

**ANNEX A**

**PROVISIONAL STATEMENT GRANTED TO GLOBAL GAMING VENTURES AND  
ANNEXES**



**NOTICE OF GRANT OF AN APPLICATION FOR A  
PROVISIONAL STATEMENT**

***This notice is issued in accordance with regulations made under section 164(2) of the Gambling Act 2005***

Bath and North East Somerset Council  
Lewis House  
Manvers Street  
Bath  
BA1 1JG

An application for a provisional statement in relation to the following type of premises:

use of the premises for the operation of a small casino

**is granted to:**

Global Gaming Ventures Limited (formerly Great Eastern Quays Casino Limited)

of the following address:

Millennium Bridge House, 2 Lambeth Hill, London, EC4V 4AJ

the number of whose operating licence is:

000-026991-N-310079-002

The premises or proposed premises to which the application relates are:

Former Saw Close Clinic and Gala Bingo Hall, Saw Close, Bath, BA1 1EY.

The provisional statement number is: 12/03060/GAPROV

If a premises licence for the type of premises specified in the provisional statement were to be issued, the licensing authority would attach the conditions set out in Annex A to this Notice, in exercise of their powers under section 169(1)(a) of the Gambling Act 2005.

The licensing authority did receive representations in relation to the application.

The representations received in relation to the application, together with the licensing authority's response, are set out in Annex B to this Notice.

## ANNEX A – CONDITIONS TO BE ATTACHED

Conditions to be attached		Reasons for attaching conditions
1.	The principal entrance to the premises shall be from a street.	Conditions 1 -16 inclusive are mandatory conditions and are attached under the provisions of The Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007 (SI 2007/1409).
2.	No entrance to the premises shall be from premises that are used wholly or mainly by children, by young persons, or by both.	
3.	No customer shall be able to enter the premises directly from any other premises in respect of which a licence issued under Part 8 of the Act, or a permit issued under Schedule 10, 12 or 13 to the Act, has effect.	
4.	A gap of at least 2 metres shall be maintained between any ordinary gaming table and any other equipment, apparatus or structure used by a person to gamble on the premises.	
5.	No more than 40 separate player positions may be made available for use in relation to wholly automated gaming tables at any time.	
6.	<p>1) The rules of each type of casino game that is available to be played on the premises shall be displayed in a prominent place within both the table gaming area and other gambling area of the premises to which customers wishing to use facilities for gambling have unrestricted access.</p> <p>2) The condition in sub-paragraph (1) may be satisfied by—</p> <p>(a) displaying a clear and legible sign setting out the rules; or</p> <p>(b) making available to customers leaflets or other written material containing the rules.</p>	

7.	Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to cease gambling at any gaming table, gaming machine or betting machine in order to do so.	
8.	A notice stating that no person under the age of 18 years is permitted to enter the premises shall be displayed in a prominent place at every entrance to the premises.	
9.	<ol style="list-style-type: none"> <li>1) The premises shall contain a table gaming area, the floor area of which is no less than 500m<sup>2</sup>.</li> <li>2) Subject to sub-paragraph (3) below, in determining the floor area of the table gaming area, any number of separate areas within the premises may be taken into account.</li> <li>3) Any separate area that comprises less than 12.5% of the minimum required table gaming area shall not be taken into account in determining the table gaming area.</li> </ol>	
10.	No gambling shall be permitted in the table gaming area of the premises other than gambling by way of table gaming.	
11.	<ol style="list-style-type: none"> <li>1) The premises shall contain a non-gambling area which comprises no less than 250m<sup>2</sup>.</li> <li>2) The non-gambling area may consist of one or more areas within the premises.</li> <li>3) Lobby areas and toilet facilities may be taken into account in calculating the non-gambling area; but the non-gambling area shall not consist exclusively of lobby areas and toilet facilities.</li> <li>4) Facilities for gambling shall not be provided in the non-gambling area.</li> </ol>	

