room 117 Manvers Street, Bath, BA1 1JN ([liquorlicensing@avonsomerset.pnn.police.uk](mailto:liquorlicensing@avonsomerset.pnn.police.uk))

Avon Fire and Rescue, Temple Back, Bristol, BS1 6EU ([licensing2003@avonfire.gov.uk](mailto:licensing2003@avonfire.gov.uk))

Environmental Health Protection Manager, 9 - 10 Bath Street, Bath, BA1 1SN  
([environmental\\_protection@bathnes.gov.uk](mailto:environmental_protection@bathnes.gov.uk))

Planning Services, PO Box 3343, Bath, BA1 2ZH ([development\\_control@bathnes.gov.uk](mailto:development_control@bathnes.gov.uk))

Local Safeguarding Children Board, PO Box 3343, Bath, BA1 2ZH  
([child\\_protection@bathnes.gov.uk](mailto:child_protection@bathnes.gov.uk))

**Application for a provisional statement under the Gambling Act 2005 (standard form)****PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

Where the application is in respect of a vessel the application should be made on the relevant form for that type of premises.

**Part 1 – Type of premises to which the application relates**

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

**Part 2 – Applicant Details**

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

**Section A****Individual applicant**

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

2. Surname:

Other name(s):

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

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

Postcode:

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

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



5. Tick the box if the application is being made by more than one person.   
*[Where there are further applicants, the information required in questions 1 to 4 should be included on additional sheets attached to this form, and those sheets should be clearly marked "Details of further applicants".]*

**Section B**  
**Application on behalf of an organisation**

6. Name of applicant business or organisation: GALA CASINOS LIMITED

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

7. The applicant's registered or principal address:  
 71 QUEENSWAY  
 LONDON

Postcode: W2 4QH

8(a) The number of the applicant's operating licence (as given in the operating licence):  
 000 - 002348 - N - 1024012

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

9. Tick the box if the application is being made by more than one organisation.   
*[Where there are further applicants, the information required in questions 6 to 8 should be included on additional sheets attached to this form, and those sheets should be clearly marked "Details of further applicants".]*

**Part 3 – Premises Details**

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

11. Address of the premises (or, if none, give a description of the premises or proposed premises and their location):  
 GROUND, MEZZANINE & LOWER GROUND FLOOR (WITH AN ENTRANCE FROM A NEW PIAZZA OFF WALCOT STREET) OF A PROPOSED DEVELOPMENT ON LAND CURRENTLY KNOWN AS WALCOT STREET CATTLE MARKET CAR PARK,  
 WALCOT STREET,  
 BATH

Postcode: BA1 5BD

12. Telephone number at premises (if known): UNKNOWN

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

The casino is part of a proposed 5 storey re- development of the Walcot Street Cattle Market Car Park. The casino will occupy the ground floor, and lower ground floor of the proposed development , with an entrance from a new Piazza off Walcot Street. The casino will also include a mezzanine level.

Lock up shops/restaurants will complete the frontage to the Piazza level.

At the Upper level accessed from, and on the level of, Walcot Street, the building will comprise a retail frontage flanking an entrance to the proposed Concert Hall/Conference Auditorium.

On the floors above the Auditorium there will be residential accommodation.

14(a) Are the premises or proposed premises situated in more than one licensing authority area?  
NO

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

**Part 4 – Times of Operation**

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

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

	<i>Start</i>	<i>Finish</i>	<i>Details of any seasonal variation</i>
Mon	0000 <i>hh:mm</i>	0000	
Tue	0000	0000	
Wed	0000	0000	
Thurs	0000	0000	
Fri	0000	0000	
Sat	0000	0000	
Sun	0000	0000	

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

**Part 5 – Miscellaneous**

17(a) Does the application relate to premises or proposed premises which are part of a track or other sporting venue which already has a premises licence: NO

17(b) If the answer to question 17(a) is yes, please confirm by ticking the box that an application to vary the main track premises licence has been submitted with this application:

18(a) Do you hold any other premises licences that have been issued by this licensing authority?  
NO

18(b) If the answer to question 18(a) is yes, please provide full details:

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

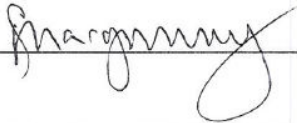
PLEASE SEE ATTACHED ANNEX A

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

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

Checklist:

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

Part 7 – Signatures	
20. Signature of applicant or applicant's solicitor or other duly authorised agent. If signing on behalf of the applicant, please state in what capacity:	
Signature:	
Print Name:	EWEN MACGREGOR
Date:	25/02/2011 (dd/mm/yyyy) Capacity: GROUP LEGAL COUNSEL
21. For joint applications, signature of 2nd applicant, or 2nd applicant's solicitor or other authorised agent. If signing on behalf of the applicant, please state in what capacity:	
Signature:	
Print Name:	
Date:	(dd/mm/yyyy) Capacity:
[Where there are more than two applicants, please use an additional sheet clearly marked "Signature(s) of further applicant(s)". The sheet should include all the information requested in paragraphs 20 and 21.]	
[Where the application is to be submitted in an electronic form, the signature should be generated electronically and should be a copy of the person's written signature.]	

Part 8 – Contact Details	
22(a) Please give the name of a person who can be contacted about the application: EWEN MACGREGOR	
22(b) Please give one or more telephone numbers at which the person identified in question 22(a) can be contacted: 0115 851 7534	
23. Postal address for correspondence associated with this application: GALA CASINOS LIMITED NEW CASTLE HOUSE CASTLE BOULEVARD NOTTINGHAM	
Postcode: NG7 1FT	
24. If you are happy for correspondence in relation to your application to be sent via e-mail, please give the e-mail address to which you would like correspondence to be sent:  ewen.macgregor@galacoral.com	

# GALA CASINOS

## ANNEX A

### Introduction

The Gala Coral Group (“the Group”) is the only gambling company in the UK with significant businesses in the bookmaking, bingo and casino markets, both on the high street and online. The Group employs over 15,000 people across its various trading divisions.

In addition, the Group has a strong international business which not only includes the online Eurobet brand, but also has a newly established land-based betting shop business in Italy.

The Group is proud to be the first gambling company to have received full GamCare accreditation across all its UK divisions.

Gala Casinos Limited (“GCL”) is part of the Gala Coral Group and currently operates 26 casinos across the United Kingdom.

GCL notes that in the “Guidance for Application for the Grant of a Small Casino Premises Licence” (“the Guidance”), the Council states that:-

“In considering the merits of the application at Stage 1, the Committee will apply the test set out in s.153 of the Gambling Act 2005. In particular, it must aim to permit the use of the premises for gambling insofar as it thinks it is:

- (a) in accordance with any relevant codes of practice issues by the Gambling Commission;
- (b) in accordance with any relevant guidance issued by the Gambling Commission;
- (c) reasonably consistent with the licensing objectives (subject to paragraphs (a) and (b)); and
- (d) in accordance with the statement published by the Authority under s. 349 (subject to paragraphs (a) – (c)).”

Furthermore the Guidance continues by stating that “in making its determination the authority must disregard:

- 1) the expected demand for the proposed facilities;
- 2) whether or not the proposal is likely to be permitted in accordance with the law relating to planning or building.”

In order to assist the Council on those matters that are relevant to the Stage 1 application GCL has set out in this Annex details of the following:-

- How GCL seeks to uphold the objectives under the Gambling Act 2005 (“the Act”);
- GCL Policies and procedures in respect of Responsible Gambling;
- How GCL ensures compliance with the Licence Conditions and Codes of Practice (“LCCP”) applicable to casinos.

A copy of the Group GamCare Certificate is also attached to this Annex

**The Licensing Objectives**

The Act established 3 Licensing Objectives:-

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

The Licensing Objectives act as the cornerstone to the way GCL operates all of their casinos. In addition to being subject to close scrutiny by the Commission, the Casinos are also closely monitored by the Gala Compliance & Licensing Department and Executive Committee.

The absolute requirement made upon Gala is that we are fully compliant not only with the Act but also the Licence Conditions and Codes of Practice as issued by the Gambling Commission which is relevant to operation of casinos.

**1. Policy to ensure that Gala Casinos is protected from being a source of crime or disorder, being associated with crime or disorder or used to support crime.**

- a) All staff are trained on induction with an overview of current gambling legislation and Licence Conditions and Codes of Practice.
- b) Staff are trained on security of table gaming.
- c) All casinos have access to their own CCTV system to review incidents and save footage of any incidents where necessary.
- d) Each casino has perimeter cameras to monitor activity outside the casino.
- e) A Money Laundering Manual is maintained and staff receive six monthly training.
- f) Each casino has been 'Risk Assessed' in relation to Money Laundering.
- g) Money lending is prohibited.
- h) A "zero tolerance" policy in relation to substance abuse policy is in place.
- i) Each casino is audited 3-4 times per year by the Internal Audit Team.
- j) Employees/customers caught stealing or inclusion will be reported to the Police depending on available evidence.

**2. Policy to ensure that Gambling is conducted in a Fair and open way.**

- a) GCL provide CCTV coverage on all gaming tables, as well as in other public areas of the casino, and can review footage for dispute resolution.
- b) All Gaming Machines have their category and percentage return to the customer displayed on the gaming machine.
- c) A House Edge Leaflet is available in each casino.
- d) How to play leaflets are available for each game offered.
- e) Variations to Standard Rules/Odds are displayed to the customer.
- f) Minimum and maximum table stakes are displayed.
- g) Odds of each staking combination are displayed.
- h) A non fraternisation policy is in place.
- i) Gala have a complaints and disputes procedure and make this available to its customer by way of 'If you're not happy with us...' leaflets.
- j) Staff gaming policy is in place.
- k) A comprehensive Gaming Manual is provided for each staff member.

**3. Policy to ensure that children and other vulnerable person will be protected from being harmed or exploited in gambling.**

- a) Under 18's are excluded from Gala casinos by virtue of the Act.
- b) Photographic Proof of age is required.
- c) All casinos operate a "Think 21" Policy (see below) which is subject to testing by an external agency.
- d) Management are specifically trained in problem gambling and how to carry out customer interactions when a customer exhibits problem gambling behaviours.
- e) Staff are retrained on an annual basis on the social responsibility areas of the LCCP.
- f) Gala provide sources of information where help can be obtained by people who may have a problem with gambling, in the form of:
  - Staying in Control Leaflets
  - Employee Guide to Responsible Gambling



- g) ATM's machines are located so that any customer wishing to use this facility has to take a break in gaming to use them.
- h) Electronic gaming devices are limited so that they only provide 50 spin/hands per hour.

## **Policies and procedures in respect of Responsible Gambling**

### **Responsible Gambling Policy**

The Gala Coral Group was the first gaming and betting group in the UK to be fully accredited by GamCare (the main treatment agency for problem gamblers since 2003) across all of our businesses. We achieved this accolade in early 2007.

The Group works constructively with the numerous organisations that operate in the field of research, education and treatment of problem gambling.

The Group has recently had their accreditation renewed following GamCare visits to a number of our sites to conduct face to face interviews with members of staff and management to test their knowledge in the area of responsible gambling.

A copy of the Groups current GamCare Accreditation is attached to this annex.

The Group participates in research in to gambling. We also employ a dedicated Group Corporate Responsibility Manager.

The management of our gambling products and retail outlets, in addition to the training we give to employees, as well as the support we give to our customers is critical.

The Group is committed to ensuring that it operates in a safe environment, having due regard to customers and employees alike.

The Group continues to make a significant financial contribution to support the key organisations in the field that distribute funding. This contribution goes to support organisations that work on the Research, Education and Treatment (RET) agenda.

The Act created a new environment in which gambling companies operate and we have commitments in respect of this that require us to operate in a responsible manner towards our customers and employees.

A key element of the Act requires that we pay particular attention to support the Research, Education and Treatment (RET) of problem gambling.

### **Think 21 Policy and Underage Persons**

The Act states that individuals under the age of 18 are not allowed on casino premises.

To ensure compliance with this requirement, all GCL casinos operate a 'Think 21' Policy.

The Think 21 Policy requires that all customers who appear to be under 21 are approached and their age verified by the production of the appropriate identification. The appropriate identification should be one that:-

- Contains a clear photograph
- Contains the individual's date of birth
- Is valid

- Is legible and has no visible signs of tampering or reproduction

Examples of acceptable forms of identification are:

- Passport;
- Driving Licence with photograph;
- Identification Card with PASS logo.

Once the individual's age has been verified the type of document and reference number will be recorded on the casino membership system.

Should a customer, when challenged under the Think 21 Policy, be unable to provide identification to verify their age, entry will be refused.

A record is maintained of all people that have been challenged under the 'Think 21' Policy with details of the result of the challenge. The 'Think 21 Interaction' form will be used to record each challenge and this form will be maintained in the 'Think 21' log.

In cases where an associate of an individual knowingly allows and/or supports someone who is less than 18 in their attempt to gain access to gambling, that individual will be issued with a 3 month suspension from all Gala Casinos.

GCL ensures that where it has been identified that an underage individual has attempted (whether assisted or not) to gain access to gambling an incident report is completed.

Where someone under the age of 18 repeatedly attempts to enter and gamble on the premises they will be informed that this is an offence and that their actions will be reported to the Gambling Commission and potentially the police.

