



# Agenda

## Licensing Hearing

Date:	Tuesday, 21 December 2021 at 10:00 am
Venue:	Via Zoom
Committee members:	<p>Councillor Angela Jacques (Convenor)</p> <p>Councillor Gavin Harrison</p> <p>Councillor Alan Clayton</p> <p>Councillor Karen Henshaw JP (Reserve).</p>

**Please note:** This meeting is being held remotely via Zoom. To access the meeting please click on the link below.

Join Zoom Meeting

<https://us02web.zoom.us/j/86325875765?pwd=VThFV1hkMkl5VE93UXFHMANjVWtyUT09>

Meeting ID: 863 2587 5765

Passcode: 770411

	PROCEDURAL ITEMS:	PAGE
1	<b>Declarations of Interest:</b> Declarations of interest, and the responsibility for declaring the same, are matters for elected members. Members are able to obtain advice, in writing, in advance of meetings. This should only be sought via the Council’s Monitoring Officer. However, it should be noted that no advice on interests sought less than one working day prior to any meeting will be provided.	1
2	<b>Procedure for the Conduct of Remote Hearings</b>	3-5
3	<b>Application for the Grant of a Betting Premises Licence -  Boylesports UK Limited, 83a Clifton Street, Lytham</b>	6 - 28

Contact: Sharon Wadsworth - Telephone: (01253) 658546 – Email: [democracy@fylde.gov.uk](mailto:democracy@fylde.gov.uk)

The code of conduct for members can be found in the council's constitution at  
<http://fylde.cmis.uk.com/fylde/DocumentsandInformation/PublicDocumentsandInformation.aspx>

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## **GAMBLING ACT 2005**

### **THE GAMBLING ACT 2005 (PROCEEDINGS OF LICENSING COMMITTEES AND SUB-COMMITTEES) (PREMISES LICENCES AND PROVISIONAL STATEMENTS) (ENGLAND AND WALES) REGULATIONS 2007**

#### **PROCEDURE FOR THE CONDUCT OF REMOTE HEARINGS**

##### **1. Preliminary**

- 1.1. Under the regulations, the relevant committee is required to determine the procedure that it proposes to follow at any hearing under the Act.
- 1.2. During the coronavirus pandemic, Fylde's hearings will follow the procedure set out in this document, subject to any changes that the panel makes for a particular hearing.
- 1.3. During this period all hearings will be held remotely. Participants and members of the public will access the hearing via the Zoom platform ([www.zoom.us](http://www.zoom.us)).
- 1.4. Any reference in this procedure to a hearing, or to participating in or attending a hearing, is a reference to a hearing held as set out on 1.3.
- 1.5. Please refer to the regulations for other rules about procedure

##### **2. Interpretation**

In this procedure, the following words or phrases have the following meanings:

applicant	an applicant for a licence or any person who has a licence which may be reviewed or revoked as a result of the hearing
act	The Gambling Act 2005
licence	Includes any consent or permission under the act
panel	A relevant committee as defined in regulation 2 of the regulations
participant	A panel member, party, person representing a party, witness or council officer involved in the hearing
regulations	The Gambling Act 2005 (Proceedings of Licensing Committees and Sub-Committees) (Premises Licences and Provisional Statements) (England and Wales) Regulations 2007, and any reference to a numbered regulation is to the regulation so numbered in that statutory instrument

##### **3. Opening the hearing**

- 3.1. The legal officer will identify all participants.

- 3.2. The legal officer will then explain to the parties the procedure to be followed at the hearing, specifically drawing attention to any departures from the procedures set out in this document and the reasons for them. The legal officer will also inform the parties that the proceedings will be recorded.
- 3.3. The convenor may invite any officer to carry out any functions under this paragraph.

#### **4. Zoom protocols**

- 4.1. The legal officer or any other officer nominated by the convenor will act as the host for the Zoom meeting, under the overall direction of the convenor.
- 4.2. Video and audio settings would be monitored and where necessary mandated by the host as set out below, unless otherwise directed by the convenor:

	Video setting	Audio setting	Remarks
Panel member	On	Muted unless speaking	Avoids audio distractions, and (when on speaker view) avoids participant being placed "Centre stage" simply because a door had banged in their house or they have put a coffee cup down indelicately.
Officer	On	Muted unless speaking	Ditto
Representative or party representing themselves	On	Muted unless speaking	Parties can only have one representative for the purposes of this protocol
Party (unless representing themselves)	Off unless speaking	Muted unless speaking	
Witness	Off unless speaking	Muted unless speaking	
Member of the public other than a participant	Off	Muted	

- 4.3. The host will hide participants whose video is off. This ensures that the only participants on screen are panel members, officers, representatives or parties representing themselves and any witness who is addressing the panel at that particular time.

#### **5. Listening to the parties**

- 5.1. Each of the parties will then be invited to:
  - 5.1.1. Open their case by addressing the panel;
  - 5.1.2. Give any further information requested by the panel;
  - 5.1.3. Present the evidence of any witness; and
  - 5.1.4. Conclude their case by addressing the panel.
- 5.2. The order in which the parties will be invited to put their cases will be in the discretion of the panel, except that a party who is an applicant will be invited to put their case last.

#### **6. Questioning the parties**

- 6.1. Members of the panel may, following the conclusion of the case of each party, ask questions of that party or any witness appearing for them.