	<p>5) At any time during which facilities for gambling are being provided on the premises, each separate area comprising the non-gambling area, other than the lobby areas and toilet facilities referred to in sub-paragraph (3), shall contain recreational facilities that are available for use by customers on the premises.</p>	
12.	<p>A notice shall be displayed in a prominent place in each part of the premises used for providing facilities for betting, setting out the terms on which persons are invited to bet on the premises.</p>	
13.	<p>No more than 40 separate betting positions may be made available for use in relation to betting machines at any time.</p>	
14.	<p>The licensee shall ensure compliance with any relevant Code of Practice issued by The Gambling Commission about access to casino premises for children and young persons.</p>	
15.	<p>The licensee shall not —</p> <p>(1) give credit in connection with gambling authorised by the licence, or</p> <p>(2) participate in, arrange, permit or knowingly facilitate the giving of credit in connection with gambling authorised by the licence</p> <p>(3) the conditions in paragraph 2.1 and 2.2 above shall not prevent the licensee from permitting the installation and use on the premises of a machine enabling cash to be obtained on credit from a person (the “credit provider”) provided that—</p> <p>(a) the licensee has no other commercial connection with the credit provider in relation to gambling,</p>	

	<p>(b) the licensee neither makes nor receives any payment or reward (whether by way of commission, rent or otherwise) in connection with the machine, and</p> <p>(c) any conditions about the nature, location or use of the machine attached by virtue of sections 167, 168 or 169 of the Act are complied with.</p>	
16.	The premises shall not be used to provide facilities for gambling on Christmas Day.	
17.	The Schedule 9 Agreement dated 16 August 2012 annexed hereto shall be complied with.	Condition 17 is imposed under paragraph 7 of Schedule 9 to the Gambling Act 2005.

## ANNEX B – REPRESENTATIONS

### Representation

Received on 4 March 2011 by email:

The Bath Chronicle article "*Four firms battle it out to build Casino in Bath*" published on 3 March has been brought to my attention. No doubt there will be a full public consultation in due course, but in the interim the article invites comment on aspects such as Crime and Disorder, Fairness and Protection of the Vulnerable. There will be others better placed to comment on aspects associated with crime and disorder, and fairness will be a matter of judgment taking into account the various arguments surrounding the planning application. I write as the Chairman of the Royal National Hospital for Rheumatic Diseases, affectionately known as "The Min" and a landmark in the centre of Bath since 1738. The Hospital, which provides specialist care for a wide range of outpatients and inpatients with long term debilitating conditions, is situated immediately next door to one of the proposed sites identified in the Chronicle article; quote "*The other bidders are Great Eastern Quays Casino, which is targeting the former NHS clinic and the Gala Bingo Hall at Sawclose*". Many of our patients, young and older, are particularly vulnerable, restricted in their movement, and in need of a carefully nurtured, calm environment within which their conditions can be addressed. Any plan to site a Casino immediately next to a National Hospital which has provided specialist care for over two Centuries strikes the Board and the Governors, who represent over 4,000 members of the Trust, as potentially misplaced, misguided and most unlikely to be in the interests of protecting the vulnerable who are placed in our care.

Yours sincerely

Peter Franklyn  
Chairman RNHRD

### Licensing authority's response

Officer Comments:

It is accepted that Mr Franklyn represents the Royal Mineral Hospital and is therefore an interested party.

However, Mr Franklyn has addressed the objective of protecting vulnerable people but he has not identified or evidenced how patients at the hospital are particularly vulnerable and at risk from gambling.

Paragraph 5.22 of the DCMS guidance states:-

*"The Act does not seek to prohibit particular groups of adults from gambling in*



*the same way that it prohibits children. The Commission does not seek to define 'vulnerable persons', but it does for regulatory purposes assume that this group includes people who gamble more than they want to; people who gamble beyond their means; and people who may not be able to make informed or balanced decisions about gambling due to mental health needs, learning disability or substance misuse relating to alcohol or drugs".*

Mr Franklyn has not provided any evidence that patients at the hospital fall within the above definition.

Recommendations:

Reject the representation on the grounds that it is not relevant in that it does not provide any evidence of a potential problem and that the comments made will certainly not influence the Authority's determination of the application.

A reply was sent to Mr Franklyn by email on 15 April 2011.



## **PROVISIONAL STATEMENT**

***This provisional statement is issued under section 164 of the Gambling Act 2005 (as applied by section 204(2) of that Act) by***

**Bath and North East Somerset Council**

### **Part 1 – Details of person to whom the provisional statement is issued**

This provisional statement is issued to:

Global Gaming Ventures Limited (formerly Great Eastern Quays Casino Limited)

of the following address:

Millenium Bridge House, 2 Lambeth Hill, London, EC4V 4AJ

who holds an operating licence which has been given the following licence number by the Gambling Commission:

000-026991-N-310079-002

### **Part 2 – Details of the premises or proposed premises in respect of which the provisional statement is issued:**

This provisional statement has been issued in respect of the following premises or proposed premises:

Former Saw Close Clinic and Gala Bingo Hall, Saw Close, Bath, BA1 1EY.