### **Protecting the Vulnerable**

It is a requirement of the LCCP that all operators of casinos interact with their customers if they believe they may be showing signs that indicate a gambling problem.

In order to comply with this statutory requirement, all Staff are trained on the Indicators of Problem Gambling. In the event that a member of staff identifies someone whom they suspect may be displaying signs of problem gambling then they will report their concern to the Duty Manager, who will then deal with matter appropriately.

Gala's approach to the Customer Interaction is split in to three component parts:

- 1. Assessment of Gambling Problem;**
- 2. Interaction with the Customer; and**
- 3. Recording the Interaction with the Customer.**

### **Assessment of Gambling Problem**

In conjunction with the wider industry, GCL has identified some Indicators of Problem Gambling that are listed below.

- **Extended period of time engaged in gambling activity (particularly machines).**
- **Paranoid belief that their gambling losses are as a result of the game being “fixed”.**
- **Mood swings, irritability, agitated, restlessness, not caring about their appearance or even personal hygiene.**
- **Obvious money difficulties and debts.**
- **Sees gambling as a way to “make money”.**
- **Totally absorbed in the activity, continually trying to beat the system.**
- **Displays signs of anxiety believing that only with continued play, chasing losses, will they retrieve their losses.**
- **Creates arguments, rows and uses rude behaviour in anger over their losses.**
- **Gambler’s admission that he or she is distressed by the amount of money they spend on their gambling.**
- **Constant, repetitive and competitive discussion about money losses and blaming others for it.**
- **Trying to borrow money from others or from staff.**
- **Frequently spending ALL the money they have brought with them.**
- **Using our products several times a week for long periods of time.**
- **Repeats a pattern of leaving the business and returning the same day with more cash to gamble.**
- **Repeated use of the ATM.**

If it is suspected that a customer possesses a number of the characteristics above a Customer Interaction should be considered.

#### **Interaction with the Customer**

Having assessed the customer’s perceived gambling problem the Duty Manager will need to determine if and how an interaction should take place. This is known as the “Trigger Point”.

Each interaction and trigger point will be unique and dependent on the situation; therefore a prescriptive approach which covers all situations cannot be given.

It is important that the Duty Manager is careful about the point at which they show concern for the customer, and it could be that the customer is approached at an appropriate time throughout the session, as they leave for the session, or at the start of a subsequent visit to the Casino.

In serious issues of problem gambling it may be necessary to stop the cycle of play of the customer, this could be conducted at a time at which it is safe to do so, and then the main purpose of this interaction will be to ensure that the customer “cools off”. In simple terms however, a customer interaction is in effect a conversation with the customer about their wellbeing, which may or may not result in further action.

#### **Outcomes of an Interaction**

There are various outcomes of a customer interaction, again it is difficult to prescribe definitive outcomes, however the interaction could lead to a range of outcomes such as:

- The customer does not engage in any conversation which supports the belief that they do have a gambling problem or the interaction with the customer does lead to an acknowledgement that the gambling has got out of control, in which case:
  - The customer could decide through discussion with the Duty Manager to take time away from the Casino; or
  - The customer decides to Self-Exclude
- If the customer decides to take time away from the Casino then if, on a subsequent occasion, there is a repeat occurrence, the Duty Manager should suggest Self-Exclusion after an interaction.
- If the customer does not acknowledge a problem but on a subsequent occasion the Duty Manager believes that another Interaction is necessary then the Duty Manager may need to advise Self-Exclusion.
- It needs to be made clear that the outcome should depend on the discussion, and the customer must acknowledge some level of gambling problem in the first instance. Customer Interaction is not a “clear cut” issue and needs to be treated sensitively and without harm.

### **Recording the Interaction with the Customer**

Any interaction must be recorded.

All details of the interaction are recorded as objectively as possible, describing the interaction with the Customer and the Outcome. As much detail about the interaction is recorded as possible.

The Licence Conditions require the number of Customer Interactions to be recorded and sent to the Gambling Commission.

### **Self-Exclusion**

The Act requires that licensees enable customers to self-exclude from the gambling environment. As detailed above the desire to self-exclude may result from the Customer Interaction process or it may be an unsolicited request from a customer to any member of staff. Any employee who receives such a request is instructed to report this to the Duty Manager who is responsible for dealing with this enquiry.

The self-exclusion period is a minimum of 6 months but can be extended to any period up to five years at the request of the customer.

A customer who has decided to enter into a self-exclusion agreement is given the opportunity to do so immediately without any cooling-off period.

The customer’s details on the casino membership system will be immediately amended to show as ‘Suspended’. They will also be excluded from receiving further marketing material.

All self exclusions are reported to the Commission.

### **Reinstatement**

Reinstatement should only occur at the request of the customer.

Reinstatement cannot be considered within the period of self-exclusion even if the customer has extended this period beyond the minimum 6 months.

Once the request has been received a 24 hour cooling-off period is instigated and the customer informed of this. At the end of this period the customer is free to gamble again and the licensee does not need to carry out any particular assessment or make any judgement as to whether the previously self-excluded individual should be permitted to gamble.

Should the member request to reinstate over the telephone, the reinstatement form should be completed by the Duty Manager and a confirmation signature obtained on the form from the customer on their first subsequent visit. The customer must be informed of the 24 hour cooling-off period.

Where a self-excluded member is found to be on the premises they should be asked to leave immediately. An incident report will be completed and distributed to the Compliance and Licensing Department.

### **Staff Responsible Gambling Training**

Gala ensures that all its staff and management fully understand its commitment to the responsible gambling policy and the procedures contained in compliance documentation and training materials.

All staff receives training of the social responsibility elements of the Licence Conditions and Codes of Practice, including identifying areas that may lead to a person having a gambling problem, Self-Exclusion, Reinstatement, Think 21 etc.

All staff are issued with:-

- Employee guide to responsible gambling leaflets
- Social Responsibility, What you must know leaflets

In addition staff and management receive training tailored to their standing in the casino that equips them with the knowledge they require to deal with responsible gambling issues for their roles in the casino.



# Certificate of Social Responsibility

## Gala Coral Group

This is to certify that following an inspection of a number of premises operated by the above company, GamCare is pleased to award certification for high standards of socially responsible practices

A handwritten signature in black ink, appearing to read "Andy McLellan".

Andy McLellan, Chief Executive, GamCare

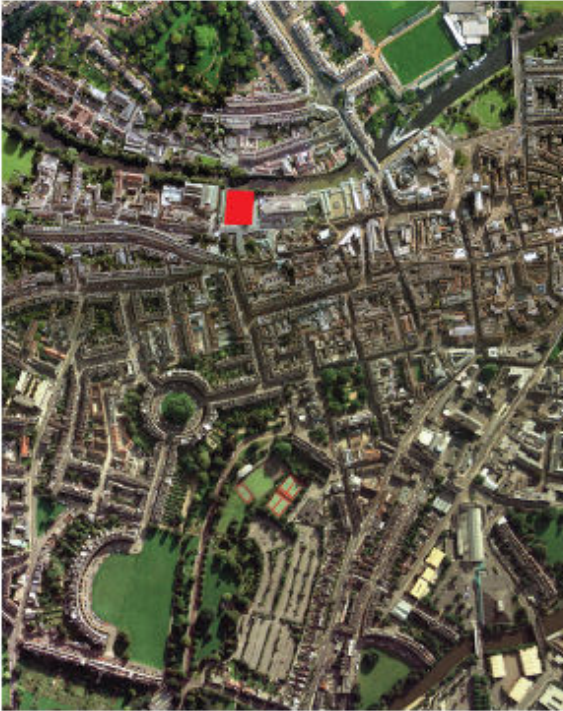


Valid until 06/09/11





**Proposed Gala Casino**  
Proposed Development on Land currently known as  
Walcot Street Cattle Market Car Park,  
Walcot Street, Bath, BA1 5BQ



**GALA CASINOS**

FeildenCleggBradleyStudios

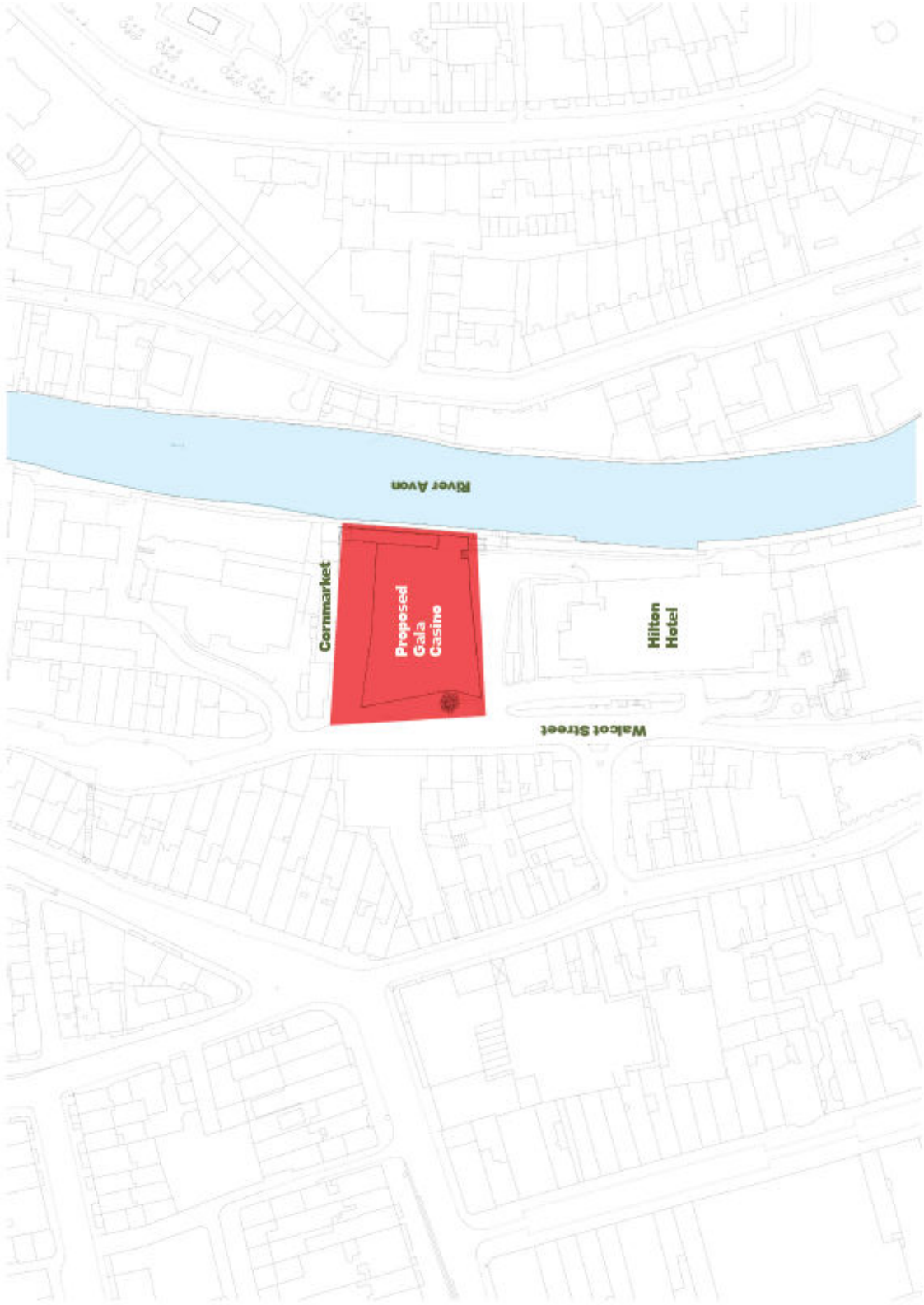


**Site Location**  
**Proposed Development on**  
**Land currently known as**  
**Walcot Street Cattle Market Car Park**  
**Walcot Street**  
**Bath**  
**BA1 5BD**

