*Please reply to:*
Contact: Christeen Abee
Service: Committee Services
Direct line: 01784 444224
E-mail: c.abee@spelthorne.gov.uk
Date: 30 September 2025

# Notice of meeting

## Licensing Sub-Committee

**Date:** Wednesday, 8 October 2025

**Time:** 10.00 am

**Place:** Council Chamber, Council Offices, Knowle Green, Staines-upon-Thames

**To the members of the Licensing Sub-Committee**

Councillors:

S.A. Dunn (Chair) T. Burrell M.J. Lee

**Note:** In the event of one of the aforementioned Licensing Committee Members being unable to attend or serve on this Sub-Committee another Member of the Licensing Committee will be called to serve in their place.

*Councillors are reminded that the Gifts and Hospitality Declaration book will be available outside the meeting room for you to record any gifts or hospitality offered to you since the last Committee meeting.*

# AGENDA

**Page nos.**

**1. Disclosures of Interest**

To receive any disclosures of interest from members in accordance with the Members' Code of Conduct.

**2. To consider an application for a Premises Licence at Golden Slots, 39 Church Road, Ashford TW15 2QF, in the light of representations** **3 - 548**

The Report of the Deputy Chief Executive is attached.

A procedure note which explains what happens at a Licensing Sub-Committee, follows.

# Spelthorne Borough Council

## GAMBLING ACT 2005

## RULES AND PROCEDURE FOR LICENSING SUB-COMMITTEES HEARING A PREMISES APPLICATION

### 1. General

1.1 These rules and procedure are subject to the provisions of the Gaming Act 2005 (the 'Act') and the Gambling Act 2005 – Hearings Regulations SI 2007 / 173 (August 2007).

### 2. Composition of Sub-Committee

2.1 The Sub-Committee will comprise three members. All three members must be present to enable the hearing to proceed and be valid. One member will act as Chairman.

### 3. Notice of hearing

3.1 The licensing authority will send you a notice stating the date, time and place at which the hearing is to be held (the 'notice of hearing').

3.2 You will also be sent information regarding the following: -

(a) your rights, as provided for in paragraphs 4.1 & 8.6 below;
(b) the relevant period of time within which you must give the notice described in paragraph 4.2 below (notice of your attendance and representation);
(c) the consequences if you do not attend or are not represented at the hearing, as described in paragraphs 11.1 to 11.3 below;
(d) the procedure to be followed at the hearing, paragraphs 8.1 to 8.16 below;
(e) any particular points on which the licensing authority considers that it will want clarification at the hearing.

### 4. Right of attendance, assistance and representation

4.1 Subject to paragraphs 6.2 & 6.4 below, you may attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified.

4.2 On receipt of the notice of hearing and within the period of time specified, you must notify the licensing authority: -

(a) whether you intend to attend or be represented at the hearing;
(b) whether you consider a hearing to be unnecessary.

4.3 Where you wish any additional person (other than the person you intend to represent you at the hearing) to appear at the hearing, you must include a request for their attendance in the notification referred to in paragraph 4.2 above and give the name of that person and a brief description of the point(s)

they wish to make to help the authority in relation to your application, representations or notice.

4.4 If you wish to withdraw any representations you have made, you may do so -
- by giving notice to the Licensing Manager no later than 24 hours before the day or first day on which the hearing is to be held; or
- communicating this at or before the start of the hearing.

**5. Right to dispense with hearing if everyone agrees**

5.1 The licensing authority may dispense with a hearing if everyone (the applicant, representees and any person giving notice) agrees that such a hearing is unnecessary and has given such notice to the authority.

5.2 Where it has been agreed that a hearing is unnecessary the Licensing Authority will immediately give notice to everyone that the hearing has been dispensed with.

**6. Hearing to be in public**

6.1 Subject to the following paragraph, the hearing will take place in public.

6.2 The Sub-Committee may ask the press and public to leave the hearing at any time, for all or part of the hearing, where it considers that it is necessary in all the cirumstances having regard to:

(a) any unfairness to a party that is likely to result from a hearing in public; and
(b) the need to protect as far as possible, the commercial or other legitimate interests of a party.

6.3 For the purposes of the above paragraph, you and any person assisting or representing you may be treated as a member of the public.

6.4 The Sub-Committee may require any person attending the hearing who is in their opinion behaving in a disruptive manner to leave the hearing and may: –

(a) refuse to permit that person to return, or
(b) specify conditions under which they may return

but such a person may, before the end of the hearing, submit to the Sub-Committee in writing any information which they would have been entitled to give orally had they not been required to leave.

**7. Report**

7.1 A report will be put before the Sub-Committee, prepared by the Licensing Manager.

7.2 The Licensing Manager will send a copy of the report to everyone (the applicant, representees and any person giving notice) in advance of the hearing.

## 8. Procedure at hearing

8.1 A hearing will take the form of a discussion managed by the Sub-Committee through the Chairman and cross examination will not be allowed unless the Sub-Committee considers that cross examination is required for it to understand the intention of the application or notice and the nature of the representations made.

8.2 The order of business will be at the discretion of the Sub-Committee, but will normally proceed in accordance with the following paragraphs.

8.3 At the beginning of the hearing the Chairman will: -

- Introduce the members of the Sub-Committee who will make the decision, and the officers assisting them with the hearing process,
- invite everyone else to identify themselves to the Chairman so that we can check their attendance against the previous notices submitted,
- explain to everyone the procedure that the Sub-Committee intends to follow for the hearing.

8.4 The Sub-Committee will then consider any requests for permission for another person to appear at the hearing (paragraph 4.3 above). Whilst permission will not be unreasonably withheld, the Sub-Committee will need to be convinced of their relevance to the hearing (see paragraph 8.7).

8.5 The Chairman may ask the Licensing Manager/Enforcement Officer to introduce the application, and briefly outline the matter which the Sub-Committee is being asked to decide. Alternatively, the Chairman may, if he is happy the report is self-explanatory, proceed directly to the next paragraph.

8.6 You will normally be invited to address the Sub-Committee in the following order: -

- Applicant;
- Responsible Authorities;
- Interested Parties.

8.7 You will be entitled to: -

- give further information in support of your application, representations or notice (as applicable) in response to a point upon which the licensing authority has given notice that it will want clarification under paragraph 3.2(e);
- question any other party if given permission by the Sub-Committee;
- address the Sub-Committee.

8.8 Members of the Sub-Committee may ask you, or anybody else appearing at the hearing, questions.

8.9 Where there is more than one representation on similar grounds, the Sub-Committee may request that only one person address them on behalf of all those who have made similar representations.

8.10 In considering your application, representations or notice, the Sub-Committee may take into account documentary or other information produced by you in support of your application, representations or notice (as applicable) either before the hearing or, with the consent of all the other parties, at the hearing.

(But only where it is demonstrated to the Sub-Committee that such information could not have been provided in advance). The decision of the Sub-Committee will be final.

8.11 The Sub-Committee will disregard any information given or evidence produced at the hearing which is not relevant to: –

(a) your application, representations or notice (as applicable);

(b) the promotion of the licensing objectives or, in relation to a hearing to consider a notice given by a chief officer of police, the crime prevention objective.

8.12 The Sub-Committee may admit hearsay evidence, but consideration will always be given to the weight, if any, to be attached to such evidence, depending upon the circumstances in which it arises.

8.13 You are entitled to make a closing submission which will be heard in the following order: -

- Interested Parties;
- Responsible Authorities;
- Applicant.

8.14 All parties will be allowed an equal maximum period of time in exercise of the rights set out in paragraphs 8.7 & 8.13 above. The Sub-Committee will determine this maximum period of time after consultation with parties.

8.15 After the closing submissions the Sub-Committee may withdraw from the room to make their deliberations in private.

8.16 The legal adviser and a Committee Manager will accompany the Sub-Committee when it retires to make its deliberations but they will not take part in the decision making process.

**9. Role of Legal Adviser**

9.1 The Sub-Committee may seek advice or clarification of any procedural, technical or legal matter from the legal adviser at any time during the course of the hearing.

9.2 The legal adviser may intervene at any time during the course of the hearing to advise on any procedural, technical or legal matter.

9.3 Any advice given by the legal adviser to members of the Sub-Committee in private will be provisional until the detail of that advice has been repeated in open session and the parties have had an opportunity to comment on it. The legal adviser will then state in open session whether the advice is confirmed or varied (and if it is varied, in what way) before members act upon it.

**10. Determination of applications**

10.1 The Sub-Committee will give its decision at the conclusion of the hearing or otherwise within 5 working days.

## 11. Failure of parties to attend the hearing

11.1 If you have informed the licensing authority that you do not intend to attend or be represented at the hearing, the hearing may proceed in your absence.

11.2 If you fail to attend or be represented and have not given notice the Sub-Committee may: -

- adjourn the hearing to a specified date where it considers it to be necessary in the public interest, or
- hold the hearing in your absence

11.3 Where a hearing is held in your absence, the Sub-Committee will consider your application, representations or notice at the hearing but the weight, if any, to be attached to these will take into account the fact that such information is not open to further, more detailed examination.

## 12. Adjournments

12.1 the Sub-Committee may adjourn the hearing to a specified date or dates for the following reasons: -

(a) in accordance with paragraph 11.2 above;
(b) to enable it to consider any information or documents provided by any party in response to a notice or at the hearing;
(c) having regard to the ability of any party, person representing a party or witness to attend the hearing;
(d) a member of the Sub-Committee is taken ill;
(e) in accordance with the Council's Standing Orders, the Sub-Committee having sat for 3 hours, the meeting will stand adjourned. (However, it may resolve to continue the meeting but before doing so will seek the views of everyone in attendance.)

12.2 Where the Sub-Committee adjourns the hearing to a specified date or dates it will immediately notify the parties of the date(s), time(s) and place(s) to which the hearing has been adjourned.

## 13. Record of proceedings

13.1 A written record of the hearing will be kept for 6 years from the date of the decision of the Sub-Committee or, where an appeal is brought against that decision, the decision of the Court hearing the appeal.

## 14. Waiver of rules

14.1 Except where prescribed by the regulations, the Sub-Committee may in any particular case dispense with or modify these rules.

14.2 The licensing authority may extend a time limit provided for in the regulations for a specified period where it considers this to be necessary in the public interest.

14.3 Where the licensing authority has extended a time limit it will immediately give you notice, stating the period of time of the extension and the reasons for it.

NOTES

Human Rights

The Human Rights Act 1998 incorporates the European Convention on Human Rights and makes it unlawful for a local authority to act in a way which is incompatible with a convention right.

The Sub-Committee will have regard to the Human Rights Act when exercising its licensing functions, with particular reference to the following provisions: -

- Article 1 of the first protocol states that every person is entitled to the peaceful enjoyment of his/her possessions and the Licensing Authority, when taking into account this right will strike a fair balance between the applicant's interest and the interests of the public.

- Article 6 relates to the determination of civil rights and obligations and states everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.

  It is established that holding a Licence is a civil right within the meaning of Article 6 and therefore any hearing to determine licence applications, variations, renewals or revocations would need to comply with the safeguards of the convention. The Council's hearings will be conducted fairly in accordance with the rules of natural justice and as applicants have a full right of appeal to an independent tribunal against any decision made by the Licensing Authority, the requirements of Article 6 will have been complied with.

- Article 8 states that
  (1) Everyone has the right to respect for his private and family life, his home and his correspondence.
  (2) There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others.

Like Article 1, the Licensing Authority, when considering this right must strike a fair balance between the applicant's interest and the interests of the public.

# Licensing Sub-Committee

# 08/10/2025

# 09/10/2025

| | | | |
|---|---|---|---|
| **Subject** | Application for a **new** Adult Gaming Centre Premises Licence under the Gambling Act 2005 | | |
| **Purpose** | For determination | | |
| **Report of** | Deputy Chief Executive | Ward | Ashford Town |
| **Contact** | Lucy Catlyn, 01784 444295 / licensing@spelthorne.gov.uk | | |

| | |
|---|---|
| **Description and Location** | The premises is a former Barclays Bank which is currently empty at 39 Church Road, Ashford TW15 2QF. The unit forms part of a parade of shops in Ashford High Street. There are lots of residential houses and schools in the nearby vicinity. There are six residential flats above the premises. Location Plan at **Appendix A.** |
| **The Application** | The application is for a new premises licence by Golden Slots (Southern) Limited for a 24 hour Adult Gaming Centre, occupying the ground floor and basement of the property. The application has been made under Section 159 of the Gambling Act 2005 (2005 Act).<br><br>The application form is attached at **Appendix B**. The Local Area Risk Assessment is attached at **Appendix C**. The Company Policy is attached at **Appendix D**<br><br>Two plans have been provided and are attached at **Appendix E and F.** |
| **Representations** | Relevant representations have been received from the below Responsible Authorities<br><br>• Police (**Appendix G**)<br>• Public Health (**Appendix H**)<br>• Planning (**Appendix I**)<br>• Licensing (**Appendix J**)<br><br>Valid and relevant representations were received from 133 Interested persons (**Appendix K**) |

| | |
|---|---|
| **Options** | The Licensing Sub-Committee is required to give appropriate weight to the representations (including supporting information) presented by all the parties, the Guidance[1] issued pursuant to section 25 of the Gambling Act 2005, the Council's Gambling Statement of Principles and the steps that are appropriate to promote the three Gambling objectives. The Sub-Committee is requested to determine the application and resolve accordingly.<br><br>The options available to the Sub-Committee are:<br>• To grant the application for the premises licence subject to the mandatory conditions (s167 of the Act) and default conditions (s168 of the Act) and/or attach additional conditions; or<br>• To grant the application for the premises licence, subject to the mandatory conditions (s167 of the Act) but excluding specific default conditions (s168 of the Act) or<br>• To refuse the application. |

[1] Gambling Commission, Guidance to licensing authorities, (1 April, 2021, last updated 29 July, 2025).

## 1. Background

1.1 The premises, 39 Church Road, Ashford TW15 2QF forms part of a parade of shops situated close to residential housing and schools. There are six residential flats above the premises.

1.2 The unit is currently empty, with the last use being that of Barclays Bank.

1.3 The proposed Adult Gaming Centre (AGC) is to occupy the ground floor of the unit. The applicant has provided two plans:

- **Appendix E** is the licensed area plan for the ground floor. This plan shows where the CCTV cameras, fire alarm panel, fire extinguishers, fire alarm call point and smoke detectors are located as well.
- **Appendix F** is the layout plan which shows 62 gaming terminals. The premises plan details the basement will be used for storage/electric room and toilet.

1.4 By way of background only in Spelthorne there are currently the below issued:

| | |
|---|---|
| Gaming Machine Notification | 34 |
| Gaming Machine Permit | 9 |
| Club Machine Permit | 9 |
| Club Gaming Permit | 0 |
| Premises Licence | 1 Adult Gaming Centre – Staines High Street<br>11 Betting Shops<br>• Ashford x 2<br>• Sunbury x 4<br>• Shepperton x 1<br>• Staines x 2<br>• Stanwell x 2<br>1 Track Betting - Kempton |

| | |
|---|---|
| Licensing Act 2003 Premises Licence with 24 Hour Opening | 9 total out of 321 premises, broken down as follows:<br>• 2 of these are petrol stations<br>• 1 microbrewery cabin<br>• 1 small supermarket<br>• 2 large supermarkets<br>• 2 hotels<br>• 1 Film Studios |

## 2. Application Summary

2.1 The premises application has been submitted by an agent, Debbie Bollard of Hough and Bollard Ltd.

2.2 The applicant for the AGC is Golden Slots (Southern) Limited, Acumen, Connaught House, Luton LU1 2RD. The application details at section 20 of the form state that *"the applicant is an established operator, that has held an Operating Licence since January 2016 without any enforcement action taken*

*against it. It operates other sites in Milton Keynes, Haringey, Cricklewood and Northampton."*

2.3 The applicant details the proposed trading name for the premises is 'Golden Slots'.

2.4 The application is for a 24 hour a day premises licence.

2.5 The applicant has submitted a Local Area Risk Assessment ("LARA") (dated 20 May 2025) (see **Appendix C**) and The Golden Slots compliance policies and procedures (see **Appendix D**).

## 3. Background information on Adult Gaming Centres

3.1 The Licensing Authority must under Section 153(1) of the Act exercise its functions relating to premises licensing with an aim to permit the use of the premises for gambling in so far as it thinks fit and in accordance with the relevant codes of practice, guidance, reasonably consistent with the licensing objectives and in accordance with the Council's Statement of Principles.

3.2 Persons operating an AGC must hold a gaming machines general operating licence from the Gambling Commission and must seek a premises licence from the licensing authority.

3.3 The applicant has an operating licence with the Gambling Commission 043695-N-323074-011 as detailed in the application.

3.4 AGC premises licences allow the holder of the licence to make gaming machines available for use on the premises. Persons operating an AGC must hold a gaming machines general operating licence from the Gambling Commission (the Commission) and must seek a premises licence from the licensing authority.

3.5 An AGC premises licence is entitled under the Act to make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises and any number of category C or D machines.

3.6 Below is an explanation of the categories of machines and the maximum stake and prize. The premises have applied with 62 gaming terminals, therefore of these 12 of the machines can be higher stake machines B3 and B4.

| B3 | B4 | C | D |
|---|---|---|---|
| Maximum Stake £2<br>Maximum prize £500 | Maximum Stake £2<br>Maximum prize £400 | Maximum Stake £1<br>Maximum prize £100 | Maximum Stake for Money prize 10p<br>Maximum prize £5 |

3.7 **Hours of operation**

3.8 The Gambling Act 2005 and associated Regulations namely The Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007 does not restrict the times that AGC's can operate. Therefore, AGC's may be open 24 hours, with the exception in section 183 of

the Gambling Act 2005 which applies a condition on all premises licences that facilities for gambling must not be provided on Christmas Day.

3.9 This application does not seek to restrict operating hours outside of this 24-hour entitlement.

3.10 The Gambling Commission does not set default operating hours for Adult Gaming Centres (AGCs). While some premises may operate 24 hours, this is not a nationally mandated standard. Any condition to reduce or limit operating hours should only be imposed where there is clear evidence that such a restriction is necessary to promote the licensing objectives.

**4. Consultation**

4.1 The application was advertised in accordance with the Gambling Act 2005 (Premises Licence and Provisional Statement) Regulations 2007 both on the premises and in the local newspaper.

4.2 The 28-day consultation period started from the date the application was received (1 August 2025).

4.3 In line with the legislation the agent sent the application to the responsible authorities on the same day. However, in addition to this the Licensing Authority also made responsible authorities aware on 1 August 2025.

4.4 A Notice of Application was placed at the premises and published in the Surrey Advertiser on Friday 8 August 2025.

4.5 The period for consultation and the making of representations in respect of this application ended on 27 August 2025.

**5. Promotion of the Licensing Objectives**

5.1 The Act requires the Council to carry out its various licensing functions to promote the following three licensing objectives:-

(a) Preventing gambling from being a source of crime and disorder, being associated with crime and disorder or being used to support crime

(b) Ensuring that gambling is conducted in a fair and open way, and

(c) Protecting children and vulnerable persons from being harmed or exploited by gambling.

**6. Representations**

6.1 Each application submitted under the Gambling Act 2005 will be assessed on its individual merits. The Council's Statement of Principles does not restrict any person's statutory right to apply for a licence or other permission under the Act. Likewise, it does not prevent individuals from making representations on an application or requesting a review of a licence, where such actions are permitted by the legislation. All applications and representations will be considered in accordance with the statutory framework and the licensing objectives**.**

**7.** The Licensing Authority are aware that there are many residents who have objected to the application. Some representations were not valid, however there are 133 objections from interested persons which are detailed further in the report and attached at **Appendix K.**

7.1 The Licensing Authority understand there was a petition online[2] and a copy of the petition is at **Appendix L.** The petition is not considered to be a valid representation as there are no names and no addresses, however it was signed by 2,352 people. The objective behind the petition was a belief that a gambling venue would increase the risk of antisocial behaviour, crime and public safety concerns and the impact this would have on the town. For transparency a copy of the front page of the petition is provided at **Appendix L**.

7.2 **i) Representations from Responsible Authorities**

Below is a list of all the Responsible Authorities and who have submitted a relevant representation.

Relevant representations are attached as below:

| | |
|---|---|
| **Fire Service** | No representation |
| **Environmental Health** | No representation |
| **Child Employment** | No representation |
| **Gambling Commission** | No representation |
| **HMRC** | No representation |
| **Trading Standards** | No representation |
| **Surrey Police** | See comment below (Email is attached at **Appendix G**) |
| **Public Health** | 1 representation (**Appendix H**) |
| **Planning** | 1 representation (**Appendix I**) |
| **Licensing** | 1 representation (**Appendix J**) |

**Surrey Police**

Surrey Police objected to this application, however they said if the applicant agrees to their proposed conditions they will withdraw their representation.

This was sent to the applicant's agent on 4 September 2025 and withdrawn on 19 September 2025. The applicant has agreed to all of the conditions they asked for, except: **"The licensee shall not offer any enticement promotions, such as happy hours during which gaming machines stakes are reduced"** as this is not applicable to this premises.

**Public Health**

Public Health Surrey have raised concerns about the proposed AGC due to the below:

a) Spelthorne has a higher proportion of people scoring one or more on the Problem Gambling Severity Index (14.4%) compared to Great Britain as a whole (13.4%)

[2] Petition · Stop the Gambling Centre in Ashford – Protect Our Community!! - Ashford, United Kingdom · Change.org

b) The estimated annual fiscal cost associated with “problem gambling” in Spelthorne is £1,439,742 across services for health, housing, welfare and crime (National Institute of Economic & Social Research).
c) 2021 Census data for Surrey shows that Spelthorne had the highest proportion of households which met at least one dimension of deprivation (49.1%)
d) There are two Key Neighbourhoods close to the proposed AGC location containing LSOAs that are ranked in the bottom 40% for deprivation in the U.K
e) The location is close to facilities for vulnerable children and adults
f) Clustering of nearby Gambling Premises

**Planning Authority**

Planning is not averse to the use of the premises, however they have raised concerns regarding the 24/7 application. This has been included with the representations for the Committees decision.

**Licensing Authority**

The Licensing Authority acting as a Responsible Authority has submitted a representation. Below is from the conclusion part of the representation summarising the objection:

a) The Licensing Authority do not believe the location of this adult gaming centre is appropriate considering the demographic of schools, health centre, vulnerable people, crime rates and deprivation. Children would be walking past the premises all the time to get to and from school and to use the local library opposite and shops.
b) The Licensing Authority do not believe that the application takes sufficient account of the location. The staffing levels offered are insufficient given the premises location and amount of gaming machines. However, even if there were more staff at the premises we do not believe this would resolve the issues at this location as based on the data available this location is surrounded by vulnerable persons and is in a high crime area.
c) In addition, the excess cost of harm associated with gambling within Spelthorne is above the UK average. Having another gaming centre in the wrong location as explained in the objection will have a negative impact on the public and health services.
d) Based on the location and the licensing objectives, together with the Guidance the Licensing Authority objects to the granting of this licence.

**ii) Representations from ‘other persons’**

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

133 valid and relevant representations were received.

Copies of the valid and relevant representations are attached at **Appendix K.**

The grounds for objection are summarised below:

**Preventing gambling from being a source of crime and disorder, being associated with crime and disorder or being used to support crime:**

- The applicant's reliance on CCTV and locked doors during late hours is reactive and does not address broader community safety risks
- Encouraging gambling in an area that has already got a problem with ASB is not going to help
- The premises is too near to residential roads and will only encourage more problems and anti social behaviour.
- Increased risk to public safety
- concern that the granting of a licence will bring more anti-social behaviour and an increase in crime
- Has a very high crime rate compared to rest of Surrey.

**Ensuring that gambling is conducted in a fair and open way, and**

- There is insufficient information available about how the proposed premises will ensure transparency and fairness in its operations.

**Protecting children and vulnerable persons from being harmed or exploited by gambling.**

- Concern that children pass the location daily and exposed visibly. The Library which is opposite has been of particular concern.
- Concerns over close distance to sensitive locations such as library, schools, youth centres, care homes, churches, community spaces and a family centre. The proposed 24/7 operation, combined with the shopfront's central location, will increase exposure to gambling and normalise it for young people and vulnerable adults.
- Concerns that it will put vulnerable individuals at risk
- Ashford sits within Surrey's most deprived borough, and Church Road serves economically vulnerable residents. Concerns about financial exploitation and impulse gambling.
- Residents from Harper House in Fordbridge Road, many of whom are vulnerable for a variety of reasons.
- Clarendon Family Centre, a base for vulnerable people suffering domestic abuse, family conflict, mental issues and children of all ages presenting behavioural problems.

7.3 As per the Guidance to Local Authorities. At section 5.22. "In determining applications for premises licences, the Act explicitly sets out two principles that licensing authorities should **not** have regard to:

- s.153 makes it clear that in deciding whether or not to grant a licence, a licensing authority must not have regard to the expected demand for gambling premises that are the subject of the application
- s.210 (1) of the Act states that 'in making a decision in respect of an application...a licensing authority should not have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with law relating to planning or building'.

## 8. Planning

8.1 A planning application was previously submitted and was refused. It was appealed and planning permission was granted by the Planning Inspector with the below conditions:

(a) The development hereby permitted shall begin no later than two years from the date of this decision.

(b) The development hereby permitted shall be carried out in accordance with the following approved plans - Site location Plan; 39ChrAGC/FUL/24/01; 39ChrAGC/FUL/24/02 and 39ChrAGC/FUL/24/03 received by Spelthorne Borough Council on the 08.05.2024.

(c) Prior to first operation of the development hereby permitted the separating floor between the development and the first-floor flats above shall be in accordance with the details set out in the Noise Assessment Report, Reference: P24-046-R01 April 2024 (Hepworth Acoustics). Thereafter, this standard of sound insulation shall be retained and maintained.

(d) The use hereby permitted shall only take place between the following hours: 09:00 – 23:00.

8.2 Under the Gambling Act 2005, planning and licensing are separate regulatory regimes. The Licensing Committee must assess the application based solely on the licensing objectives.

8.3 The Gambling Commission's guidance confirms that licensing authorities should not consider planning status when determining a licence application. It is the applicant's responsibility to ensure compliance with planning legislation, and any breach of planning control would be addressed separately by the planning authority.

## 9. Licensing Policy

9.1 The following sections of the Council's Licensing Policy are relevant:


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| 1.1 | The Gambling Act 2005 | 4 |
| 1.1.1 | General Statement of Principles | 4 |
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| 1.1.3 | The Licensing Objectives | 5 |
| 1.2 | Spelthorne Borough – Local Area Profile | 5-6 |
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| 2 Premises Licences | | |
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| 2.1 | Decision making – general | 10 |
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| 2.11 | Adult Gaming Centres | 15-16 |
| Appendix 1 | Local Area Profile | 27 |

A full copy of the Council’s Licensing Policy is at **Appendix M.**

## 10. National Guidance

10.1 The Gambling Commission has issued guidance under section 25 of the Act. The relevant parts of the guidance for consideration are:

| **Part One: General guidance on the role and responsibilities of licensing authorities in gambling regulation** | |
|---|---|
| 4 | Primary Legislation |
| 5 | Statutory aim to permit gambling |
| 6 | The licensing objectives |
| 7 | Codes of practice |
| 8 | Licensing Authority discretion (s.153 of the Act) |
| 9 | Local Risk Assessments |
| 10 | Licensing authority policy statement |
| 11 | Limits on licensing authority discretion |
| 12 | Other powers |
| **Part Four: Licensing authorities** | |
| 1 | Introduction |
| 2 | Statutory framework |
| 3 | Licensing authority decisions |
| **Part Five: Principles to be applied by licensing authorities** | |
| 1 | Licensing Objectives |
| 2 | Section 153 Principles |
| 3 | Codes of practice |

| | |
|---|---|
| 4 | Good practice in regulation |
| 5 | Human Rights Act 1998 |
| 6 | Other considerations |
| **Part Seven: Premises licences** | |
| 1 | Introduction |
| 2 | Premises |
| 3 | Access to premises |
| 4 | Multiple activity premises – layout and access |
| 5 | Applications |
| 6 | Application for premises variation (s.187): ‘material change’ |
| 7 | Consideration of planning permission and building regulations |
| **Part Eight: Responsible authorities and interested parties definitions** | |
| 1 | Introduction |
| 2 | Responsible authorities |
| 3 | Interested parties |
| **Part Nine: Premises licence conditions** | |
| 1 | Introduction |
| 2 | Conditions and authorisations by virtue of the Act |
| 3 | Conditions attached through regulations made by the Secretary of State or Scottish Ministers – all premises |
| 4 | Conditions that may not be attached to premises licenses by licensing authorities |
| **Part 12: Rights of appeal and judicial review** | |
| 1 | Introduction |
| 2 | Giving reasons for decisions |
| **Part 16: Gaming machines** | |
| 1 | Introduction |
| 2 | Categories of gaming machine |
| 3 | Age restrictions |
| 4 | Maximum number of machines by premises type |
| 5 | Multiple activity premises |
| 6 | The meaning of ‘available for use’ |
| 7 | Machines other than gaming machines in gambling premises |
| **Part 21: Adult Gaming Centre** | |
| 1 | Introduction |
| 2 | Protection of children and young persons |

| | |
|---|---|
| 3 | Self-exclusion |
| 4 | Gaming machines |
| 5 | AGC premises licence conditions |
| **Appendix A- Summary of machine provisions by premises** | |
| **Appendix B- Summary of gaming machine categories and entitlements** | |

A full copy of the Gambling Commissions Guidance to Local Authorities is at **Appendix N.**

## 11. Legal Comments

11.1 The Licensing sub-committee is required to consider the representations, official Guidance issued by the Gambling Commission, and the Council's Statement of Principles.

11.2 The sub-committee is required to carry out its functions with a view to taking steps it considers appropriate for promoting the licensing objectives, which are as follows:

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

11.3 The Guidance issued by the Gambling Commission makes clear at paragraph 1.19 that there is a legal duty on licensing authorities to aim to permit gambling, in so far as it is considered to be reasonably consistent with the licensing objectives (listed above). As stated in the Guidance, the effect of this duty is that the Council's licensing authority "must approach their functions in a way that seeks to regulate gambling by using their powers, for example, powers to attach conditions to licences, to moderate its impact on the licensing objectives rather than by starting out to prevent it altogether".

11.4 The Licensing Authority is also required to hold a hearing where representations are made and not withdrawn, unless all parties agree that a hearing is not required.

11.5 Section 153(1) of the Act provides that licensing authorities should aim to permit the use of premises for gambling in so far as they think it:

i. Is in accordance with any relevant code of practice under section 24,
ii. In accordance with any relevant guidance issued by the Gambling Commission under section 25,
iii. Reasonably consistent with the licensing objectives,
iv. In accordance with the authority's Statement of Principles

11.6 The Licensing Authority must not have regard to the expected demand for the facilities which it is proposed to provide, as per section 153(2) of the Act.

11.7 The Licensing Authority should ensure that a decision to grant the application or otherwise is made based on the evidence available, and is well-reasoned.

11.8 There is a right of appeal to the Magistrates Court within 21 days by the applicant and person who submitted a representation. The sub-committee may issue a declaration under s.208 of the Act that their decision is immediate and is not stayed pending the outcome of any appeal.

11.9 A copy of the Gambling Commission's Guidance to Licensing Authorities is available at Appendix N of this report.

11.10 A copy of the Council's Statement of Gambling Policy, published in accordance with section 349 of the Act, can be found at Appendix M.

**12. Making a decision**

12.1 In determining a licence application, the Licensing Sub-Committee will consider each application on its merits.

12.2 Where a representation is submitted under Section 162 of the Gambling Act 2005 the authority must hold a hearing to consider such representations, unless the representation is withdrawn, the applicant or any party or responsible authority who has made a valid representation agrees or where the authority considers that the representations are frivolous or vexatious.

12.3 The Licensing Sub-Committee must disregard any representations that do not relate to:

(a) the licensing objectives;
(b) issues under the licensing policy statement;
(c) or the Commission's guidance or codes of practice, in accordance with section 153 of the Act

12.4 The Sub-Committee is obliged to determine this application with a view to promoting the licensing objectives which 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, and
- protecting children and other vulnerable persons from being harmed or exploited by gambling.

12.5 Section 153 of the Gambling Act provides that the sub-committee must aim to permit the use of premises for gambling (and therefore grant applications) in so far as they think they are in accordance with any relevant code of practice under section 24 of the Act, in accordance with any relevant guidance issued by the Gambling Commission under section 25 of the Act, are reasonably consistent with the licensing objectives and are in accordance with the Council's Statement of Principles.

12.6 Where the Sub-Committee is minded to grant the application it is necessary to comply with the provisions set out in The Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007 which specify the mandatory and default conditions which will be applicable to the application, depending on the type of licence applied for.

12.7 The Gambling Act 2005 and associated regulations, namely the Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007), does not restrict the times that AGCs can operate. Therefore, AGCs may be open 24 hours, with the exception outlined in Section 183 of the Gambling Act 2005 which applies a condition on all premises licences that

facilities for gambling must not be provided on Christmas Day. This application does not seek to restrict operating hours outside of this 24-hour entitlement.

12.8 The Sub-Committee must take the following steps as they consider necessary for the promotion of the licensing objectives as set out above:-

a) To grant the application for the premises licence subject to the mandatory conditions (s167 of the Act) and default conditions (s168 of the Act) and/or attach additional conditions; or
b) To grant the application for the premises licence, subject to the mandatory conditions (s167 of the Act) but excluding specific default conditions (s168 of the Act) or
c) To refuse the application.

12.9 The Sub-Committee may not modify the conditions or reject the application merely because it considers it desirable to do so. It must actually be necessary in order to promote the licensing objectives.

12.10 Conditions may be attached to Premises Licences as follows

a) Automatic conditions – having been set out in the face of the Act
b) Mandatory conditions – those specified by the Secretary of State which must be attached to the premises licence; and
c) Default conditions – those specified by the Secretary of State will be attached to the premises licence unless excluded by the Council;
d) Conditions may be attached by the Council

12.11 In accordance with Paragraph 9.29 of the Gambling Commission's Guidance, conditions imposed by the Council must be proportionate to the circumstances which they are seeking to address. In particular, licensing authorities should ensure that the premises licence conditions are:

- relevant to the need to make the proposed building suitable as a gambling facility
- directly related to the premises and the type of licence applied for
- fairly and reasonably related to the scale and type of premises
- reasonable in all other respects

12.12 Responsible Authorities and the Applicant have the right to appeal the decision of the Licensing Sub-Committee to the Magistrates' Court within a period of 21 days beginning with the day on which the applicant was notified by the Licensing Authority of the decision to be appealed against.

**Appendices:**

**Appendix A – Location Plan**
**Appendix B – Application Form**
**Appendix C - Local Area Risk Assessment**
**Appendix D- Company Policy**
**Appendix E - Licensed Area Plan**
**Appendix F – Layout Plan**
**Appendix G – Conditions Agreed with Police**
**Appendix H– Public Health Representation**
**Appendix I – Planning Representation**
**Appendix J – Licensing Representation**
**Appendix K – Valid Representations from Interested Persons**
**Appendix L – Petition**
**Appendix M– Spelthorne Borough Council Statement of Licensing Policy**
**Appendix N – Guidance to Licensing Authorities – Gambling Commission**

**Note - Additional Appendices provided:**

- **Appendix O – Further Information from Applicant**
- **Appendix P - Further Information from Representee**
- **Appendix Q – Further information from Public Health**

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Appendix A – Location Plan



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# 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 X Family Entertainment Centre ☐

Betting (Track) ☐ Betting (Other) ☐

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

If you answer "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 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 ☐

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

6. Name of applicant business or organisation: **Golden Slots (Southern) Limited**

7. The applicant's registered or principal address: **Acumen, Connaught House, Luton**

Postcode: **LU1 2RD**

8(a) The number of the applicant's operating licence (as given in the operating licence): **043695-N-323074-011**

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): **Golden Slots**

11. Address of the premises (or, if none, give a description of the premises and their location): **39 Church Road Ashford Surrey**.

Postcode: **TW15 2QF**

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 floor(s) on which the premises are located.

**The premises occupy the ground floor of a three storey building**

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:**

**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 there is no restriction on the opening of Adult Gaming Centres**

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* | |
| Tue | | | |
| Wed | | | |
| Thurs | | | |
| Fri | | | |
| Sat | | | |
| Sun | | | |

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):

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:

**The applicant is an established operator, that has held an Operating Licence since January 2016 without any enforcement action taken against it. It operates other sites in Milton Keynes, Haringey, Cricklewood and Northampton. The applicant has included a complete set of its operating policies and procedures with the application together with a local are a risk assessment in order to demonstrate how it operates its sites and promotes the licensing objectives.**

**The Applicant considers the following licence conditions are appropriate to be attached to the premises licence:**
**1. The premises shall install and maintain a comprehensive CCTV system with all entry and exit points covered. The CCTV system shall continually record whilst the premises are open and all recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer of the Licensing Authority.**
**2. A staff member from the premises who is conversant with the operation of the CCTV system shall be in the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies**

**of recent CCTV images or data on request maximum but no later than 24 hours after the initial request.**
**3. An incident log shall be kept at the premises and made available on request to an authorised officer of the Licensing Authority or the Police. Details to include:**
i. **any crimes reported at the Premises**
ii. **any customers asked to leave**
iii. **any complaints received about crime and disorder**
iv. **any incidents of disorder**
v. **any visit by a relevant authority or emergency service.**
vi. **any attempts by person under 18 to gain access to the premises**
vii. **Any Challenge 25 Refusals.**
**4. A Challenge 25 proof of age scheme shall be operated at the premises. Any person who appears to be under 25 years of age, who has not previously provided satisfactory proof of age, will be challenged at the point of entry. Acceptable forms of identification are driving licence, passport, HM Forces ID card or proof of age card with the PASS Hologram.**
**5. Appropriate staffing levels will take account of a risk assessment and police advice.**
**6. Individuals who are deemed to be under the influence of excessive alcohol shall not be allowed to enter the premises.**
**7. The licensee shall take reasonable steps to prevent nuisance directly outside the Premises.**
**8. Notices will be prominently displayed in the premises requesting customers to leave quietly and respect the residential nature of the area.**

## 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. **X**

I/We confirm that the applicant(s) have the right to occupy the premises. **X**

Checklist:

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

## 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:

Signature: [redacted]

Print Name: Debbie Bollard

Date: 03/07/2025 Capacity: Licensing Consultant

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: Capacity:

## Part 8 – Contact Details

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

23(b) Please give one or more telephone numbers at which the person identified in question 23(a) can be contacted: [redacted]

24. Postal addresses for correspondence associated with this application: Hough & Bollard Ltd 5 Tarleton Avenue Woodhall Spa

Postcode: LN10 6SE

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: [redacted]

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**LOCAL GAMBLING RISK ASSESSMENT**

**Premises:** **Golden Slots 39 Church Road Ashford TW15 2QF**

**Operator:** **Golden Slots (Southern) Limited**
**Operating Licence:** **043695-N-323074-011**

**Prepared by:** **Debbie Bollard**
**Date:** **20 May 2025**

**Requirement to Comply**

**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**

**Social responsibility code provision 10.1.1**

**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.**

**Ordinary code provision 10.1.2**

**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.**

**Premises Location**

The Premises are located on the ground floor of a three-storey building previously occupied by a bank which has Sui Generis (Amusement) planning permission.

The premises will be open 24/7 with at least 2 members of staff working on site at any given time on the basis of a maximum of 8 customers, if the numbers increase then an additional member of staff will be used for busier periods . A maglock will be in use between the hours 2200 and 0800 with the door locked during those hours and opened by a member of staff when a customers wants to enter the premises. This will also be used when the machines are being emptied and refloated when the Premises will be closed. The Company is a participant of the Boomerang SmartEXCLUSION multi-operator self-exclusion scheme, a member of the Bacta the trade body representing industry members.

The site is in Ashford Surrey, 3 miles from Heathrow Airport, located on the corner of Church Road and Dudley Road, with a single entrance off Church Road and a fire exit onto Dudley Road. Church Road (B378) is a primary route through Ashford and is lined with a variety of typical high street businesses, often with residential above. To the West side of Church Road behind the commercial development is mainly low density residential bounded by the A308, London Road to the north and Ashford Golf club to the south. To the east of Church Road is also mainly residential with a mixture of houses and purpose built flats bounded to the north by the railway line, Bedfont Lakes Country Park to the east and the A308. At the time of the 2011 census there were 2,388 detached house, 4,380 semi-detached, 1,672 terraced houses and 2,618 apartments.

Immediately next door is a Wimpy restaurant and a furniture store; Dudley Road is an entrance to a large residential area. Church Road comprises of a mixture of retail, food outlets, personal care salons and public amenities. There are 2 Betting shops on Church Road – Coral and William Hill within 500 feet of the location on either side of the road. Both are part of large national chains with robust compliance policies in place particularly around social responsibility. The nearest Adult Gaming Centre is Casino Slots in Feltham nearly 3 miles away as is the nearest Bingo Hall Buzz Bingo. Public community buildings include Ashford Library almost across the road.

**Demographics**

Ashford is located in Spelthorne District Council with a population of circa 23k (2021 census) with over half being of working age and predominantly white British ethnicity. The average debt per person is £670 (Local Gov Reports 2023) and child poverty in Ashford is circa 10%, which is below the national average of 22%. Spelthorne is the most deprived borough in Surrey (https://www.surreyi.gov.uk/census-2021/census-2021-household-deprivation/ with 7.9% of the population income deprived. However the area of Ashford where the Premises are located is in one of the least deprived wards and is in the 20 percent least income deprived neighbourhoods in England (fig 1)

Spelthorne has a low rate of unemployment being sited close to Heathrow: 1.4% of those economically active aged 16 to 64, compared to the South East (2.2%) and UK as a whole (3.5%). Average wages are slightly above regional averages at £827 per week for full-time employees (ONS).

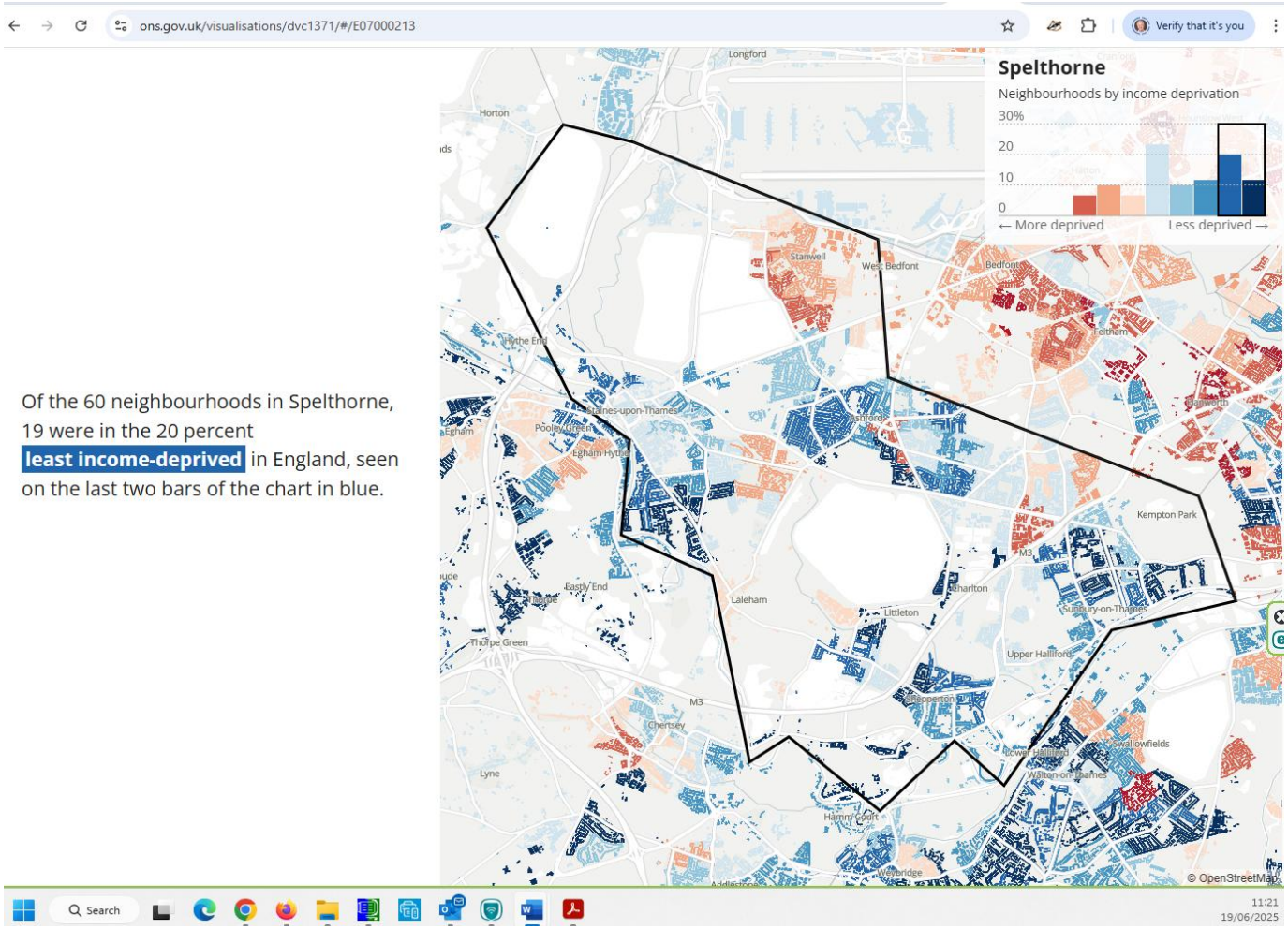


Fig 1

The health of people in Spelthorne is generally better than the England average. About 12.6% (2,225) children live in low-income families. Life expectancy for both men and women is higher than the England average. Life expectancy is 5.6 years lower for men and 6.0 years lower for women in the most deprived areas of Spelthorne than in the least deprived areas such as Ashford (Public Health England).

**Crime**

The nearest police station is Staines Police Station 22 Kingston Road Staines TW18 4LQ open Monday to Sunday during the hours of 08:00-22:00. Alternate Hounslow Police Station 3-5 Montague Road TW3 1LB open 24/7

Ashford is the reported as the most dangerous medium-sized town in Surrey, and in the top 10 most dangerous of all communities in Surrey. The overall crime rate in was 102 crimes per 1,000 people which compares poorly to Surrey's overall crime rate, of 61 per 1,000 daytime population. For England, Wales, and Northern Ireland as a whole, Ashford is the 87th most dangerous medium-sized town, and the 995th most dangerous location out of all towns, cities, and villages (crimerate.co.uk/surrey/ashford)

In January – April 2025 nearly 700 crimes were committed in Ashford, the most common crimes in Ashford are violence and sexual offences, and anti social behaviour (police.uk/surrey/ashford)

**Schools**

- **Primary**
  - Clarendon Primary School (01784 253379) 0.2 miles
  - St Michael's Primary School (01784 253333) 0.4 miles
  - Fordway Centre SSS (01784 243365) 0.4 miles
  - Ashford Primary School (01784 253310) 0.8 miles
  - The Echelford Primary School (01784 253233) 1.0 mile
  - Ashford Park Primary School ((01784 250305) 1.0 mile
  - The Matthew Arnold School (01784 457275) 1.4 miles
- **Secondary**
  - St James Senior Boys School (01784 266930) 0.3 miles
  - Thomas Knyvette College (01784 243824) 0.6 miles

**Banks & ATMs**

| | |
|---|---|
| Tesco ATM | less than 0.1 mile |
| Sainsbury's ATM | less than 0.1 miles |
| NatWest Bank | 0.2miles |
| Stanwell Road Post Office | 0.4 miles |
| Lloyds | 1.7 miles |

**Pawn Shops - nil**

**Pubs and Bars**

Kings Head (0.4 miles)
Kings Fairway (0.5 miles)
The District Arms (0.8 miles)

**Churches**

Ashford Congregational Church – Clarendon Road (<0.1 mile)
St Michael's Fordbridge Road (0.2 miles)
Ashford Baptist Church (0.2 miles)
Woodthorpe Methodist Clarendon Road (0.2 miles)
St Matthew - Church Road 0.3 miles
St Hilda's – Stanwell Road/Woodthorpe Road - (0.4 miles)
Salvation Army Woodthorpe Road (0.5 miles)
There are no known mosques or temples in the vicinity

**Care Homes**

| | |
|---|---|
| Cedars Care Home (01784 242356) | 0.2 miles |
| Echelforde Care Home (01784 819505) | 0.2 miles |
| Acacia Lodge (01784 452855) | 1.8 miles |

**Transport Hubs**

Bus stop Dudley Road

Bus stop Church Road Car Park
Ashford Railway Station

**Area of general interest to children**

| | |
|---|---|
| The Kub Club | 0.2 miles |
| Ashford Youth Club | 0.9 miles |
| Woodthorpe Road Play Area | 0.9 miles |
| Hengrove Park | 1.1 miles |

**Centres for vulnerable people**

Studholme Medical Centre (0.1 mile)
Clarendon Family Centre (0.2 miles)

| RISKS | LEVEL | IMPACT | RISK MANAGEMENT | DATE REVIEWED |
|---|---|---|---|---|
| Children entering the site unnoticed or unchallenged particularly after school and during school holidays | Low | Severe to Business<br><br>Severe to Child | The latest gambling participation survey (2024) reports the most common types of gambling activity that young people participated in were legal such as penny pushers or claw grab machines (20%), 4% played on fruit or slot machines and did not feature age restricted products, but only.<br><br>There is only one entrance/exit from Church Road which is effectively monitored by staff at all times from the customer service desk and by the floor walkers.<br><br>The site frontage is designed to obscure the interior so as not to be attractive to children and there is no advertising that is designed to be attractive to children at the entrance.<br><br>Over 18s notices are clearly displayed at entrance to the Premises<br><br>The site is strictly 18+ and the Operator has a Think 25 policy in place; anyone appearing to be under 25 will be asked to provide photographic ID . The Operator will only accept passports photo card driving licences and HM Forces ID cards. Anyone unable to verify their age is asked to leave immediately.<br><br>Staff age verification training is delivered, with staff receiving training on induction and at least annually. Additional/remedial training is given when considered necessary. All training is recorded and stored electronically and in paper format on staff files.<br><br>Gaming machines are clearly labelled as 18+ and set out so that players are not obscured from view. CCTV cameras and monitor screens are in use around the premises in the gaming area to monitor players at all times. CCTV is recorded, backed up by equipment in the back office and is available to download for 30 days.<br><br>Stakes are returned to anyone who has played a category C or B gaming machine and unable to verify their age | |

| | | | | |
|---|---|---|---|---|
| | | | Age test purchasing is undertaken at least annually and the results are reported to the Gambling Commission on an annual basis. Any failure will be reviewed by senior management and additional training put in place. Further testing will be arranged within a week. | |
| Out of control gambling by other vulnerable people and failure to recognise signs associated with problem gambling or substantial changes in gambling behaviour | Low | Moderate to business<br><br>Severe to Vulnerable people | The Operator has a robust customer interaction policy & procedure<br><br>Staff receive training on induction and at least annually on how to identify customers who are or may be at risk of harm from gambling and how to interact with them.<br><br>Customers are offered a number of self-help tools including timers, time outs and self-exclusion.<br><br>Customer interactions are reviewed and assessed weekly for effectiveness. Where appropriate further and alternative interactions are used if no change in behaviour is seen.<br><br>Operator led exclusions are used as a last resort where a customer displaying problems refuses to engage in customer interactions and continues to display signs of extreme problem gambling<br><br>The site is designed to have effective monitoring of all customers at all times. CCTV cameras and monitor screens are in use around the premises in the gaming area to monitor players at all times. CCTV is recorded, backed up by equipment in the back office and is available to download for 30 days.<br><br>The results of all customer interactions are recorded on SmartEXCLUSION tablet and reported to the Gambling Commission quarterly<br><br>Marketing and advertising complies with the LCCPs, the CAP and BCAP standards and is not designed to attract vulnerable persons or encourage gambling beyond means | |

| | | | | |
|---|---|---|---|---|
| Failure to provide information on responsible gambling to players | Low | Severe to business<br><br>Severe to customers | The Operator has stay in control posters displayed prominently<br><br>The Cat B gaming machines display safer gambling messages and are programmed with reality checks<br><br>Stay in control leaflets are made available in racks & discreet locations<br><br>Regular audit of poster & leaflets to maintain stock levels | |
| Failure to properly administer the self-exclusion process & maintain its effectiveness, including breaches & reinstatements | Low | Severe to business<br><br>Severe to customer | At least two members of staff are employed at any given time on the basis of a max 1:4 ratio.<br><br>Staff are required to review the self-exclusion data before starting each shift so they are familiar with those who have recently self-excluded from the site and other local AGCs.<br><br>The site layout is designed for effective monitoring of customers entering premises from the customer service desk and by floor walkers<br><br>CCTV at entrance to the premises and monitors on the walls aid identification of known excluders<br><br>Use of on-site & SmartEXCLUSION self-exclusion schemes<br><br>Use of group WhatsApp to notify staff of customers attempting to, or actual breaches of self-exclusions | |
| Failure to deal with customers making complaints about the gaming machines | Moderate | Moderate to business | All gaming machines are sourced from licensed suppliers only<br><br>All gaming machines are regularly maintained and switched off immediately where the outcome of a gambling fault is identified. | |

| | | | | |
|---|---|---|---|---|
| | | Severe to customers | Terms and conditions displayed at premises provide details of how to make a complaint<br><br>Paper copies of complaints procedure and complaints form are available<br><br>Staff are trained on induction on how to deal with customer disputes, including referrals to IBAS the ADR provider | |
| Failure to identify attempts by third parties to launder money through the business | Low | Severe to business<br><br>Low to customers | There are no pawn shops identified in the local vicinity<br><br>Effective monitoring of customers' behaviour by good line of sight from customer service desk and CCTV with monitors sited on the walls<br><br>Staff are regularly trained to identify counterfeit money<br><br>Staff are trained to identify unusual customers behaviour such as anonymous large spenders and customers trying to cash out without playing<br><br>Change machines & note takers are regularly inspected<br><br>Incidents of concern including money lending are reported through the SmartEXCLUSION system and to the MRLRO | |
| Poor security increasing vulnerability to crime | Low | Severe to business<br><br>Severe to customers | Cash float and money for banking are retained in a locked safe and deposited at the bank as soon as possible.<br><br>Toilets are locked and can only be accessed by asking a member of staff to unlock them .<br><br>Liaison with local police teams as appropriate<br><br>Effective CCTV with monitors sited on the walls, with data recorded and stored for 30 days and available to download. | |

| | | | | |
|---|---|---|---|---|
| | | | Toughened glass windows and doors with mag-lock fitted and in operation during hours of 2200-0800 and when refloats and empties are in progress<br><br>All incidents recorded in incident log and reported to the Gambling Commission quarterly<br><br>Intruder alarm installed and regularly serviced; staff will be issued with personal attack alarms if the nee is identified | |
| Anti-social behaviour outside the premises | Low | Moderate to business<br><br>Low to customers | The Operator acknowledges its public responsibility to ensure its Premises are not a source that public nuisance and disorder. It will work closely with the police and other local partnerships to reduce the risk of any impact.<br><br>Staff are trained to monitor the external area around the entrance for any anti-social behaviour and to take appropriate steps. Anyone seen loitering around the entrance will be asked to move away.<br><br>Where an incident appears to be escalating the staff with use the mag-lock to lock the door and engage with local partnerships to minimise the risk | |

Appendix D - Company Policy

# GOLDEN SLOTS (SOUTHERN) LIMITED

# POLICIES & PROCEDURES

| **Version** | **Date** | **Drafted/Reviewed by** |
|---|---|---|
| 1 | Feb 2018 | Debbie Bollard |
| **2** | **May 2025** | **Debbie Bollard** |
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## GAMBLING REGULATORY COMPLIANCE

**Introduction**

The Company is licensed to operate Bingo and AGC premises and supply, repair and maintain gaming machines.

The Directors and Company acknowledge their obligations to uphold the licensing objectives set out in the Gambling Act 2005 and the requirement to comply with the Licensing Codes and Conditions of Practice (LCCPs) as amended from time to time. The Company will comply with any relevant social responsibility provision of a code of practice issued by the Gambling Commission.

If it became clear that the Company was unable to fulfil its responsibilities under the Operating Licence the Directors would notify the Gambling Commission immediately and comply with any requirements of the Gambling Commission

***Licensing Objectives***

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

***Licensing Conditions and Codes of Practice***

The latest version of the LCCPs can be found online at
https://www.gamblingcommission.gov.uk/licensees-and-businesses/lccp/online

Compliance with the *Social Responsibility Codes* is a condition of the Company's Operating Licence, and any breach may lead the Commission to review an Operator's Licence with a view to suspension, revocation or the imposition of a financial penalty. This could also expose the Company to the risk of prosecution.

*Ordinary Code Provisions* do not have the status of Operator Licence conditions but set out good practice. The Company can adopt alternative approaches provides it considers the ordinary code provision and can demonstrate that an alternative approach is reasonable in the circumstances; or that by taking an alternative approach it is acting in a similarly effective manner. Ordinary codes of practice are admissible in evidence in criminal or civil proceedings and must be taken into account in any case in which the court or tribunal think them relevant, and by the Commission in the exercise of its functions; any departure from ordinary code provisions by the Company may be taken into account by the Commission on a licence review but cannot lead to imposition of a financial penalty.

**REPORTING REQUIREMENTS**

The Company will disclose to the Commission anything that is likely to have a material impact on its business or ability to conduct licensed activities compliantly. In particular it will report any of the Key Events listed in the Licence Condition 15.2.

**A key event** is an event that could have a significant impact on the nature or structure of an Operator's business. Operators are required to notify the Commission of the occurrence of key events as soon as reasonably practicable and in any event within five working days of becoming aware of the event's occurrence.

Operators must as soon as reasonably practicable, provide the Commission with any information that they know relates to or suspects may relate to the commission of an offence under the Gambling Act 2005, including any breaches of the Licence Conditions and Codes of Practice.

Full details of notifiable key events can be found in the Licence Conditions and Codes of Practice at condition 15.2 and include the following:

- The Company becoming insolvent;
- Any change in key personnel;
- Any disciplinary sanction, including dismissal, against the holder of a personal licence;
- Submission of a suspicious activity report (SAR) to the NCA pursuant to the Proceeds of Crime Act 2002 or Terrorism act 2000;
- Any breach of the Company's information security that adversely affects the confidentiality of customer data; and
- Any change of the Company's alternative dispute resolution (ADR) provider

The Company acknowledges its duty as set out in Licence Code 15.3.1 to, and will, provide the Gambling Commission with any information it requests in Regulatory Returns or otherwise relating to operations including the type of gambling activities provided, the numbers of staff employed and the policies in relation to, and the experience of, problem gambling.

**RESPONSIBILITY FOR THIRD PARTIES**

The Company will be responsible for any third parties that it contracts with relating to the operation of its premises or the supply of gaming machines and will require any third party to act in accordance with the LCCPs. It will require any third party to provide any information that it may need to comply with its information reporting and other obligations to the Gambling Commission. Any contract with such a third party will include a provision to terminate the contract if in the Company's opinion the third party is in breach of its obligations.

**ACCESS TO PREMISES**

The Company acknowledges its obligation to ensure that staff co-operate with the Gambling Commission's Enforcement Officers, the Police and the Authorised Officers of the Local Authority in the proper performance of their compliance functions and that they are made aware of those officers' rights of entry to premises contained under Part 15 (S.303 to S.326) of the Gambling Act 2005 (refer to page 2 of this policy) and that:

- The Company must provide the Gambling Commission or Police with any information that it suspects may relate to the commission of an offence under the Gambling Act 2005, including an offence resulting from a breach of an operating licence condition or a code of practice provision having the effect of a licence condition.
- The Company must provide the Gambling Commission with such information as the Commission may require from time to time including the range of gambling activities provided by the licensee and the licensee's policies in relation to, and experience of, problem gambling.
- The Company must submit a Regulatory Return to the Gambling Commission containing such information as the Commission may require from time to time and provide evidence that the terms on which gambling is offered are not unfair under the Unfair Terms in Consumer Contracts Regulations 1999 and, where applicable, complies with the Consumer Rights Act 2015.
- Staff will co-operate with Enforcement Officers and Police in the proper performance of their compliance functions; senior management will ask the visiting officer for a written report of the inspection.

Staff are trained on induction and during refresher training on this policy and the rights of entry to premises by the Gambling Commission's Enforcement Officers, the Police or an Authorised Officer of the Local Authority.

- Suspected Offence - A constable or enforcement officer can enter a premises if he reasonably suspects that an offence may be being committed or is about to be committed.
- Inspection of Gambling - A constable, enforcement officer or authorised person may enter premises if they reasonable suspect that unlawful facilities for gambling (other than private and non-commercial gaming) or better may be being provided, may be about to be provided or have been provided.
- Inspection of Operating Licence Condition Compliance - A constable or enforcement officer may enter premises that they reasonably believe to be used by the holder of an operating licence in connection with licensable activities, to determine whether the licensed activities are being carried out in accordance with the conditions of the operating licence.
- Licensed Premises - A constable, enforcement officer or authorised person may enter a premises where an application for a premises licence has been made to assess the likely effects of activity carried on under a premises licence.

# ANTI-MONEY LAUNDERING RISK ASSESSMENT POLICY & PROCEDURES

## LICENCE REQUIREMENTS

Under LCCP 12.1.1 in order to prevent money laundering and terrorist financing, licensees must:

- Conduct an assessment of the risks of their business being used for money laundering or terrorist financing;
- Review the risk assessment at least annually;
- Have appropriate policies, procedures and controls in place to prevent money laundering; and
- Implement those policies effectively taking into account learning or guidelines published by the Gambling Commission.

The appropriate guidance from the Gambling Commission can be found at: https://www.gamblingcommission.gov.uk/manual/duties-and-responsibilities-under-the-proceeds-of-crime-act-2002

The Company is licensed for non-remote Bingo, AGC and the supply maintenance and repair of gaming machines and is therefore not within the regulated sector under the Money Laundering (Information on the Payer) Regulations 2017 (as amended). However, the Company must comply with its obligations to prevent commission of offences under the Proceeds of Crime Act 2002 (POCA) and also comply with the LCCP.

## MONEY LAUNDERING

Money laundering is a term referring to offences involving the proceeds of crime or terrorism funds. Criminals attempt to launder money by disguising the source and/or changing the form of the funds or moving them to a place where they are less likely to attract attention.

The following are acts of money laundering:

- Concealing, disguising, converting, transferring criminal property, or removing from the UK (section 327 of the Proceeds of Crime Act (POCA) 2002).
- To enter into or become concerned in an arrangement which you know, or suspect will assist the acquisition, retention, use or control of criminal property or on behalf of another person (POCA section 328).
- Acquiring, using, or possessing criminal property.

## ANTI-MONEY LAUNDERING

Anti-money laundering (AML) is a term used to describe the legal controls that require financial institutions and other regulated entities to prevent, detect, and report money laundering activities.

An effective AML program requires:

- The criminalisation of money laundering with powers given to regulators and the police to investigate and prosecute;
- Financial institutions to identify their customers, establish risk-based controls, keep records and report suspicious activities;
- The ability to share information with other jurisdictions as appropriate.

**REGULATION**

Employees working in the gambling industry are required to make a report in respect of any information that comes to them in the course of their business:

- when they know
- when they suspect
- when they have reasonable grounds for knowing or suspecting that a person is engaged in money laundering or terrorist financing, including criminal spend.

These obligations are collectively referred to as grounds for knowledge or suspicion. The Company must be able to demonstrate, with supporting evidence, that a risk assessment is and has been undertaken prior to entering into business relationships with customers and that adequate customer due diligence is conducted in order to ensure that customers' transactions are consistent with the level of risk presented.

The Company must also be able to demonstrate the extent of ongoing monitoring which is conducted on a risk-sensitive basis and retained any records necessary to reflect this, with risk profiles being properly maintained. This policy identifies additional measures that will be applied to carry out risk monitoring and when it will be necessary to obtain a declaration as to the source of funds from customers in situations which present a high risk with the potential for money laundering.

The Company and its Directors are committed to ensuring that compliance is embedded in all aspects of the business.

## AML RISK ASSESSMENT

**COUNTRY/GEOGRAPHIC RISK**

**Risks**

- Residents of some countries can pose an inherently elevated risk of money laundering; the Financial Action Task Force has identified several High-Risk Jurisdictions on their Black List and a number of countries that are under increased monitoring on their Grey List https://www.fatf-gafi.org/en/countries/black-and-grey-lists.html
- Customers can present a higher risk as a result of their citizenship, business or residency.

**Risk assessment**

- There is a possibility that customers may originate from countries on the FAFT list.
- The majority of customers will be known to staff working in the premises through everyday customer interactions
- Staff are trained to be alert to any suspicious activity and to report suspicions to their line manager.
- Where the Company has suspicion that an unknown customer may come from a country on the Blacklist they will be asked to provide proof of residency and the Company will undertake further monitoring for any suspicious activity.
- Where the Company has suspicion that an unknown customer may originate from a country on the Grey List the Company may undertake further monitoring for any suspicious activity.

**Risk assessment** = **LOW**

**CUSTOMER RISK**

**Risks**

- Unknown or anonymous customers
- High spenders
- Disproportionate spenders
- Casual or regular customers
- Forged or stolen identities,
- From jurisdictions on the Blacklist or the Grey List or on sanctions lists.

**Risk assessment**

- The majority of customers will be known to staff through everyday customer interactions.
- Staff are trained to be aware of any suspicious activity and to report suspicions to their line manager.
- Where there is any doubt about the identity of a customer, they will be asked to verify their identity against their passport or driving licence photo.

**Risk assessment = LOW**

**TRANSACTION RISK (INCLUDING MEANS OF PAYMENT)**

**Risks**

- Money used to bet/gamble may be the proceeds of crime.
- Cash may be used that is difficult to trace and is associated with criminal activity.
- Customers may deposit criminal proceeds into gaming machines and then withdraw the funds with no gambling activity.

**Risk assessment**

- Staff are trained to be aware of any suspicious activity and to report suspicions to their line manager.
- The maximum stake on gaming machines is £2.
- Wins over £300 in value are paid out from the counter where no TITO so staff can interact with the customer and identify any suspicious activity.

**Risk assessment = LOW**

**PRODUCT RISK**

**Risks**

- Some gambling products such as gaming machines, and automated ticket redemption machines can pose a higher risk of money laundering.

**Risk assessment**

- The Company offers low-stake gaming machines with a maximum stake of £2 and maximum prize of £500.
- Wins over £300 in value are paid out from the counter where no TITO so staff can interact with the customer and identify any suspicious activity.

**Risk assessment = MED.**

**RISK ASSESSMENT - OVERALL**

- The Company has assessed its risk of being used to launder criminal proceeds to be **LOW/MED** overall.
- Its business is offering low stake gaming machines and bingo with a limit of £2 maximum stake.

- Winnings of over £300 are paid out by staff where no TITO instead of from the gaming machine to help identify suspicious activity
- Any stakes credited to a machine and then withdrawn with no gambling activity are flagged as suspicious to the MLRO.

The Company assesses that its risk of money laundering is LOW.

The Company acknowledges that higher value gambling activity carries a higher risk of money laundering and staff are trained to be alert to any such activity and to report it to their line manager.

**Updated May 2025**

**CRIME & DISORDER AND AML POLICY**

This policy is based on the following principles and practises:

- The development of systems and controls that are appropriate for the business and comply with all legal and regulatory requirements;
- The assessment of any money laundering risks to the business at least annually and the adoption a risk-based approach that is flexible, effective, proportionate and cost effective;
- A commitment from, and responsibility resting with, the senior management;
- Regular assessment of the systems and controls in place;
- The maintenance of transactions records that meet the needs of law enforcement investigations tackling money laundering and terrorist financing;
- Initial and ongoing training for all relevant employees;
- Providing the nominated Money Laundering Reporting Officer (MLRO) with the resources and authority to operate objectively and independently.

**RISK MANAGEMENT**

The Company has a policy and procedures in place in relation to risk assessment and management, as required under the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (the Regulations). This risk-based approach involves a number of discrete steps in assessing the most proportionate way to manage and mitigate the money laundering and terrorist financing risks:

- Identifying any money laundering and terrorist financing risks that are relevant to its business;
- Designing and implementing policies and procedures to manage and mitigate these assessed risks;
- Monitoring and improving the effective operation of these controls; and
- Recording what has been done, and why.

This risk-based approach focuses the effort where it is most needed and will have most impact. It requires the full commitment and support of senior management, and the active co-operation of all employees. The Company has conducted an assessment of its risk exposure to money laundering, which considers the threat, and its impact.

**MLRO**

The designated Money Laundering Reporting Officer (Harpreet Chattha) takes responsibility for SARs in respect of the prevention and detection of money laundering, counter terrorism financing and the Company's obligations under the Proceeds of Crime Act 2000

The MLRO has responsibility for:

- Deciding whether to establish or continue a business relationship with a customer;
- Suspending or terminating a business relationship;
- Deciding whether the Company has any knowledge or suspicion of money laundering in relation to a customer's betting activity; and
- Submitting a Suspicious Activity Report (SAR) to the National Crime Agency (NCA) using www.nationalcrimeagency.gov.uk.
- Seeking a defence (where appropriate); and
- Keeping a record of the decision-making process and all SARs submitted to the NCA.

The MLRO has the authority to act independently in carrying out their responsibilities and has access to sufficient resources to carry out their duties.

**SUSPICIOUS ACTIVITY**

Suspicious activity includes any suspicious transactions, extreme customer profiles, and where deposits contradict the circumstances. Where the Company identifies a customer that requires additional risk monitoring it will conduct enhanced due diligence checks and may ask them to provide the following as evidence of identity:

- Passport or ID card.
- Utility bill.
- Bank statement.
- Other proof of identity.

Enhanced Due Diligence Checks are based on a customers' profile and the risk they pose to the Company's business. Where it is determined that a customer may be a risk the Company will conduct risk monitoring which will include checks of where the customer lives and works, and the value of their home and whether its comparable to the level of customer spending.

**SUSPICIOUS ACTIVITY REPORTS (SARS)**

The law imposes a duty on businesses to make a Suspicious Activity Report (SAR) about any actual or suspected money laundering or terrorist funding. Any employee who has any information that comes to them in the course of working for the Company that they know, suspect, or have reasonable grounds to know or suspect a money laundering activity is occurring should report their suspicions promptly to the MLRO using the form below. Any employee failing to so, will be subject to disciplinary action and is liable to criminal prosecution.

No further enquiries should be made about the suspected money laundering after reporting to the MLRO and no further steps in any transaction relating to the suspected money laundering should be made without authorisation from the MLRO.

An employee must not, under any circumstances, disclose or discuss any AML concern with the person or persons subject to an investigation, or any other person for that matter. Disclosure (also known as "tipping off") is strictly prohibited and carries with it serious legal penalties.

Furthermore, and in order to keep ourselves protected as much as possible, no remark should ever be left on an account that would give any indication that money laundering is suspected, a customer being

entitled, at any point in time, to request the full notes/remarks on their account.

**EMPLOYEES**

The Directors are fully committed to and responsible for the implementation of this policy. They understand their individual personal liability for consenting to or contributing to the commission of offences under the Regulations, or where such offence is attributable to any neglect on their part.

**Staff training**

All staff will receive training on their obligations to report any knowledge or suspicions of money laundering to the MLRO and are aware of the procedures in place for doing so. Relevant employees will receive training on how to follow Company procedures for:

- Client due diligence (CDD), including enhanced requirements for high-risk clients,
- reporting suspicious activity to the MLRO and seeking appropriate consent to payout winnings where applicable.

**RECORD KEEPING**

The Company will ensure that there is an audit trail to assist in any financial investigation by a law enforcement body. Its record keeping policy and procedure covers records in the following areas:

- Details of how compliance has been monitored by the MLRO;
- Delegation of AML tasks by the MLRO;
- MLRO reports to senior management;
- Information not acted upon by the MLRO including an explanation as to why no further action was taken;
- Customer identification and verification information;
- Supporting records in respect of business relationships or occasional transactions;
- Employee training records;
- Internal and external SARs;
- Contact between the MLRO and police or the NCA, including records connected to appropriate consent.

**OFFENCES**

All employees are made aware of their risk of committing the following related offences.

- Failing to report suspicious activity under POCA and the Terrorism Act
- Failing to make a disclosure to the MLRO as soon as they are in receipt of information giving rise to the knowledge or suspicion.
- Failing, as the MLRO to make a disclosure to NCA of information giving rise to the knowledge or suspicion.
- Disclosing information that a SAR has been submitted and that is likely to prejudice an investigation,
- Disclosing information that an investigation into allegations that an offence under POCA or the Terrorism Act has been committed, and that is likely to prejudice the investigation.
- Falsifying, concealing, destroying, or disposing of any documents that re relevant to an investigation into an offence under POCA or the Terrorism Act

**VETTING PROCEDURES FOR NEW EMPLOYEES**

The Company undertakes a number of vetting procedures when staff are employed through proper identification checks and verifies the identity and credentials of employees using at least two independent references. It will also seek to verify any further personal information or background information.

**PROTECTING EQUIPMENT FROM INTERNAL CRIME AND CRIMINAL MISUSE**

The Company understands that a keyway to combat fraud is to first identify where its most valuable assets are. Processes and controls have been built into the routine business of the Company to minimise the risk of any of the gaming machines being misused.

**ENSURING OTHER COMPANIES ARE TRUSTWORTHY AND REPUTABLE**

The Company is committed to promoting strong principles of business and professional ethics at every level.

All new suppliers will be subject to a rigorous approvals process and all information supplied by them will be verified and assessed to consider the risks associated with the supplier. The company also ensures that any third parties it contracts with understand the compliance obligations under the relevant customer jurisdictions.

**RESPONSIBILITIES UNDER THE PROCEEDS OF CRIME ACT (POCA)**

The Company is fully aware of its obligations set out in the Proceeds of Crime Act 2002 and has appropriate policies and procedures in place.

**INTERNAL RECORD KEEPING**

- Records of all customer transactions will be retained for a minimum of 6 years after the transaction has taken place.
- Records of customer details, regardless of their value state or open/blocked status, will be kept for a minimum of 6 years after the relationship with the customer was terminated.
- Records of money laundering investigations and suspicious activity reports will be kept for 6 years after the investigation was completed.

**FURTHER INFORMATION**

Further information can be obtained from the following sources:

- National Crime Agency (NCA) https://www.nationalcrimeagency.gov.uk/
- National Crime Agency (NCA) - Suspicious Activity Reports (SARs): https://sarsreporting.nationalcrimeagency.gov.uk
- National Crime Agency (NCA) - Guidance on submitting better quality Suspicious Activity Reports (SARs) https://www.nationalcrimeagency.gov.uk/who-we-are/publications/650-guidance-on-submitting-better-quality-suspicious-activity-reports-sars-v9-0/file
- Money Laundering Regulations: report suspicious activities: https://www.gov.uk/guidance/money-laundering-regulations-report-suspicious-activities

Gambling Commission - Anti-money laundering hub:
https://www.gamblingcommission.gov.uk/licensees-and-businesses/aml

**For completion by the employee suspicious of activity**

CONFIDENTIAL

From: _____

[insert name of employee]

**Details of suspected offence:**

| |
|---|
| **Names(s) and address(es) of person(s) involved:**<br>[if a company/public body please include details of nature of business] |
| **Nature, value and timing of activity involved:**<br>[Please include full details e.g., what, when, where, how. Continue on a separate sheet if necessary] |
| **Nature of suspicions regarding such activity:**<br>[Please continue on a separate sheet if necessary] |

**Has any investigation been undertaken (as far as you are aware)?** (Please tick the relevant box)

☐ Yes ☐ No

**If yes, please include details below:**

**Have you discussed your suspicions with anyone else?**

(Please tick the relevant box) ☐ Yes ☐ No

**If yes, please specify below, explaining why such discussion was necessary:**

**Signed:** _____ **Dated:** _____

**Please do not discuss the content of this report with anyone you believe to be involved in the suspected money laundering activity described. To do so may constitute a tipping off offence, which carries a maximum penalty of five years' imprisonment.**

**For completion by the Money Laundering Reporting Officer (MLRO)**

**THE FOLLOWING PART OF THIS FORM IS FOR COMPLETION BY THE MLRO**

**Date report received:** _____

**Date receipt of report acknowledged:** _____

CONSIDERATION OF DISCLOSURE:

| **Action plan:** |
|---|
| |

OUTCOME OF CONSIDERATION OF DISCLOSURE:

| **Are there reasonable grounds for suspecting money laundering activity?** |
|---|
| |

**If there are reasonable grounds for suspicion, will a report be made to NCA?** [Please tick the relevant box] ☐ Yes ☐ No

**If yes, please confirm date of report to NCA: _____and complete the box below:**

**Details of liaison with NCA regarding the report:**

**Notice period:** _____ **to** _____

**Moratorium Period:** _____ **to** _____

**Is consent required from NCA to any ongoing or imminent transactions which would otherwise be prohibited acts?** [Please tick the relevant box] ☐ Yes ☐ No

**If yes, please confirm full details in the box below:**

**Date consent received from NCA:** _____

**Date consent given by you to employee:** _____

**If there are reasonable grounds to suspect money laundering, but you do not intend to report the matter to NCA, please set out below the reason(s) for non-disclosure:**

| |
|---|
| [Please set out any reasonable excuse for non-disclosure] |

**Date consent given by you to employee for any prohibited act transactions to proceed:**

_____

| |
|---|
| **Other relevant information:** |

**Signed:** _____ **Dated:** _____

**THIS REPORT TO BE RETAINED FOR AT LEAST FIVE YEARS**

## PROTECTION OF BUSINESS FROM BEING A SOURCE OF CRIME OR DISORDER

### CASH HANDLING POLICY

**Licensing Requirements**

- LCCP Condition 5.1.1 requires Operators to implement appropriate policies and procedures concerning the usage of cash and cash equivalents (by customers, designed to minimise the risk of crimes such as money laundering, to avoid the giving of illicit credit to customers and to provide assurance that gambling activities are being conducted in a manner which promotes the licensing objectives.
- LCCP Condition 15.3.1 requires Operators to report their gross gambling yield from each category of gaming machine within 28 days of the end of each quarterly period.

The Company acknowledges that there is a risk of internal and external crime including the theft of monies from its premises and the use of the business to launder money and/ or finance terrorism. The Company has there put in place the following cash handling policy for all its premises.

**Principles:**

- The receipt of money from gaming machines must be properly accounted for in all circumstances.
- Any concerns about money laundering should be immediately reported to senior management and the Money Laundering Reporting Officer and documented.
- All cash collections must be carried out by appropriately trained individuals.
- All cash collected must be securely stored and banked.
- Full records of all gaming machine collections must be maintained, including
    - the meter readings for each machine;
    - the category of gaming machine;
    - the location of the gaming machine.

**Procedures:**

- Gaming machines are emptied by the senior management and meter readings are recorded.
- All money is immediately taken to the site office where it is counted and the details together with the meter readings are recorded electronically to ensure that the same correspond.
- The Directors and senior managers are solely responsible for issuing refloats after the machines have been emptied and all floats are recorded and signed for at the time.
- The Directors and senior managers are responsible for banking;
- Any cash is kept stored securely in the safe in the site office until it is banked

**Credit & Money lending**

The Company does not permit the use of credit cards for gambling in its premises whatsoever.

The Company does not provide credit in connection with gambling nor participate in, arrange, permit, or knowingly facilitate the giving of credit in connection with gambling. Staff are trained to be alert to and to prevent collusion between customers. Disciplinary action will be taken against any member of staff involved.

The Company does not permit customers to lend money to one another and staff are trained to be alert to and identify any attempts and to report instances of substantial lending to a director. Customers will be asked to cease the practice and in certain circumstances they may be excluded from the premises if the behaviour continues.

**Internal crime**

The Company acknowledges that there is a risk of internal crime in the form of theft or money laundering by employees. Although this is assessed as being low, to mitigate the risk, the Company has adopted the following policy.

- The Premises are constantly monitored by CCTV which is recorded and available to download and review at any time.
- Only senior management are responsible for emptying and refloating the machines and which is conducted on a weekly basis at which time meter readings are taken and recorded; these are then checked to ensure that the same correspond.
- Any cash is kept stored securely in the safe in the office together with the keys to all the gaming machines with access by senior management only.
- Staff and their family are not permitted to use the gaming machines or electronic bingo terminals in its premises.

The Company is authorised under its Gaming Machine Technical Supplier Operating Licence to supply the following gaming machines:-

- Cat B2 - max stake £2 max prize £500 to Casinos & Betting shops
- Cat B3 – max stake £2 max prize £500 to the above Bingo sites and AGCs
- Cat B3A – max stake £2 max prize £500 to members clubs etc
- Cat B4 – max stake £2 max prize £400 to all the above
- Cat C – max stake £1 max prize £100 to all the above FECs, pubs and commercial clubs
- Cat D AWP – max stake 10p max prize £5 to all above & uFECs
- Cat D non-money - max stake 30p max prize value £8 to all above
- Cat D Prize – max stake £1 max prize value £50 to all above
- Cat D crane – max stake 10p max prize £8 to all above
- Cat D combined money & non-money max stake 20p max prize £20 to all above
- Cat D coin pushers and penny falls to all of the above

The Company can make the following gaming machines available for use in its Bingo and AGC Premises:-

- Category B3– max stake £2 max prize £500
- Category B4 – max stake £2 max prize £400
- Category C – max stake £1 max prize £100
- Category D – max stake 10p max prize £5

The Company will ensure that on its Premises it only operates 1 category B3/4 machine for every 4 category C/D machine unless it has premises with grandfather rights when it can operate a maximum of 4 category B3/4 machines. Where applicable, to maintain the 20% rule staff are trained to switch off a category B3/4 machine if a category C/D machine becomes unserviceable.

**External Crime**

The Company maintains an asset register recording:

- Details of its gaming machines including serial numbers
- The location of each gaming machine and the relevant authorisation for its operations
- Details of any maintenance including software updates
- Details of disposal

The Company ensures that all gaming machines operated and supplied by the Company have:

- Independent metering to monitor activity.
- Coin and note acceptors that reduce the risk of counterfeit monies being used in the machines.
- Security locks with access to keys limited to the Company and authorised staff.
- Alarms and programs designed to shut the machine down in the event of an attempt tamper with them.

The Company audits transactions and accounts and makes regular checks for any unusual or suspicious activities.

The Company uses CCTV and has staff monitoring its equipment to prevent crime and criminal misuse.

The Company carries out due diligence checks on other businesses that it deals with to ensure they are trustworthy and reputable and comply with any industry regulations and standards. This includes where appropriate that a supplier holds a valid Operating Licence. If there are any concerns about the conduct of a third party that the Company does business with he will, where appropriate, terminate any contract immediately.

The Company only sources gaming equipment supplied by other businesses that hold Operating Licences and regularly checks to ensure that the equipment complies with the Gambling Commission's technical standards.

## ENSURING THAT GAMBLING IS CONDUCTED IN A FAIR AND OPEN WAY

The Company recognises its responsibility and obligations to ensure that the gambling facilities provided are operated in a fair and open way as is required by the licensing objectives and the LCCPs.

The Company offers gambling on fair and open terms; none of the terms on which gambling is offered are unfair terms within the meaning of the Consumer Rights Act 2015 and, where applicable, meets the reasonableness test under the Unfair Contracts Act 1977. Terms of play are benchmarked against these legal requirements.

Staff are trained on induction, that it is essential that the Company is seen to be operating in a fair and open way and that any queries should be immediately referred to the management. Staff are trained on how to deal with the complaints, and which includes logging all complaints in the log at the Premises. All records and reports, including the outcome of each dispute, are submitted annually to the Gambling Commission.

The Terms and Conditions of use of the facilities in Premises are clearly displayed at the Premises and include details of how to self-exclude and make a complaint. Paper copies of the terms and conditions and the complaints procedures are made available for customers to take away. Any changes will be notified to customers through additional signage prior to any change taking place.

Where the Company offers customers free or discounted alcoholic drinks for consumption in its Bingo premises, such promotions will not be linked to whether, or when, the customer begins, or continues, to gamble. Furthermore, the Company will not make unsolicited offers of free alcoholic drinks for immediate consumption by customers at a time when they are participating in gambling activities.

The Company carries sufficient float in its safe on its Premises to cover all gambling transactions and financial obligations.

The Company acknowledges its responsibility for third parties that it contracts with linked to its licensed activities and will ensure that the terms of any such contracts: -

- require a third party to act in accordance with the LCCPs applicable to any activities conducted on behalf of the Company.
- require a third party to provide all information that the Company may need to comply with its information reporting and other obligations to the Gambling Commission
- permit the Company to terminate the contract if in its reasonable opinion a third party is in breach of contract particularly relating to terms pertaining to the LCCPs and licensing objectives.

The Company will ensure that there are sufficient facilities for playing Bingo through Electronic Bingo Terminals so that Bingo remains the Primary activity on the Premises. The layout and design of the Premises are such that anyone entering will be able to identify that they are in a Premises licensed to offer Bingo.

## GOLDEN SLOTS (SOUTHERN) LIMITED - TERMS AND CONDITIONS

**Who we are and our contractual relationship**

1. These Premises are operated by Golden Slots (Southern) Limited)("us" or "we") under the authority of an AGC/Bingo Operating Licence (43695) granted by the Gambling Commission.
2. When you use the gambling facilities on our premises you are entering into a legal contract with us, the terms of which are set out here (the "Terms"). As soon as we provide or display amended Terms then the amended Terms will apply from that point onwards unless we make any material changes in which case, we will display a notice in our premises informing customers of the changes to Terms before they come into effect.
3. When you are on our premises, we expect you to treat our staff and other customers with courtesy. We may ask you to leave if, in our opinion, your behaviour is rude, threatening, or abusive; or you are under the influence of alcohol or other substances. We may refuse admission to our premises at any time without giving reasons.

**Underage gambling**

4. Entry to our Premises is only for those aged 18 years and older. Our staff are required to check your age if you appear to be under the age of 25. You may be asked to show ID proving your age.
5. We will only accept a valid, legible, and current form of ID that is an original not a copy and which contains a photograph capable of identifying you and which must also state your date of birth. Any ID's which show signs of tampering will be rejected. Acceptable forms of ID include any identification carrying the PASS logo (for example Citizencard or Validate), a military identification card, a driving licence (including a provisional licence) with photocard, or a passport.
6. We may refuse you entry and/or remove you from our Premises if you appear to be under-age and cannot or will not produce an acceptable form of ID.
7. If we discover that a child (under 16 years) or young person (16 or 17 years) has gambled on any gaming machine (other than a Category D (i.e. stake of no more than 10p and maximum prize of £5 cash), then we will return the payment to play, and no prize winnings will be paid out.
8. If you are over 18 and are accompanied by a person who is under the age of 18 then we will refuse both of you entry to our Premises. If you enter or try to enter more than once when accompanied by a person who is under the age of 18 years, then we may exclude you from our premises permanently (even if not accompanied by a child or young person).

**Responsible gambling and self-exclusion**

9. You agree that we may approach and speak to you where we believe you may have an issue with your gambling and that we may refer you to sources of help with problem gambling. We may record those discussions with you and may also give details of our concern to the Gambling Commission – this will be in general terms and no personal data will be shared with the Gambling Commission. You may want to contact GAMCARE which provides information, advice and counselling to individuals, their family and friends who have concerns about problem gambling. The Helpline number for GamCare is 0808 802 0133. We are a member of the Boomerang SmartEXCLUSION national self-exclusion scheme.
10. This means that you may exclude yourself from gambling with us and from other participating premises for an initial minimum period of between 6 and 12 months. Please inform a member of staff if you wish to discuss self-exclusion. Where possible we will try to discuss this with you in private.
11. In order to self-exclude, you will be expected to sign a paper or digital self-exclusion form accepting the terms and conditions of your self-exclusion and provide us with personal information such as your name, address and contact details, as well as photo identification and any other personal details we reasonably consider necessary to implement this self-exclusion. You do not have to enter our premises to do this and may communicate with us in writing. You agree that we may share the information you provide and the fact of your self-exclusion with IHL who operate the self-exclusion scheme and other local AGC and Bingo premises. More details will be provided by our staff if you choose to self-exclude.
12. If you have self-excluded yourself from our venue, then we will try to make sure that you are not allowed to enter our premises. If we find you inside our premises, then we will ensure that you leave as quickly as possible. **However, if you still manage to gamble during a period of self-exclusion then we will not be responsible for your gambling losses, nor will we have to refund any monies lost.** We will record any attempt by you to breach your self-exclusion agreement.
13. At the end of the period chosen by you, the self-exclusion will remain in place for a further 6 months unless you take positive action in order to gamble again by requesting a member of staff to allow you to do so. If you reinstate yourself to gambling in this way you will not be able to gamble for a further 24 hours – this is called a cooling off period and is required by Gambling Commission Regulations. You may also request a renewal of the self-exclusion when it expires by contacting a member of our staff.
14. If you do not renew your self-exclusion, nor request to be re-instated to gambling then your self-exclusion

will automatically continue for a further six months. After this time, you will no longer be self-excluded.
15. We reserve the right to exclude you from the premises without your consent if you we consider that you are unable to control your gambling or are abusive to staff, are disruptive or fail to comply with any other terms of entry.