- 6.2. A party or their representative may only question another party if they have asked for permission from the panel after the panel members have finished questioning that party or their witness. The panel will only give permission if it is satisfied that the questioning will provide useful information about a matter relevant to their determination which is unlikely to be placed before the panel without such questioning.

## **7. *Considering the decision***

- 7.1. The hearing will conclude after all parties have presented their case and responded to any questions. The panel will then deliberate on its decision by whatever means it considers to be appropriate.
- 7.2. The panel may, while it is considering its decision, seek advice from legal or licensing officers, either verbally or in writing. Officers will limit their advice to the specific issue identified by the panel.
- 7.3. When the panel has reached its decision, it may ask the legal, licensing or committee officers to review and offer observations on the draft decision notice.

## **8. *Communicating the decision***

- 8.1. The decision will be sent in writing to all parties in accordance with the regulations.

## DECISION ITEM

REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	LICENSING PANEL – GAMBLING ACT 2005	21 DECEMBER 2021	3
<b>APPLICATION FOR THE GRANT OF A BETTING PREMISES LICENCE BOYLESports UK LIMITED, 83a CLIFTON STREET, LYTHAM</b>			

### PUBLIC ITEM

This item is for consideration in the public part of the meeting.

### SUMMARY

The Licensing Authority has received an application for the grant of a betting premises licence for BoyleSports Uk Limited, 83a Clifton Street, Lytham. There has been a representation from “other persons” as defined by the Act and as such a hearing must be held to determine the application.

### RECOMMENDATION

1. That the Panel considers the application and determines to either:
  - (a) grant the application
  - (b) reject the application

### SUMMARY OF PREVIOUS DECISIONS

There are no previous decisions relating to this matter.

### CORPORATE PRIORITIES

Economy – To create a vibrant and healthy economy	✓
Environment – To deliver services customers expect	✓
Efficiency – By spending money in the most efficient way	✓
Tourism – To create a great place to live and visit	✓

### REPORT

#### Application

1. The application is for the grant of a betting premises licence at BoyleSports Uk Limited, 83a Clifton Street, Lytham.
2. The matter has been referred to the panel because relevant representations have been received from “other persons” as defined by the Act.

## Papers

3. The following papers are relevant and have been made available to panel members:

- The application, including the plan and the operating schedule
- The Guidance for Licensing Authorities issued by the Gambling Commission
- The Council's Statement of Licensing Policy
- Copies of relevant representations made by the following responsible authorities:

None received

- Copies of relevant representations made by the following interested parties

Plackitt & Booth Booksellers

## Consideration

4. The licensing objectives are:

- 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

(It should be noted that the Gambling Commission has stated: "The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling")

5. As a relevant representation has been made, it is the duty of the panel to take such of the steps set out below as it considers appropriate for the promotion of the licensing objectives. The steps are:

- (a) grant the application
- (b) reject the application

6. The Guidance issued by the Secretary of State and the Council's Statement of Licensing Policy will be material in considering the application, but cannot override the licensing objectives.

7. The following parts of the Gambling Commissions guidance appear to be particularly relevant to the application and the relevant representations:

1	General guidance on the role and responsibilities of licensing
5	authorities in gambling regulation
	Principles to be applied by licensing authorities
8	Responsible authorities and interested parties definitions
9	Premises licence conditions
19	Betting premises

8. However, the parties appearing in the hearing may wish to draw the panel's attention to other parts of the guidance.

9. The following parts of the Council's Statement of Gambling Policy appear to be particularly relevant to the application and the relevant representations:

3	General approach to licensing
4	Local Risk Assessments
7.5	Achieving the Licensing Objectives
8	Representations

10. However, the parties appearing in the hearing may wish to draw the panel's attention to other parts of the policy.

#### Procedure

11. The applicant and the makers of the relevant representations have been invited to attend or be represented at the hearing.

12. The panel is asked to use the attached procedure in the hearing.

IMPLICATIONS	
Finance	No further implications arising directly from the report.
Legal	No further implications arising directly from the report.
Community Safety	No further implications arising directly from the report.
Human Rights and Equalities	No further implications arising directly from the report.
Sustainability and Environmental Impact	No further implications arising directly from the report.
Health & Safety and Risk Management	No further implications arising directly from the report.

LEAD AUTHOR	CONTACT DETAILS	DATE
Andy Hough	andy.hough@fylde.gov.uk Tel 01253 658606	3 December 2021

BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
Gambling Commission Guidance	April 2021	<a href="#">Guidance</a>
Fylde Council Statement of Gambling Policy	February 2019	<a href="#">Statement of Gambling Policy</a>

#### Attached documents

Application Form  
Plans of Premises  
BoyleSports UK Limited Gambling Risk Assessment  
Representations  
Area Plan  
Letter from applicant's solicitors



**Application for a premises licence  
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, or
- To convert an authorisation granted under the Betting, Gaming and Lotteries Act 1963 or the Gaming Act 1968,

the application should be made on the relevant form for that type of premises or application.

**Part 1 - Type of premises licence applied for**

Regional Casino ☐

Large Casino ☐

Small Casino ☐

Bingo ☐

Adult Gaming Centre ☐

Family Entertainment Centre ☐

Betting (Track) ☐

Betting (Other) ☒

Do you hold a provisional statement in respect of the premises? Yes ☐ No ☒

If the answer is "yes", please give the unique reference number for the provisional statement (as set out at the top of the first page of the statement): [\*\*\*\*\*]

**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): [\*\*\*\*\*]

3 Applicant's address (home/business - ):

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[\*\*\*\*\*]

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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. ☐

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

6 Name of applicant business or organisation: BoyleSports UK Limited

7. The applicant's registered or principal address:

172 Stratford Road

Shirley

Solihull

Postcode: B90 3BQ

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

000-003536-N-330159-001

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. ☐

### Part 3 – Premises Details

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

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

83a Clifton Street

Lytham

Postcode: FY8 5ER

12 Telephone number at premises (if known): [\*\*\*\*\*]

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.