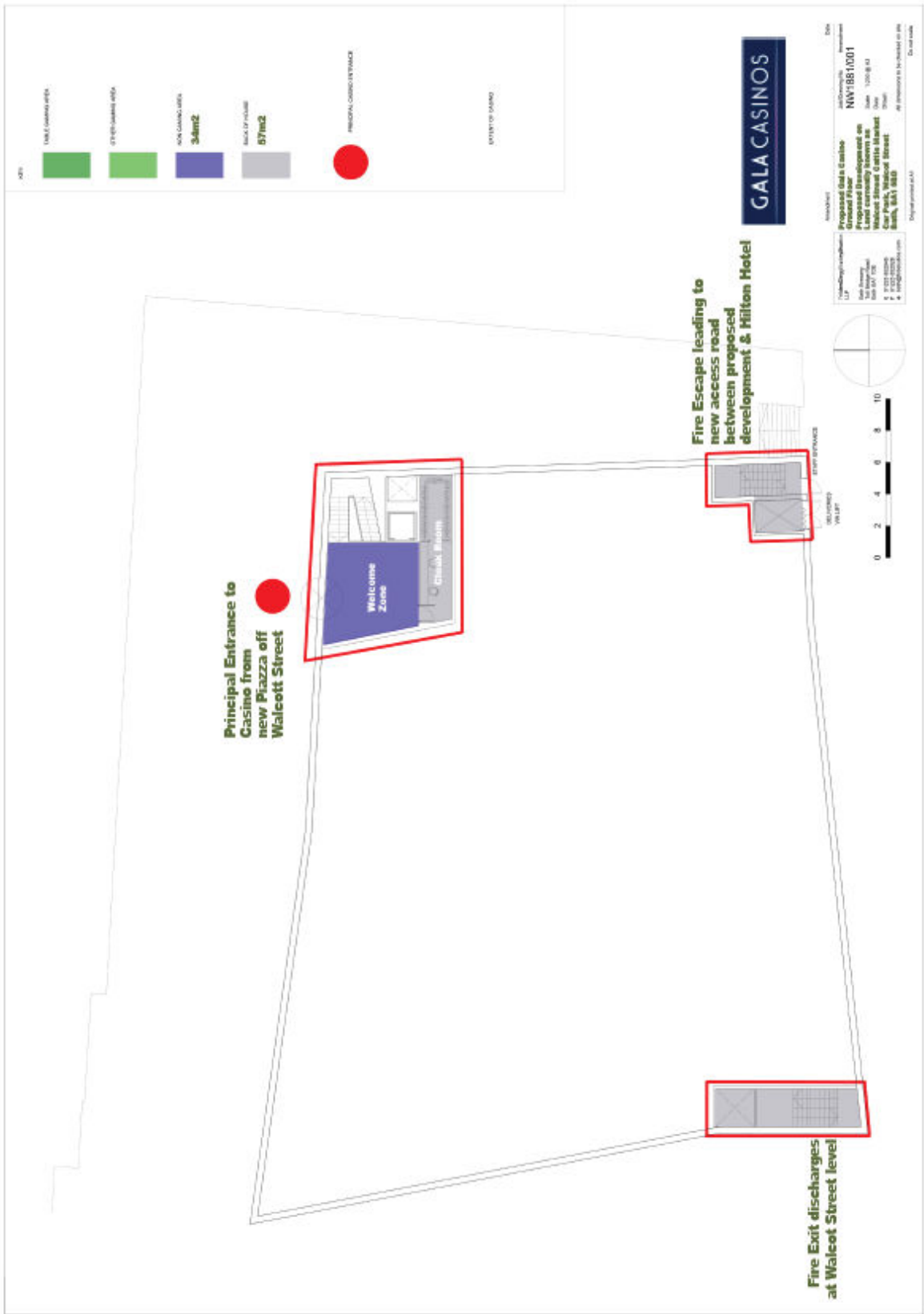


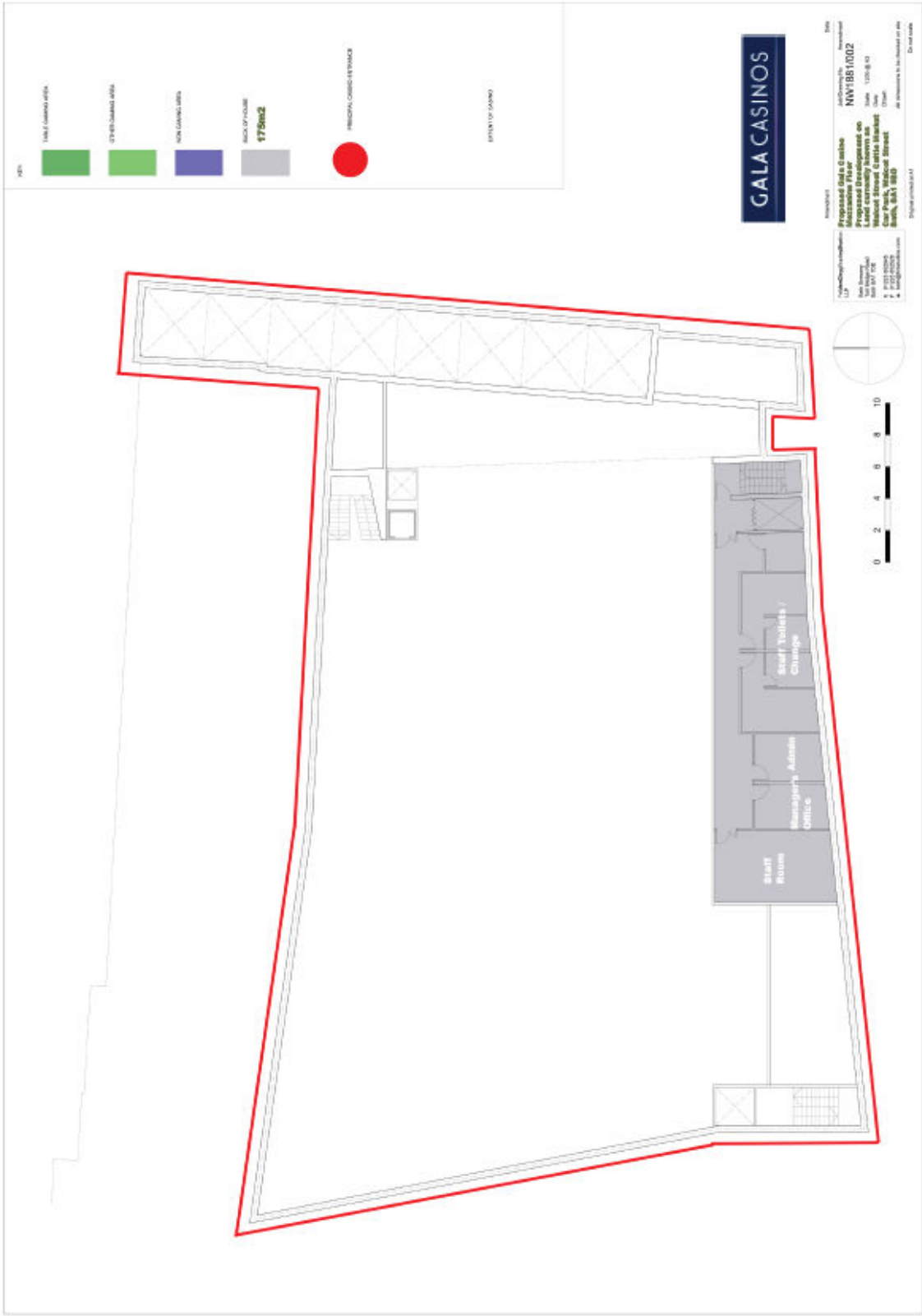
Site Location

61

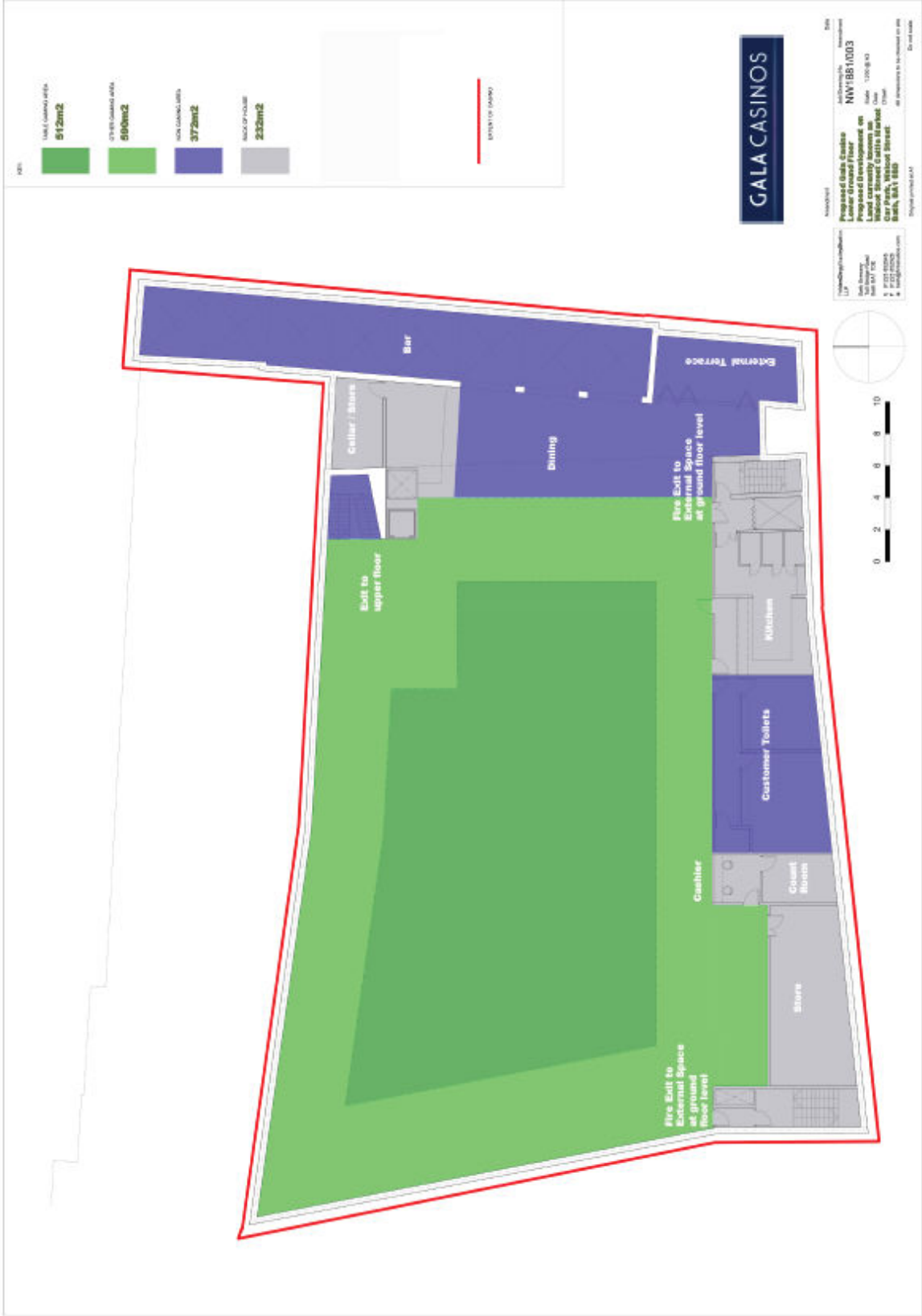


Site Location

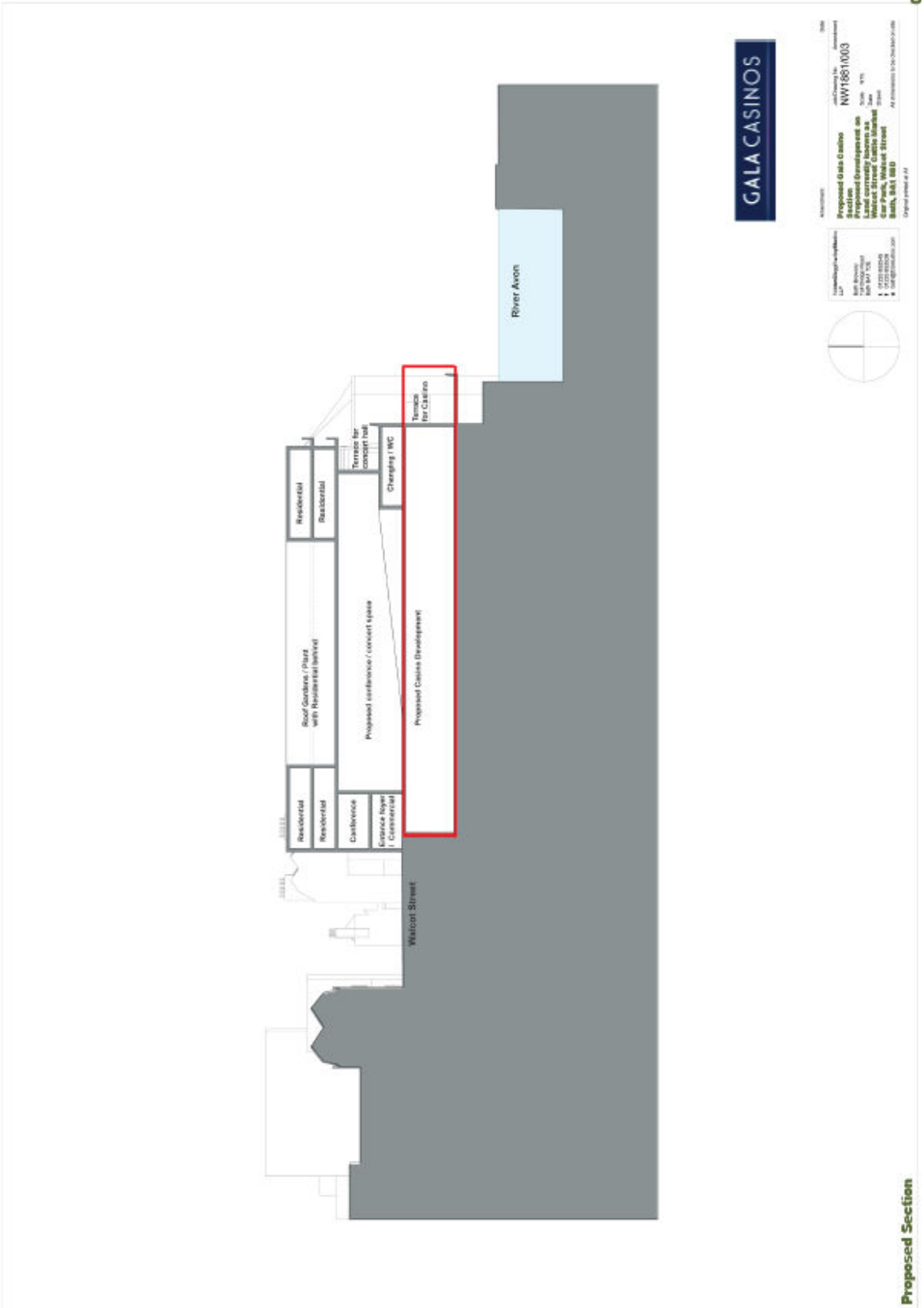




Proposed Mezzanine Plan



Proposed Lower Ground Floor Plan



GALA CASINOS

Approved by:  
 Proposed Gala Casino  
 Section:  
 Proposed Development on  
 Wilson Street, Bath, BA1 1BB  
 Date: 15/11/2019  
 Drawn: [Name]  
 Checked: [Name]  
 Approved: [Name]  
 Project No: NWT1811003  
 All dimensions in metres unless stated otherwise.  
 Original printed on A3

Prepared by:  
 LEP  
 Bath Branch  
 Bath BA1 1TC  
 Tel: 01225 333333  
 Fax: 01225 333334  
 www.lep.co.uk



Proposed Section

Feilden Clegg Bradley Studios LLP

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T +44 (0)1225 562545  
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fcstudios.com  
Job ref: NW1881

**FeildenCleggBradleyStudios**



**Andrew Jones**

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**From:** Licensing  
**Sent:** 04 March 2011 14:35  
**To:** Andrew Jones  
**Subject:** FW: FAO Andre Jones

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**From:** John Siddall [mailto:john@finecheese.co.uk]  
**Sent:** 04 March 2011 14:26  
**To:** Licensing  
**Cc:** 'Ann-Marie Dyas'  
**Subject:** FAO Andre Jones

Dear Mr Jones

I am writing to you with regard to an article in *This is Bath*: Four firms battle it out to build a casino in Bath.