**Credit and loans**

16. We do not permit the use of credit cards in our Premises
17. We do not provide any form of credit in connection with gambling.
17. We do not permit any loans or other arrangements on our premises where credit is given to another person for any gambling activities. We will ask anyone to leave our premises and will exclude from entry in the future anyone who we discover is making loans on our premises on a commercial or organised basis.

**Promotions and reward schemes**

18. Any promotions, loyalty, or other reward schemes we offer will be subject to separate terms and conditions.

**Refunds**

19. If any gaming or other machine fails to work or work properly then, at the discretion of the venue, you will be entitled to is a refund of the stake you wagered. If we believe a machine is operating incorrectly, we may stop any further play on it. Any wins from a faulty machine will be void and you will not be entitled to collect any winnings accrued on a faulty machine.

**Complaints and disputes**

20. In this section, a "complaint" means a complaint about any aspect of our operation of our licensed gaming activities. A "dispute" is any complaint which is not resolved at the first stage of our complaints process. A copy of our complaints and disputes procedure is available on request.
21. If you have any complaints about any of the facilities for gambling that we provide, you should raise it as soon as possible with the Manager. If your complaint is not resolved to your satisfaction by the Manager, please put your complaint in writing, setting out the circumstances and send with any supporting information to Harpreet Chattha, Golden Slots (Southern) Limited, 15-17 Upper George Street Luton LU1 2RD within 21 days.
22. We aim to respond in writing to your complaint within 14 days of receiving your written complaint.
23. If your complaint remains unresolved after receiving a written response from us, then we treat it as a dispute, and you have the option to refer it to the independent alternative dispute resolution (“ADR”) entity that we use. This entity is called CEDR and can be contacted via its website https://www.cedr.com
4. There is no charge or cost to you in referring your complaint to CEDR, but it will not deal with your complaint until you have been through our complaint’s procedure. In referring a dispute to ADR, you accept that any determination is binding on you and us.

**Cheating and advantage play**

25. If you are found cheating or if it is determined by us that you have employed or made use of a system (including any apparatus) designed to gain an advantage over the random operation of any gaming machine, you will not be paid out any prizes and will be barred from entering the premises in the future.

**Data protection and privacy**

26. We operate CCTV facilities at our premises for the purposes of detection and prevention of crime, and to ensure that our staff are able to work in a safe environment. CCTV recordings may be disclosed to the police or used in dealing with any complaints.
27. If you have opted into the self-exclusion scheme then your personal data will be made available to our staff, and the Boomerang as well as other participating AGC and Bingo sites.
28. In order to fulfil our regulatory obligations, we may undertake various checks of your identity, residence, income and wealth and may require you to supply us with information or documents in this regard.

## TECHNICAL STANDARDS

### GAMING MACHINE TECHNICAL STANDARDS

LCCP 2.3.1 requires Operators to comply with the Commission's technical standards and with requirements set by the Commission relating to the timing and procedures for testing.

The Gambling Commission's technical standards can be found at: https://www.gamblingcommission.gov.uk/licensees-and-businesses/page/gaming-machine-technical-standards

The Company acknowledges that its Operating Licence permits it to supply the following gaming machines to customers:-

- Cat B2 - max stake £2 max prize £500 to Casinos & Betting shops
- Cat B3 – max stake £2 max prize £500 to the above Bingo sites and AGCs
- Cat B3A – max stake 32 max prize £500 to members clubs etc
- Cat B4 – max stake £2 max prize £400 to all the above
- Cat C – max stake £1 max prize £100 to all the above FECs, pubs and commercial clubs
- Cat D AWP – max stake 10p max prize £5 to all above & uFECs
- Cat D non-money - max stake 30p max prize value £8 to all above
- Cat D Prize – max stake £1 max prize value £50 to all above
- Cat D crane – max stake 10p max prize £8 to all above
- Cat D combined money & non-money max stake 20p max prize £20 to all above
- Cat D coin pushers and penny falls to all of the above

Gaming machines operated and supplied by the Company are either manufactured or supplied by Operators licensed by the Gambling Commission. The Company will, where appropriate, seek assurances from its suppliers that the gaming machines and parts supplied comply with the latest technical standards.

Gaming machines operated and supplied by the Company that are manufactured after September 2007 are fully compliant with the Gambling Commission's technical standards.

Gaming machines operated and supplied by the Company that are manufactured after September 2007 contain meters which record information on the games played and this information will be the basis for dispute resolution.

Gaming machines operated and supplied by the Company declare if they are 'random' or 'compensating'.

- If it is a random machine it will state on the machine that 'This machine is random'
- If it is a compensating machine it will state on the machine that 'this game is compensated and may be influenced by previous play'
- If it is a compensating machine which has a feature which may invite a player to make a choice which may offer a low chance of success (e.g. a Hi/Low or gamble button) the machine will state 'this game is compensated and may be influenced by previous play and offer the player a choice where there is little chance of success'.

Gaming machines operated and supplied by the Company display the percentage payout. This is calculated over a very long run, normally 100,000 plays.

- If the game does not depend on player strategy the machine will display the following notice 'this machine has an average percentage payout of at least [insert value] %'.
- If the payout depends on player strategy the machine will state 'the return to player based on best strategy is [insert value] %'
- If the payout, for example of a feature, does not reflect the true odds the machine will display the following message 'the outcome of any game of feature is not necessarily that shown by the odds displayed'.

Gaming machines operated and supplied by the Company state whether a malfunction will either void a game or voids all pay-outs and games.

Gaming machines operated and supplied by the Company state when a machine has a minimum payout level and will also state if it is not possible to have certain winning combinations available in every game.

**BINGO TECHNICAL STANDARDS**

The Gambling Commission has set out its Bingo Technical Requirements in its document at https://www.gamblingcommission.gov.uk/standards/bingo-and-casino-technical-requirements/3-part-2-bingo-technical-requirements

**Definitions**

- ***Main Stage Bingo Game***: A primary game, or games, played in any bingo session, involving physical (paper) and, or as well as, virtual (electronic) tickets which are typically purchased before the bingo session starts.
- ***Interval Bingo Game***: any game played outside of sessions of 'main stage bingo'. Entry into interval games is typically purchased prior to each game starting. An example of an interval game would be 'mechanised cash bingo'.

**Prize Information:**

***Information to be displayed for main stage games:***

The Company will ensure that the prize information board always displays the following information during the game session and will ensure that most players have a clear and unobstructed view of the board during play:

- The opening and closing numbers of tickets for both paper tickets and virtual (electronic) tickets will be displayed separately;
- The total number of tickets in the game (whether tickets are paper, virtual or otherwise);
- The total number of tickets not in the game, e.g., spoiled or unsold;
- The total prize fund;
- Details of the allocation of prizes, e.g., one-line, full house, value etc;
- Sufficient information to allow players to identify the ticket in play, e.g., book colour, page;
- All previously called numbers within the game;
- The last number called.

***Information to be displayed for interval bingo games:***

- The game number;
- The game type (e.g., prize, cash);
- The cost per game (unless this is indicated orally to players);
- The number of boards in play for linked games and number of boards or players in play for standards games;
- The prize (cash prizes only; non-cash prizes can be announced by other means);
- The last number called.

When checking a claim, the Company will require a representation of the ticket being checked, including any relevant serial or permutation numbers to be shown, together with its status (valid, not valid, already checked).

***Display of information on players' Game devices***

The Company will ensure that, where the information is not readily available otherwise, any Game devices are capable of clearly displaying, either on screen or via labelling attached to the device, the following information:

- All information required as set out above for Main Stage games and Interval Bingo games;
- The players' credit held on the system;
- The price of play information;
- Information on how to gamble responsibly and help for problem gamblers;
- Alarm or fault information when needed.

The Company will ensure that all games are displayed in a recognisable form so that players can follow the play and interact appropriately.

**Random Number generation**

The Company will seek assurances from its supplier that the Bingo equipment supplied complies with the technical requirements for random number generation. Where the supplier can no longer provide assurances that the equipment does comply, the Company will stop its use until appropriate updates are made, or it will be removed from the Premises.

**Electronic device and server-based system requirements**

The Company will ensure that:

- the server used to process the Bingo games is securely housed;
- an audit trail for all financial transactions, errors and significant events is maintained so it can be accessed for compliance audit purposes;
- data is regularly backed up and the back-up stored in a secure location.

The Company will take all reasonable steps to ensure that:

- its policies for dealing with service interruptions are fair and do not systematically disadvantage customers;
- the system is not adversely affected by the simultaneous or sequential activation of any inputs and outputs, such as 'play buttons', which might, whether intentionally or not, cause malfunctions or invalid results;
- where a note acceptor or printer is in use during a power failure it will on resumption of the power either: -

- complete or restart the task successfully; or
- display an error message indicating that such a fault has occurred, and which will remain until the fault has been resolved. Furthermore, the metering or audit controls will identify any accounting anomalies for dispute resolution purposes.

The Company will seek assurances from its supplier that where any simultaneous live linked Bingo is played:

- any determinant used in its games is transmitted simultaneously to all player devices designed to receive such information within that game;
- the receiving devices can present the appropriate information such that no player is disadvantaged by the introduction of any delay;
- any gambling devices or systems that incorporate an internal clock use the time to provide an accurate time stamp of all financial transactions, errors, and significant events;
- all clocks or clock systems related to gambling shall be set to the correct time.

**Cashless play**

The Company shall ensure that where a gaming device has the facility to accept a stake or participation fee from, and make payment of a prize to, the same medium of cashless payment, for example a smartcard ('the medium') (but not TITO), then the following will apply:

- a secure player account database will be held within the system;
- the system will allow a player to retrieve their funds at any reasonable time when the venue is open;
- a facility will be available on the premises which will show a player their current monetary balance without the need to transfer funds or play a game, or receive any offers or inducements to commit money for play or further play;
- the gaming device will be capable of being rendered incapable of accepting funds from the medium at any time when the account holder has entered a self-exclusion agreement at the premises where the device is sited.
- a players will be able to track and, or as well as, limit the amount of money they are able to deposit onto the medium over a given period. The limit that the individual chooses to impose may only be set or modified once in any 24-hour period.

**Printers**

Any printer used to make payments will be located by opening the main door of the gaming device.

Printed tickets will include the following information:

- details of where and when the ticket originated;
- details of the transaction type;
- the value of the ticket;
- a unique ticket identifier.

**Ticket validation**

As part of its fraud prevention strategy, the Company will ensure that tickets used for credit redemption are independently validated before a credit is given to identify duplicate tickets that may be reprinted versions of a ticket previously issued. The data will be kept for audit or ADR purposes.

**Error Conditions and alert requirements**

The Company will take all reasonable steps to ensure that any Bingo devices made available for play can detect, display and alert the Company to the following types of error conditions and significant events and that if the error or event affects the gameplay in any way, then the device will 'lock up' and prevent further game-play until the error or event is cleared:

- events or errors related to payment to play, e.g., coins, notes;
- events or errors related to operation of the device, e.g., battery failure, programme error;
- events or errors related to security, e.g., door open;
- events or errors related to pay-outs, e.g., printer jam, hopper empty.

**Wireless network systems**

Where a gaming device uses Wi-Fi for players to participate the Company will use all reasonable endeavours to ensure that

- there are no areas where the signal is poor or intermittent and likely to interrupt play;
- there is adequate Wi-Fi coverage so that the failure of a single transmitter does not significantly reduce the players' ability to participate in the game.

The Company will ensure that where a network failure occurs all devices alert the player of the failure as soon as it is possible to do so. The device may continue with any game if the network connection is restored provided that the player is not disadvantaged in any way. A manual alternative method of play may be used where there is no disadvantage to the player and where there is adequate time to do so.

The Company will seek assurances from its supplier that all protocols use communication techniques that have proper error detection and, or as well as, recovery mechanisms which are designed to prevent unauthorized access or tampering, employing Data Encryption Standards (DES) or equivalent encryption with secure seeds or algorithms.

**Power level display requirements**

The Company will ensure that any portable devices give warnings when the battery life of the device reaches a low level.

**Audit requirements**

The Company will keep and maintain an audit log of sufficient time stamping of significant events for ADR purposes and which is readily available on site.

**Bingo Tickets**

The Company will ensure that:

- every ticket used in a game of bingo consists of a unique set of letters, numbers or symbols irrespective of whether it is a paper or electronic ticket, or a mix of the two, or any other representations of bingo tickets and irrespective of whether the game takes place in one or at multiple venues;
- each ticket in play has a unique reference number or code associated with it, which can be used for ticket verification purposes.

The Company will ensure that player participation is required to record the numbers or other game determinant called and to claim a win.

**MARKETING POLICY**

In accordance with Social Responsibility Code 5.1, where the Company offers any customer or potential customer an incentive or reward it will ensure that the scheme makes clear:

- the circumstances in which, and conditions subject to which, the benefit is available are clearly set out and readily accessible to the customers to whom it is offered;
- that neither the receipt nor the value or amount of the benefit is dependent on the customer gambling for a pre-determined length of time or with a pre-determined frequency; or altered or increased if the qualifying activity or spend is reached within a shorter time than the whole period over which the benefit is offered;
- that if the value of the benefit increases with the amount the customer spends it does so at a rate no greater than that at which the amount spent increases;

The Company will ensure that all marketing is undertaken in a socially responsible manner and complies with the advertising codes of practice issued by the Committee of Advertising Practice (CAP) and the Broadcast Committee of Advertising Practice (BCAP) as applicable.

The Company will also ensure that any marketing communications, advertisements, and invitations to purchase (within the meaning of the Consumer Protection from Unfair Trading Regulations 2008) do not amount to or involve misleading actions or misleading omissions within the meaning of those Regulations; that all significant conditions which apply to any marketing incentives are provided transparently and prominently to consumers and that significant conditions are displayed at the point of sale for any promotion, and on any advertising in any medium for that marketing incentive. Where limitations of space make this impossible information about the significant conditions will be included to the extent that it is possible to do so, and the advertising will clearly indicate that significant conditions apply with a link to a webpage where the significant conditions are displayed in full. Such terms will be made available for the full duration of the promotion.

The Company will not send direct electronic marketing to consumers without their informed and specific consent and will cease sending such marketing if consent is withdrawn.

**COMPLAINTS AND PLAYER DISPUTE RESOLUTION**

Under SR Code provision 6.1.1 licensees must:

- put into effect appropriate policies and procedures for accepting and handling customer complaints and disputes in a timely, fair, open and transparent manner.
- ensure that they have arrangements in place for customers to be able to refer any dispute to an ADR entity in a timely manner if not resolved to the customer's satisfaction by use of their complaints procedure within eight weeks of receiving the complaint, and where the customer cooperates with the complaints process in a timely manner. The services of any such ADR entity must be free of charge to the customer.
- not use or introduce terms which restrict, or purport to restrict, the customer's right to bring proceedings against the licensee in any court of competent jurisdiction. Such terms may, however, provide for a resolution of a dispute agreed by the customer (arrived at with the assistance of the ADR entity) to be binding on both parties.
- Have complaints handling policies and procedures that include procedures to provide customers with clear and accessible information on how to make a complaint, the complaint procedures, timescales for responding, and escalation procedures.
- ensure that complaints policies and procedures are implemented effectively, kept under review and revised appropriately to ensure that they remain effective, and take into account any applicable learning or guidance published by the Gambling Commission from time to time.
- keep records of customer complaints and disputes and make them available to the Commission on request.

**POLICY AND PROCEDURE FOR INVESTIGATING A CUSTOMER COMPLAINT**

Where a customer raises a complaint about the use of a gambling product provided by the Company it will invoke its complaints procedure as follows:-

- In the first instance the member of staff receiving the complaint will assess whether it can be solved immediately without further intervention from the Company and the matter will be recorded in the Premises complaints' log - **Stage 1**
- If a member of staff is unable to resolve the matter immediately the matter will be referred to the Manager who will try to resolve it - **Stage 2**
- Where the Manager is unable to resolve the matter within 48 hours one of the Directors will review the complaint and provide an acknowledgement to the customer within 3 days, by any reasonable communication method requested - **Stage 3**
- If the complaint cannot be resolved to both parties' satisfaction within 8 weeks the customer will be advised to refer the complaint to CEDR ADR Service and provided with contact details
- The Company will provide CEDR with any additional information it requires to investigate the complaint within 10 working days of a request,
- A record of the referral and its outcome will be reported to the Gambling Commission.

**The Company will ensure that:**

- Its terms and conditions include information about how to make a complaint;
- Information about how to make a complaint is readily accessible to customers and in a paper format that can be taken away;
- The information includes: -
    - details of how to make a complaint and the contact details of the person who will handle the complaint;
    - CEDR's contact details for referring any disputes that cannot be resolved within 8 weeks by the Company;
- Customers are provided with a copy of the complaints policy and procedure on request or when making a complaint
- All complaints are handled in accordance with the procedure;
- A record of all complaints is kept in its complaints log and a copy of the outcome and any decision of a referral to CEDR.
- Its complaints policy and procedure are implemented with effective staff training, kept under review to ensure that they remain effective and comply with the requirements of LCCP 6.1.1 and take into account any applicable learning or guidance published by the Gambling Commission from time to time.
- It notifies the Gambling Commission about any change to its ADR provider.

## GOLDEN SLOTS(SOUTHERN) LIMITED
## COMPLAINTS & DISPUTE RESOLUTION CUSTOMER INFORMATION

Golden Slots (Southern) Limited tries to provide a high-quality service to its customers and members of staff are trained how to deal with complaints at the initial stage. However, if you believe that things have gone wrong, and your complaint was not resolved to your satisfaction then please inform us as we take such reports seriously. We will review your complaint and will be dealt with by:

- [redacted]

**How to make a complaint**

- Complaints, which we will deal with confidentially, should be submitted in writing, or e-mail.
- The attached form should be used to record and submit complaints.
- Give as much detail as possible and any other relevant information to assist us in the investigative process.
- Complaints should be raised within 6 months of the incident.

**What happens next?**

We will acknowledge receipt of your complaint in writing within 3 days, we will investigate and provide a full explanation of what we have done within 8 weeks of receiving a complaint. If this is not possible, for example because of a delay in you providing additional information we have requested, we will give a date by which a full response can be expected, and which will only take into account any such delays. Should your complaint not be resolved between us we will provide you with a 'deadlock' or final outcome letter that you will need to submit if you go to Alternative Dispute Resolution (ADR).

**If you are not satisfied with our response**

If you are still not satisfied with our response to the complaint, you may consider contacting CEDR, the ADR entity this company is registered with, and request that the matter be reviewed. You should submit all previous correspondence relating to your complaint, including the 'deadlock' letter referred to above.

CEDR will acknowledge receipt of your correspondence without undue delay and, after a review, inform you of its findings and recommendation usually within a maximum of 90 days. The review process is thorough and based upon the information that both parties and other independent sources provide.

CEDR's ADR Service contact details are as follows:

- Email Address: applications@cedr.com
- Website: www.cedr.com/consumer/lotteries-gambling/gambling/
- Telephone: 020 7536 6000
- Postal Address: 100 St. Paul's Churchyard, London EC4M 8BU

It is recommended that you visit CEDR''s website so that you are fully aware of the procedural rules and other related information

## Complaint Form - CUSTOMER

Name: ……..

Address: ……..

……

Postcode …….

Daytime Telephone No.……

E-mail address: ……..

Signature: …….. Date: ……..

Is this an initial complaint or a follow up to a previous incident?

……

……

……

Name of staff member that you initially raised your complaint with:

……

Date of Incident: ……

Time of Incident: ……

A clear and comprehensive account of the complaint and what you are seeking as redress to resolve the matter:

……

……

……

……

……

……

……

……

……

……

……

……

……

Please use continuation sheet(s) if required.

Signed..... (Complainant)

Date: …….
For Office Use Only

Director dealing with complaint: …… ……

Complaint Acknowledged (Y/N): Date: …….

Details of action to resolve taken by Company:

……

……

……

If complaint still unresolved by Company

Complainant referred to ADR Entity (Y/N); Date…….

……..

Company Complaint Policy & Procedure Document given to Complainant (Y/N): Date……

## PROTECTION OF CHILDREN AND VULNERABLE PEOPLE POLICY

The Company recognises its responsibility and obligation to protect children and other vulnerable persons from being harmed or exploited by gambling as is required by the licensing objectives and the LCCPs.

**Access To Gambling by Children and Young Persons**

***Licence Requirements***

- Under s.46 Gambling Act 2005 it is an offence to permit a person under 18 to gamble.
- Under SR Code 3.2.5 licensees must:
  - Have and put into effect policies and procedures designed to prevent underage gambling.
  - Policies must include verifying the age of a customer.
  - Warn customers that underage gambling is an offence.
- Under SR Code provision 3.2.5 policies must also include:
  - checking the age of apparently underage customers
  - refusing entry to an adult only area to anyone unable to produce an acceptable form of identification.
  - taking action when there are unlawful attempts to enter the adult-only areas.

**POLICY AND PROCEDURE TO PREVENT UNDERAGE GAMBLING**

All the Company promotional material makes it clear that under 18's are not permitted to enter its Premises.

The Company has a think 25 policy, and anyone entering its Premises that is suspected of being underage or believed to be under 25 is asked to produce valid photographic ID as proof of age which includes their date of birth and has no visible signs of tampering or reproduction. The Company will accept the following as evidence of proof of age:

- A passport; or
- A driving licence; or
- An Armed Forces identity card

Anyone found to be or unable to prove their age will be asked to the leave the Premises or refused admission. Forged ID may be retained and handed to the police.

Staff are trained as part of their induction that they are under no circumstances to permit access to Premises by anyone who appears to be under the age of 25 and who cannot prove that they are over the age of 18. Notices are displayed at the entry to the Premises stating that no one under the age of 18 is permitted to enter or gamble.

The Company ensures that it does not offer gambling in a style that is intended to or likely to appeal to anyone under 18.

If a person under 18 repeatedly attempts to gamble at Company premises staff will offer that person information on problem gambling and issue an oral warning that further attempts will be reported to the police. If the said person continues to try to enter the premises for the purpose of gambling the

incident will be reported to the police, recorded in the incident log, and recorded in the Company's annual regulatory return.

If the Company identifies an adult who is complicit in encouraging or assisting someone under the age of 18 to enter and gamble in the premises a director will issue a warning and may consider excluding the adult from Company premises on a temporary or permanent basis.

An entry of any incident will be recorded in the incident log kept at the Premises and reported to the Gambling Commission on an annual basis.

The Company participates in a collective test purchasing scheme as part of its underage gambling prevention strategy with testing undertaken a minimum of once a year. The results of any test purchase will be recorded in the Company's logs as 'challenge before gambling activity', 'challenge during gambling activity', 'challenge after gambling activity', or 'unchallenged' and reported to the Gambling Commission. Where a premises fails a test purchase a further test purchase will be arrange and the results recorded.

**Employment of children and young people**

Employment of children and young people

- Under s.51 of the Gambling Act 2005 it is an offence to employ anyone under 18 to provide facilities for gambling
- Under s.54 of the Gambling Act 2005 it is an offence io employ anyone under 18 to work on gaming machines that are sited in gambling premises
- Under s.55 it is an offence to employ anyone under 18 in an AGC unless closed
- Under Ordinary Code Provision 3.6.2 Licensees should have policies and procedures in effect designed to ensure that
    - Children and young people are not asked to provide facilities for gambling.
    - All staff are instructed on the laws relating to access to gambling by children and young people.

The Company does not employ anyone under the age of 18 to work in its Premises. All staff have been trained about the laws relating to access to gambling by anyone under the age of 18 and which forms part of the induction training for all staff. It is strict Company policy that no gambling facilities are made available for use at the Company's Premises if anyone under the age of 18 is working on the premises outside the hours when the premises are open for business.

**SOCIAL RESPONSIBILITY POLICY AND PROCEDURES**

**Licence Requirements**

- Under SR Code 3.1.1 licensees must:
  - Have and put into effect policies and procedures to promote socially responsible gambling;
  - Make an annual financial contribution to organisations to prevent and treat gambling related harms.
- Under SR Code 3.3.1 licensees must:
  - Make information readily available to customers on how to gamble responsibly and how to access information about problem gambling (e.g., monitoring or controlling gambling by duration or money spent, timers, self-exclusion options or further advice or information)
- Under SR Code 3.4.1 licensees must:
  - Interact with customers by (a) identifying customers who may be at risk or experiencing gambling harm (b) interacting with those customers and (c) understanding the impact of the interaction;
  - Take into account the Commission's guidance on customer interaction https://www.gamblingcommission.gov.uk/licensees-and-businesses/guide/customer- interaction-formal-guidance-for-premises-based-operators?msclkid=8e1bb2c1b4f411ec9bf242e2b502fe58
- Under SR Code 3.5.1 licensees must:
  - Have and put into effect procedures for self-exclusion and take all reasonable steps to refuse service or to otherwise prevent an individual who has entered a self-exclusion agreement from participating in gambling.
  - Signpost individuals that self-exclude to counselling and support services.
- Under SR Code 3.5.6 licensees must:
  - Offer customers entering into a self-exclusion agreement at their Premises the ability to self- exclude from other similar local Premises operated by other licensees, by participating in a multi-operator self-exclusion schemes.

**SR Triggers**

The Company will use the following trigger points that it can monitor to identify those at risk of problem gambling: -

- An increase in the time spent gambling;
- An increase in the amount of money spent on gambling;
- Chasing losses;
- Complaints made by the customer about not winning or talking about the negative impact of their gambling;
- Signs of distress, agitation or other changes that might indicate that gambling is having a negative impact on the customers wellbeing;
- Threatening self-harm or suicide;
- A customer's known vulnerability.

**SR Procedures**

The Company makes an annual financial contribution to an organisation approved by the Gambling Commission to prevent and treat gambling related harms. A decision as to the recipient is made on

an annual basis.

As a result of the triggers set out above, where the Company becomes aware that a customer may be at risk of problem gambling, staff will provide the customer with responsible gambling information including the option to have a time-out from gambling or to self-exclude, or other options such as GAMSTOP.

The Company's procedure includes staff monitoring customer activity and interacting early and quickly to minimise the risk of customers experiencing harm associated with gambling. This takes into account the following 3 key outcomes:

- **Identifying** anyone who appears to be gambling beyond their means or displays behaviour such as agitation distress intimidation or aggression that may indicate problem gambling. Staff are trained to know the
- **Interacting** with anyone displaying signs of problem gambling by first asking them if they are open to a discussion about their behaviour and offering the following:
    - Taking a break from gambling;
    - Setting a limit on the time spent gambling;
    - Setting a limit on the amount that they spend on gambling;
    - Suggesting they play on a lower stake machine;
    - Self-exclusion;
    - Stay in Control Leaflet';
    - The use of a play diary to monitor their gambling;
    - Use of a Gambling Management App such as Gamblewise and Playright;
    - Information on how to contact to Gamcare for further help;
    - Taking a 'Time Out'.

- **Evaluating** the outcome of the interaction by monitoring the customer's behaviour/gambling activity to see if the advice has been followed and whether there has been a positive change. This should normally be done monthly and after a self-excluder opts to start gambling again. Where there are any further concerns about irresponsible gambling (even if triggers are not hit) further interaction will take place.

The Company acknowledges that staff have an important role in reducing the risk of customers suffering harm associated with gambling. The Company's training includes providing staff with the necessary tools, skills, and support to monitor customer activity and behaviour and interact at the earliest opportunity. Staff are trained to know regular customers' gambling habits and to recognise any changes that might indicate a problem Staff are also trained to observe new customers for any signs of problem gambling.

The Company recognises that customers should be always protected and monitors footfall to ensure that adequate staffing is available to cover busier periods.

**Record Keeping**

The Company will maintain records of all customer interactions through its paper/electronic logs, including details of when an interaction was considered and ruled out and if an interaction took

place later. Details will include: -

- the behaviour or activity before the interaction;
- the change in behaviour or prompt for the interaction
- what form the interaction took including any advice or suggestions;
- the outcome of the interaction.

Customers will be encouraged to provide their name and any other information considered necessary to provide further help and support and identify previous interactions. Personal data held by the Company will be in accordance with the requirements of the Data Protection Act 2018.

**Training**

Staff will receive training on the Company's Social Responsibility Policy and Procedures on induction and then at least annually on how to identify customers at risk, how to interact with customers, depending on the circumstances and to evaluate whether the interaction has been effective. Training will either be provided in-house by senior management.

Staff will be monitored to ensure that they have understood the training and implemented the procedures. Additional training and remedial training will be provided when considered necessary.

**Responsible Gambling Information**

The Company provides information to its customers through prominently posters and leaflets, on how to gamble responsibly including how to monitor and control gambling such as: -

- restricting the amount of time spent gambling;
- restricting the amount of money they can spend;
- self-exclusion.

The Company provides information to its customers through prominently posters and leaflets, on how to access further help and advice for problem gambling. The information is: -

- displayed in all places where gambling facilities are provided and adjacent to any ATMs;
- available in a form that can be taken away;
- located where customers can obtain it discreetly;

**Self-exclusion**

The Company understands that whilst most customers can enjoy and control their gambling, it has a duty of care to those who cannot. The Company therefore provides a self-exclusion facility for customers on request.

Self-exclusion is a last resort for customers looking to address their needs around problem gambling. Staff will engage in the customer interaction process where it may be deemed necessary to self-exclude. Sufficient information should be provided so that the consequences of the process are fully understood.

Self-exclusion is for a fixed period, that lasts for a minimum of six months; customers can request extensions to their self-exclusion for one or more periods of six months.

The Company will make arrangements for customers to self-exclude without entering its Premises but require a face-to-face meeting with the customer. Customers are given an explanation, where possible in private, about the consequences of the self-exclusion. The Company will take into account any specific requests from customers such as where they live, work and travel to gamble and encourage customers to self-exclude from other local sites.

Customers are given the opportunity to self-exclude immediately and informed that the Company does not permit a cooling off period. If the customer wishes to consider self-exclusion further, they may return to initiate self-exclusion later.

Customers are informed that self-exclusion has as immediate effect once initiated and lasts a minimum of 6 months; customers can extend a period of self-exclusion on request by periods of a minimum of 6 months.

A Self-Exclusion Request form will be completed, and the customer asked to assist by providing an up-to-date photograph showing a good likeness. A copy of the self-exclusion form will be given to the customer together with information on counselling and support services; a copy will be retained on site for the duration of the exclusion and a further 6 months.

The Company is enrolled in and a participant of the IHL SmartExclusion multi-operator self-exclusion scheme and customers self-excluding from the Premises will also be informed of the scheme and encouraged to participate.

An entry of the self-exclusion is made in the self-exclusion log and recorded on the Company's next annual regulatory return. The customer's details will be removed from any marketing database to ensure that no marketing materials are sent to the customer during the period of self-exclusion.

The Company has taken into account its structure and layout to prevent access by self- excluders, monitoring of the entrance by staff and using CCTV. Self-excluders will be removed if found gambling or attempting to gamble at the premises and staff are informed of breach alerts on site and at other locations through MOSES.

Staff are also trained to be alert to a self-excluder asking a third party to gamble on their behalf although it is acknowledged that this is often difficult to identify.

At the end of the self-exclusion period the exclusion will remain in place for a further 6 months unless the customer takes positive action to gamble again. This process is known as reinstatement and will normally take place in person. The Company is not required to make an assessment as to whether a reinstatement should take place, but staff are required to check that the person has considered the implication of their return to gambling.

Where a customer chooses to reinstate and return to gambling, they are subject of a 24hr cooling-off period. The self-exclusion will only end at the end of 'cooling off' period and staff are trained not to permit entry to the Premises to anyone during their self-exclusion period and to immediately remove any self-excluded customer.

**Assessment of Social Responsibility Policy and Procedure**

The Company assesses customer interactions to evaluate the effectiveness of its policy and procedures. Indicators of an effective policy will include:

- Customer retention
- Reduction in complaints
- Increased staff awareness
- An increase in the number of interactions recorded and the quality of the records.

Managers are required to monitor and assess staff interactions and provide additional training where it is deemed appropriate. Managers are also required to regularly check the Customer Interaction log to ensure that staff are recording all interactions and take appropriate steps to reinforce the need for all interactions to be recorded.

The Company will regularly review this policy and procedures and where is identifies areas for improvement changes will be made and implemented. These will be backed up by additional staff training and monitoring to ensure the changes have been embedded.

**Staff Gambling Policy**

It is the Company's policy that no member of staff is permitted to gambling on is Premises This is to protect both the Company and employees against any issues that can arise from the effect of problem gambling.

Should the Company become aware of any staff member breaching these rules, the staff will be dealt with under the Company's disciplinary procedure, which may result in sanctions including dismissal.

The Company is committed to protecting staff in the event of any gambling issues brought to its attention by an employee or a member of their close family. If the Company directors becomes aware of a member of staff with a gambling problem, they will suggest the staff member seek help through GamCare on 0808 8020 133 and will offer the same support by way of leaflets and contact numbers that is provided to customers.

**Local Area Risk Assessment**

The Company understands its obligation under SR Code 10.1.1 to and will conduct a local risk assessment for each premise that it operates. Such local risk assessment will be reviewed from time to time if the Company identifies any changes in circumstances. The Company will also share its local risk assessment with the local authority when applying for a new premises licence or when applying to vary or transfer an existing premises licence.

**IMPLEMENTING, REVIEWING AND ASSESSING POLICIES AND PROCEDURES**

The Company will keep up to date with the gambling industry and changes to LCCPs via regular visits to the Gambling Commission website and will subscribe to the Gambling Commission's fortnightly E-Bulletin.

The Company will ensure that all policies are implemented and undertake regular checks to ensure that they are still adhered to. Staff are given training by senior members of the team on induction as to the Company's policies and they are asked to sign a log to confirm their understanding. Training includes information on the contents of these policies including:

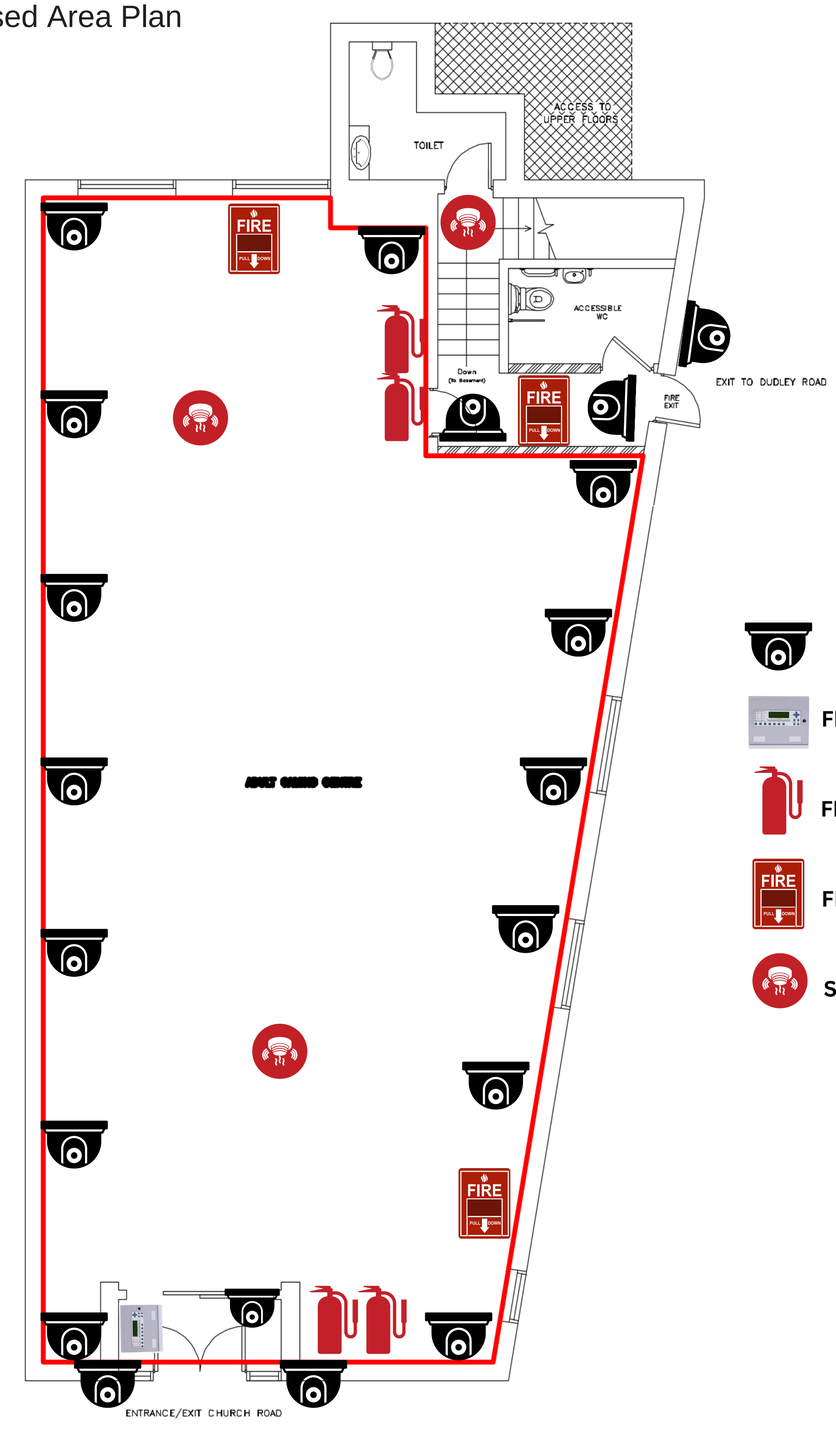
- The protection of the business from being a source of crime and disorder;
- Anti-money laundering;
- Ensuring fair and open gambling;
- Protection of children and vulnerable people;
- Ensuring the promotion of Social Responsibility in gambling.

Existing staff are required to review and re-familiarise themselves with the current policies and procedures at least once every six months. Staff will be constantly monitored to ensure they have understood the training. Further individual training is given if there has been a breach of any policy and/or when felt necessary to ensure staff are kept up to date with legislation and regulatory requirements.

Where changes to LCCPs are implemented, the Company will review the existing policies to ensure that they are still compliant and meet with the current LCCPs. Where changes are necessary these will be made as soon as is reasonably practicable and additional staff training will take place where necessary.

The Company will review the policies at any time that there is found to have been a breach of compliance and will put in place any necessary measures to prevent a further breach and will arrange for any further staff training necessary.

# Appendix E - Licensed Area Plan




PROPOSED GROUND FLOOR PLAN

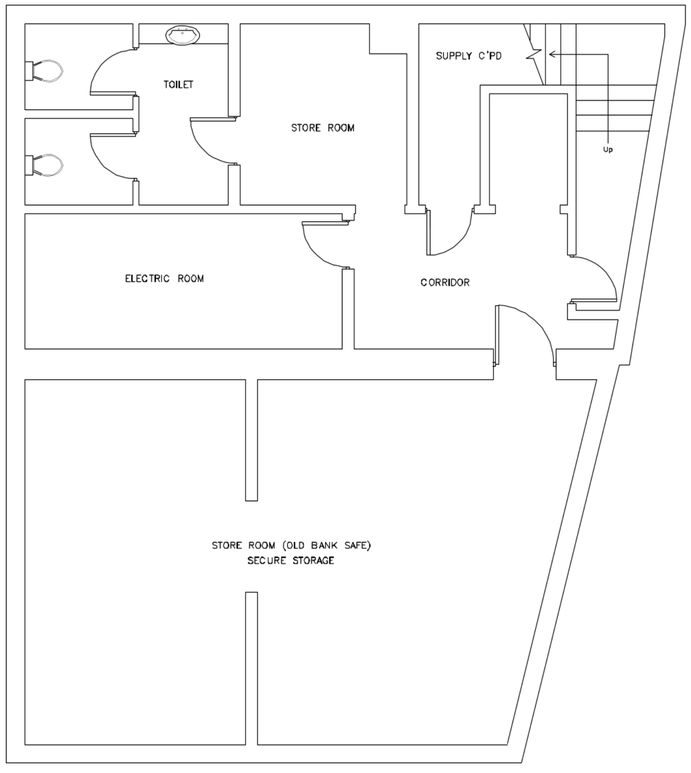
**CCTV CAMERA**

**FIRE ALARM PANEL**

**FIRE EXTINGUISHERS**

**FIRE ALARM CALL POINT**

**SMOKE DETECTORS**




PROPOSED BASEMENT PLAN

| | |
|---|---|
| Drawing No. | 39ChrchRd/GL/25/01 |
| Scale: 1:500 | Paper: A1 |
| Issue Date: | 25/04/2025 |

Client:

Astro Property (MK) Ltd

39 Church Road
(Basement & Ground Floor)
Ashford
TW15 2QF

Description:

Adult Gaming Centre (AGC) Floor Plan

SCALE 1:50

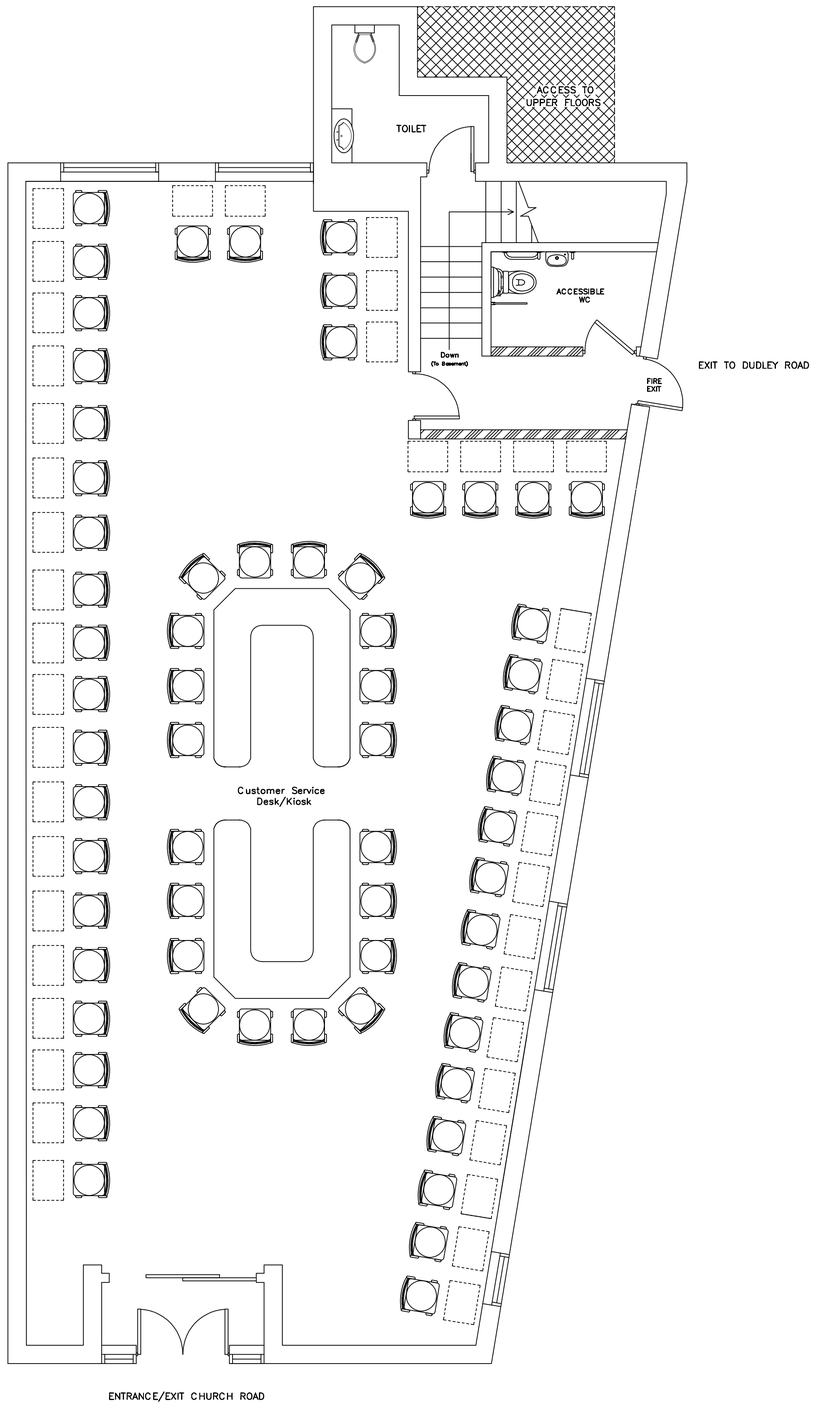
0M 1 2 3 4 5 6 7 8 9 10

NOTES

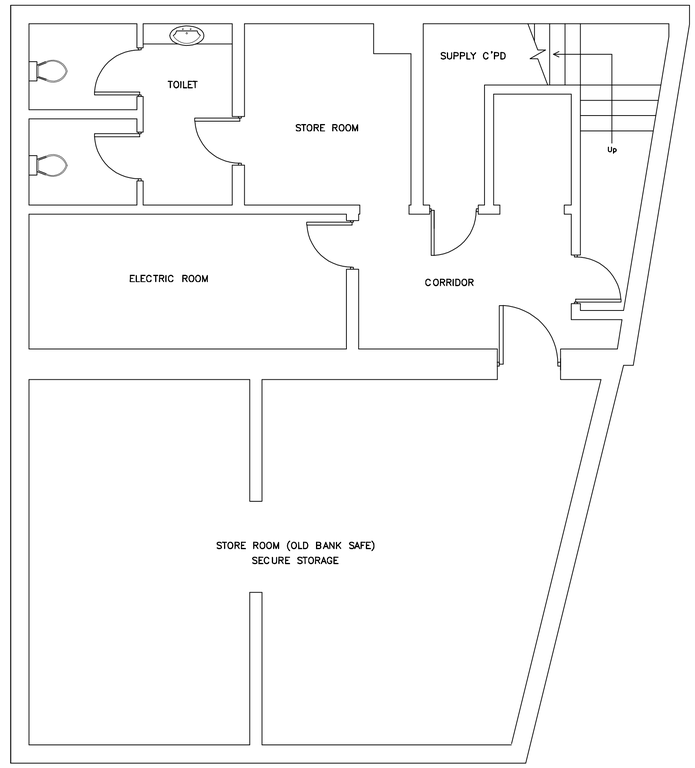
1. NECESSARY NOTICES ON RELEVANT ADJOINING OWNERS IN RESPECT OF WORKS ON THE PARTY WALLS TO BE THE OWNERS RESPONSIBILITY. THE APPOINTMENT OF A PARTY WALL SURVEYOR IS WAIVED.
2. ALL DIMENSIONS ARE TO BE CHECKED ON SITE BEFORE ORDERING MATERIALS OR COMMENCING WORK.
3. IN CASE OF DISCREPANCIES IN DRAWINGS OR DETAILS REFER TO DRAFTSMAN FOR CLARIFICATION BEFORE ANY WORKS COMMENCE. UNILATERAL DECISIONS BY CLIENT OR CONTRACTOR WILL NOT BE ACCEPTED. DRAFTSMAN DOES NOT ACCEPT RESPONSIBILITY FOR ADDITIONAL COSTS OF ADDITIONAL MATERIALS ETC. AS A RESULT OF UNILATERAL DECISIONS.
4. FOR ANY INFORMATION NOT COVERED BY THESE DRAWINGS REFER TO DRAFTSMAN FOR CLARIFICATION.
5. THE CONTRACTOR MUST ENSURE THAT THE WORK IS BEING CARRIED OUT TO THE LATEST REVISION OF ALL WORKING DRAWINGS BEFORE WORKS COMMENCE.
6. IT IS THE CONTRACTORS RESPONSIBILITY TO INFORM THE LOCAL AUTHORITY BEFORE WORK COMMENCES ON SITE AND AT ALL PRESCRIBED STAGES OF WORK THAT THE DISTRICT SURVEYOR MAY REQUIRE.
7. IF WORK COMMENCES ON SITE BEFORE FULL PLANS APPROVAL HAS BEEN GIVEN THE DRAFTSMAN ACCEPTS NO RESPONSIBILITY FOR ANY ADDITIONAL WORK OR MATERIALS THAT THE DISTRICT SURVEYOR MAY REQUIRE.
8. THIS DRAWING AND ALL COPIES PRODUCED REMAIN THE COPYRIGHT AND PROPERTY OF THE DRAFTSMAN. IT MAY ONLY BE REPRODUCED BY THE DRAFTSMAN AND ALL COPIES MUST BE RETURNED TO THE DRAFTSMAN IF DEMANDED.
9. BY USING THIS DRAWING THE USER AND HIS EMPLOYEE AGREE THEIR AGREEMENT OF THE ABOVE TERMS AND CONDITIONS.
10. THIS DRAWING AND OTHERS IN RESPECT OF THIS PROPERTY WILL FORM PART OF THE CONTRACT DOCUMENTATION AND ARE TO BE READ IN CONJUCTION WITH THE SPECIFICATION ACCOMPANYING THESE DRAWINGS.

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# Appendix F - Gaming Layout




PROPOSED GROUND FLOOR PLAN




PROPOSED BASEMENT PLAN

SCALE 1:50

0M 1 2 3 4 5 6 7 8 9 10

NOTES

1. NECESSARY NOTICES ON RELEVANT ADJOINING OWNERS IN RESPECT OF WORKS ON THE PARTY WALL(S) ARE THE OWNERS RESPONSIBILITY. THE APPOINTMENT OF A PARTY WALL SURVEYOR IS ADVISED.
2. ALL DIMENSIONS ARE TO BE CHECKED ON SITE BEFORE ORDERING MATERIALS OR COMMENCING WORK.
3. IN CASE OF DISCREPANCIES IN DRAWINGS OR DETAILS REFER TO DRAFTSMAN FOR CLARIFICATION BEFORE ONSITE WORKS COMMENCE. UNILATERAL DECISIONS BY CLIENT OR CONTRACTOR WILL NOT BE ACCEPTED. DRAFTSMAN DOES NOT ACCEPT RESPONSIBILITY FOR ADDITIONAL COSTS OF ADDITIONAL MATERIALS ETC. AS A RESULT OF UNILATERAL DECISIONS.
4. FOR ANY INFORMATION NOT COVERED BY THESE DRAWINGS REFER TO DRAFTSMAN FOR CLARIFICATION.
5. THE CONTRACTOR MUST ENSURE THAT THE WORK IS BEING CARRIED OUT TO THE LATEST REVISIONS OF ALL WORKING DRAWINGS BEFORE WORKS COMMENCE.
6. IT IS THE CONTRACTORS RESPONSIBILITY TO INFORM THE LOCAL AUTHORITY BEFORE WORK COMMENCES ON SITE AND AT ALL PRESCRIBED STAGES OF WORK THAT THE DISTRICT SURVEYOR MAY REQUIRE.
7. IF WORK COMMENCES ON SITE BEFORE FULL PLANS APPROVAL HAS BEEN GIVEN THE DRAFTSMAN ACCEPTS NO RESPONSIBILITY FOR ANY ADDITIONAL WORK OR MATERIALS THAT THE DISTRICT SURVEYOR MAY REQUIRE.
8. THIS DRAWING AND ALL COPIES PRODUCED REMAIN THE COPYRIGHT AND PROPERTY OF THE DRAFTSMAN. IT MAY ONLY BE REPRODUCED BY THE DRAFTSMAN AND ALL COPIES MUST BE RETURNED TO THE DRAFTSMAN IF DEMANDED.
9. BY USING THIS DRAWING THE USER AND HIS EMPLOYEE SIGNIFY THEIR AGREEMENT OF THE ABOVE TERMS AND CONDITIONS.
10. THIS DRAWING AND OTHERS IN RESPECT TO THIS PROPERTY WILL FORM PART OF THE CONTRACT DOCUMENTATION AND ARE TO BE READ IN CONJUNCTION WITH THE SPECIFICATION ACCOMPANYING THESE DRAWINGS.

| | | |
|---|---|---|
| Drawing No.<br>39ChrchRd/GL/25/01 | Client:<br>Astro Property (MK) Ltd | Description:<br>Change of Use from vacant Bank to form an Adult Gaming Centre (AGC) (Internal Alteration Only) |
| Scale: 1:500 / Paper: A1 | 39 Church Road<br>(Basement & Ground Floor)<br>Ashford<br>TW15 2QF | |
| Issue Date:<br>25/04/2025 | | |

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**Good evening.**

**I am writing to object to the licence application made for an Adult Gaming Centre at 39 Church Road, Ashford TW15 2QF, premises formerly occupied by Barclays Bank.**

**I am writing to make representation on behalf of the Chief Constable of Surrey Police in regards to the above Adult Gaming Centre Application.**

**The three licensing objectives under the Gambling Act 2005 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 and,**

**Protecting children and other vulnerable persons from being harmed or exploited by gambling.**

**I object based on the above objectives not being met by the current proposed conditions.**

**The premises is located in the main road in Ashford where there are numerous shops and a public library frequented by many children. The area is popular for children and families to frequent both before and after school and at weekends. In the immediate vicinity there are residential areas and children pass through this parade of shops to their homes.**

**Ashford itself had the worst crime rate for Surrey in 2024 involving theft from person with a crime rate 0.26 per 1,000 daytime population. The most common crimes in Ashford are violence and sexual offences, with 645 offences during 2023, giving a crime rate of 42. A significant increase on reports from 2022. Over the last 24 months, Ashford's crime risk score has shown an upward trend, indicating that the risk profile is going up. The three most prolific crimes related in Ashford are, shoplifting, vehicle crime and public order. There has also been an increase in Robbery and possession of weapons, however, there has been a decrease in drugs offences.**

**Ashford's town centre has seen a general downturn in the local economy with fewer shops and limited improvements. Whilst there is a local youth centre and library there are limited other public services. The general feeling in the community is one that has been abandoned by local public services and that crime/ASB is committed with impunity**

**The 24-hour nature of the premises may place additional strain on police resources so we want to ensure that the premises has included preventive measures that will prevent this premises having a negative impact on crime and anti-social behaviour in the area. A consequence of this is the implementation of clear, hold and build into Ashford by Surrey police. This process is dependent on key agencies and partners working with us. The**

**benefits to a successful clear, hold build are; safer streets and homes, reduce gang activity and long term community resilience.**

**We have taken into account the risk assessment and conditions that they have proposed but we believe that additional conditions will ensure that they are addressing their responsibility in ensuring that the premises will operate to ensure the safety and security of the site and its customers as well as safeguarding the adjoining neighbouring occupiers.**

**Some of the conditions attached have already been proposed by the applicant but we have added extra conditions that we determine are required for this site and its location.**

**The conditions we have proposed will promote the protection of children and other vulnerable persons from being harmed, such as the cameras outside to be monitored by the staff in the premises will ensure that the staff are able to see their customers who are outside and any engagement with children passing the premises.**

**Should the applicant agree to these conditions, then we will withdraw this objection.**

**Please also see attached my delegated authority.**

**Many thanks,**

**CONDITIONS PROPOSED**

**CCTV**

The venue shall install and maintain a comprehensive CCTV system at the premises as per the following minimum requirements.

The system should cover:

- All entry and exit points to and from the premises enabling frontal identification of every person entering under any light conditions.
- The areas of the premises to which the public have access (excluding toilets).
- Gaming machines and counter area.

In addition :

There shall be external cameras which will provide live images to staff.

Notices indicating that CCTV is in use at the premises shall be placed at or near the entrance to the premises and within the premises.

A colour monitor shall be placed inside the premises above the front door showing CCTV images of customers entering and exiting the premises.

Operation of the system:

The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of thirty-one days with date and time visible. Recordings shall be immediately arranged by a member of staff for handover to Police or authorised officer following their request.

A staff member from the premises who is conversant with the operation of the CCTV system shall always be on the premises when the premises are open to the public. This staff member shall be able to arrange for Police to view recent data or footage with the absolute minimum of delay when requested.

The licensee shall provide training on the CCTV system and how to access the footage if requested to do so by the Police or other authorised officers as part of the staff induction training programme or as and when the system is changed and periodically provide refresher training.

Training including refresher shall be formally recorded on each member of staffs training records, which if requested will be presented to the Police or Licensing Authority as soon as practicable.

**Security**

A magnetic locking device will be installed and maintained on the main entrance / exit to the premises which will be operable by staff.

This will be in operation between the hours of 22:00 and 08:00 and at any time when there is only one member of staff in the licensable areas.

An infra-red beam connected to a sounder will be installed and maintained at the entrance of the premises to notify staff when a customer enters or exits the premises.

**Staffing levels**

A minimum of two members of staff will be on duty for the duration of the period in which licensable activities are taking place on the premises.

Staffing levels will consider ongoing police advice

A bound and paginated incident log shall be kept by the premises and made available on request to Police or Licensing Authority which will record the following:

- All crimes reported to the venue
- Any complaints received regarding crime and disorder

- Any customers asked to leave
- Any incidents of disorder
- Any faults in the CCTV system, detailing action taken
- Any visits be a relevant authority or an emergency service
- Any attempts by person under 18 to gain access to the premises
- Any challenge 25 refusals

Prominent signage and notices advertising the Challenge 25 will be displayed showing the operation of the policy.

The licensee will ensure through checks and intervention that customer's children are not left unsupervised outside the premises.

Staff training records will be maintained. Periodically provide refresher training to all its staff working at these premises on the specific local risk to the licensing objectives.

For customers who exit the premises to smoke they will be directed by the staff to an area which will not cause a disturbance to neighbours from their smoke or noise.

The Licensee shall place a notice visible from the exterior of the premises stating that customers drinking alcohol outside the premises is not permitted and those who do so will be banned from the premises.

Customers shall not be permitted to leave bags or other belongings at the premises, including when going outside to smoke.

The licensee shall not offer any enticement promotions, such as happy hours during which gaming machines stakes are reduced.

The licensee shall engage with the Police regularly and discuss any additional measures to reduce crime and disorder.

Appendix H – Public Health
Representation

**Surrey health**

1st submission made via the portal but limited to 2000 words

Proximity to vulnerable residents
Spelthorne has a higher proportion of people scoring one or more on the Problem Gambling Severity Index (14.4%) compared to GB as a whole (13.4%). [See GambleAware pdf file attached in email].
Proposed location of the Adult Gaming Centre (AGC) is in the Lower Super Output Area (LSOA) Ashford West – Spelthorne 003C. It is within walking distance of seven LSOAs with higher levels of deprivation (Map in email).
The Surrey Health and Wellbeing Strategy identifies two of these seven areas as Key Neighbourhoods where resident populations experience the poorest health outcomes.
The location is close to facilities for vulnerable people including: A Pupil Referral Unit 0.4 miles away (Fordway Centre), Senior boys school 0.4 miles away (St James), College 0.6 miles away (Thomas Knyett) and 5 homeless shelters/ temporary housing locations between 0.3 and 1 mile of the proposed AGC.
The estimated annual fiscal cost associated with "problem gambling" in Spelthorne is £1,439,742 across services for health, housing, welfare and crime (National Institute of Economic & Social Research).
Clustering of premises and inequalities
A 2024 review by University of Bristol What-social-and-spatial-inequalities-exacerbate-gambling-harms.pdf states: evidence shows that the geographical positioning of Electronic Gaming Machines (EGMs) may cause harm at an individual level, with the placement of EGMs within certain locations (e.g. close to supermarkets or pubs) and in specific environments (e.g. venues within easy reach of low-income neighbourhoods) increasing the risk of harms.
Department of Health and Social Care indicators for the determinants of health show that Spelthorne has a higher number of gambling premises per 100,000 population than South-East England – 12.5 vs 10.7. (Fingertips). There are two betting shops very close to the proposed AGC location: a William Hill betting shop within two minutes walk and a Coral betting shop within four minute.

Email submission.

Dear Spelthorne Licensing Team,

Appendix H – Public Health
Representation

***Supplementary Information for Objection to Application Adult Gaming Centre in Ashford***

*Reference: Application for a New Adult Gaming Centre (AGC) : Golden Slots 39 Church Road Ashford Surrey TW15 2QF*

*Objection submitted by: Surrey County Council Public Health* *public.health@surreycc.gov.uk* *27/08/2025*

*Rationale: Gambling Act (2005) Objective: Protecting children and other vulnerable people from being harmed or exploited by gambling.*

**Proximity to vulnerable residents**

Spelthorne has a higher proportion of people scoring one or more on the Problem Gambling Severity Index (14.4%) compared to GB as a whole (13.4%). [See GambleAware pdf file below and attached].



Data Profile - Spelthorne .pdf

The estimated annual fiscal cost associated with "problem gambling" in Spelthorne is £1,439,742 across services for health, housing, welfare and crime (National Institute of Economic & Social Research).

2021 Census data for Surrey shows that Spelthorne had the highest proportion of households which met at least one dimension of deprivation (49.1%)

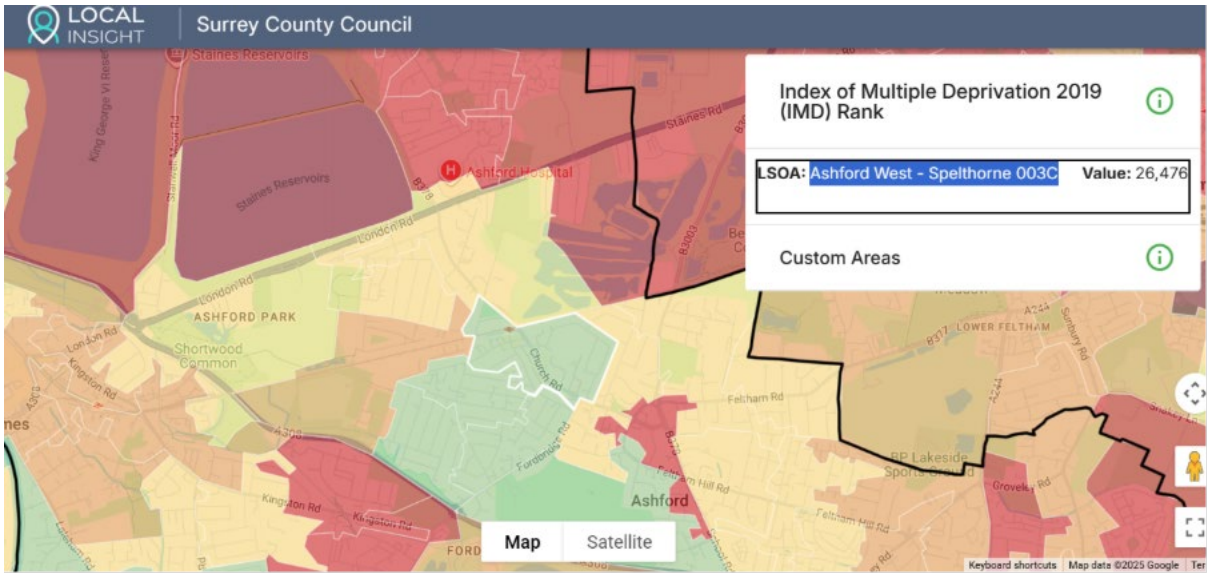
Surrey Health and Wellbeing Strategy identifies and prioritises 21 Key Neighbourhoods - which are Wards that include the most deprived Lower Super Output Areas (LSOAs) in Surrey, with populations most at risk of experiencing the poorest health outcomes.

There are two Key Neighbourhoods close to the proposed AGC location containing LSOAs that are ranked in the bottom 40% for deprivation in the U.K: Stanwell North & Stanwell Moor and Stanwell South *(in red text*). There are a further five areas of relative deprivation in close proximity (see list below).

- Stanwell North & Stanwell Moor - Spelthorne 001B IMD 6 666 1.7 miles from TW19 7DZ
- Stanwell North & Stanwell Moor - Spelthorne 001C IMD 9 197 1.2 miles from Town Lane
- Stanwell South – Spelthorne 002C IMD 7 818 1 mile from Ashford Hospital
- Ashford East - Spelthorne 005B IMD 10 099 0.4mile from West border
- Stanwell South – Spelthorne 002A IMD 11 655 1.5 mile from Desford Way
- Staines South West - Spelthorne 007B IMD 11 855 0.8 mile from TW15 3SF
- Stanwell North & Stanwell Moor - Spelthorne 001D IMD 12 768 1.9 miles from South border
- Staines South West - Spelthorne 007C IMD 12 737 1.1 miles from Celia Cresent

There will be footfall from these Key Neighbourhoods and LSOAs with higher levels of deprivation to use key transport, retail, hospitality and health facilities in the area of the proposed AGC: Ashford railway station (0.3 mile), bus stops; two supermarkets (within 0.6 mile), four cashpoints within one mile; 10 fast food outlets. cafes/restaurants/pubs (within a mile), medical centre (0.1 mile), library (63 metres) and a church (0.4 mile).

The map below shows the proximity of the proposed AGC to LSOAs with higher levels of deprivation (shaded red). The AGC is in LSOA Ashford West – Spelthorne 003C (light green area with white outline - just below centre).




(Source: Google Maps and Surrey County Council's Local Insight data). [*IMD Indices rank each of the 32 844 LSOAs in England from the most deprived=1st to the least deprived =32 844]*

**The location is close to facilities for <u>vulnerable children</u>**

- A Pupil Referral Unit 0.4 miles away (Fordway Centre); Senior boys school 0.4 miles away (St James); College 0.6 miles away (Thomas Knyvett)
- Six primary schools: Clarendon 0.2 miles; St Michael's 0.4 miles; Ashford 0.8 miles; The Echelford 1.0 mile; Ashford Park 1.0 mile; The Matthew Arnold 1.4 miles
- The Kub Club 0.2 miles; Ashford Youth Club 0.9 miles; Woodthorpe Road Play Area 0.9 miles; Hengrove Park 1.1 miles
- Clarendon Family Centre 0.2 miles

**The location is close to facilities/services for <u>vulnerable adults</u>**

- 5 homeless shelters/ temporary housing locations: Old Post Office 0.2 miles; Imtech House 0.3 miles; Harper House 0.3 miles; the Whitehouse Hostel 0.9 miles; three private sector emergency accommodation sites ( Chaucer Road-0.2 miles away, Stanwell Road-0.4 miles, Cumberland Road-0.8 miles)

**Clustering of premises and inequalities**

A 2024 review by University of Bristol What-social-and-spatial-inequalities-exacerbate-gambling-harms.pdf states: evidence shows that the geographical positioning of Electronic Gaming Machines (EGMs) may cause harm at an individual level, with the placement of EGMs within certain locations (e.g. close to supermarkets or pubs) and in specific environments (e.g. venues within easy reach of low-income neighbourhoods) increasing the risk of harms.

Department of Health and Social Care indicators for the determinants of health, show that Spelthorne has a higher number of gambling premises per 100,000 population than South-East England – 12.5 vs 10.7. (Fingertips).

- There are two betting shops very close to the proposed AGC location: a William Hill betting shop within two minutes walk and a Coral betting shop within four minutes walk.
- There is an Adult Gaming Centre in Feltham (2.8 miles walking, 20 mins by bus, 3.9 miles by car) and a bingo hall very close to the AGC in Feltham.

If you have any questions or queries, please do not hesitate to contact pubic.health@surreycc.gov.uk

Yours sincerely

**Public Health**

Surrey County Council Public Health Team

# Gambling harm data profile: Spelthorne

This profile explores the estimated levels of gambling harm in the Spelthorne Parliamentary Constituency, using projections sourced from the Annual Great Britain Treatment and Support Survey 2023 carried out by YouGov and commissioned by GambleAware (modelled down to Parliamentary Constituency).

Specifically, this profile examines the prevalence of gambling behaviour which may cause harm to an individual in Spelthorne, as measured by the Problem Gambling Severity Index (PGSI)[1]. It also explores the usage of treatment and support services across the Parliamentary Constituency, identifying where usage or demand is higher or lower compared to the GB average. Additionally, this profile outlines the fiscal costs associated with 'problem gambling' (PGSI 8+). These costs, which include healthcare, crime and housing, highlight the broader impact of gambling on public funds and the local economy. Through this analysis, the profile aims to inform stakeholders in Spelthorne of the need for a coordinated response to reduce gambling harm, improve support access, and mitigate the financial burden on the community.

**Key Findings**

- 8.2% of respondents in Spelthorne are estimated to have a score of 1-2 on the PGSI (low-risk gambling), whilst 3.7% are estimated to have a score of 3-7 (moderate-risk gambling) and 2.5% are estimated to have a score of 8 or above ('problem gambling').
- 70.8% of those respondents classified as PGSI 8+ in Spelthorne have accessed treatment, support or advice services to cut down their gambling.
- The total fiscal cost of harm associated with 'problem gambling' in Spelthorne is estimated to be £1,439,732.

[1]The PGSI is commonly used to measure the risk of harmful gambling behaviour, ranging from 'non-problem gambling' (a PGSI score of 0), 'low level of problems' (a score of 1-2), 'moderate level of problems' (a score of 3-7), and 'problem gambling' (score of 8+). Please note that issues have been identified with the PGSI including use of stigmatising language. For more information please see the Gambling Commission page on the PGSI https://www.gamblingcommission.gov.uk/statistics-and-research/publication/problem-gambling-screens, GambleAware's How to reduce the stigma of gambling harms through language.pdf (gambleaware.org).

## Your Parliamentary Constituency

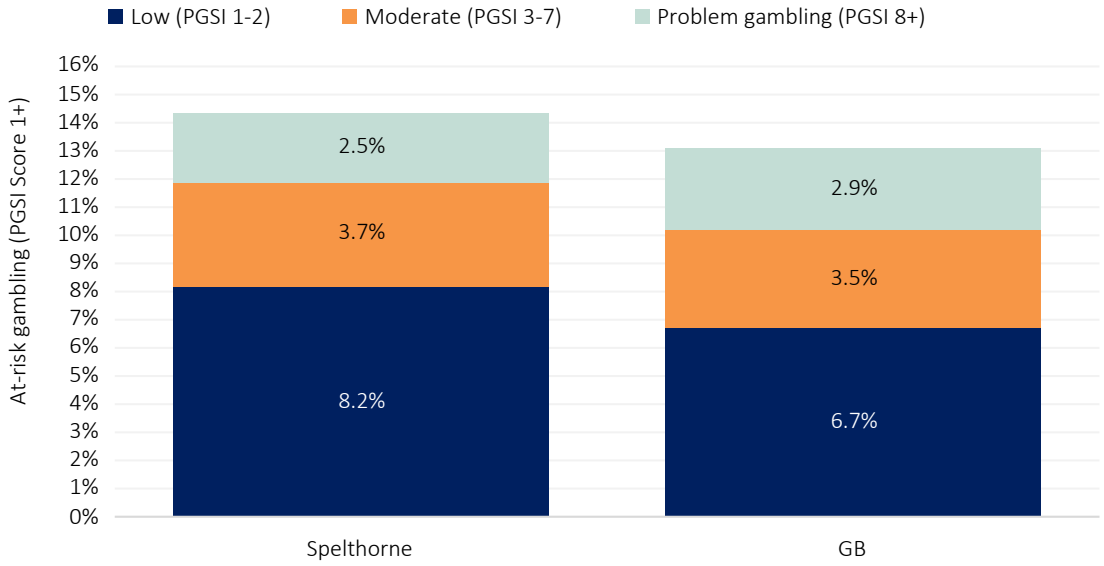
Spelthorne has a **higher** proportion of people scoring one or more on the PGSI (**14.4%**) compared to GB as a whole (13.4%).

When broken down by PGSI categories, the data shows that:

- Levels of low-risk (PGSI 1-2) gambling in Spelthorne (**8.2%**) are estimated to be **above** the GB average (6.7%).
- Levels of moderate-risk (PGSI 3-7) gambling in Spelthorne (**3.7%**) are estimated to be **above** the GB average (3.5%).
- Levels of defined 'problem gambling' (PGSI 8+) in Spelthorne (**2.5%**) are estimated to be **below** the GB average (2.9%).

*Note: The data is modelled from the national survey data using a statistical procedure called multilevel regression and post-stratification (MRP) and as such can only be used to provide indicative estimates of relative prevalence. The estimated differences in predictions between one area and another reflects the differences in the population characteristics of those areas.*

People gambling with any negative consequences (PGSI 1-2, 3-7 and 8+) by PGSI score

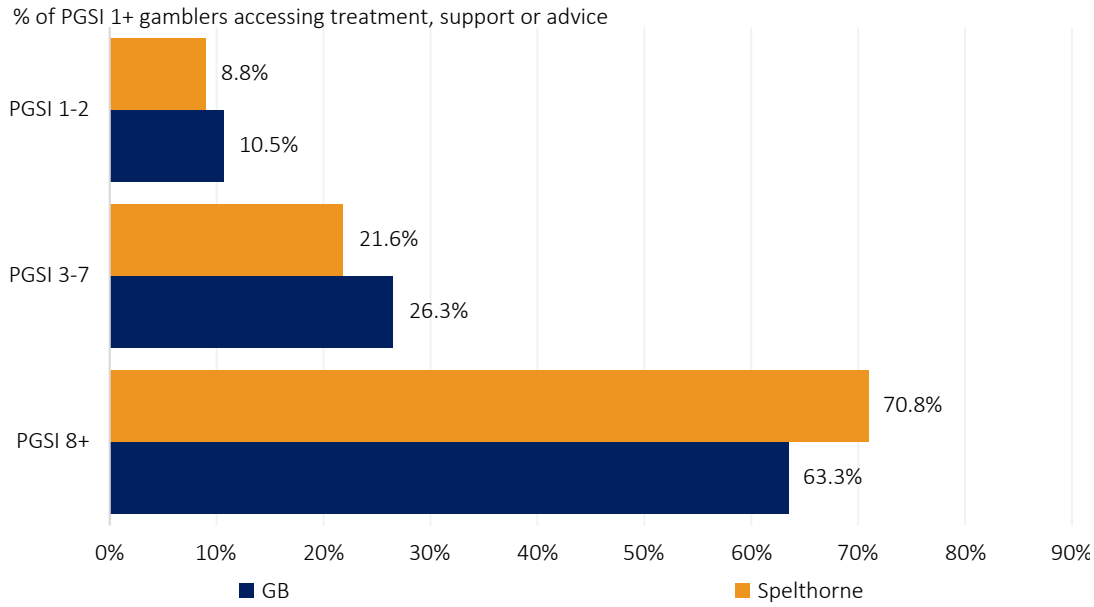



## Usage of Support for Gambling Harms[2]

The chart below compares the estimated proportion of people with a PGSI score of 1-2, 3-7 or 8+ who reported using either treatment, support or advice to cut down on their gambling in the previous 12 months in Spelthorne, compared to Great Britain as a whole.

[2] See Appendix B for details of local treatment and support services

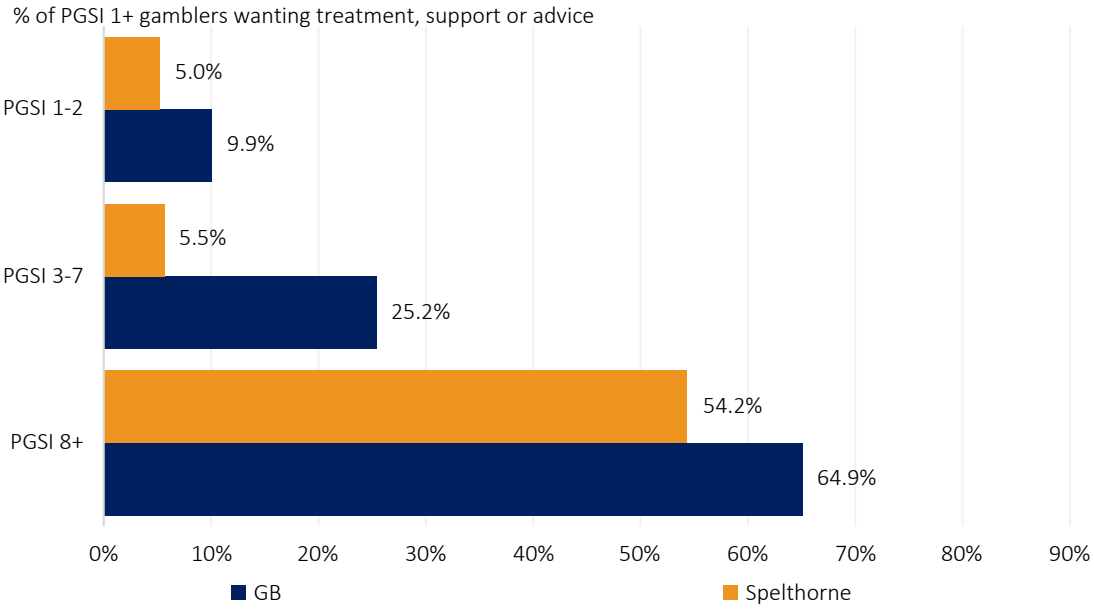
People with a PGSI score of 1-2, 3-7 or 8+ who have accessed services, support or advice to cut down on their gambling in the previous 12 months




- Spelthorne shows **lower** levels of people with a PGSI score of 1-2 accessing treatment, support or advice (**8.8%**) compared with the average across GB (10.5%).
- The Parliamentary Constituency shows **lower** levels of people with a PGSI score of 3-7 accessing treatment, support or advice (**21.6%**) compared with 26.3% across GB as a whole.
- A **notably higher** proportion of people with a PGSI score of 8+ are currently accessing treatment , support or advice.
- In Spelthorne, a **higher** proportion of those classified as PGSI 8+ have accessed treatment, support or advice services to cut down their gambling (**70.8%**), compared with the GB average (63.3%).

The chart below shows the estimated proportion of people with a PGSI score of 1-2, 3-7 or 8+ who would like treatment, support or advice to help with their gambling.

People with a PGSI score of 1-2, 3-7 or 8+ who want treatment, support or advice to cut down on their gambling in the previous 12 months



- Spelthorne has a **lower** demand for treatment, support or advice services compared with the GB average, with **5.0%** of respondents with a PGSI score of 1-2 stating they would like treatment, support or advice to deal with gambling, compared with 9.9% across GB as a whole.
- **5.5%** of respondents in Spelthorne with a PGSI score of 3-7 would like treatment, support or advice, compared with 25.2% across GB.
- Demand for treatment, support or advice services among those with a PGSI score of 8+ is **lower** in Spelthorne: **54.2%** of those with PGSI 8+ want treatment, support or advice services, compared with 64.9% across GB.

## Estimated Fiscal Costs of 'Problem Gambling'

In April 2023, the National Institute of Economic and Social Research (NIESR) estimated that the annual fiscal cost of 'problem gambling' (PGSI 8+) is roughly £1.4 billion (in 2023 prices)[3].

The table below shows the excess cost of harm associated with gambling across Spelthorne and GB. NIESR's national figures have been apportioned to Spelthorne based on the Parliamentary Constituency's estimated share of the total number of people in Great Britain who are PGSI 8+. Using this methodology, the total fiscal cost of harm associated with 'problem gambling' in Spelthorne is estimated to be **£1,439,732**.

| Cost of harm associated with gambling | Spelthorne | Great Britain |
|---|---|---|
| Health: General Medical Service Consultation (mental health) | £23,451 | £21,600,000 |
| Health: Hospital Inpatient | £484,977 | £446,700,000 |
| Crime: Crime Committed (police call out) | £34,742 | £32,000,000 |
| Crime: Court Appearance | £9,771 | £9,000,000 |
| Housing: Homelessness Support | £17,914 | £16,500,000 |
| Welfare: Universal Credit | £868,877 | £800,300,000 |
| Fiscal cost (£ millions) | £1,439,732 | £1,400,000,000 |

[3] Source: National Institute of Economic and Social Research (NIESR (2023) The Fiscal Costs and Benefits of Problem Gambling: Towards Better Estimates page 29

## Appendix A: Differences by Demographic and Social Factors

Demographic characteristics, such as age, income, and cultural background can influence gambling behaviours, shaping preferences, motivations, and risks[4]. It is important to analyse these factors to help identify patterns and inform targeted interventions.

Data shows that there are certain demographic groups[5] with relatively higher levels of 'problem gambling' (i.e. a PGSI Score of 8+) than the England average. These include:

- Younger people (aged 18-34): 6.8%, compared with 3.0% across all age groups.
- People from Black, Asian and other ethnic minority groups: 8.4%, compared with 2.2% for those of White ethnicity.
- People who are unemployed or economically inactive: 4.1%, compared with 3.0% across England.
- Full-time students (linked to the higher prevalence among young adults): 6.8%, compared with 3.0% across all adults in England.
- People not in a relationship: 3.9%, compared with 2.2% for those in a relationship.

The boxes below compare the breakdown of these demographic groups across Spelthorne compared with England as a whole[6].

| Aged 18-34 |
|---|
| Spelthorne: 19.3% |
| (England = 21.8%) |

| Unemployed/Inactive |
|---|
| Spelthorne: 16.6% |
| (England = 20.5%) |

| Black, Asian & Other Ethnic Minority Groups |
|---|
| Spelthorne: 21.3% |
| (England = 19.0%) |

| Full-Time Student |
|---|
| Spelthorne: 1.7% |
| (England = 2.3%) |

| Not In Relationship |
|---|
| Spelthorne: 51.5% |
| (England = 55.3%) |

Spelthorne has a **lower** proportion of people aged 18-34 (**19.3%**) compared with the England average (21.8%).

Spelthorne has a **lower** proportion of people unemployed or economically inactive (**16.6%**) compared with the England average (20.5%).

Spelthorne has a **higher** proportion of people from Black, Asian and other minority ethnic groups (**21.3%**) compared with the England average (19.0%).

Spelthorne has a **similar** proportion of full-time students (**1.7%**) compared with the England average (2.3%).

Spelthorne has a **lower** proportion of people who are not in a relationship (**51.5%**) compared with the England average (55.3%).

[4] See publications for more details: https://www.gambleaware.org/sites/default/files/2022-07/GambleAware%20Stigma%20Final.pdf and https://www.gambleaware.org/sites/default/files/2023-03/Minority%20Communities%20Final%20Report_0.pdf

[5] Demographic breakdown data is sourced from Census 2021, with the exception of age and gender breakdowns – which are taken from Office of National Statistics Mid Year Estimates 2022.

[6] Data for England has been used here as demographic breakdown data is not available for Great Britain as a whole.

## Appendix B: Treatment and Support Services Available in Spelthorne

GamCare Helpline
Web: gamcare.org.uk
Tel: 0808 8020 133

Primary Care Gambling Service (PCGS)
Web: www.primarycaregamblingservice.co.uk
Tel: 0300 0300 111

Betknowmore - Peer Aid (England and Wales)
Web: www.betknowmoreuk.org/services/peer-aid
Tel: 0800 066 4827

### Residential Services

Gordon Moody
Web: gordonmoody.org.uk

Adferiad
Web: www.parklandplace.co.uk/our-gambling-treatment-pathway
Tel: 01492 203 421

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Appendix I – Planning
Representation

Please find below the Planning Departments response to this application. I can upload it via the forms, however I was unsure of which of the three licensing aims to select.

Following the Planning Inspectors appeal decision, the Planning Department does not object to the principle of the proposed use. However, we do object to the 24 hour opening as this is inconsistent with the restriction in the hours of opening that was imposed by the Planning Inspector in Condition 4 of the planning approval:

The use hereby permitted shall only take place between the following hours: 09:00 – 23:00.

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**Adult Gaming Centre – Licensing Authority Representation against the grant of a Premises Licence.**

Acting as a Responsible Authority the Licensing Authority objects to the granting of the premises licence made under the Gambling Act 2005 for an adult gaming centre at 39 Church Road, Ashford. The details of the reasons for objection are outlined below.

**Introduction**

There is increasing awareness about the harms that can be caused by gambling and its impact on families and local communities, as well as the individuals directly affected by it. The prevalence of high street gambling premises; the significant increase in gambling advertising since the introduction of the Gambling Act in 2005; and the rise in online gambling have all contributed to societal concern about gambling in the UK and the harm that can be associated with it.

Gambling harms are now recognised as a public health issue but is a complex issue and has many interlinked factors.

The Mental Health Foundation details on their website that:
'*Gambling can cause low self-esteem, stress, anxiety and depression if gambling becomes a problem'*. It goes on to say '*Gambling can become an addiction, just like drugs or alcohol, if you use it compulsively or feel out of control. Gambling can affect the part of our brain that releases dopamine. A 'feel good' hormone that creates feelings of pleasure and reward. When we win a bet, our brain gives us an emotional reward. If you get addicted to gambling, other pleasurable activities may no longer make you feel good. So instead, you will gamble to get the same buzz….There's also a strong link between gambling problems and thoughts of* ***suicide****…If you have a mental health problem, you're more at risk of harmful gambling. For example, you may gamble to feel better about yourself when you're depressed or distract yourself if you're angry or upset."*[1]

Spelthorne Borough Council has a duty to its residents to try and prevent any harm befalling them. As per Spelthorne Borough Council's Statement of Licensing Policy 1.1.3[2]:

*The overriding objective of the Licensing Authority is to regulate gambling in the public interest. Accordingly, in exercising the functions under the Act, the Licensing Authority will have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:*

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

[1] Gambling and mental health | Mental Health Foundation
[2] Gambling Premises Licences - Spelthorne Borough Council

*When exercising functions for the licensing of premises for gambling, Licensing Authority will also act in accordance with section 153 of the Act which requires the Licensing Authority to permit the use of premises for gambling as far as they believe:*

*a) is in accordance with any relevant code of practice under section 24.*
*b) is in accordance with any relevant guidance issued by the Commission under section 25.*
*c) is consistent with the licensing objectives (subject to paragraphs (a) and (b)).*
*d) is in accordance with the statement published by the authority under section 349 (subject to paragraphs (a) to (c)).*

As per statement of licensing policy section 2.3 *'the location of premises, may be relevant to the promotion of the licensing objectives. In particular, premises located in close proximity to the following may give rise to concern:*

- *Schools*
- *Vulnerable adult centres*
- *Residential areas with a high concentration of children.'*

**Protecting children and other vulnerable persons from being harmed or exploited by gambling**

There are seven schools within 1.71km (1mile). Five of these age range is from 4 – 11 years and the other two 11-16. A map showing the distance from the proposed site listed as 'number one' on the below map (produced online[3]).




[3] Create a map | Mapcustomizer.com

It is not unusual for younger siblings to attend the early years schools and have brother and sisters in the older range. If any of the older children become involved in gambling the younger one would be exposed to this.

| Name of School | Age of children | Distance from proposed site | Number on Map above |
|---|---|---|---|
| Thomas Knyvett College Stanwell Road, Ashford, TW15 3DU | age 11-16 | 0.5 mile whose catchment area cover Stanwell North, Ashford North and Stanwell South. | 2 |
| Clarendon Primary School Knapp Road Ashford TW15 2HZ | age 4-11 | 0.16 miles 281 yards | 3 |
| St Michael's Primary School, Feltham Hill Road, Ashford, TW15 2DG | Age 4 - 11 | 0.35 miles 616 yards | 4 |
| Ashford Park Primary School Station Crescent, Ashford, TW15 3HN | Age 4 – 11 | 0.71 miles 1,249 yards | 5 |
| The Echelford Primary School Park Road, Ashford, TW15 1EX | Age 4 - 11 | 0.77 miles 1,355 yards | 6 |
| Ashford CofE Primary School School Road, Ashford, TW15 2BW | Age 4 – 11 | 0.77 miles 1,355 yards | 7 |
| The Matthew Arnold School Kingston Road, Staines, TW18 1PF | Age 11 - 16 | 1.06 miles 1,865 yards | 8 |

As per the above this is a high concentration of young children in the area who attend schools near the premises and are likely to walk past the premises daily. In addition, their parents or carers who may be vulnerable will also walk past the premises and are then exposed to Gambling Harm

According to a gov.uk document:
*'According to 2020 YouGov data on gambling treatment and support (PDF, 1.4MB), around 7% of the population of Great Britain (adults and children) were found to be negatively affected by someone else's gambling.*
*Affected others are more likely to be women. The most severe impacts of problem gambling were felt most by immediate family members. Almost half (48%) of people who were affected by a spouse or partner's gambling reported a severe negative impact. This was followed by people affected by the gambling of a parent (41%) and the gambling of a child (38%).'*[4]

[4] Gambling-related harms evidence review: summary - GOV.UK

Thomas Knyvett School catchment area covers both these areas, this school is 0.87km (.5 miles) from the gaming centre. This school has a high number than average of[5]:

| | School | Local Authority | England state-funded schools |
|---|---|---|---|
| **Overall absence** | 10.7% | 8% | 8.9% |
| **Persistent absence** | 33.5% | 21.9% | 25.6% |
| **Pupils with an SEN Education, Health and Care Plan** | 3% | | 2.7% |
| **Pupils whose first language is not English** | 28.4% | | 18.6% |
| **Pupils eligible for free school meals at any time during the past 6 years** | 32.2% | | 27.3% |

It therefore seems from the above that there is a higher number of both vulnerable and deprived children at Thomas Knyvett School. It could be argued that if these pupils are exposed to a parental lifestyle which includes gambling they will be much more likely to try this for themselves. School children are unlikely to wear uniform when they know it shows their age if they were to try and attempt to gain entry.