Premises are to be located on the ground floor of 83a Clifton Street, Lytham. The upper floor is used as office space.

14(a) Are the 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 are partly located, other than the licensing authority to which this application is made:

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**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? 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	[hh:mm]	[hh:mm]	[*****]
Tues	[hh:mm]	[hh:mm]	[*****]
Wed	[hh:mm]	[hh:mm]	[*****]
Thurs	[hh:mm]	[hh:mm]	[*****]
Fri	[hh:mm]	[hh:mm]	[*****]
Sat	[hh:mm]	[hh:mm]	[*****]
Sun	[hh:mm]	[hh:mm]	[*****]

16 If you wish to apply for a premises licence with a condition restricting gambling to specific periods in a year, please state the periods below using calendar dates:

[\*\*\*\*\*]

**Part 5 - Miscellaneous**

17 Proposed commencement date for licence (leave blank if you want the licence to commence as soon as it is issued): ASAP

18(a) Does the application relate to premises which are part of a track or other sporting venue which already has a premises licence? No

18(b) If the answer to question 18(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. ☐

19(a) Do you hold any other premises licences that have been issued by this licensing authority?

No

19(b) If the answer to question 19(a) is yes, please provide full details:

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

[\*\*\*\*\*]

### 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. 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. ☒

We confirm that the applicant(s) have the right to occupy the premises. ☒

Checklist:

- Payment of the appropriate fee has been made/is enclosed ☐
- A plan of the 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

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

*Woods Whur*

Signature:

Print Name: Woods Whur 2014 Limited

Date: 28/10/2021

Capacity: Solicitors for the Applicant

22 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: [\*\*\*\*\*]

**Part 8 – Contact Details**

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

23(b) Please give one or more telephone numbers at which the person identified in question 23(a) can be contacted: 07738 170137 or 0113 234 3055

24 Postal address for correspondence associated with this application:

Woods Whur 2014 Limited

St James House

28 Park Place

Leeds

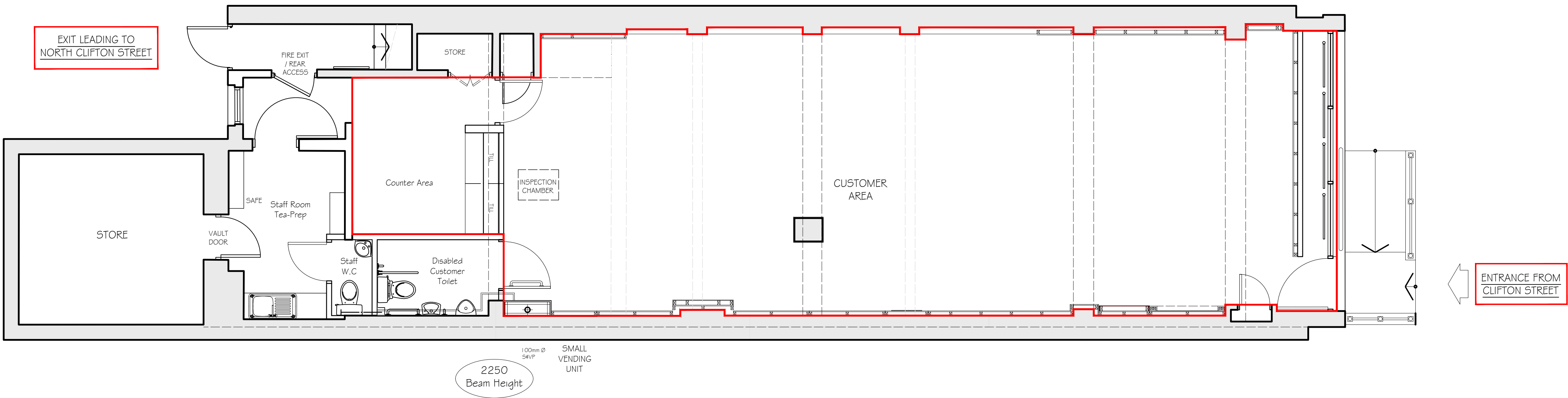
Postcode: LS1 2SP

25 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:  
paddy@woodswhur.co.uk



0M 20 40 60 80M  
METERS

**SITE LOCATION PLAN**  
SCALE 1:1250@A1



0m 1m 2m 3m 4m 5m  
SCALE

**PROPOSED GROUND FLOOR PLAN**  
SCALE 1:50@A1

Anything shown on this plan which is not required by Regulations 4(2) and 4(8) of the Gambling Act 2005 (Premises Licences and Provisional Statements) Regulations 2007, is for illustrative purposes only and **does not** form part of the premises licence.

Area in which facilities will be provided for betting.