One of the candidate sites mentioned in the article is the Cattle Market site in Walcot Street.

The article claimed that "the council has launched a consultation exercise...with business interests likely to be affected by a casino".

We have a business at 29 and 31 Walcot Street, but have not been consulted.

I read that Apollo Resorts and Leisure is proposing a ground floor at the Cattle Market site that will include bars.

You may or may not be aware that groups of young people often gather and walk along Walcot Street at night. They are frequently boisterous and sometimes clearly intoxicated.

As a result, from time to time one of our shop windows is broken. That results in our being called out late at night, helping the police, and waiting for an emergency glazier to arrive.

The cost of repair is always below our insurance excess, and so we end up paying the entire repair bill.

I am concerned that more bars and late-night venues such as a casino will attract more groups of young people – whether or not they choose to, or are old enough to, use those facilities – with the consequent increase in petty crime and public disorder.

Please take this message as The Fine Cheese Co.'s representation. However, if you need the representation in another format, please let me know.

Yours sincerely

John Siddall



<b>Bath &amp; North East Somerset Council</b>		
<b>MEETING :</b>	<b>Licensing (Gambling and Licensing ) Sub Committee</b>	
<b>MEETING DATE:</b>	<b>Wednesday 8<sup>th</sup> June 2011</b>	<b>AGENDA ITEM NUMBER</b>
<b>TITLE:</b>	<p><b>Application for the Issue of a Provisional Statement for a proposed small casino at the site of the existing car park bounded by Manvers Street to the West, walkway adjacent to the Police Station to the South and South Parade to the North, Bath.</b></p> <p><b>Grosvenor Casinos Limited, Statesman House, Stafferton Way, Maidenhead, Surrey SL6 1AY</b></p>	
<b>WARD:</b>	<b>ALL</b>	
<b>AN OPEN PUBLIC ITEM</b>		
<p>List of attachments to this report:</p> <p>Appendix A; Copy of the application for a Provisional Statement</p> <p>Appendix B; Copy of Location Map and Plans</p> <p>Appendix C; Copy of a relevant representation</p>		

## **1. THE ISSUE**

- 1.1 An application has been received from Grosvenor Casinos Limited, Statesman House, Stafferton Way, Maidenhead, Surrey SL6 1AY, under the Gambling Act 2003 (“the Act”). The application is for the issue of a Provisional Statement in respect of a proposed small casino at the site of the existing car park bounded by Manvers Street to the West, walkway adjacent to the Police Station to the South and South Parade to the North, Bath.

## **2. RECOMMENDATION**

- 2.1. The Sub-Committee is asked to determine the application having considered the application, the supporting information provided by the applicant and the representation made against the application.

## **3. FINANCIAL IMPLICATIONS**

- 3.1. An application fee of £8,000 has been received, which covers the cost of the application process.

## **4. THE REPORT**

- 4.1. An application has been received for the issue of a Provisional Statement to provide gambling facilities by way of a small casino. A copy of the application form can be found at Appendix A.
- 4.2. The hours applied for are Monday to Sunday 00.00 to 24.00.
- 4.3. A map showing the location of the application and plans showing the proposed use of the premises can be found at Appendix B.
- 4.4. Relevant representations have been received from Interested Parties. A copy of the representations can be found at Appendix C. The representations relate to the objective of protecting the vulnerable from harm.
- 4.5. In accordance with the requirements of the Act the applicant served copies of the application upon the Gambling Commission, police, the fire authority, environmental health, development control, trading standards, and the child protection agency.
- 4.6. The applicant is required to place a notice at the premises for a period of 28 days, starting on the closing date for the receipt of applications (see paragraph 5.5. below), and place an advert in a local newspaper within 10 days of the closing date.

## **5. BACKGROUND**

- 5.1. The licensing authority (“the authority”) was awarded permission to grant one small casino premises licence (“the licence”) in its area on 20 May 2008 (under The Gambling (Geographical Distribution of Casino Premises Licences) Order 2008). These Regulations state that no more than one such licence issued by a licensing authority may have effect at any time.

- 5.2. Under the Act a licence is required where an applicant intends to provide gambling facilities. The application seeks to provide gambling facilities in the form of a small casino.
- 5.3. A small casino is classified in The Categories of Casino Regulations 2008, as having a combined floor area of those parts of the casino, which are used for providing facilities for gambling, that are equal to or exceed 500 square metres, but is less than 1,500 square metres.
- 5.4. Under section 204 of the Act an applicant may apply for a Provisional Statement in respect of premises that he expects to be constructed or altered or expects to acquire a right to occupy. Once a Provisional Statement has been issued, the applicant can then apply for a licence at a later date.
- 5.5. The issue of one Provisional Statement for a small casino is governed by a competition procedure which is governed by Paragraphs 4 and 5 to Schedule 9 of the Act. An invitation to apply for the licence was advertised in October 2010 with a closing date of 28 February 2011.
- 5.6. Stage 1 of the competition procedure is regulatory. At Stage 1 an authority must not;
  - 5.6.1. take into account any matters which they would not ordinarily take into account in determining an application for a licence
  - 5.6.2. have regard to whether any of the competing applications is more deserving of the other at Stage 1.
  - 5.6.3. have regard to the expected demand for the facilities which it is proposed to provide.
  - 5.6.4. take into account whether or not the proposal is likely to be permitted in accordance with the law relating to planning or building.
- 5.7. At Stage 1 the Licensing Authority may either make a provisional decision to grant a Provisional Statement or reject the application. If granted, an authority shall attach mandatory conditions to the Provisional Statement and may attach default conditions. These conditions are governed by The Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007 ("the 2007 Regulations").

- 5.8. The applicant has requested that the default condition, found in Part 6 of the 2007 Regulations, be excluded. This states that no facilities for gambling shall be provided on the premises between the hours of 6.00 am and noon on any day.
- 5.9. In addition the authority can impose further conditions to promote the licensing objectives.
- 5.10. Where licensing authorities determine that they would, if they were able, to grant more than one application for a Provisional Statement, the applicants who made those applications must be invited to participate in Stage 2.
- 5.11. The award of the Provisional Statement for a small casino at Stage 2 of the competition is determined by the full Licensing Committee. ("the Committee"). At Stage 2, the Committee must award the premises licence to the application which would, in the licensing authority's opinion, be likely, if granted, to result in the greatest benefit to its area.

## **6. PRINCIPLES TO BE APPLIED**

- 6.1. Under the provisions of the Act an authority, in making decisions at stage 1, shall aim to permit the use of premises for gambling in so far as the authority thinks it is:
  - 6.1.1. in accordance with any relevant code of practice issued by the Gambling Commission ("the Commission"), and
  - 6.1.2. in accordance with any relevant guidance issued by the Commission and,
  - 6.1.3. reasonably consistent with the licensing objectives (subject to 6.1.1 and 6.1.2 above) and,
  - 6.1.4. in accordance with the authority's Statement of Principles ("the Statement") under the Act (subject to all of the above).
- 6.2. With regard to paragraph 6.1.3 above, the licensing objectives are:
  - 6.2.1. Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
  - 6.2.2. Ensuring that gambling is conducted in a fair and open way

- 6.2.3. Protecting children and other vulnerable persons from being harmed or exploited by gambling (it should be noted that the requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling.)
- 6.3. The authority shall also have regard to the Act, the Statutory Guidance issued under Section 25 of the Act and its Statement in making its determination.
- 6.4. The committee should give specific consideration to the relevant representation received and whether or not it is satisfied that the premises can operate without risk to the licensing objectives listed in paragraph 6.2. If it is not satisfied then the committee should consider whether the risk can be alleviated through the implementation of a licence condition or, if not, whether it is necessary to refuse the application.

## **7. APPEAL PROVISIONS**

- 7.1. If the application is refused the applicant may appeal within 21 days of written notification from the authority to the Magistrates' Court. If the application is granted any person making a relevant representation may appeal within 21 days of written notification from the authority to the Magistrates' Court.
- 7.2. On appeal the court may either dismiss the appeal, substitute the decision appealed against for any other decision which the authority could have made, or remit the case to the authority to dispose of in accordance with the direction of the court. The court may make such order for costs as it thinks fit.
- 7.3. In the event that an appeal is lodged, Stage 2 of the competition is suspended.
- 7.4. This report has not been sent to the Trades Union because they would have no involvement.

## **8. RISK MANAGEMENT**

- 8.1. A risk assessment related to the issue and recommendations has been undertaken, in compliance with the Council's decision making risk management guidance.

## **9. EQUALITIES**

- 9.1. The Council's Equality Policy has been followed in writing this report.

9.2. The committee will take into account their equality duties in determining this application.

## 10. CONSULTATION

10.1. As part of the application process the applicant placed a public notice in the Bath Chronicle, public notices were also displayed around the boundary of the proposed site and a copy of the application was sent to all the Responsible Authorities.

## 11. ISSUES TO CONSIDER IN REACHING THE DECISION

11.1. Section 153 of the Gambling Act 2005, Licensing Objectives, Human Rights, Equalities.

## 12. ADVICE SOUGHT

12.1. The Council's Monitoring Officer (Council Solicitor) has had the opportunity to input to this report and have cleared it for publication.

Contact person	Andrew Jones, Environmental Monitoring and Licensing Manager.  Tel: 01225 477557
Background papers	The Gambling Act 2005 The Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007 The Gambling (Geographical Distribution of Casino Premises Licences) Order 2008 The Categories of Casino Regulations 2008 The Gambling (Inviting Competing Applications for Large and Small Casino Premises Licences) Regulations 2008 Code of Practice - Determinations under Paragraphs 4 and 5 of Schedule 9 to the Gambling Act 2005 relating to Large and Small Casinos dated 26 February 2008 Guidance to Licensing Authorities issued by the Gambling Commission 3 <sup>rd</sup> Edition dated May 2009. BANES Statement of Principles dated February 2010
Please contact the report author if you need to access this report in an alternative format	



# JOELSON WILSON

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25 February 2011

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**BY EMAIL & GUARANTEED DELIVERY POST**

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Licensing Services  
9-10 Bath Street  
Bath BA1 1SN

EMAIL: [licensing@bathnes.gov.uk](mailto:licensing@bathnes.gov.uk)

Partners  
Sheldon Cordell  
David Clifton  
Suzanne Davies  
Paul Chiappe  
Christopher Evans  
Philippe Hails-Smith  
Joanne Gregory  
John Hussey  
Consultant  
Mark Barber  
Chief Executive Officer  
Jane Ker

Dear Sirs,

**RE: PROPOSED SMALL CASINO - G CASINO, TO BE CONSTRUCTED AT SITE OF EXISTING CAR PARK BOUNDED BY MANVERS STREET TO THE WEST, WALKWAY ADJACENT TO THE POLICE STATION TO THE SOUTH AND SOUTH PARADE TO THE NORTH, BATH**

We act on behalf of Grosvenor Casinos Limited. We enclose application for a provisional statement for a small casino in respect of the above-mentioned premises, under s.204 and Schedule 9 of the Gambling Act 2005 ("GA 2005").

Please find enclosed the following documents in support of our client's application:

1. Application for a provisional statement under GA 2005;
2. A cheque in the sum of £5,000.00 in respect of the application fee;
3. Drawing numbers:
  - (a) GA2005 - 6550/200: Proposed Basement;
  - (b) GA2005 - 6550/201: Proposed Ground Floor;
  - (c) GA 2005 - 6550/202: Proposed First Floor;
  - (d) GA 2005 - 6550/203: Proposed Mezzanine Floor;
  - (e) Location plan - Rev E;
4. Prescribed notice of the application required to be served on all Responsible Authorities by virtue of Regulation 12 of the Gambling Act 2005 (Premises Licences and Provisional Statements) Regulations 2007.