Clarendon Primary School Knapp Road Ashford TW15 2HZ has children attending who are age 4-11 and it is located 0.26km from the adult gaming centre. This school has a high number than average of[6]:

| | School | Local Authority | England state-funded schools |
|---|---|---|---|
| **Overall absence** | 5.7% | 5.2% | 5.5% |
| **Persistent absence** | 13.3% | 12.1% | 14.6% |
| **Pupils whose first language is not English** | 26% | | 22.8% |
| **Pupils eligible for free school meals at any time during the past 6 years** | 28.8% | | 25.9% |

[7]The gov.uk report states that *'Child gamblers noted difficulties at school. Children of gamblers also noted difficulties at school because of the chaotic home life associated with a gambling parent. Absenteeism, job turnover, withdrawal from education or reduced educational attainment represent societal harms.'* Whilst the Licensing Authority does not know why children have been absent from school we are concerned

[5] Thomas Knyvett College - Compare school and college performance data in England - GOV.UK
[6] Clarendon Primary School - Compare school and college performance data in England - GOV.UK
4 See publications for more details: https://www.gambleaware.org/sites/default/files/2022-07/GambleAware%20Stigma%20Final.pdf and https://www.gambleaware.org/sites/default/files/2023-03/Minority%20Communities%20Final%20Report_0.pdf
[7] Gambling-related harms evidence review: summary - GOV.UK

that should this licence be granted that Gambling could negatively impact on families and therefore on children. This would affect potentially their attendance at school. Whilst the study states that the proportion of children and young people (11-16) who participate in Gambling is reducing, Ashford is still a deprived area with a high crime rate.

The NottAlone website states that an affect of signs of harm from Gambling in children and young people, amongst other things leads to a lot of sick days or days off.[8]:

*'Gambling can harm a young person's physical and mental health, their relationships with family and friends, how much money they have, their school/college work or their job. These are sometimes called gambling-related harms.*

*Harms can be experienced by the person that gambles, or by the family, friends, and colleagues of someone who gambles.*

*Some of the signs of harm in children and young people include:*

- *Having less time or money to spend on things they enjoy*
- *Having reduced savings for big items such as university, holidays, or a first car*
- *Increased use of alcohol or drugs*
- *Taking a lot of sick days or days off, or missing extra-curricular commitments due to time spent gambling*
- *Relationship problems, or being isolated'*

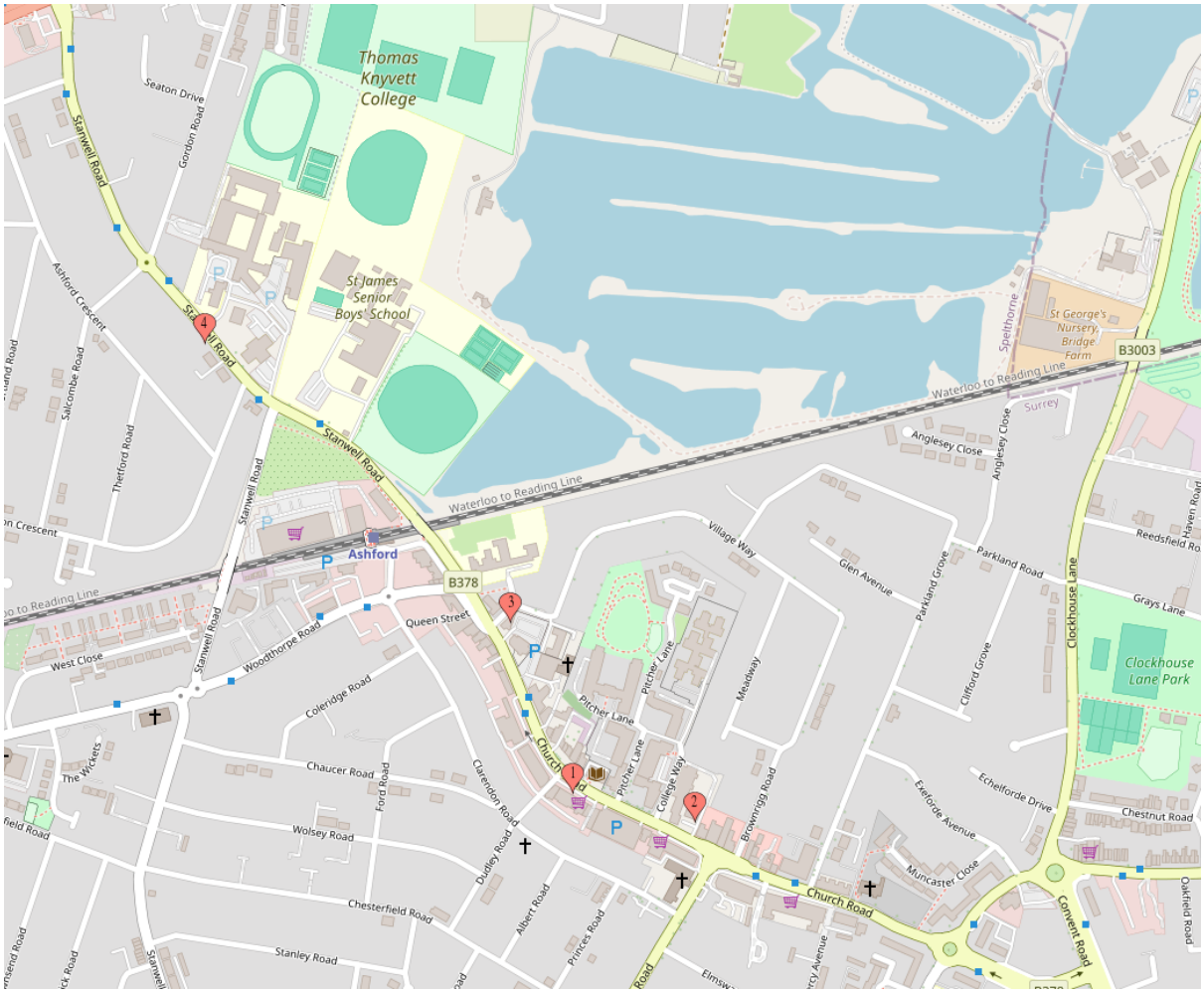
Gambling can affect a child's mental health and physical health and lead to a detriment on their future due to school attendance/grades/finding it harder to concentrate.

Gamble aware have done a study and where English is not someone's first language they can have limited understanding about the risks involved in Gambling. This could therefore impact negatively on those in Ashford Community who English is not their first language and then their children and anyone else in the household. ,

**Vulnerable adult centres**

There are vulnerable adult centres nearby, number one on the map is the proposed site (produced online):[9]

[8] Gambling-related harm | NottAlone - Supporting Your Child
[9] Create a map | Mapcustomizer.com




| Name of Centre | Distance from proposed site | Number on map above |
|---|---|---|
| Studholme Medical Centre, 50 Church Road Ashford TW15 2TU | 0.1 Miles<br>176 yards | 2 |
| Clarendon Family Centre, Knapp Road, TW15 2HZ | 0.2 miles<br>352 yards | 3 |
| Ashford Mental Health Clinic, 66 Stanwell Road, Stanwell Ashford TW15 3DU | 0.5 miles<br>880 yards | 4 |

Ashford Library is opposite the premises. Libraries are attended by all members of the community. The Surrey County Council website publishes events at Ashford Library:

- Pebble Rhymetime[10] – this is aimed at babies and toddles under 5, with their parents and carers.
- 'Summer Reading Challenge 2025, Story Garden: Adventures in Nature and the Great Outdoors' is also advertised to take place over this current school holiday until 13 September 2025. Whilst the Licensing Authority appreciate this will have ended before the Committee determine this application, we have

[10] Events and activities at Ashford Library - Surrey County Council

deemed it necessary to advise as this could be repeated in other school holidays[11].

**Homelessness**

There is a 31-bed homeless hostel, The White House which is located 1 mile from the proposed site.

There is also Harper House in Fordbridge Road Ashford which provides emergency accommodation for up to 20 homeless families.

Crisis detail on their website that people who have experienced homeless are likely to have poor physical and mental health and are more vulnerable to issues relating to alcohol and drug use[12].

A study by Cambridge stated *'homeless people are ten times more likely to be problem gamblers than the UK population as a whole'.*[13] A study commission in 2014 states *'These results confirm that the homeless constitute a vulnerable population for problem gambling, and that diagnostic tools for gambling involvement should be integrated into homelessness services in the UK.'*

The Licensing Authority cannot see how the applicant has demonstrated in their local area risk assessment how they will overcome the risk to vulnerable people who attend the health services mentioned above and homeless living accommodation. The granting of the License would undermine the licensing objectives based on the information provided.

**Assessing Local Risk**

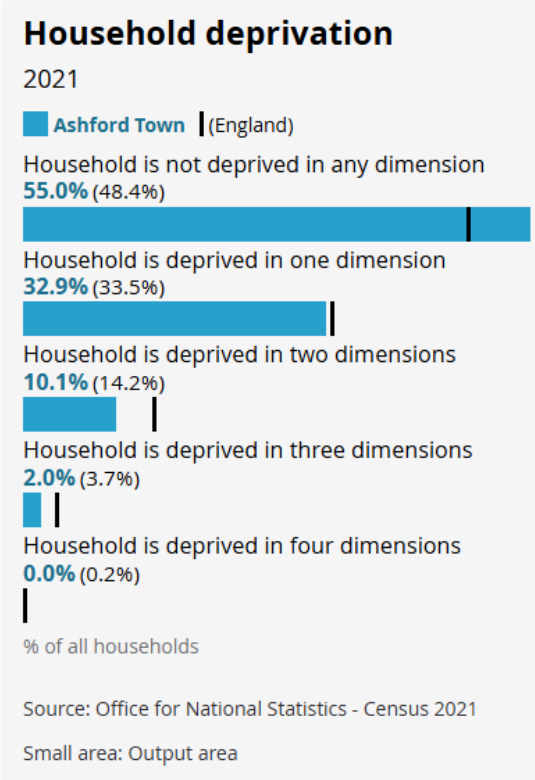
Under the Gambling Commissions codes of practice 'licensees must assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In making risk assessments, licensees must take into account relevant matters identified in the licensing authority's statement of licensing policy'[14].

According to the National Office for Statistics in Ashford Town[15]:

- In 2022 There was 7,900 people
- In 2021 there was 3,000 households

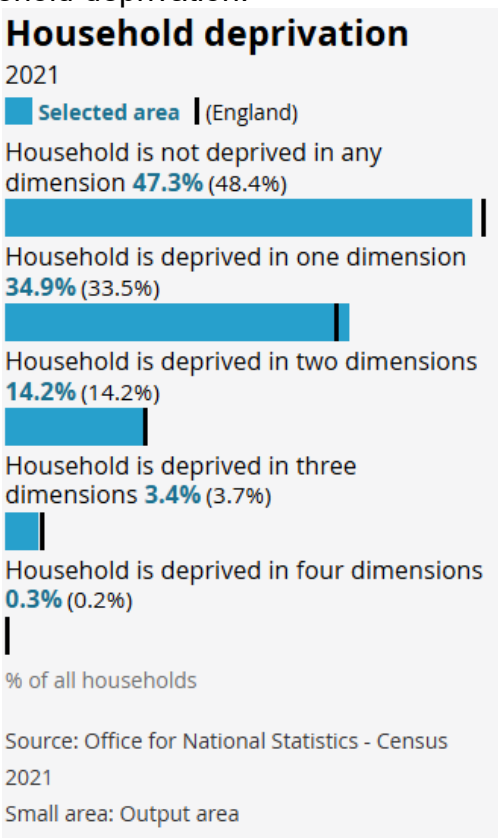
The National Office for statistics states the below in terms of 'household deprivation for 2021[16]:

[11] Summer Reading Challenge - Surrey County Council
[12] Health and wellbeing | Homelessness Knowledge Hub | Crisis UK
[13] New study reveals scale of problem gambling among homeless population | University of Cambridge
[14] Codes of practice - 10 - Assessing local risk
[15] Build a custom area profile - ONS
[16] Build a custom area profile - ONS




The Licensing Authority has searched on the office for national statistics website and within 1km radius the data available is:

- 2022 Population of 165,700
- 2011 number of households 63,400
- Below is the household deprivation:



- Below is the 1km radius for Employment history for 2021 which shows 1 in 4 people have never worked:




The Licensing Authority note that in the local risk assessment it states that Ashford is located 'in one of the least deprived wards and is in the 20% least income deprived neighbourhood in England'. The Authority cannot see where this information has been obtained from, however it has noted that Healthy Surrey have published 'Surrey Health and Well-Being Strategy - updated 2022' [17]. This states 'people living in geographic areas which experience the poorest health outcomes'.

- Electoral Ward - Stanwell North, Spelthorne is number 5 on the strategy. The website states that 'the top 5 are the initial priority areas'. It states that the 'primary care network' for this is 'Spelthorne, Staines, Ashford, Sunbury, Shepperton and Egham (SASSE) 3'.
- Electoral Ward – Ashford North and Stanwell South, Spelthorne is number 9 on the strategy. This states the 'primary care network' for this is 'SASSE 3'.

In addition, children and adults will visit Ashford from neighbouring towns and work and go to school there.

The gov.uk report makes reference to an increased number of electronic gaming venues in a local area increased the number of personal bankruptcies. [18] Adding another Gaming Centre in a deprived area such as Ashford could lead to an increase in bankruptcy.

*'We examined financial harms in 31 studies. One high quality study reported that an increase in the number of electronic gaming venues in a local area increased the number of personal bankruptcies in that area. There was also considerable evidence from the qualitative studies that gambling directly causes financial harms to gamblers and their close associates, particularly intimate partners.*

*We identified gambling-related debt as a crucial harm that can lead to other harms such as relationship problems, physical and mental health problems, and crime.*

*The financial difficulties and debt experienced by gamblers and affected others were often severe. Several studies reported that gambling led to bankruptcy and housing*

[17] Surrey Health and Well-Being Strategy - update 2022 | Healthy Surrey
[18] Gambling-related harms evidence review: summary - GOV.UK

*problems including homelessness. Financial harms also affected the children of gamblers.'*

**Surrey Health and Well-Being Strategy – updated 2022:**
There is a link with deprivation and many other social factors.
*Demographic characteristics, such as age, income, and cultural background can influence gambling behaviours, shaping preferences, motivations, and risks.*
*Data shows that there are certain demographic groups (4) with relatively higher levels of 'problem gambling' than the England average. These include:*
- *Younger people (aged 18-34): 6.8%, compared with 3.0% across all age groups.*
- *People from Black, Asian and other ethnic minority groups: 8.4%, compared with 2.2% for those of White ethnicity.*

*Spelthorne black, Asian and other ethnic minority groups is 21.3% compared to England 19.0%*
- *People who are unemployed or economically inactive: 4.1%, compared with 3.0% across England.*
- *Full-time students (linked to the higher prevalence among young adults): 6.8%, compared with 3.0% across all adults in England.*
- *People not in a relationship: 3.9%, compared with 2.2% for those in a relationship.*

<u>The local gambling risk assessment raises several questions:</u>

- The document states "the premises will be open 24/7 with at least 2 members of staff working on site at any given time on the basis of a maximum of 8 customers, if the numbers increase then an additional member of staff will be used for busier periods". It goes on to state: '*Staff are trained to monitor the external area around the entrance for any anti Social behaviour and to take appropriate steps. Anyone seen loitering around the entrance will be asked to move away.'*
    - It is not clear from the assessment what methodology will be applied when there is an increase of customers and what the customer to staff ratio will be.
    - In addition, if there was to be a customer rush and the number was to go over the 8 number of customers, it is not clear what would happen. E.g. would the premises close its doors and wait for another member of staff to arrive?
    - What would happen in the event they cannot get more staff? Will the premises be closed.
    - What will happen if people who are excluded try to enter and there is not enough staff?

The Licensing Authority struggle to understand how the 8 customers to 2 staff will be upheld as it is not clear from the risk assessment and how they will promote the licensing objections from this.

- There is mention of a 'maglock' in use between 22.00 and 08.00 however there is no mention of how many members of staff. How will the maglock work? How will customers contact the premises?

The Licensing Authority are concerned that in the risk assessment it states ‘stakes are returned to anyone who has played a category C or B gaming machine and unable to verify their age’. According to their risk assessment there is a risk that children could enter the premises unnoticed or unchallenged particularly after school and during school holidays.

There are numerous age verification procedures in the local area risk assessment but the last part states *’stakes returned to anyone who has played a category C or B gaming machine and unable to verify age’ This is saying that your procedures would not be sufficient to prevent underage gambling.*

- Why is anyone unable to verify their age gaining entry to the premises?
- Why is there only money returned for category c or category b machines and not other machines of a different category ?
- There is no mention in the local risk assessment how age test purchase will take place?

The Licensing Authority is concerned about any crime and disorder which could occur late into the evening when customers arrive to the premises and are therefore unable to gain entry to the premises.
There has been no mention of what will happen if a person seeks entry who appears to be under the influence of drink or drugs or what the policy will be if alcohol was to be brought into the premises and drunk and the use of drugs.

The Gambling Act sets out three licensing objectives which will be referred to individually.

**Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime**

There are concerns that having an adult gamming centre in Church Road, Ashford will attract a larger volume of people who due to the nature of gambling will bring the associated problems with them. Involvement in criminal activity has been shown to increase when there is a lack of funds and this would be true with a gambling addiction. Shoplifting is a quick and easy way of obtaining cash and Ashford has a crime rate for this of 8.20 per 1,000 which is 1.33 the national average.

*There are note takers and change machines cash only in the premises an ideal way to spend any proceeds of crime.* The terms and conditions state they will only accept cash.

Church Road in the last few years has seen a downturn in the economy with numerous local shops closing down.

This is also show in the crime statistics.

Crimerate.co.uk updated August 2025
Ashford, Surrey Crime and Safety Statistics | CrimeRate
**Ashford is the second most dangerous medium-sized town in Surrey,** and is among the top 20 most dangerous overall out of Surrey's 105 towns, villages, and

cities. The overall crime rate in Ashford in 2025 was 70 crimes per 1,000 people. This compares poorly to Surrey's overall crime rate, coming in 36% higher than the Surrey rate of 51 per 1,000 daytime population.

In February 2024, Ashford had the worst crime rate in Surrey for robbery, with 4 crimes reported and a crime rate of 0.17 per 1,000 daytime population. April 2024 was also a bad month for Ashford residents, when it was again Surrey's most dangerous area for robbery, recording 4 crimes at a rate of 0.17 per 1,000 daytime population.

The most common crimes in Ashford are violence and sexual offences, with 693 offences during 2025, giving a crime rate of 29. This is 1.3% higher than 2024's figure of 684 offences and a difference of 0.37 from 2024's crime rate of 28.

For the same period, Surrey Police recorded 693 reports of Violence and Sexual Offences in Ashford, resulting in a crime rate of 29 reports per 1,000.

This review has brought together and analysed the best available international research evidence on risk factors and gambling-related harms. The evidence suggests that harmful gambling should be considered a public health issue because it is associated with harms to individuals, their families, close associates and wider society. Gambling-related harms have considerable cost to the government and society, likely to be between £1.05 to 1.77 billion.

The most socio-economically deprived and disadvantaged groups in England have the lowest gambling participation rates, but the highest levels of harmful gambling and they are also the most susceptible to harm. So, if there are no interventions to improve this situation, harmful gambling is likely to make existing health inequalities worse.
The harms identified in this report and the cost to society suggests that more needs to be done to prevent and reduce the harms associated with gambling.[19]

**Conclusion**
The Licensing Authority do not believe the location of this adult gaming centre is appropriate taking into account the demographic of schools, health centre, vulnerable people, crime rates and deprivation.

The Licensing Authority do not believe that the application takes into sufficient account of the location and the risks that it would produce and the staffing levels offered are insufficient. However, even if there was more staff deployed we do not believe this would resolve the issues at this location based on the data available.

In addition, the excess cost of harm associated with gambling within Spelthorne is above the UK average. Having another gaming centre in the wrong location as explained in my objection will have a negative impact on the public and health services[20]

[19] Gambling-related harms evidence review: summary - GOV.UK

[20] Gamble Aware Gambling harm data profile. Spelthorne

## Estimated Fiscal Costs of 'Problem Gambling'

In April 2023, the National Institute of Economic and Social Research (NIESR) estimated that the annual fiscal cost of 'problem gambling' (PGSI 8+) is roughly £1.4 billion (in 2023 prices)[3].

The table below shows the excess cost of harm associated with gambling across Spelthorne and GB. NIESR's national figures have been apportioned to Spelthorne based on the Parliamentary Constituency's estimated share of the total number of people in Great Britain who are PGSI 8+. Using this methodology, the total fiscal cost of harm associated with 'problem gambling' in Spelthorne is estimated to be **£1,439,732**.

| Cost of harm associated with gambling | Spelthorne | Great Britain |
|---|---|---|
| Health: General Medical Service Consultation (mental health) | £23,451 | £21,600,000 |
| Health: Hospital Inpatient | £484,977 | £446,700,000 |
| Crime: Crime Committed (police call out) | £34,742 | £32,000,000 |
| Crime: Court Appearance | £9,771 | £9,000,000 |
| Housing: Homelessness Support | £17,914 | £16,500,000 |
| Welfare: Universal Credit | £868,877 | £800,300,000 |
| Fiscal cost (£ millions) | £1,439,732 | £1,400,000,000 |

Based on the location and the licensing objectives, together with the Guidance the Licensing Authority objects to the granting of this licence.

Stuart Bruce-Reid
Licensing Enforcement Officer
Spelthorne Borough Council

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| Objection 1 | Received 01.08.2025 | Internal Spreadsheet Reference (Licensing use only) 2 |
|---|---|---|

I am writing to provide constructive feedback on the Local Gambling Risk Assessment for Golden Slots at 39 Church Road. I believe the assessment requires strengthening in key areas to ensure it fully addresses local risks and meets the licensing objectives.

1. Crime Risk Analysis: The assessment correctly identifies Ashford's high crime rate but then concludes the risk is "Low." This apparent contradiction needs further justification. It would be helpful to understand how the proposed standard mitigation measures are sufficient for a recognised high-crime area, even within the 9 am to 11 pm operating hours.
2. Protection of Children & Vulnerable People: Given the venue's location directly opposite the library and near numerous schools, the "Low" risk rating for children and vulnerable people is a significant concern. A more robust strategy is needed that goes beyond standard policy to reflect the unique sensitivity of this specific location and protect our community's younger and more vulnerable members.
3. Engagement with Local Context: The assessment would be stronger if it acknowledged the wider context that Spelthorne is the most deprived borough in Surrey, as this relates to potential vulnerability. Furthermore, acknowledging and outlining steps to address the significant community concerns (evidenced by over 500 objections) would demonstrate a clear commitment to being a responsible local operator.

I hope these points are taken into consideration to develop a more robust plan that genuinely protects the Ashford community. A strengthened assessment would provide greater confidence that the venue will operate in the safest way possible.

| Objection 2 | Received 01.08.2025 | Internal Spreadsheet Reference (Licensing use only) 3 |
|---|---|---|

I would like to object to this opening. It will encourage the wrong people to hang around the shops and will be terrible for the already problematic parking, encouraging gambling in an area that has already got a problem with ASB is not going to help.
I certainly don't want to walk past crowds of people all standing outside smoking and hanging around on the corner of the road.
This is not adding value to the area.
Please consider the shops on church road that people will struggle to park and shop in. We have already seen far too many shops close. The noise from people coming and going all hours will be bad enough, waking people and alarming others. We do not need a gambling den, we need quality shops and restaurants that will encourage people to shop in church road, not make them leave which will happen. No alcohol, no drugs and no gambling is needed in Ashford.

| **Objection 3** | **Received 01.08.2025** | **Internal Spreadsheet Reference (Licensing use only) 6** |
|---|---|---|

Protection of Children and Vulnerable Persons
The site is within walking distance of Clarendon Primary School (0.11 miles), St Michael's Catholic Primary School (0.4 miles), and Ashford Youth Centre (0.2 miles). This poses a safeguarding risk by increasing children's exposure to gambling activity and advertising. The area also serves older adults, low-income families, and individuals at risk of addiction groups particularly vulnerable to gambling-related harm.

Crime and Disorder Risk
Introducing a gambling venue in this high-street location increases the likelihood of anti-social behaviour, loitering, and petty crime. With nearby ATMs and vacant retail units, the premises could attract opportunistic crime or illegal lending. The lack of evening policing makes risk mitigation difficult. Approving this could also set a precedent for further similar businesses.

Policy Non-Compliance
The applicant has not provided a robust Local Risk Assessment as required by Spelthorne Borough Council's Statement of Principles and the Gambling Commission's LCCP. There is no clear mitigation plan for nearby sensitive uses.

Public Concern
Despite planning approval, over 800 residents have signed petitions opposing this application. Licensing must independently consider the impact on public confidence and community wellbeing.

Cumulative Impact and Risk of Clustering
Approving this licence would set a precedent for further gambling premises in Ashford's town centre. Evidence shows that clustering such venues in areas with socioeconomic challenges increases local harm. The Council must consider the long-term effect on the town's safety, character, and wellbeing.

I object to the application and urge the Licensing Authority to refuse this application in line with its statutory objectives and community interest.

| **Objection 4** | **Received 01.08.2025** | **Internal Spreadsheet Reference (Licensing use only) 8** |
|---|---|---|

The area in which the gambling centre will be located is in an area where antisocial behaviour is rife. You can't walk through Ashford of an evening without seeing young people engaged in antisocial behaviour. Such an establishment is not going to improve this. This establishment is not wanted in this area and yet the voice of the local residents has been constantly ignored. While the application states that the centre will be over 18, clearly they have not witnessed the types of behaviour present most evenings in the town and it is hard to believe that the proposed cctv

| | | |
|---|---|---|
| will stop underage individuals seeking to use the premises. This is an area which isn't as affluent as the application purports and will put vulnerable individuals at risk. I cannot see any good which this establishment will bring to the area and it will add to my shame at saying I live in an area where the council feels that this is in any way appropriate. | | |
| **Objection 5** | **Received 01.08.2025** | **Internal Spreadsheet Reference (Licensing use only) 9** |
| I strongly object to the proposed Adult Gaming Centre at 39 Church Road, Ashford, on the basis of the following licensing objectives:<br>Protecting children and vulnerable persons from being harmed or exploited by gambling<br><br>Preventing gambling from being a source of crime or disorder<br><br>Inadequate compliance with Spelthorne's Licensing Policy and Gambling Commission Codes of Practice<br><br>Church Road is a high-footfall area with several primary and secondary schools nearby (Clarendon, St Michael's, Thomas Knyvett), as well as care homes, youth services, and a family centre within a short distance. While the applicant claims a low risk, the proposed 24/7 operation, combined with the shopfront's central location, will increase exposure to gambling and normalise it for young people and vulnerable adults.<br><br>The risk assessment fails to address the cumulative impact of gambling premises. There are already two betting shops within 500 feet. This would add a third, shifting Church Road toward saturation. Additionally, Ashford has the highest crime rate of any medium-sized town in Surrey (102 per 1,000 people), including high levels of antisocial behaviour. The applicant's reliance on CCTV and locked doors during late hours is reactive and does not address broader community safety risks.<br><br>Though the applicant cites data suggesting low deprivation, Ashford sits within Surrey's most deprived borough, and Church Road serves economically vulnerable residents. The area has a high density of ATMs and takeaway outlets, raising concerns about financial exploitation and impulse gambling.<br>This application does not uphold the licensing objectives or reflect adequate consideration of local risks. I respectfully urge the council to reject it in the interest of public safety and community wellbeing | | |
| **Objection 6** | **Received 03.08.2025** | **Internal Spreadsheet Reference (Licensing use only) 12** |
| I strongly object to the application by Golden Slots (Southern) Ltd to open an Adult Gaming Centre (AGC) at 39 Church Road, Ashford. The proposed location is entirely unsuitable—Ashford is a quiet residential town with a traditional high street, surrounded by homes, schools, and community facilities. Introducing a gambling establishment into this environment risks harming the character of the area and | | |

exposing vulnerable residents to gambling-related harm.

Spelthorne already contains two of the most deprived areas in Surrey, and research shows that economically disadvantaged individuals are more susceptible to problem gambling. The presence of an AGC could worsen existing inequalities and negatively impact individuals and families already at risk.

There is overwhelming community opposition to this proposal. The vast majority of local residents do not support the introduction of an AGC in the town centre. This must be taken seriously as we, the residents, are the ones who will bear the consequences.

There are also concerns that an AGC could draw in customers from surrounding towns who may not respect the local area or its community standards. This could damage the welcoming and safe nature of Ashford's high street, particularly in the evenings. Many residents—including commuters returning from the train station and individuals walking home after social events—use Church Road at night. The presence of an AGC may increase the risk or perception of anti-social behaviour and discourage safe public use of the area.

The licence application itself lacks key safeguards. It includes no detail on staff training, levels of supervision, procedures for dealing with problem gambling, signage, or limits on operating hours. This suggests a disregard for community welfare and public safety.

I urge the Licensing Committee to reject this application. It is not in the best interests of the local area and will undermine community safety, cohesion, and wellbeing.

| **Objection**<br>**7** | **Received**<br>**04.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**16** |
|---|---|---|

This area of Ashford has been highlighted as an area of concern for antisocial, behaviour . The licence for a gaming establishment will bring more trouble into the area . It is opposite a library that has a good history of activities for children and very near a local infant junior school. There is a new residential estate opposite as well .There is very restricted parking

| **Objection**<br>**8** | **Received**<br>**04.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**19** |
|---|---|---|

Please see my formal objection to the proposed Adult Gaming Centre at 39 Church Road,
Ashford.

Key concerns (licensing objective in brackets):

• 3 schools within 500m of premises (Protection of children from harm)

| | | |
|---|---|---|
| • Site overlooks residential flats (Prevention of public nuisance)<br>• Proximity to late-night bus stops = loitering risk (Public safety)<br>• No demonstrated community benefit (General public interest)<br>Data and location analysis strongly suggest the risks outweigh any proposed benefits. | | |
| **Objection 9** | **Received 04.08.2025** | **Internal Spreadsheet Reference (Licensing use only) 22** |
| Please see my formal objection to the proposed Adult Gaming Centre at 39 Church Road,<br>Ashford.<br><br>Key concerns (licensing objective in brackets):<br><br>• 3 schools within 500m of premises (Protection of children from harm)<br>• Site overlooks residential flats (Prevention of public nuisance)<br>• Proximity to late-night bus stops = loitering risk (Public safety)<br>• No demonstrated community benefit (General public interest)<br><br>Data and location analysis strongly suggest the risks outweigh any proposed benefits.<br><br>The problems that can arise from a gambling license being granted, would be extremely harmful to families, Children and young people; vulnerable people; people with mental health issues or addiction problems. There are no benefits of a gambling establishment to this community at all. | | |
| **Objection 10** | **Received 04.08.2025** | **Internal Spreadsheet Reference (Licensing use only) 25** |
| Need to protect young people from being exploited by gambling.<br>Prevent the high street from further deterioration by the gambling centre attracting crime and antisocial behaviour.<br>The centre of the high street is not a suitable venue for a gambling centre. | | |
| **Objection 11** | **Received 04.08.2025** | **Internal Spreadsheet Reference (Licensing use only) 26** |
| To Whom It May Concern,<br>I am a resident of Ashford and wish to object to the proposed Adult Gaming Centre at 39 Church Road.<br><br>Key concerns: | | |

| | | |
|---|---|---|
| • Ashford is a quiet, family-oriented neighbourhood with 3 schools within 500m of premises<br>• Site overlooks residential flats - one of which is mine<br>• Proximity to late-night bus stops and benches beneath my property which will increase loitering and antisocial behaviour risk<br>• No demonstrated community benefit<br><br>I look forward to hearing how this establishment would have any positive impact on this community when data and location analysis strongly suggest the risks outweigh any proposed benefits.<br><br>Regards, | | |
| **Objection 12** | **Received 05.08.2025** | **Internal Spreadsheet Reference (Licensing use only) 28** |
| The risk assessment fails to take into account the premises proximity to a public library. If this application is granted, Spelthorne council have either chosen to ignore this or to accept that a public library is of no particular interest to children, therefore insinuating that reading is not important to children.<br>There is also, I believe a potential link between socioeconomic factors of families who use a library and the risk of gambling addiction.<br>Furthermore, the transportation route of several schools in the area to the nearest train station will pass this premises. Whilst there are other gambling premises in the area, these are historical. The ASA has in recent years developed strict rules around advertising in line UK governments gambling white paper (2023). With the number of schools in the area, being on the transportation route for a large amount of these schools and most importantly the proximity to Ashford public library, I believe that this application does not adhere to the Government guidelines and furthermore the omission of the library from the risk assesment list of places of interest to children realises this and was omitted on purpose | | |
| **Objection 13** | **Received 05.08.2025** | **Internal Spreadsheet Reference (Licensing use only) 29** |
| This site is very prominent, in the middle of the high street opposite the public library. The prominence of this site will normalise this type of non-productive, in fact dangerous, enterprise. Children who visit the library will see its ok to waste your money (some of it given to them by the state and the council), instead of being used for food, clothing and savings. | | |
| **Objection 14** | **Received 05.08.2025** | **Internal Spreadsheet Reference (Licensing use only) 31** |
| Please refuse gambling license - 39 Church Road | | |

As a parent of a child I am deeply concerned about the proposal to open an Adult Gaming Centre in our town centre.

Children pass the location daily. The idea that they might be exposed to gambling so visibly, in a place meant for for families and everyday shopping is extremely worrying.

This application risks;
- harming vulnerable persons including children
- disrupting public safety especially at night

This venue does not serve the wellbeing of our community. Please consider the bigger picture and reject this application.

| **Objection**<br>**15** | **Received**<br>**05.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**32** |
|---|---|---|

**Subject: Rejection to Gambling License - 30 Church Road, Ashford, Surrey.**

Dear Licensing Team

As a parent of 2 children, who regularly uses the high street and public transport I'm deeply concerned of the proposal of an adult gambling centre in the high street.

Children pass this location on a daily basis, including catching local transport and the daily exposure to gambling, groups of people hanging around, increased rubbish and adult language which will be clearly visible in a family orientated location is very worrying. This will not aid the high street businesses and will change the feel of the high street. I would expect many people will stop using the high street and would drive elsewhere. I live near the high street (walkable) but as a woman (with or without my children) I would not want to walk past the gambling site.

This application risks:
Harming vulnerable people; children and elderly being exposed to the above points
Disrupting public safety; especially evenings and winter months
Loitering risk; groups of people hanging around near bus stops and shops. Lack of safety for those using the high street, using the buses and those who live nearby
No demonstrated benefit to the community

This venue does not serve the wellbeing of the community. Please consider the wider view and reject this application.

| **Objection**<br>**16** | **Received**<br>**05.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**37** |
|---|---|---|

Good Afternoon
I strongly appose a license being granted for the new venue where Barclays Bank presently stands.

This will bring more unwanted behaviour to our small town. Already local people do not feel safe walking down the street especially in the evening and this will add to our anxiety.
We already have to tolerate adolescent behaviour and this can only add to the problems.
There are a number of schools in the area and this will set a very bad example to young vulnerable children and teenagers. They will obviously be intrigued and wish to hang around the premises wanting a little taste of what's going on inside.
We have a high number of drug users in the area and to add gambling to there daily existence is a disaster waiting to happen.
Ashford used to be a lovely town that you should be working to bring back a sense of pride and community.
Please take all of this into consideration

| **Objection**<br>**17** | **Received**<br>**05.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**38** |
|---|---|---|

My first concern is that this application states that ‘The premises will be open 24/7,’ yet my understanding is that the Planning Inspector’s approval came with a condition of operating hours from 9am -11pm. Are they hoping to override this at some point with this gambling licence.
Secondly, the application states there will be ‘at least 2 members of staff working on site at any given time on the basis of a maximum of 8 customers’ this raises 2 questions.
1) Why do they need the 32 machines shown on the plan?
2) How much do these 8 people need to spend in an hour to cover the costs and generate a profit?
Gambling related harms are now widely recognised as a public health issue. The convenience of high street gambling premises must contribute to an increase in people negatively impacted financially by gambling, including housing and homelessness which impacts the whole family and the local community, as well as the individuals directly affected by it.

Ashford is a medium sized town and the location of this building, in a mainly residential area made up for mostly young families, cannot be seen by anyone as a good idea. There are flats immediately above, across the other side of Dudley Road and opposite in Church Road. There are 6 primary schools within 1 mile, 7 churches within half a mile many of whom have playgroups and offer safe meeting space to vulnerable people. The library, another sanctuary for local children and adults is immediately opposite this building.
In recent years Ashford has been identified as the most dangerous medium-sized town in Surrey in terms of overall crime rate. Mainly, Shoplifting, Anti-social behaviour, Violence Against Women and Girls & Drug-related harm. Making it a place that many people will not visit alone at night, having this establishment open all day, 7 days a week will put public safety more at risk.

In summary, I believe that the granting of the licence could lead to a further increase in crime and disorder, in what is

Further valid rep submitted 26.08.2025 (ref 168)

As a resident of Ashford, I am deeply concerned about the proposal to open an 24/7 Adult Gaming Centre in our high street

Gambling related harms are now widely recognised as a public health issue. The convenience of high street gambling premises must contribute to an increase in people negatively impacted financially by gambling, including housing and homelessness which impacts the whole family and the local community, as well as the individuals directly affected by it.

Ashford is a medium sized town and the location of this building, in a mainly residential area made up for mostly young families, cannot be seen by anyone as a good idea. There are flats immediately above, across the other side of Dudley Road and opposite in Church Road. There are 6 primary schools within 1 mile, 7 churches within half a mile many of whom have playgroups and offer safe meeting space to vulnerable people. The library, another sanctuary for local children and adults is immediately opposite this building.

In recent years Ashford has been identified as the most dangerous medium-sized town in Surrey in terms of overall crime rate. Mainly, Shoplifting, Anti-social behaviour, Violence Against Women and Girls & Drug-related harm. Making it a place that many people will not visit alone at night, having this establishment open all day, 7 days a week will put public safety more at risk.

In summary, I believe that the granting of the licence could lead to a further increase in crime and disorder, in what is a residential local shopping area and so totally unsuitable for such a venue. I am also concerned that children and other vulnerable people could be harmed and exploited should this application be approved.

| **Objection**<br>**18** | **Received**<br>**01.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**39** |
|---|---|---|

To Whom It May Concern,

Please see my formal objection to the proposed Adult Gaming Centre at 39 Church Road,
Ashford.

Key concerns (licensing objective in brackets):

• 3 schools within 500m of premises (Protection of children from harm)
• Site overlooks residential flats (Prevention of public nuisance)
• Proximity to late-night bus stops = loitering risk (Public safety)
• No demonstrated community benefit (General public interest)

Data and location analysis strongly suggest the risks outweigh any proposed benefits.

Further rep received 21.8.2025

Please see my formal objection to the proposed 24/7 Adult Gaming Centre at 39 Church Road, Ashford.
Key concerns:
• 3 schools within 500m of premises (Protection of children from harm)
• Site overlooks residential flats (Prevention of public nuisance)
• Proximity to late-night bus stops = loitering risk (Public safety)
• No demonstrated community benefit (General public interest)

A 24/7 gambling centre in our small high street does not support the wellbeing and safety of Ashford.

Data and location analysis strongly suggest the risks outweigh any proposed benefits.

| **Objection**<br>**19** | **Received**<br>**05.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**42** |
|---|---|---|

This representation is made under the provisions of the Licensing Act 2003, specifically
concerning:

• Objective 1 – Prevention of crime and disorder
• Objective 3 – Prevention of public nuisance
• Objective 4 – Protection of children and vulnerable persons from harm

The location in question is inappropriate for such a venue due to its proximity to vulnerable populations , high foot traffic from minors, and lack of any mitigating community benefit.

The planning conditions already confirm concern about noise and disruption.

I respectfully request that the application be refused on the grounds of its likely negative effect on the licensing objectives.

| **Objection**<br>**20** | **Received**<br>**05.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**43** |
|---|---|---|

Subject: Gambling Licence Objection – 39 Church Road TW15

To Whom It May Concern,

Please see my formal objection to the proposed Adult Gaming Centre at 39 Church Road,
Ashford.

Key concerns (licensing objective in brackets):

• 3 schools within 500m of premises (Protection of children from harm)
• Site overlooks residential flats (Prevention of public nuisance)
• Proximity to late-night bus stops = loitering risk (Public safety)
• No demonstrated community benefit (General public interest)

Data and location analysis strongly suggest the risks outweigh any proposed benefits.

All of this will lead to an uplift in crime and antisocial beaviour.

| **Objection**<br>**21** | **Received**<br>**05.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**45** |
|---|---|---|

I am writing to express in the strongest terms my objection to the gambling license for the proposed 24 Adult Gaming Centre in Church Road Ashford.

In my opinion, this is likely to lead to an increase in traffic in the area at all hours of the day and night, particularly arriving from Bedfont/Hounslow/Feltham areas and therefore accessing the town centre via Parkland Grove from Clockhouse Lane. Our road is already a dangerous rat run and we certainly don't need the noise and added danger to pedestrians that the traffic will bring.

In addition, allowing a 24 hour license for what is acknowledged as an addictive and destructive activity in the heart of a community that is home to many families and young children borders on the negligent. There is already enough temptation on line and the damage wrought by gambling is a recognised and increasing harm to many. Why on earth would anyone think it sensible or responsible to allow such a premises to operate in a town where so much hard work goes into fostering a safe and friendly community?

People arriving 24 hours a day also increase the possibility of public nuisance in the immediate and surrounding area and therefore a likely increased pressure on already stretched police resources.

In summary I urge you in the strongest terms , and in the interest of our community, to reject the gambling license application.

**Additional objection received 21.08.2025**

Further to the two emails below, I note from a press release that Golden Slots claim that they will restrict opening hours to 9 - 23.00 hours and say that this will limit potential risk to the community.

It may limit the hours during which potential nuisance might occur but the damaging influence that this business will have on children and young adults will still be most visible during the days as they walk to and from school, travel to college or the gym across the road. What kind of example are we setting to our young people by allowing a business which can cause such well documented harm to be sited in the midst of our community?

| **Objection**<br>**22** | **Received**<br>**05.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**47** |
|---|---|---|

Having a 24hr gambling venue in Ashford is inviting undesirables to visit Ashford. They would normally not come within 20 miles of the place as up until now there is nothing to attract them. What police presence is there likely to be in the Church Rd vicinity? I am sure it won't be long before, for whatever reasons police will be called. Pupils coming from the local schools may be drawn to the premises; will there be any proper checks on their ages? The number of young people gambling has increased, and many have not even entered the world of work yet. I am sure those using the premises will 'spill' outside, and I cannot think they will be silent when doing so, this will be especially disruptive to those living close by. Would premises such as these be allowed in the areas where local councillors live?

| **Objection**<br>**23** | **Received**<br>**05.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**49** |
|---|---|---|

I would like to submit my representation against the gambling licence application for 39 Church Road, Ashford.
While I appreciate that licensing matters must be considered fairly and lawfully, I believe this venue risks:
• Disruption to neighbouring residents

• Potential for vulnerable individuals to be targeted
• Late-night disturbances and loitering

This contravenes:
• Public safety
• Protection of vulnerable persons
• Prevention of public nuisance

I respectfully urge the Licensing Sub-Committee to reject this application.
Yours sincerely,

| **Objection**<br>**24** | **Received**<br>**06.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>56 |
|---|---|---|

I am writing to formally object to the proposed Adult Gaming Centre (AGC) on Ashford High Street, Surrey. My concerns are centred on the core licensing objectives of the Gambling Act 2005, which I believe this application fails to adequately address.

1. Preventing gambling from being a source of crime or disorder or being used to support crime:
The proposed 24/7 operation, in an area not known for a late-night economy, raises serious concerns about increased anti-social behaviour. A round-the-clock venue could attract loitering, noise disturbance, and potentially an increase in low-level crime. The presence of patrons arriving and leaving at all hours, particularly late at night, could create a feeling of insecurity for residents, especially vulnerable persons and families. While planning inspectors may assert there is "no compelling evidence" linking AGCs to increased crime, the specific context of this location, with residential properties nearby, demands a more cautious approach.

2. Protecting children and other vulnerable persons from being harmed or exploited by gambling:
The location of the proposed AGC, in a town centre that is a hub for community life, places it in close proximity to schools, youth centres,
and other community facilities. While the applicant may propose a "Think 25" policy, the very presence of a gambling venue in such an accessible location normalises gambling to children and young people.

Furthermore, the centre could be a gateway for financially vulnerable individuals, encouraging them to spend money they cannot afford to lose. The local authority AND the Government have a duty to protect these members of our community, and the proliferation of gambling establishments works directly against this objective.

For these reasons, I urge the Licensing Authority to refuse this application to protect our community's safety and well-being.

| **Objection**<br>**25** | **Received**<br>**05.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>57 |
|---|---|---|

Ashford is already in the top 10 most dangerous communities in Surrey with violence and youth disorder. Young men are a group that slot gambling sites seek to attract and ther clients as a whole are predominantly male.

There's no evening entertainment in the town, so the gaming centre would be the only magnet for an undesirable type of person to enter in the evening. There is very rarely any police presence in the town. Communities need to feel safe.

In close proximity to the proposed gambling centre are many organisations vital to our community which cater for vulnerable groups including various schools. Nearby, The Clarendon Family Centre caters for children of all ages presenting with difficult behaviour who might be tempted to join those loitering outside the gambling centre.

Women and mothers with children do not feel safe passing through groups of men or youths congregating outside to smoke or entering and exiting hubs like the proposed one. It would be an area for women to avoid at night.

Occupants of senior citizens' flats and the congregations of nearby churches would feel uneasy or fearful passing it in the day.

This proposed gambling centre would add nothing positive to my town. It will encourage more youth disorder and foster a climate of fear in a very residential area.

Submitted a further valid rep 26.08.2028
I am a long term resident of Ashford. I oppose the licencing of gaming at this site because it threatens the Protection of Children.

I1) It is 0.2 miles from Clarendon *Junior School* and 0.4 miles from St Michaels *Primary School.*

(2) *The library* is opposite and many infant and junior school classes are taken there for educational sessions. All of these children will be exposed to the presence of the gaming centre and the men who will loiter outside to gather and smoke.

(3) *Adolescent pupils* from 2 schools on Church Road also pass this site at the end of the school day.

(4)At the Clarendon School site is the *Clarendon Family Centre, a base for vulnerable people* suffering domestic abuse, family conflict, mental issues and *children of all ages presenting behavioural problems*. This is a wide group who need protection and will be threatened. The gaming centre may provide a counter-productive attraction to the latter group mentioned.

(5) As an ex-teacher I have great concern about gaming clients (demograpgically predominantly male loners) to-ing and fro-ing and hanging around, casually watching or being watched by children.

<u>The centre threatens Public Safety and Public Order</u>

(1) Particularly as the nights get longer, *women will tend to feel intimidated by the clientelle of the centre.* We *already* have one business located on the dark corner of Parkland Grove with *cars parked on double yellow lines frequented by men* waiting

in them or *loitering* on the path. Nothing is done about it as there is *no police presence* in Ashford. I know that *this makes women fearfull.*

(2)*Already the crime rate for Ashford* is significantly higher than the Surrey average . The most common recorded crimes are violence, sexual violence, and freqently unreportedly , shop lifting. Public confidence and wellbeing will be further undermined by this centre.

(3) *The area is residential,* not like the locations of AGCs in Staines and Feltham. There are flats above no 39 and along Church Road, Imediately behind are hundreds of family homes. A very large new housing development is nearby on the opposite side of the road. Its in *absolutely the wrong place*

(4) This centre would be the only group entertainment venue in this unpoliced town. There are no clubs or pubs. It will be the only and *obvious hub of trouble.*

This matters to me. Please bother to read this.

| **Objection**<br>**26** | **Received**<br>**07.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**58** |
|---|---|---|

This is an objection to the above due to the following:

The premises is too near to residential roads and will only encourage more problems and anti social behaviour.

Ashford High Street is a small High Street and a gambling centre is simply not appropriate on a High Street of this scale. The High Street already has quite a few bookmakers we don't need any more outlets for gambling**.**

| **Objection**<br>**27** | **Received**<br>**07.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**59** |
|---|---|---|

I am writing to object to the licensing application for the Golden Shots gaming premises at the above address.

Firstly the restriction was for 9.00am to 11.00pm and NOT 24 hours.

1. We need to prevent crime and disorder in the area, this will encourage it
2. Public Safety will become an issue - we already have an issue with youths hanging around - this will become worse
3. There is a concern from residents about it being a public nuisance with noise and parking being major concerns
4. We need to protect our children and vulnerable people from harm. The premises are very close to local schools, Clarendon, Ashford Park, and Thomas Knyvett.

The fact that the application was rejected by Ashford residents, councillors and our MP and still got the go ahead is very worrying. Who is listening to our voices?

**Additional objection received 21.08.2025**

Ashford is not set up to be a 'entertainment' centre - it is still a 'sleepy' backwater. It appeals to people with families, many with young children, and the elderly - two demographics that would never use this facility, and who are intrinsically opposed to it. There has been some anti-social problems recently around this part of Ashford (which includes this site) with youth petty crime and there is currently a public dispersal order in place to combat this - having this facility would aggravate the aims of this order. There are now no pubs nearby (the Royal Hart closed years ago) which validates my very first sentence! Clarindon Primary School and recent housing developments are too close to this venue. There are now many online apps for people who need, or want, to gamble, which would cause less impact to the community, who are not interested in this application being given the go-ahead. I note that the licence application is also wrong in that it looks for 24/7 operation whereas time constraints were previously imposed by the Planning decision. This application gives no benefit to the community, is out of character to its surroundings, and should be refused.

| **Objection**<br>**28** | **Received**<br>**07.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**60** |
|---|---|---|
| Ashford is not set up to be a 'entertainment' centre - it is still a 'sleepy' backwater. It appeals to people with families, many with young children, and the elderly - two demographics that would never use this facility, and who are intrinsically opposed to it. There has been some anti-social problems recently around this part of Ashford (which includes this site) with youth petty crime and there is currently a public dispersal order in place to combat this - having this facility would aggravate the aims of this order. There are now no pubs nearby (the Royal Hart closed years ago) which validates my very first sentence! Clarindon Primary School and recent housing developments are too close to this venue. There are now many online apps for people who need, or want, to gamble, which would cause less impact to the community, who are not interested in this application being given the go-ahead. I note that the licence application is also wrong in that it looks for 24/7 operation whereas time constraints were previously imposed by the Planning decision. This application gives no benefit to the community, is out of character to its surroundings, and should be refused. | | |

| **Objection**<br>**29** | **Received**<br>**07.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**61** |
|---|---|---|
| 1. Vulnerable people to gambling will become even more vulnerable<br>2. Ashford will NOT be a desirable area to live in for new people moving into the area, and a large number of houses have been up for sale since the announcement | | |

has been made regarding the gaming centre
3. Crime will increase
4. Our children will NOT be safe outdoors and will grow up thinking gambling is a good/normal activity for anyone
5. Debt will become the major issue
6. A gambling centre should not be in a small town but located in specially designed areas of entertainment, not in the middle of a small high street
7. Its a perfect place for drug exchanges
8. Most importantly-as a community WE DO NOT WANT THE GAMBLING CENTRE IN ASHFORD

| **Objection**<br>**30** | **Received**<br>**07.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**62** |
|---|---|---|

I wish to object to the gambling licence application for the above premises.

These are some if my concerns:

•The Adult Gambling Centre is close to schools, youth services & places children/vulnerable people gather (nearby church halls).

• Concerns about vulnerable people, including those struggling with addiction or mental health, being drawn to this place & it having a detrimental effect on their wellbeing.

• It may encourage late-night gatherings that disturb nearby residents as this is in a residential area, causing a public nuisance.

• The location might lead to anti-social behaviour, loitering, or nuisance, especially in the evenings, again because the premises is close to residential areas.

| **Objection**<br>**31** | **Received**<br>**07.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**65** |
|---|---|---|

Please note the letter below sent on 7/08/2025 to our local Member of Parliament. We would like to refer you to this to express our strongest objection to the application of a gambling licence for the premises of the former Barclay's Bank at 39 Church Road Ashford TW15 2QF.

Dear xx.
Re Planning application for a 24 hour gambling establishment in the vacated Barclays Bank building in Church Road Ashford.

My wife and I are long term residents of Ashford Surrey and we write as concerned residents about the above planning application, of which we are sure you are aware.

The application is for a 24 hour gambling establishment to be opened in the existing Barclay's Bank, on the ground floor of of the site and what used to be a mezzanine. The application was turned down on three separate occasions by the planning committee of the local council partly because of the legitimate concerns of local residents, who appeared to be overwhelmingly against the proposal. The grounds for opposition were proximity to local schools, residential homes, including those adjacent to and above the premises, noise, the necessity for a blank frontage and pressure on parking. What should also be considered is current concerns both from government and medical opinion about the dangers of gambling and the close proximity of an existing bookmaker.
However, the local council's refusal to accept the application was overruled at appeal in April 2025 by the intervention of the government planning inspectorate which insisted upon a restricted opening, electronic closure, noise insulation and management of any local late night disturbance by the company were the licence to be granted. We have a number of concerns about this intervention.
Firstly, it seems to me an anti-democratic act given the opposition of the democratically elected local councillors and the overwhelming opposition of local residents (their constituents). Our assumption is that the government planning inspectorate is non-elected and has less knowledge of local conditions and opinion than the councillors. This issue has effectively disenfranchised local residents whose elected representatives have been overruled by an outside body.
Secondly, although the company (Golden Slots{Southern}Ltd) stated that they would abide by the conditions applied upon them, there is ample room for a gradual movement away from them or modification thereof. Indeed the statement that an electronic lock would be installed from 22.00 hours to 08.00 is somewhat ambiguous in its meaning and implies that gamblers may continue to use the premises as long as they are locked in by staff who will be able to admit further gamblers into the premises by opening the lock from inside. Perhaps I have misread this caveat but it is a concern.
Thirdly, acceptance of the clause that any disturbances will be dealt with by them is also an acceptance that such disturbances may, and in fact are likely, to occur even though no enforcement action has been taken against them since their first operation licence was granted in 2016.
Fourthly, Ashford is a residential area, even adjacent to the high street (Church Road). Residences are a mixture of various types of houses and flats and maisonettes. Indeed a new development of flats has recently been erected opposite to the proposed site. Such an establishment is unlikely to enhance the area and will impose further problems with parking for adjacent businesses.
We hope that you will consider our concerns. Even though this comes from a local council issue we feel that they need backing from Westminster.

| **Objection**<br>**32** | **Received**<br>**08.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>68 |
|---|---|---|

As a long-standing resident of Ashford and someone who has seen the town evolve over numerous years, I write to object to the proposed Adult Gaming Centre licence.

Introducing a gambling establishment such as an Adult Gaming Centre undermines further the peaceful character of the High Street, especially for our elderly, vulnerable, and younger residents. Children pass this location daily on their way to/from school.

We are already witnessing an increase in Anti Social Behaviour and introducing gambling will only add to the existing issues. More and more residents are choosing not to use Church Road as they no longer feel safe.

It is located near to schools

There is also no community benefit.

I believe the application is contrary to:

1. Prevention of public nuisance

2. Protection of vulnerable persons including children

3. Prevention of crime and disorder

I respectfully ask that this licence be refused.

**Second objection received 19.08.2025**

I object to the application by Golden Slots at 39 Church Road, Ashford, to operate 24 hours a day, 7 days a week.

When the original licence was granted, the Inspector imposed restricted hours specifically to protect children and other vulnerable persons from harm, and to prevent crime and disorder. These restrictions were based on clear reasoning and evidence.

The new request for 24/7 opening directly undermines the Inspector's decision and the safeguards it provided. Allowing operation throughout the night would increase the risks of:

• Problem gambling and financial harm to vulnerable people

• Antisocial behaviour during late-night and early-morning hours

• Targeting of vulnerable individuals when the streets are quiet

This application is contrary to the licensing objective of protecting children and other vulnerable persons from being harmed or exploited by gambling.

I urge the Sub-Committee to uphold the original Inspector's reasoning and refuse this request for 24/7 operation.

**Third objection received 22.08.2025**

I feel very strongly that a venue solely for gambling such as this will lead to the exploitation of young people and the vulnerable in our community. Gambling can become an addiction and causes great harm. I cannot see how this is beneficial to any part of the community.

**Fourth objection received 22.08.2025**

I live in Ashford, close to the High Street, so this application would directly affect me.
Ashford already has some of the highest crime levels in Surrey, and a 24/7 gambling venue would only add to the risk of late-night disorder and crime, especially as there's no local infrastructure to deal with it. This clearly relates to the licensing objective of preventing gambling from being a source of crime or disorder.
I'm also very concerned about protecting children and vulnerable people. The site is in a prominent High Street location, right by bus stops and shops that families use every day, which would increase exposure to gambling harm.
For these reasons, I object to the 24/7 licence. If the application is granted, I ask that opening hours are restricted to daytime and evening only, and that security measures, including CCTV, are required.
Thank you for your consideration.

| **Objection**<br>**33** | **Received**<br>**08.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**69** |
|---|---|---|

I would like add my objection to the proposed Gambling Centre in Ashford .

A gambling centre will have devastating consequences on the local and surrounding communities in terms of:

- Risk of public nuisance by inviting crime and loitering. Due to the addictive nature of gambling people can turn to stealing from family, friends and burglary/robbery to fund their habit once they run out of their own money. Allowing this to proceed would be equivalent to opening a drugs den.
- Risks to children, young people and the vulnerable who see gambling as being accessible and acceptable, not realising the addictive nature of this which can destroy individuals and families.
- Ashford will end up on a downward spiral becoming known as a seedy area leading to increase risks to public safety especially after dark. At the moment Ashford has a reputation of being a decent area with a community spirit. As a resident of the neighbouring town of Bedfont, I would say please don't let Ashford decline into a downward spiral so that it ends up with a reputation like Feltham.

| **Objection**<br>**34** | **Received**<br>**09.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**70** |
|---|---|---|

I am writing to formally object to the application for a gambling premises licence at 39 Church Road, Ashford, Middx TW15 2QF.
My objection is based on the following grounds, as outlined under the Gambling Act 2005:

1. Prevention of gambling from being a source of crime or disorder
   I am concerned that the presence of a gambling establishment in this area may increase anti-social behaviour and attract criminal activity, particularly in the evenings.
2. Ensuring gambling is conducted in a fair and open way
   There is insufficient information available about how the proposed premises will ensure transparency and fairness in its operations.
3. Protection of children and vulnerable persons from being harmed or exploited by gambling
   The proposed location is in close proximity to schools, shops and residential areas, which raises serious concerns about the exposure of vulnerable individuals to gambling-related harm.

I live at **REDACTED** which is within close proximity to the proposed site, and I believe the activities associated with this licence will negatively impact the local community.
Please confirm receipt of this objection and advise whether a hearing will be held. I would be willing to attend and speak in support of my representation.

| **Objection**<br>**35** | **Received**<br>**09.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**71** |
|---|---|---|

Dear Licensing Committee,

As a long-standing resident of Ashford and someone who has seen the town evolve over numerous years, I write to object to the proposed Adult Gaming Centre licence.

Introducing a gambling establishment such as an Adult Gaming Centre undermines further the peaceful character of the High Street, especially for our elderly, vulnerable, and younger residents. Children pass this location daily on their way to/from school.

We are already witnessing an increase in Anti Social Behaviour and introducing gambling will only add to the existing issues. More and more residents are choosing not to use Church Road as they no longer feel safe.

It is located near to schools.

There is also no community benefit.

I believe the application is contrary to:

1. Prevention of public nuisance

2. Protection of vulnerable persons including children

3. Prevention of crime and disorder

I respectfully ask that this licence be refused.

**Additional objection received 19.08.2025**

I object to the application by Golden Slots at 39 Church Road, Ashford, to operate 24 hours a day, 7 days a week.

When the original licence was granted, the Inspector imposed restricted hours specifically to protect children and other vulnerable persons from harm, and to prevent crime and disorder. These restrictions were based on clear reasoning and evidence.

The new request for 24/7 opening directly undermines the Inspector's decision and the safeguards it provided. Allowing operation throughout the night would increase the risks of:

• Problem gambling and financial harm to vulnerable people

• Antisocial behaviour during late-night and early-morning hours

• Targeting of vulnerable individuals when the streets are quiet

This application is contrary to the licensing objective of protecting children and other vulnerable persons from being harmed or exploited by gambling.

I urge the Sub-Committee to uphold the original Inspector's reasoning and refuse this request for 24/7 operation.

**Additional rep received 22.08.2025**

All my objections cover the following

Preventing gambling-related crime or disorder. Undoubtedly this could happen especially if 25x7

Ensuring gambling is fair and open. It could become a site for illegal activities eg money laundering

Protecting children and vulnerable people from harm or exp. This is a key objection. It could draw these people in. How will entry be policed ? In fact I do wonder the need for the centre 24x7 or at all given all the online gambling options

Please include my points in the review

| **Objection**<br>**36** | **Received**<br>**09.08.2025** | **Internal Spreadsheet Reference (Licensing use only)** |
|---|---|---|

| | | |
|---|---|---|
| | | **72** |
| This will encourage gambling in our area which can lead to debt and depression. It will encourage antisocial behaviour due to opening ours and people being angry if they loose money . It will invite unsavoury people to hang out in our high street. This will add to noise pollution due to opening hours. This will undoubtedly be a cash only business which may be used for money laundering purposes. We already have numerous gambling shops in our high street already so this is not needed. Having yet another gambling hole in the high street is a bad advert to young people. Gambling preys on vulnerable people which will have an effect on the community at large. Having a 24 hour licence means no cut off to vulnerable people being exploited who have a gambling problem. People who are drunk or on drugs may hang out here as it's always open**.** | | |
| **Objection 37** | **Received 11.08.2025** | **Internal Spreadsheet Reference (Licensing use only) 73** |
| I am writing to formally object to the proposed 24-hour gambling centre at 39 church road ashford. I strongly believe this development will have a profoundly negative impact on our community, for the following reasons:<br>1. Increased Risk of Anti-Social Behaviour<br>Gambling premises operating late at night and through the early morning often attract noise, disturbances, and disorderly conduct. Extended hours make it more likely that intoxicated or aggressive individuals will congregate in the area, disturbing residents' peace and undermining local safety.<br>2. Promotion of Gambling Addiction<br><br>A 24-hour facility removes any natural limitations on gambling activity, allowing vulnerable individuals to engage in extended, harmful play. Research consistently shows that continuous access significantly increases the risk of problem gambling, which can lead to financial ruin, family breakdown, and severe mental health issues.<br><br>3. Attraction of Undesirable Activity<br>Late-night venues can become focal points for loitering, petty crime, and other undesirable behaviour. The proposed location is in close proximity to [mention any schools, youth centres, or residential areas], making it wholly unsuitable for a high-risk business of this nature.<br><br>4. Detrimental Impact on Community Character<br>Our community values safety, wellbeing, and inclusivity. A round-the-clock gambling centre does not align with these values and risks changing the atmosphere of the area for the worse, deterring families and responsible businesses.<br>In light of these concerns, I urge the council to reject this application and instead prioritise developments that promote the health, safety, and prosperity of our community. | | |
| **Objection 38** | **Received 11.08.2025** | **Internal Spreadsheet Reference (Licensing use only)** |

| | | |
|---|---|---|
| | | **74** |

Can we please have some common sense here?

This proposal, whatever the opening hours, (and how reputable the company is supposed to be), will only fuel more crime to fund people's gambling habits. There is already shotlifting on an industrial scale at times in the area and other crimes. We don't wish to add to the list.

Let's have something that generates a decent income and a need for the town, not something that takes it out.

So it's a NO from me
And a NO from me
It's a NO from me
And a definite NO from me

| **Objection**<br>**39** | **Received**<br>**11.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>75 |
|---|---|---|

We currently have two gambling shops in Ashford and I am therefore unsure why we need another.

Ashford has a number of schools in the locality and some of the pupils come from disadvantaged families and do not need other forces put upon their family life.

Crime and anti social behaviour in Ashford is high and this is creating another catalyst to accelerate the issue.

There is residential accommodation within the locality and this facility could cause undue noise and anti social behaviour for these residents

| **Objection**<br>**40** | **Received**<br>**12.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>76 |
|---|---|---|

I would like to submit my representation against the gambling licence application for 39 Church Road.

While I appreciate that licensing matters must be considered fairly and lawfully, I believe this venue risks:

• Disruption to neighbouring residents
• Potential for vulnerable individuals to be targeted
• Late-night disturbances and loitering

This contravenes:
• Public safety
• Protection of vulnerable persons
• Prevention of public nuisance

I respectfully urge the Licensing Sub-Committee to reject this application.

| **Objection 41** | **Received 12.08.2025** | **Internal Spreadsheet Reference (Licensing use only) 78** |
|---|---|---|

I am writing to strongly oppose the proposed gambling centre in Ashford, Surrey.

At a time when many residents are already struggling with the cost of living crisis, introducing a gambling facility risks further harming vulnerable individuals who may be tempted into financial hardship. Gambling addiction is a SERIOUS issue that disproportionately affects the most vulnerable, including those already facing economic and mental health challenges.

Furthermore, gambling establishments often correlate with increased crime and anti-social behaviour, placing additional strain on local services and police. We have a moral responsibility to foster a safe and supportive environment in our community — not one that profits from people's losses and desperation.

There is also growing concern about the influence such establishments have on young people. The presence of a gambling centre in our community normalises harmful behaviour and increases the risk of children being exposed to or influenced by it at an early age. We must protect our youth from environments that promote risky habits and financial exploitation.

There is not a SINGLE benefit to introducing any gambling facility into any neighbourhood, especially Ashford. I am shocked that I have to write another opposition, especially as there was an overwhelming response opposing this facility the first time.

I urge you to deny this gambling application in the best interest of Ashford’s wellbeing.

| **Objection 42** | **Received 12.08.2025** | **Internal Spreadsheet Reference (Licensing use only) 79** |
|---|---|---|

To Whom It May Concern,

I am writing to vehemently oppose the application for a gambling centre licence on our high street in Ashford.

Our community is a quiet, peaceful, and family-oriented town. The introduction of a gambling establishment is not only entirely inappropriate — it is dangerous. These businesses prey on the financially vulnerable and those struggling with mental

health issues, particularly during a cost-of-living crisis. The potential for gambling addiction to take root and devastate lives cannot be overstated.

Moreover, there is well-documented evidence that gambling venues correlate with an increase in crime, noise pollution, anti-social behaviour, and public disturbances. Approving this licence will inevitably invite unwanted footfall, encourage loitering, and degrade the safety and character of our high street — turning what is currently a safe, family-friendly area into a hotspot for harm and disorder.

Families with young children should not be forced to walk past such establishments, nor should young people be exposed to the normalisation of gambling. It sends a deeply irresponsible message to the next generation that exploiting risk and loss is a legitimate form of recreation.

Our town does not need, nor want, this facility. There are zero community benefits, and the long-term consequences will be irreversibly damaging to the town's social fabric, economy, and quality of life.

The overwhelming majority of residents have already voiced strong opposition to this application — and rightly so. To proceed with this licence in spite of these concerns would be a gross failure of duty to protect the wellbeing of the community.

I urge you — in the strongest possible terms — to reject this application and instead prioritise investment in services and businesses that support community health, safety, and prosperity.

| **Objection**<br>**43** | **Received**<br>**13.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**80** |
|---|---|---|

I have lived in Ashford for 63 years and I know this area well

It has changed in many ways, not all for the better.

A gambling venue here will be a further detrimental change which will cause problems for our community.

We already have late-night anti-social issues, in addition to the daytime and evening shop-lifting that occurs particularly in Sainsbury, Co-op and Boots which upsets and intimidates many residents. Adding an Adult Gaming Centre will just add to them.

It will encourage additional people hanging around, noise, disruption to people living nearby — it will not enhance the community.

I also worry that it will create problems for vulnerable people encouraging an opportunity to become involved in what might be perceived to be harmless fun (but is in fact gambling) and its associated addictive problems. Many children and young people pass through Church Road on their way to school and college

I object to this application based on:

• Prevention of public nuisance

• Prevention of crime and disorder

• Protection of vulnerable persons

I respectfully request that the application be refused on the grounds of its likely negative effect on our community

| **Objection 44** | **Received 15.08.2025** | **Internal Spreadsheet Reference (Licensing use only) 82** |
|---|---|---|

| ***ng Objective*** | ***Yes Or No*** | ***Please detail the evidence supporting your representation or the reason for your representation. Please use separate sheets if necessary*** |
|---|---|---|
| **To prevent crime and disorder** | Yes. | Gambling premises in similar areas have been associated with increases in anti-social behaviour, loitering, and petty crime. This poses a risk to the safety and wellbeing of local residents. Ashford already has a higher incidence of crime than many areas of Surrey and the opening of this establishment will only increase these risks. |
| **Public safety** | Yes | As per prevention of crime and disorder above. |
| **To prevent public nuisance** | Yes | The introduction of this gambling venue will undermine the character of the neighbourhood and have a negative effects on existing small businesses and community |

| | | |
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| | | cohesion. There are already two gambling establishments in the high street area. A further gambling venue is unnecessary and reduces the opportunity of providing other essential local amenities and greater local employment. The planning application has been overwhelmingly resisted by the vast majority of the local community and been rejected by the local authority on a number of occasions |
| **To protect children from harm** | Yes | The proposed location is in close proximity to a number of local schools and a great many family residences. I am very concerned that the presence of a gambling venue here will increase the risk of harm to minors and those vulnerable to gambling addiction. |

| | |
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| **Please suggest any conditions that could be added to the licence to remedy your representation or other suggestions you would like the Licensing Sub Committee to take into account.** | I do not believe that there is any restrictions to the licence that would obviate the risks describes above. Therefore, I totally resist the granting of this licence application. |

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| **Objection**<br>**45** | **Received**<br>**17.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**84** |

Dear Licensing,

The following Gambling Licence Representation form has been submitted:

At both a personal level as a resident of Ashford, but also as Chair of the Ashford Residents Association with over 200 members, i wish to object to the proposed Adult Gaming Centre licence being approved.

This town is built on very strong family & community values. Introducing a gambling establishment fundamentally undermines the character of the High Street, especially for our elderly, vulnerable, and younger residents.

As was strongly voiced by many attendees at the planning appeal,

1) It's close to a number of schools or youth centres

2) It could affect people with addictions or mental health issues - The Congregational Church is 50 metres from the venue & hosts a number of these within their work and have considerable concerns.

3) The High Street is dead after 8pm. There is no demand for it to be otherwise. Only 7/11s & Restaurants are open with little traffic - Drawing in people from outside Ashford just for a Gaming Centre gives right cause that this will create noise or trouble at night.

4) 40 Local Authorities have recently lobbied Government on all these issues as a clear & present danger to their residents. 5) There is not 1 single member of the Residents Association that has any support for this opportunist venture that seeks to pry on our vulnerable

I believe the application is contrary to:
• Prevention of public nuisance
• Protection of vulnerable persons
It is worth stating that the applicants were refused by Planning a licence to operate at the location 24 hours and yet they have deliberately requested a gaming licence for 24 hours presumably with a view to revisiting planning with a 24 hour gaming licence under their belt. This is completely disingenuous and speaks volumes for the lack of respect they have for the residents.
I respectfully ask that this licence be refused.

| **Objection**<br>**46** | **Received**<br>**19.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**88** |
|---|---|---|

Additional Representation – Golden Slots Application for 24/7 Operation
I object to the application by Golden Slots at 39 Church Road, Ashford, to operate 24 hours a day, 7 days a week.

| | | |
|---|---|---|
| When the original licence was granted, the Inspector imposed restricted hours specifically to protect children and other vulnerable persons from harm, and to prevent crime and disorder. These restrictions were based on clear reasoning and evidence.<br><br>The new request for 24/7 opening directly undermines the Inspector's decision and the safeguards it provided. Allowing operation throughout the night would increase the risks of:<br>• Problem gambling and financial harm to vulnerable people<br>• Antisocial behaviour during late-night and early-morning houry<br>• Targeting of vulnerable individuals when the streets are quiet<br>This application is contrary to the licensing objective of protecting children and other vulnerable persons from being harmed or exploited by gambling.<br>I urge the Sub-Committee to uphold the original Inspector's reasoning and refuse this request for 24/7 operation | | |
| **Objection**<br>**47** | **Received**<br>**19.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**90** |
| I object to the 24/7 licence application for Golden Slots, 39 Church Road, Ashford, under Licensing Objective 3. In April 2025, the Government Planning Inspector approved the premises but imposed restricted hours (9 am–11 pm) to protect vulnerable individuals from late-night harm.<br>A 24/7 licence directly undermines these protections, especially in Ashford's smaller, residential high street with limited late-night policing or CCTV and heightened risk of isolation or exploitation. This context differs significantly from Staines. The Inspector's decision is precisely relevant to protecting the vulnerable and should be decisive. I urge the Sub Committee to refuse 24/7 operation and uphold the original restrictions in line with the Council's policy on protecting vulnerable people. | | |
| **Objection**<br>**48** | **Received**<br>**19.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**91** |
| I object to the 24/7 licence application for Golden Slots, 39 Church Road, Ashford, under Licensing Objective 3. In April 2025 the Government Planning Inspector allowed the premises only on restricted hours (9 am–11 pm) to protect vulnerable people. A 24/7 licence would directly undermine those protections. Ashford's small residential high street lacks late-night policing and CCTV, making the risks of harm, isolation and exploitation far greater than in Staines. The Inspector's decision is clear and decisive: the hours must remain restricted. I urge the Sub Committee to refuse 24/7 operation in line with Council policy to protect the vulnerable | | |
| **Objection**<br>**49** | **Received**<br>**19.08.2025** | **Internal Spreadsheet Reference (Licensing use only)** |

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|---|---|---|
| | | **92** |
| I object to the 24/7 licence application for Golden Slots, 39 Church Road, Ashford, under Licensing Objective 3. In April 2025, the Government Planning Inspector approved the premises but imposed restricted hours (9 am–11 pm) to protect vulnerable individuals from late-night harm. A 24/7 licence directly undermines these protections, especially in Ashford's smaller, residential high street with limited late-night policing or CCTV and heightened risk of isolation or exploitation. This context differs significantly from Staines. The Inspector's decision is precisely relevant to protecting the vulnerable and should be decisive. I urge the Sub Committee to refuse 24/7 operation and uphold the original restrictions in line with the Council's policy on protecting vulnerable people. | | |
| **Objection 50** | **Received 19.08.2025** | **Internal Spreadsheet Reference (Licensing use only) 93** |
| Subject: Additional Representation – Golden Slots Application for 24/7 Operation<br>I object to the application by Golden Slots at 39 Church Road, Ashford, to operate 24 hours a day, 7 days a week.<br>When the original licence was granted, the Inspector imposed restricted hours specifically to protect children and other vulnerable persons from harm, and to prevent crime and disorder. These restrictions were based on clear reasoning and evidence.<br>The new request for 24/7 opening directly undermines the Inspector's decision and the safeguards it provided. Allowing operation throughout the night would increase the risks of:<br>• Problem gambling and financial harm to vulnerable people<br>• Antisocial behaviour during late-night and early-morning hours<br>• Targeting of vulnerable individuals when the streets are quiet<br>This application is contrary to the licensing objective of protecting children and other vulnerable persons from being harmed or exploited by gambling.<br>I urge the Sub-Committee to uphold the original Inspector's reasoning and refuse this request for 24/7 operation. | | |
| **Objection 51** | **Received 19.08.2025** | **Internal Spreadsheet Reference (Licensing use only) 94** |
| I object to the application by Golden Slots at 39 Church Road, Ashford, to operate 24 hours a day, 7 days a week.<br>When the original licence was granted, the Inspector imposed restricted hours specifically to protect children and other vulnerable persons from harm, and to prevent crime and disorder. These restrictions were based on clear reasoning and evidence<br><br>The new request for 24/7 opening directly undermines the Inspector's decision and the safeguards it provided. | | |

Allowing operation throughout the night would increase the risks of:
• Problem gambling and financial harm to vulnerable people
• Antisocial behaviour during late-night and early-morning hours
• Targeting of vulnerable individuals when the streets are quiet

This application is contrary to the licensing objective of protecting children and other vulnerable persons from being harmed or exploited by gambling.
I urge the Sub-Committee to uphold the original Inspector's reasoning and refuse this request for 24/7 operation.

| **Objection**<br>**52** | **Received**<br>**20.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**97** |
|---|---|---|

I object to the application by Golden Slots at 39 Church Road, Ashford, to operate 24 hours a day, 7 days a week.
When the original licence was granted, the Inspector imposed restricted hours specifically to protect children and other vulnerable persons from harm, and to prevent crime and disorder. These restrictions were based on clear reasoning and evidence.
The new request for 24/7 opening directly undermines the Inspector's decision and the safeguards it provided.

Which will lead to physical and mental harm of children and vulnerable people. It will also impact the local area and community negatively through increased crime and antisocial behaviour.

| **Objection**<br>**53** | **Received**<br>**20.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**99** |
|---|---|---|

Golden Slots Application for 24/7 Operation I object to the application by Golden Slots at 39 Church Road, Ashford, to operate 24 hours a day, 7 days a week. When the original licence was granted, the Inspector imposed restricted hours specifically to protect children and other vulnerable persons from harm, and to prevent crime and disorder. These restrictions were based on clear reasoning and evidence. The new request for 24/7 opening directly undermines the Inspector's decision and the safeguards it provided. Allowing operation throughout the night would increase the risks of: • Problem gambling and financial harm to vulnerable people • Antisocial behaviour during late-night and early-morning hours • Targeting of vulnerable individuals when the streets are quiet This application is contrary to the licensing objective of protecting children and other vulnerable persons from being harmed or exploited by gambling. I urge the Sub-Committee to uphold the original Inspector's reasoning and refuse this request for 24/7 operation.

| **Objection 54** | **Received 20.08.2025** | **Internal Spreadsheet Reference (Licensing use only)100** |
|---|---|---|

I wish to object to the application by Golden Slots, 39 Church Road, Ashford, to extend its operating hours to 24 hours a day, 7 days a week.

When the original licence was granted, the Inspector imposed restricted hours specifically to protect children and other vulnerable people from harm and to prevent crime and disorder.

These restrictions were based on clear reasoning and evidence, and remain valid today. Removing them would directly undermine those safeguards.

Granting permission for round-the-clock operation raises serious concerns, including:

- Increased risk of problem gambling – Late-night and unsupervised hours create a greater likelihood of financial harm, particularly for vulnerable people who may already be struggling.

- Antisocial behaviour and disorder – A 24/7 venue could attract loitering, noise, and disturbances during late-night and early-morning hours, negatively impacting local residents.

- Exploitation of vulnerable individuals – The quiet hours of the night leave those at risk more exposed to targeted harm, without the natural safeguards of daytime footfall and community presence.

- Public health concerns – Encouraging continuous gambling access can contribute to addiction, mental health issues, and financial distress.

- Impact on the local community – Church Road is not a commercial hub designed for 24-hour entertainment use. Extended hours would alter the character of the area and reduce the sense of safety for nearby residents.

This application is contrary to the licensing objective of protecting children and vulnerable persons from being harmed or exploited by gambling.

It also risks undermining public confidence in the licensing process if restrictions imposed for good reason are later disregarded.

For these reasons, I strongly urge the Sub-Committee to uphold the Inspector’s original decision and refuse the application for 24/7 operation.

| **Objection 55** | **Received 21.08.2025** | **Internal Spreadsheet Reference (Licensing use only) 101** |
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| I object to the 24/7 licence application for Golden Slots, 39 Church Road, Ashford, under Licensing Objective 3. In April 2025, the Government Planning Inspector approved the premises but imposed restricted hours (9 am–11 pm) to protect vulnerable individuals from late-night harm. A 24/7 licence directly undermines these protections, especially in Ashford's smaller, residential high street with limited late-night policing or CCTV and heightened risk of isolation or exploitation. This context differs significantly from Staines. The Inspector's decision is precisely relevant to protecting the vulnerable and should be decisive. I urge the Sub Committee to refuse 24/7 operation and uphold the original restrictions in line with the Council's policy on protecting vulnerable people. |

| **Objection**<br>**56** | **Received**<br>**21.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**102** |
|---|---|---|

I have lived in Ashford for 63 years and I know this area well

It has changed in many ways, not all for the better.

A gambling venue here will be a further detrimental change which will cause problems for our community.

We already have late-night anti-social issues, in addition to the daytime and evening shop-lifting that occurs particularly in Sainsbury, Co-op and Boots which upsets and intimidates many residents. Adding an Adult Gaming Centre open 24/7 will just add to them.

It will encourage additional people hanging around potentially all night with the 24/7 proposed opening hours, noise and disruption to people living nearby — it will not enhance the community.

I also worry that it will create problems for vulnerable people encouraging an opportunity to become involved in what might be perceived to be harmless fun (but is in fact gambling) and its associated addictive problems. Many children and young people pass through Church Road on their way to school and

I object to this application based on:

• Prevention of public nuisance

• Prevention of crime and disorder

• Protection of vulnerable persons

I respectfully request that the application be refused on the grounds of its likely negative effect on our community

| **Objection**<br>**57** | **Received**<br>**21.08.2025** | **Internal Spreadsheet Reference (Licensing use only)** |
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| | | **103** |

As a parent of a teenager and a concerned resident, I am writing to strongly oppose the proposal to open a 24/7 Adult Gaming Centre on Ashford High Street.

This location is passed daily by children of all ages, and the presence of a gambling venue in such a central, family-oriented area is deeply troubling.

The visibility and accessibility of gambling in a space meant for everyday shopping and community life could have a harmful influence on young people and vulnerable individuals.

This application raises serious concerns, including:

- Potential harm to vulnerable groups, including children and the elderly
- Increased risk to public safety, particularly during late-night hours
- A rise in antisocial behaviour, both day and night

Ashford High Street is close to schools, residential areas, and community spaces. A 24/7 gambling centre in this location does not support the wellbeing of our town and could negatively impact the character and safety of our community.

Ashford already experiences one of the highest crime rates in Surrey. Approving this application could further increase risks to residents, especially at night.

For the sake of our community's safety, cohesion, and future, I urge you to reject this application.

| **Objection**<br>**58** | **Received**<br>**21.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**105** |
|---|---|---|

Our concerns centre on the impact on two groups: young people in the community, and vulnerable adults with mental health concerns.
1) As a church we run a number of clubs that support over 100 young people each week ranging from those in school years 3 through to 13, we are concerned about them having to pass this site as they come and go from the church.
a. While we recognise the need to expose them to the more difficult areas of our society, we do not believe this is the way to do it.
b. Additionally the clientele who will be drawn to this type of establishment may (and I emphasise may) pose a threat to the young people attending the church and this may well mean that parents are less likely to bring them, thus depriving young people of yet another opportunity to benefit from socialising with their peers – and given the disturbances last year I believe this is an essential aspect to their growth
2) Secondly we also support a group of vulnerable adults with significant mental health

challenges who meet at the church on a Friday evening. A number struggle with addictive personalities – having this centre open just a few yards away from what is a safe environment will be, at a minimum, unhelpful, and at worst a constant temptation to increase the problems they already face. This has already happened – in February 2025 one centre named Merkur Slots was fined £100,000 pounds by the Gaming Commission for exploiting a vulnerable cancer patient

3) While I appreciate that the centre is being called an Adult Gaming Centre, the opportunity to bet significant sums is dangerous. In every advert for betting shops and casino's (online and virtual) the statement is made along the lines of when you need to stop, stop – betting shops in the area (of which there are 13 within a three mile radius) close at night, which provides a 'break' on people, having the centre open 24 hours a day would not allow for this natural break to happen

| **Objection**<br>**59** | **Received**<br>**21.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**107** |
|---|---|---|

I've lived in Ashford for 5 years. A gambling venue in this town is a disastrous concept.

Ashford already has a plethora of late-night issues, and adding an AGC will only make it worse.

People hanging around, noise, disruption to people living nearby, it is not needed.

I object to this 27/4 application based on:

• Prevention of public nuisance

• Prevention of crime and disorder

Ashford has one of the highest crime rates in Surrey, and introducing a 24/7 gambling centre would further increase the localised risk to residents, especially during late-night hours.

Unlike larger town centres, Ashford lacks the infrastructure to safely manage any of these risks.

Please refuse it.

| **Objection**<br>**60** | **Received**<br>**21.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**108** |
|---|---|---|

Object to 24/7 opening Ashford town centre has NO 24/7 businesses,
• Increased risk of crime and anti-social behaviour at night
• Risks to children and vulnerable people in Ashford's High Street

Ashford already has one of the highest crime rates in Surrey, and introducing a 24/7 gambling centre would further increase the localised risk to residents, especially during late night hours. Unlike larger town centres, Ashford lacks the infrastructure to safely manage any of these risks.
A gambling centre on Ashford's small High Street poses serious risks. It is in close proximity to local schools, residential areas, and community spaces, which means children, the elderly and vulnerable individuals could be at risk. this increases with 24x7 operation as it acts as a meeting point for the undesirable Ashford High Street is not a large town centre it is a small, local high street with a close-knit family community. Its scale and character make it unsuitable for a 24/7 Adult Gaming Centre (AGC).
If they want 24x7 they should pay for a 24x7 police presence, added high quality CCTV linked to the police monitoring centre in the area surrounding the location,

| **Objection 61** | **Received 21.08.2025** | **Internal Spreadsheet Reference (Licensing use only) 111** |
|---|---|---|

As a parent of two teenage children who regularly use Church Road to access the train station to commute to and from school, I am deeply concerned about the proposal to open an Adult Gaming Centre in our high street.

Children pass this location daily. The idea that they might be exposed to gambling so visibly, in a place meant for families and everyday shopping, is extremely worrying.

This application risks:
• Harming vulnerable persons, including children.
• Disrupting public safety, especially at night.

A 24/7 gambling centre on Ashford's small High Street poses serious risks. It is in close proximity to local schools, residential areas, and community spaces, which means children, the elderly and vulnerable individuals could be at risk.

Since moving to the area four years ago, I have seen commitment to improving the High Street and surrounding locality but I do not believe that this venue will serve the wellbeing of our community. Please consider the bigger picture and reject this application.

| **Objection 62** | **Received 21.08.2025** | **Internal Spreadsheet Reference (Licensing use only) 115** |
|---|---|---|

I am writing to formally object to the proposed 24/7 Adult Gaming Centre at 39 Church Road, Ashford.

My key concerns and objections to 24/7 gambling licensing are:

• Three schools within 500m of premises (Protection of children from harm)

• Site overlooks residential flats (Prevention of public nuisance)

• Proximity to late-night bus stops = loitering risk (Public safety)

• No demonstrated community benefit (General public interest)

Data and location analysis strongly suggest the risks outweigh any proposed benefits.

Ashford already has one of the highest crime rates in Surrey, and introducing a 24/7 gambling centre would further increase the localised risk to residents, especially during late-night hours.

I have lived in Ashford for many years and seen the town centre evolve over that time. It is not a large town centre but a small, local high street with a close-knit family community. Its scale and character make it unsuitable for a 24/7 Adult Gaming Centre (AGC) and it lacks the infrastructure to safely manage the risks the proposed centre will create.

Please refuse this licensing application.

| **Objection**<br>**63** | **Received**<br>**21.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**116** |
|---|---|---|

I’ve lived in Ashford for many years and I know this area well. A gambling venue here will cause
lots of problems !

We’ve already got enough late-night issues with anti-social behaviour and adding an AGC will just make it worse.
People hanging around, noise, disruption to people living nearby, it is not needed.

I object to this 27/4 application based on:
• Prevention of public nuisance
• Prevention of crime and disorder

Ashford already has one of the highest crime rates in Surrey, and introducing a 24/7 gambling centre would further increase the localised risk to residents, especially during late-night hours.

Unlike larger town centres, Ashford lacks the infrastructure to safely manage any of these risks.

Please refuse it.

| **Objection**<br>**64** | **Received**<br>**21.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**117** |
|---|---|---|

Subject: Objection to 24/7 Gambling Licence – 39 Church Road, Ashford TW15

Dear Licensing Committee,

As a long-standing resident of Ashford and someone who has seen the town evolve many years, I write to object to the proposed 24/7 Adult Gaming Centre licence. This town was built on community.

Introducing a gambling establishment undermines the peaceful character of the High Street, especially for our elderly, vulnerable, and younger residents. I object to this 27/4 application based on:

• Prevention of public nuisance

• Protection of children & vulnerable persons

• Prevention of crime and anti-social behaviour In addition:

• 3 schools within 500m of premises (Protection of children from harm)

• Site overlooks residential flats (Prevention of public nuisance)

• Proximity to late-night bus stops = loitering risk (Public safety)

• No demonstrated community benefit (General public interest)

Ashford High Street is not a large town centre it is a small, local high street with a close-knit family community.

Its scale and character make it unsuitable for a 24/7 Adult Gaming Centre (AGC). A 24/7 gambling centre on Ashford’s small High Street poses serious risks.

It is in close proximity to local schools, residential areas, and community spaces, which means children, the elderly and vulnerable individuals could be at risk

Ashford already has one of the highest crime rates in Surrey, and introducing a 24/7 gambling centre would further increase the localised risk to residents, especially during late-night hours.

This venue does not serve the wellbeing of our community. Please consider the bigger picture and reject this application.

Unlike larger town centres, Ashford lacks the infrastructure to safely manage any of these risks.