TOTAL GROUND FLOOR AREA 132 M<sup>2</sup> 1418 SQFT  
CUSTOMER AREA 102 M<sup>2</sup> 1089 SQFT

DRAWING REVISIONS			
REV.	DESCRIPTION	DATE	TECH



ORGANIZATION LTD  
Site: 83A CLIFTON STREET  
LYTHAM, LANCs  
FY8 5ER

Description:  
LICENCING PLAN

Date: 27/05/2021 Scale: 1:50@A1 & 1:100@A3

Drawn: LK PM: SL

Drawing Number: FINAL/NL/121120/601 Revision:

## LOCAL GAMBLING RISK ASSESSMENT



### PREMISES INFORMATION

Premises Name:	BoyleSports - Lytham
Premises Address:	83a Clifton Street, Lytham
Premises Post Code:	FY8 5ER
Premises Licence Number:	Application
Type of Premises:	Betting Office
Local Authority Area:	Fylde Borough Council

### COMPANY INFORMATION

Company Name:	BoyleSports (UK) Ltd
Trading Name:	BoyleSports
UKGC Operating Licence No:	000-003536-N-330159-001

### INITIAL ASSESSORS DETAILS

Person Completing Assessment:	Lee Otter MSc DipSurv MCIOB MIOL AssocRICS
Company Role:	Director of Property & Development, UK
Date of Original Assessment:	26 October 2021

### LEGISLATION RELATING TO THIS RISK ASSESSMENT

The primary legislation is The Gambling Act 2005. Within that, the specific requirements are set out within the Licence Conditions and Codes of Practice (LCCP).

#### The Gambling Act 2005 - Licensing Objectives:

The Gambling Act 2005 sets out the 3 licensing objectives, which are:

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.
3. Protecting children and other vulnerable people from being harmed or exploited by gambling.

On 8th May 2015, the Gambling Commission published an updated LCCP, which introduce a requirement for gambling operators to undertake a local risk assessment of the area surrounding their premises. More Specifically the following:



**LCCP Social Responsibility Ordinary Code Provision 10.1.1 states:**Assessing local risk

All non-remote casino, adult gaming centre, bingo, family entertainment centre, betting and remote betting intermediary (trading room only) licences, except non-remote general betting (limited) and betting intermediary licences. This provision came into force on 6th April 2016.

1. Licensees must assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In making risk assessments, licensees must take into account relevant matters identified in the licensing authority's statement of licensing policy.
2. Licensees must review (and update as necessary) their local risk assessments:
  - a. to take account of significant changes in local circumstances, including those identified in a licensing authority's statement of licensing policy;
  - b. when there are significant changes at a licensee's premises that may affect their mitigation of local risks;
  - c. when applying for a variation of a premises licence; and
  - d. in any case, undertake a local risk assessment when applying for a new premises licence.

**LCCP Social Responsibility Ordinary Code Provision 10.1.2 states:**Sharing local risk assessments

All non-remote casino, adult gaming centre, bingo, family entertainment centre, betting and remote betting intermediary (trading room only) licences, except non-remote general betting (limited) and betting intermediary licences. This provision came into force on 6th April 2016.

1. Licensees should share their risk assessment with licensing authorities when applying for a premises licence or applying for a variation to existing licensed premises, or otherwise on request.

**Local Authority Gambling Policy Document**

Fylde Borough Council - Draft Statement of Gambling Policy 2019-2022.

**Purpose of this Document**

The purpose of this document, is to set out areas of potential risk, associated with the normal operation of a betting office, in this specific location. Thereafter, to set out both control and mitigation factors, which will address, or reduce that risk, having regard to both the licensing objectives, from the Gambling Act 2005, and also matters raised in the local authority gambling policy document. The contents of this document are also designed to assist shop colleagues, in understanding and carrying out their duties, in a compliant and socially responsible manner - highlighting any specific local aspects which may influence how that is undertaken.

In preparing this assessment, BoyleSports have considered the relevance of a number of physical and environmental factors. In this context, environmental factors include the physical location of potential sites of influence, this includes schools, health care facilities, faith buildings, residential areas, other gambling premises and other licensed premises.

**Local Area Profile**

The betting office falls within the Clifton ward, within the Fylde Borough Council area. At the 2011 census, Clifton ward had a resident population of 3,979 people, although seasonal and tourist footfall does increase this resident population figure.

**Crime** - There were 50 crimes reported within a 1/2 mile radius of FY8 5ER in April 2021. Most alleged crimes occurred on, or near, St Johns Road. By way of comparison, in Blackpool town centre (post code FY1 4BJ) within a 1/2 mile radius, there were 509 crimes reported in April 2021.

**Drug & Alcohol Misuse** - Drug and Alcohol Rehabilitation initiatives in Lytham and the Fylde Borough Council area are co-ordinated and implemented by Lancashire County Council. The 2015 health behaviours summary report carried out by LCC indicated that levels of alcohol, drug and substance abuse in the Fylde area were lower than average when compared to the rest of the country.

**Deprivation** - On the 2015 Indices of Multiple Deprivation, Fylde's overall rank is 218th out of 326 districts. Fylde is placed at the top end of the scale in Lancashire, with the least amount of deprivation of any kind and the least amount of hotspots of deprivation. Further, Clifton Ward was 16th out of the 21 Fylde wards in terms of levels of deprivation (with 1 being the most deprived and 21 being the least).