We would ask you to note that the application enclosed is for a provisional statement. We noted from consideration of your website that the only forms available relate to an application for a premises licence application. Accordingly, we contacted Ms Francesca Smith of your offices on 22 February 2011, who confirmed that it would be acceptable for alternative prescribed forms (i.e. absent the Bath and North Somerset Council logo) to be utilised.

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THE UK MEMBER OF EUROPEAN LAWYERS NETWORK (EEIG)  
Affiliated Firms: Sacramento, Pittsburgh, Monterrey

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Joelson Wilson LLP uses the word 'partner' to refer to a member of the LLP.  
Regulated by the Solicitors Regulation Authority. Solicitor Regulation Authority number 509649

We confirm that the notice of application will also be served on the relevant Responsible Authorities, will be published in the Bath Chronicle and displayed at the site of the proposed premises for the relevant statutory period.

Our client proposes to operate the premises as a "G" Casino which is the brand of casino operated by the applicant company aimed at a broad market. The company has developed the concept at both new sites throughout Great Britain and has also re-branded a number of its existing casinos previously operating in a more traditional style. Our client is developing the site in conjunction with the developer and site promoter, Cubex-Land, who fully support our client's proposal.

Reference is made at Annex A to the Gambling Commission's Licensed Conditions and Codes of Practice ("LCCP"). It is made clear that the premises will be operated in accordance with the LCCP which are attached to the operating licence held by Grosvenor Casinos Ltd. Please follow this link should you wish to view the LCCP on the Gambling Commission's website:


[www.gamblingcommission.gov.uk/gambling\\_sectors/casinos/holding\\_a\\_licence\\_what\\_you\\_ne/licence\\_conditions\\_codes\\_o-1.aspx](http://www.gamblingcommission.gov.uk/gambling_sectors/casinos/holding_a_licence_what_you_ne/licence_conditions_codes_o-1.aspx)

Should you require any information, clarification or assistance in relation to the application, we would be grateful if you would contact Suzanne Davies of these offices, who is indicated as the point of contact on the notice of application. Similarly, we would be grateful if any of the other statutory authorities served with notice of the application could also contact Miss Davies should any queries arise.

We look forward to receiving your acknowledgement of receipt of the enclosed application for the grant of a provisional statement for a small casino.

Thank you for your assistance in relation to this matter.

Yours faithfully,

  
JOELSON WILSON LLP

Encs.

## Application for a provisional statement under the Gambling Act 2005 (standard form)

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

Where the application is in respect of a vessel the application should be made on the relevant form for that type of premises.

**Part 1 - Type of premises to which the application relates**

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

**Part 2 - Applicant Details**

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

**Section A****Individual applicant**

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

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

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

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

Postcode:

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

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

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

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

### Section B

#### Application on behalf of an organisation

6. Name of applicant business or organisation: GROSVENOR CASINOS LIMITED

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

7. The applicant's registered or principal address:

STATESMAN HOUSE  
STAFFERTON WAY  
MAIDENHEAD  
BERKSHIRE

Postcode: SL6 1AY

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

006-000614-N-103221-004

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

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

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

### Part 3 - Premises Details

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

G CASINO

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

TO BE CONSTRUCTED AT SITE OF EXISTING CAR PARK BOUNDED BY MANVERS STREET TO THE WEST, WALKWAY ADJACENT TO THE POLICE STATION TO THE SOUTH AND SOUTH PARADE TO THE NORTH, BATH

Postcode:

12. Telephone number at premises (if known): TBC

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

Please see attached.

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

~~Yes~~/No [delete as appropriate]

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

#### Part 4 - Times of operation

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

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

	<i>Start</i>	<i>Finish</i>	<i>Details of any seasonal variation</i>
Mon	0:00 <i>hh:mm</i>	0:00 <i>hh:mm</i>	
Tue	0:00	0:00	
Wed	0:00	0:00	
Thurs	0:00	0:00	
Fri	0:00	0:00	
Sat	0:00	0:00	
Sun	0:00	0:00	

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

13. Basement car park with entrance lobby, leading to ground floor, comprising reception and principal entrance to the casino, leading to first floor casino; ground floor also comprises exit and staff entrance on walkway adjacent to police station (with shared exit and deliveries on walkway adjacent to police station and shared exit routes to walkway off South Parade and to South Parade), together with hotel foyer/entrance and proposed retail each operating independently of the applicant company; mezzanine floor comprising staff facilities; proposed independently operated hotel to be constructed on remaining floors up to and including the fourth floor.

**Part 5 - Miscellaneous**

17(a) Does the application relate to premises or proposed premises which are part of a track or other sporting venue which already has a premises licence: ~~XX~~/No [delete as appropriate]

17(b) If the answer to question 17(a) is yes, please confirm by ticking the box that an application to vary the main track premises licence has been submitted with this application:

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

18(b) If the answer to question 18(a) is yes, please provide full details:

19. Please set out any other matters which you consider to be relevant to your application:  
PLEASE SEE ATTACHED ANNEX A

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

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

Checklist:

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

**Part 7 - Signatures**

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

Signature: Joelson Wilson LLP

Print Name: JOELSON WILSON LLP SOLICITORS

Date: 25/2/11 (dd/mm/yyyy) Capacity: AUTHORISED AGENTS OF THE APPLICANT

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

Signature:

Print Name:

Date: \_\_\_\_\_ (dd/mm/yyyy) Capacity: \_\_\_\_\_

*[Where there are more than two applicants, please use an additional sheet clearly marked "Signature(s) of further applicant(s)". The sheet should include all the information requested in paragraphs 20 and 21.]*

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

**Part 8 - Contact Details**

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

SUZANNE DAVIES

22(b) Please give one or more telephone numbers at which the person identified in question 22(a) can be contacted:

020 7580 5721

23. Postal address for correspondence associated with this application:

JOELSON WILSON LLP SOLICITORS

30 PORTLAND PLACE

LONDON

Postcode: W1B 1LZ



24. If you are happy for correspondence in relation to your application to be sent via e-mail, please give the e-mail address to which you would like correspondence to be sent.  
scd@joelsonwilson.com



Information about the application is available from the licensing authority, including the arrangements for viewing the details of the application.

The following person connected with the applicant is able to give further information about the application:

SUZANNE DAVIES - 020 7580 5721

scd@joelsonwilson.com

*[This entry is optional and is to be included if the applicant wishes to provide the name, telephone number and (if available) e-mail address of a person connected with the applicant who is able to answer questions and provide further information about the application.]*

**Any representations under section 161 of the Gambling Act 2005 must be made no later than the following date:** 27 MARCH 2011

*[Please insert last day on which representations may be made in relation to the application. The period for making representations is 28 days (inclusive) starting with the day on which the application for a provisional statement was made to the licensing authority.]*

ANNEX A

INTRODUCTION

Rank notes that s.153 of the Gambling Act provides that a Licensing Authority must aim to permit the use of premises for gambling insofar as it thinks it:

- (a) in accordance with any relevant codes of practice issued by the Gambling Commission;
- (b) in accordance with any relevant guidance issued by the Gambling Commission;
- (c) reasonably consistent with the licensing objectives (subject to paragraphs (a) and (b)); and
- (d) in accordance with the statement published by the Authority under s.349 (subject too paragraphs (a) – (c)).”

In order to satisfy the Licensing Authority on such matters, Grosvenor Casinos Limited have attached to this application, at Annex A Part One, an overview in relation to its policies regarding the licensing objectives and, at Annex A Part Two, a copy of the GAMCARE accredited Rank Group (parent company of Grosvenor Casinos Limited) Policy on Responsible Gambling for gaming premises, which deals extensively with the rigorous social responsibility policies that Rank has established and implements.

Further, the premises will be operated in accordance with the Gambling Commission's Licence Conditions and Codes of Practice ("LCCP"), which are attached to the operating licence held by Grosvenor Casinos Limited.

ANNEX APART ONEOVERVIEW IN RELATION TO GROSVENOR CASINOS LIMITED'S  
POLICIES REGARDING THE LICENSING OBJECTIVES

- A. Policy to ensure that the business is protected from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime
1. All staff undertake an induction course including an overview of gambling legislation.
  2. Specific training on security related issues is provided.
  3. A customer registration system is retained to identify every person entering Grosvenor Casinos premises.
  4. State of the art full digital CCTV system is installed, including all public areas, external access points, reception areas, gaming tables and gambling equipment, to include a replay system within the pit areas specifically.
  5. A "central index" system is located at the London Victoria casino and holds all details of barred customers. Certain behaviours may lead to do an individual being barred from all Rank Group Plc premises in less serious cases an individual may simply be barred from the premises of which the behaviour occurred.
  6. Any incident inside or outside the premises involving anyone seeking to enter casino premises is reported on the Company's system.
  7. A money laundering manual is retained.
  8. A substance abuse policy is in place.
  9. Overview audits are conducted by Rank's internal audit department and external appointed agencies.
- B. Policy to ensure that gambling is conducted in a fair and open way
1. A "House Edge" leaflet is provided at each casino site, together with "how to play" leaflets.
  2. There is full CCTV coverage of all gaming tables and equipment, including a pit replay system.
  3. All machines display the required information in relation to pay-out etc.
  4. A comprehensive gaming procedures manual is in place.

5. A non-fraternisation policy is in place.
  6. Grosvenor premises operate a Gambling policy (for non-unit based employees).
- C. Policy to ensure that children and other vulnerable persons will be protected from being harmed and or exploited by gambling.**
1. All under 18's are excluded from Grosvenor Casinos by virtue of the Gambling Act 2005.
  2. Proof of age is required in terms of accepted photographic identification to gain entry and to obtain customer registration.\*<sub>1</sub>
  3. Management are specifically trained in relation to problem gambling and intervene to speak with customers identifying symptoms.
  4. Gamcare notices and telephone numbers are displayed in all premises and specifically at the cash desk.
  5. ATM's are only installed in accordance with mandatory condition 5 attaching to all casino licences.
  6. A responsible gambling policy is in place.

\*<sub>1</sub> Registration Customer Checks and Controls

Whilst membership is not a legal requirement in UK casinos, and much of the industry has implemented an "open door" approach to entry, Rank Group plc believes that the most effective and responsible way to enforce its self-exclusion policy, and to ensure that customers can play in a safe and secure environment where the underage and undesirables are kept out, is to apply a door registration policy.

All customers have registration cards which hold specific information. If a customer wishes to gain entry to any premises operated by Rank Group plc, a check is made to establish whether the customer is on the company's database at the appropriate control point. If they are, the database will bring up their personal details and photograph and show whether they are excluded (i.e. for problem gambling) or barred.

If the customer is not on the database, they will be required to produce one of the methods of photographic ID approved in the LCCP - passport, photo Driving Licence, PASS card etc. They are also required to produce proof of their address. Even if they do not have ID with them, all customers are still registered, photographed and checked against Rank's central security data base which will show if they are self-excluded or barred. This unique data base is able to hold information on known industry undesirables, even if they have never visited one of Rank Group Plc's premises.

Additionally, a search can be conducted through a company called Experian, which will do an on-line check of a wide range of data sources, such as electoral roll, phone and bank account records etc to confirm the customer's identity. Once all has been confirmed, the customer's photograph is taken and stored with other relevant information and admission granted. A registration card is issued to the customer which, as previously noted, if produced upon arrival, is swiped at reception when identification details will be provided and any relevant information made available to staff. Rather than take the "open door" route, Rank has invested in developing ways to facilitate "fast track" entry, such as self-swipe gates, so that customers may enter without delays, whilst still checking everyone against our data base.

Grosvenor Casinos Limited is GAMCARE accredited and regularly audited to maintain accreditation.



## **RANK GROUP Plc**

### **POLICY ON RESPONSIBLE GAMBLING**

#### **FOR GAMBLING PREMISES**

The Rank Group ("the Company") fully endorses the three licensing objectives given in Section One of the Gambling Act 2005. With regard to its Responsible Gambling objectives, the Company particularly supports the third objective in *"protecting children and other vulnerable persons from being harmed or exploited by gambling"*.

The Company also fully endorses the social responsibility provisions of the Gambling Commission Licence Conditions and Codes of Practice (LCCP) document.

The Rank Policy on Responsible Gambling ("the Policy") was originally issued in August 2006, and applies to all gambling premises operated by the Rank Group via its subsidiary companies holding an appropriate Operator's Licence. It therefore covers all Rank operated casinos, bingo clubs, Adult Gaming Centres (AGC's) and Licensed Betting Offices (LBO's) operating at the present time.

#### **Company Commitment to Responsible Gambling**

- The Company believes that gambling, in all its forms, is a legitimate and increasingly popular leisure activity for a significant proportion of the adult population. Most of these have no problem in ensuring that they gamble within their means.
- The Company accepts that a small number of people sometimes lose control of their gambling and consequently can find themselves in personal or financial difficulties, which can harm both the individual and those close to them.
- The Company recognises that Responsible Gambling is essential to the healthy development of the gaming industry, and that the industry should help those who have problems. Rank participates in this industry initiative by financially supporting the Gambling Research Education and Treatment Foundation (GREaT).
- As well as offering this financial support, the Company acknowledges its responsibility to its own customers and endeavours to protect the vulnerable amongst them. Through the Rank Group Policy on Responsible Gambling and related procedures, the Company has developed a culture that demonstrates a total commitment to Responsible Gambling by its employees.
- In doing so the Company strives to achieve an appropriate and fair balance between maximising enjoyment and minimising harm.