I respectfully ask that this licence be refused

| **Objection**<br>**65** | **Received**<br>**22.08.2025** | **Internal Spreadsheet Reference (Licensing use only)** |
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| | | **122** |

Subject: Objection to 24/7 Gambling Licence – 39 Church Road, Ashford TW15

Dear Licensing Committee,

As a long-standing resident of Ashford and someone who has seen the town evolve many years, I write to object to the proposed 24/7 Adult Gaming Centre licence. This town was built on community. Introducing a gambling establishment undermines the peaceful character of the High Street, especially for our elderly, vulnerable, and younger residents. I object to this 27/4 application based on:
• Prevention of public nuisance

• Protection of children & vulnerable persons

• Prevention of crime and anti-social behaviour In addition:

• 3 schools within 500m of premises (Protection of children from harm)

• Site overlooks residential flats (Prevention of public nuisance)

• Proximity to late-night bus stops = loitering risk (Public safety)

• No demonstrated community benefit (General public interest)

Ashford High Street is not a large town centre it is a small, local high street with a close-knit family community. Its scale and character make it unsuitable for a 24/7 Adult Gaming Centre (AGC).

A 24/7 gambling centre on Ashford's small High Street poses serious risks. It is in close proximity to local schools, residential areas, and community spaces, which means children, the elderly and vulnerable individuals could be at risk Ashford already has one of the highest crime rates in Surrey, and introducing a 24/7 gambling centre would further increase the localised risk to residents, especially during late-night hours.

This venue does not serve the wellbeing of our community. Please consider the bigger picture and reject this application.

Unlike larger town centres, Ashford lacks the infrastructure to safely manage any of these risks. I respectfully ask that this licence be refused

| **Objection**<br>**66** | **Received**<br>**22.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**123** |
|---|---|---|

Dear Licensing Committee, As a long-standing resident of Ashford and someone who has seen the town evolve many years, I write to object to the proposed 24/7 Adult Gaming Centre licence. This town was built on community. Introducing a gambling establishment

undermines the peaceful character of the High Street, especially for our elderly, vulnerable, and younger residents. I object to this 27/4 application based on:
• Prevention of public nuisance
• Protection of children & vulnerable persons
• Prevention of crime and anti-social behaviour In addition:
• 3 schools within 500m of premises (Protection of children from harm)
• Site overlooks residential flats (Prevention of public nuisance)
• Proximity to late-night bus stops = loitering risk (Public safety)
• No demonstrated community benefit (General public interest)

Ashford High Street is not a large town centre it is a small, local high street with a close-knit family community. Its scale and character make it unsuitable for a 24/7 Adult Gaming Centre (AGC).

A 24/7 gambling centre on Ashford's small High Street poses serious risks. It is in close proximity to local schools, residential areas, and community spaces, which means children, the elderly and vulnerable individuals could be at risk

Ashford already has one of the highest crime rates in Surrey, and introducing a 24/7 gambling centre would further increase the localised risk to residents, especially during late-night hours. This venue does not serve the wellbeing of our community. Please consider the bigger picture and reject this application.

Unlike larger town centres, Ashford lacks the infrastructure to safely manage any of these risks.
I respectfully ask that this licence be refused

| **Objection**<br>**67** | **Received**<br>**22.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**126** |
|---|---|---|

All my objections cover the following

Preventing gambling-related crime or disorder. Undoubtedly this could happen especially if 25x7
Ensuring gambling is fair and open. It could become a site for illegal activities eg money laundering
Protecting children and vulnerable people from harm or exp. This is a key objection. It could draw these people in. How will entry be policed ? In fact I do wonder the need for the centre 24x7 or at all given all the online gambling options
Please include my points in the review

| **Objection**<br>**68** | **Received**<br>**22.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**127** |
|---|---|---|

I'm 16 and I have lived in Ashford all my life. I wanted to share my thoughts on the new 24/7 gaming venue proposal.

I believe it's not a good idea. Our community already lacks enough positive spaces and activities for young people, and introducing a gambling-focused venue will make things worse. It will attract loitering, increase anti-social behaviour at night, and ultimately doesn't offer meaningful benefits to residents.

We need more places that support young people in constructive ways, not ones that could lead to more problems and encourage gambling.

It’s just not safe, especially near schools, community centres and bus stops.

I’m objecting to the gambling license under:
• Public safety for the venerable
• Prevention of public nuisance ASBO

A gambling centre on Ashford’s small High Street poses serious risks. It is in close proximity to local schools, residential areas, and community spaces, which means children, the elderly and vulnerable individuals will be at risk.

Please don’t let this go ahead.

| **Objection**<br>**69** | **Received**<br>**22.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**128** |
|---|---|---|

The granting of this licence will increase noise and disturbance to the locality, and affect safety of residents. Gambling-related crime and disorder, with harm to and exploitation of individuals, particularly those who are vulnerable, will be encouraged. On these grounds I base my objection.

| **Objection**<br>**70** | **Received**<br>**22.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**129** |
|---|---|---|

As a resident of Ashford, I am deeply concerned
about the proposal to open an Adult Gaming Centre in our high street.

Children pass this location daily. The idea that they might be exposed to gambling so visibly, in a place meant for families and everyday shopping, is extremely worrying.

This application risks:
• Harming vulnerable persons, including children

• Disrupting public safety, especially at night

A 24/7 gambling centre on Ashford's small High Street poses serious risks. It is in close proximity to local schools, residential areas, and community spaces, which means children, the elderly and **vulnerable individuals** could be at risk.

This venue does not serve the wellbeing of our community. Please consider the bigger picture and reject this application.

| **Objection**<br>**71** | **Received**<br>**22.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**130** |
|---|---|---|

I am a long-standing Ashford resident and use the High Street daily. I am directly affected by the proposed Adult Gaming Centre at 39 Church Road and object strongly to this application.

Ashford already has one of the highest levels of crime and anti-social behaviour in Surrey. The High Street is small, with limited late-night infrastructure and no permanent policing presence. A 24/7 gambling venue would inevitably increase loitering, disorder and late-night disturbances, particularly around nearby bus stops and residential flats. This directly relates to the licensing objective of preventing crime and disorder.

The site is also in close proximity to three schools, residential areas, and key community spaces. Children, elderly residents and other vulnerable people use this High Street daily, and a gambling venue of this nature increases the risk of harm and exploitation. Visibility of gambling to young people, and the risk of vulnerable adults being drawn into harmful behaviour, is contrary to the licensing objective of protecting children and vulnerable persons.

While the applicant suggests risks are low, national evidence shows self-exclusion and harm-prevention schemes are often inconsistently enforced. Without strong restrictions, the risk to Ashford residents will be significant.

This High Street is not a large town centre but a small, close-knit community hub. A 24/7 Adult Gaming Centre would be out of character, create additional risks, and provide no genuine community benefit.

For these reasons, I ask that the licence be refused.

| **Objection**<br>**72** | **Received**<br>**22.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**131** |
|---|---|---|

I live in Ashford close to the High Street and will be directly affected by this application. Ashford already experiences some of the highest crime levels in Surrey, and a 24/7 gambling venue will increase the risk of late-night disorder and criminal activity in an area

with no infrastructure to manage it. This falls under the licensing objective of preventing gambling from being a source of crime or disorder.
There is also a real concern for protecting children and vulnerable persons. The site is in a prominent High Street location near bus stops and shops used daily by families, which increases exposure to gambling harm.
I therefore object to the 24/7 licence. If the application is granted, I request that hours are limited to daytime and evening only, not extended into the night, and that security/CCTV conditions are imposed.

| **Objection** | **Received** | **Internal Spreadsheet Reference (Licensing use only)** |
|---|---|---|
| **73** | **22.08.2025** | **132** |

I feel very strongly that a venue solely for gambling such as this will lead to the exploitation of young people and the vulnerable in our community. Gambling can become an addiction and causes great harm. Vunerable people and children need to be protected. I cannot see how this is beneficial to any part of the community.

Also Ashford is already experiencing ASB and plenty of shop theft. Surely we do not want to add gambling related crime and disorder on top of this.

I live in Ashford and use the shops on Church Road daily. I no longer go at night because I don't feel safe.

The Government Inspector added restrictions for a reason and this application totally undermines his decision.

PLEASE REFUSE THIS APPLICATION

| **Objection** | **Received** | **Internal Spreadsheet Reference (Licensing use only)** |
|---|---|---|
| **74** | **22.08.2025** | **133** |

I live in Ashford, close to the High Street, so this application would directly affect me. Ashford already has some of the highest crime levels in Surrey, and a 24/7 gambling venue would only add to the risk of late-night disorder and crime, especially as there's no local infrastructure to deal with it. This clearly relates to the licensing objective of preventing gambling from being a source of crime or disorder.
I'm also very concerned about protecting children and vulnerable people. The site is in a prominent High Street location, right by bus stops and shops that families use every day, which would increase exposure to gambling harm.
For these reasons, I object to the 24/7 licence. If the application is granted, I ask that opening hours are restricted to daytime and evening only, and that security measures, including CCTV, are required.
Thank you for your consideration.

| Objection 75 | Received 22.08.2025 | Internal Spreadsheet Reference (Licensing use only) 135 |
|---|---|---|
| As a lifelong resident of Ashford living close to the High Street, I will be directly affected by this application.<br><br>Ashford is a small, family-oriented High Street. A 24/7 gambling venue is unsuitable here and would worsen existing issues with anti-social behaviour. This engages the objective of preventing gambling from being a source of crime or disorder.<br>The location is also used daily by families, young people, and elderly residents, meaning this application also breaches the objective of protecting children and other vulnerable persons.<br>I therefore object to the application. If granted, I request strict conditions are imposed on operating hours (daytime/evening only) and security measures to protect the community | | |

| Objection 76 | Received 22.08.2025 | Internal Spreadsheet Reference (Licensing use only) 136 |
|---|---|---|
| I object to the 24/7 licence application for Golden Slots, 39 Church Road, Ashford, under Licensing Objective 3. In April 2025, the Government Planning Inspector approved the premises but imposed restricted hours (9 am–11 pm) to protect vulnerable individuals from late-night harm. A 24/7 licence directly undermines these protections, especially in Ashford's smaller, residential high street with limited late-night policing or CCTV and heightened risk of isolation or exploitation. This context differs significantly from Staines. The Inspector's decision is precisely relevant to protecting the vulnerable and should be decisive. I urge the Sub Committee to refuse 24/7 operation and uphold the original restrictions in line with the Council's policy on protecting vulnerable people. | | |

| Objection 77 | Received 22.08.2025 | Internal Spreadsheet Reference (Licensing use only) 137 |
|---|---|---|
| I live in Ashford and will be affected by this application.<br>Ashford already experiences some of the highest crime levels in Surrey, and a 24/7 gambling venue will increase the risk of late-night disorder and criminal activity in an area with no infrastructure to manage it. This falls under the licensing objective of preventing gambling from being a source of crime or disorder.<br>There is also a real concern for protecting children and vulnerable persons. The site is in a prominent High Street location near bus stops and shops used daily by families, which increases exposure to gambling harm.<br>I therefore object to the 24/7 licence. If the application is granted, I request that hours are limited to daytime and evening only, not extended into the night, and that security/CCTV conditions are imposed.<br><br>Please note that I had previously submitted an objection via your portal which was deemed invalid. I tried to resubmit this, hopefully now valid, objection there but was unable to do so | | |

as only one objection (whether valid or not) can be accepted by that method. I worry that this may put others off of submitting a further application if theirs was also deemed invalid.

| **Objection**<br>**78** | **Received**<br>**22.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**138** |
|---|---|---|

Please receive this as my formal objection to the proposed 24/7 Adult Gaming Centre at 39 Church Road, Ashford, Surrey.

My objection is based on FOUR factors, as follows:-

1. There are THREE schools within 500 metres of the premises (Protection of children from harm)
2. The site overlooks residential flats (Prevention of public nuisance)
3. Proximity to bus stops served by late-night and all-night bus routes, creating a loitering risk (Public safety)
4. No demonstrable benefit to the community (General public interest)

Analyses made of both data and location strongly suggest that the risks outweigh any proposed benefits.
Ashford already has one of the highest crime rates in Surrey, and to introduce a 24/7 Gambling Centre on its main commercial road would further increase localised risks to residents and other pedestrians, especially during late-night hours.

| **Objection**<br>**79** | **Received**<br>**22.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**139** |
|---|---|---|

As a long-standing resident of Ashford living close to the High Street, I will be directly affected by this application.

Ashford is a small, family-oriented High Street. A 24/7 gambling venue is unsuitable here and would worsen existing issues with anti-social behaviour. This engages the objective of preventing gambling from being a source of crime or disorder.
The location is also used daily by families, young people, and elderly residents, meaning this application also breaches the objective of protecting children and other vulnerable persons.
I therefore object to the application. If granted, I request strict conditions are imposed on operating hours (daytime/evening only) and security measures to protect the community.

| **Objection**<br>**80** | **Received**<br>**22.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**140** |
|---|---|---|

I live in Ashford close to the High Street and will be directly affected by this application.
I live at 45 Clarendon Rd, Ashford TW15 2QA.

A 24/7 gambling venue will increase the risk of late-night disorder and criminal activity in an area with no infrastructure to manage it. This falls under the licensing objective of preventing gambling from being a source of crime or disorder.

There is also a real concern for protecting children and vulnerable persons. The site is in a prominent High Street location near bus stops and shops used daily by families, which increases exposure to gambling harm.

I therefore object to the 24/7 licence.

| **Objection**<br>**81** | **Received**<br>**22.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**141** |
|---|---|---|

Dear Licensing Team,
I live in Ashford close to the High Street and will be directly affected by this application. Ashford already experiences some of the highest crime levels in Surrey, and a 24/7 gambling venue will increase the risk of late-night disorder and criminal activity in an area with no infrastructure to manage it. This falls under the licensing objective of preventing gambling from being a source of crime or disorder.
There is also a real concern for protecting children and vulnerable persons. The site is in a prominent High Street location near bus stops and shops used daily by families, which increases exposure to gambling harm.
I therefore object to the 24/7 licence. If the application is granted, I request that hours are limited to daytime and evening only, not extended into the night, and that security/CCTV conditions are imposed

| **Objection**<br>**82** | **Received**<br>**22.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**143** |
|---|---|---|

I live in Ashford close to the High Street and will be directly affected by this application. Ashford already experiences some of the highest crime levels in Surrey, and a 24/7 gambling venue will increase the risk of late-night disorder and criminal activity in an area with no infrastructure to manage it. This falls under the licensing objective of preventing gambling from being a source of crime or disorder.
There is also a real concern for protecting children and vulnerable persons. The site is in a prominent High Street location near bus stops and shops used daily by families, which increases exposure to gambling harm.
I therefore object to the 24/7 licence. If the application is granted, I request that hours are limited to daytime and evening only, not extended into the night, and that security/CCTV conditions are imposed.

| **Objection**<br>**83** | **Received**<br>**22.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**144** |
|---|---|---|

I live in Ashford close to the High Street and will be directly affected by this application. Ashford already experiences some of the highest crime levels in Surrey, and a 24/7 gambling venue will increase the risk of late-night disorder and criminal activity in an area with no infrastructure to manage it. This falls under the licensing objective of preventing gambling from being a source of crime or disorder.
There is also a real concern for protecting children and vulnerable persons. The site is in a prominent High Street location near bus stops and shops used daily by families, which increases exposure to gambling harm.
I therefore object to the 24/7 licence. If the application is granted, I request that hours are limited to daytime and evening only, not extended into the night, and that security/CCTV conditions are imposed.

| **Objection** | **Received** | **Internal Spreadsheet Reference (Licensing use only)** |
|---|---|---|
| **84** | **22.08.2025** | **145** |

I live in Ashford close to the High Street and will be directly affected by this application. Ashford already experiences some of the highest crime levels in Surrey, and a 24/7 gambling venue will increase the risk of late-night disorder and criminal activity in an area with no infrastructure to manage it. This falls under the licensing objective of preventing gambling from being a source of crime or disorder.
There is also a real concern for protecting children and vulnerable persons. The site is in a prominent High Street location near bus stops and shops used daily by families, which increases exposure to gambling harm.
I would also like to point out that you must be aware that gambling is for rich people who can afford to lose money (as a caprice) and not as a last hope for people in financial difficulty which Ashford residents are (it's enough to look at the high street to know which kind of people live here). So you'll be pushing these people further into addiction and poverty because gambling is not a way to make income. Leave casinos to millionaires in central London, we don't need more homeless people here.

| **Objection** | **Received** | **Internal Spreadsheet Reference (Licensing use only)** |
|---|---|---|
| **85** | **23.08.2025** | **146** |

I live within close proximity to Ashford High Street and my family regularly uses the area, so we will be directly affected by this proposal.
There are three schools within 500m of the site. This is unacceptable for a gambling venue and directly breaches the objective of protecting children and vulnerable persons from being harmed or exploited by gambling.
Ashford already suffers from one of the highest crime rates in Surrey. A 24/7 AGC will increase late-night loitering and disorder, contrary to the objective of preventing gambling from being a source of crime or disorder.
I therefore object to the application. If granted, I ask that operating hours are capped at daytime/evening only and that conditions include CCTV and adequate staffing.

| | | |
|---|---|---|
| **Objection 86** | **Received 23.08.2025** | **Internal Spreadsheet Reference (Licensing use only) 148** |
| I object to the 24/7 licence application for Golden Slots 39 Church Road, Ashford under Licensing Objective 3. In April 2025, the Government Planning Inspector approved the premises but imposed restricted hours 9am to 11pm in order to protect vulnerable individuals from late night harm. A 24/7 licence directly undermines these protections, especially in Ashfords smaller, residential high street with limited late night policing or CCTV and heightened risk of isolation or exploitation. This context differs significantly from Staines. The Inspectors decision is precisely relevant to protecting the vulnerable and should be decisive. I urge the Sub Committee to refuse 24/7 operation and uphold the original restrictions in line with the Councils policy on protecting vulnerable people. | | |
| **Objection 87** | **Received 23.08.2025** | **Internal Spreadsheet Reference (Licensing use only) 149** |
| As a long-standing resident of Ashford living close to the High Street, I will be directly affected by this application.<br>Ashford is a small, family-oriented High Street. A 24/7 gambling venue is unsuitable here and would worsen existing issues with anti-social behaviour. This engages the objective of preventing gambling from being a source of crime or disorder.<br>The location is also used daily by families, young people, and elderly residents, meaning this application also breaches the objective of protecting children and other vulnerable persons.<br>I therefore object to the application. If granted, I request strict conditions are imposed on operating hours (daytime/evening only) and security measures to protect the community. | | |
| **Objection 88** | **Received 23.08.2025** | **Internal Spreadsheet Reference (Licensing use only) 150** |
| I am a resident of Ashford and a mother of two young children. I am objecting to this license application as I believe that it represents an increased risk of crime and anti-social behaviour at night within the community, especially in view of the 24/7 operation. By having visible premises on our highstreet for gambling, the AGC will introduce a risk to children and vulnerable people in Ashford's as they could be attracted to gambling or exploited it. This risk is increased as the site is in close proximity to local schools, residential areas, and community spaces, which means children, the elderly and vulnerable individuals could be at risk.<br><br>Finally, Ashford already has one of the highest crime rates in Surrey, and introducing a 24/7 gambling centre would further increase the localised risk to residents, especially during late-night hours. Unlike larger town centres, Ashford lacks the infrastructure to safely manage any of these risks. I already feel unsafe walking home from the station after sunset. | | |

| Objection 89 | Received | Internal Spreadsheet Reference (Licensing use only) 152 |
|---|---|---|

I am writing as a local resident of Ashford, living just five minutes' walk from the proposed gambling centre at the former Barclays Bank on Ashford High Street. I wish to register my strong objection to the proposed 24/7 operating hours of this venue.
My objection is based on the following licensing objectives:

1. Protecting children and vulnerable persons from being harmed or exploited by gambling
   I am the parent of two teenage daughters who regularly use Ashford High Street. Allowing a gambling venue to operate throughout the night will increase their exposure to potential harm. A 24-hour venue is more likely to attract vulnerable individuals, particularly late at night, creating an unsafe environment for young people.
2. Preventing gambling from being a source of crime and disorder
   The late-night and early morning hours carry a higher risk of anti-social behaviour and crime, especially when linked with gambling activity. Residents, including myself and my family, should not be placed at greater risk when using the High Street due to disorder associated with a 24/7 gambling centre.
3. Ensuring gambling is conducted in a fair and open way
   Whilst this principle primarily concerns the running of the business, fairness should also extend to the surrounding community. It would be unreasonable for residents to experience an increase in crime, noise, and safety concerns simply because unrestricted hours are granted to this operator.

For these reasons, I urge the Council to reject the application for 24-hour opening. If the licence is to be granted, it must at least restrict the opening hours to protect local residents, children, and the wider community.

| Objection 90 | Received 24.08.2025 | Internal Spreadsheet Reference (Licensing use only) 153 |
|---|---|---|

Dear Licensing Team,
I am writing as a local resident of Ashford and as a mother to strongly object to the application for 24/7 opening of the proposed gambling centre at the former Barclays Bank on Ashford High Street. My family and I live within walking distance of the site and we regularly use the High Street.
My objection relates to the following licensing objectives:

1. Protecting children and vulnerable people from being harmed or exploited by gambling
   I am especially concerned for my teenage daughters and other young people in our community. A gambling venue that operates all night poses additional risks to vulnerable individuals and makes the High Street less safe for families.
2. Preventing gambling from being a source of crime and disorder
   Late-night opening hours are far more likely to attract anti-social behaviour and

disorder. As a mother, I worry about the increased risks of crime in our neighbourhood if this licence is granted. The presence of a 24-hour gambling centre will make many residents feel unsafe.

3. Ensuring gambling is conducted in a fair and open way
   A 24-hour licence would put the interests of a gambling operator above those of local residents. It is not fair to ask families and the wider community to deal with the negative impact of round-the-clock gambling in the heart of Ashford.

For these reasons, I urge the Council to reject the application for 24-hour opening. Protecting residents, particularly children and young people, must take priority.

| **Objection**<br>**91** | **Received**<br>**24.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**154** |
|---|---|---|

I live in Ashford close to the High Street and will be directly affected by this application.
Ashford already experiences some of the highest crime levels in Surrey, and a 24/7 gambling venue will increase the risk of late-night disorder and criminal activity in an area with no infrastructure to manage it. This falls under the licensing objective of preventing gambling from being a source of crime or disorder.
There is also a real concern for protecting children and vulnerable persons. The site is in a prominent High Street location near bus stops and shops used daily by families (VALID), which increases exposure to gambling harm.
I therefore object to the 24/7 licence. If the application is granted, I request that hours are limited to daytime and evening only, not extended into the night, and that security/CCTV conditions are imposed.

I have previously expressed my concern over the granting of permission for a business to be opened as a Gambling Centre in Ashford town centre. As stated before Ashford is not the right place for a business of this kind. There is already problems with antisocial behaviour and high crime rates in the town.

The town has a very active Ashford Wide community who are striving to keep Ashford the buzzing and vibrant town it is. Many small businesses in the town are already dealing with the financial pressures, as everyone is, and a business like this is going to push most people away, not encourage them. A Gambling Centre is probably only of interest to a tiny minority of the population of the surrounding area so it would only encourage unwanted visitors to the town.

I am also concerned with the fact it is open 24/7. The noise will obviously be an issue as it seems this has not been addressed, there would also be added mess and litter, and mostly I am concerned about the safety factor. There are many schools within the vicinity and vulnerable people in Ashford. The town does not have the infrastructure to safely manage potential risks.

Ashford is a small close knit community and the scale and character make it totally unsuitable for this kind of business.

| | | |
|---|---|---|
| I have lived in Ashford for 35 years and seen many businesses come and go but I feel this is the most outrageous request that has been put forward to planners and I hope that you will make the right decision by refusing it to go ahead. | | |
| **Objection**<br>**92** | **Received**<br>**24.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**155** |
| I live in Ashford close to the High Street and will be directly affected by this application. Ashford already experiences some of the highest crime levels in Surrey, and a 24/7 gambling venue will increase the risk of late-night disorder and criminal activity in an area with no infrastructure to manage it. This falls under the licensing objective of preventing gambling from being a source of crime or disorder.<br>There is also a real concern for protecting children and vulnerable persons. The site is in a prominent High Street location near bus stops and shops used daily by families, which increases exposure to gambling harm.<br>I therefore object to the 24/7 licence. If the application is granted, I request that hours are limited to daytime and evening only, not extended into the night, and that security/CCTV conditions are imposed. | | |
| **Objection**<br>**93** | **Received**<br>**24.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**156** |
| I live in Ashford close to the High Street and will be directly affected by this application. Ashford already experiences some of the highest crime levels in Surrey, and a 24/7 gambling venue will increase the risk of late night disorder and criminal activity in an area with no infrastructure to manage it. This falls under the licensing objective of preventing gambling from being a source of crime or disorder.<br>There is also a real concern for protecting children and vulnerable person. The site is in a prominent High Street location near bus stops and shops used daily by families which increases exposure to gambling harm.<br>I therefore object to the 24/7 licence. If the application is granted, I request that hours a limited to daytime and evening only, not extended into the night, and security / CCTV conditions are imposed. | | |
| **Objection**<br>**94** | **Received**<br>**24.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**157** |
| I live in Ashford close to the High Street and will be directly affected by this application.<br><br>Ashford already experiences some of the highest crime levels in Surrey, and a 24/7 gambling venue will increase the risk of late night disorder and criminal activity in an area with no infrastructure to manage it. This falls under the licensing objective of preventing gambling from being a source of crime and disorder. | | |

The re is also a real concern for protecting children and vulnerable persons. The site is opposite the public library, is in the centre of the High Street, near bus stops and shops used daily by families which increases exposure to gambling harm.

I therefore object to the 24/ 7 licence. If the application is granted, I request that hours are limited to daytime and evening only, not extended into the night, and that security / CCTV conditions are imposed.

| **Objection**<br>**95** | **Received**<br>**24.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**158** |
|---|---|---|

I am writing as an 18-year-old resident of Ashford who lives very close to the proposed gambling centre at the former Barclays Bank on Ashford High Street. I regularly use the High Street, often with friends in the evenings, and I wish to object to the application for 24-hour opening.

My objection is based on the following licensing objectives:

1. Protecting children and vulnerable people from being harmed or exploited by gambling
Even though I am now 18, many of my friends are still underage. A gambling centre open through the night will make the High Street less safe for younger people, who could be exposed to harm or encouraged towards gambling. The late-night hours are when young people feel most vulnerable.
2. Preventing gambling from being a source of crime and disorder
As someone who walks home from the station and uses the High Street regularly, I am worried that a 24-hour gambling centre will attract anti-social behaviour at night. This makes the area feel unsafe for people my age, especially for young women.
3. Fair and open gambling
A business operating 24/7 in the middle of Ashford is not fair to residents of my generation who want a safe, welcoming High Street. It risks changing the whole character of the town and making it less friendly for young people who want to socialise safely.

For these reasons, I strongly oppose the licence being granted for 24-hour opening. I ask that the Council protect the safety of young people and the wider community by refusing this application.

| **Objection**<br>**96** | **Received**<br>**24.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**159** |
|---|---|---|

As a long-standing resident of Ashford, living in the development off of the main high street, I will be directly affected by this application.

I am a Headteacher of a Spelthorne Primary school so have a unique understanding of the specific challenges for young people in the area. There are enough barriers and challenges preventing young people achieving all they need without this new distraction being licensed/endorsed by the local council.

Ashford is a small, family-oriented High Street. A 24/7 gambling venue is unsuitable here and would worsen existing issues with anti-social behaviour. This engages the objective of preventing gambling from being a source of crime or disorder.

The location is close to Clarendon Primary School and within walking distance of Thomas Knyvett College (a secondary school). Many young people and children access the high street daily. Within 50 metres of the site is a bus stop, often crowded with young people making their way to and from schools. The high street is also used daily by families, young people, and elderly residents, meaning this application also breaches the objective of protecting children and other vulnerable persons.

I therefore object to the application. If granted, I request strict conditions are imposed on operating hours (daytime/evening only) and additional security measures (funded by the gaming centre) to protect the community

| **Objection**<br>**97** | **Received**<br>**24.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**161** |
|---|---|---|

As a grandparent of young children who attend school and also live near to Church Road, I am deeply concerned about the proposal to open an Adult Gaming Centre in our town.

Children pass this location daily and the idea that they may be exposed to gambling so visibly, in a place meant for families and everyday shopping is extremely worrying.

This application risks harming vulnerable persons, including children. It will also disrupt public safety especially at night.

This venue does not serve the wellbeing of our community.

Please consider the bigger picture and reject this application.

| **Objection**<br>**98** | **Received**<br>**25.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**162** |
|---|---|---|

I live in Ashford close to the High Street and will be directly affected by this application. Ashford already experiences some of the highest crime levels in Surrey, and a 24/7 gambling venue will increase the risk of late-night disorder and criminal activity in an area with no infrastructure to manage it. This falls under the licensing objective of preventing gambling from being a source of crime or disorder.
There is also a real concern for protecting children and vulnerable persons. The site is in a prominent High Street location near bus stops and shops used daily by families, which increases exposure to gambling harm.
I therefore object to the 24/7 licence. If the application is granted, I request that hours are limited to daytime and evening only, not extended into the night, and that security/CCTV conditions are imposed.

| **Objection 99** | **Received 25.08.2025** | **Internal Spreadsheet Reference (Licensing use only) 164** |
|---|---|---|
| Subject: Concerning 24/7 Gambling Licence Application – 39 Church Road TW15<br>Dear Licensing Team,<br>As a long-standing resident of Ashford living close to the High Street, I will be directly affected by this application.<br>Ashford is a small High Street. There are three schools within 500m of the site and the location is used daily by families, young people, and elderly residents, meaning this application breaches the objective of protecting children and other vulnerable persons from being harmed or exploited by gambling.<br>Also a 24/7 gambling venue would worsen existing issues with anti-social behaviour. Ashford already suffers from one of the highest crime rates in Surrey. A 24/7 AGC will increase late-night loitering and disorder, contrary to the objective of preventing gambling from being a source of crime or disorder.<br>I therefore object to the application. If granted, I request strict conditions are imposed on operating hours (daytime/evening only) and security measures to protect the community. | | |

| **Objection 100** | **Received 25.08.2025** | **Internal Spreadsheet Reference (Licensing use only) 166** |
|---|---|---|
| I object to the 24/7 licence application for Golden Shots, 39 Church Road, Ashford, under Licensing Objective 3. In April 2025, the Government Planning Inspector approved the premises, but imposed restricted hours (9am - 11pm) to protect vulnerable individuals from late-night harm. A 24/7 licence directly undermines these protections, especially in Ashford's smaller, residential high street with limited late-night policing or CCTV and heightened risk of isolation or exploitation. This context differs significantly from Staines. The Inspectors decision is precisely relevant to protecting the vulnerable and should be decisive. I urge the Sub Committee to refuse 24/7 operation and uphold the original restrictions in line with the Council's policy on protecting vulnerable people. | | |

| **Objection 101** | **Received 25.08.2025** | **Internal Spreadsheet Reference (Licensing use only) 167** |
|---|---|---|
| As a long-standing resident of Ashford living close to the High Street, I will be directly affected by this application.<br>Ashford is a small, family-oriented High Street. A 24/7 gambling venue is unsuitable here and would worsen existing issues with anti-social behaviour. This engages the objective of preventing gambling from being a source of crime or disorder.<br>The location is also used daily by families, young people, and elderly residents, meaning this application also breaches the objective of protecting children and other vulnerable persons.<br>I therefore object to the application. If granted, I request strict conditions are imposed on operating hours (daytime/evening only) and security measures to protect the community. | | |

| **Objection**<br>**102** | **Received**<br>**25.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**168** |
|---|---|---|

Gambling related harms are now widely recognised as a public health issue. The convenience of high street gambling premises must contribute to an increase in people negatively impacted financially by gambling, including housing and homelessness which impacts the whole family and the local community, as well as the individuals directly affected by it.

Ashford is a medium sized town and the location of this building, in a mainly residential area made up for mostly young families, cannot be seen by anyone as a good idea. There are flats immediately above, across the other side of Dudley Road and opposite in Church Road. There are 6 primary schools within 1 mile, 7 churches within half a mile many of whom have playgroups and offer safe meeting space to vulnerable people. The library, another sanctuary for local children and adults is immediately opposite this building.

In recent years Ashford has been identified as the most dangerous medium-sized town in Surrey in terms of overall crime rate. Mainly, Shoplifting, Anti-social behaviour, Violence Against Women and Girls & Drug-related harm. Making it a place that many people will not visit alone at night, having this establishment open all day, 7 days a week will put public safety more at risk.

In summary, I believe that the granting of the licence could lead to a further increase in crime and disorder, in what is a residential local shopping area and so totally unsuitable for such a venue. I am also concerned that children and other vulnerable people could be harmed and exploited should this application be approved.

| **Objection**<br>**103** | **Received**<br>**26.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**169** |
|---|---|---|

I live in Ashford close to the High Street and will be directly affected by this application. Ashford already experiences some of the highest crime levels in Surrey, and a 24/7 gambling venue will increase the risk of late-night disorder and criminal activity in an area with no infrastructure to manage it. This falls under the licensing objective of preventing gambling from being a source of crime or disorder.

There is also a real concern for protecting children and vulnerable persons. The site is in a prominent High Street location near bus stops and shops used daily by families, which increases exposure to gambling harm.

I therefore object to the 24/7 licence. If the application is granted, I request that hours are limited to daytime and evening only, not extended into the night, and that security/CCTV conditions are imposed.

| **Objection**<br>**104** | **Received**<br>**26.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**170** |
|---|---|---|

I am objecting to the application for a gambling licence and also against the usage of 39 Church Road, Ashford Surrey, TW15 2QF as gambling premises or as gaming premises. I have tried to do this using the comments procedure on Spelthorne's planning website, but no forms come up after a search on the premises, hence I am objecting to the licence and use of the premises for gambling or gaming via email instead: as specified as an alternative means of objecting.

I object on the following grounds. I have lived in Ashford for almost forty years and use Church Road daily. I have seen a steady decline in Church Road over the years, both from a commercial perspective and from a crime and disorder perspective. I object on the grounds that a gambling centre in Church Road, will likely have a negative impact on crime and disorder rates and also poses a risk to the vulnerable.

A search on the internet shows that Ashford is the most violent town in Surrey, with a 33% higher level of crime than the Surrey average, the most common of which are crimes of violence and sexual offences. The Surrey Police crime map on their website, shows all crimes up to and including June 2025. I have focused specifically on the area of Church Road, between Studholme Medical Centre and the end of New Parade by Tarla Grill. I would estimate this is no more than 100 metres at the most. Number 29 is roughly half way between the two. Using the Surrey Police headings on their map; In June alone, there were 7 crimes of violence/sexual offences, 3 instances of anti-social behaviour, 1 possession of weapons, 2 instances of criminal damage and 6 shopliftings. Looking back over time, similar patterns are apparent with the obvious peaks and troughs you will get in any area. In May for example the violence and sexual offences picture was the same-7 crimes. This is a lot of crime over a 100 metre section of Church Road.

A gambling premises will only serve to make things worse. It should also be remembered that people may be attracted into Ashford from elsewhere to gamble, possibly via Ashford Train Station, which itself is a crime hotspot and likely fuelled by alcohol or drugs (drug offences also feature in the crime stats). There are numerous examples on the internet where gambling premises have caused anti-social behaviour and it is well known that premises open late in the evening can be a useful hub for criminal activity, including drug dealing. From a local perspective, It is also worth noting that at the back of the premises, there is access to private flats and a car parking area. Problems can be expected here too, as it is dark and would be an ideal place to carry out criminal activity. I don't know what security arrangements are proposed, but staff will have no control over what happens outside.

A simple search on the links between gambling centres and crime, shows links with theft and violence and that they are significantly associated with crime hotspots. This part of Ashford already has problems with violence and theft as shown above. Evidentially, *The Commission on Crimes and Gambling Related Harms*, found in their 2023 report, that gambling is linked to poverty and a wide range of crime, including street robbery, criminal

damage and drugs offences and also domestic violence. This means that Ashford's already high crime rate in Surrey can only be made worse by the presence of a gambling outlet.

The commission also notes that more needs to be done about gambling amongst the prison population, and of course we have HMP institutions locally *and* ex-offenders living in the community, whom it is implied should be discouraged from gambling. Offenders and Ex-offenders themselves can be considered as a vulnerable group. This is yet another reason why the location of a gambling outlet in Ashford is entirely inappropriate and the gambling licence must be refused.

Other affected groups include those in poverty (the Commission notes links); examples include homeless people from the Whitehouse in Kingston Road and residents from Harper House in Fordbridge Road, many of whom are vulnerable for a variety of reasons.
The Commissions full report is easily accessible and taken together with the existing crime rate in Ashford, gambling premises are clearly a bad idea for the area and I call for the licence to be refused.

| **Objection**<br>**105** | **Received**<br>**26.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**171** |
|---|---|---|

I am a long term resident of Ashford. I oppose the licencing of gaming at this site because it threatens the Protection of Children.

I1) It is 0.2 miles from Clarendon *Junior School* and 0.4 miles from St Michaels *Primary School.*

(2) *The library* is opposite and many infant and junior school classes are taken there for educational sessions. All of these children will be exposed to the presence of the gaming centre and the men who will loiter outside to gather and smoke.

(3) *Adolescent pupils* from 2 schools on Church Road also pass this site at the end of the school day.

(4)At the Clarendon School site is the *Clarendon Family Centre, a base for vulnerable people* suffering domestic abuse, family conflict, mental issues and *children of all ages presenting behavioural problems*. This is a wide group who need protection and will be threatened. The gaming centre may provide a counter-productive attraction to the latter group mentioned.

(5) As an ex-teacher I have great concern about gaming clients (demograpgically predominantly male loners) to-ing and fro-ing and hanging around, casually watching or being watched by children.

The centre threatens Public Safety and Public Order

(1) Particularly as the nights get longer, *women will tend to feel intimidated by the clientelle of the centre.* We *already* have one business located on the dark corner of Parkland Grove with *cars parked on double yellow lines frequented by men* waiting in them or *loitering* on the path. Nothing is done about it as there is *no police presence* in Ashford. I know that *this makes women fearfull.*

(2)*Already the crime rate for Ashford* is significantly higher than the Surrey average . The most common recorded crimes are violence, sexual violence, and freqently unreportedly , shop lifting. Public confidence and wellbeing will be further undermined by this centre.

(3) *The area is residential,* not like the locations of AGCs in Staines and Feltham. There are flats above no 39 and along Church Road, Imediately behind are hundreds of family homes. A very large new housing development is nearby on the opposite side of the road. Its in *absolutely the wrong place*

(4) This centre would be the only group entertainment venue in this unpoliced town. There are no clubs or pubs. It will be the only and *obvious hub of trouble.*

This matters to me. Please bother to read this.

| **Objection**<br>**106** | **Received**<br>**26.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**172** |
|---|---|---|

I live within close proximity to Ashford High Street and my family regularly uses the area, so we will be directly affected by this proposal.

There are three schools within 500m of the site. This is unacceptable for a gambling venue and directly breaches the objective of protecting children and vulnerable persons from being harmed or exploited by gambling.

Ashford already suffers from one of the highest crime rates in Surrey. A 24/7 AGC will increase late-night loitering and disorder, contrary to the objective of preventing gambling from being a source of crime or disorder.

I therefore object to the application. If granted, I ask that operating hours are capped at daytime/evening only and that conditions include CCTV and adequate staffing.

| **Objection**<br>**107** | **Received**<br>**26.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**173** |
|---|---|---|

As a grandparent of children and young adults who are often in Ashford High Street, I will be directly affected by this application.

Children pass this location daily. A gambling venue so visibly placed in a family shopping area creates unacceptable risks of exposure and normalisation of gambling to young people.

This application also risks drawing in vulnerable adults, including those already struggling with addiction or financial hardship. A 24/7 venue increases the likelihood of harm, particularly in the late-night and early-morning hours when supervision is weakest.

I therefore object under the licensing objective of **protecting children and other vulnerable persons from being harmed or exploited by gambling**. If granted, I request hours are capped at daytime/evening only.

| **Objection**<br>**108** | **Received**<br>**26.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**174** |
|---|---|---|

I live in Ashford close to the High Street and will be directly affected by this application.

Ashford already experiences some of the highest crime levels in Surrey, and a 24/7 gambling venue will increase the risk of late-night disorder and criminal activity in an area with no infrastructure to manage it. This falls under the licensing objective of preventing gambling from being a source of crime or disorder.

There is also a real concern for protecting children and vulnerable persons. The site is in a prominent High Street location near bus stops and shops used daily by families, which increases exposure to gambling harm.

I therefore object to the 24/7 licence. If the application is granted, I request that hours are limited to daytime and evening only, not extended into the night, and that security/CCTV conditions are imposed.

| **Objection**<br>**109** | **Received**<br>**26.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**175** |
|---|---|---|

I am opposed to the above proposal for a licenced gambling outlet in Ashford Surrey at the former building of Barclays Bank.

The site is unsuitable because Ashford is a small quiet town with a modest high street based around many independent retailers.

It will likely lead to increased levels of anti-social behaviour especially noise particularly during the evening up until the closing time of 11pm.

It will be an enticement for young people as well as those vulnerable to the adverse effects of gambling so risks increasing levels of addiction
and encouraging vulnerable people to part with money they cannot afford. It may attract more crime and drunken behaviour and drug taking

around the vicinity of the gambling centre. In short this proposal can only be bad news for the residents of Ashford and should not be given a licence.

| **Objection**<br>**110** | **Received**<br>**26.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**176** |
|---|---|---|

Similar gambling premises in other area have been associated with an increase in anti social behaviour, loitering and petty crime, which in turn stretches the resources of our police services taking them away from other crime in the area. Ashford already has a high crime rate and residents deserve to be kept safe.

Furthermore the introduction of a gambling venue will not only have a negative effect on existing small businesses and community cohesion but will undermine the character of the neighbourhood.

Many residents have objected to the initial planning application and now it would be wonderful if the licensing authority would listen to the majority of residents and reject this application.

| **Objection**<br>**111** | **Received**<br>**26.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**177** |
|---|---|---|

I live in Ashford close to the High Street and will be directly affected by this application.

Ashford already experiences some of the highest crime levels in Surrey, and a 24/7 gambling venue will increase the risk of late-night disorder and criminal activity in an area with no infrastructure to manage it. This falls under the licensing objective of preventing gambling from being a source of crime or disorder.

There is also a real concern for protecting children and vulnerable persons. The site is in a prominent High Street location near bus stops and shops used daily by families, which increases exposure to gambling harm.

I therefore object to the 24/7 licence. If the application is granted, I request that hours are limited to daytime and evening only, not extended into the night, and that security/CCTV conditions are imposed.

| **Objection**<br>**112** | **Received**<br>**26.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**178** |
|---|---|---|

Further to my letter, I am e mailing, as an Ashford resident, to state my objection to the old Barclays Bank site becoming a licensed gaming centre. Ashford is a residential and retail town but my main objection is the fact that there are four school within one mile of this site and this is not what I would wish young people to be witnessing on their school journey. Gambling is an addiction, people with an addiction need help to give up not encouragement to carry on with their addiction.

Please refuse this gambling license.

| **Objection**<br>**113** | **Received**<br>**26.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**179** |
|---|---|---|

I have been an Ashford resident for over 40 years and frequently use the High Street.

Our high street is a very small one with a close knit family community feel which is used everyday by the local secondary and primary school children and their parents. Ashford is not a wealthy area and the gaming centre is located close to residential areas, schools and a community space ( opposite the site), meaning that the vulnerable, elderly and children could be at risk of exploitation with the presence of a 24 hour adult gaming centre.

In addition, unfortunately Ashford does have one of the highest crime rates in Surrey. I am deeply concerned that the presence of a 24 hour gambling centre would further add to the risk to us as residents, especially during late- night hours. We simply do not have the infrastructure to safely manage those risks.

| **Objection**<br>**114** | **Received**<br>**26.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**180** |
|---|---|---|

My wife and I are long term Ashford residents, residing in Clarendon Road. With the possible exception of the families who live in the flats immediately above the former Barclays bank, we are probably the nearest residents to the property being considered for an AGC. The bottom of our rear garden is within approximately 12 metres of the proposed site.We wish to object MOST STRONGLY to the issue of a gaming licence for this property. Our grounds for objection fall broadly under the following three headings:

CRIME AND DISORDER . Antisocial Behaviour in Ashford is at an all time high. Statistics show that Ashford has one of the highest crime rates in Surrey. In considering the issue of a licence the following points MUST be considered, as we feel it inevitable that the granting of one can only make matters worse by encouraging individuals to engage in further anti-social behaviours. Unfortunately this list is not exhaustive.

1) Central Ashford is already the subject of a 'Public Spaces Protection Order'.
2) Drug dealing is rife, including the area immediately to the rear of the premises in question.
3) Within the last week a cannabis farm has been located in Fordbridge Road.
4) Fireworks being set off and aimed at passing traffic about 12 months ago.
5) Within the last 12 months a murder was committed in Imtech House (hopefully a 'one-off' but indicative of the mentality of some local
individuals)
6) Shoplifting appears to be the 'norm' and is happening on a daily basis.
7) Graffiti appears to have descended on Ashford and many examples have appeared in the last few weeks, (Dudley, Church, Fordbridge Roads)
8) Muggings have occurred a number of times in the last 12 months.
(Details can be provided)
9) Rowdy behaviour is on the increase - ours and neighbours front doors have been physically kicked several times recently - for no apparent reason.
10) Burglaries/break-ins /holdups are increasing (e.g. Sainsburys break-in and Superdrug holdup in last 12 months)

PROTECTING CHILDREN, VULNERABLE PERSONS AND ELDERLY. We feel that the presence of a gambling establishment in the centre of what is basically a quiet residential town will set a completely wrong example to our young people. There are a number of schools close by and it is inevitable that the presence of an AGC on the school route will create the impression that gambling is 'normal and acceptable' in the minds of our young people. There are already at least three 'betting' shops in very close proximity which provide machine based gambling. We feel that the addition of yet more temptation can only worsen the situation for some of our residents who are battling this form of addiction and those that have mental health issues. I would add that both my wife and I are in our mid eighties and both fairly physically able but together with a lot of our elderly friends and neighbours are now loath to venture out at night!

NOISE There is limited parking availability in central Ashford as much of it has now become the subject of 24hr double yellow line restrictions, and car parks have been closed down. This being the case, it is likely that some 'AGC customers' will seek to park in non restricted Clarendon/Dudley/Chaucer roads, thereby causing further parking problems to residents. Comings and goings throughout the day and night will undoubtedly cause unnecessary noise and disruption, as there is bound to be a degree of loitering.

| **Objection**<br>**115** | **Received**<br>**26.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**181** |
|---|---|---|
| I live in Ashford close to the High Street and will be directly affected by this application. | | |

Ashford already experiences some of the highest crime levels in Surrey, and a 24/7 gambling venue will increase the risk of late-night disorder and criminal activity in an area with no infrastructure or personnel to manage it. This falls under the licensing objective of preventing gambling from being a source of crime or disorder.

There is also a real concern for protecting children and vulnerable persons. The site is in a prominent High Street location near bus stops and shops used daily by families and children going to and from school, which increases exposure to gambling harm. Opening later in the evenings will also put children who spend time in Ashford in the evening, for example taking part in community improvement projects as part of uniformed organisations and youth groups, at risk of harm from exposure to gambling and witnessing disorder/criminal activity.

I therefore object to the 24/7 licence. If the application is granted, I request that hours are limited to daytime and early evening only, not extended into the night, and that security and CCTV conditions are imposed.

| **Objection**<br>**116** | **Received**<br>**26.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**182** |
|---|---|---|

L wish to object in the strongest possible terms to the grant of a 2417 gambling licence in relation to the above premises. I live a little over half a mile from the application site and am a constant user of the shops and other businesses in Church Road, so will be directly affected by this proposal. In their own risk assessment document, the applicants themselves acknowledge that: "Ashford is the [sic] reported as the most dangerous medium-sized town in Surrey, and in the top l0 most dangerous of all communities in Surrey." A gambling venue will clearly increase the risk of criminal activity in an area with no infrastructure to manage it, most particularly late at night if a 2417 licence were to be granted. This would therefore fail the licensing objective of "preventing gambling from being a source of crime or disorder". It herefore object to the 2417 licence. Should it be impossible to deny the application altogether; at the very least, opening hours must be limited to daytime and evening only, and the most stringent possible security/CCTV conditions imposed'

| **Objection**<br>**117** | **Received**<br>**26.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**183** |
|---|---|---|

As a parent of two children and who live just off Ashford High Street, I will be directly affected by this application.

Children pass this location daily. A gambling venue so visibly placed in a family shopping area creates unacceptable risks of exposure and normalisation of gambling to young people.

This application also risks drawing in vulnerable adults, including those already struggling with addiction or financial hardship. A 24/7 venue increases the likelihood of harm, particularly in the late-night and early-morning hours when supervision is weakest.

In addition, I am extremely concerned as crime in Ashford has increased a lot over the many years I have lived here - and a 24/7 gaming centre would further increase the risk to residents, particularly over late night hours.

I therefore object under the licensing objective of **protecting children and other vulnerable persons from being harmed or exploited by gambling**. If granted, I request hours are capped at daytime/evening only.

| **Objection** 118 | **Received** 26.08.2025 | **Internal Spreadsheet Reference (Licensing use only)** 184 |
|---|---|---|

I hereby strongly object to this application 'Gambling licence 39 Church Rd' as I use the Ashford high street daily and are therefore really concerned about my safety and that of the children that live in Ashford.

Having a gambling establishment in Ashford would draw criminals to our high street which concerns me and makes me feel very unsafe and vulnerable.

Gambling is taking a strong hold in the UK and is ruining people's live with debts caused by losses on gambling. As we all know the numbers are stacked heavily in favour of gaming establishments so why invite these to come in and take our well-earned money. You should be protecting our community and not approving this licence.

For every winner there are thousands of losers. The gaming establishments always win.

| **Objection** 119 | **Received** 26.08.2025 | **Internal Spreadsheet Reference (Licensing use only)** 185 |
|---|---|---|

I represent the residents of Ashford Town ward, and I object to the award of a gambling license for an Adult Gaming Centre (AGC) at 36 Church Road. Should the license be awarded, against my objection, I believe conditions should be applied.
My objections are:
• The AGC will be a source of crime.
• The AGC will not conduct gambling in a fair and open way.
• Vulnerable people will be harmed or exploited by gambling at the AGC.

For context, it is important this license will allow 62 machines to be taking up to £2 per press of a button whenever this premises is open. A slot machine takes 3-5 seconds to give a result so users can be losing 100s, if not 1000s, of pounds an hour.

Ashford is a relatively temperate town, with fewer pubs than churches, and only two gambling premises which is low for a town of its size. This begs the question why do Golden Slots feel this is a suitable site to open an Adult Gaming Centre (AGC), and how are they going to make a profit?
The logical conclusion of these two points is that the success of this business will depend on a small number of individuals gambling a lot.

As part of my research into the likely effect of this license being awarded, I have been in discussion with Mr R: an Ashford Town resident who is a recovering gambling addict, and I will refer to his comments and experience where relevant. He tells me: “When I think of myself as a gambler, it is in the third person, as a non-human who doesn’t think about the next 4 hours, let alone the next 2 weeks to pay day. Gambling is about 2 things, money and opportunity; an adult gaming centre like the one in Staines would have been a God-send to me in maintaining my addiction.” An addiction that started when he was 16, and included periods of losing £1000s in hours.

Risk of Crime

Gambling businesses guarantee to, on average, lose their customers money; they would not be profitable if this wasn’t true. In situations where those losses are incurred by a relatively small number of individuals, the reaction to those losses is likely to be more extreme than where those losses are spread across a wider customer base, e.g. football fans on a Saturday afternoon, or on Grand National day.

These reactions include damage to property in the venting of anger and self-frustration, theft of goods for sale to replace lost money, and shoplifting for food and household goods. These crimes will be perpetrated against the residents and businesses of Ashford on leaving the venue and in between visits. This will be an aggravating factor in our battle against low-level crime and anti-social behaviour.

Crime caused by gambling is not always immediately associated with the act of gambling. Mr R tells me: “I would lie to relatives about paying bills for them and gamble the money, I would steal the tip left at the end of family meal so I could gamble it. I borrowed from my own business to gamble, effectively stealing from the 4 other owners.”.
Those gamblers who have incurred large and rapid losses will also be difficult to approach and may exhibit severe mood swings, leading to an increased risk to the safety of those at home.

The risk of domestic crime will escalate sharply in the households that bear the brunt of these losses . As per the risk assessment, the most common crimes in Ashford are violence and sexual offences, most of which occur in a domestic setting. The women in Ashford that are most at risk from these sorts of crimes can only see that risk increased by the introduction of a venue selling addictive behaviour on their doorstep (number of individuals, the reaction to those losses is likely to be more extreme than where those losses are spread across a wider customer base, e.g. football fans on a Saturday afternoon, or on Grand National day.
These reactions include damage to property in the venting of anger and self-frustration, theft of goods for sale to replace lost money, and shoplifting for food and household goods. These crimes will be perpetrated against the residents and businesses of Ashford on leaving the venue and in between visits. This will be an aggravating factor in our battle against low-level crime and anti-social behaviour.

I asked Mr R if problem gamblers would be terrified of the behaviour an AGC must bring out in them. His reply: “Oh no, it’s the loved ones at home who will be worrying about this. If I was still married (his addiction was the cause of his divorce), my wife would be terrified.

In addition to physical domestic abuse, which is associated with households where there are multiple addiction issues, economic abuse is increasingly acknowledged as a consequence of gambling. Little research exists in the UK on the risks of economic abuse caused by gambling, but a 2021 academic study funded by the Australian government concluded a clear pattern of problem gambling and economic abuse which included coercion to borrow money, fraudulent applications for, and use of, credit cards, and the stealing of money intended for household spending or for children (https://doi.org/10.1080/16066359.2021.1962847).

The fact that problem gambling is a cause of crime is clearly something that Golden Slots (Southern) Ltd are aware of, since their Policies and Procedures state that any member of staff found gambling will be fired, in order to protect the company from the risk of problem gambling.

In other words, it's fine for problem gamblers to rob from other people when they lose all their money, but not from us."

Gambling in a Fair and Open Way

Golden Slots (Southern) Ltd give the impression that their machines are fair and open because they make all the necessary legal declarations and have the legal limits on stakes.

This is a deflection from the truth known by gambling addicts, where their minds are fixated on the opportunity to gamble undisturbed. Mr R educated me on Betting Shops ("bookies"): "The thing with a bookies is that anyone could walk in: like a relative or an old mate from school, and the windows are all across the front so you can see in around the posters. It's a poor opportunity, so problem gamblers aren't fans of them; my guess is that around 50% of the punters have a problem, and it's probably not that bad."

In comparison: "These gaming centres are dark, there's no visibility from the street and you can see almost nothing through the entrance. That's only attractive to problem gamblers."

Harm and Exploitation

The harm to problem gamblers does not have to be inflicted directly by the AGC, the harm to an addict is self-inflicted and, as Mr R makes clear, all the gambling addict needs is the opportunity and the money: "It's not like a drug addict because you don't have to try hard to find the product, you just walk in. If I was still gambling it would be somewhere to hide from my loved ones.".

An AGC like this is providing the perfect opportunity for addicts to gamble.

That Golden Slots (Southern) Ltd don't offer credit is not keeping problem gamblers from money to gamble. Mr R: "My only limit was my daily withdrawal limit, so like £250 or whatever; the problem was, at one minute past midnight my limit was doubled.".

Turning to the Policies and Procedures document, which has ticked a lot of the boxes required to make this venue seem innocuous, however, there are more questions raised than answered in this tick-box approach:

The SR triggers include increases in time and money spent gambling. If someone started by spending a lot of time and money in the venue, then regularly spent lots of time and money, there would not be an increase, so this seems completely ineffective as a trigger.

Chasing losses is apparently monitorable, but there is nothing more than a statement of this being true. How is this monitored, and what constitutes “chasing”? E.g. if a gambler wins early in their visit, how are future losses monitored to know when the win is lost, and “chasing” has become a risk again?

Although the Policies and Procedures document claims to have these policies in place, there is no mention of what records are used in their implementation, and what records will be retained in reference to those gamblers where action is taken. The application makes reference to an incident log being kept, but no reference to logging incidences of problem gambling.

The reality is that these are lip service to a system of expelling gamblers when the venue feels they need to save face, or the gambler mis-behaves, by which time the risk to the gambler is already realised. No gambler is going to be identified as at risk of problem gambling until that problem gambling has caused damage.

Furthermore, these pathetic and erroneous attempts at intervention are abused by gambling addicts. Mr R: “I joined Gamstop and Gamban, so that I looked like I was doing the right thing; the reality is your using these positive schemes to deflect from your true behaviour. I used tools meant to help me, like letters confirming addiction advice appointments, to help me gamble more.”.

Notably there is no statement declaring that a problem gambler will be barred from the venue when Golden Slots Ltd has made enough money from that person.

It is also incumbent on problem gamblers in the area to self-exclude from the venue every 6-12 months, with no lifetime exclusion being available. This seems to inflict a form of torture on these people, because they will have to regularly visit the place, if they want to update the exclusion. The default position of Golden Slots (Southern) Ltd is that a gambling addict will be welcome to start gambling again at their venue once six months has passed and I find this exploitative.

The assessment of the risk of “Out of control gambling by other vulnerable people and failure to recognise signs associated with problem gambling or substantial changes in gambling behaviour” as low is manifestly incorrect. The faults noted above in the Policies and Procedures document regarding Social Responsibility and Self-Exclusion make this risk High.

I believe the people who frequent this venue will be the people most at risk of losing a lot of money very quickly, and those whose relationships and lives may have been ruined previously by gambling. For these already vulnerable people and their families, harm is inevitable.

Conclusions:

In Spelthorne there are 2.5% of the population considered problem gamblers, just under the national average, and half of them want help with their problem. 70% of the problem gamblers in Spelthorne accessed help last year, higher than the national average (source GambleAware.org).

2.5% of the population is 575 people who will live within walking distance of the AGC. 70% of those is over 400 people who you will be subjecting to an increased risk of harm by licensing a dangerous and seductive AGC in the heart of Ashford.

Moreover, there are 375 people who, unless they get help now, will be enabled to continue their “in-human” addictive behaviour by the licensing of a “God-send” to their addiction.

The evidence given above on the risk of crime, on the lack of a fair and open way to gamble, and the causes of exploitation and harm, demonstrate that this application does not meet the required licensing objectives.

This is accompanied by testimony of one of the many vulnerable residents of my ward for whom this AGC application is a real and present danger in their lives. Furthermore, this testimony highlights how this application aggravates, rather than diminishes, the challenge that problem gambling presents to the community of Ashford.

The combination of this evidence and this first-hand testimony give a conclusion that this application should be declined.

In the event the application is passed, it also suggests the following conditions should be imposed:

Lifetime self-exclusions should be made available and should be irrevocable.

There must be sufficient glass added to the building that full visibility of all players is possible from the street.

Total daily opening hours should be no longer than those of the nearby Betting Shops.

A Social Responsibility (SR) trigger of persistent gambling should be added.

Detailed processes and quantitative measures for the recognition of SR triggers should be published.

A log of SR trigger events should be maintained for review at the renewal of the license.

| **Objection**<br>**120** | **Received**<br>**26.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**186** |
|---|---|---|

Subject: 24/7 Gambling Licence Objection – 39 Church Road, Ashford TW15

Dear Licensing Team,

I live within close proximity to Ashford High Street and my family regularly uses the area, so we will be directly affected by this proposal.

There are three schools within 500m of the site. This is unacceptable for a gambling venue and directly breaches the objective of protecting children and vulnerable persons from being

harmed or exploited by gambling.
Ashford already suffers from one of the highest crime rates in Surrey. A 24/7 AGC will increase late-night loitering and disorder, contrary to the objective of preventing gambling from being a source of crime or disorder.
I therefore object to the application. If granted, I ask that operating hours are capped at daytime/evening only and that conditions include CCTV and adequate staffing.

| **Objection**<br>**121** | **Received**<br>**27.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**187** |
|---|---|---|

I live within close proximity to Ashford High Street and my family regularly uses the area, so we will be directly affected by this proposal.

There are three schools within 500m of the site.

This is unacceptable for a gambling venue and directly breaches the objective of protecting children and vulnerable persons from being harmed or exploited by gambling. This won't teach children about aspiration, ambition and doing the best they can. It will teach them that some people get to hang out in a brightly lit shop in Ashford all day and that is another choice they can make. How sad is that?

Ashford already suffers from one of the highest crime rates in Surrey. A AGC will increase late evening loitering and disorder, contrary to the objective of preventing gambling from being a source of crime or disorder. There will likely be groups of men which may intimidate women and girls, frequent smoking outside that people may have to walk through and late evening noise that will disturb even closer residents.

Many things are going on in society that do not support the welfare of women and girls, locations like AGCs within communities are on that list.

I therefore object to the application.

If granted, I ask that for safety, conditions such as comprehensive CCTV, ID verification, security guard presence and adequate staffing are met and the hours to be as limited as possible.

Ashford has already taken a dive! It's full of barber shops, nail bars and an ice cream store that suspiciously doesn't open all summer.

I assume your focus is meant to be on regeneration of the area. I fail to understand how a gambling site offers meaningful and lasting regeneration. Wouldn't it be great if you could incentivise small businesses and family friendly applications to regenerate, rather than gambling sites, barber shops and nail bars that kill off community.

A decision to go ahead, is another nail in the coffin for Ashford.

| Objection 122 | Received 27.08.2025 | Internal Spreadsheet Reference (Licensing use only) 189 |
|---|---|---|

I live in Ashford close to the High Street and will be directly affected by this application.

Ashford already experiences some of the highest crime levels in Surrey, and a 24/7 gambling venue will increase the risk of late-night disorder and criminal activity in an area with no infrastructure to manage it. This falls under the licensing objective of preventing gambling from being a source of crime or disorder.

There is also a real concern for protecting children and vulnerable persons. The site is in a prominent High Street location near bus stops and shops used daily by families, which increases exposure to gambling harm.

I therefore object to the 24/7 licence. If the application is granted, I request that hours are limited to daytime and evening only, not extended into the night, and that security/CCTV conditions are imposed.

| Objection 123 | Received 27.08.2025 | Internal Spreadsheet Reference (Licensing use only) 190 |
|---|---|---|

As a long-standing resident of Ashford living close to the High Street, I will be directly affected by this application.

Ashford already has one of the highest crime rates in Surrey and introducing a 24/7 gambling centre would further increase the localised risk to residents especially during late night hours.

Ashford is not a large town centre. It’s scale and character make it unsuitable for a 24/7 Gaming Centre which would increase the risks of crime or disorder.

The location is also used daily by families, young people, and elderly residents, meaning this application also breaches the objective of protecting children and other vulnerable persons.

I therefore object to the application. If granted, I request strict conditions are imposed on operating hours (daytime/evening only) and security measures to protect the community.

| Objection 124 | Received 27.08.2025 | Internal Spreadsheet Reference (Licensing use only) |
|---|---|---|

| | | |
|---|---|---|
| | | **191** |

Subject: Objection to 24/7 Gambling Licence – 39 Church Road, Ashford TW15
Dear Licensing Team,
I live in Ashford close to the High Street and will be directly affected by this application.

Ashford already experiences some of the highest crime levels in Surrey, and a 24/7 gambling venue will increase the risk of late-night disorder and criminal activity in an area with no infrastructure to manage it. This falls under the licensing objective of preventing gambling from being a source of crime or disorder.
There is also a real concern for protecting children and vulnerable persons. The site is in a prominent High Street location near bus stops and shops used daily by families, which increases exposure to gambling harm.
I therefore object to the 24/7 licence. If the application is granted, I request that hours are limited to daytime and evening only, not extended into the night, and that security/CCTV conditions are imposed.

I am scared to be alone in the high street due to the current crime and attack rate and this will further drive up the likelihood of this happening. I am scared for my children.

| **Objection**<br>**125** | **Received**<br>**27.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**192** |
|---|---|---|

I live within close proximity to Ashford High Street and my family regularly uses the area, so we will be directly affected by this proposal.

There are three schools within 500m of the site. This is unacceptable for a gambling venue and directly breaches the objective of protecting children and vulnerable persons from being harmed or exploited by gambling.

Ashford already suffers from one of the highest crime rates in Surrey. A 24/7 AGC will increase late-night loitering and disorder, contrary to the objective of preventing gambling from being a source of crime or disorder.

I therefore object to the application. If granted, I ask that operating hours are capped at daytime/evening only and that conditions include CCTV and adequate staffing.

| **Objection**<br>**126** | **Received**<br>**27.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**193** |
|---|---|---|

I am writing to express my objection to the above Gambling licence request.

My family and I (husband and 13 year old son) live within close proximity to Ashford High Street and we regularly use the area, and therefore we will all be directly affected by this proposal.

There are three schools within 500m of the site which makes this an unacceptable site for a gambling venue and directly breaches the objective of protecting children and vulnerable persons from being harmed or exploited by gambling.
Ashford already suffers from one of the highest crime rates in Surrey. A 24/7 AGC will increase late-night loitering and disorder, contrary to the objective of preventing gambling from being a source of crime or disorder.

Non-compliance with Policy EN11 and Policy TC3:
The applicant has not sufficiently demonstrated that the AGC hall would have an active frontage or contribute positively to the vitality and viability of Ashford Town Centre. The proposed 24/7 operation could result in noise pollution and a negative impact on the surrounding residential areas, contrary to Policy EN11 and the NPPF.

I therefore heavily object to the application.

| **Objection**<br>**127** | **Received**<br>**27.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**195** |
|---|---|---|

I live in Ashford close to the High Street and will be directly affected by this application.

Ashford already experiences some of the highest crime levels in Surrey, and a gambling venue will increase the risk of late-night disorder and criminal activity in an area with no infrastructure to manage it. This falls under the licensing objective of preventing gambling from being a source of crime or disorder.

There is also a real concern for protecting children and vulnerable persons. The site is in a prominent High Street location near bus stops and shops used daily by families, which increases exposure to gambling harm.

There is also no real nighttime economy in Ashford it's entirely inappropriate. It already often feels quite hostile on the high street in daylight with gangs of often masked youths on bikes and motorised scooters blocking the pavements and running amuck.

| | | |
|---|---|---|
| I therefore object to the proposed licence. If the application is granted, I request that hours are strictly limited to daytime and early evening only, not extended into the night, and that security/CCTV conditions are imposed. | | |
| **Objection 128** | **Received 27.08.2025** | **Internal Spreadsheet Reference (Licensing use only) 196** |
| I object to this premises being converted for use as an Adult Gaming Centre, because the gambling will not be conducted in an open way. The walls of this building are exceptionally thick, and have no windows, so the gambling will be conducted in a closeted environment hidden from public view; that is, by definition, not open. Both existing gambling venues in Ashford have glass fronts and the entire ground floor is clearly visible from the street; this allows families, perhaps children who are not permitted inside, to locate gamblers when they are needed or in the event of an emergency and the proposed premises will deny this openness. An open and transparent premises also creates some concern in the mind of a problem gambler that they may be spotted, giving an increased likelihood that vulnerable problem gamblers may cut their losses and leave rather than chase those losses, hidden in a dark corner of the building. It is therefore fairer on those gamblers to use open and transparently visible premises, as part of a socially responsible approach to gambling, so this premises is not pursuant to fair gambling. | | |
| **Objection 129** | **Received 27.08.2025** | **Internal Spreadsheet Reference (Licensing use only) 197** |
| I live within close proximity to Ashford High Street and my family regularly uses the area, so we will be directly affected by this proposal.<br><br>There are three schools within 500m of the site. This is unacceptable for a gambling venue and directly breaches the objective of protecting children and vulnerable persons from being harmed or exploited by gambling.<br><br>Ashford already suffers from one of the highest crime rates in Surrey. A 24/7 AGC will increase late-night loitering and disorder, contrary to the objective of preventing gambling from being a source of crime or disorder.<br><br>I therefore object to the application. If granted, I ask that operating hours are capped at daytime/evening only and that conditions include CCTV and adequate staffing | | |
| **Objection 130** | **Received 27.08.2025** | **Internal Spreadsheet Reference (Licensing use only) 199** |
| I have lived in Ashford for 57 years and know the area well. I strongly object to the proposed Adult Gaming Centre at 39 Church Road. | | |

Ashford already experiences some of the highest levels of crime in Surrey, and introducing a 24/7 gambling venue here would increase the risk of disorder and criminal activity, particularly late at night when the area has no infrastructure to manage such risks.
There is also a real concern for children and vulnerable people, who may be drawn towards the premises given its prominent High Street location. The proximity to bus stops, schools, and shops makes it more likely that those at risk of harm will be exposed to gambling.
I therefore object under the following licensing objectives:
• Preventing gambling from being a source of crime or disorder, or being associated with crime or disorder.
• Protecting children and vulnerable persons from being harmed or exploited by gambling.
Please refuse this application.

| **Objection 131** | **Received 27.08.2025** | **Internal Spreadsheet Reference (Licensing use only) 200** |
|---|---|---|

I previously submitted my Representation regarding the above but am advised that this did not meet the required criteria.

I wish to state that I live off the High Street in Anglesey Close. I reiterate that I am particularly concerned about the detrimental affect this sort of establishment would have on the young people of this borough. We cannot allow them to be subjected to the temptations of a Gaming Centre. Many youngsters come from impoverished backgrounds and do not need this sort of encouragement to entice them into an unhealthy situation. There are at least 4 schools in close proximity to the premises.

There is already an absence of any local police in the area and they do not have the resources to monitor this establishment. I am concerned that there would be unrest and disorder near the Gaming Centre. I do not believe that there would b e enough "Security" resources to manage the situation.

I strongly object to a Licensing Application being given approval. It would be to the detriment of a High Street which is already suffering from the current economic climate.

| **Objection 132** | **Received 27.08.2025** | **Internal Spreadsheet Reference (Licensing use only) 202** |
|---|---|---|

As a parent of two children who attend school near Ashford High Street, I will be directly affected by this application.
Children pass this location daily. A gambling venue so visibly placed in a family shopping area creates unacceptable risks of exposure and normalisation of gambling to young people.
This application also risks drawing in vulnerable adults, including those already struggling with addiction or financial hardship. A 24/7 venue increases the likelihood of harm, particularly in the late-night and early-morning hours when supervision is weakest.

| | | |
|---|---|---|
| I therefore object under the licensing objective of protecting children and other vulnerable persons from being harmed or exploited by gambling. If granted, I request hours are capped at daytime/evening only. | | |
| **Objection**<br>**133** | **Received**<br>**27.08.2025** | **Internal Spreadsheet Reference (Licensing use only)**<br>**203** |
| Dear Licensing Team,<br>As a long-standing resident of Ashford living close to the High Street, I will be directly affected by this application.<br>Ashford is a small, family-oriented High Street. A 24/7 gambling venue is unsuitable here and would worsen existing issues with anti-social behaviour. This engages the objective of preventing gambling from being a source of crime or disorder.<br>The location is also used daily by families, young people, and elderly residents, meaning this application also breaches the objective of protecting children and other vulnerable persons.<br>I therefore object to the application. If granted, I request strict conditions are imposed on operating hours (daytime/evening only) and security measures to protect the community. | | |
| | | |
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| | | |
| | | |

Start a petition




# Stop the Gambling Centre in Ashford – Protect Our Community!!

Sign petition

**2,352**

Verified signatures

Decision Makers: Spelthorne Borough Council +1

4 Supporter Voices

9 Updates

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**Spelthorne Borough Council**
**Statement of Gambling Policy**
**2025-2028**

**Statement:**

This Statement of Principles was approved by Spelthorne Borough Council on **24 October 2024** and comes into effect on **28 November 2024.** It replaces Spelthorne Borough Council previous Policy (published on 17 January 2024) and will remain in force for no more than three years, or sooner if required.

All references to the guidance refer to the Gambling Commission's Guidance to Licensing Authorities, dated 1 April 2021 and last updated 11 April 2023.

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## 1. INTRODUCTION

### 1.1 The Gambling Act 2005

### 1.1.1 General Statement of Principles

Spelthorne Borough Council ('The Council') has a duty to license a wide variety of premises, these include casinos, betting shops, bingo halls, pubs, clubs, and amusement arcades. The council is the Licensing Authority for the purpose of the Gambling Act 2005 and the relevant guidance and codes of practice.

In carrying out its licensing functions the Licensing Authority will have regard to guidance issued by the Gambling Commission, the Gambling Commissions licence conditions and codes of practice.

The Licensing Authority will not seek to use the Act to resolve matters more readily dealt with under other legislation.

To ensure the licensing objectives are met, the Licensing Authority will maintain close working relationship with the police, the Gambling Commission and, where appropriate, other responsible authorities.

Where children and other vulnerable people are allowed access premises where gambling takes place, the Licensing Authority may take whatever steps it considers necessary to either limit access generally or by introducing measures to prevent under-age gambling.

The Licensing Authority will not normally seek to limit the access of children to any premises unless it receives representations to that effect, or it believes it is right to do so for the prevention of their physical, moral, or psychological harm.

Applicants seeking premises licences are encouraged to propose prohibitions or restrictions of their own in circumstances where it is felt that the presence of children would be undesirable or inappropriate.

**The overriding principle** is that each application and the circumstances prevailing at each premise will be considered on their own individual merits.

The Licensing Authority acknowledges that when exercising licensing functions under the 2005 Act, it should have regard to this Policy. However, in rare cases, being reasonably consistent with the licensing objectives may lead it to make exceptions to policies or depart from the Guidance. The Guidance and this Policy cannot anticipate every possible scenario or set of circumstances that may arise and exceptions will be rare.

### 1.1.2 The Functions of Licensing Authorities

The Gambling Act 2005 ('the Act') places a duty on Licensing Authorities in respect of various regulatory functions in relation to gambling. The main functions of Licensing Authorities are: -

- Licensing premises for gambling activities.
- Considering notices given for the temporary use of premises for gambling.
- Granting permits for gaming and gaming machines in clubs and miners' welfare

institutes[1] (where appropriate).
- Regulating gaming and gaming machines in alcohol licensed premises.
- Granting permits to family entertainment centres for the use of certain lower stake gaming machines.
- Granting permits for prize gaming.
- Considering occasional use notices for betting at tracks
- Registering small societies' lotteries

The Gambling Commission has responsibility for dealing with personal licences and operating licences.

### 1.1.3 The Licensing Objectives

The Act regulates almost all gambling that takes place in England and Wales, with exception of exempt gambling as specified under the Act and the National Lottery which has its own legislation.

Responsibility for administering and enforcing the legislation is split between the Gambling Commission and Licensing Authorities. For the purposes of the Act Spelthorne Borough Council ('the Council') is the Licensing Authority.

The overriding objective of the Licensing Authority is to regulate gambling in the public interest. Accordingly, in exercising the functions under the Act, the Licensing Authority will have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:

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

When exercising functions for the licensing of premises for gambling, Licensing Authority will also act in accordance with section 153 of the Act which requires the Licensing Authority to permit the use of premises for gambling as far as they believe: -

a) is in accordance with any relevant code of practice under section 24.
b) is in accordance with any relevant guidance issued by the Commission under section 25.
c) is consistent with the licensing objectives (subject to paragraphs (a) and (b)).
d) is in accordance with the statement published by the authority under section 349 (subject to paragraphs (a) to (c)).

Section 153(2) of the Act states that when determining an application licensing authorities cannot consider demand for facilities to be provided at gambling premises.

## 1.2 Spelthorne Borough – Local Area Profile

Spelthorne's local area profile is an assessment of the local environment and identifies the

[1] *Definition: - also known as working men's clubs, workingmen's institutes, mine workers' institutes, or miners' welfare halls.*

key characteristics of the Borough. It is intended that the local area profile will provide the Council's staff, operators, and public with a better understanding and awareness of the gambling-related risks in the Borough. In this context, risk includes actual and potential risk and considers any future or emerging risks.

Located in Surrey, approximately 16 miles from central London, Spelthorne benefits from good transport links to both London and the southeast via both the road and rail network. In addition, the proximity of Heathrow Airport and easy access to Gatwick via the motorway network further serves to make the Borough accessible and attractive to both individuals and businesses.
Covering an area of approximately 19.75 sq. miles, Spelthorne has a population of approximately 103,000 (2021 Census) compared to 95,598 in 2011. Over that ten-year period there has been a marginal increase in the under 19's (from 22.7% to 22.9%), a decrease in the working age population from 59.8% to 58.8% and an increase in over 65's (from 17.4% up to 18%). It is home to over 7,500 businesses including BP, Pinewood (Shepperton Studios), dnata and Woodgroup Ltd. Kempton Park is a key visitor attraction.
Located where the continuous built-up area of London gives way to a more dispersed pattern of urban areas and villages. The urban area of the Borough occupies about 35% of the total area, while the land outside the urban area covers about 65% of the Borough and is designated as Green Belt. 22% of the Borough is water.
Spelthorne adjoins the River Thames with the river frontage extending for 12 miles (the longest stretch of any council) and demarcates one of the boundaries of the Borough. The Borough is also crossed by two tributaries, the Ash and the Colne. The Borough is flat and low lying and consequently liable to flooding. About 20% of the urban area is liable to flood in a 1 in 100-year flood event or surrounded by flood water and over 49% of the urban area would be flooded in a 1 in 1,000-year event.

The Local Area Profile itself is a separate document from this policy, this enables timely changes to the profile to be made as and when changes occur, or additional information is made available. This can be found here: - Spelthorne population data - Spelthorne Borough Council. A Map of Spelthorne is set out at **Annex 1.**

### 1.3 Consultation

The full list of consultees consulted in the preparation of this Statement of Policy is attached as **Annex 2.**

### 1.4 Declaration

This statement of policy has been prepared with due regard to the licensing objectives, the guidance to licensing authorities issued by the Gambling Commission, and with due weight attached to any responses received from those consulted.

### 1.5 Responsible Authorities

The Responsible Authorities, as defined by section 157 of the Act, must be notified of all gambling licence applications. Details of the Responsible Authorities are provided at **Annex 3**.

Concerns expressed by a Responsible Authority in relation to their own functions can only be considered if they are relevant to the application itself and the licensing objectives. In this regard the Council will not generally consider representations that are deemed to be irrelevant, that is: -

- there are too many gambling premises in the locality.
- the premises are likely to be a fire risk.
- the location of the premises is likely to lead to traffic congestion.
- the premises will cause crowds to congregate in one area causing noise and nuisance.

Each representation will be considered on its own merits.

### 1.5.1 Protection of children

Section 157(h) of the Act permits the Council's to designate a competent body to advise them on the protection of children from harm. In doing so the Council will ensure that the following principles are applied: -

- the need for the body to be responsible for an area covering the whole of the licensing authority's area.
- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group, etc,

Having regard to the above principles and part 6 of the Guidance, the Council designates the **Surrey County Council Children's Service** for this purpose.

### 1.6 Interested Parties

Interested parties can make representations about licence applications or apply for a review of an existing licence. The Act defines interested parties as persons who in the opinion of the Licensing Authority: -

a) live sufficiently close to the premises and are likely to be affected by the authorised activities.
b) have business interests that might be affected by the authorised activities.
c) represent persons who satisfy paragraph (a) or (b).

Whether or not a person is an interested party is a decision that will be taken by the Licensing Authority on a case-by-case basis. However, the following factors will be considered: -

- the size of the premises.
- the nature of the premises.
- the distance of the premises from the location of the person making the representation.
- the potential impact of the premises (number of customers, routes likely to be taken by those visiting the establishment).
- the nature of the complainant. This is not the personal characteristics of the complainant but the interests of the complainant which may be relevant to the distance from the premises. For example, it could be reasonable for an authority to conclude that "sufficiently close to be likely to be affected" could have a different meaning for (a) a private resident; (b) a residential school for children with truanting problems; and (c) residential hostel for vulnerable adults.

- the ‘catchment’ area of the premises (i.e. how far people travel to visit); and whether the person making the representation has business interests in that catchment area that might be affected.

This list is not exhaustive and other factors may be taken into consideration in an individual case.

The Licensing Authority considers the following bodies/associations to fall within the category of those who represent persons living close to premises, or having business interests that might be affected by the authorised activities: -

- trade associations
- trade unions
- residents’ and tenants’ associations
- ward/county councillors
- MPs

This list is not exhaustive, and the Licensing Authority may consider other bodies/associations/ persons to fall within the category in the circumstances of an individual case.

The Licensing Authority may require written evidence that the person/association/body represents an interested party.

### 1.7 Exchange of Information

The Licensing Authority regards the lawful and correct treatment of information as very important to the successful and efficient performance of the Licensing Authority’s functions, and to maintaining confidence between the people/bodies we deal with and ourselves. We ensure that our organisation treats information lawfully and correctly.

Information provided to the Licensing Authority in connection with the Gambling Act may not be held confidentially if in fulfilment of its functions the Council is under a duty to share the information, with for example: -

- the Gambling Commission
- other public bodies, or
- legitimate consultees

In handling the information it receives consideration will be given to guidance issued by the Gambling Commission, and to the Council’s duties under the General Data Protection Regulation, and the Freedom of Information Act.

Any person wishing to obtain further information about their rights under the Data Protection Act 2018, Freedom of Information Act 2000, or the General Data Protection Regulation may view the Council’s policies at www.spelthorne.gov.uk

### 1.8 Enforcement

The Act requires licensing authorities to state the principles they will apply when exercising their functions under Part 15 of the Act, with regards to inspecting premises, and its powers under section 346 of the Act to institute criminal proceedings in respect of the

offences specified. The Licensing Authority's principles are that it will be guided by the Gambling Commission's Guidance to Licensing Authorities and will endeavour to be: -

- Proportionate: regulators should only intervene when necessary, remedies should be appropriate to the risk posed, and costs identified and minimised.
- Accountable: regulators must be able to justify decisions and be subject to public scrutiny.
- Consistent: rules and standards must be joined-up and implemented fairly.
- Transparent: regulators should be open and keep regulations simple and user friendly.
- Targeted: regulation should be focused on the problem and minimise side effects.
-

In accordance with the Gambling Commission's Guidance to Licensing Authorities, The Licensing Authority will endeavour to avoid duplication with other regulatory regimes so far as is reasonably possible.

The Licensing Authority has adopted and implemented a risk-based inspection programme based on: -

- The licensing objectives.
- Relevant codes of practice.
- Guidance issued by the Gambling Commission, particular with reference to Part 36.
- The principles set out in this statement of licensing principles.

The Licensing Authority's main enforcement and compliance role in terms of the Gambling Act 2005 is to ensure compliance with the premises licences and other permissions which it authorises. In the application of its duties the Licensing Authority will have regard to the principles of "Better Regulation" as outlined by the Department for Business Innovation and Skills in the regulators code April 2014.

### 1.9 Reviews of Premises Licences

Requests for a review of a premises licence can be made by interested parties or responsible authorities (it should be noted that there is no mechanism to review any permit or notice). However, it is for the Licensing Authority, to decide whether a request will result in a review. Such a decision will be taken in consideration of, amongst other matters, the following: -

- any relevant code of practice or guidance issued by the Gambling Commission.
- the licensing objectives.
- the Licensing Authority's Statement of Policy.
- whether the request is considered frivolous, vexatious, or whether it will certainly not cause the authority to wish to alter or revoke or suspend the licence.
- whether the request is substantially the same as previous representations or requests for a review.

The Licensing Authority may also initiate a review of a premises licence. The purpose of such a review would be to determine whether it should take any action in relation to the licence. Following a review, the actions open to the Licensing Authority are: -

- add, remove, or amend a licence condition imposed by the Licensing Authority.
- exclude a default condition imposed by the Secretary of State or remove or amend such an exclusion.

- suspend the licence for any period not exceeding three months.
- revoke the licence.

In considering what action, if any, should be taken following a review the Licensing Authority must have regard to the principles set out under section 153 of the Act, as well as any relevant representations.

## 2. Premises Licences

### 2.1 Decision making – General

In accordance with Section 153 of the Act, the Council shall aim to permit the use of premises for gambling in so far as it considers it to be: -

- in accordance with relevant codes of practice issued by the Gambling Commission
- in accordance with relevant guidance issued by the Gambling Commission
- reasonably consistent with the licensing objectives and in accordance with the authority's statement of licensing policy

The Council will not have regard to demand for facilities proposed to provide, or the likelihood of the applicant obtaining planning permission or building regulations approval for the proposal.

Moral objections to gambling will not be considered by the Council as they are not a valid reason for rejecting an application for a premises licence.

Each case will be considered on its individual merits. However, to assist applicants and objectors alike, this section sets out the general factors that will be considered by the Licensing Authority when considering applications for premises licences.

This authority notes the Commission's view that it is also important, in relation to the licensing objective of protecting vulnerable persons from being harmed or exploited by gambling, that customers should be offered a balanced mix of betting and gaming machines in licensed betting premises.

Accordingly, an operating licence condition provides that gaming machines may be made available for use in licensed betting premises only at times when there are also sufficient facilities for betting available. In this respect, such facilities must include information that enables customers to access details of events on which bets can be made, make such bets, learn of the outcome, and collect any winnings.

### 2.2 Premises "ready for gambling"

The Licensing Authority should not take into consideration matters that are not related to gambling and the licensing objectives. Licensing Authorities should bear in mind that a premises licence, once it comes into effect, authorises premises to be used for gambling. Accordingly, a licence to use premises for gambling should only be issued in relation to premises that the Licensing Authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use. (Equally, licences should only be issued where they are expected to be used for the gambling activity named on the licence). This is why the Act allows a potential operator to apply for a provisional statement if construction of

the premises is not yet complete, or they need alteration, or he does not yet have a right to occupy them. Part 11 of the Guidance gives more information about provisional statements.

### 2.3 Local Risk Assessments

The location of premises may be relevant to the promotion of the licensing objectives. In particular, premises located in close proximity to the following may give rise to concern:

- Schools
- Vulnerable adult centres
- Residential areas with a high concentration of children

Much will depend upon the type of gambling that it is proposed will be offered on the premises. The Council will, where appropriate, consider the location on a case-by-case basis. If the proposed location does pose a risk to the promotion of the licensing objectives, the applicant will be invited to show how they propose to overcome such concerns. The Gambling Commission has introduced provisions in its social responsibility code within the Licence Conditions and Codes of Practice (LCCP), which require gambling operators to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and to have policies, procedures, and control measures to mitigate those risks. The introduction, during 2016, of new provisions in the social responsibility code within the LCCP encourages local authorities, the Commission, and the industry to work in partnership to address local issues and concerns.

Licensees must review (and update as necessary) their local risk assessments: -

- to take account of significant changes in local circumstances, including those identified in a Licensing Authority's statement of licensing policy.
- when there are significant changes at a licensee's premises that may affect their mitigation of local risks.
- when applying for a variation of a premises licence.
- and in any case, undertake a local risk assessment when applying for a new premises licence.

Licensees are expected to share their risk assessment with the Licensing Authority when applying for a premises licence or applying for a variation to existing licensed premises, or otherwise on request.

When compiling their risk assessments, it is expected that licensees will refer to Spelthorne's Local Area Profile.

Under the code of practice, the requirement to share risk assessments with the Council is not mandatory; however, the Council will expect licensees to do this unless there are exceptional circumstances that are accepted by the Council, and which would exempt a licensee from the requirement to share their risk assessment.

The Council will expect the local risk assessment to consider as a minimum:

- Whether the premises is in an area of deprivation
- Whether the premises is in an area subject to high levels of crime and/or disorder
- The ethnic profile of residents in the area

- The demographics of the area in relation to vulnerable groups
- The location of services for children such as schools, playgrounds, toy shops, leisure centres and other areas where children will gather

Where specific local risks are identified, the risk assessment should set out how the operator proposes to mitigate and monitor these risks. The risk assessment should also show how vulnerable people, including people with gambling dependencies, are protected.

Other matters that the assessment may include:

- The training of staff in brief intervention when customers show signs of excessive gambling, the ability of staff to offer brief intervention and how the manning of premises affects this.
- Details as to the location and coverage of working CCTV cameras, and how the system will be monitored.
- The layout of the premises so that staff have an unobstructed view of persons using the premises.
- The number of staff that will be available on the premises at any one time. If at any time that number is one, confirm the supervisory and monitoring arrangements when that person is absent from the licensed area or distracted from supervising the premises and observing those persons using the premises.
- Arrangements for monitoring and dealing with under age persons and vulnerable persons, which may include dedicated and trained personnel, leaflets, posters, self-exclusion schemes, window displays and advertisements not to entice passers-by etc.
- The provision of signage and documents relating to games rules, gambling care providers and other relevant information is provided in both English and any other prominent first language for that locality.
- Where the application is for a betting premises licence, other than in respect of a track, the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence.

Such information may be used to inform the decision the council makes about whether to grant the licence, to grant the licence with special conditions or to refuse the application.

This policy does not preclude any application being made and each application will be decided on its merits, with the onus being upon the applicant to show how the concerns can be overcome.

### 2.4 Plan

The Licensing Authority expects applications for premises licences to be accompanied by a plan of the premises to scale.