**Sources** - <https://new.fylde.gov.uk/wp-content/uploads/2019/07/Fylde-District-Area-Profile-2019-v1.1.pdf>, <http://www.uklocalarea.com/index.php?q=FY8+5ER&wc=30UFGC&loa=E01024990&profile=y>, <https://www.streetcheck.co.uk/crime/fy85er>, <https://www.lancashire.gov.uk/media/898045/fylde-lifestyle-questionnaire-findings.pdf>, <https://www.lancashire.gov.uk/media/898046/fylde-summary.pdf>

**Potential Sites of Influence**

**Schools/Youth Venues:** Lytham Hall Park Primary School, South Park. St Peter's Catholic Primary School, Lytham, Norfolk Road. Lytham Church of England Voluntary Aided Primary School, Park View Road. St Bede's Catholic High School, Talbot Road.

**Vulnerable Persons Services:** Douglas House, Upper Westby Street. Dr S T Ellwood & Partners - Fernbank Surgery, Victoria Street. Dr P Aduri - Holland House Surgery, Victoria Street. Lytham Primary Care Centre, Victoria Street. Lytham Hospital, Warton Street.

**Faith Buildings:** St Peters RC Church, Clifton Street. Lytham URC Church, Bannister Street. Lytham Methodist Church, Park Street. St John the Divine Church, Church Road.

**Licensing Act 2003 - Public houses:** Ship & Royal, Clifton Street. The Deacon, Clifton Street. The Taps, Henry Street. The Railway Hotel Station Road. The Queens, Central Beach. The Craft House, Clifton Street. Lytham Craft House, Clifton Street. Station Pub, Station Square. Clifton Arms, West Beach.

**Gambling Act 2005 - Betting Offices:** William Hill, Clifton Street.


Potential Risk	Related Licensing Objective	Risk Level	Control System	Risk Mitigation	Reviewed
Possible Money Laundering	Preventing gambling from being a source of crime or disorder.	Medium	Operational management, training and robust policies	BoyleSports has a written Anti-Money Laundering (AML) and Counter-Terrorist Financing (CTF) policy document and undertakes compliance training with all shop staff, in addition to other shop operations training when they start in their role. There is clear guidance on what constitutes suspicious activity and also at what stage it should be escalated to line management and the nominated MLRO, by email (MLRO@boylesports.com), if appropriate.	26-Oct-21
Shop Security, and Violence in the Workplace	Preventing gambling from being a source of crime or disorder.	Medium	Operational Management and Shop design	Each premise is subject to a separate security risk assessment carried out by an accredited Assessor. Local factors (including crime trends) are considered as part of this assessment and proportionate control measures/physical security measures are installed accordingly. All BoyleSports shops are fitted with a networked HD CCTV system and have a third-party security monitoring system in place.	26-Oct-21
General Crime and Disorder	Preventing gambling from being a source of crime or disorder.	Medium	Operational management, training and robust policies	BoyleSports are committed to providing a safe environment for all our shop teams to work in and customers to enjoy their betting experience as such there is a written policy in relation to unruly or abusive customers, which all staff are trained on. Shop teams also have access to a central security team, a remote monitoring service (with panic buttons), their line management support structure and the local police/SNT.	26-Oct-21
Alcohol Consumption or Drug Misuse	Preventing gambling from being a source of crime or disorder.	Medium	Operational management, training, robust policies and shop design	Consumption of Alcohol on the premises is prohibited under the premises licence conditions. BoyleSports takes a 'zero tolerance' approach to both the consumption of alcohol and any drug misuse on the premises. Regular toilet and shop checks are carried out throughout the day and any suspicious activity raised with the line management and security teams - so if necessary, CCTV footage can be reviewed. The customer toilet is also fitted with a mag-lock device which allows access control by staff behind the counter.	26-Oct-21
Underage Gambling	Protecting children and other vulnerable people.	Medium	Operational management, training and robust policies	Gambling is an age restricted product and BoyleSports operate a 'Think 21' Policy. Comprehensive staff training and guidance, is provided to all shop staff, on this matter. There is requirement to log all 'Think 21' Challenges on a central system, via the EPOS till and line management have visibility to allow additional focus should it be required. 'Over 18's Only' notices are displayed at the shop entrance and BoyleSports use 'Serve Legal' to carry out independent 3rd party testing, to allow any training needs to be highlighted and addressed.	26-Oct-21

Potential Risk	Related Licensing Objective	Risk Level	Control System	Risk Mitigation	Reviewed
Protection of the Vulnerable	Protecting children and other vulnerable people.	Medium	Operational management, training and robust policies	Guidance is issued to shop colleagues on vulnerability (the inability or limited ability of people to control their actions). This includes those clearly under the influence of drink or drugs, those with mental health issues and those with possible addictive gambling issues. BoyleSports takes a holistic approach to customers and is aware that the Equalities Act precludes the exclusion of any group for generalised reasons. However, support and guidance is provided to shop colleagues by the line management and the security/compliance teams. All Responsible Gambling interactions are logged via the EPOS till system and reviewed by the line management and the security/compliance teams. BoyleSports also operates a self-exclusion scheme and collates information centrally on this too.	26-Oct-21
Proximity to Schools/Youth Venues	Protecting children and other vulnerable people.	Low	Operational management, training and robust policies	This document highlights the proximate Schools/Youth Venues, so that the shop team are fully aware, and can ensure that the 'Think 21' policy is applied appropriately and effectively. There are no adjacent Schools/Youth Venues and it is not expected that the location will increase the usual level of risk associated with underage gambling.	26-Oct-21
Proximity to Vulnerable Persons Services	Protecting children and other vulnerable people.	Low	Operational management, training and robust policies	This document highlights the proximate Vulnerable Persons Services and Faith Buildings, so that the shop team are fully aware, and can ensure that the 'Think 21' policy is applied appropriately and effectively. There are no adjacent Schools/Youth Venues and it is not expected that the location will increase the usual level of risk associated with underage gambling.	26-Oct-21
Proximity to Licensing Act 2003 Premises	Protecting children and other vulnerable people.	Medium	Operational management, training and robust policies	The greatest risk is believed to be, the potential for a customer whose judgement is impaired through alcohol, attempting to place bets. Staff are trained to assess customer behaviour, in particular, whether there is a risk that a persons judgement is impaired through drink. If they believe that it is, they will be refused service. The betting shop is located in a busy town centre, which contains numerous alcohol licensed premises, so effective implementation of this assessment, is seen as an important tool to mitigate any risk.	26-Oct-21
Proximity to Gambling Act 2005 Premises	Protecting children and other vulnerable people.	Low	Operational management, training and robust policies	There are a number of other Gambling Act 2005 licensed premises within the wider locality. However, the number of betting offices in the wider locality has decreased over the past several years and in this location, it is not believed that there is any additional risk presented by trading a well operated and compliant betting office in this location. BoyleSports staff are also trained in player safety and undertake Responsible Gambling and Recognising Problem Gambling Interaction training.	26-Oct-21