### **Part 3 – Provisional statement details**

This provisional statement confirms that the premises or proposed premises mentioned in Part 2 of this statement have in principle been deemed suitable to be licensed for use for the following type of activity:

Use of the premises for the operation of a small casino

This provisional statement is issued on 16 August 2012 and shall cease to have effect at the end of 12 months.

If a premises licence for the type of premises referred to above in this Part were to be issued, the authority would attach the following conditions under section 169(1)(a) of the Gambling Act 2005:

1. The principal entrance to the premises shall be from a street.
2. No entrance to the premises shall be from premises that are used wholly or mainly by children, by young persons, or by both.
3. No customer shall be able to enter the premises directly from any other premises in respect of which a licence issued under Part 8 of the Act, or a permit issued under Schedule 10, 12 or 13 to the Act, has effect.
4. A gap of at least 2 metres shall be maintained between any ordinary gaming table and any other equipment, apparatus or structure used by a person to gamble on the premises.
5. No more than 40 separate player positions may be made available for use in relation to wholly automated gaming tables at any time.
6. (1) The rules of each type of casino game that is available to be played on the premises shall be displayed in a prominent place within both the table gaming area and other gambling area of the premises to which customers wishing to use facilities for gambling have unrestricted access.  
  
(2) The condition in sub-paragraph (1) may be satisfied by—
  - (a) displaying a clear and legible sign setting out the rules; or
  - (b) making available to customers leaflets or other written material containing the rules.
7. Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to cease gambling at any gaming table, gaming machine or betting machine in order to do so.
8. A notice stating that no person under the age of 18 years is permitted to enter the premises shall be displayed in a prominent place at every entrance to the premises.
9. (1) The premises shall contain a table gaming area, the floor area of which is no less than 500m<sup>2</sup>.  
  
(2) Subject to sub-paragraph (3) below, in determining the floor area of the table gaming area, any number of separate areas within the premises may be taken into account.

- (3) Any separate area that comprises less than 12.5% of the minimum required table gaming area shall not be taken into account in determining the table gaming area.
10. No gambling shall be permitted in the table gaming area of the premises other than gambling by way of table gaming.
11. (1) The premises shall contain a non-gambling area which comprises no less than 250m<sup>2</sup>.
- (2) The non-gambling area may consist of one or more areas within the premises.
- (3) Lobby areas and toilet facilities may be taken into account in calculating the non-gambling area; but the non-gambling area shall not consist exclusively of lobby areas and toilet facilities.
- (4) Facilities for gambling shall not be provided in the non-gambling area.
- (5) At any time during which facilities for gambling are being provided on the premises, each separate area comprising the non-gambling area, other than the lobby areas and toilet facilities referred to in subparagraph (3), shall contain recreational facilities that are available for use by customers on the premises.
12. A notice shall be displayed in a prominent place in each part of the premises used for providing facilities for betting, setting out the terms on which persons are invited to bet on the premises.
13. No more than 40 separate betting positions may be made available for use in relation to betting machines at any time.
14. The licensee shall ensure compliance with any relevant Code of Practice issued by The Gambling Commission about access to casino premises for children and young persons.
15. The licensee shall not —
- (1) give credit in connection with gambling authorised by the licence, or
- (2) participate in, arrange, permit or knowingly facilitate the giving of credit in connection with gambling authorised by the licence
- (3) the conditions in paragraph 2.1 and 2.2 above shall not prevent the licensee from permitting the installation and use on the premises of a machine enabling cash to be obtained on credit from a person (the "credit provider") provided that—

(a) the licensee has no other commercial connection with the credit provider in relation to gambling,

(b) the licensee neither makes nor receives any payment or reward (whether by way of commission, rent or otherwise) in connection with the machine, and

(c) any conditions about the nature, location or use of the machine attached by virtue of sections 167, 168 or 169 of the Act are complied with.

16. The premises shall not be used to provide facilities for gambling on Christmas Day.

17. The Schedule 9 Agreement dated 16 August 2012 annexed hereto shall be complied with.

**Signed on behalf of the issuing licensing authority**

A handwritten signature in cursive script that reads "Sue Green". The signature is written in black ink and is positioned above a horizontal dotted line.