### 2.5 Multiple licences / layouts of buildings

Premises are defined in the Act as including ‘any place’, but no more than one Premises Licence can apply in relation to any one place. A single building can be subject to more than one Premises Licence, provided they are for different parts of the building and those parts can reasonably be regarded as being different premises.

The Licensing Authority takes particular note of the Gambling Commission's Guidance to Licensing Authorities which states that: Licensing Authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes.
The Licensing Authority will consider this and other relevant factors when making its decision, depending on all the circumstances of the case.

Paragraph 7 of the Gambling Commission's Guidance to Licensing Authorities contains further guidance on this issue, which the Licensing Authority will consider in its decision-making.

In accordance with the Gambling Commission guidance, an overriding consideration will be whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would, or should, be prohibited under the Act.

### 2.6 Provisional Statements

Developers may wish to apply for a provisional statement before entering into a contract to buy or lease premises or land so that they can judge whether the development is worthwhile. There is no requirement for an applicant to hold an operating licence before applying for a provisional statement. Applicants must comply with section 204 of the Act.

### 2.7 Licence Conditions and Codes of Practice

The Licensing Authority will expect all operators to have policies and procedures in place as required by the LCCP codes on social responsibility to cover all aspects of the code, in particular staff training records and self-exclusion records.
Further provisions about self-exclusion and marketing are included in the social responsibility code. The Licensing Authority will take all conditions and codes into account when considering applications or performing enforcement activities.

### 2.6 Risk Assessments: Betting Premises

Risk assessments are required from new applicants, and from existing premises licensees seeking to vary a licence. The code requires all operators of Casinos, Adult Gaming Centres, Bingo Premises, Family Entertainment Centres, Betting shops, and remote betting intermediaries to assess local risks to the licensing objectives, and to have policies, procedures, and control measures in place to mitigate those risks.

Operators are required by the Social Responsibility code to make the risk assessment available to the Licensing Authority when an application is submitted either for new premises licence or variation of a premises licence, or otherwise on request, and this will form part of the Licensing Authority's inspection regime and may be requested when officers are investigating complaints.

While applications will be considered on a case-by-case basis, the matters to be considered by operators when making their risk assessment could include: -

- Information held by the licensee regarding self-exclusions and incidences of underage gambling.
- Arrangement for localised exchange of information regarding self-exclusions and gaming trends.
- Urban setting such as proximity to schools, commercial environment, factors affecting footfall.
- Range of facilities in proximity to the licensed premises such as other gambling outlets, banks, post offices, refreshment, and entertainment type facilities.
- Known problems in the area such as problems arising from street drinkers, youths participating in anti-social behaviour, drug dealing activities, etc.
- Matters relating to children and young persons, including: -
  - Institutions, places, or areas where presence of children and young persons should be expected such as schools, youth clubs, parks, playgrounds, and entertainment venues such as bowling allies, cinemas etc.
  - Any premises where children congregate including bus stops, café's, shops, and any other place where children are attracted,
  - Areas that are prone to issues of youths participating in anti-social behaviour (including such activities as graffiti/tagging, underage drinking, etc.) and therefore more likely to have a higher number of youths loitering in close proximity.
  - Recorded incidents of attempted underage gambling.
- Matters relating to vulnerable adults, including: -
  - Information held by the licensee regarding self-exclusions and incidences of underage gambling.
  - Gaming trends that may mirror days for financial payments, such as pay days or benefit payments.
  - Arrangement for localised exchange of information regarding self-exclusions and gaming trends.
  - Proximity of premises which may be frequented by vulnerable people such as those in hospitals, residential care homes, medical facilities, doctor's surgeries, council housing offices, addiction clinics or help centres, places where alcohol or drug dependant people may congregate.

This list is not intended to be exhaustive, and operators should include in their assessment any matter that they deem relevant. The Licensing Authority does expect any assessment to include information on the provisions of information on gambling responsibly, as well as self-exclusion measures – and how readily available both are on a premises.

### 2.9 Conditions

Conditions may be imposed upon a premises licence in several ways. These are: -

(a) **Mandatory** – set by the Secretary of State (some set out on the face of the Act) and some to be prescribed in regulations, for all, or classes of licence.
(b) **Default** – to be prescribed in regulations made by the Secretary of State, to be attached to all or classes of licences unless excluded by the Licensing Authority.
(c) **Specific** – conditions that can be attached to an individual licence by the Licensing Authority.

Conditions imposed by the Licensing Authority will be proportionate to the circumstances that they are seeking to address. In particular, the Licensing Authority will ensure that premises licence conditions:

- are relevant to the need to make the proposed building suitable as a gambling facility.
- are directly related to the premises and the type of licence applied for.
- are fairly and reasonably related to the scale and type of premises.
- are reasonable in all other respects.

The Licensing Authority will not apply conditions upon a premises licence in relation to the following matters: -

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

Conditions that are additional to the mandatory and default conditions will only be imposed where there is evidence of a risk to the licensing objectives.

### 2.10 Door Supervisors

If the Licensing Authority do consider it necessary to impose a condition on a premises licence requiring the presence of door supervisors, such persons will be required to hold the appropriate licence from the Security Industry Authority (SIA).

This requirement does not apply to door supervisors at licensed casino or bingo premises, who are exempt from the licensing requirements of the Private Security Industry Act 2001.

The Licensing Authority will only impose a condition requiring door supervisors where such a condition is considered necessary and proportionate to be compatible with the licensing objectives.

### 2.11 Adult gaming centres

Adult gaming centre premises provide higher pay-out gaming machines. Persons operating this type of gaming centre must obtain an operating licence from the Commission and a premises licence from the Licensing Authority. This will allow the operator to make category B (B3 and B4), C & D machines available to their customers. No one under the age of 18 is permitted to enter an adult gaming centre.

“Gaming machines” means “a machine which is designed or adapted for use by individuals to gamble (whether or not it can also be used for other purposes).”

When considering licence applications for adult gaming centres, weight will be given to the need to protect children and vulnerable persons from harm or being exploited by gambling. The Licensing Authority will therefore expect applicants to demonstrate that there will be sufficient measures in place about this objective.

Applicants are encouraged to consider the following steps: -

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Location of and entry to premises (to minimise the opportunities for children to gain access)
- Notices / signage
- Training for staff on challenging persons suspected of being underage.
- Specific opening hours
- Self-barring schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.
- Betwatch schemes

This list is not exhaustive and is merely indicative of example measures.

### 2.12 Licensed family entertainment centres

Operators of licensed family entertainment centres will require an operating licence from the Gambling Commission, and a premises licence from the Licensing Authority. This will allow the operator to make category C & D machines available to their customers.

Children and young persons will be able to enter licensed family entertainment centres and play on category D machines but will not be permitted to play on category C machines. As family entertainment centres will particularly appeal to children and young persons, weight shall be given to child protection issues. Where category C machines are available in licensed family entertainment centres the Licensing Authority will normally require that: -

- All such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance.
- Only adults are admitted to the area where the machines are located.
- Access to the area where the machines are located is supervised.
- The area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder.
- At the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited for persons under 18.

Applicants are therefore encouraged to consider the steps set out in this policy in order to prevent children and young persons from gaining access to category C machines. In addition, applicants are encouraged to consider the following: -

- Physical separation of areas.
- Measures / training for staff on how to deal with suspected truant school children on the premises.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

## 2.13 Tracks

Tracks are sites (including racecourses and dog tracks) where a race or other sporting events take place. Operators of tracks will require a premises licence from the Licensing Authority, but they do not need to obtain an operating licence from the Gambling Commission (although they may have one).
Tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track.

It will be a mandatory condition of all track licences that children and young persons are excluded from any areas where facilities for betting are provided, and any area where a gaming machine, other than a category D machine, is situated. Special dispensation from this rule is provided for dog tracks and horse racecourses, on days when racing takes place, in relation to the areas used for betting. On these days families will be entitled to attend the track or racecourse, and children enter the areas where facilities for betting are provided. This race day dispensation does not apply to the areas where gaming machines of category B & C are provided, and the Licensing Authority will therefore wish to ensure that suitable measures are in place to prevent children from entering such areas.

Applicants should consider the steps set out in this policy to prevent the access of children and young people to machines of category B & C. In addition, applicants should consider the following: -

- Physical separation of areas.
- Measures / training for staff on how to deal with suspected truant school children on the premises.

**Gaming machines at Tracks**
Holders of betting premises licences in respect of tracks who also hold a pool betting operating licence may make available up to four gaming machines (categories B2 to D) on the track.
The Licensing Authority will therefore expect the applicant to demonstrate that suitable measures are in place to ensure that children are prevented from entering areas where machines (other than category D machines) are made available.

**Condition on rules being displayed at Tracks**
The Licensing Authority will attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race card or made available in leaflet form from the track office.

**Applications and plans for Tracks**
The Licensing Authority will require the following information from applicants for premises licences in respect of tracks: -

- detailed plans for the racetrack itself and the area that will be used for temporary "on-course" betting facilities (often known as the "betting ring").
- in the case of dog tracks and horse racecourses, details of the fixed and mobile pool betting facilities operated by the Tote or track operator, as well as any other proposed gambling facilities.

Plans will need to make it clear what is being sought for authorisation under the track betting premises licence and what, if any, other areas are to be subject to a separate application for a different type of premises licence.

### 2.14 Travelling Fairs

It will fall to the Licensing Authority to decide whether, where category D machines and/or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

The Licensing Authority will also consider whether the applicant falls within the statutory definition of a travelling fair. It has been noted that the 27-day statutory maximum for the land being used as a fair is per calendar year, and that it applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land.

### 2.15 Casinos

**No Casinos resolution** - The Licensing Authority has not issued a 'no casino' resolution under Section 166 of the Gambling Act 2005 but is aware that it has the power to do so. Should the Licensing Authority decide in the future to pass such a resolution, it will update this policy statement with details of that resolution.

### 2.16 Betting Premises

This paragraph deals with off-course betting, that is betting that takes place other than at a track (commonly known as a licensed betting office). Operators of betting premises will require an operating licence from the Gambling Commission and a premises licence from the Licensing Authority.

The holder of a betting premises licence may make available for use up to four gaming machines of category B (B2, B3 or B4), C or D.

The Licensing Authority may, in accordance with section 181 of the Act, restrict the number of betting machines, their nature, and the circumstances in which those machines are made available for use. When considering whether to impose such a condition, the Licensing Authority will consider the following: -

- the size of the premises.
- the number of counter positions available for person-to-person transactions.
- the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people.

The Licensing Authority will therefore expect applicants to have fully considered these issues in their application and risk assessments and may ask for alterations to plans where it is not satisfied that adequate supervision of the machines can be ensured. The Licensing Authority will only restrict the number of betting machines where there is evidence that breaches of the licensing objectives have occurred or are likely to occur.

## 2.17 Bingo

Operators of premises offering bingo (cash or prize) will require a bingo operating licence from the Gambling Commission, and a Premises Licence from the Licensing Authority. The holder of a bingo premises licence may, in addition to bingo in all its forms, make available for use up to four category B gaming machines (B3 & B4) and any number of category C & D machines.

It is important that if children are allowed to enter premises licensed for bingo that they do not participate in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted the Licensing Authority will normally require that:

- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance.
- only adults are admitted to the area where the machines are located.
- access to the area where the machines are located is supervised.
- the area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder.
- at the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

## 2.18 Temporary Use Notices

Temporary use notices allow the use of premises for gambling where there is no premises licence but where a person or company holding a relevant operator's licence wishes to use the premises temporarily for providing facilities for gambling.

If objections are received to a temporary use notice (from the Police, Gambling Commission, HM Revenues & Custom or any other Licensing Authority in whose area the premises are situated, the Council will hold a hearing to consider the representation (unless all the participants agree that a hearing is unnecessary).

If the Council, after a hearing has taken place or been dispensed with, considers that the temporary use notice should not have effect, it will issue a counter-notice which may: -

- prevent the temporary use notice from taking effect.
- limit the activities that are permitted.
- limit the time period of the gambling.
- allow the activities to take place subject to a specified condition.

The Council will apply the principles set out in this Statement of Policy to any consideration as to whether to issue a counter-notice.

## 2.19 Occasional Use Notices (OUNs)

Occasional Use Notices allow licensed bookmakers to provide betting facilities at genuine sporting events for a short period of time, without needing a full betting premises licence. The event must be temporary or infrequent. For example, at point-to point racecourses or major golf tournaments.

## 3 Permits

### 3.1 Unlicensed Family Entertainment Centre gaming machine permits

Paragraph 3.1 constitutes a Statement of Principles in accordance with paragraph 7 of Schedule 10 of the Act. Unlicensed family entertainment centres (UFECs) require a permit from the local Licensing Authority. Permits have effect for 10-years unless they are surrendered or lapse.

Unlicensed family entertainment centres will be able to offer category D machines if granted a permit by the Licensing Authority. If an operator of a family entertainment centre wishes to make category C machines available in addition to category D machines, they will need to apply for an operating licence (thereby becoming a licensed family entertainment centre) from the Gambling Commission and a premises licence from the Licensing Authority.

The Council can grant or refuse an application for a permit but cannot attach conditions. The Council will expect the applicant to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations.

The Council will also expect applicants to include/demonstrate: -

- what staff should do if they suspect that truant children are on the premises.
- how staff should deal with unsupervised young children on the premises.
- how staff should deal with children causing perceived problems on or around the premises.
- a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed family entertainment centres;
- that the applicant has no relevant convictions (those that are set out in Schedule 7 to the Act);
- that staff are trained to have a full understanding of the maximum stakes and prizes.

### 3.2 (Alcohol) Licensed premises gaming machine permits

Premises licensed to sell alcohol for consumption on the premises, can automatically have two gaming machines, of categories C and/or D. The holder of the premises licence under the Licensing Act 2003, authorising the sale of alcohol will simply need to notify the Licensing Authority, and pay the prescribed fee.

The Licensing Authority may remove the automatic authorisation of any particular premises if: -

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives.
- gaming has taken place on the premises that breaches a condition of section 282 of the Act.
- the premises are mainly used for gaming.
- an offence under the Act has been committed on the premises.

If a premises wishes to have more than two machines, then the holder of the premises licence will need to apply for a permit. The Licensing Authority shall consider that application having regard to the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Act, and any other matters that are considered relevant.

The Licensing Authority shall determine what constitutes a relevant consideration on a case-by-case basis, but weight shall be given to the third licensing objective i.e. protecting children and vulnerable persons from being harmed or being exploited by gambling. To this end, the Licensing Authority will expect applicants to demonstrate: -

- That there will be sufficient measures in place to ensure that under 18-year-olds do not have access to the adult only gaming machines.
- Measures may include the adult machines being in sight of the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18.
- Notices and signage.

With respect to the protection of vulnerable persons, the Licensing Authority will expect applicants to provide information leaflets / helpline numbers for organisations such as GamCare.

It is recognised that some alcohol-licensed premises may apply for a premises licence for their non-alcohol licensed areas. An application for an Adult Gaming Centre premises licence would be necessary in these circumstances. The Licensing Authority may decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. The Licensing Authority will not attach any other conditions in granting such an application.

The holder of such a permit will be required to comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machines.

### 3.3 Prize gaming permits

Applicants for prize gaming permits should set out the types of gaming that he or she is intending to offer. The applicant will be required to demonstrate:

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

In making its decision on an application for this type of permit the Licensing Authority does not need to have regard to the licensing objectives but will have regard to any Gambling Commission guidance. Weight will be given to child protection issues. Relevant considerations are likely to include the suitability of the applicant (i.e. if the applicant has any convictions which would make them unsuitable to operate prize gaming) and the suitability of the premises. Applicants for prize gaming permits must disclose any previous relevant convictions to the Licensing Authority.

The Licensing Authority may grant or refuse an application for a permit but will not attach any conditions. However, there are four conditions in the Act that permit holders must comply with. These are: -

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

### 3.4 Club gaming and club machine permits

Members clubs (but not commercial clubs) may apply for a club gaming permit. The club gaming permit will enable the premises to provide gaming machines (three machines of categories B4, C or D), equal chance gaming and games of chance.

If a club does not wish to have the full range of facilities permitted by a club gaming permit or if they are a commercial club not permitted to provide non-machine gaming (other than exempt gaming under section 269 of the Act), they may apply for a club machine permit, which will enable the premises to provide gaming machines (three machines of categories B3A, B4, C or D).

Members' clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally.

The Licensing Authority will only refuse such an application on one or more of the following grounds: -

- the applicant does not fulfil the requirements for a members' or commercial club or and therefore is not entitled to receive the type of permit for which it has applied.
- the applicant's premises are used wholly or mainly by children and/or young persons.
- an offence under the Act or a breach of a condition of a permit has been committed by the applicant while providing gaming facilities.
- a permit held by the applicant has been cancelled in the previous ten years.
- an objection has been lodged by the Gambling Commission or the Police.

There is a 'fast-track' procedure available for clubs which hold a club premises certificate under the Licensing Act 2003. Under the fast-track procedure there is no opportunity for objections to be made by the Gambling Commission or the Police, and the grounds upon which an authority can refuse a permit are reduced.

The grounds on which an application under the fast-track procedure may be refused are;

- that the club is established primarily for gaming, other than gaming prescribed under schedule 12.
- that in addition to the prescribed gaming, the applicant provides facilities for other gaming.

- that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

The Licensing Authority may grant or refuse an application for a club gaming or club machine permit, but will not attach any conditions. However, there are several conditions in the Act that the holder must comply with.

### 3.5 Cancellation of Permits Gaming /Machine Permits

The authority may cancel a permit in specified circumstances, which includes if the premises are used wholly or mainly by children or young persons, or if an offence under the Act has been committed. Before it cancels a permit an authority must notify the holder giving 21-days' notice of intention to cancel, it must consider any representations made by the holder, hold a hearing if requested, and comply with any other prescribed requirements relating to the procedure to be followed.

## 4. Small Local Society Lotteries

### 4.1 Small Society Lottery Registrations

A Small Society Lottery is a lottery that is promoted on behalf of a non-commercial society (such as a charity or similar non-profit making organisation) to raise funds for any of the purposes for which the society or organisation is set up.

Small Society Lotteries do not require a licence but must be registered with the Licensing Authority in the area where the society's principle premises is situated. An application to register a Small Society Lottery should be on the relevant application form, available from the website given below, and accompanied by any necessary documents and the appropriate fee. The maximum prize per ticket in either money or monies worth is £25,000.

In determining whether to grant or renew a small society lottery registration, the Licensing Authority will have regard to the Guidance to Local Authorities issued by the Commission. Societies may wish to refer to the relevant section of the Licensing Authority's website www.spelthorne.gov.uk for full details on how to register and maintain small society lottery registrations. It also details the steps that promoters have to take to comply with the legislation.

The Licensing Authority expects all registered small society lottery operators to maintain written records of any unsold and returned tickets for a period of one year from the date of the lottery draw.

## 5. Exempt Gambling

The Licensing Authority has no control over Gambling in these circumstances, provided the specific requirements are complied **with** and any limits on stakes and prizes are observed.

### 5.1 Non-commercial gaming

There are two types of non-commercial gaming allowed: non-commercial prize gaming and non-commercial equal chance gaming. Neither of these require any authorisation provided the maximum stakes and prizes are not exceeded. In each case the gaming can be

incidental to another activity, or the activity itself. It must be non-commercial which means there must be no private profit or gain. However, the proceeds of such events may benefit an organisation, group or one or more individuals if the activity is organised: -

- by, or on behalf of, a charity or for charitable purposes.
- to enable participation in, or support of, sporting, athletic or cultural activities.

**5.2 Non-commercial prize gaming**

In this case, the prize should be determined in advance and not be dependent on the number of players or monies staked. The players should be told what the monies are being raised for, and it cannot take place in premises that have a Gambling Act premises licence (except a track).

This can include casino nights and race nights.

**5.3 Non-commercial equal chance gaming**

In this case, the stakes per player cannot exceed £8. In addition, the aggregate value of prizes in all games played at a single event cannot exceed £600 (but if the event is the final one of a series in which all the players have previously taken part, a higher prize fund of up to £900 is allowed). The players should be told what the monies are being raised for, and it cannot take place in premises that have a Gambling Act premises licence (except a track). This can include casino nights and race nights.

**5.4 Private Gaming**

This covers situations where the public are not admitted to the gaming. This includes residential and domestic premises and workplaces.
This can include casino nights and race nights.

**5.5 Domestic gaming**

Non-equal chance gaming can be played in private dwellings on domestic occasions provided no participation charge is made.

**5.6 Residential gaming**

Non-equal chance gaming can be played in hostels or halls of residence provided at least 50% of the participants are residents.

**5.7 Non-commercial and private betting**

This is betting in domestic premises or workplaces. In domestic premises the participants must habitually reside there, and for workers betting the participants must be employed by the same employer.

**5.8 Incidental non-commercial lottery**

These can take place as an incidental activity at another non-commercial event, e.g. a raffle at a dinner or a tombola at a garden party. No registration or permission is required provided the following requirements are met.

- Tickets can only be sold on the premises where the event takes place to people present and while the event is taking place.
- The draw must take place at the event and the results must be announced while the event is taking place.
- No rollovers are allowed.
- The maximum deduction allowed for prizes from the proceeds is £500.

- The maximum deduction allowed for organising costs from the proceeds is £100.

### 5.9 Exempt gambling in pubs

Various types of gambling can take place in premises that are licensed under the Licensing Act 2003 to sell alcohol for consumption on the premises and which have a bar at which alcohol is served to customers, but this does not apply where the sale of alcohol can only take place as being ancillary to the sale of food.

### 5.10 Equal chance gaming in pubs

Equal chance gaming up to specified limits on stakes and prizes can take place, and this includes games such as backgammon, mah-jong, rummy, kalooki, dominoes, cribbage, bingo, and poker. The following requirements must be met:

- The maximum stakes and prizes for each type of game must not be exceeded (£5 maximum stake for any game of chance except poker, dominoes and cribbage. For poker the maximum stake is £5, a daily maximum of £100 in aggregate stakes cannot be exceeded and the maximum prize limit is £100. There are no limits on stakes and prizes for dominoes or cribbage).
- The gaming must be supervised by a nominated gaming supervisor and comply with Gambling Commission codes of practice.
- No participation fees can be charged and no levy taken from stakes or prizes.
- The games cannot be linked to any other games in other premises.
- Nobody under 18 years old can take part.

### 5.11 Bingo in pubs

Low-turnover bingo where the aggregate of stakes and prizes in a seven-day period does not exceed £2000 can take place.

### 5.12 Exempt gambling in Clubs

There are two types of club for the purposes of the Act: members' clubs (including miners' welfare institutes- sometimes known as workingmen's institutes/working men's club) and commercial clubs. The club must be established for purposes other than gaming, but there is an exception for bridge or whist clubs. The exempt gaming that can take place differs according to the type of club. If a club has a club gaming permit, additional games and higher stakes and participation fees apply (see paragraph 3.4 above)

### 5.13 Equal chance gaming in clubs

Equal chance gaming with no specified limits on stakes and prizes (except for poker) can take place. The following requirements must be met: -

- Only club members (who have been members for at least 48 hours) or a bona fide guest of a member can participate.
- Except for poker, there is no maximum stake or prize.
- For poker there is a £10 maximum stake, a daily maximum of £250 in aggregate stakes and a seven-day maximum of £1000 in aggregate stakes cannot be exceeded, and the maximum prize limit is £250.
- The gaming must be supervised by a nominated gaming supervisor and comply with Gambling Commission codes of practice.
- A maximum participation fee of £1 can be charged but no levy taken from stakes or prizes (however if the games are bridge or whist, on a day when no other gaming is permitted, participation fees of up to £18 per person can be

charged).

- The games cannot be linked to any other games in other premises.
- Nobody under 18 years old can take part.

**5.14 Bingo in clubs**

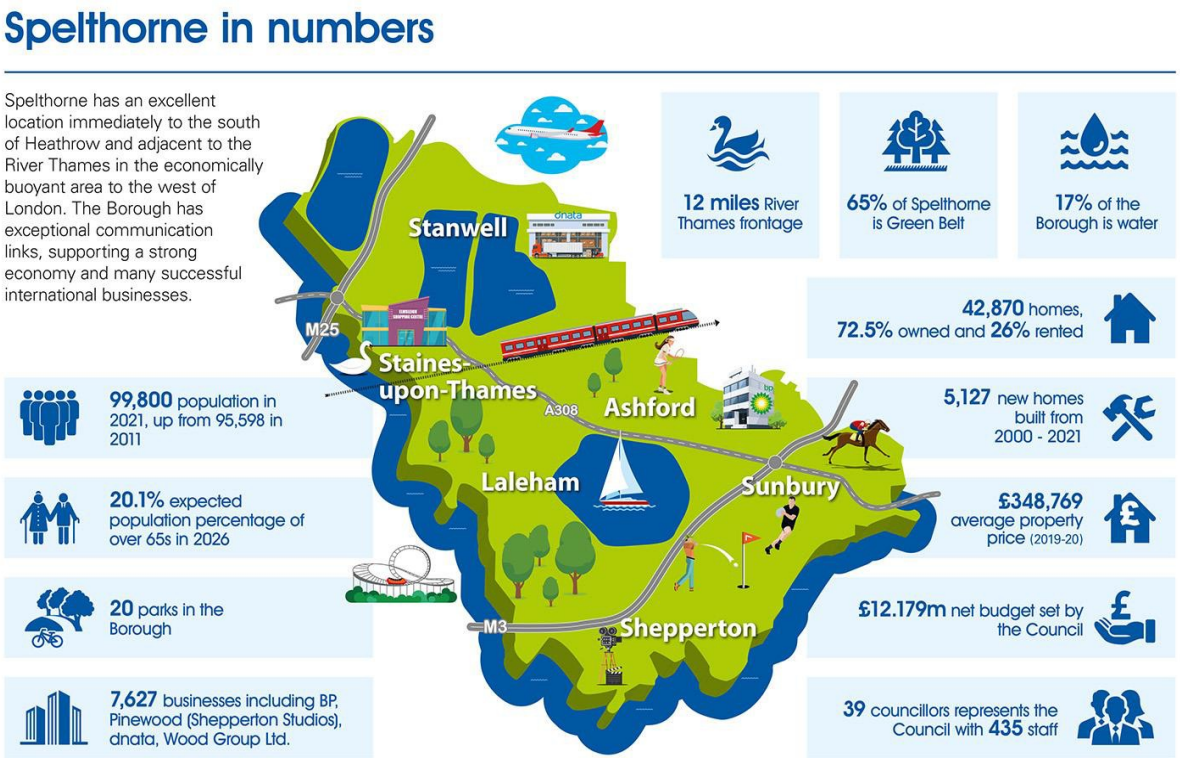
Low-turnover bingo where the aggregate of stakes and prizes in a 7-day period does not exceed £2000 can take place in all types of club.

**5.14 Bridge and Whist clubs**

Unlimited stakes bridge or whist can be played. In addition participation fees (up to £18) can be charged.

## APPENDICES

### Annex 1 – Local area profile



**Annex 2 - List of Consultees**

| **Persons or bodies representing the interests of those carrying on a gambling business in the borough:** | **Persons or bodies representing the interests of those who are likely to be affected by the exercise of the authority's functions:** | **Current holders of licenses, permits etc. in Spelthorne:** |
|---|---|---|
| Association of British Bookmakers<br>mail@abb.uk.com | All Elected (Ward) Councillors, Spelthorne Borough Council | Representatives of Premises Licence holders with section 34 gaming permits (including Breweries that hold Premises Licences for premises that sell alcohol) |
| Association of Licensed Multiple Retailers<br>info@almr.org.uk | All "Responsible Authorities" as defined under the Gambling Act, see Annex 3. | Representatives of Qualifying Clubs with Club Premises Certificates |
| British Amusement Catering Trade Association<br>info@bacta.org.uk | All departments within Spelthorne Borough Council | |
| British Amusement Catering Trade Association<br>info@bacta.org.uk | Citizen Advice Bureau Sunbury Library<br>admin@randscab.org.uk | Neighbouring London, County and District Councils:<br>• London Boroughs of: Hounslow, Hillingdon & Richmond; (licensing@hounslow.gov.uk) (licensing@hillingdon.gov.uk) (licensing@richmond.gov.uk)<br>• Elmbridge Borough Council (licensing@elmbridge.gov.uk)<br>• Royal Borough Of Windsor & Maidenhead (licensing@rbwm.gov.uk<br>• Runnymede Borough Council (licensing@runnymede.gov.uk)<br>• Woking Borough Council |

| | | |
|---|---|---|
| | | (licensing@woking.gov.uk) |
| British Beer & Pub Association<br>contact@beerandpub.com | The Lotteries Council<br>frank@lotteriescouncil.org.uk | |
| British Institute of Innkeeping BII and BIIAB<br>Customersupport@biiab.co.uk | Society for the Study of Gambling<br>support@gamblingtherapy.org | |
| British Horseracing Authority<br>info@britishhorseracing.com | Gamblers Anonymous<br>sr.pro@gamblersanonymous.org.uk | |
| Federation of Licensed Victuallers<br>admin@flva.co.uk | Gamcare<br>info@gamcare.org.uk | |
| Ladbrokes Betting and Gaming Ltd<br>richard.royal@ladbrokes.co.uk | The Samaritans admin@samaritans.org | |
| William Hill Plc jnorris@williamhill.co.uk | Responsibility in Gambling Trust<br>support@gamblingtherapy.org | |
| Gala Coral group help@coral.co.uk | Catalyst Alcohol & Drug Advisory Service<br>info@catalystsupport.org.uk | |
| The Bingo Association info@bingo-association.co.uk | Surrey Chamber of Commerce<br>louise.punter@surrey-chambers.co.uk | |
| Working Men's Club & Institute Union<br>info@wmciu.org | Surrey Trading Standards<br>business.advice@surreycc.gov.uk | |
| Racecourse Association Ltd<br>info@racecourseassociation.co.uk | Surrey Youth Offending Team<br>Head of Service:<br>jamie.cottington@surreycc.gov.uk | |
| | The Salvation Army<br>info@salvationarmy.org.uk | |

Note: This list is not intended to be exhaustive. Comments and Observations Were welcomed from anyone interested in this policy. Should you have any comments about this policy statement please send them via e-mail or letter using the details in Annex 3.

**Annex 3 - Schedule of Responsible Authorities**

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

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**Spelthorne Licensing Department**
Spelthorne Borough Council
Council Offices
Knowle Green
Staines
TW18 1XB
licensing@spelthorne.gov.uk

**The Gambling Commission**
Victoria Square House
Victoria Square
Birmingham
B2 4BP
licensing@gamblingcommission.gov.uk

**Licensing Northern Surrey Police**
Spelthorne Neighbourhood Team
PO Box 101
Guildford
GU1 9PE
licensingnorthern@surrey.police.uk

**Surrey Fire & Rescue Service**
Headquarters
Croydon Road
Reigate
Surrey
RH2 0EJ
sfrs.firesafety@surreycc.gov.uk

Head of Planning
**Spelthorne Planning Department**
Spelthorne Borough Council
Council Offices
Knowle Green
Staines
TW18 1XB
Planning.DevelopmentControl@spelthorne.gov.uk

**Surrey County Council's Children's Services**
Quadrant Court
35 Guildford Road

Woking
GU22 7QQ
childemployment@surreycc.gov.uk

**HM Revenue & Customs**
National Registration Unit
Portcullis House
21 India Street
Glasgow
Scotland
G2 4PZ
nrubetting&gaming@hmrc.gsi.gov.uk

**Surrey Trading Standards**
Consort House
5-7 Queensway
Redhill
RH1 1YB
trading.standards@surreycc.gov.uk

**Spelthorne Environmental Health Department**
Spelthorne Borough Council
Council Offices Knowle
Green Staines
TW18 1XB
Environmental.Health.Commercial@spelthorne.gov.uk

**Head of Planning**
Spelthorne Borough Council
Council Offices
Knowle Green
Staines-upon-Thames
TW18 1XB
planning.development.control@spelthorne.gov.uk

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# Guidance to licensing authorities

The Gambling Commission's guidance for licensing authorities.

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This Guidance for Licensing Authorities has been affected by legislative changes that came into effect on 22 July 2025 concerning the entitlements for casino premises licences as set out in The Casinos (Gaming Machines and Mandatory Conditions) Regulations 2025) (opens in new tab). More information can be found in the Non-Remote Casino Sector - legislative changes guidance. The affected sections of the GLA will be reviewed and amended in due course. We have flagged the most affected sections of the GLA to highlight where the changes have particular impact.

# Legislative changes and Changes to the Guidance to Licensing Authorities (GLA) - 1 April 2021

1. **Added** Part 1 - General guidance on the role and responsibilities of licensing authorities in gambling regulation - Primary legislation - 1.14 & 1.19

   **Added** Part 16: Gaming machines - The meaning of 'available for use' - 16.17, 16.18, 16.19, 16.20, 16.21, 16.22, 16.23, 16.24, 16.25 and 16.26

   **Added** Part 17: Casinos - Controlling where gaming machines may be played – casino - 17.58

   **Added** Part 18: Bingo - Gaming machines - 18.8

   **Added** Part 19: Betting premises - Gaming machines - 19.5

   **Added** Part 21: Adult gaming centres - Self-exclusion - 21.4

   **Added** Part 34: Small society lotteries - Application and registration process for small society lotteries - 24.29

   **Added** Appendix I: Glossary of terms – OPSS

   **Amended** Part 1: General guidance on the role and responsibilities of licensing authorities in gambling regulation: Co-ordination and contact – 1.10

   **Amended** Part 1: General guidance on the role and responsibilities of licensing authorities in gambling regulation: Primary legislation – 1.18

   **Amended** Part 2: The licensing framework – Introduction - 2.3

   **Amended** Part 3: The Gambling Commission - Main functions of the Commission - 3.5

   **Amended** Part 3: The Gambling Commission - Relationship between the Commission and licensing authorities - 3.9 and 3.10

   **Amended** Part 6: Licensing authority policy statement - Local risk assessments - 6.44

   **Amended** Part 6: Licensing authority policy statement - Consultation process - 6.58

   **Amended** Part 7: Premises licences - Applications - 7.41

   **Amended** Part 8: Responsible authorities and interested parties definitions - Responsible authorities - 8.8

   **Amended** Part 9: Premises licence conditions - S.179 – Pool betting - 9.16

**Amended** Part 15: Occasional use notices - Introduction - 15.1

**Amended** Part 15: Occasional use notices - Use (and misuse) of OUNs 15.4

**Amended** Part 18: Bingo - Gaming machines - 18.8

**Amended** Part 20: Tracks - Definition of a track - 20.5

**Amended** Part 20: Tracks - Betting on tracks - 20.16, 20.18, 20.19 and 20.20

**Amended** Part 20: Tracks - Applications - 20.55

**Amended** Part 20: Tracks - Pool betting - 20.64

**Amended** Part 21: Adult gaming centres - Gaming machine - 21.5

**Amended** Part 24: Unlicensed family entertainment centres - Introduction - 24.2

**Amended** Part 25: Clubs - Permits - 25.54

**Amended** Part 29: Poker - Advertising - 29.52

**Amended** Part 34: Small society lotteries - Application and registration process for small society lotteries - 34.40 and 34.41

**Amended** Part 36: Compliance and enforcement matters - Powers of entry in Scotland - 36.18, 39.19 and 36.20

**Amended** Part 36: Compliance and enforcement matters - Illegal gambling - 36.25

**Amended** Part 36: Compliance and enforcement matters - Test purchasing and age verification - 36.32

**Amended** Appendix I: Glossary of terms - DCMS changed to Department for Digital Culture Media and Sport

**Removed** Part 1: General guidance on the role and responsibilities of licensing authorities in gambling regulation - Co-ordination and contact - 1.11 and 1.12

**Removed** Part 13: Information exchange - Information the Commission makes available to licensing authorities - 13.18

**Removed** Part 16: Gaming machines - The meaning of ‘available for use’ - 16.17, 16.18, 16.19, 16.20, 16.21 and 16.22

**Removed** Part 29: Poker - Advertising - 29.53 and 29.54

**Removed** Part 36: Compliance and enforcement matters - Illegal gambling - 36.22

**Removed** Appendix I: Glossary of terms - BRDO

# Part 1: General guidance on the role and responsibilities of licensing authorities in gambling regulation

# 1 Introduction

**1.1.** When the Gambling Act 2005 (opens in new tab) (the Act) came into force in late 2007, it brought in a new, comprehensive system for gambling regulation in Great Britain. For the first time, the vast majority of commercial gambling was brought together into a single regulatory framework. The Act established a dedicated regulator, at a national level, in the form of the Gambling Commission. But it also recognised the potential local impact and importance of gambling. So it created many local regulators, whose job it is to manage gambling locally, in line with local circumstances. Those regulators are the licensing authorities of England, Wales and Scotland. In doing so, the Act established a strong element of local decision-making and accountability in gambling regulation.

**1.2.** The Act gives local regulators discretion to manage local gambling provision, including discretion as to the level of fees set to cover the cost of administering the local system of regulation within limits set by The Department for Digital Culture Media and Sport (DCMS) in England and Wales[1]. It sets out some boundaries to that discretion, consistent with the recognition of gambling as a mainstream leisure activity.

**1.3.** The Act also provides scope for the Commission to act to set an overall direction at national level, while leaving licensing authorities in the lead locally, with appropriate support from the Commission. This Guidance, to which licensing authorities must have regard, is an important part of those arrangements.

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[1] The fees levels in Scotland are set by the Scottish Government.

# 2 Partnership working between the Commission and licensing authorities – shared regulation

**1.4.** The Commission works in partnership with licensing authorities to regulate gambling. In doing so, the Commission will tend to focus on operators and issues of national or regional significance, and licensing authorities will take the lead on regulating gambling locally. The Commission and licensing authorities may work directly together on particular issues, for example where it may establish a precedent or help build capacity and learning to be rolled out more widely.

**1.5.** The Commission draws on, and shares, the intelligence and insights of its regulatory partners, in particular licensing authorities, who may well be better positioned to identify emerging risks to the licensing

objectives or instances of illegality which can start at a local level. By working closely together we are able to prevent such risks growing into a more widespread problem and to ensure that both the Commission and licensing authority resources are used efficiently.

**1.6.** In the Commission's view, the statutory duty to aim to permit gambling, subject to reasonable consistency with the licensing objectives, is best delivered through partnership working between industry and regulator, including licensing authorities. Licensing authorities should aim to work with local businesses to reduce the risk to the licensing objectives to acceptable levels. The Act does not envisage regulation by either the Commission or licensing authorities being aimed at preventing legitimate gambling.

**1.7.** Further, the Commission was not established, and is not resourced, to lead on local gambling regulation. Licensing authorities have the power to collect fees, subject to statutory maxima, to cover the costs of local gambling regulation. In addition, local regulation is more cost effective and licensing authorities are better placed to understand and manage local issues. So, while the Commission aims to adopt a position of support and assistance for licensing authorities in carrying out their functions, which is in the context of licensing authorities taking the lead on local regulation of gambling.

**1.8.** This is reflected in the Commission's approach to representations on premises licence applications. Neither licensing authorities nor operators should take the absence of a specific representation on particular application as indicating the Commission's approval of that application. However, exceptionally, where an application for a premises licence, or the operation of a current premises licence, raises matters of wider or national significance, the Commission will consider making representations or requesting a licence review. The Commission may also comment on an application if it has particular observations about an operator. The Commission will aim to work with the relevant licensing authority in formulating any representation it wishes to make.

**1.9.** In many instances, effective outcomes will depend on close co-operation and communication between the Commission and licensing authorities. Ultimately, however, the responsibility for every licensing decision rests with the licensing authority itself, in line with the principle of local accountability.

# 3 Co-ordination and contact

**1.10.** The Commission works with national bodies such as the Local Government Association (LGA) (opens in new tab), The Institute of Licensing (IoL) (opens in new tab), The Convention of Scottish Local Authorities (COSLA) (opens in new tab), the Society of Local Authority Lawyers and Administrators in Scotland (SOLAR) (opens in new tab), The Welsh Local Government Association (WLGA) (opens in new tab) and others to share intelligence and good practice as well as regular updates on gambling related matters. The Commission also provides a regular update via the LA Bulletin, e learning modules, a dedicated section of the website[2], inspection templates and quick guides. Resource permitting we offer support for specific cases of compliance and enforcement as well as the delivery of training and awareness raising sessions throughout Great Britain.

**1.11** Since the Act was introduced a great deal of collective experience and insight has been developed, enabling licensing authorities and the Commission to fulfil their roles within the shared regulatory system more effectively and efficiently. Case studies available in the LA toolkit provide examples of successful multi-agency initiatives undertaken by the Commission and its regulatory partners.

**1.12.** Licensing Authorities and their public health colleagues should be aware that in 2019 the Commission published a National Strategy to Reduce Gambling Harms[3] which ran until 2022. Experience suggests that close working between the teams can deliver important results in protecting the third licensing objective of 'protecting children and other vulnerable persons from being harmed or exploited by gambling'. A database of national, regional and local initiatives can be found on the Commission website[4].

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2 For licensing authorities

[3] Gambling Commission publishes National Strategy to Reduce Gambling Harms delivery update

[4] Reducing Gambling Harms resources

# 4 Primary legislation

**1.13.** The primary legislation governing gambling in Great Britain is the Gambling Act 2005 (opens in new tab). It covers England, Wales and Scotland, but not Northern Ireland, which has its own arrangements.

**1.14.** The overall approach of the Act is to state that gambling is unlawful in Great Britain, unless permitted by:

- the measures contained in the Act, in relation to most commercial gambling
- the measures contained in the National Lottery etc Act 1993 (opens in new tab), in the case of the National Lottery
- the measures contained in the Financial Services and Markets Act 2000 (opens in new tab), in the case of spread betting. This approach should be considered in the context of the statutory aim to permit gambling, as set out at paragraph 1.19 below

**1.15.** The Act establishes two comprehensive offences: providing facilities for gambling or using premises for gambling without the appropriate permission. Such permission may come from a licence, permit, or registration granted in accordance with the Act or from an exemption given by the Act. Where authority to provide facilities for gambling is granted, it is subject to varying degrees of regulation, depending on the type of gambling, the means by which it is conducted, and the people by whom and to whom it is offered.

**1.16.** The Act is designed, as far as possible, to be flexible and future-proof. In practice, this means that in many areas the Act sets a framework, with more detailed rules set out in regulations made under the Act.

**1.17.** In addition, the Gambling (Licensing and Advertising) Act 2014 (opens in new tab) came into force on 1 November 2014 and amends the Act. It requires remote gambling operators selling into the British market, whether based here or abroad, to hold a Commission licence to enable them to transact with British consumers. The Act (as amended) has implications for **remote** operators and does not impact the powers or authority of licensing authorities.

**1.18.** The Gambling Act 2005 permits the advertising of gambling in all forms, provided that it is legal and there are adequate protections in place to prevent such advertisements undermining the licensing objectives. The Advertising Standards Authority (ASA) is the UK's independent regulator of advertising. It enforces the UK Advertising Codes (the Codes), written by the Committees of Advertising Practice. The Codes cover the content and placement of advertising and are designed to ensure that advertisements for gambling products are socially responsible, with particular regard to the need to protect children, young persons under 18 and other vulnerable persons from being harmed or exploited. The Codes also require that advertisements for gambling products or services do not mislead. Any complaint about the content and placement of advertising or marketing communications should be sent directly to the ASA.

# 5 Statutory aim to permit gambling

**1.19.** The Act places a legal duty on both the Commission and licensing authorities to aim to permit gambling, in so far as it is considered to be reasonably consistent with the pursuit of the licensing objectives. The effect of this duty is that both the Commission and licensing authorities must approach their functions in a way that seeks to regulate gambling by using their powers, for example, powers to

attach conditions to licences, to moderate its impact on the licensing objectives rather than by starting out to prevent it altogether.

# 6 The licensing objectives

**1.20.** The three licensing objectives (s.1 of the Act) which guide the way that the Commission and licensing authorities perform their functions and the way that gambling businesses carry on their activities 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.

**1.21.** The Commission and licensing authorities have a duty to pursue the licensing objectives, and we expect gambling business to deliver them.

# 7 Codes of practice

**1.22.** The Commission has the power to issue two types of code of practice. The first is a social responsibility (SR) code. A SR code must be followed and has the force of a licence condition. The Commission may also issue ordinary codes (OC) which are intended to set out best industry practice. They are not mandatory, but operators are expected to follow them unless they have alternative arrangements in place that they can demonstrate are equally effective.

**1.23.** S.153 of the Act requires licensing authorities, in exercising their functions, to have regard to any code of practice issued by the Commission. A full version of the Commission's Licence conditions and codes of practice (LCCP) is available on the Commission's website.

# 8 Licensing authority discretion (s.153 of the Act)

**1.24.** Licensing authorities have discretion to regulate local provision of gambling and the Act gives wide-ranging powers to do so. Those include the power:

- to issue a statement of licensing policy, setting expectations about how gambling will be regulated in a particular area
- to grant, refuse and attach conditions to premises licences
- to review premises licences and attach conditions or revoke them as a result.

**1.25.** In exercising its functions under the Act, s.153 states that the licensing authority shall aim to permit the use of premises for gambling in so far as it thinks it:

- a. in accordance with any relevant code of practice under s.24

- b. in accordance with any relevant guidance issued by the Commission under s.25
- c. reasonably consistent with the licensing objectives (subject to a and b above)
- d. in accordance with the licensing authority's statement of licensing policy (policy statement) (subject to a to c above).

**1.26.** The 'aim to permit' framework provides wide scope for licensing authorities to impose conditions on a premises licence, reject, review or revoke premises licences where there is an inherent conflict with the relevant codes of practice, relevant guidance issued by the Commission, the licensing objectives or the licensing authorities own policy statement.

**1.27.** Licence conditions are one method by which it is possible to mitigate risks associated with a particular premises. The imposition of licence conditions might be prompted by locality specific concerns, for example the proximity of gambling premises to a school.

**1.28.** However, licensing authorities may also wish to have proactive engagement with local operators to mitigate risks to the licensing objectives. Such engagement can facilitate an open and constructive partnership which, in turn, can improve compliance and reduce regulatory costs. Engagement with operators should be prompted by justifiable concerns or in pursuit of the principles set out under s.153.

**1.29.** To reflect the breadth of licensing authority discretion, they are entitled to request such information from operators as they may require to make effective licensing decisions. The Act requires that an application must be accompanied by a minimum level of information (detailed in Part 7 of this guidance). In the Commission's view, however, this does not preclude reasonable requests from licensing authorities for additional information to satisfy themselves that their licensing decision is reasonably consistent with the licensing objectives and the Commission's codes. That information may include, for example, a suitable business plan or the operator's own assessment of risk to the licensing objectives locally.

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# 9 Local risk assessments

**1.30.** To improve the exchange of information between licensing authorities and operators, the Commission has introduced SR code provisions that require operators of premises-based businesses to conduct local risk assessments (SR 10.1.1), and an ordinary code provision that says licensees should share their risk assessments with licensing authorities in certain circumstances (OC 10.1.2).

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# 10 Licensing authority policy statement

**1.31.** The statement of licensing policy is a very important part of the architecture of local gambling regulation, and it is expected that licensing authorities will use it to set out the local issues, priorities and risks that inform and underpin its approach to local regulation.

**1.32.** It provides the opportunity for licensing authorities to agree and set out how gambling is to be managed in different parts of the local authority area to deal with local concerns and issues. It provides clarity of expectation for licensees and prospective licensees about how their businesses are likely to be treated in different localities. The existence of a clear and agreed policy statement will provide greater scope for licensing authorities to work in partnership with local businesses, communities, and responsible authorities to identify and mitigate local risks to the licensing objectives.

**1.33.** The policy statement is the primary vehicle for setting out the licensing authority's approach to regulation having taken into account local circumstances. It ensures that operators have sufficient

awareness and understanding of the relevant licensing authority's requirements and approach, including its' view on local risks, to help them comply with local gambling regulation.

**1.34.** More detail on licensing authorities' statement of licensing policy is set out at Part 6 of this guidance.

# 11 Limits on licensing authority discretion

**1.36.** Licensing authorities are subject to some specific constraints in exercising their functions. As set out at paragraph 1.25, s.153 of the Act provides that licensing authorities shall aim to permit the use of premises for gambling in so far as they think it in accordance with the principles set out in s.153(a) to (d).

**1.37.** Therefore, a licensing authority has no discretion to grant a premises licence where that would mean taking a course which it did not think accorded with the Guidance contained in this document, any relevant Commission code of practice, the licensing objectives or the licensing authority's own policy statement.

**1.38.** In addition, the Act makes specific reference to factors that must not be considered by a licensing authority in exercising its functions under s.153:

- the expected demand for facilities (s.153(2))
- whether the application is to be permitted in accordance with law relating to planning or building (s.153(1)).

# 12 Other powers

**1.39.** As stated, licensing authorities have a broad discretion to regulate local provision of gambling and they have similar regulatory powers to the Commission with respect to their licensees, including the power to impose conditions and to review licences. They are not able to impose financial penalties but can impose fees relating to the costs of local regulation. They also have wider powers under legislation such as the Licensing Act 2003 (opens in new tab).

**1.40.** The Act gives licensing authorities a number of other important regulatory functions in relation to gambling. Their main functions are to:

- licence premises for gambling activities
- consider notices given for the temporary use of premises for gambling
- grant permits for gaming and gaming machines in clubs and miners' welfare institutes
- regulate gaming and gaming machines in alcohol-licensed premises
- grant permits to family entertainment centres (FECs) for the use of certain lower stake gaming machines
- grant permits for prize gaming
- consider occasional use notices for betting at tracks
- register small societies' lotteries.

# Part 2: The licensing framework

# 1 Introduction

**2.1.**The Act creates three types of licence:

- operating licences, which are required by businesses in order to provide gambling facilities lawfully
- personal licences, which are required by some people working in the gambling industry
- premises licences, which are required to authorise premises to provide gambling facilities.

**2.2.** The Commission has responsibility for granting operating and personal licences for commercial gambling operators and personnel working in the industry.

**2.3.** Licensing authorities have responsibility for licensing gambling premises within their area, as well as undertaking functions in relation to lower stake gaming machines in clubs and miners' welfare institutes. In England and Wales, local authorities have these responsibilities; in Scotland they have been given to licensing boards. The Act also provides a system of temporary and occasional use notices. These enable licensing authorities to authorise premises that are not licensed generally for gambling purposes, to be used for certain types of gambling for limited periods. Part 14 of this guidance and Part 15 of this guidance provide more information on temporary and occasional use notices.

# 2 Operating licences

# Types of operating licence

**2.4.** There are various types of operating licence, linked to different types of gambling activity. S.65 of the Act sets out the types of operating licence that may be issued. Some types of gambling activity may be provided remotely, for example over the internet (online gambling) or telephone, or non-remotely such as in land-based premises. Some types of licence provide additional permissions, for example to make particular numbers and types of gaming machine available.

**2.5.** Different activities may be authorised by a single operating licence (a combined operating licence), but a single licence cannot authorise both remote and non-remote activity. The different types of licence and their associated permissions are summarised in the following table:

| Type of licence | Non-remote gambling authorised | Remote gambling authorised |
|---|---|---|
| Casino operating licence | Yes | Yes |
| Bingo operating licence | Yes | Yes |
| General betting operating licence | Yes | Yes |
| Pool betting operating licence | Yes | Yes |

| Type of licence | Non-remote gambling authorised | Remote gambling authorised |
|---|---|---|
| Betting intermediary operating licence | Yes | Yes |
| Gaming machine general operating licence for an adult gaming centre | Yes | No |
| Gaming machine general operating licence for a family entertainment centre | Yes | No |
| Gaming machine technical operating licence | Yes | Yes‡ |
| Gambling software operating licence | Yes | Yes‡ |
| Lottery operating licence | Yes | Yes |

**2.6.** Operating licences are not transferable. However, there are provisions in the Act which deal with circumstances in which control of a company changes hands.

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† by means of remote communication

# 3 How operating licences are granted

**2.7.** The Commission, like licensing authorities, has a statutory duty to permit gambling in so far as it thinks reasonably consistent with the licensing objectives. In considering whether to grant an operating licence, and any conditions that may be attached, the Commission has regard to the licensing objectives, and to the suitability of the applicant, in terms of integrity, competence and finances (including source of finance). The Commission also takes into account the business model proposed and its likely compatibility with the law and the licensing objectives. Putting forward a business model that is incompatible with the licensing objectives is likely to lead to questions of the operator's suitability.

**2.8.** More detail is available in the Commission's Policy Statement for Licensing, Compliance and Enforcement.

# 4 Operating licence conditions and codes

**2.9.** Conditions covering a range of matters may be attached to operating licences. Some conditions are set out on the face of the Act, such as the mandatory conditions relating to society lotteries at s.99. The Secretary of State has powers under s.78 of the Act to apply conditions to a class of operating licence – for example, the condition that regulates the number of playing positions at wholly automated roulette tables in casinos. The Commission also has powers to attach conditions either to a class of operating licences, or an individual licence.

**2.10.** Breaching a licence condition is a criminal offence, although the Commission will default to its regulatory rather than criminal powers when considering such a breach. Those powers include warnings, unlimited fines and suspension or revocation of the licence.

**2.11.** The Commission also has the power to issue two types of code. The first is a social responsibility (SR) code. An SR code must be followed and has the force of a licence condition. The Commission may also issue ordinary codes (OC), which are intended to set out best industry practice. They are not mandatory, but operators are expected to follow them unless they have alternative arrangements in place that they can demonstrate are at least equally effective.

# 5 Personal licences

**2.12.** The purpose of the personal licence is to ensure that individuals who control facilities for gambling or are able to influence the outcome of gambling, are directly accountable to the Commission. The Commission can impose licence conditions that are specific to personal licences. Such conditions include requirements that the holder takes reasonable steps to avoid causing a breach of an operating licence, keeps up to date with developments in gambling legislation or guidance, and informs the Commission of certain specified key events.

**2.13.** Outside the casino industry, personal licences are usually held by people in key management positions like strategy, marketing, finance and compliance. In the casino industry, people providing the day to day gambling such as croupiers, also currently need a personal licence.

**2.14.** Some licences are subject to a requirement that at least one member of management holds a personal licence. This does not apply to small-scale operators, as defined in regulations made by the Secretary of State, who are exempt from the obligation. SI 2006/3266: Reg 2 of the Gambling Act 2005 (Definition of small-scale operator) Regulations 2006.

# 6 Premises licences

**2.15.** Where an individual or company uses premises, or causes or permits premises to be used, to offer gambling, they will also need to apply for a premises licence. Detailed information concerning premises licences can be found in Part 7 of this guidance, Part 9 of this guidance and Part 10 of this guidance.

**2.16.** Premises licences, and the regulatory tools associated with them, are a key means by which licensing authorities can ensure that risks to the licensing objectives are mitigated effectively.

**2.17.** Premises licences can be granted without conditions or subject to conditions and can be reviewed or revoked by the licensing authority. Part 9 of this guidance provides some illustrations of how licence conditions have been used by licensing authorities in a range of circumstances and a non-exhaustive list of premises licence conditions is provided at Part 9 of this guidance.

**2.18.** Premises licences are issued by the licensing authority with responsibility for the area in which the premises are situated and may authorise the provision of facilities on:

- casino premises
- bingo premises
- betting premises, including tracks
- adult gaming centres
- family entertainment centres.

**2.19.** Except in the case of tracks (where the occupier of the track who holds the premises licence may not be the person who actually offers the gambling), premises licences may only be issued to those who hold a relevant operating licence, or who have applied for one. Premises licences may be transferred to someone else holding a valid operating licence.

**2.20.** In addition to licences, there are other forms of authorisation that a licensing authority may grant, for example, authorisations for the temporary use of premises, occasional use notices and different permits for unlicensed family entertainment centres, prize gaming, gaming machines on alcohol-licensed premises and club gaming and club machine permits.

# Part 3: The Gambling Commission

# 1 Introduction

**3.1.** The Commission is a non-departmental public body sponsored by the Department for Culture, Media and Sport (opens in new tab). It is governed by a board of Commissioners appointed by the Secretary of State. The Commission is publicly funded, although its funding is derived in the main from licence fees that holders of operating and personal licences are required to pay, rather than coming from the Exchequer.

**3.2.** In common with licensing authorities, the Commission has a statutory duty to pursue and have regard to the licensing objectives as set out in s.1 of the Act, and to permit gambling so far as it thinks is reasonably consistent with them.

**3.3.** The Commission is required to publish and consult on a Statement of Principles for Licensing and Regulation which sets out how the Commission approaches its regulatory and other functions under the Act.

# 2 Main functions of the Commission

**3.4.** For the purposes of this guidance, the Commission has the following principle statutory functions:

- issuing operating and personal licences to gambling businesses and individuals occupying certain positions in the gambling industry, with appropriate conditions, and ensuring that holders of licences adhere to their terms
- publishing codes of practice
- publishing statutory guidance to licensing authorities.

**3.5.** The Commission also has a duty to advise the Secretary of State on gambling and its regulation. To ensure that the Commission is well placed to provide such advice, it monitors developments in gambling in Great Britain and in other jurisdictions. It works closely with a range of regulatory partners, including licensing authorities, the Advertising Standards Authority (opens in new tab), the Information Commissioner's Office (opens in new tab) , Ofcom (opens in new tab), and with stakeholders including the industry itself, faith and community groups, those with lived experience of gambling harm, government departments and bodies working in the field of gambling research.

# 3 Relationship between the Commission and licensing authorities

**3.6.** The Commission works jointly with its regulatory partners to pursue the licensing objectives. The Commission's approach is one of partnership building and collaboration through proactive engagement, regular up to date advice and support such as quick guides and the LA Bulletin as well as intelligence sharing.

**3.7.** The Commission draws on the intelligence and insights of its regulatory partners, in particular licensing authorities, who may well be better positioned to identify emerging risks to the licensing objectives, or instances of illegality which can start at a local level. By working closely together we are able to prevent such risks growing into a more widespread problem and to ensure that both Commission and licensing authority resources are used efficiently.

**3.8.** Since the Act was introduced a great deal of collective experience and insight has been developed, enabling licensing authorities and the Commission to discharge their separate, but sometimes overlapping, functions both more effectively and more efficiently. This ongoing collaboration is vital in ensuring that compliant operators understand the requirements of the regulatory framework and that where non-compliance and illegality occur, appropriate sanctions are applied to deter others and uphold the licensing objectives. Case studies available in the LA toolkit provide examples of successful multi-agency initiatives undertaken by the Commission and its regulatory partners.

**3.9.** In addition to the Commission's LA Bulletin that provides a summary of the key issues affecting licensing authorities, we also provide support and guidance on specific issues at forums and training events. The Commission also produces e learning modules, inspection templates and quick guides. Resource permitting we offer support for specific cases of compliance and enforcement as well as the delivery of training and awareness raising sessions throughout Great Britain.

**3.10.** At a headline and strategic level , the Commission meets regularly with national bodies such as the the Local Government Association (LGA) (opens in new tab), the Convention of Scottish Local Authorities (COSLA) (opens in new tab), the Welsh Local Government Association (WLGA) (opens in new tab), the Society of Local Authority Lawyers and Administrators (SOLAR) (opens in new tab), and the Institute of Licensing (IoL) (opens in new tab). These meetings provide opportunities to discuss issues of concern, emerging trends and this guidance.

# Part 4: Licensing authorities

# 1 Introduction

**4.1.** Licensing authorities (as defined in s.2 of the Act) are responsible for local gambling regulation and the Act gives them responsibility for a number of regulatory functions in relation to gambling activities. These include:

- issuing a statement of licensing policy (policy statement) setting expectations about how gambling will be regulated in the area
- responsibility for licensing gambling premises
- the issue of permits to family entertainment centres (FEC) for the use of certain lower stake gaming machines
- granting permits for prize gaming
- registering society lotteries that fall below certain thresholds
- regulating members' clubs and miners' welfare institutes which undertake certain gaming activities
- setting and collecting fees.

**4.2.** The Act also provides a system of temporary and occasional use notices. These authorise premises that are not licensed generally for gambling purposes to be used for certain types of gambling, for limited periods. Part 14 of this guidance and Part 15 of this guidance provide more information on temporary and occasional use notices.

**4.3.** In exercising their statutory functions, licensing authorities have a broad discretion in regulating the local provision of gambling through the wide ranging powers at their disposal, including:

- issuing a statement of licensing policy, setting expectations about how gambling will be regulated in a particular area
- granting, refusing and attaching conditions to premises licences
- reviewing premises licences and attaching conditions or revoking them as a result.

# 2 Statutory framework

**4.4.** In addition to the Act, there is other legislation which licensing authorities should be aware of.

# Licensing Act 2003

**4.5.** Licensing authorities in England and Wales have responsibilities under the Licensing Act 2003 (opens in new tab). There are some inter-dependencies between the Licensing Act 2003 and the Act, in terms of the framework for decision making and the procedures that must be followed. However, licensing authorities must take care to ensure that they follow the procedures and only take into account issues that are relevant to the Act, when dealing with applications under the Act. Particular care should be taken to

distinguish considerations made under the Act from those relevant to alcohol licensing, public entertainment or late night refreshments.

# Licensing (Scotland) Act 2005

**4.6.** The position in Scotland is similar, with procedures and decision making requirements under both the Licensing (Scotland) Act 2005 (opens in new tab) and the Act. The same care must be taken by licensing authorities in Scotland to consider only those issues which are relevant to matters under the Act in their decision making, and to ensure that they follow the prescribed procedures under the Act.

# Other provisions and legislation

**4.7.** Conditions on premises licences should relate only to gambling, as considered appropriate in light of the principles to be applied by licensing authorities under s.153 of the Act. Accordingly, if the Commission's Licence conditions and codes of practice (LCCP) or other legislation places particular responsibilities or restrictions on an employer or the operator of premises, it is not necessary or appropriate to impose similar conditions on a premises licence issued in accordance with the Act.

**4.8.** Similarly, where other legislation confers powers on inspection and enforcement agencies in relation to separate activities or concerns, the Act does not affect the continued use of such powers, for example, the powers of an environmental health officer in respect of statutory nuisance under the Environmental Protection Act 1990 (opens in new tab).

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# 3 Licensing authority decisions

**4.9.** S.153 provides that licensing authorities shall aim to permit the use of premises for gambling in so far as they think it is:

- a. in accordance with any relevant code of practice under s.24
- b. in accordance with any relevant guidance issued by the Commission under s.25
- c. reasonably consistent with the licensing objectives (subject to a and b above),
- d. in accordance with the licensing authority's statement of licensing policy (policy statement) (subject to a to c above).

**4.10.** Therefore, a licensing authority has no discretion in exercising its functions under Part 8 of the Act, to grant a premises licence where that would mean taking a course which it did not think accorded with the guidance contained in this document, any relevant Commission code of practice, the licensing objectives or the licensing authority's own policy statement.

# Delegations

**4.11.** The decision making powers of licensing authorities may be delegated, as set out in s.154 of the Act for England and Wales and s.155 for Scotland. Decisions that are delegated to a licensing committee, may be further delegated to a sub-committee, which may then arrange for the decision to be taken by an officer of the authority.

**4.12.** It is open to licensing committees to choose not to delegate decisions. An important consideration in determining whether any particular decision should be delegated will be whether delegation might give rise

to a risk of judicial review challenge, particularly on the basis of appearance of bias.

**4.13.** The tables at Appendix G set out a summary of licensing authority delegations permitted under the Act for England and Wales, and for Scotland.

# Part 5: Principles to be applied by licensing authorities

## 1 Licensing objectives

**5.1.** In exercising their functions under the Act, particularly in relation to premises licences, temporary use notices and some permits, licensing authorities must have regard to the licensing objectives set out in s.1 of the Act, namely:

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

**5.2.** It is expected that the licensing authority will have set out their approach to regulation in their policy statement, having taken into account local circumstances. This is dealt with in more detail at Part 6 of this guidance.

## Objective 1 : Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime

**5.3.** Among other matters, licensing authorities may need to consider the location of premises in the context of this licensing objective. For example, in considering an application for a premises licence or permit that is in an area noted for particular problems with disorder, organised criminal activity etc, the licensing authority should think about what, if any, controls might be appropriate to prevent those premises being associated with or used to support crime. That might include conditions on the premises licence, such as a requirement for door supervisors. The requirement for conditions might be determined by the operator's own risk assessment or the local area profile carried out by the licensing authority, as detailed in Part 6 of this guidance. A non-exhaustive list of licence conditions is provided at Part 9 of this guidance.

**5.4.** A licensing authority will need to consider questions raised by the location of gambling premises when:

- formulating its statement of licensing policy
- receiving relevant representations to an application
- dealing with applications as a responsible authority in its own right considering applications before it.

**5.5.** In the context of gambling premises licences, licensing authorities should generally consider disorder as activity that is more serious and disruptive than mere nuisance. Factors to consider in determining whether a disturbance was serious enough to constitute disorder would include whether police assistance was required and how threatening the behaviour was to those who could see or hear it. There is not a

clear line between nuisance and disorder and the licensing authority should take the views of its lawyers before determining what action to take in circumstances in which disorder may be a factor.

**5.6.** Regulatory issues arising from the prevention of disorder are likely to focus almost exclusively on premises licensing, rather than on operating licences. However, if there are persistent or serious disorder problems that an operator could or should do more to prevent, the licensing authority should bring this to the attention of the Commission so that it can consider the continuing suitability of the operator to hold an operating licence.

**5.7.** Of course, licensing authorities are experienced in making judgements in relation to the suitability of premises, particularly those for which they have responsibilities under the Licensing Act 2003 (opens in new tab) and the Licensing (Scotland) Act 2005 (opens in new tab), in which context they have wider powers to also take into account measures to prevent nuisance.

**5.8.** In relation to preventing disorder, licensing authorities have the ability under s.169 of the Act to attach additional conditions to premises licences, and are entitled to include a requirement for door supervision, as provided for in s.178 of the Act. If a person employed on door supervision would be required to hold a licence issued by the Security Industry Authority (opens in new tab) (SIA), that requirement will have force as though it were a condition on the premises licence. Further information on conditions on premises licences can be found in Part 9 of this guidance.

**5.9.** There are a number of voluntary initiatives that the gambling industry participates in to address issues such as underage access, staff safety and security. These change from time to time and licensing authorities are advised to check with local operators, for example when conducting inspections, as to which (if any) scheme the operator is a part of. For example, The Safe Bet Alliance's Voluntary Code of Safety and Security National Standards for Bookmakers. Further information can often be found on the websites of industry trade associations.

**5.10.** Licensing authorities do not need to investigate the suitability of an applicant for a premises licence, including in relation to crime. The issue of suitability will already have been considered by the Commission, because any applicant (except occupiers of tracks who do not propose to offer gambling themselves) will have to hold an operating licence from the Commission before the premises licence can be issued. However, if the licensing authority receives information during the course of considering a premises licence application or at any other time, that causes it to question the suitability of the applicant to hold an operating licence, these concerns should be brought to the attention of the Commission without delay.

# Objective 2 : Ensuring that gambling is conducted in a fair and open way

**5.11.** Generally, the Commission would not expect licensing authorities to find themselves dealing with issues of fairness and openness frequently. Fairness and openness are likely to be a matter for either the way specific gambling products are provided and therefore subject to the operating licence or will be in relation to the suitability and actions of an individual and therefore subject to the personal licence. However, if licensing authorities suspect that gambling is not being conducted in a fair and open way this should be brought to the attention of the Commission so that it can consider the continuing suitability of the operator to hold an operating licence or of an individual to hold a personal licence.

**5.12.** In relation to the licensing of tracks, the licensing authority's role will be different from other premises in that track owners will not necessarily have an operating licence. In those circumstances the premises licence may need to contain conditions to ensure that the environment in which betting takes place is suitable. Further information can be found in Part 20 of this guidance.

# Objective 3 : Protecting children and other vulnerable persons from being harmed or

# exploited by gambling

**5.13.** In exercising their powers under s.153, licensing authorities should consider whether staff will be able to adequately supervise the gambling premises, as adequate staffing levels is a factor to consider regarding the prevention of underage gambling. The Commission would expect the operator and the licensing authority to work together to consider how any impediments to the supervision of premises might be most appropriately remedied. Supervision also applies to premises that are themselves not age-restricted (for example, bingo and family entertainment centre (FEC) premises) but which make gambling products and facilities available.

**5.14.** Where a licensing authority considers the structure or layout of premises to be an inhibition or potential inhibition to satisfying this licensing objective, the licensee should consider what changes are required to ensure the risk is mitigated. Such changes might include the positioning of staff or CCTV, the use of floorwalkers and the relocation of the staff counter to enable direct line of sight. Licensing authorities will need to consider the proportionality of changes to the physical layout in relation to other measures that could be put in place.

**5.15.** If the operator fails to satisfy the licensing authority that the risks are sufficiently mitigated, it may be appropriate to conduct a review of the premises licence.

**5.16.** In relation to casinos, the Commission has issued a code of practice on access to casino premises by children and young persons, as provided for by s.176 of the Act. The code of practice is available as part of the Licence conditions and codes of practice (LCCP) or as Gambling codes of practice. In accordance with s.176 of the Act, adherence to the code will be a condition of the premises licence. Further information can be found in Part 9 of this guidance and Part 17 of this guidance.

**5.17.** 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, for example, mental health, a learning disability or substance misuse relating to alcohol or drugs.

**5.18.** Licensing authorities need to consider, in relation to particular premises, whether any special considerations apply in relation to the protection of vulnerable persons. This could be a local risk that is reflected in the licensing authority’s policy statement. Any such considerations need to be balanced against the authority’s objective to aim to permit the use of premises for gambling.

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# 2 Section 153 principles

**5.19.** S.153 of the Act provides that, in exercising its functions under Part 8 of the Act, a licensing authority shall aim to permit the use of premises for gambling in so far as it thinks it is:

- a. in accordance with any relevant code of practice under s.24 (the LCCP)
- b. in accordance with any relevant guidance issued by the Commission under s.25 (this guidance)
- c. reasonably consistent with the licensing objectives (subject to a and b above)
- d. in accordance with the licensing authority’s statement of licensing policy (policy statement) (subject to a to c above).

**5.20.** Whilst there is a presumption in favour of permitting the relevant premises to be used for gambling, the licensing authority may not do so unless satisfied that such use would be in accordance with this guidance, any relevant Commission code of practice, its own statement of licensing policy, and the licensing objectives.

**5.21.** In the unlikely event that a licensing authority perceives a conflict between a provision of a Commission code of practice or this guidance, and its own policy statement or view as to the application of the licensing objectives, the structure of s.153 makes it clear that the Commission's codes and this guidance take precedence.

**5.22.** In determining applications for premises licences, the Act explicitly sets out two principles that licensing authorities should **not** have regard to:

- s.153 makes it clear that in deciding whether or not to grant a licence, a licensing authority must not have regard to the expected demand for gambling premises that are the subject of the application
- s.210 (1) of the Act states that 'in making a decision in respect of an application...a licensing authority should not have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with law relating to planning or building'.

**5.23.** A licensing authority is therefore afforded significant scope to exercise its powers under s.153 on the grounds that it does not encroach on the two principles set out above.

**5.24.** The requirements in s.153 are subject to the licensing authority's power under s.166 to resolve not to issue casino premises licences. This means that a resolution not to issue a casino premises licence applies regardless of the matters set out in s.153.

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# 3 Codes of practice

**5.25.** The LCCP sets out the Commission's general licence conditions and associated codes of practice provisions under the Act. The codes of practice are set out within the second part of the LCCP.

**5.26.** To assist licensing authorities in determining premises applications and inspecting premises, all the codes of practice are also available as a single document. The codes specify a number of requirements, many of which relate to social responsibility issues, and these may be of particular interest where a licensing authority has concern about matters such as protection of the young and vulnerable. It should be noted that the codes also apply to situations in which the gambling being offered is not normally the responsibility of an operating licence holder. Examples include the code of practice for equal chance gaming and the code for gaming machines in clubs and premises with an alcohol licence.

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# 4 Good practice in regulation

**5.27.** Under the Legislative and Regulatory Reform Act 2006 (opens in new tab), any person exercising a specified regulatory function has a legal duty to have regard to the statutory principles of good regulation in the exercise of the function (Legislative and Regulatory Reform Act 2006 (opens in new tab), section 21). These provide that regulatory activities should be carried out in a way which is transparent, accountable, proportionate, and consistent and should be targeted only at cases in which action is needed. The Commission has regard to these principles in relation to its responsibilities and also has regard to the requirements of the Regulators' Code (previously the Regulators' Compliance Code), Department of Business, Innovation and Skills[5], 2014, issued under section 23 of the Legislative and Regulatory Reform Act 2006 (opens in new tab). The purpose of the Code is to promote efficient and effective approaches to regulatory inspection and enforcement which improve regulatory outcomes without imposing unnecessary burdens on business.

**5.28.** The statutory principles of good regulation and the Code also apply to local authorities, who are under a statutory duty to have regard to them when fulfilling their regulatory functions under the Act. The

Legislative and Regulatory Reform (Regulatory Functions) Order 2007 (opens in new tab), was amended by the Legislative and Regulatory Reform (Regulatory Functions) (Amendment) Order 2009 (opens in new tab), which, amongst other things, extended the application of the 2007 Order to local authorities in Wales and Scotland exercising regulatory functions under the Gambling Act 2005 (opens in new tab) - see Part 3 of this guidance and Part 7 of this guidance.

**5.29.** Guidance produced by Regulatory Delivery now replaced by the Office of Product Safety and Standards seeks to assist local authorities in interpreting the requirements of the Regulator's Code for example in delivering risk-based regulation in relation to age restrictions.

Age-restricted products and services framework[6] sets out an agreed set of shared responsibilities and reasonable expectations for young people, their parents and carers, businesses, employees and regulators with regards to access to age restricted products and services. The document forms the foundations of the Age-restricted products and services: a code of practice for regulatory delivery[7].

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[5] Now the Department for Business, Energy and Industrial Strategy

[6] Age-restricted products and services framework (opens in new tab)

[7] Age-restricted products and services: a code of practice for regulatory delivery (opens in new tab)

# 5 Human Rights Act 1998

**5.30.** The Secretary of State has certified that the Act is compatible with the European Convention on Human Rights. In considering applications, and taking enforcement action under the Act, licensing authorities should bear in mind that they are subject to the Human Rights Act 1998 (opens in new tab) and in particular:

- Article 1, Protocol 1 – peaceful enjoyment of possessions. A licence is considered a possession in law and people should not be deprived of their possessions except in the public interest
- Article 6 – right to a fair hearing
- Article 8 – respect for private and family life. In particular, removal or restriction of a licence may affect a person's private life
- Article 10 – right to freedom of expression.

# 6 Other considerations

**5.31.** Licensing authorities should not turn down applications for premises licences where relevant objections can be dealt with through the use of conditions. In determining applications for premises licences and permits, a licensing authority may request as much information as it requires to satisfy itself that all the requirements set out at s.153 of the Act are met.

**5.32.** Licensing authorities must ensure that the application is in accordance with the relevant codes of practice, this guidance, the licensing objectives and the licensing authority's own policy statement. There is, therefore, significant scope for licensing authorities to request additional information from the applicant where they have concerns about both new applications and variations.

**5.33.** Where concerns remain, licensing authorities may choose to attach conditions to the premises licence. Further details are provided in Part 9 of this guidance and a non-exhaustive list of licence conditions is included at Part 9 of this guidance of this guidance.

**5.34.** Licensing authorities should be aware that other considerations such as moral or ethical objections to gambling are not a valid reason to reject applications for premises licences. In deciding to reject an application, a licensing authority should rely on reasons that demonstrate that the licensing objectives are not being, or are unlikely to be, met, and such objections do not relate to the licensing objectives. An authority's decision cannot be based on dislike of gambling, or a general notion that it is undesirable to allow gambling premises in an area (with the exception of the casino resolution powers).

# Part 6: Licensing authority policy statement

# 1 Introduction

**6.1.** S.349 of the Act requires all licensing authorities to prepare and publish a statement of licensing principles that they propose to apply in exercising their functions under the Act, commonly known as a policy statement[8]. The policy statement forms the licensing authority's mandate for managing local gambling provision and sets out how the licensing authority views the local risk environment and therefore its expectations in relation to operators with premises in the locality.

**6.2.** The policy statement acts as the primary vehicle for setting out the licensing authority's approach to regulation having taken into account local circumstances. For example, a licensing authority might identify the safeguarding of children as a key priority, in which case its statement would set out those policies, procedures and control measures it would expect licensees to follow to mitigate any risks relating to underage gambling.

**6.3.** Policy statements are likely to reflect differences in approach between different licensing authorities. The statement made by a seaside town licensing authority, which may see gambling businesses as an important part of its plans for growth and regeneration based on regular influx of visitors, may well be significantly different from that of an inner city authority, which may be more concerned with impact on the vulnerable. In this respect, licensing authorities may find it helpful to make an assessment of the pattern of gambling and associated risks to the licensing objectives in their own areas.

**6.4.** The Commission encourages licensing authorities to have a policy statement that is genuinely reflective of local issues, local data, local risk and the expectations that a licensing authority has of operators who either currently offer gambling facilities or wish to do so in the future. The existence of a clear and robust policy statement provides greater scope for licensing authorities to work in partnership with operators, other local businesses, communities, and responsible authorities to identify and to proactively mitigate local risks to the licensing objectives. Whilst not being a responsible authority, many licensing authorities have found it beneficial to obtain advice from public health teams in informing the Statement.

**6.5.** The policy statement can be reviewed and revised by the licensing authority at any time but must be produced following consultation with those bodies and persons set out in s.349(3) of the Act. Regulations made by the Secretary of State, or Scottish Ministers in Scotland, prescribe the form of statements, and the procedure to be followed in relation to them and their publication, as detailed in paragraph 6.11 onwards.

**6.6.** Licensing authorities should ensure that the policy statement balances the need for a degree of certainty on the part of gambling businesses with the need to remain responsive to emerging risks. It should be evidence led, based on the principles outlined below and reviewed at least every three years.

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[8] Section 349 of the Gambling Act 2005 (opens in new tab)

# 2 Fundamental principles

**6.7.** Licensing authorities have a duty to pursue the licensing objectives and all policy statements should begin by stating the three licensing objectives (s.1 of the Act), which the policy will promote:

- 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[9].

**6.8.** The statement should also state that the licensing authority shall aim to permit the use of premises for gambling as set out in s.153 of the Act.

**6.9.** It is expected that licensing authorities will regulate gambling in the public interest which will be reflected in the policy statement.

**6.10.** While the policy statement may set out a general approach to the exercise of functions under the Act, it should not override the right of any person to make an application and to have that application considered on its merits. The exception to this is where the licensing authority has passed a 'no casino' resolution under s.166(1) of the Act, detailed in Part 17 of this guidance. Additionally, the policy statement must not undermine the right of any person to make representations on an application or to seek a review of a licence where provision has been made for them to do so.

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[9] In furtherance of this objective licensing authorities are encouraged to consider the National Strategy to Reduce Gambling Harms which was delivered between 2019 and 2022.

# 3 Form and content

**6.11.** The Gambling Act 2005 (Licensing Authority Policy Statement) (England and Wales) Regulations 2006 (SI 2006/636) and the Gambling Act 2005 (Licensing Authority Policy Statement) (Scotland) Regulations 2006 (SSI 2006/154), set out requirements as to the form and publication of licensing authority policy statements of policy and subsequent revisions of statements. In addition to those requirements, this guidance sets out certain information that the Commission considers should be included in all licensing authority statements of policy.

**6.12.** The regulations provide that the form of the statement can be determined by the licensing authority itself, subject to the requirement that the policy statement must contain an introductory section summarising the matters contained within the statement. The introductory section must include:

- a description of the geographical area to which the policy statement applies, which can be satisfied by including a plan of the area
- a list of the persons consulted in preparing the statement.

**6.13.** The policy statement should set out the activities that the licensing authority is able to license.

**6.14.** The regulations also require the policy statement to set out specific matters in separate sections relating to the principles to be applied by the licensing authority in exercising:

- i. its powers under s.157(h) of the Act to designate, in writing, a body which is competent to advise it about the protection of children from harm

- ii. its powers under s.158 of the Act to determine whether a person is an interested party in relation to a premises licence, or an application for or in respect of a premises licence
- iii. the functions under s.29 and s.30 of the Act with respect to the exchanges of information between it and the Commission, and the functions under s.350 of the Act with respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act
- iv. the functions under Part 15 of the Act with respect to the inspection of premises and the power under s.346 of the Act to institute criminal proceedings in respect of the offences specified in that section.

Each of these is set out in further detail below.

# i. Competent authority for protection of children from harm

**6.15.** Under s.349 of the Act, the policy statement must set out the principles that the licensing authority proposes to apply in exercising their functions. One of those functions is to determine who will be competent to advise them about the protection of children from harm and so the policy statement must contain a section that sets out the principles the licensing authority will apply in designating a competent body.

**6.16.** In many licensing authority areas, the recognised competent body will be the local Safeguarding Children Board in England and Wales, or the Child Protection Committee in Scotland. However, the licensing authority has discretion to determine the most appropriate competent body to advise it and must consider which body best fulfils this function. The policy statement should set out this consideration, or the criteria the authority intends to use, in order to designate that body and confirm that designation in writing.

**6.17.** A designated body is a responsible authority under s.157(h) of the Act. Licensing authorities should engage fully with the designated body and provide sufficient opportunity for them to be consulted on the development of the policy statement, as they can offer valuable insight into the impact of gambling on children in the local area. Licensing authorities might also opt to consult such groups as part of its own local area profile, discussed at paragraph 6.47 onwards.

# ii. Interested parties

**6.18.** Licensing authority policy statements must contain a section that sets out the principles to be applied by the licensing authority to determine whether a person is an interested party in relation to a premises licence, or in relation to an application for or in respect of a premises licence.

S.158 of the Act defines interested parties as persons who, **in the opinion of the licensing authority**:

- a) live sufficiently close to the premises to be likely to be affected by the authorised activities
- b) have business interests that might be affected by the authorised activities
- c) represent persons who satisfy paragraph a) or b).

**6.20.** It is a matter for the licensing authority to decide whether a person is an interested party with regard to particular premises and that should be decided on a case by case basis. However, the licensing authority should set out the principles it will apply in determining whether a person is an interested party in its policy statement, and that may include relevant factors it will take into account. For example, this could be the size of the premises and the nature of the activities taking place as larger premises may be considered to affect people over a broader geographical area compared with smaller premises offering similar facilities.

**6.21.** Licensing authority policy statements should include guidance as to whom they consider comes within the category of those who living sufficiently close to premises to be affected by it or have business interests, which may be affected by it. For example, this could include trade associations, trade unions, residents' and tenants' associations. It is expected that the types of organisations that may be considered

to have business interests will be interpreted broadly to include, for example, partnerships, charities, faith groups and medical practices.

# iii. Exchange of information

**6.22.** Licensing authority policy statements must contain a section that sets out the principles to be applied by the licensing authority in relation to the exchange of information with the Commission (s.29 and s.30 of the Act) and other persons (s.350 of the Act).

**6.23.** S.29 of the Act enables the Commission to require information from licensing authorities, including the manner in which the information is compiled, collated and the form in which it is provided, providing that it:

- forms part of a register maintained under the Act
- is in the possession of the licensing authority in connection with a provision of the Act.

**6.24.** S.350 of the Act allows licensing authorities to exchange information with other persons or bodies for use in the exercise of functions under the Act. Those persons or bodies are listed in Schedule 6(1) as:

- a constable or police force
- an enforcement officer
- a licensing authority
- HMRC
- the First Tier Tribunal
- the Secretary of State
- Scottish Ministers.

**6.25.** The licensing authority policy statement must set out how it will approach information exchange with other persons or bodies under the Act, and whether it intends to establish any protocols in this regard. The policy statement should also include the authority's approach to data protection and freedom of information, in particular, how information will be protected, whether the confidentiality of those making representations will be maintained, what information will be shared with other agencies or persons and how information can be accessed by data subjects.

**6.26.** Further information regarding the exchange of information can be found in Part 13 of this guidance.

**6.27.** For the purposes of their policy statement, licensing authorities should confirm that they will act in accordance with the relevant legislation and guidance from the Commission and will adopt the principles of better regulation (detailed at paragraph 5.27).

# iv. Inspection and criminal proceedings

**6.28.** Licensing authority policy statements must contain a section that sets out the principles to be applied by the licensing authority in exercising their inspection function (part 15 of the Act) and in instigating criminal proceedings (s.346 of the Act), except in Scotland.

**6.29.** The statutory principles of good regulation and the Regulators' Code[10] (paragraph 5.27) apply to licensing authorities. This means that inspection and enforcement activities must be carried out in a way which is transparent, accountable, proportionate, consistent and targeted, and promotes efficient and effective regulatory approaches which improve outcomes without imposing unnecessary burdens on business.

**6.30.** The policy statement should set out the principles to be applied by the licensing authority in relation to inspections. It is recommended that licensing authorities adopt a risk-based approach to inspection programmes and the policy statement should outline the criteria the licensing authority will use to determine the level of risk in respect of premises. Such an approach could include targeting high-risk premises which require greater attention, whilst operating a lighter touch in respect of low-risk premises, so

that resources are more effectively concentrated on potential problem premises. If the licensing authority has a local area profile, as outlined at paragraph 6.47 onwards below, their inspection approach is likely to informed by it.

**6.31.** Many licensing authorities in England and Wales will have general enforcement policies which are in accordance with the codes of practice developed with the Crown Prosecution Service. Such licensing authorities may wish to refer to these codes in their policy statement, in relation to the management of criminal cases.

**6.32.** Further guidance on licensing authorities' compliance and enforcement responsibilities is available in Part 36 of this guidance. This has been developed following discussions between the Commission, the police, licensing authorities and other law-enforcement and regulatory agencies to agree respective roles in relation to particular types of gambling and licensed premises.

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[10] Regulators' Code (opens in new tab)

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# 4 Other matters to be considered

# Relevant factors when considering applications and reviews

**6.33.** The policy statement should set out what factors it is likely to take into account when considering applications for premises licences, permits and other permissions, and when determining whether to review a licence. This may be informed by the licensing authority's local area profile and will include considerations such as the proximity of gambling premises to schools and vulnerable adult centres, or to residential areas where there may be a high concentration of families with children.

**6.34.** Although the policy statement should identify the factors to be considered, it should be clear that each application or review will be decided on its merits. Importantly, if an applicant for a premises licence can show how licensing objective concerns can be overcome, the licensing authority will need to take that into account in its decision making.

# Statement regarding casino resolution

**6.35.** The policy statement should include details about how the licensing authority has taken or will take a decision in relation to a casino resolution. A licensing authority may resolve not to issue casino premises licences within its area. If it does so, the resolution must be published in its policy statement (s.166(5) of the Act).

# Other regulatory regimes

**6.36.** The policy statement should include a firm commitment to avoid duplication with other regulatory regimes, so far as possible. For example, a range of general duties are imposed on the self-employed, employers and operators of gambling premises, both in respect of employees and of the general public, by legislation governing health and safety at work and fire safety. Therefore, such requirements do not need to be included in the policy statement.

# Demand for gaming premises

**6.37.** Previous legislation required that the grant of certain gambling permissions should take account of whether there was unfulfilled demand for the facilities. This is no longer the case, and each application must be considered on its merits without regard to demand. The policy statement should reflect the 'aim to permit' principle (s.153 of the Act) and should not comment on whether there is demand for gambling premises.

**6.38.** However, the policy statement may comment on the location of premises and the general principles it will apply in considering the location so far as it relates to the licensing objectives. For example, a policy statement may set out that the licensing authority will carefully consider applications for premises licences and whether there is a need for conditions to mitigate risks, in respect of certain kinds of gambling located very close to a school or a centre for those experiencing or at risk of gambling harm, in light of the third licensing objective. The policy statement must be clear that each case will be decided on its merits and will depend to a large extent on the type of gambling that is proposed for the premises.

# Other information

**6.39.** Licensing authorities may wish to include other information in their policy statement to ensure clarity on their approach to local regulation, particularly the factors that will not be relevant to the exercise of their functions under the Act. This will ensure that applicants or persons who wish to make representations have all the necessary information to be able to do so, including what representations may not be relevant.

**6.40.** For example, licensing authorities may wish to explain in their policy statements that any objections to new premises or requests for a review should be based on the licensing objectives of the Act. The policy statement could make it clear that – unlike the Licensing Act 2003 (opens in new tab) and the Licensing (Scotland) Act 2005 (opens in new tab) – the Act does not include the prevention of public nuisance and anti-social behaviour as a specific licensing objective.

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# 5 Local risk assessments

**6.41.** The Commission's Licence conditions and codes of practice (LCCP) formalise the need for operators to consider local risks.

**6.42.** Social responsibility (SR) code 10.1.1 requires licensees to 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 undertaking their risk assessments, they must take into account relevant matters identified in the licensing authority's policy statement.

**6.43.** Licensees are required to undertake a local risk assessment when applying for a new premises licence. Their risk assessment must also be updated:

- when applying for a variation of a premises licence
- to take account of significant changes in local circumstances, including those identified in a licensing authority's policy statement
- when there are significant changes at a licensee's premises that may affect their mitigation of local risks.