Potential Risk	Related Licensing Objective	Risk Level	Control System	Risk Mitigation	Reviewed
Shop Management and Customer Complaints	Ensuring that gambling is conducted in a fair and open way.	Low	Operational management, training and robust policies	BoyleSports provide staff training on shop management, customer interaction and complaints handling. The BoyleSports rules are displayed in all shops, and they contain information on dispute resolution. There is also an internal escalation process, through the line management structure, which aims to resolve issues as expeditiously as possible. BoyleSports are also members of IBAS (Independent Bookmakers Arbitration Service) and in the unlikely event that a complaint escalates to IBAS, the company agrees to be bound by their decision.	26-Oct-21

Physical Aspect	Potential Risk	Risk Level	Control System	Risk Mitigation	Reviewed
Shop Frontage	Criminal damage and statutory compliance.	Low	Shop Design	All marketing will comply with LCCP and advertising standard regulations - Including all statutory notices. The character of the building, as a former bank premises means that the frontage is partly restricted. The fascia to Clifton Street will have a window bed constructed with marketing panels facing outward and no clear visibility into the premises.	26-Oct-21
Entrance	Ensuring that underage/vulnerable people are identified expeditiously.	Medium	Shop Design	The unit has an externally ramped entrance which will be retained and which also affords good visibility from inside the shop and in particular the counter, where there is a clear and unobstructed line of sight.	26-Oct-21

Physical Aspect	Potential Risk	Risk Level	Control System	Risk Mitigation	Reviewed
Counter Position	Blind spots, lines of sight and general shop management.	Medium	Shop Design	The counter has been designed to maximise visibility throughout the shop. There is also a dedicated staff area, which will act as a staff 'safe haven'.	26-Oct-21
General Layout	Positioning of machines and other shop components - Blind Spots, lines of sight and general shop management.	Medium	Shop Design	All machines - gaming machines (GM's) and self service betting terminals (SSBT's) have clear and unobstructed lines of sight from the counter to allow monitoring throughout. In addition, it is further proposed that this area will be covered by a HD CCTV with an overt monitor behind the counter.	26-Oct-21
Security/CCTV	Maintain safe environment and ensure issues are captured for evidential purposes.	Medium	Shop Design	There will be a 'mag-lock' fitted to the customer toilet, activated by a switch behind the counter, to control access. There will be a full HD CCTV system installed internally to ensure coverage of all key areas within the shop - entrance, GM's, SSBT's and Counter area. There will be an overt monitor and the system can be accessed remotely by the security team.	26-Oct-21

Assessment Review			
Frequency of Review:	If there has been a significant change in local circumstances - Otherwise annually.	Date Review Next Due:	26 October 2022
Signature of Assessor:		Date:	26 October 2021

## Appendix 4 - Representations

**From:** Plackitt and Booth <info@plackittandbooth.co.uk>  
**Sent:** 12 November 2021 17:51  
**To:** Licencing  
**Subject:** Objection to proposed Betting Premises Licence for BoyleSports UK Limited at 83a Clifton Street, Lytham FY8 5ER.

**Categories:** Red Category

**Objection to proposed Betting Premises Licence for BoyleSports UK Limited at 83a Clifton Street, Lytham FY8 5ER.**

**From: Plackitt & Booth Booksellers Ltd, 87c Clifton Street, Lytham FY8 5ER**

We would like to object to the proposed Licence for a Betting Shop close to our premises in the centre of Lytham high street.

We are a family run independent bookshop and have been operating in the town for nearly 20 years - 16 years in our current site. We are a general bookshop and sell a wide range of books, but particularly children's books and toys.

The proposed betting shop will be occupying a prime site in the middle of the town, 2 doors away from us and close to all the other amenities, family orientated shops and essential services.

Given that our clientele includes families, children, older and vulnerable customers, the inclusion of a gambling/betting shop on this stretch of the high street would be detrimental to our business. We also feel it will be detrimental to the surrounding family-focused businesses and to the community in Lytham in general.

As we understand it, gambling (like alcohol) is no ordinary commodity. For some groups, gambling is not without harm, risk or problems. Apart from the personal impacts, there are negative impacts on families, social networks and the wider community.