#### **1. Introduction**

Applying a responsible approach to gambling is a broad issue. It encompasses specific practical measures to protect the vulnerable, particularly the young, and also those individuals generally identified as 'Problem Gamblers'. It also embraces a wider obligation on those who control or operate gaming products to act generally in a socially responsible manner.

The Company also has an ethical obligation to work with the Gambling Commission to carefully consider the social impact of new products and technologies available to the industry and the methods used to market any gaming product.

Whilst the responsibility for our customers' gambling is their own, the responsibility to exercise a socially responsible attitude in the provision of gambling facilities therefore rests with the Company.

The Company considers it important that all employees are made aware of, and understand, the Policy and related procedures.

## **2. Advertising, Marketing and Promotion**

The Company is committed to using advertising and marketing techniques with particular caution. The Policy is constant for all advertising media, including internet, television, radio, cinema and printed literature.

Advertising and promotions will be compliant with the relevant regulatory and advisory codes of practice, being the relevant guidelines of the Advertising Standards Authority's Committee of Advertising Practice (CAP/BCAP). It will comply with the voluntary Gambling Industry "Code for Socially Responsible Advertising" and the LCCP requirements relating to marketing and incentive schemes (Code of Practice 4).

All gambling advertising in the UK relating to the Company will carry the address of the industry sponsored web site ([www.gambleaware.co.uk](http://www.gambleaware.co.uk)) where information on gambling may be obtained.

The Company will not market to persons under the age of 18 years by means of either the content, location or timing of advertising.

All advertising will be legal, decent, honest and truthful with a sense of responsibility to consumers and to society. It will not suggest that gambling is a means of solving financial difficulties.

The Company will not make unsolicited offers of free or discounted alcoholic drinks to customers where the supply is entirely dependent on whether, or for how long, they take part in gambling.

Where the Company pays fees or other remuneration to representatives in order to promote its gaming businesses, they will be paid in a way that takes account of responsible gambling.

## **3. Product Risk Assessment**

Where new and untried products are being considered, the Company will ensure that a risk assessment of the product and the associated marketing has been conducted to determine any particular risks. To do this, the Company will seek the experience of the manufacturers, other operators and those who deal with problem gamblers to determine if the particular product carries any particular or unique risk potential.



The Company will advise customers about the gaming activity on offer and provide help if they do not understand. However, the decision as to when to play, and how much to spend, must always rest with the customer.

None the less, customers will not be actively encouraged to:-

- Re-stake their winnings, as this should always be their own choice;
- Increase the amount they have decided to commit to the gambling activity;
- Chase their losses;
- Continue playing when they have indicated that they wish to stop;
- Enter into continuous play for a prolonged period of time;
- Play or spend beyond that which they intended;

The facility of changing coins, or other methods of payment, back into bank notes is available in all the Company's gambling premises, and will be advised to customers.

#### **4. Protecting the Young**

The Company is committed to preventing under age persons from using its gambling facilities, and will take all necessary steps to ensure they do not gain entry.

Any person who appears to be under the age of 21 will be required on entry to show valid photo ID, also containing a date of birth, as proof of age. Those who cannot provide satisfactory proof of age documentation will be refused entry.

The Company will ensure that its gambling premises display adequate signage stating the minimum age for entry, and the outside of these premises will not be made specifically attractive to under age persons.

Suitable barriers or controls to prevent unauthorised entry will be in place, including door supervisors in casino premises (being persons, such as receptionists, who are designate to monitor and record ID for those who appear to be under 21): The Company will maintain strict procedures to ensure that all relevant employees are trained to know the importance of the legal restrictions on age.

The procedures that implement this Policy make it clear that wilful breaches of legislation in relation to underage entry and participation in gambling will be regarded as Gross Misconduct.

In compliance with Section 83 of the Gambling Act, should the Company becomes aware that an underage person has used its facilities for gambling, despite the above controls being in place, the Company will make best endeavours to return any stake or fee to that person as soon as reasonable practical. At the same time, any outstanding prize or winnings for that person will not be paid.

#### **5. Preventive measures to protect the Vulnerable**

The Company recognises that "vulnerable" players are not necessarily those who have already developed signs of problem gambling. Those deemed to be "vulnerable" may also be new players or those with the potential to develop symptoms. The Company will therefore provide customer help and information (through posters, leaflets etc) to help them identify the symptoms in themselves at an early stage and take preventative action.

As part of this process, the Company will train its employees to use various trigger activity (for example, a certain number of visits, level of play etc) as a prompt to speak to certain players in order to employ "Know Your Customer" (KYC) techniques. Such conversations may not specifically mention the subject, but will assist both the manager, and particularly the customer, in assessing any potential to become a problem gambler.

## 6. Problem Gamblers

The Company understands the term 'Problem Gambler' to mean an individual who no longer has rational control over their gambling behaviour, with potentially serious consequences for both individual and to others.

The Company will ensure that its employees recognise that true 'problem gambling' is not primarily an economic issue. On occasions, some people lose more money than they might wish, or can afford, but do so without the degree of compulsion or loss of control that might indicate they are 'Problem Gamblers'. However, this may none the less indicate a potential vulnerability.

## 7. Identifying Potential Problem Gamblers

It is not incumbent on the Company to actively seek out those who may need help. The responsibility for an individual's gambling rests with that person. However, the Company's operational employees will assist when called upon to do so.

If an employee is approached by someone who thinks they have a problem, they will be supportive and sympathetic and direct them to the notices and leaflets from which they can find the support and assistance they need. Where deemed appropriate, or where triggered by a defined activity, the Manager will speak to them personally to discuss the matter.

Unfortunately, people with serious gambling problems will usually do all they can to disguise their problem, and identifying people with problems is therefore very difficult. The Company's procedures that implement this policy offer examples of behaviour that may assist employees in identifying those with a potential problem.

The Company is not obliged to act upon unconfirmed information that an individual has problems with gambling, particularly from anonymous sources. None the less, the Company may choose to act on information received from an interested third party (such as a concerned family member) if management consider there is some merit in the concerns raised. In such cases, Management will gather all the available facts before deciding whether to speak to the player concerned. They will then make a decision on the best way forward, based on the facts and content of that discussion.

Employees will otherwise draw to the attention of interested third parties the options available to someone with gambling problems, (details of counselling services numbers, leaflets, self exclusion etc) should they wish to address them.

Whilst, for reasons of Data Protection, the Company will be unable to confirm or deny to any third party that a particular person is one of its customers, employees will offer assurances to third parties that the Company will always act in accordance with its Policy.

One or more member of Management will have been trained to deal with situations that might require a player to be spoken to about potential gambling problems.

A positive response, including communicating sources of help and the possibility of self exclusion, will be given to any customer who themselves admit to having lost control of their gambling, or who is exhibiting symptoms of acute distress.

The Company may act on any information provided, with the player's consent, including information from any treatment agency or service. Similarly, the Company may, with the player's consent, pass information to an appropriate treatment agency.

All correspondence, interview notes and other relevant information relating to incidents of potential problem gamblers will be collated and held on file for reference and regulatory inspection within the requirements of the Data Protection Act 1998.

#### **8. Self-Exclusion**

The Company has no power or capacity to administer an industry-wide self-exclusion scheme, but will implement its own scheme intended to prevent any individual who so requests from having further access to any of its own gambling premises within the sector(s) requested.

The Company will encourage all persons who request self exclusion to similarly exclude themselves from other gambling premises in the area. Where requested, such customers will be provided with contact address details of competitor Head Offices so that they may more easily seek self exclusion from other local premises.

Wherever possible, requests to be excluded will be accepted from a player in writing and forwarded to the RGLO (see point 13). However, where a player declines to sign a written request and seeks self-exclusion verbally, the request will normally carry the same weight as a written request, unless the source cannot be verified as being the player (for example, over the phone). Any request (written or verbal) will be acknowledged in writing as soon as practicable and will inform the player that their exclusion will remain in force for at least 6 months.

For convenience, a detachable self exclusion form will be included within responsible gambling leaflets provided on the company gambling premises and will also be downloadable from the Company's web sites.

Reversal of a request will only be considered after a period of six months and then only approved by the RGLO after full and careful consideration. The decision will be fully documented. Reinstatement will be preceded by an interview with the customer, and a reassessment of any mechanisms that might help to control frequency of visits and spending levels.

#### **9. Enforced Exclusion**

In exceptional cases, following consultation between the RGLO (see point 13), the Area Manager / Director and local management, and where it is felt to be the best course of action to protect the customer, the Company may choose to exclude a customer, even when not specifically requested to do so by the customer concerned.

This form of enforced exclusion will be reserved as the last resort for those players whose relationship with gambling appears to be compulsive, in the Company's view, but where all previous attempts to offer help have been declined.

#### **10. Communication to Customers**

The Company will provide leaflets outlining some of the characteristics of problem gambling. These are intended to help individuals identify and understand their problems and will be made available in all the Company's gambling premises.

It is unlikely that a person who may have a problem with their gambling will wish to pick up a leaflet from a conspicuous place in the premises. Therefore, although leaflets will be on display in locations where they are clearly visible to players, (for example at reception entry

points), they will also be located in areas where a player may acquire them discretely - for example, in, or close to, toilet facilities.

Posters drawing attention to the existence of the leaflets and the self-exclusion scheme will also be displayed close to the location of the leaflets. As the leaflet text will also be downloadable from the Company's web site, posters will therefore refer to the web address as a further possible source of information.

Posters will give clear guidance that, in order to keep gambling a fun leisure activity, the customer needs to stay in control.

Posters will be large enough, and prominent enough, to be easily seen and understood.

A nominated employee will be responsible for the stocking of leaflets and the appearance of posters and other material.

A telephone help-line number for problem gamblers will be displayed on all ATM's and gaming machines operated in the Company's gambling premises and will also refer to the availability of the leaflets.

#### **11. Assisting in self control and "Reality Checks"**

The Company will take steps to help individuals monitor or control their gambling by helping them restrict the amount of time that they may gamble or the amount they may spend. For example, restricting the amount that they may draw against cheques or debit cards to a mutually agreed limits. Where practical and appropriate, other "reality checks" will be made available.

#### **12. Employee Training and Education**

The Company will ensure that all gaming managers fully understand this Policy and have access to current information on problem gambling, particular areas of vulnerability and the potential impact of new products. The Company will encourage management to take ownership of the Policy and its related procedures.

Through training, all managers and relevant employees will have knowledge both of the signs and behaviours of a problem gambler and of the availability of the agencies that may offer support.

The General Manager and his / her deputy for each of the Company's gambling premises will be given training in how to hold intervention conversations with customers about issues highlighted within this Policy.

Whilst such detailed training for more junior employees is not appropriate, all employees will be given a general overview of the potential issues, and their own responsibilities, through the procedures covered in relation to this Policy.

All gaming employees will :-

- Be made aware of this Policy during basic training;
- Be instructed not to encourage players to re-stake winnings, increase the amount they have decided to stake, chase losses, continue to play when they have decided to stop, or enter into play for a prolonged period of time;
- Be aware of the clear procedure as to when they should refer any concern they may have to a more senior colleague.

Where employees are themselves permitted to gamble, either in Company premises or elsewhere, the Company will take all reasonable steps to make the same information and advice available to employees as is available to customers, should their own gambling become a problem.

**13. Role of Compliance, Security and the RGLO**

The Company will appoint a Responsible Gambling Liaison Officer (RGLO) from Compliance and Security, who will oversee that the procedures and training relating to this Policy are implemented.

The RGLO will ensure that the Company's central index records relating to Problem Gamblers are maintained.

The Company will use its own Internal Audit facility to ensure that its employees are complying with the procedures and records that implement this Policy.

All re-instatement decisions, relating to problem gamblers who are excluded, will be made by the RGLO, who will consult the Area Manager / Director and, where necessary, the Managing Director of the relevant Division.