**6.44.** The SR provision is supplemented by an ordinary code provision indicating that 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 at the request of the licensing authority. Both provisions took effect from April 2016.

**6.45.** Where concerns do exist, perhaps prompted by new or existing risks, a licensing authority might request that the licensee share a copy of its own risk assessment which will set out the measures the licensee has in place to address specific concerns. This practice should reduce the occasions on which a premises review and the imposition of licence conditions is required.

**6.46.** Where a licensing authority's policy statement sets out its approach to regulation with clear reference to local risks, it will facilitate operators being able to better understand the local environment and therefore proactively mitigate risks to the licensing objectives. In some circumstances, it might be appropriate to offer the licensee the opportunity to volunteer specific conditions that could be attached to the premises licence.

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# 6 Local area profile

**6.47.** Licensing authorities will find it useful to complete their own assessment of the local environment as a means of mapping out local areas of concern, which can be reviewed and updated to reflect changes to the local landscape. For the purpose of this guidance, we refer to such assessments as local area profiles. Completion of a local area profile is not a requirement on licensing authorities but there are significant benefits for both the licensing authority and operators, in having a better awareness of the local area and risks. Importantly, risk in this context includes potential and actual risks, thereby taking into account possible future emerging risks, rather than reflecting current risks only.

**6.48.** An effective local area profile is likely to take account of a wide range of factors, data and information held by the licensing authority and its partners. An important element of preparing the local area profile will be proactive engagement with responsible authorities as well as other organisations in the area that can give input to map local risks in their area. These are likely to include public health, mental health, housing, education, community welfare groups and safety partnerships, and organisations such as GamCare (opens in new tab) or equivalent local organisations.

**6.49.** Good local area profiles will increase awareness of local risks and improved information sharing, to facilitate constructive engagement with licensees and a more coordinated response to local risks. The local area profile will help to inform specific risks that operators will need to address in their risk assessment, discussed at paragraph 6.41 above, which will form a part of any new licence application, or an application to vary a licence.

**6.50** For example, an area might be identified as high risk on the basis that it is located within close proximity to a youth centre, rehabilitation centre, or school. The licensing authority might indicate, for example, that they would expect licensees to take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises. The licensee would be reasonably expected to have sufficient controls in place to mitigate associated risks in such areas and, if not, the licensing authority would consider other controls themselves.

**6.51** It is for licensing authorities to determine whether to include a local area profile within the body of their policy statement or separately. If included in the policy statement, the licensing authority's view of local risks would be a consideration for local gambling regulation in the context of s.153 of the Act. Licensing authorities may consider this is best achieved by making reference to the local area profile, so that it can be reviewed and updated without the need for full consultation.

**6.52.** There is no prescriptive template for a local area profile, as each assessment will be influenced by local circumstances. However, it is expected that that it will draw upon the knowledge and expertise of responsible authorities and be updated on a regular basis to reflect changes to the local environment.

**6.53.** As stated, there is no mandatory requirement to have a local area profile, but there are a number of benefits:

- it enables licensing authorities to better serve their local community, by better reflecting the community and the risks within it

- greater clarity for operators as to the relevant factors in licensing authority decision making, will lead to improved premises licence applications, with the operator already incorporating controls and measures to mitigate risk in their application
- it enables licensing authorities to make robust but fair decisions, based on a clear, published set of factors and risks, which are therefore less susceptible to challenge
- it encourages a proactive approach to risk that is likely to result in reduced compliance and enforcement action.

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# 7 Declaration by licensing authority

**6.54.** Licensing authorities may wish to include a declaration in their policy statement which sets out that, in producing the final policy statement, it has had regard to:

- the licensing objectives in the Act
- this guidance issued by the Commission
- any responses from those consulted on its policy statement.

**6.55.** Licensing authorities should note that the regulations and this guidance do not prevent them from including any additional information that they consider necessary or helpful.

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# 8 Consultation

**6.56.** In determining its policy statement, the licensing authority must give appropriate weight to the views of those it has consulted. In deciding what weight to give, the factors to be taken into account include:

- who is making the representations, the nature of their interest and their expertise
- relevance of the factors to the licensing objectives
- how many other people have expressed the same or similar views
- how far the representations relate to matters that the licensing authority should be including in its policy statement.

**6.57.** A licensing authority should always be able to give reasons for the decisions it has made following consultation. Having regard to this guidance will be important for consistency.

# Consultation process

**6.58.** S.349(3) of the Act requires licensing authorities to consult with the following on their policy statement or any subsequent revision:

- in England and Wales, the chief officer of police for the authority's area
- in Scotland, the chief constable of the Police Scotland
- one or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area
- one or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Act.

**6.59.** The list of persons to be consulted is deliberately wide. This enables licensing authorities to undertake a comprehensive consultation exercise with anyone who may be affected by or otherwise have

an interest in their policy statement.

**6.60.** It is a matter for licensing authorities to develop their own consultation practices, including the methods for consultation and who they consider it necessary to consult with, which might include consultation with relevant local groups, businesses and responsible authorities.

**6.61.** Any written consultation should follow best practice as set out by the Department for Business, Energy and Industrial Strategy. Consultation responses should usually be published within 12 weeks of the consultation closing. Where licensing authorities do not publish a response within 12 weeks, they should provide a brief statement on why they have not done so. Consultation documents could be provided on the licensing authority's website.

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# 9 Reviewing and updating the policy statement

**6.62.** The licensing authority's policy statement will have effect for a maximum of three years and must be reviewed thereafter, but the licensing authority may review and alter the policy at any time during the three year period. For example, licensing authorities will need to consider if their policy statement should be reviewed in the event of a change of policy, such as a change in local planning policy.

**6.63.** Where the policy statement is reviewed and changes proposed, licensing authorities must consult on any revision.

**6.64.** Authorities should note that where a statement is revised, it is only the revision that needs to be published and consulted on. So, for example, an authority may consult separately on whether to pass a casino resolution and then subsequently publish the resolution as part of the statement. This can be done without any need to review and reopen consultation on the main body of the statement. The same would apply if the licensing authority was updating its local area profile to take account of changing local risks. Any revisions must be published and advertised in the same way as a new statement.

**6.65.** The regulations referred to at paragraph 6.11 confirm that the form and content of revisions to the policy statement can be determined by the licensing authority, subject to the requirement that the revisions must include an introductory section at or near the beginning, summarising the matters dealt with in the statement and listing the persons consulted in preparing the revision.

**6.66.** Where the revision deals with any of the matters below, these must be presented in separate sections:

1. the principles to be applied in exercising the powers under s.157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm
2. the principles to be applied by in exercising the powers under s.158 of the Act, to determine whether a person is an interested party in relation to a premises licence, or an application for or in respect of a premises licence
3. the principles to be applied in exercising functions under s.29 and 30 of the Act with respect to the exchange of information between it and the Commission, and the functions under s.350 of the Act with respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act
4. the principles to be applied in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under s.346 of the Act to institute criminal proceedings in respect of the offences specified in that section.

# 10 Advertisement and publication

# Advertising the policy statement or revisions

**6.67.** Before a statement or revision comes into effect, the regulations referred to at paragraph 6.11 require licensing authorities to publish a notice of their intention to publish a statement or revision. The notice must:

- specify the date on which the statement or revision is to be published
- specify the date on which the statement or revision will come into effect
- specify the internet address where the statement or revision will be published and the address of the premises at which it may be inspected
- be published on the authority's website and in or on one or more of the following places for at least four weeks before it comes into effect:
- a local newspaper circulating in the area covered by the statement
- a local newsletter, circular, or similar document circulating in the area covered by the statement
- a public notice board in or near the principal office of the authority
- a public notice board on the premises of public libraries in the area covered by the statement.

# Publishing the policy statement or revisions

**6.68.** The regulations at paragraph 6.11 stipulate that the policy statement or any subsequent revision, must be published on the licensing authority's website and be made available at reasonable times for inspection by members of the public at one or more public libraries in the area covered by the statement or in other premises situated in that area. The statement or revision must be published at least four weeks before it takes effect.

# 11 Additional information to be made available

**6.69.** In order to ensure that applicants and persons who wish to make representations have the necessary information to be able to do so, the information set out below should be made available by licensing authorities are part of their communication strategy.

**6.70.** It is open to licensing authorities to include any of this information in their policy statement. However, they might think it more appropriate to make it available in another form, such as on their website.

# Registers

**6.71.** S.156 of the Act requires licensing authorities to maintain a register of the premises licences that it has issued. The register must be made available, at any reasonable time, to the public who may request copies of the entries. Authorities should ensure that information regarding the location of the registers (for example, on the website, in the council offices), when they can be viewed, and the cost of obtaining copies is made available to the public.

**6.72.** A database of premises licences is available on the Commission's website and consists of information submitted by licensing authorities. The register is published with the caveat that the Commission cannot provide any assurance on the completeness and accuracy of this data. The Commission recommends that licensing authorities should be contacted directly for accurate and up-to-date premises information.

# Fees

**6.73.** Under s.212(2)(d) of the Act, local authorities in England and Wales shall 'aim to ensure that the income from fees… as nearly as possible equates to the costs of providing the service to which the fees relates'. Further information on fees setting in England, Wales and Scotland in available in Part 36 of this guidance.

# Applications

**6.74.** Licensing authorities should ensure that information is available on how to make applications for licences and other permissions under the Act. In particular, it would be helpful if licensing authorities ensure that a full list of responsible authorities and their appropriate contact details is readily available. Application forms, where appropriate, should also be made available. Licensing authorities should note that there are no prescribed application forms for family entertainment centre, prize gaming or licensed premises gaming machine permits. As such, the licensing authority will need to make clear how applications for these permits should be made and in what form. Additionally, licensing authorities will need to ensure that information regarding making representations, and applying for a review of a premises licence, is also made available.

# Statutory application forms and notices

**6.75.** There are a range of statutory application forms and notices that licensing authorities are required to use as part of their gambling licensing responsibilities. A summary list of these can be found in Appendix E.

# Delegation

**6.76.** Information should be provided as to how functions are delegated under the Act (for example, whether decisions are to be taken by a licensing officer, licensing sub-committee or full committee). A table setting out the scheme of delegation required by the Act may be the most appropriate method for this and is located in Part 4 of this guidance of this guidance.

# Part 7: Premises licences

# 1 Introduction

**7.1.** Considering applications for premises licences is the main business of the licensing authority in terms of local gambling regulation. Where an individual or company uses premises or causes or permits premises to be used to offer gambling, a premises licence is required.

**7.2.** Premises licences are issued by the licensing authority with responsibility for the area in which the premises are situated. Guidance on dealing with premises which are situated in more than one licensing authority can be found at paragraph 7.10.

# 2 Premises

This section of the GLA has been affected by legislative changes that came into effect on 22 July 2025 concerning the entitlements for casino premises licences as set out in The Casinos (Gaming Machines and Mandatory Conditions) Regulations 2025) (opens in new tab). More information can be found in the Non-Remote Casino Sector - legislative changes guidance. The affected sections of the GLA will be reviewed and amended in due course.

**7.3.** In accordance with s.150 of the Act, premises licences can authorise the provision of facilities on:

- a) casino premises
- b) bingo premises
- c) betting premises, including tracks and premises used by betting intermediaries
- d) adult gaming centre (AGC) premises (for category B3, B4, C and D machines)
- e) family entertainment centre (FEC) premises (for category C and D machines) – the licensing authority may issue a FEC gaming machine permit, which authorises the use of category D machines only.

**7.4.** By distinguishing between premises types, the Act makes it clear that the gambling activity of the premises should be linked to the premises described. Thus, in a bingo premises, the gambling activity should be bingo, with gaming machines as an ancillary offer on the premises. This principle also applies to existing casino licences (but not to licences granted under the Gambling Act 2005 (opens in new tab)) and betting premises licences. The Licence conditions and codes of practice (LCCP) sets out in full the requirements on operators. Subject to the gaming machine entitlements which various types of licence bring with them (except in the case of tracks), the Act does not permit premises to be licensed for more than one of the above activities.

# Meaning of premises

**7.5.** In the Act, 'premises' is defined as including 'any place'. S.152 therefore prevents more than one premises licence applying to any place. But there is no reason in principle why a single building could not be subject to more than one premises licence, provided they are for different parts of the building, and the different parts of the building can reasonably be regarded as being different premises. This approach has been taken to allow large, multiple unit premises such as pleasure parks, tracks, or shopping malls to obtain discrete premises licences, where appropriate safeguards are in place. However, licensing authorities should pay particular attention if there are issues about sub-division of a single building or plot and should ensure that mandatory conditions relating to access between premises are observed.

**7.6.** In most cases the expectation is that a single building or plot will be the subject of an application for a licence, for example, 32 High Street. But that does not mean that 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing authority.

**7.7.** The Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises. If a premises is located within a wider venue, a licensing authority should request a plan of the venue on which the premises should be identified as a separate unit.

**7.8.** The Commission recognises that different configurations may be appropriate under different circumstances, but the crux of the matter is whether the proposed premises are genuinely separate premises that merit their own licence – with the machine entitlements that brings – and are not an artificially created part of what is readily identifiable as a single premises.

**7.9.** The Act sets out that the type and number of higher stake gaming machines allowable in premises is restricted according to the type of premises licence or permit granted. For example, a converted casino licence allows for 20 gaming machines in categories B, C or D. With the exception of AGCs and FECs, premises are not permitted to be used exclusively for making gaming machines available, but rather to provide the gaming facilities corresponding to the premises licence type. Further detail on gaming machines is set out in Part 16 of this guidance.

**7.10.** The Act states that an application must be made to **a** licensing authority in whose area the premises are wholly or partly situated. In circumstances where the premises lie in more than one licensing authority's area, the operator should make their application to just one of those authorities. As both licensing authorities are responsible authorities under s.157 of the Act, the other licensing authority must be notified of the application and is entitled to make representations. As a responsible authority, it has an opportunity to pass relevant information about the premises to the licensing authority determining the application. Further detail on responsible authorities is set out at Part 8 of this guidance.

**7.11.** Casino premises are subject to separate regulations, involving a two-stage application process. Details of the two stage process can be found in Part 17 of this guidance.

# Vessels

**7.12.** The Act permits premises licences to be granted for passenger vessels. Separate application forms are prescribed for vessels under the Premises Licences and Provisional Statements Regulations (SI 2007/459 or SSI 2007/196). The definition of a vessel in s.353(1) of the Act is:

- anything (other than a seaplane or amphibious vehicle) designed or adapted for use on water
- a hovercraft
- anything, or part of any place, situated on or in water.

**7.13.** This last part of the definition should be given a normal and sensible interpretation. Structures which are an extension of the land are not vessels, even if they arch over water. Thus, neither a pier nor a bridge

is to be considered a vessel and they remain premises under the Act. This is important because not all forms of permit are available to vessels.

**7.14.** The Act allows pleasure boats to apply for premises licences. As with multi-purpose buildings, the part of the vessel where gambling takes place will be licensed and the usual restrictions on access for children will apply. The Act applies in relation to a vessel that is not permanently moored or berthed, as if it were premises situated in a place where it is usually moored or berthed. The relevant licensing authority for considering an application for a premises licence in respect of a vessel is the authority for the area in which it is usually moored or berthed.

**7.15.** Where a premises licence is sought in connection with a vessel which will be navigated while licensable activities take place, the licensing authority should be concerned with the promotion of the licensing objectives on board the vessel. It should not focus on matters relating to safe navigation or operation of the vessel, the general safety of passengers or emergency provision, all of which are subject to regulations which must be met before the vessel is issued with its Passenger Certificate and Safety Management Certificate.

**7.16.** Licences are not required for gambling if it takes place aboard a vessel engaged on an international journey. Such gambling is exempted from the offences under the Act if the vessel is on a journey which has taken it, or is intended to take it, into international waters (so this includes cross-channel ferries). In the case of aircraft, no offence takes place if the gambling takes place in international airspace.

**7.17.** This means that licensing authorities will have jurisdiction over gambling conducted on vessels on all inland waterways, at permanent moorings, and on all aircraft on the ground or in domestic airspace. If an ocean-going vessel is involved, authorities will need to establish where the vessel has been, or is intending to go.

# Vehicles

**7.18.** Vehicles (trains, road vehicles, aircraft, sea planes and amphibious vehicles, other than a hovercraft) may not be the subject of a premises licence and therefore all forms of commercial betting and gaming will be unlawful in a vehicle in Great Britain. Certain allowances are made for private and non-commercial gaming or betting to take place in a vehicle, but these are subject to a number of stringent requirements. These ensure that, at no point, can the gambling become a commercial activity.

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# 3 Access to premises

**7.19.** An issue that may arise when division of a premises is being considered is the nature of the unlicensed area from which a customer may access a licensed gambling premises. The precise nature of this public area will depend on the location and nature of the premises. Licensing authorities will need to consider whether the effect of any division is to create a machine shed-type environment with very large banks of machines, which is not the intention of the access conditions, or whether it creates a public environment with gambling facilities being made available.

**7.20.** The Gambling Act 2005 (Mandatory and Default Conditions) Regulations (SI 2007/1409 for England and Wales (opens in new tab) and SSI2007/266 for Scotland (opens in new tab)) set out the access provisions for each type of premises. The broad principle is that there can be no access from one licensed gambling premises to another, except between premises which allow access to those under the age of 18 and with the further exception that licensed betting premises may be accessed from other licensed betting premises. Under-18s can go into FECs, tracks, pubs and some bingo clubs, so access is allowed between these types of premises.

**7.21.** These Regulations define street as ‘including any bridge, road, lane, footway, subway, square, court, alley or passage (including passages through enclosed premises such as shopping malls) whether a

thoroughfare or not'. This is to allow access through areas which the public might enter for purposes other than gambling, for example, access to casinos from hotel foyers.

**7.22.** There is no definition of 'direct access' in the Act or regulations, but licensing authorities may consider that there should be an area separating the premises concerned, for example a street or cafe, which the public go to for purposes other than gambling, for there to be no direct access.

**7.23.** The relevant access provisions for each premises type are as follows:

| Type of premises | Access provisions |
|---|---|
| Casinos | • the principal entrance to the premises must be from a 'street'<br>• no entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons<br>• no customer must be able to enter a casino directly from any other premises which holds a gambling premises licence |
| AGCs | • no customer must be able to access the premises directly from any other licensed gambling premises. |
| Betting shops | • access must be from a 'street' or from other premises with a betting premises licence<br>• no direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind unless that shop is itself a licensed betting premises. |
| Tracks | • no customer must be able to access the premises directly from a casino or AGC. |
| Bingo premises | • no customer must be able to access the premises directly from a casino, an AGC or a betting premises, other than a track. |
| FECs | • no customer must be able to access the premises directly from a casino, an AGC or a betting premises, other than a track. |

# Access to gambling by children and young people

**7.24.** The Act contains the objective of 'protecting children and other vulnerable persons from being harmed or exploited by gambling' and sets outs offences at s.46 and s.47 of inviting, causing or permitting a child or young person to gamble, or to enter certain gambling premises. Children are defined in the Act as under-16s and young persons as 16 to 17 year olds. An adult is defined as 18 and over.

**7.25.** Children and young persons may take part in private and non-commercial betting and gaming, but the Act restricts the circumstances in which they may participate in gambling or be on premises where gambling is taking place as follows:

- casinos are not permitted to admit anyone under 18
- betting shops are not permitted to admit anyone under 18
- bingo clubs may admit those under 18 but must have policies to ensure that they do not play bingo, or play category B or C machines that are restricted to those over 18
- AGCs are not permitted to admit those under 18

- FECs and premises with a liquor licence (for example pubs) can admit under- 18s, but they must not play category C machines which are restricted to those over 18
- clubs with a club premises certificate can admit under-18s, but they must have policies to ensure those under 18 do not play machines other than category D machines
- all tracks can admit under-18s, but they may only have access to gambling areas on days where races or other sporting events are taking place or are expected to take place. This was extended to other sporting venues under the Gambling Act 2005 (Exclusion of Children from Track Areas) Order 2007 (SI 2007/1410). Tracks will be required to have policies to ensure that under-18s do not participate in gambling other than on category D machines.

**7.26.** Licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular, they should be aware that entrances and exits from parts of a building covered by one or more licences should be separate and identifiable so that the separation of different premises is not compromised, and that people do not 'drift' into a gambling area. The plan of the premises should clearly denote entrances and exits.

**7.27.** For bingo and FEC premises, it is a mandatory condition that under-18s should not have access to areas where category B and C gaming machines are located, and this is achieved through default conditions that require the area to be:

- separated from the rest of the premises by a physical barrier which is effective to prevent access other than by an entrance designed for that purpose
- supervised at all times to ensure that under-18s do not enter the area, and supervised by either:
- one or more persons whose responsibilities include ensuring that under- 18s do not enter the areas
- CCTV monitored by one or more persons whose responsibilities include ensuring that under-18s do not enter the areas
- arranged in a way that ensures that all parts of the area can be observed.

A notice must be displayed in a prominent place at the entrance to the area stating that no person under the age of 18 is permitted to enter the area.

**7.28.** Products made available for use in gambling premises will often contain imagery that might be of particular appeal to children or young people. For example, cartoon imagery that is ubiquitous on gaming machine livery. Where any such product is sited on age-restricted premises or in the age-restricted area of premises (and in particular, if sited close to the entrance or threshold and therefore visible to children or young people), licensees should consider whether it might risk inviting under 18s to enter the restricted area.

**7.29.** The LCCP requires licensees to ensure that their policies and procedures for preventing underage gambling take account of the structure and layout of their gambling premises. This therefore requires licensees not only to be able to supervise their premises but also that they should mitigate the risks of under 18s being attracted to enter premises by the products available within them. Where a licensing authority has concerns that such products are visible, they could for example require the licensee to re-site the products out of view.

**7.30.** There are a range of other conditions which attach to each type of premises which are set out in Part 9 of this guidance and other parts relating to each type of premises.

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# 4 Multiple activity premises – layout and access

**7.31.** With the exception of bingo clubs, tracks on race-days and licensed FECs, children will not be permitted to enter licensed gambling premises. Therefore, businesses will need to consider carefully how they wish to configure their buildings if they are seeking to develop multi-purpose sites.

**7.32.** Licensing authorities should take particular care in considering applications for multiple premises licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular, they should be aware of the following:

- the third licensing objective seeks to protect children from being harmed or exploited by gambling and premises should be configured so that children are prohibited from participating in gambling, such that they are not invited to participate in, have accidental access to, or closely observe gambling
- entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised, and people do not 'drift' into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit
- customers should be able to participate in the activity named on the premises licence.

**7.33.** In determining whether two or more proposed premises are truly separate, the licensing authority should consider factors which could assist them in making their decision, including:

- is a separate registration for business rates in place for the premises?
- is the premises' neighbouring premises owned by the same person or someone else?
- can each of the premises be accessed from the street or a public passageway?
- can the premises only be accessed from any other gambling premises?

The Commission has published guidance to assist licensing authority officers when considering applications for, and conducting inspections of, multi-activity premises (this guide does not form part of the Guidance to licensing authorities).

**7.34.** Where a building consists of a number of areas which hold separate premises licences, each individual licence must not exceed its permitted gaming machine entitlement. The position is different for tracks, as detailed in Part 20 of this guidance.

**7.35.** The proper application of s.152 means that different premises licences cannot apply in respect of single premises at different times. There is no temporal element to a premises licence. Therefore, premises could not, for example, be licensed as a bingo club on weekdays and a betting shop at weekends.

# Single and combined licences

**7.36.** Only one premises licence may be issued for any particular premises at any time although, in some circumstances, the licence may authorise more than one type of gambling. For example, a bingo licence will also authorise the provision of gaming machines. Details of the gambling permissible under each type of licence are set out in the Act and in the premises specific parts of this guidance.

**7.37.** The exception to this relates to tracks, that is a horse racing course, dog track or other premises where races or sporting events take place, which may be subject to more than one premises licence, provided each licence relates to a specified area of the track.

**7.38.** The Act sets out that there will be a main (betting premises) licence for the track, and, in addition, subsidiary premises licences for other gambling activities may be issued. The normal limitations in respect of access by children and young persons will apply, although in relation to a premises licence for a track, children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog racing and/or horse racing takes place. This is subject to the rule that children and young persons may not enter any area where gaming machines (other than category D machines) are provided.

**7.39.** In principle there is no reason why multiple types of gambling should not co-exist on a track (with the exception of a casino or AGC, because of the access restrictions placed on tracks by Schedule 6, Part 1 of the Gambling Act 2005 (Mandatory and Default Conditions) Regulations, but licensing authorities will want to think about how the third licensing objective is delivered by the co-location of premises. As with the granting of multiple licences in a single building, licensing authorities will need to ensure that entrances to

each type of premises are distinct and that under-18s are excluded from gambling areas where they are not permitted to enter.

# 5 Applications

This section of the GLA has been affected by legislative changes that came into effect on 22 July 2025 concerning the entitlements for casino premises licences as set out in The Casinos (Gaming Machines and Mandatory Conditions) Regulations 2025) (opens in new tab). More information can be found in the Non-Remote Casino Sector - legislative changes guidance. The affected sections of the GLA will be reviewed and amended in due course.

**7.40.** A summary of the application forms and statutory notices is provided at Appendix E.

**7.41.** An application for a premises licence may only be made by persons (which includes companies or partnerships):

- who are aged 18 or over and
- who have the right to occupy the premises and
- who have an operating licence which allows them to carry out the proposed activity. Details of operators that hold an operating licence are available on the Commission's website or
- who have applied for an operating licence to allow them to carry out the proposed activity. The premises licence cannot be determined until an operating licence has been issued.

**7.42.** The exception to this is an applicant for a premises licence to allow a track to be used for betting, as these applicants are not required to hold an operating licence if they are merely providing space for other people to provide betting (and those other people hold valid betting operating licences). However, if a track owner is also acting as a betting operator, for example, running pool betting, they will have to have the relevant type of operating licence.

**7.43.** An application must be made to the relevant licensing authority in the form prescribed in regulations laid down by the Secretary of State or Scottish Ministers, and must be accompanied by:

- the prescribed fee
- the prescribed documents, namely a plan of the premises – the plan needs to be to scale, however, a specific scale has not been prescribed.

# Plans of premises

**7.44.** The licensing of premises is primarily a matter for local determination and is something which the Commission is unlikely to comment on, unless it raises matters of wider or national significance. However, there have been a limited number of occasions in which an operator has applied for a variation to a premises licence in which the accompanying plan of the premises has only contained an outline of the licensed premises and the exit points without, for example, the location of the gaming machines and counter. We therefore consider it beneficial, for both licensing authorities and operators, for us to set out the issues involved and our understanding of the options available.

**7.45.** The Gambling Act 2005 (Premises Licences and Provisional Statements) Regulation 2007 (opens in new tab) (as amended) states that a plan must show:

- the extent of the boundary or perimeter of the premises

- where the premises include, or consist of, one or more buildings, the location of any external or internal walls of each such building
- where the premises form part of a building, the location of any external or internal walls of the building which are included in the premises
- where the premises are a vessel or a part of a vessel, the location of any part of the sides of the vessel, and of any internal walls of the vessel, which are included in the premises
- the location of each point of entry to and exit from the premises, including in each case a description of the place from which entry is made or to which the exit leads.

**7.46.** The Regulation states (other than in respect of a track) '...the plan must show the location and extent of any part of the premises which will be used to provide facilities for gambling in reliance on the licence'. However, licensing authorities may consider that this minimum requirement is not sufficient to satisfy them when determining if the application is in accordance with s.153 principles, namely the licensing objectives, this guidance and the Commission's codes of practice – in particular the social responsibility codes – and the licensing authorities' own policy statement. If the application and accompanying plan are insufficient, the licensing authority should ask for more information from the applicant.

**7.47.** The premises plan itself is only one means by which the licensing authority may seek reassurance that the requirements will be met. It may be that conditions attached to the premises licence regarding lines of sight between the counter and the gaming machines, staffing arrangements or security devices are a more effective method of doing so. Local circumstances and concerns, and the layout of a particular premises, will determine what is most appropriate for an individual application.

# Notice of application

**7.48.** The Secretary of State and Scottish Ministers have made regulations (SI 2007/459: The Gambling Act 2005 (Premises Licences and Provisional Statements) Regulations 2007 and SSI 2007/196 for Scotland) requiring the applicant to publish notice of their application and to notify responsible authorities and other persons about the application. These also apply, with one or two modifications, in relation to applications for provisional statements and some ancillary applications that can be made in relation to a premises licence.

**7.49.** Notice must be given in three ways:

- a notice placed outside the premises for 28 consecutive days in a place where it can be read conveniently
- in a newspaper or newsletter of local relevance, on at least one occasion within ten days of the application being made
- to all responsible authorities, which includes the Commission, within seven days of the application being made.

**7.50.** A licence application, and any licence subsequently issued, is not valid if the relevant notifications have not been made.

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# 6 Application for premises variation (s.187): 'material change'

**7.51.** Previous guidance from the Department for Culture, Media and Sport (opens in new tab) and the Commission has been that an application for a variation will only be required where there are material changes to the layout of the premises. What constitutes a material change will be a matter for local determination, but it is expected that a common sense approach will be adopted. When considering an

application for variations, the licensing authority will have regard to the principles to be applied as set out in s.153 of the Act.

# Representations

**7.52.** In dealing with an application, licensing authorities are obliged to consider representations from two categories of person, referred to in the Act as 'responsible authorities' and 'interested parties'. Representations from other parties are inadmissible. Further information on these categories can be found in Part 8 of this guidance.

**7.53.** Having determined that the representation is admissible, the licensing authority must consider its relevance. Only representations that relate to the licensing objectives, or that raise issues under the licensing authority's policy statement, or the Commission's guidance or codes of practice, are likely to be relevant.

**7.54.** The licensing authority will also need to consider if representations are 'frivolous' or 'vexatious'. This is a question of fact and licensing authorities are advised to seek help from their legal advisers in interpreting these phrases although relevant considerations may include:

- who is making the representation, and whether there is a history of making representations that are not relevant
- whether it raises a 'relevant' issue
- whether it raises issues specifically to do with the premises that are the subject of the application.

**7.55.** The Commission does not routinely make representations on premises licence applications. However, the fact that the Commission has not made a representation on a particular premises licence application should not be taken as indicating the Commission's approval of that application. Exceptionally, where an application for a premises licence, or the operation of a current premises licence, raises matters of wider or national significance, the Commission will consider making representations or requesting a review.

# Making a decision

**7.56.** As explained earlier, the licensing authority's primary obligation under s.153(1) is to permit the use of premises in so far as it thinks that to do so is:

- a. in accordance with any relevant code of practice issued by the Commission
- b. in accordance with any relevant guidance issued by the Commission
- c. reasonably consistent with the licensing objectives (subject to a and b above)
- d. in accordance with the licensing authority's statement of licensing policy (policy statement) (subject to a to c above).

**7.57.** Further information and guidance as to the meaning and effect of s.153 is set out at paragraph 5.19 above.

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# 7 Consideration of planning permission and building regulations

**7.58.** In determining applications, the licensing authority should not take into consideration matters that are not related to gambling and the licensing objectives. One example would be the likelihood of the applicant

obtaining planning permission or building regulations approval for their proposal. Licensing authorities should bear in mind that a premises licence, once it comes into effect, authorises premises to be used for gambling. Accordingly, a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use. Equally, licences should only be issued where they are expected to be used for the gambling activity named on the licence. This is why the Act allows a potential operator to apply for a provisional statement if construction of the premises is not yet complete, or they need alteration, or he does not yet have a right to occupy them. Part 11 of this guidance gives more information about provisional statements.

**7.59.** As the Court has held in a 2008 case (The Queen (on the application of) Betting Shop Services Limited –v- Southend-on-Sea Borough Council [2008] EWHC 105 (Admin)), operators can apply for a premises licence in respect of premises which have still to be constructed or altered, and licensing authorities are required to determine any such applications on their merits. Such cases should be considered in a two stage process; first, licensing authorities must decide whether, as a matter of substance after applying the principles in s.153 of the Act, the premises ought to be permitted to be used for gambling; second, in deciding whether or not to grant the application a licensing authority will need to consider if appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

**7.60.** For example, where the operator has still to undertake final fitting out of the premises but can give a reasonably accurate statement as to when the necessary works will be completed, it may be sufficient to simply issue the licence with a future effective date, as is possible under the Regulations (SI 2007/459: The Gambling Act 2005 (Premises Licences and Provisional Statements) Regulations 2007 and SSI No 196: for Scotland). The application form allows the applicant to suggest a commencement date and the notice of grant allows the licensing authority to insert a date indicating when the premises licence comes into effect. In other cases, it may be appropriate to issue the licence subject to a condition that trading in reliance on it shall not commence until the premises have been completed in all respects in accordance with the scale plans that accompanied the licence application. If changes to the pre-grant plans are made, then parties who have made representations should be able to comment on the changes made. Part 9 of this guidance gives more information about licence conditions.

**7.61.** If the plans submitted at the time of the application for a premises licence are changed in any material respect during the fitting out of the premises after the grant of the licence, then the applicant will be in breach of the licence. If the applicant wishes to change the proposed plans after grant, then, in order to avoid breaching the licence, it will be necessary for the applicant to either make a fresh application under s.159 or seek an amendment to a detail of the licence under s.187 of the Act. If there are substantive changes to the plans, then this may render the premises different to those for which the licence was granted. In such a case, variation of the licence under s.187 is not possible. For this reason, and while this is a matter of judgement for the licensing authority, the Commission considers it would be more appropriate in the case of any material post grant change, for the applicant to make a fresh application under s.159 to preserve the rights of interested parties and responsible authorities to make representations in respect of the application.

**7.62.** The local authority will need to be satisfied in any individual case that the completed works comply with the original, or changed, plan attached to the premises licence. Depending upon circumstances, this could be achieved either through physical inspection of the premises or written confirmation from the applicant or surveyor that the condition has been satisfied.

**7.63.** Requiring the building to be complete before trading commences would ensure that the authority could, if considered necessary, inspect it fully, as could other responsible authorities with inspection rights under Part 15 of the Act. Inspection will allow authorities to check that gambling facilities comply with all necessary legal requirements. For example, category C and D machines in a licensed family entertainment centre must be situated so that people under 18 do not have access to the category C machines. The physical location of higher stake gaming machines in premises to which children have access will be an important part of this, and inspection will allow the authority to check that the layout complies with the operator's proposals and the legal requirements.

**7.64.** If faced with an application in respect of uncompleted premises which it appears are not going to be ready to be used for gambling for a considerable period of time, a licensing authority ought to consider whether – applying the two stage approach advocated in paragraph 7.59 – it should grant a licence or whether the circumstances are more appropriate to a provisional statement application. For example, the

latter would be the case if there was significant potential for circumstances to change before the premises opens for business. In such cases, the provisional statement route would ensure that the limited rights of responsible authorities and interested parties to make representations about matters arising from such changes of circumstance are protected. Licensing authorities may choose to discuss with individual applicants which route is appropriate, to avoid them having to pay a fee for an application that the licensing authority did not think was grantable.

**7.65.** When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have to comply with the necessary planning or building consents. Nor should fire or health and safety risks be taken into account. Those matters should be dealt with under relevant planning control, building and other regulations, and must not form part of the consideration for the premises licence. S.210 of the Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally, the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building.

# Part 8: Responsible authorities and interested parties definitions

## 1 Introduction

**8.1.** The Act sets out two categories of organisations and individuals that may feature in applications for and reviews of premises licences, responsible authorities and interested parties.

## 2 Responsible authorities

**8.2.** Responsible authorities are public bodies that must be notified of applications and that are entitled to make representations to the licensing authority in relation to applications for, and in relation to, premises licences.

**8.3.** S.157 of the Act identifies the bodies that are to be treated as responsible authorities. They are:

- (a) a licensing authority in England and Wales in whose area the premises is wholly or partly situated
- (b) the Gambling Commission
- (c) the chief officer of police or chief constable for the area in which the premises is wholly or partially situated
- (d) the fire and rescue authority for the same area
- (e) in England and Wales, the local planning authority; or in Scotland, the planning authority
- (f) the relevant authority as defined in s.6 of the Police and Fire Reform (Scotland) Act 2012 (opens in new tab)
- (g) an authority which has functions in relation to pollution to the environment or harm to human health
- (h) anybody, designated in writing by the licensing authority, as competent to advise about the protection of children from harm
- (i) HM Revenue & Customs (opens in new tab)
- (j) any other person prescribed in regulations by the Secretary of State.

**8.4.** S.211(4) of the Act provides that in relation to a vessel, but no other premises, responsible authorities also include navigation authorities, within the meaning of s.221(1) of the Water Resources Act 1991 (opens in new tab), that have statutory functions in relation to the waters where the vessel is usually moored or berthed, or any waters where it is proposed to be navigated at a time when it is used for licensable activities. This would include:

- (a) the Environment Agency (opens in new tab) in England and Wales or the Scottish Environment Protection Agency (opens in new tab) in Scotland
- (b) the British Waterways Board
- (c) the Secretary of State. In practice, this would be the Secretary of State for Transport who acts through the Maritime and Coastguard Agency (opens in new tab).

**8.5.** The Act includes a wide range of responsible authorities to ensure that all relevant regulatory bodies and organisations are made aware of applications for gambling premises licences or other permissions. Equally, a policy of wide dissemination of applications allows responsible authorities to take action under their own legislation and enforcement powers, even if there is no direct role for them in the premises licensing process for gambling.

**8.6.** The Act contains no obligation on responsible authorities to respond to applications for premises licences. For example, the Commission does not routinely make representations on premises licence applications, although this should not be taken as indicating the Commission's approval of a particular application. Exceptionally, where an application for a premises licence or the operation of a current premises licence raises matters of wider or national significance, the Commission will consider making representations or requesting a review. The Commission may also comment on an application if it has particular observations about an operator.

**8.7.** Licensing authorities are required to set out their approach to their functions under the Act in their policy statement. One of those functions is to determine who will be competent to advise them about the protection of children from harm and the principles for determining this must be set out in a separate section in their policy statement. Licensing authorities should engage fully with the relevant designated body and consult with them on the development of the policy statement. Further detail can be found in Part 6 of this guidance at paragraph 6.15 onwards.

**8.8.** The Secretary of State and Scottish Ministers may prescribe other responsible authorities by means of regulations.

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# 3 Interested parties

**8.9.** S.158 of the Act defines interested parties. To accept a representation from an interested party, the licensing authority must take the view that the person:

- lives sufficiently close to the premises to be likely to be affected by the authorised activities
- has business interests that might be affected by the authorised activities
- represents persons in either of these two groups. Licensing authorities will need to have regard to anything an interested party says about their status to make representations.

**8.10.** The approach taken by licensing authorities in determining who is an interested party should be dealt with in their policy statement. As with responsible authorities, regulations require this information to be in a separate section of the policy statement, as outlined in Part 6 of this guidance at paragraph 6.18 onwards.

**8.11.** The following gives further advice on how licensing authorities can determine whether someone is an interested party.

# People living close to the premises

**8.12.** There are a number of factors that licensing authorities should take into account when determining whether a person 'lives sufficiently close to the premises'. These might include:

- the size of the premises
- the nature of the premises
- the distance of the premises from the location of the person making the representation
- the potential impact of the premises such as the number of customers, routes likely to be taken by those visiting the establishment
- the circumstances of the person who lives close to the premises. This is not their personal characteristics, but their interests which may be relevant to the distance from the premises.

**8.13.** Relevant factors will depend on the particular application. For example, it is reasonable for a licensing authority to consider that living sufficiently close to premises to likely be affected could have a different meaning for (a) a private resident, (b) a residential school for children with truanting problems and (c) a residential hostel for vulnerable adults.

# The nature and scope of business interests that could be affected

**8.14.** It could be argued that any gambling business could be affected by another gambling business expanding into any part of Great Britain. But that is unlikely to be enough to satisfy the test of being 'a person with business interests that might be affected by the premises' under consideration. For example, an operator in a particular sector be it casino, bingo or betting, should not be able to lodge representations on every application put in by a rival operator anywhere in the country, simply because they are in competition within the same gambling sector. Specifically, licensing authorities are reminded that the 'demand test' from previous gambling legislation does not apply under the Act.

**8.15.** The licensing authority should be satisfied that the relevant business is likely to be affected. Factors that are likely to be relevant include:

- the size of the premises
- the 'catchment' area of the premises, that is, how far people travel to visit the premises
- whether the person making the representation has business interests in that catchment area that might be affected.

# People representing those in the above categories

**8.16.** Interested parties can be people who are democratically elected such as councillors, MSPs, MSs and MPs, as persons representing individuals in the other categories. This would include county, parish and town councillors. Other representatives might include bodies such as trade associations and trade unions, and residents' and tenants' associations. A school head or governor might act in representing the interests of pupils or parents and a community group might represent vulnerable people living near to the proposed premises.

**8.17.** Save for democratically elected persons, licensing authorities should satisfy themselves on a case by case basis that a person does represent interested parties and request written evidence where necessary. A letter from the interested person(s) they are representing would be sufficient.

# Part 9: Premises licence conditions

# 1 Introduction

**9.1.** The Act provides that licences may be subject to conditions in a number of ways:

- they may attach automatically, having been set out on the face of the Act
- they may attach through regulations made by the Secretary of State or Scottish Ministers
- they may be attached to operating and personal licences by the Commission
- they may be attached to premises licences by licensing authorities.

**9.2.** Conditions may sometimes be general in nature attaching to all licences or all licences of a particular class, or they may be specific to a particular licence.

**9.3.** Conditions on premises licences should relate only to gambling, as considered appropriate in the light of the principles to be applied by licensing authorities under s.153. Accordingly, if the Commission's Licence conditions and codes of practice (LCCP) or other legislation places particular responsibilities or restrictions on an employer or the operator of premises, it is not appropriate to impose the same through conditions on a premises licence.

# 2 Conditions and authorisations by virtue of the Act

This section of the GLA has been affected by legislative changes that came into effect on 22 July 2025 concerning the entitlements for casino premises licences as set out in The Casinos (Gaming Machines and Mandatory Conditions) Regulations 2025) (opens in new tab). More information can be found in the Non-Remote Casino Sector - legislative changes guidance. The affected sections of the GLA will be reviewed and amended in due course.

**9.4.** The following paragraphs set out specific sections of the Act that provide for conditions to be attached automatically to premises licences, or for authorisations to be granted automatically. The Secretary of State and/or Scottish Ministers may make regulations requiring these conditions to be set out on the premises licence, and there is no discretion to decide not to include them or to modify them. The table after paragraph 9.18 summarises which sections of the Act apply to which types of premises licences.

# S.172 – number of gaming machines

**9.5.** S.172 provides for premises licences to permit a specified number of gaming machines of particular categories in each type of gambling premises. These permissions are set out in detail in Part 16 of this guidance.

# S.173 – betting on virtual events

**9.6.** S.173 authorises the holder of a casino premises licence or a betting premises licence to make facilities available for betting on virtual events. This is separate from betting on virtual events by means of a gaming machine. It is intended to cover facilities such as virtual horse and greyhound racing which are person-to-person transactions, involving virtual images that are not displayed on a machine.

# S.174 – gambling in addition to casino games

**9.7.** S.174 authorises the holder of a casino premises licence for a small or large casino to make available the following types of gambling in addition to casino games:

- equal chance games
- betting – but not in pre-2005 Act casinos with grandfather rights and only with a betting operating licence
- bingo – but only in large casinos and only with a bingo operating licence.

**9.8.** For the purposes of the Act, equal chance games are ones which do not involve playing or staking against a bank and in which the chances are equally favourable to all players. Licensing authorities must not restrict the equal chance gaming available nor prohibit casino games that have not been prohibited by the Commission. Part 17 of this guidance provides details of the casino games authorised by the Commission.

# S.176 – access by children and young persons to casinos

**9.9.** S.176 requires the Commission to issue at least one code of practice about access to casino premises for children and young persons. In particular, the code must:

- specify steps that the premises licence holder must take to ensure that under-18s do not enter casino premises, including ensuring that each entrance to the casino is supervised by at least one person who is responsible for compliance with the code of practice
- require that, unless the supervisor is certain that a person seeking admittance is an adult, evidence of age must be provided by those seeking to enter the casino or gambling area.

**9.10.** S.176 makes it a condition of the premises licence that the licensee must comply with the code of practice issued by the Commission. Licensing authorities should note that the requirement under s.176 for supervision at each entrance is separate to any other condition that may be attached relating to ‘door supervision’ more generally.

# S.177 – giving of credit

**9.11.** S.177 attaches a condition to casino premises licences and bingo premises licences that prohibits the licensee from:

- giving credit in connection with the gambling taking place on the premises
- participating in, arranging, permitting or knowingly facilitating the giving of credit in connection with the gambling on the premises.

**9.12.** However, s.177 does not prevent the licensee from contracting a third party to install cash dispensers (ATMs) on their premises, which may accept both credit and debit cards. Such an arrangement is subject to requirements that the premises licence holder has no other commercial connection in relation to gambling with the provider of the ATMs (aside from the agreement to site the machines), does not profit from the arrangement, and does not make any payment in connection with the machines. All premises licences also include a mandatory condition which requires that any ATM made available for use on the premises must be located in a place that requires any customer who wishes to use it to cease gambling in order to do so (Part 1(5) of The Gambling Act 2005 (Mandatory and Default Conditions) Regulations).

**9.13.** S.177 deals with the prohibition of credit in respect of casino and bingo premises licences. However equivalent prohibitions are placed on bingo and casino operating licences, as set out in s.81 of the Act, credit and inducements.

# S.178 – door supervision

**9.14.** If a licensing authority attaches a condition relating to door supervision, and the person carrying out those duties are required by the Private Security Industry Act 2001 (opens in new tab) (PSIA) to hold a licence, s. 178 of the Gambling Act 2005 (opens in new tab) prescribes that the requirement under PSIA will be treated as if it were a condition of the premises licence. There is, however, an exemption from the PSIA licensing requirement for in-house employees working as door supervisors at casino and bingo premises, details of which can be found in Part 33 of this guidance.

**9.15.** S.178 defines door supervision as requiring someone to be responsible for ‘guarding the premises against unauthorised access or occupation, against outbreaks of disorder or against damage’.

# S.179 – pool betting

**9.16.** S.179 provides that a betting premises licence in respect of a track may not authorise pool betting to take place, other than in respect of dog or horse racing and only where the acceptance of bets is by the holder of the betting premises licence, or in accordance with arrangements made by them. In the case of dog racing, this preserves the existing arrangements at dog tracks where the totalisator is operated by or on behalf of the occupier of the track.

# S.182 – access by children and young persons to tracks

**9.17.** S.182 applies only to a betting premises licences in respect of tracks. It requires the licensee to ensure that children and young persons are excluded from any area in which facilities for betting are provided and from any area where a gaming machine (other than a category D gaming machine) is situated. The exception to this, for betting areas only, is on race days at dog and horse racing tracks, that is on those days when racing occurs or is expected to take place. In those cases, under-18s may have access to betting areas but licensing authorities should note that this exception does not affect the prohibition on betting by children and young persons.

# S.183 – Christmas day

**9.18.** S.183 applies a condition to all premises licences that facilities for gambling must not be provided on Christmas day, namely the period of 00.01 hours on 25 December until 00.00 hours on 26 December.

| | Section of the Act | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|
| **Type of premises licence** | **s.172** | **s.173** | **s.174** | **s.176** | **s.177** | **s.178** | **s.179** | **s.182** | **s.183** |
| All premises licences | x | | | | | x | | | x |
| Bingo premises licences | | | | | x | | | | |
| Casino premises licences | | x | | x | x | | | | |
| Small casinos | | | x | | | | | | |
| Large casinos | | | x | | | | | | |
| Betting premises licences | | x | | | | | | | |
| Betting premises licence in respect of a track | | | | | | | x | x | |

# 3 Conditions attached through regulations made by the Secretary of State or Scottish Ministers – all premises

This section of the GLA has been affected by legislative changes that came into effect on 22 July 2025 concerning the entitlements for casino premises licences as set out in The Casinos (Gaming Machines and Mandatory Conditions) Regulations 2025) (opens in new tab). More information can be found in the Non-Remote Casino Sector - legislative changes guidance. The affected sections of the GLA will be reviewed and amended in due course.

**9.19.** The Secretary of State and Scottish Ministers have set out conditions to be attached to all premises licences in the Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007 (opens in new tab) (SI 2007/1409), and the Gambling Act 2005 (Mandatory and Default Conditions) (Scotland) Regulations 2007 (opens in new tab) (SSI 2007/266).

**9.20.** Conditions under these regulations fall into two categories:

- mandatory conditions made under s.167 of the Act that must be attached to premises licences
- default conditions made under s.168 of the Act, that attach to the premises licence unless the licensing authority decides to exclude them, using its powers under s.169.

**9.21.** Licensing authorities should note that mandatory conditions made under these regulations are set with the intention that no further regulation in relation to that matter is required. Therefore, it is extremely unlikely that licensing authorities will need to impose individual conditions in relation to matters that are already dealt with by mandatory conditions. Licensing authorities should only consider doing so where there are regulatory concerns of an exceptional nature, and any additional licence conditions must relate to the licensing objectives.

**9.22.** Mandatory conditions applying to all premises licences are set out at paragraph 9.25 onwards. In addition, there are mandatory conditions that relate to particular category of premises licences. Details of these can be found in Part 17 of this guidance to Part 22 of this guidance.

**9.23.** Licensing authorities have more flexibility in relation to default conditions and may exclude a default condition and substitute it with one that is either more or less restrictive. Licensing authorities should note, however, that default conditions are intended to reflect normal industry operating practices. In circumstances where default conditions are excluded, the Commission would generally expect them to be

replaced by other conditions, given the requirements of s.153. Where the condition is more restrictive, the licensing authority should ensure that they have clear regulatory reasons for doing so.

**9.24.** Default conditions under the regulations set out above relate to particular categories of premises licence and details can be found in Part 17 of this guidance to Part 22 of this guidance.

# Mandatory conditions

**9.25.** The following mandatory conditions apply to all premises licences:

- the summary of the premises licence issued by the licensing authority must be displayed in a prominent place on the premises. In England and Wales this must include a summary of the terms and conditions of the premises licence.
- the layout of the premises must be maintained in accordance with the plan that forms part of the premises licence.
- neither National Lottery products nor tickets in a private or customer lottery may be sold on the premises in England and Wales. Sale of National Lottery and private lottery tickets are prohibited in Scotland.

**9.26.** There are also mandatory conditions attaching to each type of premises licence controlling access between premises. There can be no direct access between one premises licensed under the Act and another premises licensed under the Act, with the following exceptions:

- between licensed betting premises
- between bingo premises and alcohol-licensed premises and/or clubs with a club gaming or club machine permit or family entertainment centres (FECs) and tracks
- between tracks and alcohol-licensed premises and/or clubs with a club gaming or club machine permit, FECs or betting premises and bingo premises
- between FECs and alcohol-licensed premises, bingo halls or clubs with club gaming or club machine permit and tracks.

# Default conditions

**9.27.** S.169 of the Act gives licensing authorities:

- the ability to exclude from premises licences any default conditions that have been imposed under s.168
- the power to impose conditions on premises licences that they issue.

**9.28.** Licensing authorities should make decisions on conditions on a case-by-case basis, and in the context of the principles of s.153. They must aim to permit the use of premises for gambling and so should not attach conditions that limit their use except where it is necessary in accordance with the licensing objectives, the Commission’s codes of practice and this guidance, or their own statement of policy. Conversely, licensing authorities should not turn down applications for premises licences where relevant objections can be dealt with through the use of conditions.

**9.29.** Licensing authority statements of policy will need to consider the local circumstances which might give rise to the need for conditions. Where there are specific risks associated with a particular locality, the licensing authority might decide to attach conditions to the premises licence to mitigate those risks. For example, local issues associated with a high crime rate may put a premises at risk of not being consistent with the licensing objectives, and specific conditions may be necessary to address the risk.

**9.30.** Where there are risks associated with a specific premises or class or premises, the licensing authority may consider it necessary to attach conditions to the licence to address those risks, taking account of the local circumstances.

**9.31.** Conditions imposed by the licensing authority must be proportionate to the circumstances which they are seeking to address. In particular, licensing authorities should ensure that the premises licence conditions are:

- relevant to the need to make the proposed building suitable as a gambling facility
- directly related to the premises (including the locality and any identified local risks) and the type of licence applied for
- fairly and reasonably related to the scale and type of premises
- reasonable in all other respects.

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# 4 Conditions that may not be attached to premises licences by licensing authorities

**9.32.** The Act sets out certain matters that may not be the subject of conditions:

- s.169(4) prohibits a licensing authority from imposing a condition on a premises licence which makes it impossible to comply with an operating licence condition
- s.172(10) provides that conditions may not relate to gaming machine categories, numbers, or method of operation
- s.170 provides that membership of a club or body cannot be required by attaching a condition to a premises licence (the Act specifically removed the membership requirement for casino and bingo clubs and this provision prevents it being reinstated)
- s.171 prevents a licensing authority imposing conditions in relation to stakes, fees, winnings or prizes.

# Part 10: Review of premises licence by licensing authority

## 1 Introduction

**10.1.** A premises licence may be reviewed by the licensing authority of its own volition or following the receipt of an application requesting a review from a responsible authority or an interested party (as defined in s.157 and s.158 of the Act). Licensing authorities should note that reviews cannot be delegated to an officer of the licensing authority – the lowest level of delegation permitted is to a licensing sub-committee.

**10.2.** The 'aim to permit' framework provides wide scope for licensing authorities to review premises licences where there is a potential conflict with the Commission's Licence conditions and codes of practice (LCCP) and this guidance, the licensing objectives or the licensing authorities own statement of policy. Whilst the Act does not provide a pre-defined list of issues that might prompt a licence review, it is expected that the licensing authority will have set out its view on local issues and priorities that underpin its approach to regulation in its statement of policy in any event, which might then prompt a review.

**10.3.** Licensing authorities are expected to act in a manner that is in accordance with the powers set out under the Act. This means that licensing authority actions, including reviews, should be in pursuit of the principles set out in s.153 of the Act or underpinned by reasonable concerns, such as changes to the local environment or resident complaints.

**10.4.** Licensing authorities might consider it prudent to have constructive discussions with operators about any such concerns, prior to discharging its powers. To this end, the operator might be asked to provide the licensing authority with its own local risk assessment (as provided for under ordinary code 10.1.2 of the LCCP which sets out the controls it has put in place to mitigate risks). The licensing authority has the right to exercise its powers under the Act, if the operator does not offer reasonable or practical suggestions for mitigating risks.

## 2 Initiation of review by licensing authority

**10.5.** S.200 of the Act provides that licensing authorities may initiate a review in relation to a particular premises licence or a particular class of premises licence. Licensing authorities may wish to consider in their scheme of delegations who initiates reviews, and any checking system of that to prevent unwarranted reviews from being conducted.

**10.6.** In relation to a class of premises, the licensing authority may review the use made of premises and, in particular, the arrangements that premises licence holders have made to comply with licence conditions. In relation to these general reviews, it is likely that the licensing authority will be acting as a result of concerns or complaints about particular types of premises, which may result in them looking at, for example, default conditions that apply to that category of licence.

**10.7.** In relation to particular premises, the licensing authority may review any matter connected with the use made of the premises if:

- it has reason to suspect that premises licence conditions are not being observed
- the premises is operating outside of the principles set out in the licensing authority's statement of policy
- there is evidence to suggest that compliance with the licensing objectives is at risk
- for any other reason which gives them cause to believe that a review may be appropriate, such as a complaint from a third party.

**10.8.** A formal review would normally be at the end of a process of ensuring compliance by the operator(s) which might include an initial investigation by a licensing authority officer, informal mediation or dispute resolution. If the concerns are not resolved then, after a formal review, the licensing authority may impose additional conditions or revoke the licence.

**10.9.** The licensing authority must give written notice to the licence holder and responsible authorities that it intends to undertake a review and must also publish notice of its intention to carry out the review. The Gambling Act 2005 (Premises Licences)(Review) Regulations 2007 (opens in new tab)(SI 2007/2258) and the Gambling Act 2005 (Review of Premises Licences)(Scotland) Regulations 2007 (opens in new tab) (SSI 2007/394) require the licensing authority to display notice at a place which is as near as reasonably practicable to the relevant premises or where it can be conveniently read by members of the public. The notice must be displayed for no less than 28 consecutive days, starting on the day that the licensing authority gives notice to the holder of the premises licence.

**10.10.** In addition, the notice must be published **either**:

- in a local newspaper or, if there is none, a local newsletter, circular or similar document within the licensing authority's area, at least once during the period of ten working days from the day on which the licensing authority gives notice to the holder of the premises licence, or
- on the licensing authority's internet website for no less than 28 consecutive days, starting on the day that the licensing authority gives notice to the holder of the premises licence.

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# 3 Application for a review

**10.11.** S.197 of the Act provides that an application for review may be made by a responsible authority or an interested party, detailed in Part 8 of this guidance. Such applications must be submitted to the licensing authority in the prescribed form and state the reasons why a review is being requested, together with any supporting information and documents.

**10.12.** The regulations require the applicant to provide written notice of their application to the premises licence holder and to all responsible authorities, within seven days of making their application. Failure to do so will halt the application process until notice is received by all parties.

**10.13.** Representations must be made within 28 days, commencing seven days after the date on which the application was received. During these seven days the licensing authority is required to publish notice of the application, as per the process set out in the regulations referred to in paragraph 10.9.

# Decision whether to grant an application for a review

**10.14.** S.199 provides that a licensing authority must grant an application for a review, unless it decides to reject the application under s.198 of the Act. By virtue of s.198, an application may, but need not, be rejected if the licensing authority thinks that the grounds on which the review is sought:

- a) are not relevant to the principles that must be applied by the licensing authority in accordance with s.153, namely the licensing objectives, the Commission's codes of practice and this guidance, or the licensing authority's statement of policy
- b) are frivolous
- c) are vexatious
- d) will certainly not cause the licensing authority to revoke or suspend a licence or to remove, amend or attach conditions on the premises licence
- e) are substantially the same as the grounds cited in a previous application relating to the same premises
- f) are substantially the same as representations made at the time the application for a premises licence was considered.

**10.15.** In the case of e) and f), the licensing authority shall take into account the period of time that has passed since the previous application or representations were made, in deciding whether this is a reasonable basis for not reviewing the licence.

**10.16.** As licensing authorities are required to permit the use of premises for gambling, in so far as it is in accordance with the s.153 principles, applications that raise general objections to gambling as an activity, that relate to demand for gambling premises, or raise issues relating to planning, public safety, and traffic congestion are unlikely to be considered an appropriate basis for review, leading to rejection under a) above.

**10.17.** The decision to grant a review must not amount to pre-judging the outcome of a review.

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# 4 Carrying out a review

**10.18.** Having given notice of their intention to initiate a review or having decided to grant a review following an application, s.201 of the Act requires the licensing authority to carry out the review as soon as possible after the 28 day period for making representations has passed.

**10.19.** The purpose of the review will be to determine whether the licensing authority should take any action in relation to the licence, namely:

- add, remove or amend a licence condition imposed by the licensing authority
- exclude a default condition imposed by the Secretary of State or Scottish Ministers (for example, relating to opening hours) or remove or amend such an exclusion
- suspend the premises licence for a period not exceeding three months
- revoke the premises licence.

**10.20.** In particular, the licensing authority may take the above action on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them. Equally, the premises licence holder must only offer the type of gambling that they are permitted to.

**10.21.** The licensing authority must hold a hearing, unless the applicant and any person who has made representations consent to the review being conducted without one. The licensing authority must have regard to any relevant representations when reviewing the matter and must have regard to the principles in s.153 of the Act.

**10.22.** Once the review has been completed the licensing authority must notify its decision as soon as possible to:

- the licence holder
- the applicant for review (if any)
- the Commission
- any person who made representations
- the chief officer of police or chief constable

- HM Revenue and Customs (opens in new tab).

**10.23.** Rights of appeal are set out in Part 12 of this guidance.

# Part 11: Provisional statements

# 1 Introduction

**11.1.** S.204 of the Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:

- expects to be constructed
- expects to be altered
- expects to acquire a right to occupy.

**11.2.** Developers may wish to apply for provisional statements before they enter into a contract to buy or lease property or land, to judge whether a development is worth taking forward in light of the need to obtain a premises licence. It is also possible for an application for a provisional statement to be made for premises that already have a premises licence, either for a different type of gambling or the same type.

**11.3.** Whilst applicants for premises licences must hold or have applied for an operating licence from the Commission (except in the case of a track), and they must have the right to occupy the premises in respect of which their premises licence application is made, these restrictions do not apply in relation to an application for a provisional statement.

**11.4.** In circumstances where an applicant has also applied to the Commission for an operating licence, the Commission will not be able to comment on whether the application is likely to be granted. The licensing authority should not speculate on or otherwise take into account the likelihood of an operating licence being granted in its consideration of the application for a provisional statement.

**11.5.** An application for a provisional statement must be accompanied by plans and the prescribed fee. Licensing authorities in England and Wales set their own provisional statement fees up to a pre-determined maximum, whereas licensing authorities in Scotland must use the provisional statement fees set by Scottish Ministers (SI No. 479: The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007 SSI No. 197: The Gambling (Premises Licence Fees) (Scotland) Regulations 2007).

**11.6.** Subject to any necessary modifications, the process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

**11.7.** Once the premises are constructed, altered, or acquired the holder of a provisional statement can put in an application for the necessary premises licence. A premises licence application for a premises where the applicant already holds a provisional statement for that premises attracts a lower application fee. S.205 of the Act sets out rules on how the authority must treat this application. Licensing authorities should note that, in the absence of a requirement that an applicant for a provisional licence must have the right to occupy the premises, there may be more than one valid provisional statement in respect of the same premises.

**11.8.** If a provisional statement has been granted, the licensing authority is constrained in the matters it can consider when an application for a premises licence is made subsequently in relation to the same premises.

**11.9.** No further representations from relevant authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage, or

they reflect a change in the applicant's circumstances.

**11.10.** In addition, the licensing authority may refuse the premises licence, or grant it on terms different to those attached to the provisional statement, only by reference to matters:

- which could not have been raised by way of representations at the provisional licence stage
- which, in the authority's opinion, reflect a change in the operator's circumstances
- where the premises has not been constructed in accordance with the plan and information submitted with the provisional statement application. This must be a substantial change to the plan and licensing authorities should discuss any concerns they have with the applicant before making a decision.

**11.11.** S.210 of the Act, which applies to both premises licences and provisional statements, makes it clear that a licensing authority must not have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with planning or building law.

# Part 12: Rights of appeal and judicial review

## 1 Introduction

**12.1.** This part deals with appeals relating to premises licensing and other decisions by licensing authorities. Licensing authority decisions may also be subject to judicial review giving reasons for decisions.

## 2 Giving reasons for decisions

**12.2.** It is a requirement of the Act that a licensing authority gives reasons for a rejection of an application (for example, Schedule 8 of The Gambling Act 2005 (Premises Licences and Provisional Statements) Regulations 2007 (opens in new tab) prescribes the form of notice that must be given when an application is rejected, which includes the reasons for rejection) but it is good practice for reasons to be given in relation to all decisions.

**12.3.** A failure to give reasons may result in an appeal of the decision or the suggestion that the licensing authority did not have regard to all the relevant information when making its decision, in line with its obligation under s.153 of the Act. It is particularly important that reasons should reflect the extent to which the decision has been made with regard to the licensing authority's statement of policy and this guidance. Reasons for decisions should be made available to all of the parties of any process.

## Premises licences

**12.4.** Details relating to appeals against decisions by a licensing authority are set out in s.206-209 of the Act. These relate to decisions made under Part 8 of the Act, namely:

- applications for a premises licence
- applications to vary or transfer a premises licence
- applications for provisional statements
- reviews of premises licences, either at the licensing authority's instigation or following an application.

## Who can appeal

**12.5.** The table below identifies who can appeal different types of premises licence decisions.

| Type of decision | Section of Act | Who may appeal |
|---|---|---|
| Decision to reject an application for a premises licence or to vary a premises licence, or an application for a provisional statement | s.165, s.187 and s.188 | The applicant |
| Decision to grant an application for a premises licence or to vary a premises licence, or an application for a provisional statement | s.164, s.187 and s.188 | The applicant‡<br>Any person who made representations on the application |
| Decision to take action or to take no action following a review | s.202 | The applicant<br>Any person who made representations on the application<br>The person, if any, who applied for the review<br>The Commission |
| A decision to take action or make a determination in relation to a transfer application | s.188(4) or (5) | The licensee<br>The applicant for transfer |

# Who to appeal to

**12.6.** An appeal against a decision of a licensing authority in England and Wales has to be made to the Magistrates' Court for the local justice area in which the premises concerned are situated. In Scotland, the appeal is made to the local Sheriff court in the Sheriffdom in which the premises are situated.

**12.7.** There is a further right of appeal from the Magistrates' Court to the High Court in England and Wales and from the Sheriff to the Court of Session in Scotland.

# How to appeal

**12.8.** To begin an appeal, the appellant must give notice of their appeal within 21 days of their having received notice of the relevant decision. During that period, and until any appeal that has been brought has been finally determined, a determination or other action by the licensing authority will not have effect unless the licensing authority so directs.

**12.9.** If the licence holder or the person who made the application appeals, the licensing authority will be the respondent. If the appeal is made by someone else, then the licence holder or applicant will be a respondent to the appeal along with the licensing authority.

# Determination and outcome of appeals

**12.10.** In considering an appeal, the Magistrates' Court or Sheriff may review the merits of the decision on the facts and consider points of law, in conjunction with the evidence. In making their decision they will have regard to the licensing authority's statement of policy, this guidance and relevant codes of practice, Licence conditions and codes of practice (LCCP) issued by the Commission and the licensing objectives.

**12.11.** In deciding the appeal, they may:

- dismiss the appeal
- substitute the decision with any other decision that could have been made by the licensing authority
- remit the case back to the licensing authority to deal with the appeal in accordance with the direction of the Court or Sheriff.

**12.12.** The Court or Sheriff may also make such order for costs, but will consider guidance and legislation about the awarding of costs against a public body.

## Implementing the appeal decision

**12.13.** As soon as the appeal decision has been notified to all parties, licensing authorities should not delay its implementation. Standing orders should, therefore, be put in place that necessary action is taken immediately on receipt of the decision, unless ordered by the Court or Sheriff or a higher court to suspend such action, for example as a result of a judicial review.

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† The applicant may appeal, even though the application was granted, for example, because they consider that conditions attached to the licence are too onerous.

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# 3 Permits

**12.14.** The process for appealing a decision in relation to a permit is set out in the relevant Schedules of the Act, as detailed below. In each case, the appeal should be made to the local Magistrates' court in England and Wales or to the Sheriff court in Scotland, and must be made within 21 days of receipt of notice of the decision.

**12.15.** In considering the appeal, the court or Sheriff will take into account whether the licensing authority had regard to its statement of policy, this guidance and codes of practice published by the Commission, and the licensing objectives.

## Schedule 10 – family entertainment centre (FEC) gaming machine permits

**12.16.** Schedule 10, paragraph 22 sets out the processes for appeals for FEC gaming machine permits. The applicant or holder of a permit may appeal if the licensing authority has:

- rejected an application for a permit or renewal of a permit
- given notice that the premises are not being used as an FEC
- stated that the holder is incapable of carrying out an FEC business by reason of mental or physical incapacity.

**12.17.** The Magistrates' court or Sheriff may dismiss the appeal, substitute any decision that the licensing authority could have made or restore a permit. They may also remit the matter back to the licensing authority to decide in accordance with any determination they make, in which case the same rights of appeal will apply, as for the original decision. The court or Sheriff may also make an order for costs.

## Schedule 11 (Parts 4 and 5) – small society lotteries

**12.18.** Schedule 11, paragraph 51 sets out the processes for appeals for small society lotteries. In England and Wales, the Act states that local authorities register societies to run lotteries rather than licensing authorities, and in Scotland such decisions are made by the licensing board. A society may appeal if their application for registration is refused, or their registered status is revoked.

**12.19.** In considering an appeal, the Magistrates' court or Sheriff may uphold the licensing authority's decision, reverse it, or make any other order. If remitting the decision back to the authority, the same rights of appeal will apply as for the original decision.

# Schedule 12 – club gaming permits and club machine permits

**12.20.** Schedule 12, paragraph 25 sets out the process of appeal for club gaming permits and club machine permits. If the authority rejects an application for the issue or renewal of a permit, the applicant may appeal. If the authority cancels a permit, the holder of the permit may appeal. A person who made an objection to the grant of the permit or made representations in relation to the cancellation of a permit may appeal against a grant or refusal to cancel respectively.

**12.21.** The authority may only refuse an application on one or more of the following grounds:

- a) (i) for a club gaming permit: the applicant is not a members' club or miners' welfare institute, (ii) for a club machine permit: the applicant is not a members' club, miners' welfare institute or commercial club
- b) premises are used by children or young persons
- c) an offence or a breach of a condition of the permit has been committed by an applicant
- d) a permit held by an applicant has been cancelled during the last ten years
- e) an objection has been made by the Commission or local chief officer of police.

**12.22.** The authority may only cancel a permit on one of the following grounds:

- a) the premises are used wholly or mainly by children or young persons
- b) an offence or breach of condition of the permit has been committed in the course of gaming activities.

**12.23.** In considering an appeal, the court will determine whether any of these statutory grounds applied in the circumstances. In addition, the court will take into account any objections made by the Commission or local police chief and the considerations at paragraph 12.15.

**12.24.** In England and Wales only, there is a fast-track application procedure (set out in Schedule 12(10)) for holders of a club premises certificate that is issued under s.72 of the Licensing Act 2003 (opens in new tab). In these circumstances, the Commission and police do not have to be consulted and therefore the authority will not receive any objections. The permit must be granted unless:

- the applicant is established or conducted wholly or mainly for the purposes of the provision of facilities for gaming, other than gaming of a prescribed kind
- the applicant is established or conducted wholly or mainly for the purposes of the provision of facilities for gaming of a prescribed kind and also provides facilities for gaming of another kind
- a club gaming permit or club machine permit issued to the applicant has been cancelled during the period of ten years ending with the date of the application.

There is no equivalent provision for clubs in Scotland under the Licensing (Scotland) Act 2005 (opens in new tab).

**12.25.** The Commission is aware that this fast-track procedure has been used inappropriately by applicants to avoid full scrutiny of applications and licensing authorities should pay particular attention to such applications.

**12.26.** On an appeal, the court or Sheriff may dismiss the appeal, substitute any decision that the licensing authority could have made, restore a permit, or remit it back to the authority to decide in accordance with a

determination of the court, where the same rights of appeal will apply as for the original decision. They can also make an order for costs.

# Schedule 13 – licensed premises gaming machine permits

**12.27.** Schedule 13, paragraph 21 sets out the appeal process for licensed premises gaming machine permits, which only apply to England and Wales. The Scottish Government has set regulations (SSI no. 505: The Licensed Premises Gaming Machine Permits (Scotland) Regulations 2007) (opens in new tab) on permits for alcohol-licensed premises in Scotland. An applicant for a permit may appeal if the application is rejected. The holder of a permit may appeal if he is permitted fewer or a different category of machines than applied for, or if the licensing authority gives a notice which cancels or varies the entitlements of the permit.

**12.28.** On an appeal, the Magistrates' court can dismiss the appeal, substitute any decision that the licensing authority could have made, restore a permit, or remit it back to the authority to decide in accordance with a decision of the court, where the same rights of appeal will apply as for the original decision. An order for costs can be made.

# Schedule 14 – prize gaming permits

**12.29.** Schedule 14, paragraph 22 sets out the appeal process for prize gaming permits. If the licensing authority rejects an application for the issue or renewal of a permit, the applicant may appeal.

**12.30.** On an appeal, the Magistrates' court or Sheriff may dismiss the appeal, substitute any decision that the licensing authority could have made, or remit it back to the authority to decide in accordance with a determination of the court, where the same rights of appeal will apply as for the original decision. They can also make an order for costs.

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# 4 Temporary use notices

**12.31.** Appeals in relation to temporary use notices are dealt with in s.226 of the Act, which gives both the applicant and any person entitled to receive a copy of the notice (that is the Commission, local chief of police and HM Revenue & Customs (opens in new tab)), the right of appeal to the Magistrates' court or Sheriff. Appeals must be made within 21 days of receiving notice of the licensing authority's decision. If the appeal is against the decision of the authority not to issue a counter-notice, then the person giving notice must be joined with the licensing authority as a respondent in the case.

**12.32.** The Magistrates' court or Sheriff may dismiss the appeal, direct the authority to take specified action, remit it back to the authority to decide in accordance with a decision of the court, with the same rights of appeal as applied to the original decision, and may make an order for costs.

**12.33.** There is no stay of proceedings in relation to temporary use notices, as there is in relation to applications under Part 8 of the Act. However, the Commission would expect an appeal to be heard before the temporary use notice would otherwise take effect.

# 5 Judicial review

**12.34.** Any party to a decision may apply for judicial review if they believe that the decision taken by the licensing authority is:

- illegal – that is beyond the powers available to the licensing authority
- subject to procedural impropriety or unfairness – which is a failure in the process of reaching the decision, such as not observing the rules of natural justice
- irrational – where a decision is so unreasonable that no sensible person could have reached it (in effect, 'perverse' or 'Wednesbury' unreasonable).

**12.35.** For an application to succeed, the application must show that:

- the applicant has sufficient standing to make that claim
- the actions of the reviewed licensing authority give grounds for review.

However, the remedy is a discretionary one and the Court may decline judicial review if, for example, it considers that the applicant has an alternative remedy which is more appropriate to pursue, such as a right of appeal, or has a private law claim against the defendant.

**12.36.** The applicant can ask the Court to grant a number of orders. A mandatory order compels the reviewed body to do something; a prohibitory order compels it to refrain from doing something; a 'declaration' sets out the court's view on the legality of a particular course of action; and a quashing order nullifies a decision and remits it for reconsideration. In addition, the applicant can seek an injunction (interdict in Scotland) which is, in practice, similar to a mandatory or a prohibitory order.

# Part 13: Information exchange

# 1 Underlying principles

**13.1.** Shared regulation depends on effective partnerships and collaboration. The exchange of information between the Commission and licensing authorities is an important aspect of that and to the benefit of both. Licensing authorities play a particular role in sharing information about gambling activity at a local level, which is important for the Commission's overarching view of gambling activity, not least because that enables the Commission to identify risks and feed information and intelligence back to licensing authorities. It also enables the Commission to fulfil its duty to advise the Secretary of State about the incidence of gambling and the manner in which it is conducted.

**13.2.** The Commission has access to a wide pool of intelligence which it is able to make available to licensing authorities upon request, to support them in carrying out their regulatory responsibilities under the Act. The Commission understands the importance of this in avoiding the risk of duplication or over-regulation and in maximising the efficient use of resources. In a similar manner, the Commission will draw upon the intelligence and insights of its regulatory partners to resolve specific issues. There have been a number of instances where there has been successful joint working to address concerns linked to a particular operator.

# 2 Information licensing authorities provide to the Commission

**13.3.** S.29 of the Act entitles the Commission to seek information from licensing authorities, and places an obligation on authorities to comply with its information requests, providing the information is:

- part of a register maintained by the licensing authority
- in the licensing authority's possession in connection with a provision of the Act.

# Premises data

**13.4.** The Act requires licensing authorities to maintain data on premises licences. As part of the application process for a premises licence, applicants will forward notice of the application to the Commission, and licensing authorities should subsequently notify the Commission of the outcome of each application, whether it is granted or refused. The Act also requires licensing authorities to notify the Commission of other matters such as when a licence has lapsed or been surrendered, and the cancellation of certain permits and registrations. Under s.29 of the Act, the Commission has identified further information requirements that it is necessary for licensing authorities to provide, which form part of the licensing authority return.

**13.5.** It is important that the Commission's national data set for premises licences is accurate, as it is used for conducting national compliance work. Accuracy also reduces the need for the Commission to request ad hoc information on particular premises from licensing authorities, which is time consuming and resource intensive. The Commission will ask licensing authorities to periodically review the premises register to ensure it is up-to-date.

**13.6.** The Commission may make observations and representations on the suitability of the applicant for a premises licence or any other aspect of the application. In such cases, the Commission and licensing authority will discuss matters pertaining to the application and the appropriate action to take. More information on the Commission's role as a responsible authority and its involvement in individual premises licence applications is given in Part 8 of this guidance.

**13.7.** If, during the course of considering a premises licence application, or at any other time, the licensing authority receives information that causes it to question the suitability of the applicant to hold an operating licence, these concerns should be brought to the attention of the Commission without delay.

# Returns

**13.8.** All licensing authorities are required to submit returns to the Commission on an annual basis, providing information on licensed gambling activity and details of compliance and regulatory work undertaken. This includes details of permits and notices issued, premises inspections conducted, and reasons for and outcome of licence reviews. The fees that are charged by licensing authorities are intended to cover the costs of administration which includes the costs of collecting, maintaining and providing data.

**13.9.** The annual return is included in the Single Data List that has been issued by the UK Government. The List is a catalogue of all the data sets that local government must submit in any given year to central government and such organisations as the Commission.

**13.10.** The returns are an important source of information and can assist both the Commission and licensing authorities in improving their work as risk-based regulators. The returns provide the Commission with details of licensing authority compliance and regulatory work. The Commission analyses and publishes a licensing authority statistics report (opens in new tab) each year which helps identify risks and prioritise work.

**13.11.** The Commission will minimise the burden imposed on licensing authorities by keeping its data requests to an absolute minimum. The data requirements will be kept under review to ensure that any data requests have a clear and valid regulatory purpose.

**13.12.** It is essential that licensing authorities ensure that all returns are completed and submitted to the Commission in a timely manner. The Commission would expect the licensing authority to notify it in the event that it is unable to meet a submission deadline. Failure on behalf of a licensing authority to submit the required information could lead to the escalation of the matter with senior personnel in the licensing authority including the Head of Service and Chief Executive.

# Summary of information requirements

| Licensing function | Event requiring information to be sent to Commission |
|---|---|
| Premises licences and provisional statements | • Licensing authority has granted / rejected an application for a premises licence or provisional statement<br>• A premises licence has lapsed<br>• Licensing authority has granted or rejected an application to reinstate a premises licence<br>• Licensing authority has granted or rejected an application to transfer or vary a premises licence |

| Licensing function | Event requiring information to be sent to Commission |
|---|---|
| | • A review of a premises licence has been completed and a decision made<br>• A hearing is to be held where the Commission has made a representation<br>• A premises licence has been surrendered / revoked |
| Club permits | A club permit application has been granted / rejected |
| Small society lottery registration | • Licensing authority registers a society to operate small lotteries<br>• Licensing authority cancels a society's registration to operate small lotteries<br>• Where a society has exceeded the permitted proceeds for small lotteries |
| Issue of permits and temporary permissions | Licensing authority returns |
| Inspections and reviews | Licensing authority returns |

# 3 Other licensing authority information requirements

**13.13.** Licensing authorities are also required to maintain the following information (Schedule 11, Part 5, para 44 of the Gambling Act 2005 (opens in new tab)):

- small society lotteries: licensing authorities are required to record details of the lottery on a register and to notify both the applicant and the Commission of this registration
- club gaming permits: when they either grant or reject an application for a club gaming permit they are required to inform both the applicant and the Commission.

**13.14.** There is a range of statutory application forms and notices that licensing authorities are required to use as part of their gambling licensing responsibilities. A summary list of these can be found in Appendix E.

**13.15.** Licensing authorities provide advice to those who make enquiries to them, about the legal responsibilities involved in providing premises or holding permits for gambling, whether or not they currently hold a licence or a permit.

**13.16.** Licensing authorities should feel free to signpost enquiries relating to operating or personal licences to the Commission.

# Information the Commission makes available to licensing authorities

**13.17.** The Commission is required under s.106 of the Act to maintain a register of operating licence holders and make this publicly available. Where a licensing authority needs to check if an applicant for a premises licence holds an operating licence, verification can be found on the register.

# Local Authority Compliance Events (LACE)

**13.18.** In order to make the system of shared regulation as effective and efficient as possible, the Commission notifies licensing authorities of complaints and intelligence received regarding non-compliance and illegality in their geographical area which is primarily of a localised nature. These are referred to as Local Authority Compliance Events (LACE). The responsibility for the LACE referral is then discharged from the Commission to the licensing authority. Licensing authorities are requested to advise the Commission of what, if any, action is taken.

**13.19.** The complaints that instigate the LACE referrals come from a variety of sources including licensed operators and members of the public. A number of them are received anonymously via the Commission's intelligence line.

# Other information

**13.20.** The Commission makes other information available to licensing authorities through a range of sources including the Local Authority Bulletin, training events and forums. Further details are set out in Part 3 of this guidance at paragraphs 3.6 onwards.

# Part 14: Temporary use notices

# 1 Introduction

**14.1.** It is an offence to provide facilities for gambling unless either the required permissions are in place, or an exemption applies. One such exemption is for the holder of an operating licence to notify a Temporary Use Notice (TUN) to the relevant licensing authority. This is not a permanent arrangement, but allows premises such as hotels, conference centres or sporting venues to be used temporarily for providing facilities for gambling. A TUN may also apply to a vessel, whether moored or moving. TUNs are often, but not exclusively, used to run poker tournaments.

**14.2.** The primary legislation in respect of TUNs can be found at s.214-234 of the Act. This sets out the nature and form of the notice to be given by the operator; other bodies to be informed (including the Commission); objections and appeals; and instructions to the licensing authority concerned.

**14.3.** Secondary legislation – Gambling Act 2005 (Temporary Use Notices) Regulations 2007 (opens in new tab) (SI 2007/3157) – sets out the restrictions on the type of gambling to be offered under a TUN. These restrictions are:

- it can only be used to offer gambling of a form authorised by the operator's operating licence, and consideration should therefore be given as to whether the form of gambling being offered on the premises will be remote, non-remote, or both
- gambling under a TUN may only be made available on a maximum of 21 days in any 12 month period for any or all of a named set of premises
- it can only be used to permit the provision of facilities for equal chance gaming, and where the gaming in each tournament is intended to produce a single overall winner
- gaming machines may not be made available under a TUN.

**14.4.** In relation to tournaments, the requirement that the gaming is 'intended to produce a single overall winner' does not restrict the gaming to only one winner through the course of the tournament, although there will ultimately be one final tournament winner. It is considered acceptable for each qualifying round of the tournament; (for example comprising several hands or games of poker) to produce a single overall winner of that qualifying round, whose prize may be the right to progress to the next stage in the tournament. There can also be additional competitions run alongside or leading up to the main event, provided that each of these also only provides one winner. Further information on poker is set out in Part 29 of this guidance.

**14.5.** Cash games are games where each hand provides a winner and are not permitted under a TUN.

# 2 Procedure

**14.6.** The holder of an operating licence must give notice to the licensing authority in whose area the premises are situated. The Secretary of State has prescribed the form of the notice which must specify information including:

- the type of gaming to be carried on
- the premises where it will take place
- the dates and times the gaming will take place
- any periods during the previous 12 months that a TUN has had effect for the same premises
- the date on which the notice is given
- the nature of the event itself.

**14.7.** A TUN must be lodged with the licensing authority not less than three months and one day before the day on which the gambling event will begin. A fee is payable to the licensing authority to whom the notification is sent. The application must be copied to:

- the Commission
- the police
- HM Commissioners for Revenue and Customs
- if applicable, any other licensing authority in whose area the premises are also situated.

**14.8.** The person who is giving the TUN must ensure that the notice and copies are with the recipients within seven days of the date of the notice. If these requirements are not met, then the event will be unlawful. Where the premises are situated in an area covered by more than one authority, the person giving notice must send the notice to one authority and copy to the others. Licensing authorities will have to work closely together in such circumstances to ensure that the 21-day maximum period for TUN is not breached.

**14.9.** When the licensing authority receives a notice, it must send a written acknowledgement as soon as is reasonably practicable.

# Meaning of premises

**14.10.** S.218 of the Act refers to a ‘set of premises’ and provides that a set of premises is the subject of a TUN if ‘any part’ of the premises is the subject of a notice. The reference to ‘a set of premises’ prevents one large premises from having a TUN in effect for more than 21 days in a year by giving notification in relation to different parts of the premises and re-setting the clock. Note that this definition of a ‘set of premises’ differs to ‘premises’ in Part 8 of the Act (see Part 7 of this guidance).

**14.11.** The definition of ‘a set of premises’ will be a question of fact in the particular circumstances of each notice that is given. In considering whether a place falls within the definition, licensing authorities will need to look at, amongst other things, the ownership and/or occupation and control of the premises. For example, a large exhibition centre with a number of exhibition halls may come within the definition of ‘premises’. A TUN should not then be granted for 21 days in respect of each of its exhibition halls. In relation to other covered areas, such as shopping centres, the licensing authority will need to consider whether different units are in fact different ‘sets of premises’, given that they may be occupied and controlled by different people.

**14.12.** A notice maybe given in respect of a vessel, but only if it is a passenger vessel or a vessel that is situated at a fixed place. A vessel at a fixed place would include a structure on water that is not intended to be able to move (such as an oil rig, or an artificially constructed island in the middle of a lake). S.231 lists responsible authorities who must be notified in relation to giving notice in respect of a vessel.

**14.13.** A TUN may not be given in respect of a vehicle.

# Objections to TUNs

**14.14.** The licensing authority and the other bodies to which the notice is copied should consider whether they wish to give a notice of objection. In considering whether to do so, they must have regard to the licensing objectives and if they consider that the gambling should not take place, or only with modifications, they must give a notice of objection to the person who gave the TUN. Such a notice must be copied to the licensing authority. The notice of objection and the copy to the licensing authority must be

given within 14 days, beginning with the date on which the TUN is given. An objection may be withdrawn by giving written notice to those to whom the notice of objection was sent and copied.

**14.15.** Licensing authorities should have procedures in place to ensure that such notices are considered without delay so that, where appropriate, the opportunity to lodge an objection is not missed.

**14.16.** If objections are received, the licensing authority must hold a hearing to listen to representations from the person who gave the TUN, all the objectors and any person who was entitled to receive a copy of the notice. If all the participants agree that a hearing is unnecessary, it may be dispensed with.

**14.17.** Those who raise objections may propose modifications to the notice that will alleviate their concerns. Remedies may include a reduction in the number of days when gambling occurs or a restriction on the type of gambling permitted. If the modifications are accepted by the applicant, a new TUN must be given, incorporating the modifications, and the original notice will be treated as withdrawn. This withdrawal will be without prejudice to the right of any other person other than the objector to give notice of objection in relation to the new notice. The three-month time limit and fee will not apply to the new notice. The person who made the original objection and proposed the modification may not object to the new notice, but others to whom it is copied may object. If there are no new objections, there will be no need for a hearing.

**14.18.** If the licensing authority considers that the TUN should not have effect – after a hearing has taken place or has been dispensed with – it must issue a counter-notice which may provide for the TUN:

- not to have effect
- to have effect only in respect of a specified activity
- to have effect only in respect of activity carried on during a specified period of time or at specified times of day
- to have effect subject to compliance with a specified condition.

**14.19.** The principles that the authority must apply in issuing a counter-notice are the same as those in determining premises licence applications. In particular, the licensing authority should aim to permit the provision of facilities for gambling under a TUN subject to its view as to whether to do so accords with the Commission's Licence conditions and codes of practice, this guidance and the licensing authority's statement of policy, and is reasonably consistent with the licensing objectives.

**14.20.** If the licensing authority gives a counter-notice, it must give reasons for doing so and must copy the counter-notice to all those who received copies of the TUN.

**14.21.** If the licensing authority decides not to issue a counter-notice, the TUN will take effect. The licensing authority must give notice of its decision to the person who gave the TUN and to others to whom it was copied.

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# 3 Appeals

**14.22.** An appeal against the licensing authority's decision may be made by the applicant, or any person entitled to receive a copy of the TUN, to the Magistrates' court or Sheriff court within 14 days of receiving notice of the authority's decision. There is a further right of appeal to the High Court or Court of Session on a point of law.

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# 4 Endorsement of the notice

**14.23.** If no objections are made within 14 days of the date of the notice, the licensing authority must endorse the notice as valid and return it to the person who gave it. If the endorsed copy of the notice is lost, stolen or damaged, the person who gave the notice may request a new endorsed copy from the licensing authority, subject to the payment of a fee.

**14.24.** S.228 of the Act sets a time limit for the completion of all proceedings on TUN of 6 weeks beginning with the date on which the TUN is received. This includes considering whether to give a notice of objection, holding a hearing if necessary, giving a counter-notice, or giving a notice of determination.

**14.25.** The person who gives a TUN may notify the licensing authority that it is withdrawn at any time up to and during the time it has effect. In those circumstances the notice will have no effect, and any unlapsed period of time will not count towards the 21-day maximum for a TUN having effect on the premises.

# Displaying the notice

**14.26.** While the gambling is taking place, a copy of the TUN must be displayed prominently on the premises. It is an offence not to produce the notice endorsed by the licensing authority when requested to do so by a constable, an officer of HM Revenue & Customs (opens in new tab), an enforcement officer, or an authorised local authority officer.