The British Gambling Prevalence Survey (2010) identified a number of vulnerable groups in relation to gambling. Those which we feel are particularly relevant to this proposal are 16-24 year olds. The proposed site is close to bus stops used by young people going to and from school and colleges, those on foot travelling to and from schools, and close to shops (like Tesco and Sainsburys) where groups of school children gather, as well as our own shop where teenagers and families with younger children are visiting.

The Gambling guidance makes it clear that the main focus is to prevent children from being allowed to gamble (or enter adult-gambling premises), and also shielding them from advertising that makes gambling products attractive to children. It will be hard to 'shield' children and young people from a premises right in the middle of town and close to a zebra crossing, bus stops and other shops they are using.

Gambling-related harm (the negative impacts of gambling on the gambler, the family, wider social networks and community) are well documented and it seems ironic that the proposed betting shop will be occupying a prime high street location previously occupied by a Bank providing a community service.

The town is already served by a long standing betting shop (William Hill) slightly further down the high street. There is an acknowledged issue with betting shops occupying too

## Appendix 4 - Representations

much UK high street retail space. In an affluent and tourist attracting town like Lytham, which the Council has sought to support (through events like Lytham Festival), it would be detrimental to the high street (and our business) to see a proliferation of betting shops.

In summary:

- a) the proposed site will effect our business in a negative way - we attract a broad range of young people, families and older (sometimes vulnerable) people to the bookshop and a betting shop is off-putting to our clientele (and that of surrounding family orientated shops and businesses) and will negatively effect our footfall.
- b) a betting shop in a prime position in the middle of Lytham will not be 'shielding' our young 16-24 year olds in the town or protecting our more vulnerable residents
- c) a prime position in the middle of Lytham - acknowledging the negative impact which gambling can have - will not be good for either the high street as a visitor attraction, or to enhance it as the current vibrant community hub that it is. (We must be one of the few high streets lucky enough to have both a grocer, a fishmonger and baker)
- d) the town is already well served by an existing betting shop (William Hill).

Yours sincerely  
Alison Plackitt & Pat Booth  
Plackitt & Booth Booksellers Ltd

Plackitt & Booth Booksellers Ltd  
87c Clifton St, Lytham FY8 5ER  
T: 01253 796 958  
[www.plackittandbooth.co.uk](http://www.plackittandbooth.co.uk)  
@PlackittBooth Facebook Twitter Instagram

**Opening Hours**

9am - 5.30pm Monday to Saturday  
10am – 4pm Sunday

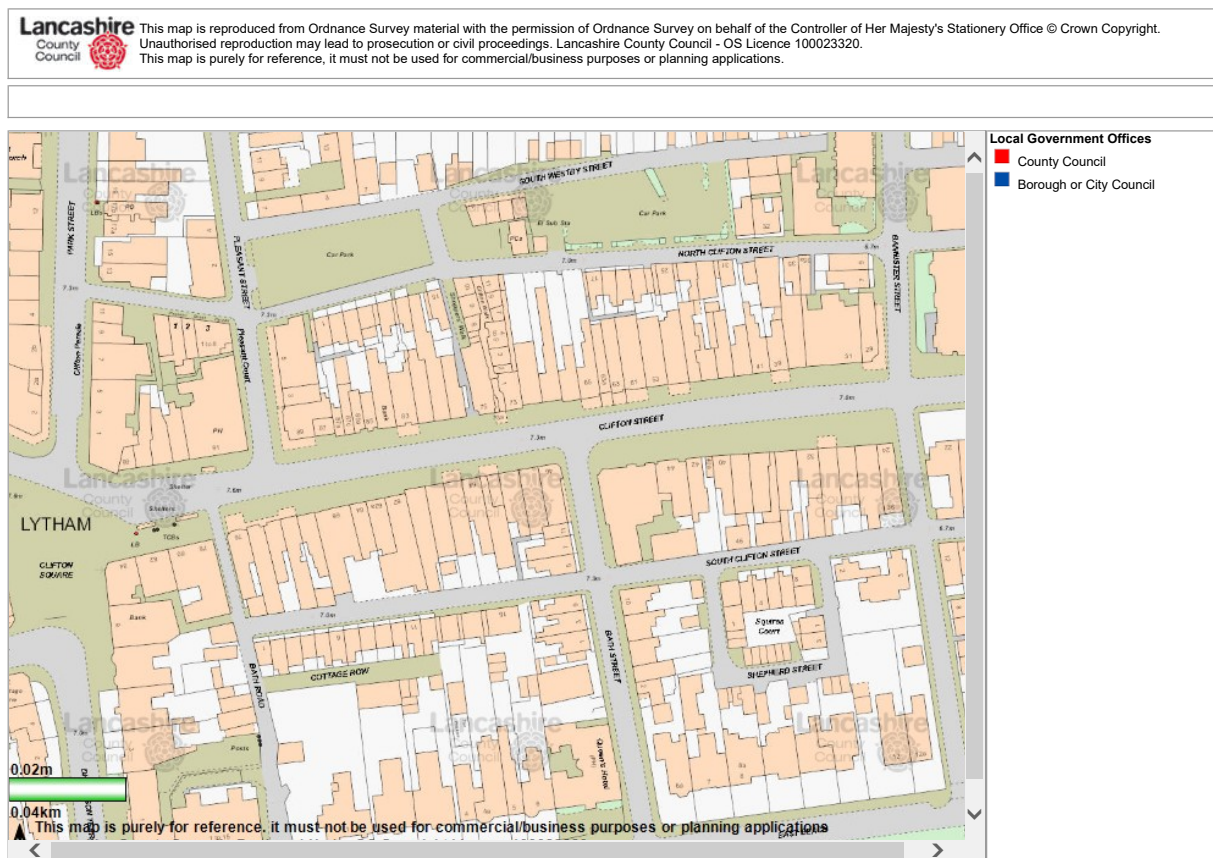
Sent from [Mail](#) for Windows 10

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## Appendix 5 - Area Plan



All correspondence should be sent to our Leeds office

Sent via email:

andy.hough@fylde.gov.uk

Our ref PW/AU/BOY001-8-9/5581

Your ref

25 November 2021

Dear Sirs

**Boylesports Application - 83a Clifton Street, Lytham, FY8 5ER**

We write with reference to the above application under the Gambling Act 2005.

We understand that today is the last date for representations to the application, and at this stage, we have only been notified of one representation, which has been raised by Plackitt and Booth Booksellers Limited, 87 Clifton Street, Lytham, FY8 5ER.

This letter of representation deals with a significant number of issues which are not relevant under the Gambling Act and the discretion to which the Licensing Authority must turn its mind in making its decision as to grant or refuse our client's application.

We know that our clients Local Area Risk Assessment has been sent to Plackitt and Booth, and we have offered to meet them and talk about their general objection to the application, and talk them through the systems that our client has in place to mitigate any of the general risks that they have fears about.

Neither the Licensing Authority or ourselves have received a response to this invitation to meet and discuss the systems that are in place.

That being the case, we would ask the Licensing Authority to exercise their discretion under Section 162(3)(c) of the Gambling Act 2005. This section of the legislation allows the Licensing Authority to determine the application without the need for a hearing: "A Licensing Authority may also determine an application for a premises licence without a hearing despite subsection (1)(a) if the authority think that the representations made under Section 161 will certainly not influence the authorities determination of the application."

This is replicated in the Fylde Statement of Gambling Policy:

**8.3 Frivolous or Vexatious or Likely to have no Influence on a Decision**

8.3.2 Decisions as to whether representations are frivolous, vexatious or likely to have no Influence on a Decision will be made by Council Officers, who will make the decisions on whether representations or applications for licence reviews should be referred to the Licensing Committee or a Panel of the Licensing Committee. These words will be judged to have their normal dictionary definitions. Frivolous will be interpreted as having little substance, as not serious or flippant whilst vexatious will be interpreted

as having an ulterior motive or as vindictive.

8.3.3 A hearing will also be dispensed with if in the opinion of this Authority the substance of the representation will certainly not influence the Authorities determination of the application.

8.3.4 In the event of this Authority considering a representation to be frivolous or vexatious or as likely to have no influence on the decision, then the person who made the representation will be informed and the reasons for coming to such a conclusion will be clearly stated. There is no right of appeal against a determination that representations are not admissible.

To assist the authority in their deliberations, we would remind you that Boylesports currently have an Operating Licence granted by the Gambling Commission, and they are therefore satisfied that the company promotes the licensing objectives in its high street operations in the UK. The company has never had an application for a Gambling Act Premises Licence refused, nor have they ever faced a review of one of their premises licences.

In relation to this application, we note that none of the responsible authorities have raised concerns or provided representations regarding our client's proposals, those of most relevant being the Licensing Authority, the Local Police Licensing Team and Children's Services.

The representation raises general concerns regarding the protection of vulnerable people. However, there is no evidence provided to support this presumption, and the representations fails to consider our client's proposals and the operational standards implemented to promote the licensing objectives under the Gambling Act 2005 that mitigate any perceived risk. The applicant's training measures, policies and procedures have been developed to ensure that the licensing objectives are upheld and have continually proven to be effective and robust with no Boylesports premises being the subject of regulatory interaction.

We would ask the authority to determine that the representation that has been provided, with no additional information and no likelihood of attendance before any committee, that the representation "will certainly not influence the authority's determination of the application." A hearing has the effect of putting the applicant to the expense of preparing for it, providing for advocates to attend, and also has the effect of causing the Licensing Authority extra work and expense. More importantly, the valuable time of committee members is used if attending a hearing for an application that should really be granted as there are no supported grounds under which it should be refused. In this respect, we have regard to the guidance which allows the delegation of powers/functions to Licensing Sub-Committees or to one or more officers.

Given the current circumstances and logistical complications in organising a Licensing Sub-Committee hearing within a reasonable timeframe following completion of the consultation period, we believe it would be cost effective for the authority to exercise the powers available to it under the Gambling Act 2005 in respect of this current application, which should be granted if the matter was determined by the Licensing Sub-Committee, particularly if the objectors do not attend in front of the Sub-Committee.

Whilst the current representation addresses the licensing objective of protection of the vulnerable from harm associated with gambling, the proposed concerns relate to general harm and do not provide evidence to support that the perceived risk in respect of the premises proposed operation and the standards implemented to mitigate any risk is enforced by Section 153 of the act which reminds Licensing Authorities that it is their duty to aim to permit applications.

If the authority agrees with our submissions, then under Section 162(4), all the authority needs to do is notify the interested party as soon as is reasonably practicable that it proposes to determine the application in reliance of Section 162(3)(c) of the Gambling Act 2005.

We look forward to hearing from you.

Yours faithfully

**Woods Whur**