**Rank Group Plc**  
Updated July 2010 (originally issued August 2006)



[www.gambleaware.co.uk](http://www.gambleaware.co.uk)

Application for a provisional statement: form of notice to be published

**NOTICE OF APPLICATION FOR A PROVISIONAL STATEMENT UNDER  
THE GAMBLING ACT 2005**

Notice is hereby given that: GROSVENOR CASINOS LIMITED

*[Give the full name of the applicant(s)]*

of the following address:

STATESMAN HOUSE  
STAFFERTON WAY  
MAIDENHEAD  
BERKSHIRE  
SL6 1AY

is/are applying for a provisional statement under section 204 of the Gambling Act 2005. The application relates to the following type of premises: SMALL CASINO

*[Insert the type of premises to which the application relates]*

The application relates to the following premises:

PROPOSED G CASINO - TO BE CONSTRUCTED AT SITE OF EXISTING CAR PARK BOUNDED BY MANVERS STREET TO THE WEST, WALKWAY ADJACENT TO THE POLICE STATION TO THE SOUTH AND SOUTH PARADE TO THE NORTH, BATH

*[Give the trading name to be used at the premises and the address of the premises. If no address is available, give a description of the premises and their location]*

The application has been made to: BATH AND NORTH EAST SOMERSET COUNCIL

*[Specify the name of the licensing authority to which the application has been made]*

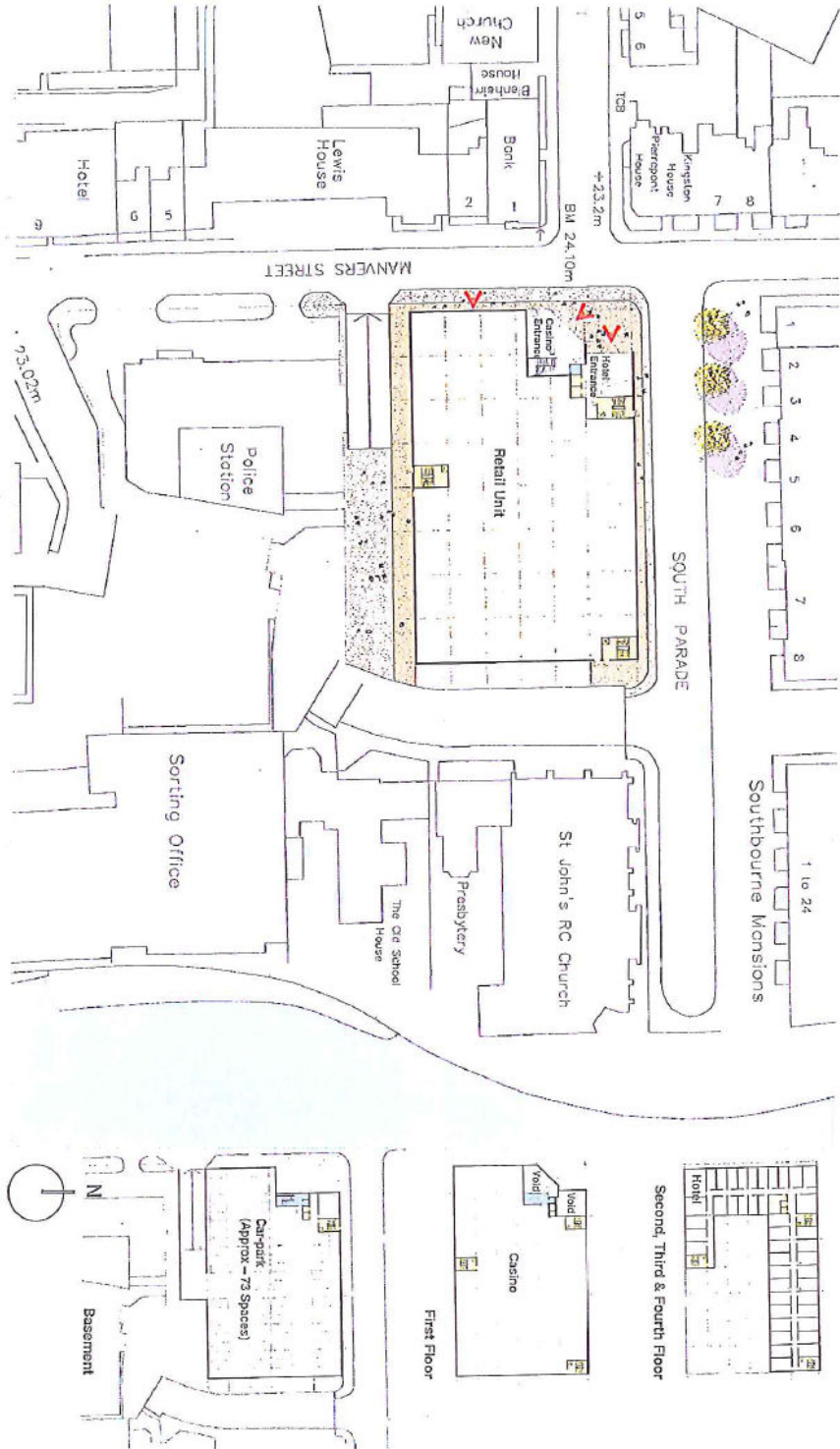
Information about the application is available from the licensing authority, including the arrangements for viewing the details of the application.

Any of the following persons may make representations in writing to the licensing authority about the application:

- A person who lives sufficiently close to the premises to be likely to be affected by the authorised activities
- A person who has business interests that might be affected by the authorised activities
- A person who represents someone in any of the above two categories.

Any representations must be made by the following date: 27 MARCH 2011

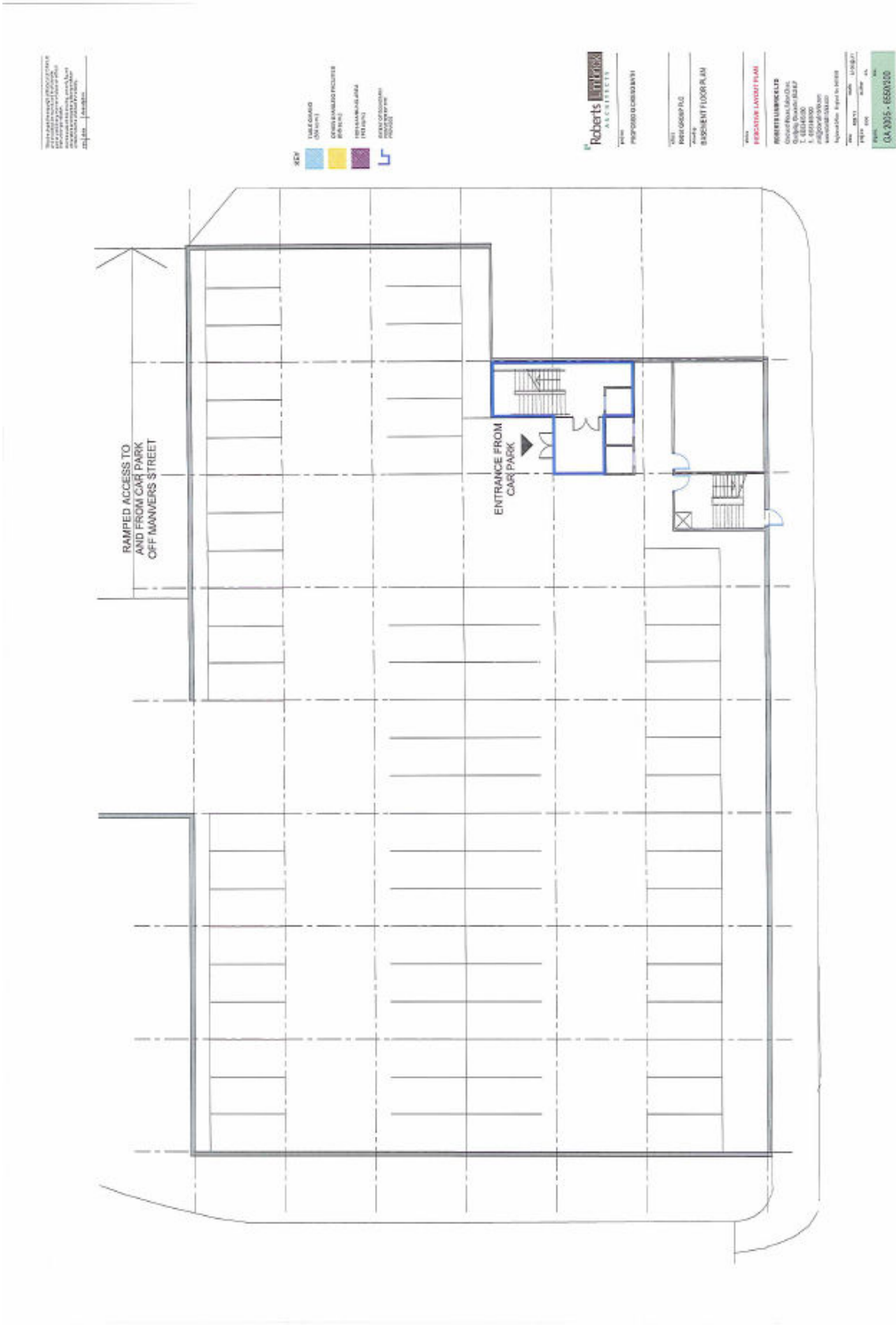
**It is an offence under section 342 of the Gambling Act 2005 if a person, without reasonable excuse, gives to a licensing authority for a purpose connected with that Act information which is false or misleading.**



Approximately 43 X 3 = 129 Hotel Rooms  
 Rev E







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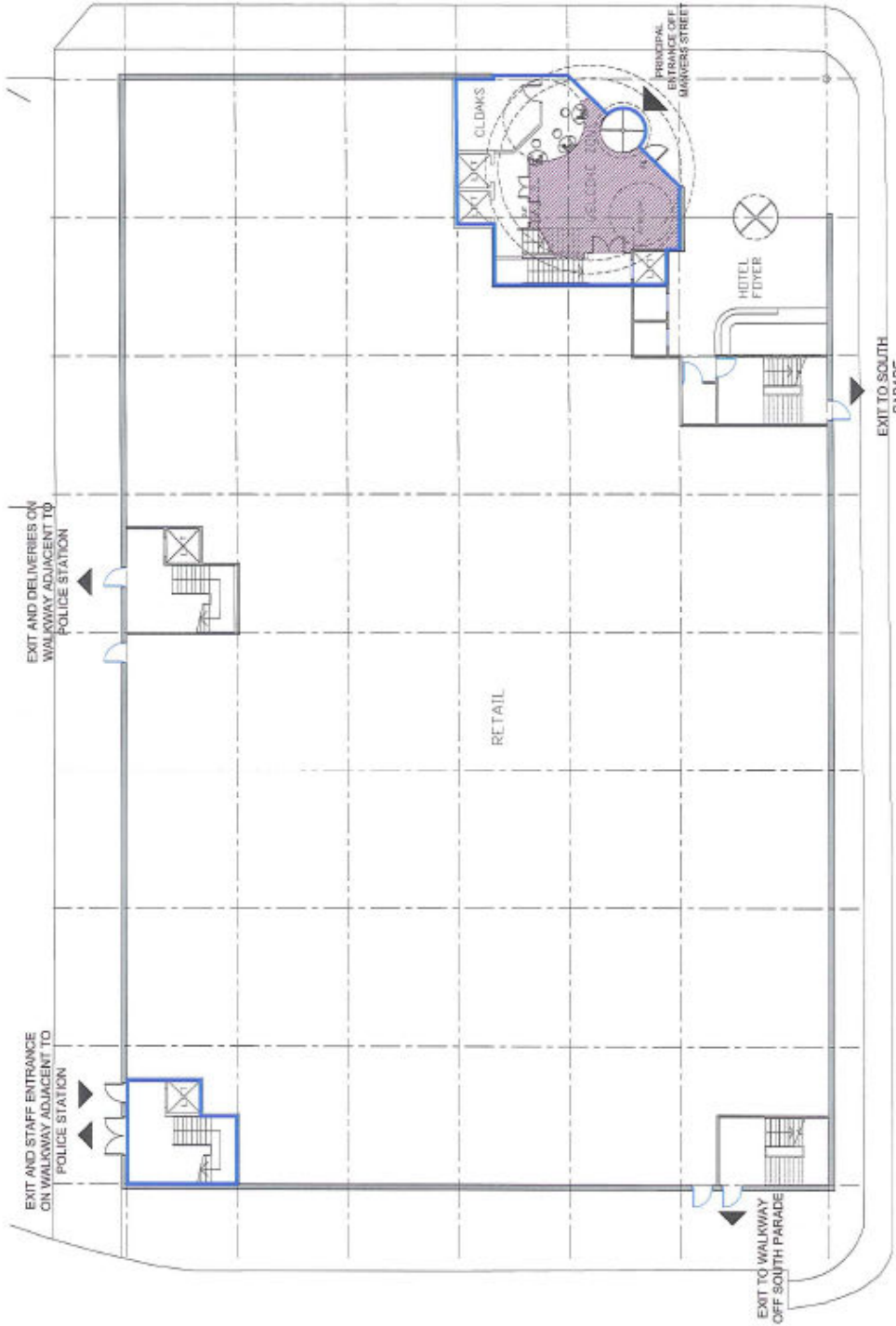
- KEY
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  - NEW WALLS
  - NEW PARTITIONS AND VESTIBULES
  - NEW GLASS WALLS
  - NEW GLASS CURTAINS
  - NEW GLASS DOORS
  - NEW GLASS PARTITIONS

**Roberts**  
 ARCHITECTS  
 1000 BROADWAY  
 SUITE 2000  
 NEW YORK, NY 10018  
 TEL: 212 512 2000  
 FAX: 212 512 2001  
 WWW: ROBERTSARCHITECTS.COM