# Maximum period

**14.27.** If the premises have been the subject of one or more TUN for more than a total of 21 days in the past 12 months, the licensing authority must issue a counter-notice that has the effect of stopping the TUN coming into effect. The format of counter notices are prescribed by either the Secretary of State or Scottish Ministers (SI 2007/3157: Gambling Act 2005 (Temporary Use Notices) Regulations 2007 (opens in new tab)). Failure to comply with the counter-notice will be an offence. A licensing authority may issue a counter-notice which limits the number of days that the TUN comes into effect, bringing it within the 21-day limit. Such counter-notices require consultation with the applicant to ensure that the restrictions they impose do not result in an unworkable event.

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# 5 Large events

**14.28.** Licensing authorities may receive TUNs from a high profile operator such as a casino, to hold an event in a larger venue (for example, a stadium or an arena). In these circumstances operators may seek to use technology, such as tablet devices, to meet the demands of hosting an event at such a venue. It is possible that operators will need to hold a remote operating licence to operate certain devices and licensing authorities are encouraged to contact the Commission for further advice and guidance.

# Part 15: Occasional use notices

# 1 Introduction

**15.1.** S.39 of the Act provides that where there is betting on a track on eight days or fewer in a calendar year, betting may be permitted by an Occasional Use Notice (OUN) without the need for a full premises licence. The Secretary of State has the power to increase or decrease the number of occasional use notices that an operating licence holder could apply for each calendar year. 'Day' is defined as midnight to midnight, so an event that starts on one calendar day and ends on the following day would count as two days. OUNs are designed to allow licensed betting operators to provide betting facilities at genuine sporting events (such as point-to point racecourses and golf courses for major competitions) within the boundaries of the identified venue on a specific date, without the need for a full betting premises licence. An OUN must be served by a person who is responsible for the administration of events on the track or by an occupier of the track. The following should be noted in relation to an OUN:

- OUNs can only be relied upon for eight days or fewer in a calendar year and therefore licensing authorities should keep a record of the number of notices served in relation to each track. The period of eight days applies to the venue and not the individual who has submitted the notice.
- an OUN must be submitted for each day that betting activity will be conducted on the premises. If betting activity is to be held over a period of eight consecutive days, the operator will be required to submit eight separate notices.
- the notice must specify the day on which it has effect. An event running past midnight and ending on the following day accounts for two occasional use days, even though in practice it is one event.
- no objection or counter notice (refusal) is possible unless the maximum number will be exceeded.
- notice must be given to the licensing authority and the police, in writing, before the event starts.
- no premises licence can exist for the place which is the subject of the notice.
- land can be used temporarily as a track, for example for a point-to-point race, provided that sporting events or races take place there. There is no need for a track to be permanently established.

# 2 What constitutes a track

**15.2.** While tracks are normally thought of as permanent racecourses, authorities should note that the meaning of 'track' in the Act covers not just horse racecourses or dog tracks, but also any other premises on any part of which a race or other sporting event takes place, or is intended to take place (s.353(1)). The Commission's guidance relating to tracks is contained in Part 20 of this guidance.

**15.3.** This means that land which has a number of uses, one of which fulfils the definition of track, can qualify for the occasional use notice provisions, for example agricultural land upon which a point-to-point meeting takes place. The point-to-point and hunter race chase calendar (opens in new tab) lists each fixture, and is a useful tool for licensing authorities to check that they are being notified of all possible OUNs. Land used temporarily as a track can qualify, provided races or sporting events take place or will take place there. The track need not be a permanent fixture.

# 3 Use (and misuse) of OUNs

**15.4.** Local sporting clubs or other venues seeking to become tracks through a contrived sporting event have utilised Occasional Use Notices (OUNs) to solely or primarily facilitate betting taking place on events occurring away from the identified venue, examples include the Cheltenham Festival and Grand National meeting. Whilst we have not introduced a new licence condition limiting the betting to the outcomes of a race, competition or other sporting event taking place at the track in question whilst the OUN is in force, the situation is being kept under review.

**15.5.** OUNs may not be relied upon for more than eight days in a calendar year, which relates to a calendar year starting 1 January and not to any period of 12 months. The Secretary of State has the power to increase or decrease the number of OUNs that are permitted, but there are currently no plans to use this power.

**15.6.** Non-commercial, fundraising race nights can be run as betting events at sporting venues under the authority of an OUN, whether or not the sporting event on which the bets are taken is held at that venue. The sporting event on which the bets are or will be taken also need not be taking place at the same time as the betting under the OUN.

# 4 Procedure

**15.7.** Licensing authorities and track operators and occupiers should note that the processes set out in the Act for applying for an Occasional Use Notice (OUN) are different to those for Temporary Use Notices (TUNs).

**15.8.** The notice must be served on the licensing authority and copied to the chief officer of police for the area in which the track is wholly or partly located. The notice must specify the day on which it has effect. Notices may be given in relation to consecutive days, so long as the overall limit of eight days is not exceeded in the calendar year.

**15.9.** Provided that the notice will not result in betting facilities being available for more than eight days in a calendar year, there is no provision for counter-notices or objections to be submitted.

**15.10.** The Act does not require the applicant or the licensing authority to notify the Commission that an OUN has been given. However the Commission does require licensing authorities to submit returns showing how many OUNs were received during each year (see also Part 13 of this guidance).

**15.11.** It should be noted that betting operators cannot provide gaming machines at tracks by virtue of an OUN.

# Part 16: Gaming machines

# 1 Introduction

**16.1.** This part of the guidance describes the categories of gaming machine and the number of such machines that may be permitted in each type of gambling premises as set out in the Act. Licensing authorities should note that the term 'gaming machine' now covers all machines on which people can gamble – subject to the exceptions below – and the term has been preserved in the Act, because it is one that is readily understood.

**16.2.** S.235(1) of the Act sets out the definition of a gaming machine. The definition is wider than those included in previous gambling legislation and covers all types of gambling activity that can take place on a machine, including betting on virtual events. However, the following should be noted:

- there remains a distinction between skill machines and gaming machines, in that skill machines are unregulated
- S.235(2) contains important exemptions for equipment that is not to be considered a gaming machine, even when gambling can be performed on it – for example, a home PC is not classed as a gaming machine, even though someone could access remote gambling facilities on a home PC.

**16.3.** Specific guidance on machines that are exempt is set out later in this part of the guidance, although licensing authorities should take legal advice or contact the Commission directly if they have concerns about the precise legal status of equipment being used on premises.

**16.4.** The Commission is responsible for licensing manufacturers and suppliers of gaming machines and advises operators to obtain machines from Commission-licensed suppliers. Similarly, permit holders and those applying for permits for clubs, alcohol-licensed premises or family entertainment centres will also be advised through Commission guidance to obtain gaming machines from Commission-licensed suppliers.

**16.5.** The Commission has set gaming machine technical standards relating to the way in which each category of machine will operate. The Commission has also set out a testing strategy that details the testing arrangements for each category of machine. The Commission has the power to test gaming machines, both before they are supplied and when in operation in premises, to ensure that they are operating as advertised.

**16.6.** In order for a premises to site gaming machines some form of authorisation is normally required. Typically, this is:

- an operating licence from the Commission and a gambling premises licence from a licensing authority
- an alcohol premises licence from a licensing authority
- a gaming machine permit from a licensing authority.

**16.7.** Depending on the authorisation, there are limits placed on the category of machines that can be sited and, in some cases, on the number of machines that can be made available for use.

**16.8.** If a licensing authority has concerns relating to the manufacture, supply, installation, maintenance or repair of gaming machines, or the manner in which they are operating, it should contact the Commission.

**16.9.** S.172 of the Act prescribes the number and category of gaming machines that are permitted in each type of gambling premises licensed by authorities. Neither the Commission nor licensing authorities have

the power to set different limits or further expand or restrict the categories of machine that are permitted. The exception to this is alcohol-licensed premises that hold gaming machine permits, where licensing authorities have discretion to specify the number of permitted gaming machines. In addition, limits are set separately in the Act for certain types of permit issued by licensing authorities. Machine limits are summarised at Appendix A of this guidance.

# 2 Categories of gaming machine

**16.10.** Regulations define four categories of gaming machine (as per s.236 of the Act): categories A, B, C and D, with category B divided into a further five sub-categories. The categories and sub-categories have been defined according to the maximum amount that can be paid for playing the machine and the maximum prize it can deliver. Gaming machines which are capable of being used as a gaming machine, whether or not they are currently operating as a gaming machine, are classified as a gaming machine. For example, a machine fitted with a compensator, which allows it to be converted from a skill machine is classified under s.235 of the Act as a gaming machine. Appendix B provides a breakdown of machine categories and entitlements, and Part 22 of this guidance and Part 24 of this guidance of this guidance provide further details around machines in licensed and unlicensed family entertainment centres (FECs).

# 3 Age restrictions

**16.11.** There is a minimum age of 18 for all players for all category A, B and C machines, including category B3A gaming machines offering lottery style games. However, there is no minimum age for players of category D machines. The holder of any permit or premises licence has to comply with the codes of practice issued by the Commission on the location of and access to gaming machines by children and young persons, and the separation from category C and B machines where those are also located on the same premises.

# 4 Maximum number of machines by premises type

**16.12.** The maximum number of machines permitted, and in the case of casinos the ratios between tables and machines, is set out by premises type in Appendix A, and includes premises with permit entitlements, as well as licensed premises. Further detail about machine entitlement is also provided in this guidance in the parts relating to each of the individual type of premises.

# 5 Multiple activity premises

**16.13.** It is not unusual for different licensed activities to take place within an area, such as a track or holiday park, with those licensed activities attracting different machine entitlements. For example, an area could include FECs, adult gaming centres (AGCs) and bingo, whilst also having an alcohol licence.

**16.14.** It is worth checking, from the plans and a site visit, that the gaming machine entitlements are not being exceeded, and that appropriate signage to prevent unlawful entry is in place where applicable.

**16.15.** It may be necessary to determine, if an area shown in the plan as part of the 'club' premises is separated from another with an alcohol premises licence, that the machines intended to be made available in each part are within the respective, allowable limits. Part 25 of this guidance greater detail on the requirements for clubs and Appendix A provides details of the machine entitlements and gaming activities for clubs.

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# 6 The meaning of 'available for use'

**16.16.** S.242 of the Act makes it an offence for a person to make a gaming machine available for use, where they do not hold an operating licence or other permission covering gaming machines and where no other exemption applies.

**16.17.** The Act does not define what 'available for use' means, but the Commission considers that a gaming machine is 'available for use' if a person can take steps to play it without the assistance of the operator.

**16.18.** More than the permitted number of machines may be physically located on a premises, but the onus is on licensees to demonstrate that no more than the permitted number are 'available for use' at any one time.

**16.19.** A machine that can operate at more than one category, which is operating at a lower category, does not contribute to the number of machines 'available for use' at a higher category until it switches to that category. Licensees must ensure no more than the permitted number are 'available for use' at any one time.

**16.20.** Systems in which a number of machines are networked so that the player can select which game and category they play are permitted but licensees must still adhere to any restrictions on the number of machines at a certain category.

**16.21.** Gaming machine entitlements in AGC or bingo premises set out that only 20 percent of machines can be category B machines in order to ensure a balanced offering of gambling products and restrict harder gambling opportunities.

**16.22.** Machine design has changed in recent years and space-saving gaming machines – in the form of tablets, multi-player units and narrow or in-fill machines – have become available. Some of these machines appear to have been designed primarily to maximise category B machine entitlements.

**16.23.** We updated our 'available for use' guidance in 2019 to make it clear that for the purpose of calculating the category B machine entitlement in gambling premises, gaming machines should only be counted if they can be played simultaneously by different players without physical hindrance. For example, the Commission would consider that a multi-position machine that technically allows two or more players to play simultaneously but in reality requires those players to stand very closely together or adopt unnatural participation positions, to the effect that a second player would be discouraged from attempting to use the machine, could not be classed as two or more machines.

**16.24.** In relation to tablets, licensees should ensure that there is sufficient floorspace in the premises to permit counted tablets to be used simultaneously.

**16.25.** Electronic Bingo Terminals (EBTs) that offer gaming machine content in addition to bingo content are gaming machines and subject to adherence with the above principles. Licensees are reminded

however that an EBT must only allow participation in one gambling activity at a time and should not therefore contain functionality which allows participation in bingo and gaming machine activity simultaneously.

**16.26.** We have published our ‘available for use’ guidance on the Commission website, and provided additional information specifically in relation to when is a gaming machine 'available for use' in AGC or bingo premises under the 20 percent regulations.

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# 7 Machines other than gaming machines in gambling premises

This section of the GLA has been affected by legislative changes that came into effect on 22 July 2025 concerning the entitlements for casino premises licences as set out in The Casinos (Gaming Machines and Mandatory Conditions) Regulations 2025) (opens in new tab). More information can be found in the Non-Remote Casino Sector - legislative changes guidance. The affected sections of the GLA will be reviewed and amended in due course.

# Automated roulette

**16.27.** There are two types of automated casino equipment that are excluded from the definition of a gaming machine in the Act. The first type is those linked to a live game of chance, for example, roulette. These enable the player to gamble on a live game as it happens, without actually being seated at the table, sometimes referred to as ‘electronic roulette’. These are not regulated as gaming machines but as live gaming and there is no limit on the number of items of such equipment.

**16.28.** The second type is a machine that plays a live game but is fully automated, that is, it operates without any human intervention. For example, a roulette wheel that is electrically or mechanically operated with an air blower to propel the ball around the wheel. Again, these are not regulated as gaming machines, although casinos are bound by controls on the specification and number of player positions using such equipment. This is only the case where the machine is operated in accordance with a casino operating licence – if operated outside of a casino, the exclusion does not apply, and it would be considered a gaming machine. The Act requires that equipment used to play a game of chance, for example, cards, dice and roulette wheels is ‘real’ and not ‘virtual’ if it is not to be classed as a gaming machine. Additionally, the game outcome must not be determined by computer as this would normally be considered virtual.

# Self-service betting terminals (SSBTs)

**16.29.** S.235(2)(c) provides that a machine is not a gaming machine by reason only of the fact that it is designed or adapted for use to bet on future real events. Some betting premises may make available for use machines that accept bets on live events, such as a sporting event, as a substitute for placing a bet over the counter. These SSBTs are not gaming machines and therefore neither count towards the maximum permitted number of gaming machines, nor have to comply with any stake or prize limits. Such betting machines merely replicate and automate the process that can be conducted in person, and therefore do not require regulation as gaming machines. S.181 of the Act contains an express power for licensing authorities to restrict the number of SSBTs, their nature and the circumstances in which they are

made available, by attaching a licence condition to a betting premises licence or to a casino premises licence (where betting is permitted in the casino).Part 19 of this guidance provides further details.

# Skill games

**16.30.** The Act does not cover machines that give prizes as a result of the application of skill by players. A skill with prizes machine (SWP) is one in which the winning of a prize is determined only by the player's skill – any element of chance imparted by the action of the machine would cause it to be a gaming machine. An example of a skill game would be trivia game machines, popular in pubs and clubs, which require the player to answer general knowledge questions to win cash prizes. Many FECs have games that give prizes by redemption of tickets accumulated. Providing these machines give prizes according to the skill of the player, for example getting a high score shooting basketball, they will be exempt.

**16.31.** Genuine SWPs can be sited without permissions. However, the Commission considers that the higher the pay-out offered by this type of machine, the less likely the machine will be viable as a genuine skill machine simply because of the risk that very skilful players will win the top prize too frequently, making the machine commercially unviable. The Commission has published advice on how to distinguish between these machines and gaming machines in Is a prize machine a gaming machine? and a quick guide on illegal gaming machines (the advice note and quick guide do not form part of the Guidance to licensing authorities).

# Lottery ticket vending machines

**16.32.** Lottery ticket vending machines are generally used to dispense 'instant win' lottery tickets, usually scratchcards or 'pull tab' tickets in society lotteries and they are mostly prevalent in private society lotteries. The Act defines a private society as 'any group or society established for a purpose not connected with gambling'. Typically, a private society, such as a sports or social club, will promote a lottery and make lottery tickets available to members of the society or those on the premises of the society as part of a 'private society lottery'. Some societies buy or rent vending machines to dispense their lottery tickets.

**16.33.** Such machines are often supplied by licensed gaming machine suppliers but the operation and/or design of the machine must not constitute a gaming machine. Advice on the distinction between lottery ticket vending machines and gaming machines is available in the Commission's Comparing lottery ticket dispensers and category B3A gaming machines' a quick guide for licensing officers (this quick guide does not form part of the Guidance to licensing authorities).

**16.34.** Those who supply, manufacture and/or site lottery ticket vending machines are not required to hold an operating or premises licence or any other permission. Where a lottery ticket vending machine is used to dispense society or private society lottery tickets it is the responsibility of the promoter of the lottery to ensure that it is operated lawfully, and the required information displayed on the dispensed tickets.

# Other exclusions

**16.35.** S.235(2) of the Act sets out a number of exclusions, covering machines that are not considered gaming machines, even though gambling may take place on them, as follows:

- a domestic or dual use computer is not a gaming machine just because it can be used to take part in remote gambling. Regulations define a 'domestic computer' as one capable of being used for a purpose not related to gambling that is located in a private dwelling and used only on domestic occasions. A 'dual use computer' is also defined as having to be capable of being used for a purpose not related to gambling, but in addition must not be knowingly adapted or presented in such a way as to facilitate or draw attention to the possibility of its use for gambling (SI2007/2082: The Gambling Act 2005 (Gaming Machines)(Definitions) Regulations 2007 (opens in new tab)).

- a telephone or other ‘machine facilitating communication’ that could be used for gambling purposes, for example, a mobile phone via which text message based lotteries can be entered, is not considered to be a gaming machine unless that is its primary purpose. Ordinary mobile phones are therefore exempt from the definition, but telephones designed or adapted for the purpose of enabling gambling would not be.
- some machines that allow the purchase of lottery tickets are not gaming machines. However, this is intended as an exemption for the sale of tickets in a real lottery with other participants (for example a lottery vending machine), and not a virtual scratchcard lottery conducted only by means of the machine. This means, first, that if the results of the lottery are determined by the machine, the machine is not exempt; and, second, if the machine announces the results of the lottery (determined otherwise than by the machine) by display or communication then the interval between the sale of the ticket and the announcement of the result must comply with the minimum period of time specified by regulations (SI20072495: The Gambling (Lottery Machine Interval) Order 2007)(opens in new tab). B3A machines are defined as a lottery style gaming machine and permitted under regulations within members’ clubs and miners’ welfare institutes in limited numbers.
- a machine operated by virtue of a bingo operating licence for the purpose of playing bingo will be exempt provided it complies with any conditions set by the Commission. This covers what are known as mechanised cash bingo and electronic bingo ticket minders.
- also exempted are machines used for the playing of bingo by way of prize gaming in AGCs and FECs, however, the prize gaming regulations must be complied with.

# Part 17: Casinos

# 1 Casino premises

This section of the GLA has been affected by legislative changes that came into effect on 22 July 2025 concerning the entitlements for casino premises licences as set out in The Casinos (Gaming Machines and Mandatory Conditions) Regulations 2025) (opens in new tab). More information can be found in the Non-Remote Casino Sector - legislative changes guidance. The affected sections of the GLA will be reviewed and amended in due course.

**17.1.** Under the Act, licensing authorities in England and Wales have the role of issuing premises licences for casinos and monitoring those licences. In Scotland the licensing boards are licensing authorities and continue to have responsibilities for granting permissions for casinos in the form of premises licences.

**17.2.** New casino premises licences issued under the Act will fall into one of two categories namely large casino premises licence or small casino premises licence. These are subject to separate regulations, involving a two-stage application process, detailed below.

**17.3.** In addition, there is a third category of casino that is permitted through transitional arrangements under Schedule 18 of the Act, which may be referred to as 1968 Act converted casinos. Most of these casinos fall below the size thresholds of the other two categories. Such casinos may operate as card clubs without offering casino games.

**17.4.** The gaming machines permitted to be made available in new casinos are related to the number of gaming tables available for use (SI 2009/1970: The Gambling Act 2005 (Gaming Tables in Casinos) (Definitions) Regulations 2009) (opens in new tab):

- no more than eight large casino premises licences will be permitted. Large casinos will have a minimum total customer area of 1,500m$^2$. This category of casino will be able to offer casino games, bingo and/or betting and up to 150 gaming machines in any combination of categories B1 to D (except B3A lottery machines) provided that a maximum ratio of 5:1 gaming machines to gaming tables is met. Large casinos therefore need 30 gaming tables available for use to qualify for the maximum 150 machines. These facilities can be provided under a single licence (there are two new casinos operational, in Newham and Milton Keynes).
- no more than eight small casino premises licences will be permitted. Small casinos will have a minimum total customer area of 750m$^2$. A small casino will be able to offer casino games, betting and up to 80 gaming machines in any combination of categories B1 to D (except B3A lottery machines) provided that a maximum ratio of 2:1 gaming machines to gaming tables is met. Small casinos therefore need 40 gaming tables available for use to qualify for the maximum 80 machines.

**17.5.** The Commission has become aware that in some instances, operators who hold a combined non-remote casino licence and betting operating licence, have looked into converting part of their casino premises to betting premises. Licensing authorities are reminded that when considering such applications, they must be satisfied that, if granted, the premises in question meets the relevant mandatory and default conditions for the relevant premises licence.

# 2 Casino games

**17.6.** S.7(1) of the Act states that 'a casino is an arrangement whereby people are given an opportunity to participate in one or more casino games'. Casino games are defined by the Act to mean a game of chance which is not equal chance gaming. Equal chance gaming is gaming which does not involve playing or staking against a bank, and where the chances are equally favourable to all participants. The Act gives the Commission power through conditions attached to operating licences to restrict the types of casino games that may be made available.

**17.7.** The Commission has the power to prohibit casino games under Licence Condition 9.1.1 of the LCCP. No games are currently prohibited.

**17.8.** Player information on the specific rules and odds applied to any games offered by individual operators must be displayed in each casino, as required by Social responsibility code 4.2.1 of the Licence conditions and codes of practice (LCCP) which supplements the mandatory conditions attaching to all casino premises licences.

**17.9.** Organisations should seek their own legal advice on any new casino games, side bets or game variations they have developed. Both the game developer, and the casino operator running any trial of that game, should satisfy themselves that the game concept will be compliant before it is made available in the market place. Operators must continue to comply with LCCP requirements to display games rules, house edge in the venue and make information available for the customer.

# 3 Protection of children and young persons

**17.10.** No-one under the age of 18 is permitted to enter a casino and operators are required to display notices to this effect at all entrances to a casino. Social responsibility (SR) code 3.2.1(2) states that 'licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises' in order to prevent underage gambling. There must also be a door supervisor at every entrance to a casino to ensure that this restriction is enforced (SR 3.2.1(3)). Children and young persons are not allowed to be employed at premises with a casino premises licence. Licensing authorities are able to find information about the restrictions that apply in the LCCP.

# 4 The process for issuing casino premises licences

**17.11.** Licensing authorities whose areas have been chosen for the new casinos should set out the principles they intend to apply when determining the 'winner' of a premises licence competition, in their statement of policy so that it is available to potential applicants before the authority invites applications for the available casino premises licences. The unsuccessful applicants must be informed of the result of the competition.

**17.12.** The Secretary of State has issued a code of practice about the procedure to be followed by licensing authorities in making determinations at both stage one and stage two, and also about the matters authorities are to take into account in making such determinations. The Act requires licensing authorities to comply with any code of practice issued by the Secretary of State.

**17.13.** Where an authority invites applications, those applications may be in the form of an application for a provisional statement as well as in the form of an application for the grant of a full casino premises licence. Where an application is made in the form of a provisional statement it is to be treated in the same way as an application for a casino premises licence and included in any two-stage determination process that the authority is required to carry out. If an application for a provisional statement is successful in that process, then it is not necessary for a further two-stage licensing process to be held when a casino premises licence application is eventually made by the operator to whom the statement has been issued.

**17.14.** As a first step in licensing a casino, the licensing authority will have to invite applications for any casino premises licences that it may issue. Regulations set out how the process of inviting applications is to be done (SI 2008/469: The Gambling (Inviting Competing Applications for Large and Small Casino Premises Licences) Regulations 2008) (opens in new tab).

**17.15.** It is possible that the number of applications that the relevant licensing authorities will receive will exceed the number of licences available. The Act lays down a framework for a two-stage process for considering applications in these circumstances.

**17.16.** As with all deliberations in premises licences, the authority should not confuse planning and building regulation considerations with the matter before it.

**17.17.** Authorities should think carefully before entering into any agreements or arrangements with potential casino operators which might be perceived to affect their ability to exercise their stage two functions objectively and without having prejudged any of the issues. If any such agreements or arrangements are entered into, it will be important that authorities are able to demonstrate (for example, through having obtained independent and impartial advice on the competing applications) that any decision they reach is objectively based and is not affected by the arrangements.

# Stage one

**17.18.** If more applications are received than the number of available licences, the authority must determine whether each application would be granted a licence if there were no limit on the number of licences that the authority could grant. Each application must be considered separately, and no reference made to the other applications received.

**17.19.** During this process each of the other applicants will be considered an ‘interested party’ and may make representations. The consideration of representations should be the same as that for normal applications for premises licences, detailed in Part 7 of this guidance.

**17.20.** This process will result in one or more provisional decisions to grant a premises licence, which will be disclosed to the applicant and any party that made representations.

**17.21.** The provisional decision of the licensing authority at stage one may be appealed. Until any appeal has been determined, the licensing authority may not proceed to stage two.

# Stage two

**17.22.** The second stage of the process only applies where the number of applications which the licensing authority would provisionally grant under the stage one process exceeds the number of available casino premises licences.

**17.23.** Under the second stage of the process the authority has to decide between the competing applications and grant any available licences to those applications which in their opinion will result in the

greatest benefit to its area.

**17.24.** There is no right of appeal against the grant or refusal at stage two although an applicant may seek judicial review of a licensing authority's decision.

**17.25.** Where a licensing authority issues a provisional statement following a two-stage determination process, they may limit the period of time for which the statement has effect. This is so that the authority can control the period within which the full casino premises licence application has to be made. Under Schedule 9 to the Act the authority is allowed to extend the period for which the provisional statement has effect if the person to whom it is issued applies to have it extended.

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# 5 Resolutions not to issue casino licences

**17.26.** S.166(1) of the Act states that a licensing authority may resolve not to issue casino premises licences.

**17.27.** The decision to pass such a resolution may only be taken by the authority as a whole and cannot be delegated to the licensing committee. In passing such a resolution the authority may take into account any principle or matter, not just the licensing objectives. Where a resolution is passed, it must be published by the authority in its statement of policy.

**17.28.** The resolution must apply to casino premises generally, so that the authority cannot limit its effect to geographic areas or categories of casinos. The resolution must specify the date it comes into effect. The authority may revoke the resolution by passing a counter-resolution (again the whole authority must pass that resolution). The resolution will lapse after three years so, should the licensing authority wish to keep the policy in place, they should pass a resolution every three years.

**17.29.** A resolution not to issue casino premises licences will only affect new casinos. It will not have any effect on casino premises licences issued before the resolution takes effect or on provisional statements issued before that date. Similarly a resolution will not affect the ability of existing casinos with preserved entitlements from the Gaming Act 1968 (opens in new tab) from continuing to operate as casinos.

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# 6 Converted casinos (with preserved rights under Schedule 18 of the Act)

This section of the GLA has been affected by legislative changes that came into effect on 22 July 2025 concerning the entitlements for casino premises licences as set out in The Casinos (Gaming Machines and Mandatory Conditions) Regulations 2025) (opens in new tab). More information can be found in the Non-Remote Casino Sector - legislative changes guidance. The affected sections of the GLA will be reviewed and amended in due course.

**17.30.** Casino operators with licences granted under the Gaming Act 1968 were eligible to be granted a casino premises licence under 'grandfathering' arrangements. Additionally, special provisions apply to enable these operators to relocate premises by way of a variation to a converted casino premises licence providing those premises are wholly or partly situated in the area of the licensing authority which issued

the licence (SI 2006/3272: The Gambling Act 2005 (Commencement No. 6 and Transitional Provisions) Order 2006 (opens in new tab); Schedule 4, paragraph 65 (12,13)).

**17.31.** These casinos will retain the rights to gaming machines equivalent to their entitlements under previous legislation. That means they are permitted no more than 20 machines of category B to D (except B3A machines), or they may elect to have any number of category C or D machines instead (as was previously the case under s. 32 of the Gaming Act 1968 (opens in new tab) (SI 2006/3272: Commencement No 6 and Transitional Provisions Order (opens in new tab) Schedule 4 paragraph 65(6))). There is no table-to-machine ratio in these casinos.

**17.32.** These premises licences are subject to the normal system of review as outlined in Part 10 of this guidance. Where a licensing authority has passed a 'no casino' resolution, this may not be taken into account in considering whether to review a premises licence.

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# 7 Casino premises licence conditions

**17.33.** Part 9 of this guidance discusses the mandatory and default conditions that attach to premises licences.

# Mandatory conditions – all casino premises licences

**17.34.** Access to premises is regulated to add additional safeguards for both the public and industry. The principal entrance to the casino should be from a street. A street is defined as including any bridge, road, lane, footway, subway, square, court, alley or passage (including passages through enclosed premises such as shopping centres), whether it is a thoroughfare or not.

**17.35.** No customer must be able to enter the casino from any other premises holding a casino, bingo, adult gaming centre (AGC), family entertainment centre (FEC) or betting premises licence, or from premises where a FEC, club gaming and club machine, or licensed premises gaming machine permit, has effect.

**17.36.** There should be no access to a casino from premises wholly or mainly used by children and young persons.

**17.37.** No other gambling equipment may be situated within two metres of any ordinary gaming table. For the purposes of these conditions an ordinary gaming table means one which is not wholly or partially automated.

**17.38.** A maximum of 40 separate player positions may be made available for use in relation to wholly automated gaming tables at any time.

**17.39.** All casinos must display the rules of each type of casino game that can be played on the premises in a prominent place within both the table gaming area and other gambling areas to which customers have unrestricted access. Licensees may do this either by displaying clear and legible signs or by making available to customers leaflets or other written material setting out the rules.

**17.40.** ATMs must be positioned so that customers must cease to gamble at tables or gaming machines in order to use them.

# Mandatory conditions – large casino premises licences

**17.41.** A notice shall be displayed at all entrances to the casino stating that no person under the age of 18 will be admitted.

**17.42.** Large casinos must provide a minimum table gaming area of 1000m$^2$. In determining the floor area of the table gaming area, any number of separate areas within the casino may be taken into account. However, no area counting towards the minimum table gaming area may comprise less than 12.5 percent of the total minimum table gaming area. No gambling shall be permitted in the table gaming area of the premises other than gambling by way of table gaming.

**17.43.** Large casinos must offer a non-gambling area of a minimum of 500m$^2$. These areas must be readily available to customers (for example, offices, kitchen areas, employee areas will not count). They may include but should not consist exclusively of lavatories and lobby areas. The area must also include recreational facilities for casino customers that are available for use when the casino is open; where there is more than one area each area must contain recreational facilities. No gambling facilities may be offered in the non-gambling areas. In England and Wales, the non-gambling area may consist of one or more areas within the casino.

**17.44.** Clear and accessible information about the terms on which a bet may be placed should be displayed in a prominent position on the premises.

**17.45.** Any admission charges, the charges for playing bingo games and the rules of bingo must be displayed in a prominent position on the premises. Rules can be displayed on a sign, by making available leaflets or other written materials containing the rules, or running an audio-visual guide to the rules prior to any bingo game being commenced.

**17.46.** No more than 40 separate betting positions may be made available for use if betting is provided by means of terminals rather than an over the counter service.

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# 8 Mandatory conditions – small casino premises licences

This section of the GLA has been affected by legislative changes that came into effect on 22 July 2025 concerning the entitlements for casino premises licences as set out in The Casinos (Gaming Machines and Mandatory Conditions) Regulations 2025) (opens in new tab). More information can be found in the Non-Remote Casino Sector - legislative changes guidance. The affected sections of the GLA will be reviewed and amended in due course.

**17.47.** A notice shall be displayed at all entrances to the casino stating that no person under the age of 18 will be admitted.

**17.48.** Small casinos must provide a minimum table gaming area of 500m$^2$. In determining the floor area of the table gaming area, any number of separate areas within the casino may be taken into account. However, no area counting towards the minimum table gaming area may comprise less than 12.5 percent of the total minimum table gaming area. No gambling shall be permitted in the table gaming area of the casino other than gambling by way of table gaming.

**17.49.** Small casinos must offer a non-gambling area of a minimum of 250m$^2$. These areas must be readily available to customers (for example, offices, kitchen areas, employee areas will not count). They may include, but should not consist exclusively of, lavatories and lobby areas. The area must also include recreational facilities for casino customers that are available for use when the casino is open; where there is more than one area each area must contain recreational facilities. No gambling facilities may be offered in the non-gambling areas. In England and Wales the non-gambling area may consist of one or more areas within the casino.

**17.50.** Clear and accessible information about the terms on which a bet may be placed should be displayed in a prominent position on the premises.

**17.51.** No more than 40 separate betting positions may be made available for use if betting is provided by means of terminals rather than an over the counter service.

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# 9 Mandatory conditions – converted casino premises licences

This section of the GLA has been affected by legislative changes that came into effect on 22 July 2025 concerning the entitlements for casino premises licences as set out in The Casinos (Gaming Machines and Mandatory Conditions) Regulations 2025) (opens in new tab). More information can be found in the Non-Remote Casino Sector - legislative changes guidance. The affected sections of the GLA will be reviewed and amended in due course.

**17.52.** A notice shall be displayed at all entrances to the casino stating that no person under the age of 18 will be admitted.

**17.53.** Casinos with converted licences, and that have a gambling area of over 200m$^2$, must offer a minimum non-gambling area equivalent to at least 10 percent of its total gambling area. In determining the floor area of the gambling area, all areas in which facilities for gambling are provided should be taken into account. These areas must be readily available to customers (for example, offices, kitchen areas, employee areas will not count). They may include, but should not consist exclusively of, lavatories and lobby areas. The area must also include recreational facilities for casino customers that are available for use when the casino is open; where there is more than one area each area must contain recreational facilities. No gambling facilities may be offered in the non-gambling areas.

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# 10 Default conditions attaching to all casino premises licences

**17.54.** The default opening hours of all casinos are noon to 6am.

# Controlling where gaming machines may be played – casino

**17.55.** The following policy objectives summarise the key elements that underpin the approach to controlling where gaming machines may be played.

- with very few low risk exceptions, non-remote gambling should be confined to dedicated gambling premises
- the distinctions between different types of licensed gambling premises are maintained
- gambling activities are supervised appropriately
- within casino, bingo and betting premises, gaming machines are only made available in combination with the named non-remote activity of the operating licence.

**17.56.** The Act and associated regulations set out a comprehensive regulatory framework for controlling gaming machines. By linking different machine entitlements to different types of premises, the framework seeks to ensure the number and power (in terms of stakes, prizes and speed of play) of machines is proportionate to the premises. For such a framework to have any meaningful effect it must be possible for regulatory authorities and consumers to distinguish between different gambling premises.

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

**17.58.** The current regulatory framework prescribes that Category B gaming machines may only be made available in licensed gambling premises and not in locations which may prompt more ambient gambling such as pubs. Maintaining distinctions between different gambling venues allows individuals to make a deliberate choice whether to enter that particular gambling environment. In carrying out their functions under the Act licensing authorities should satisfy themselves that a premises applying for or licensed as a casino is operating or will operate in a manner which a customer would reasonably be expected to recognise as a premises licensed for the purposes of providing facilities for casino games and/or games of equal chance.

**17.59.** Licensing authorities are not being asked to impose a ‘one size fits all’ view of how a casino should look and function. Rather they are ensuring that a premises licensed for the purposes of providing facilities for casino and/or games of equal chance is operating as such and is not merely a vehicle to offer higher stake and prize gaming machines.

**17.60.** In exercising its functions under the Act, a licensing authority should take account of the relevant code of practice on ‘controlling where gaming machines may be played’. It is specifically obliged to do so when exercising functions under section 153 of the Act. In circumstances where a licensing authority considers an existing premises is not compliant with these general requirements, they should contact the Commission at the earliest opportunity.

**17.61.** Both the Commission and licensing authorities have the power to attach specific conditions to operating or premises licences in circumstances where additional assurance is required. The Commission favours the approach of general conditions for all supplemented by operator specific conditions in cases where novel or contentious operating models are used which include the provision of gaming machines. This is to deliver the policy objectives above and ensure the risk to the licensing objectives is minimised.

**17.62.** In the Commission’s view the above approach would ideally be adopted at licensing stage. Licensing authorities should ensure that they request all the information required from an applicant for a new premises or for a variation to an existing premises in order to satisfy themselves as to the matters set out at s153 of the Act. This includes the codes of practice and this guidance. The approach of adding case-specific conditions can equally be deployed in respect of an existing unit where concerns arise or when changes are made to the operating model.

# 11 Self-exclusion

**17.63.** Social Responsibility Code Provision 3.5.6 requires that all non-remote casino (and bingo and betting licences except those at a track) and holders of gaming machine general operating licences for adult gaming centres must offer self-exclusion schemes to customers requesting such a facility. There is also an Ordinary Code provision at 3.5.7. The full details can be found within the LCCP[11]

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[11] LCCP Online

# Part 18: Bingo

# 1 Introduction

**18.1.** Bingo is not given a statutory definition in the Act although two types of bingo are commonly understood:

- cash bingo, where the stakes paid make up the cash prizes that are won
- prize bingo, where various forms of prizes are won, not directly related to the stakes paid.

**18.2.** The game and rules of bingo have evolved to the point where, despite the absence of any formal industry standard, the way in which bingo is played is broadly similar throughout Great Britain. Bingo is equal chance gaming. The Commission has published its view of what bingo is and how it differs from other forms of gambling. This can be found in our guidance How bingo is defined (this advice does not form part of the Guidance to licensing authorities).This advice was developed with the support of key stakeholders from the bingo industry.

**18.3.** Cash bingo is the main type of bingo played in commercial bingo premises. They also offer prize bingo, largely as games played in the intervals between main stage games. This means that only premises with a bingo premises licence, or a large casino premises licence issued under the Act (where the operator holds a bingo as well as a casino operating licence), will be able to offer bingo in all its forms.

**18.4.** As well as commercial bingo premises, bingo can be found in other gambling premises. Prize bingo is traditionally a game played in arcades, especially seaside amusement arcades, or at travelling funfairs. For these operators, prize bingo is subject to the allowances for prize gaming in the Act. This means that, subject to limits on participation fees and prizes, adult gaming centres, licensed and unlicensed family entertainment centres, and travelling fairs, (or any premises with a prize gaming permit) are able to offer prize gaming, which includes prize bingo. In this form of gaming, the nature of the prize must not be determined by reference to the number of people playing the game, and the nature or the size of the prize must not be determined by reference to the amount paid for or raised by the gaming. See Part 27 of this guidance for a fuller discussion of prize gaming.

**18.5.** Licensing authorities need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. An operator may choose to vary their licence to exclude a previously licensed area of that premises, and then apply for a new premises licence, or multiple new premises licences, with the aim of creating separate premises in that area. Essentially providing multiple licensed premises within a single building or site. Before issuing additional bingo premises licences, licensing authorities need to consider whether bingo can be played at each of those new premises.

# 2 Protection of children and young persons

**18.6.** Under the Act, children and young persons (anyone up to the age of 18) cannot be employed in providing any facilities for gambling on bingo premises, and children (under 16) cannot be employed, in any capacity, at a time when facilities for playing bingo are being offered. However, young persons, aged 16 and 17, may be employed in bingo premises (while bingo is being played), provided the activities on which they are employed are not connected with the gaming or gaming machines. Licensing authorities are able to find information about the restrictions that apply in Licence conditions and codes of practice (LCCP).

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

# 3 Gaming machines

**18.8.** S.172(7), as amended, provides that the holder of a bingo premises licence may make available for use a number of category B gaming machines not exceeding 20 percent of the total number of gaming machines on the premises. For example, a premises with a total of 25 gaming machines available for use can make five or fewer category B3 gaming machines available on that premises. Premises that were licensed before 13 July 2011 are entitled to make available eight category B gaming machines, or 20 percent of the total number of gaming machines, whichever is the greater. There are no restrictions on the number of category C or D machines that can be made available. Regulations state that category B machines at bingo premises are restricted to sub-category B3 (SI 2007/2158: Categories of Gaming Machine Regulations 20070) (opens in new tab) (but not B3A) and B4 machines. Licensing authorities should ensure that gambling machines are made available for use in a manner consistent with our guidance within Part 16. For the purpose of calculating the category B machine entitlement in gambling premises, gaming machines should only be counted if they can be played simultaneously by different players without physical hindrance. This includes tablets.

**18.9.** The gaming machines must remain within the licensed area covered by the premises licence. In the unusual circumstance that an existing bingo premises covered by one premises licence applies to vary the licence and acquire additional bingo premises licences (so that the area that was the subject of a single licence will become divided between a number of separate licensed premises) it is not permissible for all of the gaming machines to which each of the licences brings an entitlement to be grouped together within one of the licensed premises.

**18.10.** Equipment operated by a bingo operating licence for the purpose of playing bingo, for example what are currently known as mechanised cash bingo, electronic bingo terminal (EBTs) and video bingo terminals (VBTs), will be exempt from controls on gaming machines provided they comply with any conditions set by the Commission and, in the case of EBTs, do not hold gaming machine content.

**18.11.** An EBT that offers gaming machine content in addition to bingo content is considered to be a gaming machine and would count towards the total number of gaming machines or towards the offering of bingo. Any EBTs that do not offer gaming machine content would not count towards the number of gaming machines.

# 4 Self-exclusion

**18.12.** Social Responsibility Code Provision 3.5.6 requires that all non-remote casino (and bingo and betting licences except those at a track) and holders of gaming machine general operating licences for adult gaming centres must offer self-exclusion schemes to customers requesting such a facility. There is also an Ordinary Code provision at 3.5.7. The full details can be found within the LCCP.

# 5 Bingo in clubs and alcohol-licensed premises

**18.13.** Bingo is a class of equal chance gaming permitted on alcohol-licensed premises, and in clubs and miners' welfare institutes, under the allowances for exempt gaming in Part 12 of the Act. There are regulations setting controls on this form of gaming, to ensure that it remains a low stakes and prizes activity (SI 2007/1940: The Gambling Act 2005 (Exempt Gaming in Alcohol-Licensed Premises) Regulations 2007 (opens in new tab) and SI No. 1944; The Gambling Act 2005 (Exempt Gaming in Clubs) Regulations 2007 (opens in new tab)).

**18.14.** In addition, rules are laid down in the Act about the playing of bingo specifically in alcohol-licensed premises, clubs and miners' welfare institutes[12]. Where the level of bingo played in these premises reaches a certain threshold, it will no longer be authorised by these rules and a bingo operating licence will have to be obtained from the Commission for future bingo games. Even in this circumstance, bingo can still only be offered under the rules for exempt gaming. The aim of these provisions is to prevent bingo becoming a predominant commercial activity on such non-gambling premises.

**18.15.** The threshold is reached if the bingo played during any seven-day period exceeds £2,000 (either in money taken or prizes awarded) once in a year, referred to as 'high turnover bingo'. There is a legal duty on the licensee or club to inform the Commission if they offer high turnover bingo in any seven day period. This allows the Commission to monitor the bingo activity on the premises and discuss with the relevant licensee or club the point at which a bingo operating licence may be needed. A 'high turnover period' begins with the first day of the seven day period in which the threshold was exceeded and lasts for a year. If a second period of high turnover bingo occurs within that year, a bingo operating licence will be required. Where bingo is played in a members club under a bingo operating licence no premises licence will be required.

**18.16.** If it comes to the attention of licensing authorities that alcohol-licensed premises or clubs or institutes are playing bingo during the course of a week which involves significant stakes and prizes, that makes it possible that the £2,000 in seven days is being exceeded, authorities should inform the Commission. To help clubs and institutes to comply with the full range of statutory requirements for gaming, the Commission has developed a statutory code of practice The Code of Practice for gaming in clubs and premises with an alcohol licence.

**18.17.** The eight large casinos will be able to offer bingo. Bingo will be permitted as part of their casino premises licence and they will not require a separate bingo premises licence, though they will need to obtain a bingo operating licence (which may be combined with their casino licence) in order to offer facilities for bingo at a casino. The standards in this respect will be no lower than for operators seeking only to provide facilities for bingo alone.

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[12] For further information see Blog: Running bingo events at nightclubs and student union bars and Feature article - Social Bingo.

# 6 Bingo premises licence conditions

**18.18.** Part 9 of this guidance discusses the mandatory and default conditions that attach to premises licences.

# Mandatory conditions

**18.19.** A notice stating that no person under the age of 18 years is permitted to play bingo on the premises shall be displayed in a prominent place at every entrance to the premises.

**18.20.** No customer shall be able to enter bingo premises directly from a casino, an adult gaming centre or betting premises (other than a track).

**18.21.** Over 18 areas, within bingo halls that admit under-18s, must be separated by a barrier with prominently displayed notices stating that under-18s are not allowed in that area and with adequate supervision in place to ensure that children and young people are not able to access these areas or the category B or C machines. Supervision may be done either by placing the terminals within the line of sight of an official of the operator or via monitored CCTV.

**18.22.** Any admission charges, the charges for playing bingo games and the rules of bingo must be displayed in a prominent position on the premises. Rules can be displayed on a sign, by making available leaflets or other written material containing the rules, or running an audio-visual guide to the rules prior to any bingo game being commenced.

**18.23.** 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 in order to do so.

# Default conditions

**18.24.** Bingo facilities in bingo premises may not be offered between the hours of midnight and 9am. However, there are no restrictions on access to gaming machines in bingo premises.

# Controlling where gaming machines may be played – bingo

**18.25.** The following policy objectives summarise the key elements that underpin the approach to controlling where gaming machines may be played:

- with very few low risk exceptions, non-remote gambling should be confined to dedicated gambling premises
- the distinctions between different types of licensed gambling premises are maintained
- gambling activities are supervised appropriately
- within casino, bingo and betting premises, gaming machines are only made available in combination with the named non-remote activity of the operating licence.

**18.26.** The Act and associated regulations set out a comprehensive regulatory framework for controlling gaming machines. By linking different machine entitlements to different types of premises, the framework seeks to ensure the number and power (in terms of stakes, prizes and speed of play) of machines is

proportionate to the premises. For such a framework to have any meaningful effect it must be possible for regulatory authorities and consumers to distinguish between different gambling premises.

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

**18.28.** The current regulatory framework prescribes that category B gaming machines may only be made available in licensed gambling premises and not in locations which may prompt more ambient gambling such as pubs. Maintaining distinctions between different gambling venues allows individuals to make a deliberate choice whether to enter that particular gambling environment. In carrying out their functions under the Act licensing authorities should satisfy themselves that a premises applying for or licensed for bingo is operating or will operate in a manner which a customer would reasonably be expected to recognise as a premises licensed for the purposes of providing facilities for bingo.

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

**18.30.** In exercising its functions under the Act, a licensing authority should take account of the relevant code of practice on 'controlling where gaming machines may be played'. It is specifically obliged to do so when exercising functions under section 153 of the Act. In circumstances where a licensing authority considers an existing premises is not compliant with these general requirements, they should contact the Commission at the earliest opportunity.

**18.31.** Both the Commission and licensing authorities have the power to attach specific conditions to operating or premises licences in circumstances where additional assurance is required. The Commission favours the approach of general conditions for all supplemented by operator-specific conditions in cases where novel or contentious operating models are used which include the provision of gaming machines. This is to deliver the policy objectives above and ensure the risk to the licensing objectives is minimised.

**18.32.** In the Commission's view the above approach would ideally be adopted at licensing stage. Licensing authorities should ensure that they request all the information required from an applicant for a new premises or for a variation to an existing premises in order to satisfy themselves as to the matters set out at s153 of the Act. This includes the codes of practice and this guidance. The approach of adding case specific conditions can equally be deployed in respect of an existing unit where concerns arise or when changes are made to the operating model.

# Part 19: Betting premises

## 1 Introduction

**19.1.** The Act contains a single class of licence for betting premises although within this, there are different types of premises which require licensing. This part of the guidance discusses off-course betting which is betting that takes place other than at a track in what was previously known as a licensed betting office. Tracks are discussed in Part 20 of this guidance. Please note that there are also betting offices on tracks, that have a separate premises licence from the track licence, which are also discussed in Part 20 of this guidance.

**19.2.** The Act also permits betting intermediaries to operate from premises. S.13 of the Act defines a betting intermediary as a person who provides a service designed to facilitate the making or acceptance of bets between others. Although betting intermediaries usually offer their services via remote communication, such as the internet, a betting intermediary can apply for a betting premises licence to offer intermediary services upon the premises, such as a premises based trading room. The Commission has issued an advice note on betting intermediaries (opens in new tab) (this advice note does not form part of the Guidance to licensing authorities).

**19.3.** Licensing authorities are responsible for issuing and monitoring premises licences for all betting premises. The issuing of premises licences is discussed in Part 7 of this guidance.

## 2 Protection of children and young persons

**19.4.** Children and young persons are not permitted to enter premises with a betting premises licence, although exemptions apply to tracks, as explained in Part 20 of this guidance, and s.46 and s.47 of the Act set out offences of inviting, causing or permitting a child or young person to gamble, or to enter certain gambling premises. Social Responsibility (SR) code 3.2.7(3) in the Licence Conditions and Codes of Practice (LCCP) states that 'licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises' in order to prevent underage gambling. Children and young persons are not allowed to be employed at premises with a betting premises licence.

## 3 Gaming machines

**19.5.** S.172(8) provides that the holder of a betting premises licence may make available for use up to four gaming machines of category B, C or D. Regulations state that category B machines at betting premises

are restricted to sub-category B2, B3 and B4 machines (the terminals commonly in use are able to provide both B2 and B3 content).

# 4 Self-exclusion

**19.6.** Social Responsibility Code Provision 3.5.6 requires that all non-remote casino bingo and betting licences (except those at a track) and holders of gaming machine general operating licences for adult gaming centres must offer self-exclusion schemes to customers requesting such a facility. There is also an Ordinary Code provision at 3.5.7. The full details can be found within the LCCP.

# 5 Self-service betting terminals (SSBTs)

This section of the GLA has been affected by legislative changes that came into effect on 22 July 2025 concerning the entitlements for casino premises licences as set out in The Casinos (Gaming Machines and Mandatory Conditions) Regulations 2025) (opens in new tab). More information can be found in the Non-Remote Casino Sector - legislative changes guidance. The affected sections of the GLA will be reviewed and amended in due course.

**19.7.** S.235(2)(c) provides that a machine is not a gaming machine if it is designed or adapted for use to bet on future real events. Some betting premises may make available machines that accept bets on live events, such as horse racing, as a substitute for placing a bet over the counter. These SSBTs are not gaming machines and therefore neither count towards the maximum permitted number of gaming machines, nor have to comply with any stake or prize limits. SSBTs merely automate the process that can be conducted in person and the Act exempts them from regulation as a gaming machine.

**19.8.** However, where a machine is made available to take bets on virtual races (that is, results and/or images generated by computer to resemble races or other events) that machine is a gaming machine and counts towards the maximum permitted number of gaming machines and must meet the relevant category limitations for the premises.

**19.9.** It is the Commission's view that the use of SSBTs is a form of remote communication and that a remote licence will be required if SSBTs are used to facilitate the making or accepting of bets by others. The advice note Betting: advice for remote, non-remote and betting intermediaries (this advice note does not form part of the Guidance to licensing authorities) sets out the framework which the Commission applies when deciding whether it considers that a particular operator is offering betting or is acting as a betting intermediary and whether gambling is remote gambling or non-remote gambling.

**19.10.** S.181 contains an express power for licensing authorities to restrict the number of SSBTs, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence or to a casino premises licence (where betting is permitted in the casino). When considering whether to impose a condition to restrict the number of SSBTs in particular premises, the licensing authority, amongst other things, should take into account the ability of employees to monitor the use of the machines by children and young persons or by vulnerable people.

**19.11.** Where SSBTs include the functionality to be marketed or presented in foreign languages, licensing authorities may seek to ensure that the operator has considered the ordinary code provision (3.3.2) about making the following information also available in those languages:

- the information on how to gamble responsibly and access to help referred to in the LCCP
- the players' guides to any game, bet or lottery required to be made available to customers under provisions in LCCP
- the summary of the contractual terms on which gambling is offered, which is required to be provided to customers as a condition of the licensee's operating licence.

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# 6 Betting premises licence conditions

**19.12.** Part 9 of this guidance discusses the mandatory and default conditions that attach to premises licences.

# Mandatory conditions

**19.13.** A notice shall be displayed at all entrances to the betting premises stating that no person under the age of 18 will be admitted. The notice should be clearly visible to people entering the premises.

**19.14.** There must be no access to betting premises from other premises that undertake a commercial activity (except from other premises with a betting premises licence including tracks). Except where it is from other licensed betting premises, the entrance to a betting shop should be from a street (defined as including any bridge, road, lane, footway, subway, square, court, alley or passage - including passages through enclosed premises such as shopping centres - whether a thoroughfare or not).

**19.15.** 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 leave any gaming machine or self-service betting terminal (SSBT) in order to do so.

**19.16.** No apparatus for making information or any other material available in the form of sounds or visual images may be used on the licensed premises, except where used to communicate:

- information about or coverage of sporting events, including information relating to betting on such events (and incidental information including advertisements)
- information relating to betting (including results) on any event in connection with which bets may have been affected on the premises.

Betting operator-owned TV channels are permitted.

**19.17.** No music, dancing or other entertainment is permitted on betting premises. This includes any form of entertainment such as apparatus producing sound or visual images which do not fall within paragraph 19.15 or machines which do not come within the categories of machine explicitly allowed in betting premises under s.172(8) of the Act.

**19.18.** The consumption of alcohol on the premises is prohibited during any time which facilities for gambling are being provided on the premises. Additionally in Scotland the sale of alcohol on the premises is also specifically prohibited.

**19.19.** The only publications that may be sold or made available on the premises are racing periodicals or specialist betting publications.

**19.20.** A notice setting out the terms on which a bet may be placed must be displayed in a prominent position on the premises. In Scotland this notice must be displayed at every entrance.

# Default conditions

**19.21.** Gambling facilities may not be offered in betting premises between the hours of 10pm on one day and 7am on the next day, on any day.

# Controlling where gaming machines may be played - betting

**19.22.** The following policy objectives summarise the key elements that underpin the approach to controlling where gaming machines may be played:

- with very few low risk exceptions, non-remote gambling should be confined to dedicated gambling premises
- the distinctions between different types of licensed gambling premises are maintained
- gambling activities are supervised appropriately
- within casino, bingo and betting premises, gaming machines are only made available in combination with the named non-remote activity of the operating licence.

**19.23.** The Act and associated regulations set out a comprehensive regulatory framework for controlling gaming machines. By linking different machine entitlements to different types of premises, the framework seeks to ensure the number and power (in terms of stakes, prizes and speed of play) of machines is proportionate to the premises. For such a framework to have any meaningful effect it must be possible for regulatory authorities and consumers to distinguish between different gambling premises.

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

**19.25.** The current regulatory framework prescribes that category B gaming machines may only be made available in licensed gambling premises and not in locations which may prompt more ambient gambling such as pubs. Maintaining distinctions between different gambling venues allows individuals to make a deliberate choice whether to enter that particular gambling environment. In carrying out their functions under the Act licensing authorities should satisfy themselves that a premises applying for or licensed for betting is operating or will operate in a manner which a customer would reasonably be expected to recognise as a premises licensed for the purposes of providing facilities for betting.

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

**19.27.** In exercising its functions under the Act, a licensing authority should take account of the relevant code of practice on ‘controlling where gaming machines may be played’. It is specifically obliged to do so when exercising functions under section 153 of the Act. In circumstances where a licensing authority considers an existing premises is not compliant with these general requirements, they should contact the Commission at the earliest opportunity.

**19.28.** Both the Commission and licensing authorities have the power to attach specific conditions to operating or premises licences in circumstances where additional assurance is required. The Commission favours the approach of general conditions for all supplemented by operator-specific conditions in cases where novel or contentious operating models are used which include the provision of gaming machines. This is to deliver the policy objectives above and ensure the risk to the licensing objectives is minimised.

**19.29.** In the Commission’s view the above approach would ideally be adopted at licensing stage. Licensing authorities should ensure that they request all the information required from an applicant for a new premises or for a variation to an existing premises in order to satisfy themselves as to the matters set out at s153 of the Act. This includes the codes of practice and this guidance. The approach in adding case-specific conditions can equally be deployed in respect of an existing unit where concerns arise or when changes are made to the operating model.

# 7 Industry codes

**19.30.** The betting industry, in common with other sectors of the gambling industry, has developed a variety of codes, for example through their trade association. Their main focus has been on matters related to social responsibility. Such codes, whilst not having the force of a licence condition or code, can assist officers when conducting premises inspections. Updates are provided in the LA Bulletin and on trade association websites.

# Part 20: Tracks

# 1 Definition of a track

**20.1.** S.353 of the Act defines a track as a horse racecourse, greyhound track or other premises on any part of which a race or other sporting event takes place or is intended to take place.

**20.2.** The Act does not give a list of premises that are officially recognised as ‘tracks’ but there are a number of venues where sporting events do or could take place, and accordingly could accommodate the provision of betting facilities. Examples of tracks include:

- a horse racecourse (referred to in this guidance as ‘racecourses’)
- a greyhound track
- a point-to-point horserace meeting
- football, cricket and rugby grounds
- an athletics stadium
- a golf course
- venues hosting darts, bowls, or snooker tournaments
- a premises staging boxing matches
- a section of river hosting a fishing competition
- a motor racing event.

**20.3.** This list is not exhaustive as, in theory, betting could take place at any venue where a sporting or competitive event is occurring. While many of these venues are not commonly understood to be ‘tracks’, they fall within the definition of ‘track’ in the Act. Licensing authorities may be of the view that they have few tracks in their area, but the definition in the Act means that most licensing authorities are likely to have venues that could be classified as a track for betting purposes.

**20.4.** The Act also provides for tracks which do not currently offer betting facilities but may elect to do so at some stage in the future. This means that land which has a number of uses, one of which fulfils the definition of a track, could qualify for a premises licence. Examples could include agricultural land upon which a point-to-point meeting takes place or a theatre, arena or exhibition centre where sporting events such as darts or snooker competitions are held. Under the Act, these may all be classified as tracks.

**20.5.** The Act does not define what constitutes a sporting event or race and licensing authorities will need to decide this on a case by case basis. The Commission is aware of some instances of the apparent misuse of occasional use notices (OUNs). Local sporting clubs or other venues seeking to become tracks through a contrived sporting event have utilised OUNs to solely or primarily facilitate betting taking place on events occurring away from the identified venue, examples include the Cheltenham Festival and Grand National meeting. Whilst we have not introduced a new licence condition limiting the betting to the outcomes of a race, competition or other sporting event taking place at the track in question whilst the OUN is in force, the situation is being kept under review. Further details can be found in Part 15 of this guidance.

**20.6.** If an individual or company wants to offer betting facilities on a sporting event then different forms of ‘approval’ are available, one of which must be obtained if betting is to be provided, irrespective of whether the betting is generally incidental to the main sporting activity. The different types of approval for the provision of betting facilities at premises are:

- a premises licence
- an occasional use notice.

# 2 Track premises licences – differences from other premises licences

**20.7.** There are differences between track premises licences and most other premises licences. In essence, tracks admit third-party operators to provide betting facilities, whereas other premises licence holders – betting shops, bingo clubs and casinos for instance – provide the gambling facilities themselves and are subject to the conditions of the operating licence as well as the premises licence.

**20.8.** The Act recognises that tracks are primarily premises intended for entertainment other than gambling and therefore places no restrictions on offering ancillary entertainment including allowing music, dancing or other entertainment on the premises and the sale of alcohol.

**20.9.** Tracks are also recognised as multi-purpose venues having a wide range of facilities that enable them to host various other activities, often on non-event days, including:

- private dinners and parties
- weddings
- retail events (auctions, car boot sales etc)
- concerts
- conferences
- exhibitions.

**20.10.** While there is no special class of betting premises licence for a track, the Act does contain rules which apply specifically to premises licences granted in respect of a track.

**20.11.** Premises licences in relation to tracks differ from other types of premises licence in a number of ways. Most importantly, the applicant for the licence need not hold an operating licence from the Commission (Section 159 (4) of the Act).

**20.12.** Tracks may be subject to more than one premises licence, provided each licence relates to a specified area of the track. For example, a limited number of track premises licences will be held by operators of pool betting licences, who may also have an alcohol licence for the premises. The Act sets out that there can be a primary premises licence for the track and, in addition, subsidiary premises licences for other parts of the track (Section 152 (3) of the Act). This allows track venues to develop leisure facilities such as a casino and apply for a premises licence for that part of the track.

**20.13.** The offence of inviting or permitting a child or young person to enter gambling premises under s.47 of the Act, does not apply to tracks (s.47(4)). Children and young persons are allowed to be present on the track while a sporting event is taking place on those licensed premises. Paragraph 20.28 details the position for non-event days.

**20.14.** There are also a number of track premises licence holders who have an operating licence because they provide facilities for pool betting. These operators, such as greyhound track owners, in addition to admitting 3rd party betting operators, run their own pool betting facilities as permitted by s.179, and are subject to licence conditions applicable to their status as both betting operators and track premises licence holders.

**20.15.** On a limited number of occasions, it has been suggested that areas on a track such as a hospitality box have been used as a trading room. Were this to be the case a betting premises licence would be required separate to the overall track premises licence. The Commission's approach to the subject is detailed in an advice note Is a trading room licence required? (this advice note does not form part of the Guidance to licensing authorities). If a licensing authority is in any doubt as to the status of such an operation, they should contact the Commission.

# 3 Betting on tracks

**20.16.** There are various types of betting which take place in relation to tracks.

# On-course betting

**20.17.** The on-course betting operator is one who comes onto the track, temporarily, while races or sporting events are taking place. On-course betting operators tend to offer betting only on the events taking place on the track, that day. For example, betting operators attending horserace and greyhound racing meetings will only attend on race days. Similarly, betting operators at cricket and football grounds are only likely to attend on days when matches are taking place.

**20.18.** Betting on tracks is organised in different ways and can take place in different parts of the track in many different forms. These include the following:

- 'Betting rings' – The ring can be dispersed throughout the track, and can include 'temporary' rings at large meetings, but all different locations form part of the betting area. On-course betting operators will be located in the betting ring according to a position (pitch) allocated to them under the commercial arrangement they have with the track owner.
- Betting counters or kiosks – A betting counter or booth may be a permanent or temporary outlet from which a bookmaker provides betting facilities. Examples include manned stands or porta-cabins located at football grounds on match days, and the temporary kiosks used by bookmakers at cricket grounds during test matches.
- Mobile betting – Mobile betting machines (often handheld) operated by employees of betting operators allow customers to place a bet or receive pay-outs away from betting kiosks or the betting ring, most commonly in hospitality areas.
- Self-service betting terminals (SBBTs) – SSBT, described in paragraph 19.6, lack the direct human intervention of a betting counter staffed by a cashier, and can be located at different parts of tracks. See below more details on SSBTs at tracks.
- Pool betting – This involves the pooling of stakes on a given event, and the splitting of the total pool, less a commission for the operator amongst the winners. Pool betting at horseracing and greyhound tracks can be offered under a pool betting operating licence – be that the owner of the track or a third party provider. Tracks may also conduct inter-track pool betting when other tracks are holding races.

# Off-course betting

**20.19.** Off-course betting operators are typically those who provide betting facilities from betting premises such as those found on the high street. In addition to such premises, betting operators may operate self-contained betting premises or designated areas such as a row of betting kiosks within the track premises. These premises provide facilities for off-course betting (in effect, the opportunity to bet on other events not just those taking place on the track), although they normally operate only on race days.

**20.20.** The provision of off-course betting facilities as described above is generally conducted in reliance on the track premises licence held by the occupier of the track and consequently the off-course operator is prohibited from making any gaming machines available for use unless they hold a separate betting premises licence in relation to part of the track. The track premises licence holder will need to vary their existing premises licence so that it does not have effect in relation to the area where the additional betting premises licence is located. The additional betting premises licence would need to be secured by the

holder of an appropriate betting operating licence. Such a premises would then be subject to the conditions outlined in Part 19 of this guidance.

**20.21.** Licensing authorities are advised to familiarise themselves with the different types of licences that may be available on tracks.

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# 4 Licences and other permissions for the provision of betting facilities

**20.22.** A track premises licence permits the premises to be used for the provision of facilities for betting, but does not permit the licence holder to provide casino, bingo or other types of gambling on tracks, as these activities must be the subject of separate premises licences.

**20.23.** Sporting events and races take place at many different venues including hotels, conference centres, on agricultural land, and at designated sporting venues such as football grounds. In many cases such venues do not hold sporting events all year round and the number of 'event' days may be limited. The Act provides that if certain conditions are met, a premises licence is not always required to permit betting facilities at such events.

**20.24.** S.39 of the Act provides that where there is betting on a track on eight days or fewer in a calendar year, betting may be permitted by an OUN, as described at Part 15 of this guidance. This permits licensed betting operators to provide facilities for betting on tracks for short periods. An OUN may be suitable for a point-to-point track which holds race meetings eight times a year or less. No conditions are attached to an OUN. However, only licensed betting operators may offer betting facilities at such tracks, otherwise an offence would be committed under s.33 of the Act.

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# 5 Betting on event and non-event days

**20.25.** All track premises licences are subject to a default condition that gambling facilities can only be provided at the track between the hours of 7am and 10pm (SI no 1409: Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007 (opens in new tab) and SSI no 266: Gambling Act 2005 (Mandatory and Default Conditions) (Scotland) Regulations 2007 (opens in new tab)). Gambling facilities can be provided during this time, regardless of whether or not a sporting event is taking place. The default condition does not apply however on days when a sporting event is taking place on the premises.

# Hours of betting on non-event days

**20.26.** On days when no sporting event is taking place, a track premises licence is subject to the default condition on times for operating.

**20.27.** Some tracks have traditionally offered, and will wish to continue to offer, facilities for gambling outside the proposed gambling hours on non-event days. For example, to screen live televised events from other time-zones (which may take place after 10pm or before 7am) and provide betting facilities during those events. Tracks can apply for the default condition to be amended or removed to address this.

**20.28.** Where tracks plan to open and allow provision for betting facilities on non-event days, betting operators will need to either exclude children from the premises on these days or demonstrate that they are able to exclude children and young persons from betting areas (Section 182 (2) of the Act (as amended by SI 2007 – 1410)). In simple terms, on non-event days, tracks become similar to licensed betting offices on the high street. Tracks may achieve this requirement by:

- locating all betting areas inside an area of the premises that is separated from the remainder of the premises by a physical barrier, thereby preventing access other than through a designated entrance
- only admitting adults to the part of the track where betting areas are located, by establishing procedures for verifying customer ages and refusing entry to adult-only areas for those unable to produce an acceptable form of identification (and taking action where there are unlawful attempts to enter adult-only areas)
- placing prominent notices in front of and inside each entrance stating that access to the area is prohibited to persons under 18.

**20.29.** Licensing authorities may choose to reduce the default gambling hours, providing any reduction is in line with the principles set out in s.153 of the Act.

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# 6 Social responsibility considerations for tracks

**20.30.** The achievement of the licensing objectives requires betting operators to adopt socially responsible gambling policies and procedures designed both to ensure that gambling is open and fair, and that children and other vulnerable people are not harmed or exploited by gambling.

**20.31.** While betting operators must put into effect policies and procedures to promote socially responsible gambling, there is no equivalent requirement on track premises licence holders. However, s.182(1)(a) of the Act places a condition on the track premises licence that the licensee shall ensure that children and young persons are excluded from any area where facilities for betting are provided.

**20.32.** As with other aspects of regulation licensing authorities may wish to make clear in their statement of policy any particular concerns or expectations that they have in relation to track premises licence holders and betting operators who provide facilities from the track.

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# 7 Gaming machines

**20.33.** A track premises licence does not of itself entitle the holder to provide gaming machines, as this type of premises licence can be held without any corresponding operating licence. However, by virtue of s.172(9) of the Act, track owners holding both a track premises licence and a pool betting operating licence issued by the Commission (currently only greyhound tracks), may site up to four gaming machines within categories B2 to D on the track.

**20.34.** Some tracks will also hold an alcohol licence and as such they will be automatically entitled under s.282 of the Act to two gaming machines of category C or D. This permission is activated by notifying the licensing authority and paying the required fee. If a track premises licence holder has both an alcohol licence and a pool betting operating licence, then they will be entitled to a total of six gaming machines (two via the alcohol licence and four via the operating licence).

**20.35.** Applications for licensed premises gaming machine permits to allow more than two gaming machines are not permitted where the premises are, or are part of, premises already covered by a premises licence including a betting premises licence in respect of a track (Schedule 13(1)(2), of the Act). However, there is a special saving for any alcohol-licensed premises within tracks in England and Wales which already had permission for more than two gaming machines pursuant to permits issued under s.34 of the Gaming Act 1968 (opens in new tab) and made an application for licensed premises gaming machine permits in accordance with transitional provisions (SI 2006/3272 - The Gambling Act 2005 (Commencement No.6 and Transitional Provisions) Order 2006 (opens in new tab) - Schedule 4, paragraphs 27 and 30).

**20.36.** Children and young persons can play category D gaming machines on a track but are not allowed to play other categories of machine.

**20.37.** Alcohol premises licence holders who wish to make one or two gaming machines available for use in reliance on s.282 of the Act are required to send the licensing authority written notice of their intention and to pay the prescribed fee (SI 2007/1832 - Gaming Machines in Alcohol Licensed Premises (Notification Fee) (England and Wales) Regulations 2007 (opens in new tab), Regulation 3). It is also a requirement that any relevant provision of a code of practice under s.24 about the location and operation of a gaming machine is complied with. This includes The gaming machine permits code of practice.

**20.38.** The Commission has attached a condition to all pool betting operating licences that the operator must:

- have and put into effect policies and procedures designed to prevent underage gambling
- monitor the effectiveness of these.

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# 8 Self-service betting terminals (SSBTs)

**20.39.** S.235(2)(c) of the Act provides that a machine is not a gaming machine by reason only of the fact that it is designed or adapted for use to bet on future real events. Betting operators may make available machines that accept bets on live events, such as horseracing, as a substitute for placing a bet with a member of staff. These self-service betting terminals are not gaming machines; they merely automate the process that can be conducted in person and therefore are not regulated as gaming machines.

**20.40.** Licensed operators may install SSBTs on tracks. There is no restriction on the number of SSBTs that may be in use, but operators must, by virtue of their operating licence conditions, supervise such terminals to prevent them being used by those under 18 years of age.

**20.41.** There is no formal requirement on track premises licence holders to involve themselves in the procedures used by betting operators to supervise their SSBTs (unless specific local conditions specifying supervisory arrangements are added to the track premises licence by the licensing authority). Some betting operators may agree supervisory assistance to be provided by employees of the track premises licence holders, but this is a commercial matter between the track owner and betting operators.

**20.42.** While track premises licence holders have no formal responsibilities in this regard, the Commission has advised them to inform it of instances where they are aware that betting operators are persistently failing to ensure the adequate supervision of their SSBTs.

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# 9 Applications

# Defining the premises

**20.43.** S.151 of the Act requires applicants for premises licences to submit plans of the premises with their application. This ensures that licensing authorities have the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan also informs future premises inspection activity.

**20.44.** Plans for tracks need not be in a particular scale, but should be drawn to scale and should be sufficiently detailed to include the information required by regulations.

**20.45.** In the majority of cases, such as greyhound tracks, racecourses, football stadia and cricket grounds, defining the extent of boundaries may be assisted by reference to existing plans already submitted to obtain other permissions. These could include:

- the obtaining of a safety certificate under Safety at Sports Ground legislation (this applies in respect of sports grounds with capacity to accommodate more than 10,000 spectators)
- the historic boundaries under previous legislation such as, the approval of tracks under Schedule 3 of the Betting, Gaming and Lotteries Act 1963 (opens in new tab).

**20.46.** It is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pin-pointing exact locations for some types of track. Licensing authorities should satisfy themselves that the plan provides sufficient information to enable them to assess an application.

**20.47.** As the plan forms part of the licence document, it also needs to be sufficiently flexible to ensure that a relatively small change in the premises layout would not require an operator to submit an application to vary the track premises licence. Only a significant change to the track layout would require a licence variation. For example, moving a category C gaming machine from one end of a bar that had been marked on the plan as a gaming machine area to another may not necessitate a full variation to a tracks premises licence, nor would the establishment of a new betting area at a race track, as neither of these events have any impact on the purpose of the licence or the conditions attached to it. However, relocating category C machines to entirely different parts of a track would generally need to be the subject of an application to vary the premises licence.

# Ensuring that premises are fit for the provision of gambling facilities

**20.48.** Licensing authorities are required to ensure that premises are fit for a specific type of gambling. Premises which meet the conditions required to operate as, for example, a casino may not meet the requirements for offering track betting facilities.

# Access to premises and other parts of the track

**20.49.** S.152 of the Act provides that premises may not have more than one premises licence authorising a type of activity, with the exception of track premises, whereby a track may be the subject of multiple premises licences.

**20.50.** Access between premises licensed for gambling and non-gambling areas is an important local licensing consideration, for reasons such as the following:

- to prevent operators from seeking to circumvent the Act by artificially subdividing a premises and securing separate premises licences for its composite parts
- to ensure that operators do not circumvent regulations governing the maximum number of gaming machines applicable to specific premises
- to ensure that people who have entered a premises for one type of gambling are not exposed to another, potentially harder, form of gambling
- to ensure that there is no direct access between gambling premises to which children have access and those which they are prohibited from entering
- to ensure that all gambling premises have publicly accessible entrances
- to ensure that gambling premises are not developed in the backrooms of other commercial premises.

**20.51.** As tracks may be the subject of multiple premises licences, regulations (SI 2007/1409: Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007 (opens in new tab) and SSI 2007/266: Gambling Act 2005 (Mandatory and Default Conditions) (Scotland) Regulations 2007 (opens in new tab)) have been laid to stipulate the access requirements between gambling premises, and when entering or leaving gambling premises. By virtue of the regulations no direct access is allowed from a track to a casino or adult gaming centre. Therefore if, for example, a casino is built on a track premises that is the subject of a track premises licence, clearly defined public thoroughfares should be in place to ensure that customers have to leave one gambling premises, and be aware they have done so, before entering another.

# Access by children – special dispensation for tracks

**20.52.** Persons under 18 years old are not permitted to enter premises when betting facilities are being provided, other than at tracks. This dispensation allows families to attend premises such as greyhound tracks or racecourses on event days, and children to be permitted into areas where betting facilities are provided, such as the ‘betting ring’, where betting takes place.

**20.53.** Licensing authorities should note however that the exemption allowing children access to betting areas on tracks does not extend to areas within a track where category C or above machines are provided, or other premises to which under 18 year olds are specifically not permitted access. For example, where betting facilities are provided through a self-contained betting office on a track which has a separate betting premises licence, the betting operator of the self-contained premises is required to exclude under-18s from their premises.

**20.54.** The Act creates offences relating to gambling by children and young people and the operating licence conditions require operators to have policies and procedures in place to prevent betting from persons who are under 18 years old. As under-18s are permitted to enter betting areas on tracks on event days, this needs to include policies and procedures to mitigate the likelihood of underage betting occurring. The track premises licence holder is also required to display a notice in a prominent place at every public entrance stating that no person under the age of 18 is permitted to bet on the premises.

**20.55.** Licensing authorities should be aware that there is an anomaly in the Act, wholly prohibiting the employment of children and young people on tracks.

# Multiple licences

**20.56.** S.152(3) of the Act permits the issuance of more than one premises licence for a track provided that each licence relates to a distinct specified area of the track. There cannot be more than one premises licence covering the same area of the track.

**20.57.** This enables track owners to extend existing facilities to provide other gambling facilities, such as a casino, on their existing tracks. In such a case, the licensing authority will need to consider access issues as direct access between a track and other betting premises (other than a track betting shop) is not

permitted. Access for casino and bingo is dealt with in Part 17 of this guidance and Part 18 of this guidance.

**20.58.** Where a particular area of a track is already subject to a premises licence, and a person wishes to apply for a licence to offer another type of activity in that area, an application must be made to the issuing licensing authority to vary the original premises licence, under s.187of the Act. The new track premises licence can only be granted at the same time as, or after, the original licence has been varied.

**20.59.** Licensing authorities may receive applications indicating separate betting areas that may not necessarily have clear physical boundaries, such as walls or fencing. Such areas could still be the subject of a separate betting premises licence provided the area is clearly delineated, both in terms of making it clear to the public that they are entering a 'betting office', and to keep out persons aged under 18. Customers should be aware that they are entering separate betting premises subject to its own licence conditions in respect of underage access and alcohol for example. The delineation of such an area is best achieved through a physical barrier. A licensing authority concerned that such an area cannot be satisfactorily delineated may wish to refuse an application for a separate betting premises licence.

**20.60.** Conditions applicable to off-track betting premises also apply to self-contained betting premises on tracks that are the subject of their own betting premises licence, which entitles the self-contained premises to offer up to four gaming machines (from categories B2 to D).

**20.61.** Track owners should decide in conjunction with the betting operators offering facilities at their track which premises licensing arrangement best suits the specific nature and circumstances of their track.

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# 10 Licence conditions and requirements

# The role of track premises licence holders

**20.62.** Since September 2012 on-course bookmakers have entered into licences with racecourses regarding the allocation of betting positions. The responsibilities of track premises licence holders are established by the mandatory and default licence conditions attaching to their premises licence. The licensed betting operators authorised by track owners to provide betting facilities at tracks must comply with their operating licence conditions and codes of practice issued by the Commission.

# Acceptance of bets

**20.63.** Under s.33(2) of the Act, only licensed betting operators may accept bets or provide facilities for gambling. The Commission is responsible for issuing betting operating licences, and each betting operator must comply with the conditions of their operating licence. The Commission can invoke penalties or revoke licences if they fail to do so.

# Pool betting

**20.64.** By virtue of s.179 of the Act, a track premises licence may only authorise the acceptance of bets by way of pool betting on horseracing or dog racing, and if the bets are accepted by the holder of the track premises licence or in accordance with arrangements made by him. Additionally, pool betting on a licensed greyhound track will only be permitted while the public are admitted to the track for the purpose of attending greyhound races, and no other sporting events are taking place. A mandatory condition is

attached to the premises licence to this effect (SI 2007/1409: Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007 (opens in new tab), Schedule 6(3)(1)).

# Admission of betting operators

**20.65.** It is a mandatory premises licence condition of track premises licences that the licence holder makes arrangements to ensure that the betting operators they admit to their track operate under valid operating licences.

**20.66.** Track premises licence holders, or their appointees, are therefore responsible for identifying and admitting those providing facilities for betting to operate on-course. This means both betting operating licence holders themselves and persons 'employed by the licensee under a written contract of employment' (Section 92 of the Act).

**20.67.** Track premises licence holders are responsible for determining their own arrangements for the verification of betting operators. As part of this process, the track premises licence holder should make arrangements for ensuring that the betting operator holds an operating licence.

**20.68.** There are special regulatory arrangements in place which mean that not all employees need to be listed on the licence, referred to as Schedule Y arrangements (Schedule Y operator is an employee whose details have been provided to the Commission as authorised by the licensee to accept bets on their behalf otherwise than under the supervision of a qualified person on the same track). This means that bookmakers' assistants - such as computer operators and floormen - do not need to appear on the operator's licence. This light touch regulatory position allows for existing arrangements for supervision.

**20.69.** In instances where an operator holds more than one betting position at a track, they can staff their subsequent positions with non-licensed employees as long as those betting positions are networked to the first pitch and the operator or a Schedule Y representative is in attendance at the track and operating the primary pitch. In this situation the licensee or Schedule Y representative is responsible for all actions carried out by employees on the pitches that he is not physically standing on.

**20.70.** Licensing authorities should be aware that, as track premises licence holders are required through mandatory licence conditions to make arrangements for identifying and admitting only valid betting operating licence holders to offer betting on-track, different arrangements may be in place at different tracks to achieve this. Licensing authorities are advised to make themselves aware of the processes used by tracks that they license in their localities.

# Removal of illegal betting operators

**20.71.** Track premises licence holders are required by a mandatory licence condition to take reasonable steps to remove from the racecourse anybody found to be providing facilities for gambling without authorisation - in effect illegal bookmakers. This could include someone claiming to be a representative of a licensed betting operator who has been unable to prove their identity to the track premises licensee. Failure to uphold this requirement could result in action being taken against the premises licence holder.

**20.72.** Track premises licence holders should have policies and procedures for identifying illegal gambling in addition to the mandatory requirement to verify that betting operators offering betting facilities on their track hold suitable operating licences.

# Display of rules

**20.73.** It is a mandatory condition of premises licences that clear and accessible information about the terms on which a bet may be placed must be displayed at betting premises, including tracks. The terms or rules of betting is a consideration of the Commission in respect of the licensing of betting operators.

**20.74.** There are often multiple locations of betting on a track. For instance, on a large racecourse there may be a number of betting rings and pool betting outlets and at least one betting shop, while at a football ground there could be several betting booths located throughout the various stadium concourses.

**20.75.** It may be considered disproportionate and unnecessary to insist that betting rules are displayed at each distinct betting location; rather, the rules should be made available at suitable central locations. The track premises licence holder should make the necessary arrangements to ensure that betting rules are accessible to all customers, regardless of which area of the track they are in. If certain areas are restricted to certain customers (such as different stands within a football ground) then rules could be displayed at various parts of the track. Other measures could be taken to ensure that they are made available to the public, such as printing them in the race-card or programme. The requirement could also be met by making a copy of the rules available in leaflet form from the main track office, and customers could be given a copy if they request one.

**20.76.** As track premises licence holders do not necessarily provide betting facilities themselves (unless they hold a pool betting licence), they do not have their own set of betting rules to apply. In such cases, the licence holder should make it clear that the operator's betting rules will apply. At horserace meetings, for example, betting operators generally abide by Tattersall's Rules on Betting (opens in new tab), and as such the premises licence holder should make this clear to customers. At a sports stadium where betting facilities are provided by a high street operator, the track licence holder may choose to state on the centrally provided notice that the rules followed by the betting operator will apply throughout the track.

**20.77.** Betting operators offering betting facilities on racecourses and at greyhound tracks are required through the conditions of their operating licence to clearly display any of their own rules that differ from those that the track premises licence holder elects to display, and their rules concerning voids, late bets, and maximum pay-outs. Track premises licence holders are expected to refer customers to the rules of individual on-course betting operators who are required to display this information on their stands (often referred to as 'bookmaker joints').

# Part 21: Adult gaming centres

## 1 Introduction

**21.1.** Persons operating an adult gaming centre (AGC) must hold a gaming machines general operating licence (adult gaming centre) from the Commission and a premises licence from the relevant licensing authority. They are able to make category B, C and D gaming machines available.

## 2 Protection of children and young persons

**21.2.** No-one under the age of 18 is permitted to enter an AGC. The Act sets outs offences at s.46 and s.47 of inviting, causing or permitting a child or young person to gamble, or to enter certain gambling premises. In addition, Social Responsibility (SR) code 3.2.3(3) in the Licence conditions and codes of practice (LCCP) states that 'licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises in order to prevent underage gambling'.

**21.3.** Licensing authorities will wish to have particular regard to the location of and entry to AGCs to minimise the opportunities for under-18s to gain access. This may be of particular importance in areas where young people may be unsupervised for example, where an AGC is in a complex, such as a shopping centre or airport. Licensing authorities should consider whether their statement of policy can be used to reflect such locally based considerations.

## 3 Self-exclusion

**21.4.** Social Responsibility Code Provision 3.5.6 requires that all non-remote casino and bingo and betting licences (except those at a track) and holders of gaming machine general operating licences for adult gaming centres must offer self-exclusion schemes to customers requesting such a facility. There is also an Ordinary Code provision at 3.5.7. The full details can be found within the LCCP.

## 4 Gaming machines

**21.5.** Gaming machine provisions by premises are set out at Appendix A. S.172(1) of the Act, as amended, provides that the holder of an AGC premises licence may make available for use a number of category B gaming machines not exceeding 20 percent of the total number of gaming machines which are available for use on the premises and any number of category C or D machines. For example, a premises with a total of 25 gaming machines available for use can make five or fewer category B3 gaming machines available on those premises.

**21.6.** Premises subject to a licence granted before 13 July 2011 are entitled to make available four category B3/B4 gaming machines, or 20 percent of the total number of gaming machines, whichever is the greater. AGC premises licences granted on or after 13 July 2011 are entitled to 20 percent of the total number of gaming machines only. Regulations specify that the category B machines should be restricted to sub-category B3 and B4 machines, but not B3A machines (S1 2158 The Categories of Gaming Machine Regulations 2007 (opens in new tab)). Licensing authorities should ensure that gambling machines are made available for use in a manner consistent with our guidance within Part 16 of this guidance. For the purpose of calculating the category B machine entitlement in gambling premises, gaming machines should only be counted if they can be played simultaneously by different players without physical hindrance. This includes tablets.

**21.7.** Where the operator of an existing AGC premises licence applies to vary the licence and acquire additional AGC premises licences – so that the area that was the subject of a single licence will become divided between a number of separate licensed premises – each separate licensed premises must only contain the permitted machine entitlement. For example, where two separate AGC premises have been created adjacent to each other by splitting a pre-existing premises, it is not permissible to locate eight category B3 gaming machines in one of the resulting premises and none in the other, as the gaming machine entitlement for that premises would be exceeded. Part 7 of this guidance explains in greater detail what constitutes premises.

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# 5 AGC premises licence conditions

**21.8.** Part 9 of this guidance discusses the mandatory and default conditions that attach to premises licences. Currently there are no default conditions specific to AGCs.

# Mandatory conditions

**21.9.** A notice must be displayed at all entrances to Adult Gaming Centres (AGCs) stating that no person under the age of 18 years will be admitted to the premises.

**21.10.** There can be no direct access between an AGC, and any other premises licensed under the Act or premises with a family entertainment centre (FEC), club gaming, club machine or alcohol licensed premises gaming machine permit. (England and Wales only). There is no definition of ‘direct access’ in the Act or regulations, although licensing authorities may consider that there should be an area separating the premises concerned, such as a street or cafe, which the public go to for purposes other than gambling, for there to be no direct access.

**21.11** 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 machine in order to do so.

**21.12** The consumption of alcohol in AGCs is prohibited at any time during which facilities for gambling are being provided on the premises. Additionally in Scotland the sale of alcohol on the premises is specifically prohibited. A notice stating this should be displayed in a prominent place at every entrance to the premises.

# Part 22: Licensed family entertainment centres

## 1 Introduction

**22.1.** The Act creates two classes of family entertainment centre (FEC). This part of the guidance concerns licensed FECs. Unlicensed FECs are dealt with in Part 24 of this guidance. Persons operating a licensed FEC must hold a gaming machine general operating licence(Family Entertainment Centre) from the Commission and a premises licence from the relevant licensing authority. They will be able to make category C and D gaming machines available.

## 2 Protection of children and young persons

**22.2.** FECs are commonly located at seaside resorts, in airports and at motorway service stations, and cater for families, including unaccompanied children and young persons. Licensing authorities should take into account this specific risk when considering applications and when inspecting such premises, and will likely reflect the risks in their statement of policy.

**22.3.** Children and young persons are permitted to enter an FEC and may use category D machines. They are not permitted to use category C machines and it is a requirement that there must be clear segregation between the two types of machine, so that under-18s do not have access to them. Social Responsibility (SR) code 3.2.5(3) in the Licence conditions and codes of practice (LCCP) states that 'licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises' in order to prevent underage gambling. Mandatory conditions apply to FEC premises licences regarding the way in which the area containing the category C machines should be set out, detailed below at paragraph 22.9.

**22.4.**SR 3.2.5(2) requires operators to ensure that employees prevent access and challenge children or young persons who attempt to use category C machines. It is strongly recommended that licensing authorities ensure that staffing and supervision arrangements are in place to meet this requirement, both at the application stage and during subsequent inspections.

## 3 Meaning of premises

**22.5.** A licensed FEC is classified as ‘premises’ and only premises that are wholly or mainly used for making gaming machines available may hold an FEC premises licence (s.238 of the Act). As a result, it is generally not permissible for such premises to correspond to an entire shopping centre, airport, motorway service station or similar. Typically, the machines would be in a designated, enclosed area.

**22.6.** The Commission considers that it is not permissible for gaming machines which should be contained within the FEC premises, to be located in corridors and walkways which form part of the larger building. Machines have been found in such venues without the requisite FEC premises licence and as such the machines are being made available unlawfully and are not subject to the controls necessary to minimise gambling-related harm and to protect children and vulnerable people. This exposes young people to ambient gambling that the Act was designed to prevent (through the removal of machines from takeaways, taxi offices as well as others).

**22.7.** In the event that a licensing authority may have granted an FEC premises licence to premises that should not have qualified for one, the procedure for review will apply as set out in Part 10 of this guidance. Depending on circumstances this might include sharing concerns with the premises licence holder (exploring the possibility of them applying to vary the premises licence to render it compliant), seeking a review of the premises licence and/or imposing conditions.