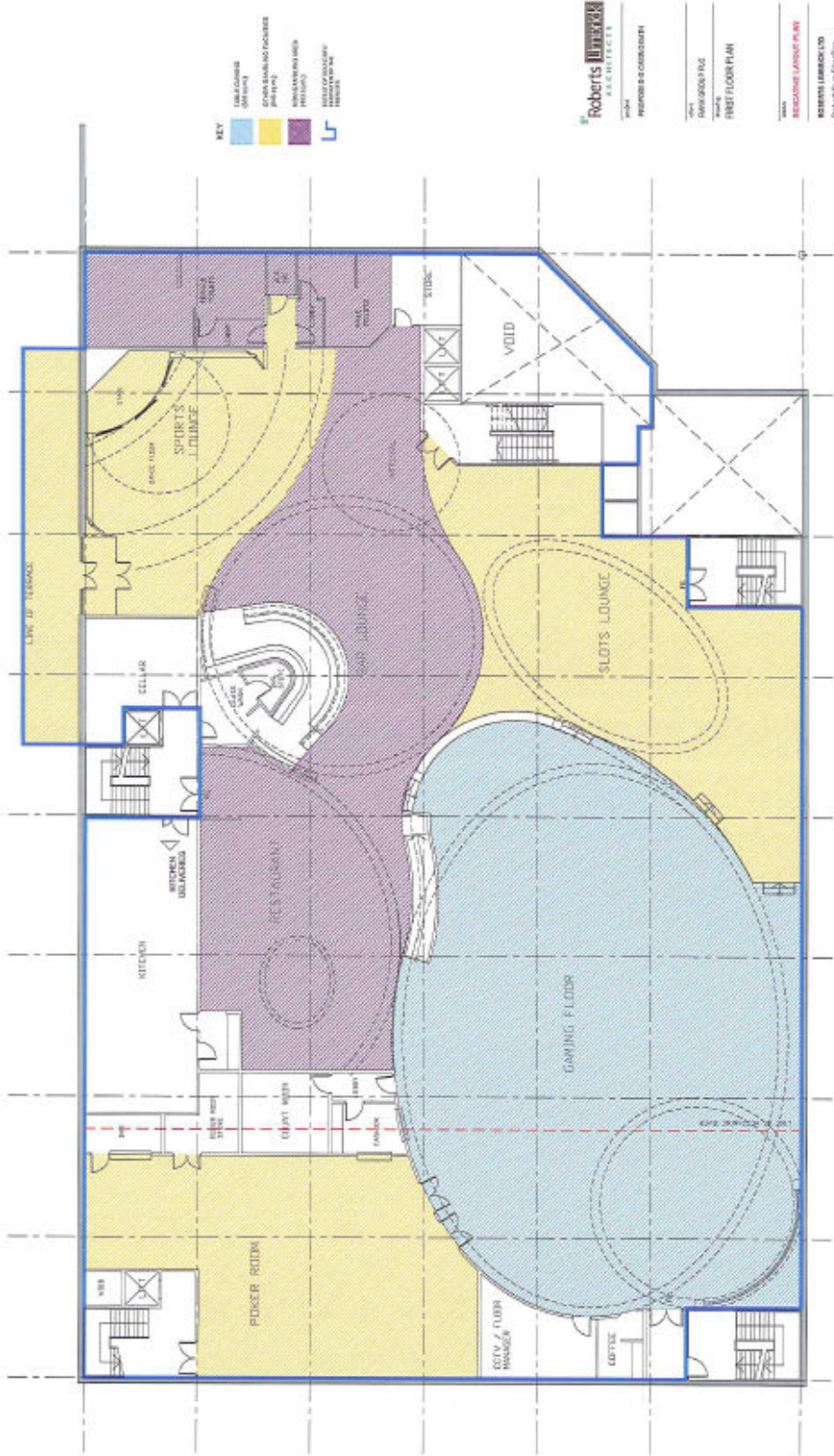
PROJECT  
 ROBERTS ARCHITECTS  
 1000 BROADWAY  
 SUITE 2000  
 NEW YORK, NY 10018  
 TEL: 212 512 2000  
 FAX: 212 512 2001  
 WWW: ROBERTSARCHITECTS.COM

DRAWING NO.  
 1000 BROADWAY  
 SUITE 2000  
 NEW YORK, NY 10018  
 TEL: 212 512 2000  
 FAX: 212 512 2001  
 WWW: ROBERTSARCHITECTS.COM

DATE  
 01/20/11  
 SCALE  
 AS SHOWN  
 SHEET NO.  
 01/20/11



The drawings are prepared for the client's use only. They are not to be used for any other purpose without the written consent of the architect. The architect is not responsible for any errors or omissions in the drawings.



- KEY**
- Blue square: 100% Concrete (200mm)
  - Yellow square: 100% Brickwork (100mm)
  - Purple square: 100% Brickwork (100mm)
  - Green square: 100% Brickwork (100mm)
  - Blue L-shape: 100% Brickwork (100mm)

**Roberts LUMPKIN ARCHITECTS**  
 PROJECT MANAGER  
 PROJECT ARCHITECT

DATE: 01/11/2011  
 DRAWING NO: 111111  
 PROJECT: [REDACTED]

**REVISIONS**

NO.	DATE	DESCRIPTION
1	01/11/2011	ISSUE FOR PERMIT

**Roberts LUMPKIN LTD**  
 Robert Lumkin Architects  
 100, The Quadrant, London, SE1 1NF  
 T: +44 (0)20 7463 4300  
 F: +44 (0)20 7463 4301  
 E: info@robertslumkin.com  
 www.robertslumkin.com

DATE: 01/11/2011  
 DRAWING NO: 111111  
 PROJECT: [REDACTED]  
 04 2011 - 4556003

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UNIVERSITY OF THE SOUTH PACIFIC  
ROBERTS UNIVERSITY  
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**MEZZANINE FLOOR PLAN**  
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**Bath & North East  
Somerset Council**



**GAMBLING ACT 2005**

**INTERESTED PARTY REPRESENTATION**

**Please read the notes at the back of this form prior to completing it**

**✓/We object to the following application:**

Application number:	11/01600/GAPROV
Applicant's name:	Grosvenor Casinos Limited
Premises name and address:	Car Park Manvers Street Bath BA1 1JZ
Application for a:	Small Casino

**Objector Details:**

Objector's Name:	Peter Srubsole
Objector's Address: This is essential because a representation can only be considered relevant if you live, or are representing an address, in the vicinity of the premises.	<b>38 Entry Hill Park</b> <b>BA1</b> <b>BA2 5ND</b>
Organisation name if applicable:	<b>Manvers Street Baptist Church</b>

**Objection Details:**

our representation is relevant to the following gambling licensing objective(s):

- 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

Please detail your objection(s) as fully as possible in the box below. If you do not then the Committee may not understand why you have objected.

Please attach supporting documents/further pages as necessary and number all extra pages.

Try to be as specific as possible and give examples.

I/We have already made a written representation and have no further comments

During the hours of darkness Manvers Street has many vulnerable people wandering about. They mostly have addictions such as alcohol, drugs gambling etc. The members of Manvers Street Baptist Church (187 members) feel strongly that a Casino in this vicinity would add to the problems currently being experienced by those working in the area

**I am aware that a full copy of my representation (including my name and address) will be sent to the applicant and will form part of a public document prior to any hearing on this matter.**

Signed

PR Sumner

Date

24 March 2011

Contact (this is essential as we may need to contact you at short notice)

Telephone number(s):

01225 832968

Email address:

prs\_msbc@btconnect.com

**Gala Casinos Limited Cattle Market Car Park Walcot Street Bath BA1 5BJ**

There will be a hearing to determine this application. We will send you details of the time, date and location at least 10 working days before the hearing.

This section of the form must be returned to us a minimum of 5 working days before the hearing. If you wish, you may complete this now. Alternatively, you can keep this page and return it to us once you have received details of the hearing.

Name \_\_\_\_\_

I will be attending the hearing  I will not be attending the hearing

I will be represented at the hearing by \_\_\_\_\_

I will be calling the following witness(es):

<u>Name and signature of each witness</u>	<u>Details of evidence to be produced by witness</u>

Please delete as appropriate: I consider a hearing to be necessary/unnecessary

Form to be returned to:

Licensing Services  
9-10 Bath Street  
Bath BA1 1SN

ENVIRONMENTAL SERVICES
22 MAR 2011
Post Log No: 07/ARJ 210031
Receipt No: .....
CH/GA E: .....

13, Southbourne Mansions  
 Sealm Parade  
 Bath BA2 4AD  
 March 21st 2011.

Proposal to build a Casino in Manvers Street.

Dear Mr Jones,

I live in Bath Abbey Parish & regard this a most unsuitable use for the current car park site, laying aside moral objections to gambling.

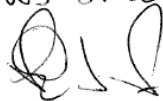
This is a quiet, yet densely populated area. Each Georgian house is typically split into 5 flats. The terms of our tenancies allow for peaceful enjoyment between the hours of 11pm & 7am. I understand the licence for a casino would be 24/7.

As well as Bath Abbey - in the immediate area there are 2 non-conformist chapels, a Mosque & the principal Catholic Church of the City. Hence there are vulnerable groups including children & old people visiting on a regular basis & former a venue for weddings & funerals. Additionally there is a home for elderly people at the junction of Duke St. & Sealm Parade.

Manvers St. Car Park fulfils a very useful function since there are few car parks in the central business & tourist heart of the City & has recently been refurbished.

Perhaps at some time in the future & being part of a riverside location close to the transport hub - a marina would be a more suitable development for this area.

Yours sincerely



Mrs P.E. Jessop



**Bath & North East  
Somerset Council**

**GAMBLING ACT 2005**

**INTERESTED PARTY REPRESENTATION**

ENVIRONMENTAL SERVICES	
25 MAR 2011	
Post Log No:	CCA328104
Receipt No:	
CH/GA E:	

**Please read the notes at the back of this form prior to completing it**

**I/We object to the following application:**

Application number:	11/01600/GAPROV
Applicant's name:	Grosvenor Casinos Limited
Premises name and address:	Car Park Manvers Street Bath BA1 1JZ
Application for a:	Small Casino

**Objector Details:**

Objector's Name:	Mrs P.E. JESSOP
Objector's Address: This is essential because a representation can only be considered relevant if you live, or are representing an address, in the vicinity of the premises.	13 SOUTHBOURNE MANSIONS SOUTH PARADE BATH BA2 4AD
Organisation name if applicable:	N/A

**Objection Details:**

My/our representation is relevant to the following gambling licensing objective(s):

- 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

Please detail your objection(s) as fully as possible in the box below. If you do not then the Committee may not understand why you have objected.

Please attach supporting documents/further pages as necessary and number all extra pages.


Try to be as specific as possible and give examples.

We have already made a written representation and have no further comments



**I am aware that a full copy of my representation (including my name and address) will be sent to the applicant and will form part of a public document prior to any hearing on this matter.**

Signed

  
\_\_\_\_\_

Date

25/3/10  
\_\_\_\_\_

Contact (this is essential as we may need to contact you at short notice)

Telephone number(s):

Email address:

01225 464634  
\_\_\_\_\_  
\_\_\_\_\_

**Gala Casinos Limited Cattle Market Car Park Walcot Street Bath BA1 5BJ**

There will be a hearing to determine this application. We will send you details of the time, date and location at least 10 working days before the hearing.

This section of the form must be returned to us a minimum of 5 working days before the hearing. If you wish, you may complete this now. Alternatively, you can keep this page and return it to us once you have received details of the hearing.

Name Mrs P.E. Jessop

I will be attending the hearing  I will not be attending the hearing

I will be represented at the hearing by \_\_\_\_\_

I will be calling the following witness(es):

<u>Name and signature of each witness</u>	<u>Details of evidence to be produced by witness</u>

Please delete as appropriate: I consider a hearing to be necessary/unnecessary

Form to be returned to:

Licensing Services  
9-10 Bath Street  
Bath BA1 1SN

### **Important Information About Your Representation**

#### **Why do I need to fill in this form?**

While we can accept any written representation, we ask that you complete this form in order to assist the Licensing Sub Committee at the hearing.

Representations made under the Gambling Act 2005 must be made public, and by signing this form you give permission for your details to be disclosed. That is why we ask you to complete this form even if you have already made a written representation.

#### **What if I do not want my details to be disclosed?**

Anonymous representations will not normally be accepted.

If you think there are exceptional circumstances that would justify you making an anonymous representation, such as the threat of intimidation or violence from the applicant, then please contact the Licensing Office on 01225 477557 to discuss the matter.

Alternatively, you can ask your Local Councillor, Parish Council or local Residents' Association to make a representation instead. If you choose to do this, there is no need to complete this form; the Councillor, Parish Council or Residents' Association will do it if they decide to make a representation.

#### **What do I need to know when writing my representation?**

Representations can be made by people who live, or are involved with a business, within the vicinity of the premises. There is no given definition of vicinity and it is up to the Licensing Authority to decide how it applies in each case, taking into account things like the nature and location of the premises.

Further details can be found in Section 5 of the Council's Gambling Act Statement of Principles; copies of which are available via the Council's web site or from Reception at our Bath Street Offices.

#### **What if I want to supply extra information in support of my representation?**

You can include the information with your representation form. If you have already made a representation and now want to give us extra information in support of it, you need to send copies of it to the Licensing Office *and* the applicant. This should be done at least 5 working days before the hearing.

If you arrive at the hearing with extra information that has not been sent to the Licensing Office and the applicant, it will only be considered if the applicant and the Committee agree to it. We recommend that you bring at least 10 copies of the information with you to the hearing.

#### **I want to make a representation about other issues**

Unfortunately, representations about issues other than the three objectives cannot be accepted. The licensing regime is separate from other local government functions, including the planning department. If a Premises Licence is granted for a building, this will not exempt the licence holder from having to obtain the necessary planning permission. We are therefore unable to accept representations that simply refer to the need for planning permission.