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# 4 Licensed FEC premises licence conditions

**22.8.** Part 9 of this guidance discusses the mandatory and default conditions that attach to premises licences. Currently there are no default conditions specific to FECs.

# Mandatory conditions

**22.9.** The summary of the terms and conditions of the premises licence issued by the licensing authority under s.164(1)(c) of the Act must be displayed in a prominent place within the premises.

**22.10.** The layout of the premises must be maintained in accordance with the plan.

**22.11.** The premises must not be used for the sale of tickets in a private lottery or customer lottery, or the National Lottery.

**22.12.** No customer shall be able to enter the premises directly from a casino, an adult gaming centre or betting premises (other than a track). There is no definition of ‘direct access’ in the Act or regulations, but licensing authorities may consider that there should be an area separating the premises concerned, such as a street or cafe, which the public go to for purposes other than gambling, for there to be no direct access.

**22.13.** Any ATM made available for use on the premises must be located in a place that requires any customer who wishes to use it to cease gambling at any gaming machine in order to do so.

**22.14.** Over-18 areas within FECs that admit under-18s, must be separated by a barrier with prominently displayed notices at the entrance stating that under-18s are not allowed in that area and with adequate supervision in place to ensure that children and young persons are not able to access these areas or the category C machines. Supervision may be done either by placing the terminals within the line of sight of an official of the operator or via monitored CCTV.

**22.15.** The consumption of alcohol in licensed FECs is prohibited at any time during which facilities for gambling are being provided. Additionally in Scotland the sale of alcohol on the premises is specifically prohibited. A notice stating this should be displayed in a prominent position on the premises.

# Part 23: Introduction to permits

# 1 Introduction

**23.1.** The Act introduces a range of permits for gambling which are granted by licensing authorities. Permits are designed as a light-touch approach to low level ancillary gambling – they are used in circumstances where stakes and prizes are subject to very low limits and/or gambling is not the main function of the premises. The permits regulate gambling and the use of gaming machines in specific premises.

**23.2.** Holders of alcohol-licensed premises gaming machine permits, and club permits are required to comply with codes of practice drawn up by the Commission, on the location and operation of machines, namely the gaming machine permits code of practice.

**23.3.** The following parts of this guidance discuss, amongst other things, the various permits that licensing authorities are responsible for issuing:

- Part 24 of this guidance – family entertainment centre gaming machine permits, Schedule 10
- Part 25 of this guidance – club gaming permits and club machine permits, Schedule 12
- Part 26 of this guidance – alcohol-licensed premises gaming machine permits, Schedule 13
- Part 27 of this guidance –prize gaming permits, Schedule 14.

**23.4.** Licensing authorities may only grant or reject an application for a permit. No conditions may be attached to a permit.

**23.5.** There are different factors to be taken into account by licensing authorities when considering the different types of permit applications and further information is provided in the relevant parts of this guidance identified above.

**23.6.** In addition, licensing authorities are responsible for receiving notifications from holders of alcohol licences under the Licensing Act 2003 (opens in new tab) or the Licensing (Scotland) Act 2005 (opens in new tab), that they intend to exercise their automatic entitlement to two gaming machines in their premises under s.282 of the Act.

# Part 24: Unlicensed family entertainment centres

## 1 Introduction

**24.1.** Unlicensed family entertainment centres (uFEC) are able to offer only category D machines in reliance on a gaming machine permit. Any number of category D machines can be made available with such a permit, although there may be other considerations, such as fire regulations and health and safety, to take into account. Permits cannot be issued in respect of vessels or vehicles.

**24.2.** uFECs are premises which are 'wholly or mainly' used for making gaming machines available (S.238 Gambling Act 2005 (opens in new tab)). As a result, it is generally not permissible for such premises to correspond to an entire shopping centre, airport, motorway service station or similar. Typically, the machines would be in a designated, enclosed area.

**24.3.** A permit lapses if the licensing authority informs the permit holder that the premises are not being used as an FEC (Schedule 10 (14) Gambling Act 2005 (opens in new tab)). Further guidance is set out at paragraph 22.5.

**24.4.** If the operator wishes to make category C machines available in addition to category D machines, the operator will need to apply for a gaming machine general operating licence (Family Entertainment Centre) from the Commission and a premises licence from the licensing authority.

**24.5.** Schedule 10 of the Act sets out the application process and regulatory regime for FEC gaming machine permits.

## 2 Applying for a permit

**24.6.** The application for a permit can only be made by a person who occupies or plans to occupy the premises to be used as an uFEC and, if the applicant is an individual, he or she must be aged 18 or over. Applications for a permit cannot be made if a premises licence is in effect for the same premises. The application must be made to the licensing authority in whose area the premises are wholly or partly situated.

**24.7.** The licensing authority must specify the form and manner in which the application should be made and specify what other information and documents (such as insurance certificates, plans of building, and so on) they require to accompany the application. Applications must be accompanied by a fee, as prescribed in regulations (SI No 454/2007: The Gambling Act 2005 (Family Entertainment Centre Gaming Machine)(Permits) Regulations 2007 (opens in new tab) and SSI No 309/2007: The Gambling Act 2005 (Fees)(Scotland) Regulations 2007 (opens in new tab)) set by the Secretary of State for England and Wales and Scottish Ministers for Scotland.

**24.8.** In its statement of policy, a licensing authority may include a statement of principles that it proposes to apply when exercising its functions in considering applications for permits. In particular it may want to set out the matters that it will take into account in determining the suitability of the applicant. Given that the premises is likely to appeal particularly to children and young persons, licensing authorities may wish to give weight to matters relating to protection of children from being harmed or exploited by gambling and to ensure that staff supervision adequately reflects the level of risk to this group. Licensing authorities are also encouraged to also specify in their statement of policy that a plan for the uFEC must be submitted.

# 3 Granting or refusing a permit

**24.9.** The licensing authority can grant or refuse an application for a permit, but cannot add conditions. An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an uFEC, and if the chief officer of police has been consulted on the application. In considering the application, the licensing authority shall have regard to this guidance and may have regard to the licensing objectives (Schedule 10, paragraph 7 of the Act). The licensing authority may also consider asking applicants to demonstrate:

- a full understanding of the maximum stakes and prizes of the gambling that is permissible in uFECs
- that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act)
- **that employees are trained to have a full understanding of the maximum stakes and prizes**.

**24.10.** The licensing authority may not refuse an application unless it has notified the applicant of the intention to refuse and the reasons for it, and given them an opportunity to make representations orally or in writing or both. The rights of appeal in relation to permits are discussed in Part 12 of this guidance.

**24.11.** If a permit is granted, the licensing authority must issue it as soon as is reasonably practicable. The Secretary of State has set out the form of the permit in regulations (SI No 454/2007: The Gambling Act 2005 (Family Entertainment Centre Gaming Machine)(Permits) Regulations 2007 (opens in new tab)). The permit must specify the person to whom it is issued, the premises it relates to, the date on which it takes effect, the date on which it expires and the name and address of the licensing authority issuing it.

**24.12.** The permit will have effect for ten years, unless it ceases to have effect because it is surrendered or lapses or is renewed. There is no annual fee for FEC gaming machine permits. Permits that were first granted under the Act expired in 2017.

**24.13.** If the person to whom the permit is issued changes their name, or wants to be known by another name, they may send the permit to the issuing authority for amendment, together with the appropriate fee. The authority must comply with the request and return the permit to the holder.

# 4 Lapse, surrender and forfeiture

**24.14.** The permit may lapse for a number of reasons, namely:

- if the holder ceases to occupy the premises
- if the licensing authority notifies the holder that the premises are not being used as an uFEC
- if an individual permit holder dies, becomes incapable by reason of mental or physical incapacity, becomes bankrupt, or sequestration of his estate is ordered
- if the company holding the permit ceases to exist or goes into liquidation.

**24.15.** The purpose of the second reason listed above is to ensure that there is no erosion of the principle that an uFEC permit should be obtained for premises that are wholly or mainly used for gaming machines. Licensing authorities would need to use this power in circumstances in which, since the grant of the permit, other activities have been introduced in the premises that mean the gaming machines have become ancillary.

**24.16.** In the last two circumstances listed above, the Act provides that the personal representative (in the case of death), trustee of the bankrupt estate or liquidator of the company may rely on the permit for a period of six months as though it had effect and was issued to them.

**24.17.** The permit may also cease to have effect if the holder surrenders it to the licensing authority. Notice of such surrender must be accompanied by the permit, or by an explanation of why the permit cannot be produced.

**24.18.** If the permit holder is convicted of a relevant offence the court may order the forfeiture of the permit. The court may order the holder to deliver the permit to the licensing authority and it must, in any case, notify the licensing authority that it has made a forfeiture order as soon as is reasonably practicable after making the order. Such an order may be suspended by a higher court, pending appeal.

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# 5 Renewal

**24.19.** In accordance with paragraph 18 of Schedule 10 of the Act, an application for renewal of a permit must be made during the period beginning six months before the permit expires and ending two months before it expires. The procedure for renewal is the same as for an application. The licensing authority may only refuse to renew a permit on the grounds that:

- an authorised local authority officer has been refused access to the premises without reasonable excuse
- renewal would not be reasonably consistent with the licensing objectives. In this respect, the licensing authority will have the benefit of having consulted the chief officer of police and will be aware of any concerns that have arisen about the use of the premises during the life of the permit.

**24.20.** The duration of the permit will not be curtailed while a renewal application is pending, including an appeal against a decision not to renew.

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# 6 Maintenance

**24.21.** The permit must be kept on the premises, and it is an offence not to produce it when requested to do so by a constable, an enforcement officer, or an authorised local authority officer.

**24.22.** If a permit is lost, stolen or damaged, the holder may apply for a replacement, subject to paying a fee that has been set by the Secretary of State or Scottish Ministers in regulations. The licensing authority must grant the application if it is satisfied that the permit has been lost, stolen or damaged and a report has been made to the police. The licensing authority should issue a copy and certify it as a true copy of the original permit.

# Part 25: Clubs

# 1 Defining clubs

**25.1.** The Act creates a separate regime for gaming in clubs from that in other relevant alcohol licensed premises. It defines two types of club for the purposes of gaming:

- members' clubs (including miners' welfare institutes)
- commercial clubs.

This is an important distinction in respect of the gaming that may take place.

# Members' club

**25.2.** A members' club is a club that is not established as a commercial enterprise and is conducted for the benefit of its members. Examples include working men's clubs, miners' welfare institutes, branches of the Royal British Legion and clubs with political affiliations. Members' clubs may apply to their local licensing authority for club gaming permits and club machine permits. Particular care should be taken when assessing applications for gaming permits which have been used for illegal poker clubs under the guise of members' clubs. Experience very strongly indicates that taking care at the application stage in robustly checking the credentials of the applicant will save a great deal of time and effort afterwards. If a licensing authority is in any doubt as to the suitability of an applicant, they should contact the Commission who will offer the appropriate support, advice and any intelligence that may be available.

**25.3.** In short, the statutory definition of a members' club requires that:

- it must be established and conducted wholly or mainly for purposes other than the provision of facilities for gaming
- the club satisfies the conditions attached to a club gaming permit
- they are not commercial clubs that would then be offering gambling illegally.

**25.4.** The Act states that members' clubs must have at least 25 members and be established and conducted 'wholly or mainly' for purposes other than gaming, unless the gaming is restricted to that of a prescribed kind (currently bridge and whist). Members' clubs must be permanent in nature but there is no need for a club to have an alcohol licence.

# Miners' welfare institute

**25.5.** Miners' welfare institutes are associations established for recreational or social purposes. They are managed by representatives of miners or use premises regulated by a charitable trust which has received funds from one of a number of mining organisations. Miners' welfare institutes may also apply for club gaming permits and club machine permits.

# Commercial club

**25.6.** A commercial club is a club established for commercial gain, whether or not they are actually making a commercial gain. Examples include commercial snooker clubs, clubs established as private companies and clubs established for personal profit. Commercial clubs may only apply for club machine permits. There are established tests to determine a club's status (see paragraphs 25.46 to 25.48) but if in doubt, legal advice should be sought.

# 2 Bingo in clubs

**25.7.** Clubs and miners' welfare institutes are able to provide facilities for playing bingo under s.275 of the Act or in accordance with a permit under s.271, provided that the restrictions in s.275 are complied with. These include that in any seven day period the aggregate stakes or prizes for bingo must not exceed £2,000 (Code of practice for equal chance gaming in clubs and premises with an alcohol licence). If that limit is breached the club must hold a bingo operator's licence and the relevant operating, personal and premises licences must be sought. The bingo must comply with any code issued by the Commission under s.24 of the Act (Code of practice for gaming in clubs and premises with an alcohol licence). Further information about bingo in clubs can be found in paragraphs 18.13 to 18.15[13].

[13] For further information see Blog: Running bingo events at nightclubs and student union bars and Feature article - Social Bingo

# 3 Betting in clubs

**25.8.** Commercial betting, regardless of the level of stakes, is not allowed in clubs. Those who facilitate such betting – whether designated premises supervisors or club officials – are providing illegal facilities for gambling and are breaking the law. Even where designated premises supervisors or club officials accept bets on behalf of licensed bookmakers, or just facilitate betting through their own telephone accounts, they are acting as betting intermediaries and could be prosecuted.

**25.9.** Licensed bookmakers with a full or ancillary remote licence may accept telephone bets from a customer watching an event in a club, as long as that customer has an individual account with them. It is illegal for bookmakers to sit in the club taking bets themselves. Similarly, it is also illegal for operators to put their agent in clubs, for example, in a working men's club on a Saturday, to take bets.

# 4 Exempt gaming

**25.10.** Exempt gaming is generally permissible in any club. Such gaming must be equal chance gaming and be ancillary to the purposes of the club. This provision is automatically available to all such premises but is subject to statutory stakes and prize limits determined by the Secretary of State.

**25.11.** Equal chance gaming is gaming that does not involve staking against a bank and the chances of winning are equally favourable to all participants. It includes games such as backgammon, mah-jong, rummy, kalooki, dominoes, cribbage, bingo and poker.

**25.12.** The Secretary of State has set both daily and weekly prize limits for exempt gaming. Different higher stakes and prizes are allowed for exempt gaming in clubs than are allowed in alcohol-licensed premises (SI No 1944/2007: The Gambling Act 2005 (Exempt Gaming in Clubs) Regulations 2007 (opens in new tab)). These limits are set out in Appendix C to this guidance.

**25.13.** Exempt gaming should comply with any code of practice issued by the Commission under s.24 of the Act.

**25.14.** Clubs may levy a charge for participation in equal chance gaming under the exempt gaming rules. The amount they may charge is as prescribed in regulations (SI No1944/2007: The Gambling Act 2005 (Exempt Gaming in Clubs) Regulations 2007) (opens in new tab). See Appendix C for further details.

**25.15.** In order to qualify as exempt gaming, clubs may not charge a rake on games (a commission or fee deducted from the prize fund), or levy or deduct an amount from stakes or winnings.

**25.16.** Members' clubs may only be established wholly or mainly for the purposes of the provision of facilities for gaming, if the gaming is of a prescribed kind. Currently, bridge and whist are the only prescribed kinds of gaming (SI No 1942/2007: The Gambling Act 2005 (Gaming in Clubs) Regulations 2007 (opens in new tab)). So long as it does not provide facilities for other types of gaming, a club established wholly or mainly for the purposes of the provision of facilities for gaming (currently bridge and whist) may apply for a club gaming permit. In any other case, if gaming is the main purpose of the club, that gaming cannot be treated as exempt gaming under s.269 of the Act. For example, if poker was the main purpose of the club, it could not be provided as exempt gaming.

**25.17.** The gaming offered must not be linked to gaming in other premises and no person under 18 may participate in the gaming.

**25.18.** Gaming which meets these conditions needs no permission from the licensing authority. However, if an authority believes that these conditions are being breached, it has a power to remove the exemption and ban gaming in a specific pub or club. Examples of potential breaches include:

- poker prize limits being exceeded on a regular basis
- a rake being applied to a poker game
- the siting of illegal gaming machines
- failure to adhere to other exemptions and codes.

**25.19.** The Commission has issued a code of practice under s.24 of the Act in respect of exempt equal chance gaming.

**25.20.** The code of practice requires owners and/or licensees to adopt good practice measures for the provision of gaming in general and poker in particular. The code also sets out the stakes and prizes limits and the limits on participation fees laid out in regulations.

**25.21.** The emphasis of the regulations and the code of practice is on self-regulation by the management of the premises and licensing authorities should take a strong line in cases where breaches are detected. There are a number of powers available to licensing authorities in circumstances where breaches have been committed including:

- attaching additional conditions to the premises licence
- withdrawal of the permit
- removal of automatic machine entitlement, attached to alcohol licence
- review of the alcohol licence.

# 5 Protection of children and young persons

**25.22.** S.273 sets out the conditions that will apply to the club machine permit, including that in respect of gaming machines no child or young person uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines. It should be noted that clubs do not have to have permanent premises or an alcohol licence.

# 6 Permits

# Club gaming permits

**25.23.** Schedule 12 of the Act sets out the application process and regulatory regime for club gaming permits and club machine permits. Scottish Ministers may, with the consent of the Secretary of State, make separate regulations in relation to club gaming or club machine permits in place of Schedule 12, if the applicant or the holder of the permit is the holder of a relevant Scottish licence. Scottish Ministers have made regulations in this regard (SSI No 504/2007: The Club Gaming and Club Machine Permits (Scotland) Regulations 2007 (opens in new tab)). In exercising a function under Schedule 12, the licensing authority must have regard to this guidance and, subject to the guidance, the licensing objectives.

**25.24.** A club gaming permit or club machine permit may not be issued in respect of a vessel or vehicle.

**25.25.** Under s.271 of the Act, the licensing authority may grant members' clubs and miners' welfare institutes (but not commercial clubs) club gaming permits which authorise the establishments to provide gaming machines, equal chance gaming(without having to abide by the stake and prize limits which would apply to exempt gaming in the absence of a permit) and games of chance as prescribed in regulations (SI No 1945/2007: The Gambling Act 2005 (Club Gaming Permits) (Authorised Gaming) Regulations 2007 (opens in new tab)), namely pontoon and chemin de fer. This is in addition to the exempt gaming authorisation under s.269 of the Act.

**25.26.** Club gaming permits allow the provision of no more than three gaming machines. These may be from categories B3A, B4, C or D but only one B3A machine can be sited as part of this entitlement. See Part 16 of this guidance for information on machine categories.

**25.27.** Where a club has gaming machines, it is required to comply with the code of practice issued by the Commission on the location and operation of machines.

**25.28.** The gaming which a club gaming permit allows is subject to conditions:

- (a) in respect of equal chance gaming:
- the club must not deduct money from sums staked or won
- the participation fee must not exceed the amount prescribed in regulations
- the game takes place on the premises and must not be linked with a game on another set of premises.

Two games are linked if:

- the result of one game is, or may be, wholly or partly determined by reference to the result of the other game or
- the amount of winnings available in one game is wholly or partly determined by reference to the amount of participation in the other game, and a game which is split so that part is played on one site and another part is played elsewhere is treated as two linked games
- only club members and their genuine guests participate.
- (b) in respect of other games of chance:
- the games must be pontoon and chemin de fer only
- no participation fee may be charged otherwise than in accordance with the regulations
- no amount may be deducted from sums staked or won otherwise than in accordance with the regulations.

**25.29.** There are limits on stakes and prizes for poker played in those clubs and institutes that do not hold a club gaming permit issued by their local licensing authority. The introduction of these limits reflects significant recent growth in the popularity of poker, and the need to address the particular risks associated with such gaming. The regulations (SI No 1944/2007: The Gambling Act 2005 (Exempt Gaming in Clubs) Regulations 2007 (opens in new tab)) impose a stakes limit of £10 per person per game, within a premises limit of up to £250 in stakes per day and £1,000 per week. The maximum fees that clubs may charge their members for participating in gaming has been set at £1 per day (or £3 if they hold a club gaming permit). Clubs and institutes holding a club gaming permit are also able to provide facilities for specified banker's games.

**25.30.** To help clubs and institutes to comply with the full range of statutory requirements for gaming, the Commission has issued a statutory code of practice on equal chance gaming in consultation with interested parties. The provisions of the Code of practice for equal chance gaming in clubs and premises with an alcohol licence (which also applies to alcohol-licensed premises) include:

- ensuring that young people and children are protected by excluding them from gaming (even if they are permitted on the premises)
- ensuring that gaming is fair and open by requiring close supervision of the games, record keeping (as appropriate), the need for standard rules and the display of stakes and prizes limits and the rules during play.

**25.31.** A 48-hour rule applies in respect of all three types of gaming, so that the games may only be played by people who have been members of the club for at least 48-hours or have applied or been nominated for membership or are genuine guests of a member.

# Club machine permits

**25.32.** If a members' club or a miners' welfare institute does not wish to have the full range of facilities permitted by a club gaming permit, they may apply to the licensing authority for a club machine permit under s.273 of the Act. This authorises the holder to have up to three gaming[14] machines of categories B3A, B4, C and D. Commercial clubs are not permitted to provide non-machine gaming other than exempt gaming under s.269 of the Act, so they should apply for a club machine permit (although such a permit does not allow the siting of category B3A gaming machines by commercial clubs).

**25.33.** In England and Wales, premises which operate membership-based social clubs (often work premises) are able to apply for a club machine permit. Before granting the permit, the licensing authority will need to satisfy itself that the premises meet the requirements of a members' club and may grant the permit if the majority of members are over 18 years of age. The permit will allow up to three machines of category B3A, B4, C or D but only one B3A machine can be sited as part of this entitlement. If under-18s use the club, for example they are apprentices, they may play the category D, but not the B4 or C machines. This does not apply in Scotland because only a club with a premises licence under the Licensing (Scotland) Act 2005 (opens in new tab) may apply for a club machine permit (See SSI No

504/2007: The Club Gaming and Club Machine Permits (Scotland) Regulations 2007 (opens in new tab) and SSI No 150/2011: The Licensing (Scotland) Act 2005 (Consequential Provisions) Order 2011 (opens in new tab)).

**25.34.** Holders of licensed premises club machine permits are required to comply with the code of practice, which has been issued by the Commission on the location and operation of machines.

# Applications for club gaming permits and club machine permits

**25.35.** The Secretary of State has made regulations in relation to applications for these permits, and Scottish Ministers have made separate regulations setting out the fees and applications requirements that apply in Scotland.

**25.36.** Applications must be made to the licensing authority in whose area the premises are located, and must be accompanied by the fee and documents prescribed in regulations (SI No 1834/2007: The Gambling Act 2005 (Club Gaming and Club Machine Permits) Regulations 2007 (opens in new tab) and SI No 2689/2007: The Gambling Act 2005 (Club Gaming and Club Machine Permits)(Amendments) Regulations 2007 (opens in new tab), SSI No 504/2007: The Club Gaming and Club Machine Permits (Scotland) Regulations 2007 (opens in new tab)). Within a time prescribed in the regulations, the applicant must also copy the application to the Commission and to the chief constable. The Commission and the police may object to the permit being granted. The period within which such objections must be lodged and the grounds on which they may be made are set out in regulations. If any objections are made, the authority must hold a hearing (unless consent has been given to dispense with it), otherwise no hearing is necessary.

**25.37.** A licensing authority may grant or refuse a permit, but it may not attach any conditions to a permit. The authority has to inform the applicant, the Commission and the police of the outcome of the application and of any objections made.

**25.38.** Licensing authorities may only refuse an application on the grounds that:

1. the applicant does not fulfil the requirements for a members' or commercial club or miners' welfare institute and therefore is not entitled to receive the type of permit for which it has applied
2. the applicant's premises are used wholly or mainly by children and/or young persons
3. an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities
4. a permit held by the applicant has been cancelled in the previous ten years
5. an objection has been lodged by the Commission or the police.

**25.39.** If the authority is satisfied that (a) or (b) is the case, it must refuse the application. Licensing authorities shall have regard to relevant guidance issued by the Commission and (subject to that guidance), the licensing objectives.

**25.40.** In cases where an objection has been lodged by the Commission or the police, the licensing authority is obliged to determine whether the objection is valid.

# Fast-track procedure

**25.41.** There is a fast-track procedure for clubs in England and Wales which hold a club premises certificate under s.72 of the Licensing Act 2003 (opens in new tab). Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the grounds upon which an authority can refuse a permit are reduced. This is because the club or institute will already have been through a licensing process in relation to its club premises certificate under the 2003 Act, and it is therefore unnecessary to impose the full requirements of Schedule 12. Commercial clubs cannot hold club premises

certificates under the Licensing Act 2003 (opens in new tab) and so cannot use the fast-track procedure. The fast-track procedure also does not apply in Scotland.

**25.42.** Those clubs applying for permits by way of conversion of their pre-existing 1968 Gaming Act (opens in new tab) Part II or Part III club registrations do not have the fast-track procedure available to them, even if they hold club premises certificates. In these instances, the club must still send a copy of the application to the Commission and chief officer of police. However, the Commission (and the police) may not object to the application and the licensing authority is, in fact, obliged to grant the application. However, care should be taken that the emphasis of the club is not being changed, to become a dedicated poker club for example.

**25.43.** The grounds on which an application under this process may be refused are that:

- the club is established primarily for gaming, other than gaming prescribed by regulations under s.266 of the Act
- in addition to the prescribed gaming, the applicant provides facilities for other gaming
- a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.
- factors to consider when granting a club gaming permit

**25.44.** The licensing authority has to satisfy itself that the club meets the requirements of the Act to obtain a club gaming permit. It is suggested that applicants for permits should be asked to supply sufficient information and documents to enable the licensing authority to take account of the matters discussed in paragraphs 25.46 to 25.46, at the time they submit their applications to the licensing authority. Licensing authorities should be particularly aware that club gaming permits may be misused for illegal poker clubs.

**25.45.** In determining whether a club is a genuine members' club, the licensing authority should take account of a number of matters, such as:

- Is the primary purpose of the club's activities something other than the provision of gaming to its members? This is an indicator that it's a genuine members' club.
- Are the profits retained in the club for the benefit of the members? This is the key difference between a members' club and a commercial club
- Are there 25 or more members? This is the amount of members a club has to have to qualify.
- Are there genuine domestic addresses on the register of members? Are domestic addresses listed for every member? Are members local to the club? These are all indicators that the member lists are bona fide and are made up of genuine members.
- Do members participate in the activities of the club via the internet? It is less likely to be a genuine members' club if this is the case.
- Do guest arrangements link a member to every guest? Is there evidence of a signing-in register for guests? Guests must be genuine guests of members and not members of the general public.
- Is the 48-hour rule between applying for membership and participating in any gaming properly applied? This is an indication that the club has a proper membership scheme.
- Are there annual accounts for more than one year? This would indicate that the club is permanent in nature, rather than temporary.
- How is the club advertised and listed in directories, including on the internet? If the club is categorised under 'gaming' or 'poker', it is less likely to be genuine members' club.
- What information is provided on the club's website? This can be a useful source of information about the club.
- Are children permitted into the club? Appropriate access to the premises by children may indicate that it is less likely that the club is primarily for gambling activities.
- Does the club have a constitution, and can it provide evidence that the constitution was approved by the members of the club? This provides further evidence that it is a properly constituted members' club.
- Is there a list of committee members and evidence of their election by the members of the club? Can the club provide minutes of committee and other meetings? These are further evidence that the club is a properly constituted members' club.

**25.46.** The constitution of the club could also indicate whether it is a legitimate members' club. Amongst the things to consider when examining the constitution are the following:

- Who makes commercial decisions on behalf of the club and what are the governance arrangements? Clubs are normally run by a committee made up of members of the club, rather than individuals or

managers, who make decisions on behalf of the members. There will normally be a system (consultation, voting, paper ballots, annual general meetings, special meetings etc) which allows members to be involved in major decisions concerning the management and running of the club. Such arrangements would normally be spelt out in the constitution.
- Are the aims of the club set out in the constitution? A lack of aim or aims which involve gaming could indicate that it is not a genuine members' club.
- Are there shareholders or members? Shareholders would indicate a business enterprise linked to a commercial club.
- Is the members' club permanently established? Clubs can't be temporary and must be permanent in nature.
- Can people join with annual or quarterly membership? This would indicate that the club is permanent in nature.
- Are there long term membership benefits? This would also indicate that the club is permanent in nature and that it is a genuine members' club. The benefits of membership would normally be set out in the rules of membership.

**25.47.** Other than bridge and whist clubs, which are separately catered for in regulations, a club cannot be established wholly or mainly for purposes of gaming. In applying for a club gaming permit, a club must therefore provide substantial evidence of activities other than gaming. Useful questions which a licensing authority should consider include:

- How many nights is gaming made available? If gaming is available for all or most nights with little other activity, then it is likely that the club is established wholly or mainly for gaming.
- Is the gaming advertised? If gaming is advertised with little or no reference to the other activities of the club, then it is likely that gaming is the main activity of the club and that the gaming is run commercially.
- What are the stakes and prizes offered? The stakes and prizes limits must be complied with. Unlimited stakes and prizes are only available to genuine members' clubs once a club gaming permit has been granted. If high stakes and prizes are offered, this is also likely to indicate that gaming is one of the main activities of the club.
- Is there evidence of leagues with weekly, monthly or annual winners? This could indicate that the club's main activity is gaming.
- Is there evidence of non-playing members? If members participate in gaming exclusively, this is an indication that the main or only activity of the club is gaming.
- Are there teaching sessions to promote gaming, such as poker? This could be evidence that the club's main activity is gaming.
- Is there tie-in with other clubs offering gaming, such as poker, through tournaments or leagues? This is also an indication that gaming is possibly one of the main activities of the club.
- Is there sponsorship by gaming organisations, for example online poker providers? Similarly, this could indicate that poker is one of the main activities of the club.
- Are participation fees within limits? The licensing authority could consider club records and adverts for gaming etc. Fees that exceed the limits could indicate that the gaming is run commercially.

**25.48.** A visit to the premises before granting of the permit may assist the licensing authority to understand how the club will operate.

# Factors to consider for gaming under a club machine permit

**25.49.** The licensing authority should satisfy itself that the gaming on offer meets the conditions set out in the Act and relevant regulations. To do this, the licensing authority may wish to ask questions of the applicant or ensure that the exempt gaming complies with these conditions. The conditions are:

- there must be no rake from the pot (that is, the organiser cannot take any money from the prize fund, or deduct money from the stakes or winnings). Licensing authorities should examine the records for gaming or, if possible, observe or get statements about the pot.
- there must be no side bets. This is probably only going to be possible to verify through observation.

- participation fees must be within the limits prescribed in the regulations. Is there evidence of excess participation fees in club records, adverts for gaming in or outside of the club or from complaints? Participation fees must not be disguised as charges for dealers, mandatory tipping of dealers, table charges or hire charges. Again, observation of the gaming may be necessary.
- prizes must be within the limits prescribed in the regulations. Is there evidence that they are excessive from records at the club, in adverts for gaming etc? Note that daily and weekly limits must be monitored by the operator and that 'money or money's worth' (for example, goods) counts towards the prize limits.
- where the games are poker tournaments or leagues, the licensing authority may find it useful to consult Part 29 of this guidance which sets out how the law applies to poker. This should help the licensing authority to determine whether the gaming is within the law from evidence such as records in the club and adverts for gaming.

# Factors to consider when monitoring club gaming permits

**25.50.** Once the licensing authority has issued a club gaming permit, various aspects need to be considered by licensing authorities in monitoring the club gaming permit. In addition to monitoring whether the club continues to meet the requirements of the Act for a club gaming permit (that is, whether it remains a genuine members' club) and whether the gaming meets the conditions set out in the Act and the relevant regulations.

**25.51.** Where clubs have computers available for use by members, licensing authorities should be aware that these computers may be taken to be gaming machines in certain circumstances. Generally, a computer is not a gaming machine merely because there is a possibility of accessing a gambling website via the internet. However, a computer will be taken to be a gaming machine if it is knowingly adapted or presented to facilitate or draw attention to the possibility of it being used for gambling.

**25.52.** Each case will need to be looked at individually and ultimately the decision regarding whether a machine is a gaming machine is one for the courts to make.

**25.53.** The precise circumstances in which the facilities are offered – including the environment in which they are offered and the relationship with other gambling facilities provided – will need to be taken into account when assessing the status of those facilities. The following indicators may help in making decisions about whether a computer is knowingly adapted or presented to facilitate or draw attention to the possibility of it being used for gambling. This list is not exhaustive, and the presence or absence of any single factor is not necessarily conclusive:

- icons for gambling websites displayed on the desktop screen
- links to gambling websites available via the start menu
- screensavers, desktop wallpapers referring to gambling websites
- internet browsing history or favourites menu containing gambling websites
- promotional material (posters, flyers) indicating the use of computers for gambling
- gambling software downloaded onto a computer
- staff informing customers of the existence of the computer for access to gambling websites
- email messages or other promotional material sent to customers/individuals referring to the availability of computers on premises for gambling purposes.

**25.54.** Licensing authorities should note that, as a consequence of the Gambling (Licensing and Advertising) Act 2014 (opens in new tab), there is a requirement on remote gambling operators selling into the British market, whether based here or abroad, to hold a Commission licence to enable them to transact with British consumers.

**25.55.** Any of the factors mentioned in the preceding paragraphs in this section may give rise to the need to review the club gaming permit or take appropriate enforcement action.

**25.56.** The Commission provides advice and guidance to licensing authorities on permits and related matters and, on a case-by-case basis, will undertake targeted collaborations with licensing authorities in order to establish principle and precedent, and a clear understanding of the legal requirements.

**25.57.** An agency that may also be able to assist licensing authority enquiries is HM Revenue & Customs. If a club is trading under the auspices of a club gaming permit (as a members' club) but is in fact a commercial club with, for example, their main activity being poker, they would be liable for gaming duty. Licensing authorities should bear in mind that clubs of this nature have premises to maintain, as well as staff and other costs, so the sums involved may be significant.

**25.58.** Under the Act, a private club with a club gaming permit cannot run the premises wholly or mainly for the purposes of gaming, nor can the club make a profit as all funds must be applied for the benefit of the member.

**25.59.** There have been occasions where club gaming permits have been misused by individuals seeking personal financial gain. One case led to the successful prosecution of a private member's club owner under the Proceeds of Crime Act 2002 (opens in new tab). The club owner had been granted a club gaming permit but was later charged with money laundering in relation to the running of an illegal poker club. More poker-related case studies are in the LA Toolkit.

# Maintenance of permits

**25.60.** The permit will have effect for ten years, unless it ceases to have effect because it is surrendered or lapses or is renewed. However, a permit granted under the fast-track procedure does not expire, unless it ceases to have effect because it is surrendered, cancelled or forfeited or it lapses.

**25.61.** The holder of the permit must pay to the licensing authority the first annual fee, and an annual fee before each anniversary of the issue of the permit, in accordance with regulations.

**25.62.** Permits may be amended to meet changing circumstances. Licensing authorities may only refuse a variation if on consideration of a completely new application they would refuse the permit.

**25.63.** The permit, which is to be kept on the premises it relates to, must be in a form specified by the regulations and, if obtained through the fast-track procedure, must identify the appropriate club premises certificate it relates to. It is an offence not to produce the permit when requested to do so by a constable or an enforcement officer.

**25.64.** If a permit is lost, stolen or damaged, the holder may apply for a replacement, subject to payment of a prescribed fee. The licensing authority must grant the application if it is satisfied that the permit has been lost, stolen or damaged and, where the permit is lost or stolen, a report has been made to the police. It should issue a copy and certify it as a true copy.

**25.65.** A permit will lapse if the holder of the permit stops being a club or miners' welfare institute, or if it no longer qualifies under the fast-track system for a permit. In addition, a permit will cease to have effect upon being surrendered to the authority. A notice to surrender must be accompanied by the permit or a statement explaining why it cannot be produced. The authority must inform the police and the Commission when a permit has been surrendered or lapsed.

# Cancellation and forfeiture of permits

**25.66.** The licensing authority may cancel the permit if:

- the premises are used wholly by children and/or young persons
- an offence or breach of a permit condition has been committed in the course of gaming activities by the permit holder.

**25.67.** Reference here to 'a permit condition' means a condition in the Act or in regulations that the permit is operating under.

**25.68.** Before cancelling a permit, the licensing authority must give the permit holder at least 21 days' notice of the intention to cancel and consider any representations that they may make. The authority must hold a hearing if the permit holder so requests and must comply with any other procedural requirements

set out in regulations. If there is no appeal, the cancellation will take effect 21 days after notice of the intention to cancel was given. The authority must notify the permit holder, the Commission and the police that the permit has been cancelled and the reasons for the cancellation.

## Renewal of permits

**25.69.** In England and Wales, in accordance with paragraph 24 of Schedule 12 of the Act, an application for renewal of a permit must be made during the period beginning three months before the licence expires and ending six weeks before it expires. The procedure for renewal is the same as for an application. In Scotland, the Club Gaming and Club Machine Permits (Scotland) Regulations 2007 (SSI No 504/2007) (opens in new tab) apply. Permits granted in terms of these regulations do not expire, although they can cease to have effect in certain circumstances, can be cancelled and can be varied.

**25.70.** The duration of the permit will not be curtailed while a renewal application is pending, including an appeal against a decision not to renew.

**25.71.** If, at the time a permit is renewed, the applicant holds a club premises certificate, the fast-track procedure will apply as it does when application is first made for the permit. This does not apply in Scotland.

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[14] The application should be submitted by the club itself and not a third party such as a machine supplier.

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# 7 Appeals

**25.72.** The rights of appeal in relation to permits are discussed in Part 12 of this guidance.

# Part 26: Premises licensed to sell alcohol

# 1 Introduction

**26.1.** It is important to remember that gambling must remain ancillary to the main purpose of the premises and the exemptions and permits are reliant on the premises holding a valid alcohol licence. Experience indicates that, in circumstances where breaches of gambling regulations occur, licensing authorities have a powerful lever in securing compliance, due to their ability to review the alcohol licence.

**26.2.** S.279-284 of the Act only apply to premises in respect of which an on-premises alcohol licence (in England and Wales) or a premises licence under the Licensing (Scotland) Act 2005 (opens in new tab) has been issued – provided that, in the case of Scotland, it is not a licence authorising the sale of alcohol for consumption off the premises only – and that have a bar at which alcohol is served, without a requirement that alcohol is served only with food. So, any hotel, restaurant or pub that has a bar can offer gambling under Part 12 of the Act, but hotels and restaurants that serve alcohol only with food cannot.

**26.3.** Licensing authorities might seek to reassure themselves that a premises has not applied for an alcohol licence under the Licensing Act 2003 (opens in new tab)/Licensing (Scotland) Act 2005 (opens in new tab) with the sole aim of benefiting from the associated machine and exempt gaming entitlements. It is expected that all gambling made available on the premises will remain ancillary to the premises main activity. Where concerns exist that this might not be the case, and the premises is primarily used to make gambling available, the licensing authority might choose to exercise its powers under s.284 of the Act and remove the exemption.

# 2 Automatic entitlement to two machines

**26.4.** S.282 of the Act provides an automatic entitlement to alcohol licence holders to make available two gaming machines (of category C or D) for use in alcohol-licensed premises. To take advantage of this entitlement, the person who holds the on-premises alcohol licence or relevant Scottish licence must give notice to the licensing authority of their intention to make gaming machines available for use, and must pay the prescribed fee (as set by regulations) (SI No 1832/2007: The Gaming Machines in Alcohol Licensed Premises (Notification Fee)(England and Wales) Regulations 2007 (opens in new tab) or SSI No 311/2007: The Gambling Act 2005 (Fees No. 2)(Scotland) Regulations 2007 (opens in new tab)). If the person ceases to be the holder of the relevant alcohol licence for the premises, the automatic entitlement to the two gaming machines also ceases. Whoever applies for the new premises alcohol licence would also need to apply under s.282(2). A renewal of the automatic entitlement is required only where there is a change in the alcohol licence premises holder (either due to a transfer of licence or application for new licence), not for a change in designated premises supervisor or designated premises manager alone. As there is no requirement to stipulate whether the alcohol licensed premises intends to site category C or D or one of each category, a re-notification should not be required for a change in the mix of gaming machines made available provided it remains within the automatic entitlement to two machines of either category C or D.

**26.5.** This is not an authorisation procedure. Licensing authorities have no discretion to consider the notification or to turn it down. The only matter to determine is whether the person applying for the

automatic gaming machine entitlement is the holder of the alcohol licence and whether the prescribed fee has been paid. There is no statutory requirement for pubs and other alcohol-licensed premises to display a notice of their automatic entitlement to gaming machines.

# Removal of exemption

**26.6.** Licensing authorities can remove the automatic authorisation in respect of any particular premises by making an order under s.284 of the Act. They can do so if:

- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives
- gaming has taken place on the premises that breaches a condition of s.282, for example the gaming machines have been made available in a way that does not comply with requirements on the location and operation of gaming machines
- the premises are mainly used for gaming
- an offence under the Act has been committed on the premises.

**26.7.** Before making an order, the licensing authority must give the licensee at least 21 days' notice of the intention to make the order and consider any representations that they may make. The licensing authority must hold a hearing if the licensee so requests and must comply with any other procedural requirements set out in regulations. If there is no appeal, the order will take effect 21 days after notice of the intention was given. The authority must give the licensee a copy of the order and written reasons for making it. The licensee may appeal to the Magistrates' court or the Sheriff.

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# 3 Licensed premises gaming machine permits

**26.8.** Licensing authorities may issue licensed premises gaming machine permits for any number of category C or D machines in licensed premises (alcohol licensed premises as described in s.277 of the Act). Where a permit authorises the making available of a specified number of gaming machines in particular premises, this will effectively replace, and not be in addition to, any automatic entitlement to two machines under s.282 of the Act.

**26.9.** Holders of licensed premises gaming machine permits are required to comply with a code of practice issued by the Commission on the location and operation of machines, Code of practice for gaming machines in clubs and premises with an alcohol licence.

**26.10.** The detail of how to apply for licensed premises gaming machine permits is set out in Schedule 13 of the Act (for England and Wales) and in the Licensed Premises Gaming Machine Permits (Scotland) Regulations 2007 (for Scotland) (opens in new tab) (SSI No 505/2007).

**26.11.** Applications must be made by a person or organisation that holds the on-premises alcohol licence for the premises for which the application is made. An application may not be made if a premises licence under the Act is in effect at the premises. The application must be made to an authority in whose area the premises are wholly or partly situated. The Act requires an application to include information on the premises to which it relates, and the number and category of gaming machines sought. Apart from this it is for the licensing authority to direct the form and manner of the application and what additional information and documents are required.

**26.12.** In determining an application, the licensing authority must have regard to the licensing objectives and to this guidance. They may also take account of any other matters that are considered relevant to the application. The application does not require notification to the Commission or police before determination, however, licensing authorities are able to specify this as a requirement should they see fit.

**26.13.** The licensing authority may grant or refuse an application. In granting the application, it may vary the number and category of gaming machines authorised by the permit. If granted, the licensing authority must issue the permit as soon as possible after that. Where they refuse the application they must notify the applicant as soon as possible, setting out the reasons for refusal. The licensing authority must not refuse an application, or grant it for a different number or category of machines, unless they have notified the applicant of their intention to do so and given the applicant an opportunity to make representations, orally, in writing, or both.

**26.14.** The permit must specify the person or organisation to which it is issued, the number and category of gaming machines for which the permit has effect, the address of the premises and the date on which it takes effect.

**26.15.** The permit holder can apply to the licensing authority to amend the permit to reflect a change in the holder's name. They must comply with the request, provided the prescribed fee is paid.

**26.16.** The permit holder must keep the permit on the premises, and it must be produced on request for inspection by a constable, enforcement officer or local authority officer. Not to do so is an offence. If the permit is lost, stolen or damaged, the holder may apply to the issuing authority for a copy, accompanied by the prescribed fee.

**26.17.** There are no renewal provisions for this class of permit because they are indefinite and continue in force for so long as the premises continues to have an alcohol licence and the holder of the permit continues to hold that licence. The permit can lapse if the holder surrenders it to the licensing authority.

**26.18.** The holder may apply to vary the permit by changing the number and/or category of machines authorised by it.

**26.19.** The licensing authority is able to cancel a permit. It may only do so in specified circumstances which include if the premises are used wholly or mainly by children or young persons or if an offence under the Act has been committed. Before it cancels a permit the licensing authority must notify the holder, giving 21 days' notice of intention to cancel, consider any representations made by the holder, hold a hearing if requested, and comply with any other prescribed requirements relating to the procedure to be followed. Where the licensing authority cancels the permit, the cancellation does not take effect until the period for appealing against that decision has elapsed or, where an appeal is made, until the appeal is determined.

**26.20.** The licensing authority can also cancel a permit if the holder fails to pay the annual fee, unless failure is the result of an administrative error. The court may order forfeiture of the permit if the holder is convicted of a relevant offence.

**26.21.** Where a person applies to a licensing authority for the transfer of an alcohol premises licence, they will also need to apply separately for the transfer of the licensed premises gaming machine permit. Both applications will require a fee to be paid.

**26.22.** The applicant may appeal to the Magistrates' court or Sheriff against an authority's decision not to issue a permit. The holder can also appeal against a decision to cancel a permit.

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# 4 Exempt gaming

**26.23.** Exempt gaming is detailed at paragraphs 25.10 to 25.21 in Part 25 of this guidance.

**26.24.** A fee may not be levied for participation in the equal chance gaming offered by an alcohol-licensed premises under the exempt gaming rules. A compulsory charge, such as charging for a meal, may constitute a participation fee, depending on the particular circumstances.

**26.25.** Information about poker in alcohol licensed premises can be found in Part 29 of this guidance.

# Removal of exemption

**26.26.** Licensing authorities can remove the automatic authorisation for exempt gaming in respect of any particular premises by making an order under s.284 of the Act, if:

- provision of the gaming is not reasonably consistent with the pursuit of the licensing objectives
- gaming has taken place on the premises that breaches a condition of s.279, for example the gaming does not abide by the prescribed limits for stakes and prizes, a participation fee is charged for the gaming or an amount is deducted or levied from sums staked or won
- the premises are mainly used for gaming
- an offence under the Act has been committed on the premises.

**26.27. Before making an order, the licensing authority must give the licensee at least 21 days' notice of the intention to make the order and consider any representations that they may make. The authority must hold a hearing if the licensee so requests and must comply with any other procedural requirements set out in regulations. If there is no appeal, the order will take effect 21 days after notice of the intention was given. The authority must give the licensee a copy of the order and written reasons for making it. The licensee may appeal to the Magistrates' court or the Sheriff.**

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# 5 Bingo

**26.28.** Alcohol licensed premises are able to provide facilities for bingo[15] under s.281 of the Act, provided that the restrictions in s.281 are complied with. These include that, in any seven day period, the aggregate stakes or prizes for bingo must not exceed £2,000. If that limit is exceeded, the relevant operating and personal licences must be sought. It should be noted, however, that the bingo will still be subject to the conditions for exempt gaming prescribed in s.279 of the Act. Further details are provided in Part 18 of this guidance.

**26.29.** The bingo must comply with any code issued by the Commission under s.24 of the Act.

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[15] For further information regarding this issue Blog: Running bingo events at nightclubs and student union bars and Feature article - Social Bingo

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# 6 Betting

**26.30.** Commercial betting, regardless of the level of stakes, is not permitted in alcohol licensed premises. Those who facilitate such betting in pubs are providing illegal facilities for gambling and are breaking the law. Even where publicans accept bets on behalf of licensed bookmakers, or just facilitate betting through their own telephone betting accounts, they are acting as betting intermediaries and could be prosecuted.

**26.31.** Licensed bookmakers who knowingly accept bets from pub customers through a single account are encouraging illegal gambling and may be in breach of the Act and could risk losing their licence.

**26.32.** Licensed bookmakers with a remote or ancillary licence can accept telephone bets from a customer watching an event in a pub, as long as that customer has an individual account with them. It is illegal for bookmakers or their agents to sit in the pub taking bets themselves.

**26.33.** It should be noted, however, that the prohibition on commercial betting in alcohol licensed premises does not apply in relation to tracks in certain circumstances. Where the betting takes place under the authority of a track premises licence, it can take place in an area on the track licensed for the sale of alcohol, provided that the licensing authority has approved the betting area as part of the track premises licence application. However, this does not apply in relation to separate and discrete premises on the track where betting takes place under the authority of a general betting licence. In this case, the consumption of alcohol on those premises is prohibited.

# 7 Commission codes of practice

**26.34.** The Commission has issued a code of practice under s.24 of the Act in respect of exempt equal chance gaming.

**26.35.** The code of practice requires owners or licensees to adopt good practice measures for the provision of gaming in general and poker in particular. The code also sets out the stakes and prizes limits laid out in regulations.

**26.36.** The emphasis of the regulations and the code of practice is on self-regulation by the management of the premises and licensing authorities should take a strong line in cases where breaches are detected.

**26.37.** Under s.310(2) of the Act, an authorised licensing authority officer may enter premises with an alcohol licence for the purpose of:

- determining whether the gaming satisfies the conditions in s.279 of the Act
- in the case of bingo played on the premises, determining:

1. whether the terms and conditions of any relevant operating licence are being complied with
2. whether s.281 of the Act applies.

- ascertaining the number and category of gaming machines being made available for use on the premises.

**26.38.** Additionally, the Commission's Code of practice on gaming machines in alcohol-licensed premises includes sections relating to:

- the location and operation of machines, which are a requirement of machine permits
- access to gambling by children and young persons, which sets out good practice guidance for permit holders
- customer complaints and disputes, which again sets out good practice for permit holders.

# 8 Scotland

**26.39.** The provisions of the Act which relate to gaming and gaming machines in licensed premises also apply to Scotland. In Scotland they apply to premises which have a premises licence granted under the Licensing (Scotland) Act 2005 (opens in new tab), provided that it is not a licence authorising the sale of alcohol for consumption off the premises only.

**26.40.** The provisions affecting licensed premises gaming machine permits in Scotland have been set out separately. This is because Schedule 13 of the Act does not apply in Scotland. Instead, Scottish Ministers have power under s.285 of the Act to make regulations about the regime in Scotland. The same also applies to gaming and gaming machine permits for clubs in Scotland. Schedule 12 of the Act does not

apply in that case and, instead, Scottish Ministers have the power to make provision in regulations about the regime for club gaming and club machine permits. The Scottish Government has made separate regulations in this regard (SSI No 505/2007: The Licensed Premises Gaming Machine Permits (Scotland) Regulations 2007 (opens in new tab) & SSI No 504/2007: The Club Gaming and Club Machine Permits (Scotland) Regulations 2007 (opens in new tab)). It is also important to note that, in Scotland, Schedule 12 does not apply to clubs licensed to sell alcohol (by virtue of s.274(2) of the Act).

# 9 Protection of children and young persons

**26.41.** The Commission's code of practice relating to the location and operation of gaming machines provides that, in respect of gaming machines in alcohol licensed premises, the licence holder or permit holder should put into effect procedures intended to prevent underage gambling. This should include procedures for:

- checking the age of apparently underage customers
- refusing access to anyone who appears to be underage and who tries to use category B or C gaming machines and cannot produce an acceptable form of identification.

**26.42.** The code requires that all gaming machines situated on the premises must be located in a place within the premises where their use can be supervised, either by staff whose duties include such supervision (including bar or floor staff) or by other means. Alcohol premises licence holders or permit holders must have in place arrangements for such supervision.

**26.43.** In respect of exempt equal chance gaming, the code requires the gaming supervisor to put into effect procedures designed to prevent underage gambling. These should include:

- holding the gaming in premises or parts of premises which are restricted to adults
- checking the age of potentially underage players
- refusing access to the gaming to anyone apparently underage who cannot produce an acceptable form of age verification and identification.

**26.44.** Procedures should be in place for dealing with cases where an underage person repeatedly attempts to gamble, including verbal warnings and reporting the offence to the Commission and the police. The gaming supervisor should also take reasonable steps to ensure that all employees understand their responsibilities under the code of practice.

# 10 Prohibited gaming

**26.45.** No bankers' games may be played in alcohol licensed premises, commercial clubs or in members' clubs and or miners' welfare institutes unless they have a club gaming permit. With a permit the two bankers' games of pontoon and chemin de fer may be played. Otherwise, games such as blackjack, roulette and any others which involve staking against the holder of the bank are unlawful on such premises.

# Part 27: Prize gaming and prize gaming permits

## 1 Prize gaming

**27.1.** S.288 defines gaming as prize gaming if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. Normally the prizes are determined by the operator before play commences.

## Prize gaming permits

**27.2.** A prize gaming permit is a permit issued by the licensing authority to authorise the provision of facilities for gaming with prizes on specified premises.

## Prize gaming without a prize gaming permit

**27.3.** A casino operating licence gives authority to provide all games of chance, except any form of bingo, which is excluded from the scope of the casino licence by s.68(3)(b). If a casino wishes to provide bingo generally, it would need to obtain a bingo operating licence, however, this is subject to the constraint that only one premises licence may be issued for any particular premises at any time (s.152) and so the premises would have to be distinct. Only casino premises licences for 2005 Act large casinos permit bingo to be offered within the casino premises (s.174). If a casino wishes to offer prize bingo, it could obtain a prize gaming permit, however, it is more likely that the casino will apply for an operating licence to cover all forms of bingo (subject to the constraint already mentioned).

**27.4.** S.291 enables any form of prize gaming to be provided in premises in reliance on their bingo operating licence. This provision allows bingo operators to provide prize gaming in respect of casino games as well as games of equal chance, which they would not otherwise be able to do under the conditions of their operating licence. In the case of bingo operators, the Commission or Secretary of State could impose conditions preventing specified games from being offered. Additionally, limits have been set on individual and aggregated stakes and prizes for prize gaming in bingo premises, the purpose of which is to ensure that such gaming is restricted to low stakes (SI No 2257/2007: The Gambling Act 2005 (Operating Licence Conditions) Regulations 2007 (opens in new tab) and SI No 774/2010: The Gambling Act 2005 (Operating Licence Conditions) (Amendment) Regulations 2010) (opens in new tab).

**27.5.** S.290 provides that any type of prize gaming may be provided in adult gaming centres (AGCs) and licensed family entertainment centres (FECs), and that unlicensed FECs may only offer equal chance prize gaming under the auspices of their gaming machine permit, without the need for a prize gaming permit.

**27.6.** S.292 provides that travelling fairs are also able to offer equal chance prize gaming without a permit, provided that, taken together, the facilities for gambling are an ancillary amusement at the fair.

**27.7.** Children and young persons may participate in equal chance prize gaming only.

**27.8.** S.293 sets out four conditions that permit holders, AGCs, FECs and travelling fairs must comply with to lawfully offer prize gaming. These are:

- the limits on participation fees, as set out in regulations (SI No 1272/2009: The Gambling Act 2005 (Limits on Prize Gaming) Regulations 2009) (opens in new tab), must be complied with
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played
- the prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize)
- participation in the gaming must not entitle the player to take part in any other gambling.

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# 2 Application for a prize gaming permits

**27.9.** Schedule 14 sets out the application process and regulatory regime for prize gaming permits. In considering an application, the licensing authority shall have regard to this guidance and need not, but may wish, to have regard to the licensing objectives.

**27.10.** An application for a permit can only be made by a person who occupies or plans to occupy the relevant premises and if the applicant is an individual, he must be aged 18 or over. An application for a permit cannot be made if a premises licence or club gaming permit is in effect for the same premises. The application must be made to the licensing authority in whose area the premises are wholly or partly situated.

**27.11.** The authority must specify the form and manner in which the application should be made, and specify what information and documents (for example, insurance certificates, plans of building) they require to accompany the application. An application must specify the premises and the nature of the gaming for which the permit is sought.

**27.12.** In their statement of policy, licensing authorities should include a statement of principles that they propose to apply when exercising their functions in considering applications for permits. In particular, they may want to set out the matters that they will take into account in determining the suitability of the applicant. For example, if the premises will appeal to children and young persons, licensing authorities should think about matters relating to protection of children from being harmed or exploited by gambling and where necessary consult the Safeguarding Children Board or local equivalent. Licensing authorities should ask the applicant to set out the types of gaming that they are intending to offer, and the applicant should be able to demonstrate that:

- they understand the limits to stakes and prizes that are set out in regulations
- the gaming offered is within the law.
- Granting or refusing a permit

**27.13.** The licensing authority can grant or refuse an application for a permit, but cannot add conditions. The licensing authority may grant a permit only if they have consulted the chief officer of police about the application. The licensing authority will want to take account of any objections that the police may wish to make which are relevant to the licensing objectives. Relevant considerations would include the suitability of the applicant in terms of any convictions that they may have that would make them unsuitable to operate prize gaming; and the suitability of the premises in relation to their location and any issues concerning disorder.

**27.14.** A permit cannot be issued in respect of a vessel or a vehicle.

**27.15.** The licensing authority may not refuse an application unless they have notified the applicant of the intention to refuse and the reasons for it and given them an opportunity to make representations orally or in writing or both.

**27.16.** If a permit is granted, the licensing authority must issue it as soon as is reasonably practicable. The Secretary of State has set out the form of the permit in regulations (SI No 455/2007: The Gambling Act 2005 (Prize Gaming)(Permits) Regulations 2007) (opens in new tab). The permit must specify the person to whom it is issued, the premises to which it relates, the nature of the gaming, the date on which it takes effect, the date on which it expires, and the name and address of the licensing authority issuing the permit. Scottish Ministers have made separate regulations (SSI No 309/2007: The Gambling Act 2005 (Fees) (Scotland) Regulations 2007 (opens in new tab)) in respect of fees associated with prize gaming permits.

**27.17.** If the person to whom the permit is issued changes their name, or wants to be known by another name, they may send the permit to the issuing authority for amendment, together with the appropriate fee. The authority must comply with the request and return the permit to the holder.

# Duration, lapse, surrender and forfeiture

**27.18.** The permit will have effect for ten years, unless it ceases to have effect, lapses or is renewed. There is no annual fee for prize gaming permits.

**27.19.** The permit may lapse for a number of reasons:

- if the holder ceases to occupy the premises
- if an individual permit holder dies, becomes incapable by reason of mental or physical incapacity, becomes bankrupt, or sequestration of his estate is ordered
- if a company holding the permit goes into liquidation
- if the holder (for example a partnership) otherwise ceases to exist.

**27.20.** Where a permit lapses, the Act provides that the permit may be relied upon for a period of six months after it has lapsed, by the following persons:

- the personal representative of the holder (in the case of death)
- the trustee of the bankrupt estate (in the case of individual bankruptcy)
- the holder's interim or permanent trustee (in the case of an individual whose estate is sequestrated)
- the liquidator of the company (in the case of a company that goes into liquidation).

**27.21.** The permit may also cease to have effect if the holder surrenders it to the licensing authority. Notice of such surrender must be accompanied by the permit, or an explanation as to why the permit cannot be produced.

**27.22.** If the permit holder is convicted of a relevant offence (that is an offence listed in Schedule 7 of the Act), the court may order the forfeiture of the permit. The court must order the holder to deliver the permit to the licensing authority, or provide a statement explaining why it is not reasonably practicable to produce it. The court must notify the licensing authority that it has made a forfeiture order as soon as is reasonably practicable after making the order. Such an order may be suspended by a higher court pending appeal against conviction of a relevant offence.

# Renewal

**27.23.** In accordance with paragraph 18 of Schedule 14, an application for renewal of a permit must be made during the period beginning six months before the permit expires and ending two months before it expires. The procedure for renewal is the same as for an application.

**27.24.** A permit will not cease to have effect while a renewal application is pending, including an appeal against a decision not to renew.

# Maintenance

**27.25.** The permit must be kept on the premises, and it is an offence not to produce it when requested to do so by a constable, an enforcement officer, or an authorised local authority officer.

**27.26.** If a permit is lost, stolen or damaged, the holder may apply for a replacement subject to paying the fee set by the Secretary of State and Scottish Ministers. The licensing authority must grant the application if it is satisfied that the permit has been lost, stolen or damaged and a report has been made to the police. It should issue a copy and certify it as a true copy.

# Appeals

**27.27.** The rights of appeal in relation to permits are discussed in Part 12 of this guidance.

# Part 28: Non-commercial and private gaming, betting and lotteries

# 1 Introduction

**28.1.** The Act permits gambling without any specific permissions under limited circumstances, namely:

- non-commercial gaming
- private gaming and betting
- incidental lotteries
- private society lotteries
- work lotteries
- residents' lotteries
- customer lotteries[16].

Children and young persons are permitted to participate in all of the above, except for customer lotteries where children are not permitted to participate (S.46 and s.48 of the Act).

**28.2.** With regard to exempt lotteries, this part addresses incidental lotteries only. Further information about exempt lotteries in general is available in Organising small lotteries: Advice on lotteries that do not require a licence or registration.

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[16] Further details what is permitted for customer lotteries in pubs and clubs is available in the LA Toolkit - Pubs and clubs - case studies, Advice and guidance updates.

# 2 Non-commercial gaming

**28.3.** The Act permits non-commercial gaming if it takes place at a non-commercial event, either as an incidental or principal activity at the event. Events are non-commercial if no part of the proceeds is for private profit or gain. The proceeds of such events may benefit one or more individuals if the activity is organised:

- by, or on behalf of, a charity or for charitable purposes
- to enable participation in, or support of, sporting, athletic or cultural activities.

**28.4.** So, it would be possible to raise funds providing the proceeds were, for example, to support a local hospital appeal or a charitable sporting endeavour. Additionally, events such as race nights or casino nights may be permitted if they comply with the regulations and profits go to a good cause.

**28.5.** S.297(3) of the Act defines proceeds of an event as:

1. the sums raised by the organisers, whether by way of fees for entrance or for participation, sponsorship, commission from traders, or otherwise **minus**
2. amounts deducted by the organisers in respect of costs reasonably incurred in organising the event.

However, sums raised by other persons will not form part of the proceeds of the event and may be appropriated for private gain. An example would be refreshments provided at the event by an independent third party.

**28.6.** If someone uses any profits from non-commercial gaming for something other than the specified purpose, then they commit an offence under s.301 of the Act, which can result in a fine or imprisonment.

**28.7.** The Act identifies two types of permissible non-commercial gaming:

- prize gaming which must comply with the conditions set out in s.299 of the Act
- equal chance gaming which must comply with the conditions set out in s.300 of the Act and the conditions prescribed in regulations.

# Non-commercial prize gaming

**28.8.** An organiser does not need to have an operating or premises licence nor a prize gaming permit, provided that the conditions in s.299 are met, namely:

- players are told that the purpose of the gaming is to raise money for a specified charitable, sporting, athletic or cultural purpose
- profits are not for private gain
- the event cannot take place in a venue (other than a track) which has a premises licence. If at a track, the premises licence cannot be in use (in effect no betting can be taking place) and no temporary use notice can have effect
- the gaming must be on the premises and not be remote gaming[17].

**28.9.** In these circumstances, prize gaming occurs if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. Normally the prizes will be determined by the operator before play commences.

# Non-commercial equal chance gaming

**28.10.** The conditions set out under s.300 are as follows:

- All players must be told what purpose the money raised from the gaming is going to be used for – which must be something other than private gain – and the profits must be applied for that purpose.
- The gaming must also comply with regulations (SI No 2041/2007: The Gambling Act 2005 (Non-Commercial Equal Chance Gaming) Regulations 2007) (opens in new tab):
- limiting the maximum payment each player can be required to make to participate in all games at an event to £8
- limiting the aggregate amount or value of prizes in all games played at an event to £600, although where an event is the final one of a series in which all of the players have previously taken part, a higher prize fund of up to £900 is permitted
- The non-commercial event cannot take place on premises (other than a track) which hold a premises licence, nor on a track at a time when activities are being carried on in reliance on a premises licence, nor on premises at a time when activities are being carried on in reliance on a temporary use notice. There is nothing to stop such premises running charitable or other gambling events to raise money for good causes, but they should do so using the gambling permissions granted to them by their premises licence or use notice. The one exception to this is that a non-commercial event can take place at a track, provided no licensed gambling activities are taking place at the same time. This enables a track to be used for non-commercial gambling when races are not taking place
- The gaming must be non-remote gaming[18]. In other words, the authorisation can only apply to gaming which takes place at events, on premises, and for gaming in person.

[17] Licensing Authority Bulletin March 2021

[18] Licensing Authority Bulletin March 2021

# 3 Private gaming

**28.11.** Private gaming can take place anywhere to which the public do not have access, for example, a workplace. Domestic and residential gaming are two subsets where non-equal chance gaming is allowed.

- Domestic gaming is permitted without the need for permissions if:
- it takes place in a private dwelling
- it is on a domestic occasion
- no charge or levy is made for playing.
- Residential gaming is permitted when:
- it takes place in a hall of residence or hostel not administered in the course of a trade or business
- more than 50 percent of the participants are residents.

**28.12.** Private gaming can potentially take place on commercial premises in circumstances where a members' club hires a room in, for example, a pub or hotel for a private function where equal chance gaming only is played. However, organisers would need to scrutinise very carefully the arrangements put in place to make sure that the particular area of the pub, hotel or other venue in which the gaming takes place is not, on the occasion of the private function, a place to which the public have access and that those participating are not selected by a process which means that, in fact, they are members of the public rather than members of the club. The law in this area is complex and organisers should be advised to seek their own legal advice before organising events of this nature.

**28.13.** It is a condition of private gaming that no charge (by whatever name called) is made for participation and Schedule 15 to the Act makes it clear that a deduction from or levy on sums staked or won by participants in gaming is a charge for participation in the gaming. It is irrelevant whether the charge is expressed to be voluntary or compulsory, particularly if customers are prevented from playing if they do not make the 'voluntary' donation, or there is strong peer pressure to make the donation. A relevant decided case in another licensing field is that of Cocks v Mayner (1893)58 JP 104, in which it was found that an omnibus, said to be available free of charge but whose passengers were invited to make a voluntary contribution, was 'plying for hire' without the appropriate licence.

**28.14.** Additionally, the decided cases of Panama (Piccadilly) Ltd v Newberry (1962) 1WLR 610 and Lunn v Colston-Hayter (1991) 155 JP 384 are helpful in guiding licensing authorities in deciding whether a person ceases to be a member of the public merely because they have agreed to become a member of a club.

**28.15.** In the first of these cases, which related to a strip show, the Court said that an applicant for membership of the club and admission to the show was and remained a member of the public, as the whole purpose of membership was to get members of the public to see the show and there was no sufficient segregation or selection to cause an applicant to cease to be a member of the public and to acquire a different status as a member of a club on signing his application form and paying the charge. In the second case, which related to an acid house party, the judge said that it was impossible, merely because of the existence of a formal scheme of club membership enforced to the extent of requiring tickets to be obtained 24-hours in advance of the event, to regard those who obtained such membership and tickets as having ceased to be members of the public.

**28.16.** This means that people joining a club to attend and take part in a private event are likely to remain members of the public, particularly if club membership is acquired only a short time before, in order to attend the event. The courts will not readily allow membership status to be abused in order to circumvent the law in this way.

# 4 Private betting

**28.17.** The Act also says that betting is private if it is domestic betting or workers' betting. Domestic betting is a betting transaction made on premises in which each party to the transaction habitually resides. Workers' betting is where a betting transaction is made between persons who are employed by the same employer. A person does not commit an offence under s.33 or s.37 of the Act if he or she provides facilities for private betting.

# 5 Incidental lotteries

**28.18.** An incidental lottery is a lottery that is incidental to an event. The lottery must be promoted wholly for a purpose other than that of private gain, that is, the lottery can only be promoted for a charity or other good cause. Examples may include a lottery held at a school fete or at a social event such as a dinner dance.

# 6 Non-commercial 'casino night'

**28.19.** A non-commercial casino night is an event where participants stake money on casino-style games, such as poker or roulette, at a non-commercial event, where none of the money the organisers raise from the event is used for private gain.

**28.20.** Apart from reasonable costs, proceeds (including any entrance fees, sponsorship, the difference between stakes placed and pay-out made):

- must not be used for private gain
- must all be given to a good cause.

Reasonable costs would include costs incurred by providing the prizes. If third parties are selling goods or services at the event, this does not count as money raised for the charity or good cause and can be retained by that third party.

**28.21.** A non-commercial casino night can be run without a licence, or any other form of permission, providing the operation of the gaming falls into one of the three categories discussed below.

**28.22.** Organisers should note that, under the Act, it is illegal to organise a commercial casino night outside of a licensed casino. However an application can be made for a temporary use notice (TUN) in respect of other premises to offer gaming on a commercial basis, so far as the appropriate operating licence covers the proposed activities in the application, but then only in respect of equal chance gaming organised on a tournament basis with a single overall winner (SI No 3157/2007: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) (opens in new tab). There can, however, be more than one competition with a single winner held at the individual event covered by a specific TUN.

# Casino night as non-commercial prize gaming

**28.23.** Casino nights can be held as non-commercial prize gaming[19]. The players must be told what good cause will benefit from the profits of the gaming before placing a bet. The prizes must be advertised in advance and must not depend on the number of people playing or the stakes raised. In non-commercial prize gaming, the casino gaming determines the individual winner or winners, for example by counting who has the most casino chips at a set time. The winners are then awarded the prizes that have been advertised in advance.

# Casino night as non-commercial equal chance gaming

**28.24.** Casino nights can also be run as non-commercial equal chance gaming[20], where the chances are equally favourable to all participants and players are not competing against a bank. In non-commercial equal chance gaming, the charitable funds are usually raised through an entrance fee, participation fee, or through other payments related to the gaming. The maximum amount that a player may be charged is £8 per day which includes entrance or participation fees, stakes and any other payments in relation to the gaming. Organisers must ensure that the total amount paid out in prizes remains below £600 in total across all players. However, where an event is the final one of a series in which all of the players have previously taken part, a higher prize fund of up to £900 is allowed.

# Casino night as private gaming

**28.25.** A casino night may also be run under the private gaming provisions in the Act. Private gaming may only occur in a place to which the public does not have access, normally a private dwelling, hostel, hall of residence or similar establishment. No charge may be made for participation in private gaming including an entrance fee or other charge for admission, nor may any amounts be deducted from stakes or prizes. No profits can be made from private gaming, irrespective of how the organiser intended to use those profits and, thus, even if intended for charitable purposes.

**28.26.** Private gaming is restricted to equal chance gaming except where it is domestic or residential gaming.

**28.27.** Private gaming can potentially take place on commercial premises in circumstances where a members' club hires a room in, for example, a pub or hotel for a private function where equal chance gaming only is played. However, organisers would need to scrutinise very carefully the arrangements put in place, as detailed at paragraph 28.11 above.

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# 7 Non-commercial race night

**28.28.** Race nights are permitted for charitable purposes but, in some circumstances, can only be undertaken by a licensed betting operator and after appropriate notification to the licensing authority. Further details are set out at paragraph 28.36 below.

**28.29.** A non-commercial race night is an event where participants stake money on the outcome of live, recorded or virtual races.

**28.30.** Apart from reasonable costs, proceeds which includes any entrance fees, sponsorship, and the difference between stakes placed and pay-out made:

- must not be used for private gain
- must all be given to a good cause.

Reasonable costs would include costs reasonably incurred, for example by providing any prizes and for betting slips. If third parties are selling goods or services, this does not count as money raised for the charity or good cause and can be retained by that third party.

# Race night as non-commercial gaming

**28.31.** A non-commercial type of race night occurs where the selection of a 'horse' by a participant is totally dependent on chance, and where no 'odds' or 'form' are available to assist the gambler's selection. An example would be the use of archive films of horseracing without revealing the details of each race.

**28.32.** Such nights can be run without a licence, or any other form of permission, providing the operation of the gaming falls into one of the three categories discussed below.

# Incidental lottery

**28.33.** It is possible to operate a race night as an incidental lottery (incidental lotteries must comply with conditions set out in Schedule 11 of the Act, The Gambling Act 2005 (Incidental Lotteries) Regulations 2016 (opens in new tab) (SI 2016 No 239) and The Legislative Reform (Exempt Lotteries) Order 2016 (SI 2016 No124 (opens in new tab)). An incidental lottery is a lottery that is incidental to an event. The lottery must be promoted wholly for a purpose other than that of private gain, that is, the lottery can only be promoted for a charity or other good cause. The event may last more than a single day.

**28.34.** There are no limits on the amount that players may be charged to participate in an incidental lottery, but no more than £500 may be deducted from the proceeds of the lottery for the cost of prizes, which may be in cash or kind. Other prizes may be donated to the lottery and there is no maximum limit on the value of donated prizes. No more than £100 may be deducted from the proceeds in respect of the expenses incurred in organising the lottery, such as the cost of printing tickets, hire of equipment etc.

**28.35.** The organisers can only sell tickets at the location (by non-remote means)[21] and during the event. The results of the lottery can be drawn at the event or after it has finished. It is recommended that the organisers of the lottery make it clear to participants when the result of the lottery will be decided. The lottery cannot involve a rollover of prizes from one lottery to another.

**28.36.** An example of a race night run as an incidental lottery is where a 'horse' is picked at random for each paying customer, who is then awarded a prize if the horse 'wins' the race.

# Non-commercial prize gaming

**28.37.** Race nights can be held as non-commercial prize gaming. The players must be told what good cause will benefit from the profits of the gaming. The prizes must be advertised in advance and must not depend on the number of people playing or the stakes raised. In non-commercial prize gaming, the 'race'

determines the individual winner or winners, for example, those who have paid are allocated or select a named horse in the race. The winners are then awarded the prizes that had been advertised in advance.

# Non-commercial equal chance gaming

**28.38.** Race nights can also be run as non-commercial equal chance gaming, where the chances are equally favourable to all participants and players are not competing against a bank.

**28.39.** The maximum amount that a player may be charged is £8 per day which includes entrance or participation fees, betting stakes and any other payments in relation to the gaming. Organisers must ensure that the total amount paid out in prizes remains below £600 in total across all players. However, where an event is the final one of a series in which all of the players have previously taken part, a higher prize fund of up to £900 is allowed. This could take place, for example, where each participant pays a fee for a randomly selected ‘horse’ in each ‘race’ and the participant with the winning horse or chooser of the winning horse receives a prize commensurate with the stakes placed.

# Race night as private gaming

**28.40.** A non-commercial race night may also be run under the private gaming provisions in the Act. Private gaming may only occur in a place to which the public does not have access, such as a private dwelling, hostel, hall of residence or similar establishment. No charge may be made for participation in private gaming including an entrance fee or other charge for admission, nor may any amounts be deducted from stakes or prizes. Thus, no profits can be made from private gaming, irrespective of how the organiser intended to use those profits, and not even for charitable purposes.

# Race night as a betting event

**28.41.** A fundraising race night can be run as a betting event at a track where there is a track premises licence in place. Where there is no track premises licence in place for the track, the organiser of such an event will need to give notice under the occasional use notice (OUN) procedure. Licensing authorities are reminded that a track is defined by s.353 of the Act as a horse racecourse, greyhound track or other premises on any part of which a race or other sporting event takes places, such as a football ground, golf course or an athletics stadium. The person responsible for the administration of events on the track must serve notice on the licensing authority and copy it to the chief officer of police for the area. Further details on the procedure for OUNs can be found in Part 15 of this guidance. At such an event, the person administering the betting must be a licensed bookmaker.

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# Part 29: Poker

# 1 Introduction

**29.1.** Poker is a card game which involves elements of both chance and skill and is therefore classified as a game of chance under the Act by virtue of s.6(2). There are many variations on the game of poker, but this part deals primarily with equal chance poker where players compete against each other on equal terms.

**29.2.** In most forms of equal chance poker, players bet or stake progressively into a communal pot or kitty, with the player holding the best hand at the end of the game winning the accumulated stakes.

**29.3.** Non-equal chance poker, on the other hand, is where the banker or dealer participates in the game and holds a mathematical edge over the other players. Unequal chance poker may only be played in licensed casinos or, if it is 'domestic' or 'residential' gaming, under the private gaming provisions in the Act.

**29.4.** This part sets out all the circumstances in which poker can be legally provided. These circumstances include poker:

- in casinos (including under temporary use notices)
- as exempt gaming in clubs and alcohol licensed premises
- under a club gaming permit
- as non-commercial gaming poker
- as private gaming.

# 2 Poker in casinos

**29.5.** Poker can be played in casinos licensed by the Commission. Casinos can also run poker tournaments at temporary venues, for a limited amount of time, under temporary use notices (TUNs). Further information in relation to TUNs is at Part 14 of this guidance.

**29.6.** Casinos can offer both equal chance and unequal chance poker, except where the poker is provided under a TUN, in which case it can only be equal chance poker.

**29.7.** Where a third party organisation is involved in a poker competition held in a licensed casino, the casino operator must bear full responsibility for that competition.

**29.8.** Where an online competition culminates in live competition in a casino, the online partner may provide systems and staff for the event, but responsibility lies with the operator whose premises are being used.

**29.9.** A casino may have a commercial relationship with an agent to promote poker in the casino, but the poker games that result are the responsibility of the casino and not of the agent. Further information on poker in a licensed casino can be found in the Commission's Advice on poker played in non-remote casinos.

# 3 Poker as exempt gaming in clubs and alcohol licensed premises

**29.10.** Exempt gaming is equal chance gaming generally permissible in any club or alcohol licensed premises. Such gaming should be ancillary to the purposes of the premises. This provision is automatically available to all such premises but is subject to statutory stakes and prize limits determined by the Secretary of State.

**29.11.** A fee may not be levied for participation in poker offered by alcohol-licensed premises under the exempt gaming rules. A compulsory charge, such as charging for a meal, may constitute a participation fee, depending on the particular circumstances. However, clubs may charge a participation fee. The amount they may charge is as prescribed in regulations (SI No 1944/2007: The Gambling Act 2005 (Exempt Gaming in Clubs) Regulations 2007) (opens in new tab). See Appendix C for further details.

**29.12.** In order for the poker to qualify as exempt gaming, clubs and alcohol licensed premises may not charge a fee on games or levy or deduct an amount from stakes or winnings. The gaming should also be supervised by a nominated gaming supervisor and comply with any code of practice issued by the Commission under s.24 of the Act.

**29.13.** Poker clubs established primarily for the purpose of providing poker or other gaming require Commission operating licences and premises licences. Further information is available in the Commission's quick guides Poker in pubs (opens in new tab) (PDF) and Poker in clubs (opens in new tab) (PDF).

# Removal of exemption for alcohol licensed premises

**29.14.** Licensing authorities can remove the automatic authorisation for exempt gaming in respect of any particular alcohol licensed premises by making an order under s.284 of the Act (see also Part 26). That section provides for the licensing authority to make such an order if:

- provision of the gaming is not reasonably consistent with the pursuit of the licensing objectives
- gaming has taken place on the premises that breaches a condition of s.279 – for example, the gaming does not abide by the prescribed limits for stakes and prizes, a participation fee is charged for the gaming, or an amount is deducted or levied from sums staked or won
- the premises are mainly used for gaming
- an offence under the Act has been committed on the premises.

**29.15.** Such an order could be used by a licensing authorities where, for example, they discover that poker is being offered in alcohol licensed premises that consistently breaches the prescribed limits on stakes and prizes, participation fees are being charged for the poker, amounts are deducted from stakes or winnings, or poker (and other gaming) is the main activity offered on the premises.

# Code of practice for exempt equal chance gaming

**29.16.** The Commission has issued a code of practice under s.24 of the Act in respect of exempt equal chance gaming.

**29.17.** The code of practice requires owners, licensees, clubs and welfare institutes to adopt good practice measures for the provision of gaming in general, and poker in particular. The code also sets out the stakes and prizes limits and the limits on participation fees (for clubs) laid out in regulations.

# Poker in alcohol licensed premises

**29.18.** The Commission actively engages with the larger national and regional organisers of poker leagues to remind them of the limited exemptions that apply to poker being offered in pubs. Infringements of such requirements as stake and prize limits which are localised are normally best managed by the local authority responsible for issuing the alcohol premises licence. Template letters published on the Commission's website have proved effective in assisting management of such cases.

**29.19.** Gaming is only covered by the Act if it is played for prizes of money or money's worth. A number of poker tournaments and leagues have been established in alcohol licensed premises based on playing for points. In some leagues the organisers offer 'prizes' at the end of a series of weekly games for the players with the most points.

**29.20.** It is likely that the association of a prize with a monetary value with a game or series of games constitutes gaming, certainly by the latter stages of the competition. If the eventual prize is worth more than the maximum prize set out in regulations, then it could be unlawful gaming. For example, if a tournament simply involves a series of straightforward 'knockout' qualifying rounds, culminating in a 'final' game, then the winner's prize in the final – whether it comprises the stakes laid in that game, a separate prize provided by the organiser, or a combination of the two – must not exceed £100. The regulations set a limit of £100 on a prize that may be won in any game of poker (in a pub). In a knockout tournament, the overall prize is clearly winnable in a single game (the 'final') and is therefore won in a game of poker and subject to the prize limit. The stake and prize limits must also, of course, be applied to each game in the tournament.

**29.21.** Alternatively, the prize competed for may be the opportunity to play in 'invitational cash tournaments'. Notwithstanding that these 'prizes' may be of an uncertain value, and are likely to be held in mainstream gaming venues under regulated conditions, usually a casino, the Act prohibits gaming in alcohol licensed premises being linked to gaming in any other premises. Players competing across premises for a 'prize' are likely to be engaged in linked gaming, which is unlawful (s.269(5) of the Act). Consequently, organisers should not host events where players are competing against players in other premises for a prize.

**29.22.** In some types of tournaments there will be no single 'final' game in which it can be said with certainty that the player won the overall prize. In such circumstances, one should look to the individual games played by the overall winner and ensure that the overall prize does not cause any of those individual games to exceed the maximum £100 prize limit per game and the maximum stake of £100 per day.

**29.23.** For examples of poker tournament, league and competitions games and prize and stake examples see Appendix H.

# Poker under a club gaming permit

**29.24.** A club gaming permit can only be granted to a members' club (including a miners' welfare institute), but cannot be granted to a commercial club or other alcohol licensed premises.

**29.25.** Other than in the case of clubs established to provide facilities for gaming of a prescribed kind (currently bridge and whist), clubs seeking club gaming permits must be established 'wholly or mainly' for purposes other than gaming. When a club gaming permit is granted, there are no limits on the stakes and prizes associated with poker.

**29.26.** If a club established to provide facilities for gaming of a prescribed kind (currently bridge and whist) has a club gaming permit, it may not offer any other gaming besides bridge and whist. If such a club does

not have a permit, it may provide exempt gaming provided it is not established to function for a limited period of time and it has at least 25 members. If it wishes to offer other non-exempt gaming, it will require a Commission casino operating licence and any relevant personal licences.

**29.27.** The poker which a club gaming permit allows is subject to conditions:

(a) in respect of equal chance gaming:

- the club must not deduct money from sums staked or won
- the participation fee must not exceed the amount prescribed in regulations
- the game takes place on the premises and must not be linked with a game on another set of premises.

Two games are linked if:

- the result of one game is, or may be, wholly or partly determined by reference to the result of the other game or
- the amount of winnings available in one game is wholly or partly determined by reference to the amount of participation in the other game, and a game which is split so that part is played on one site and another part is played elsewhere is treated as two linked games
- only club members and their genuine guests participate.

(b) in respect of other games of chance:

- the games must be pontoon and chemin de fer only
- no participation fee may be charged otherwise than in accordance with the regulations
- no amount may be deducted from sums staked or won otherwise than in accordance with the regulations.

**29.28.** A 48-hour rule applies in respect of all three types of gaming, so that the games may only be played by people who have been members of the club for at least 48-hours or have applied or been nominated for membership or are genuine guests of a member.

**29.29.** More information about club gaming permits can be found in Part 25 of this guidance.

**29.30.** Private clubs with a club gaming permit cannot run the premises wholly or mainly for the purposes of gaming, nor can the club make a profit as all funds must be applied for the benefit of members. Experience indicates that illegal clubs will go to considerable lengths to disguise the true nature of their activities. Consequently, building the evidence required to review and rescind the permit can be time consuming and resource intensive. It is therefore essential that licensing authorities scrutinise applications for club gaming permits carefully. The applicant should be asked for as much information as required (such as a business plan) in order to satisfy the licensing authority that it is a bone fide club whose main activity will not be gambling. The Commission are in a position to assist in sharing intelligence on individuals or organisations in circumstances where a licensing authority has doubts as to the credentials of an applicant.

**29.31.** There is now a considerable body of knowledge and experience as to how a gaming permit can be withdrawn. This may include using other legislation such as the Proceeds of Crime Act (opens in new tab) which was used by a licensing authority to prosecute and imprison one club owner.

**29.32.** On occasion licensing authorities may consider that, as they have not received complaints about a club, there is no requirement for them to act. In these circumstances it is worth bearing in mind that they are very unlikely to receive complaints about such clubs, unless it is issues such as local noise and nuisance. The people attending the club do so from choice. Secondly, the club is effectively operating as an illegal casino and none of the protections afforded in a casino are in place, such as personal licence holders and anti-money laundering safeguards.

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# 4 Poker as non-commercial gaming

**29.33.** The Act permits non-commercial gaming if it takes place at a non-commercial event, either as an incidental or principal activity at the event. Events are non-commercial if no part of the proceeds is for private profit or gain. The proceeds of such events may benefit one or more individuals if the activity is organised:

- by, or on behalf of, a charity or for charitable purposes
- to enable participation in, or support of, sporting, athletic or cultural activities.

So, it would be possible to raise funds for an individual providing the proceeds were, for example, for a wheelchair or to support a sporting endeavour. Additionally, events such as casino nights or poker nights may be permitted if they comply with the regulations and are run on a non-commercial basis.

**29.34.** S.297(3) of the Act defines proceeds as:

1. the sums raised by the organisers, whether by way of fees for entrance or for participation, by way of sponsorship, by way of commission from traders, or otherwise, minus
2. amounts deducted by the organisers in respect of costs reasonably incurred in organising the event.

However, sums raised by other persons will not form part of the proceeds of the event and may be appropriated for private gain. An example would be refreshments provided at the event by an independent third party.

**29.35.** If someone uses any profits from non-commercial gaming for something other than the specified purpose, then they commit an offence under s.301 of the Act. The maximum penalty, upon conviction for such an offence, is a term of imprisonment not exceeding 51 weeks for England and Wales (six months in Scotland), and/or a level five fine.

**29.36.** The Act identifies two types of permissible non-commercial gaming:

- prize gaming (which must comply with the conditions set out in s.299 of the Act)
- equal chance gaming (which must comply with the conditions set out in s.300 of the Act and the conditions prescribed in regulations).

# Non-commercial prize gaming

**29.37.** Provided that the conditions set out in s.299 are met, poker can be offered as non-commercial prize gaming without the need to have an operating or premises licence, nor a prize gaming permit. Paragraphs 28.7 onwards set out detail on s.299 of the Act.

**29.38.** Poker as prize gaming occurs if the nature and size of the prize is not determined by the number of people playing or the amount paid for or raised by the gaming. Normally the prizes will be determined by the organiser before play commences.

# Non-commercial equal chance gaming

**29.39.** Provided that the conditions set out under s.300 are met, poker can be offered as non-commercial equal chance gaming without the need to have an operating or premises licence. Paragraphs 28.9 onwards set out detail on s.300 of the Act.

# Non-commercial casino night or poker night

**29.40.** A non-commercial casino night or poker night is an event where participants stake money on casino-style games, such as poker, at a non-commercial event, where none of the money the organisers

raise from the event is used for private gain.

**29.41.** Apart from reasonable costs, proceeds (including any entrance fees, sponsorship, the difference between stakes placed and pay-out made):

- must not be used for private gain
- must all be given to a good cause.

Reasonable costs would include costs incurred by providing the prizes. If third parties are selling goods or services at the event, for example if someone is selling refreshments, this does not count as money raised for the charity or good cause and can be retained by that third party.

**29.42.** A non-commercial casino night or poker night can be run without a licence, or any other form of permission, providing the operation of the gaming falls into one of the three categories discussed below.

**29.43.** Organisers should note that, under the Act, it is illegal to organise a commercial casino night or poker night outside of a licensed casino. As the law stands, only the holder of a valid non-remote casino operating licence can apply to a licensing authority for a temporary use notice (TUN) in respect of other premises to offer gaming on a commercial basis, and then only in respect of equal chance gaming organised on a tournament basis with a single overall winner (SI No 3157/2007: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) (opens in new tab).

# Casino night or poker night as non-commercial prize gaming

**29.44.** Casino nights or poker nights can be held as non-commercial prize gaming. The players must be told what good cause will benefit from the profits of the gaming before placing a bet. The prizes must be advertised in advance and must not depend on the number of people playing or the stakes raised. For example, the individual winner or winners could be determined by counting who has the most casino chips after the game or tournament ends. The winners are then awarded the prizes that have been advertised in advance.

# Casino night or poker night as non-commercial equal chance gaming

**29.45.** Casino nights or poker nights can also be run as non-commercial equal chance gaming. In non-commercial equal chance gaming, the charitable funds are usually raised through an entrance fee, participation fee, or through other payments related to the gaming. The maximum amount that a player may be charged is £8 per day (this includes entrance or participation fees, stakes and any other payments in relation to the gaming). Organisers must ensure that the total amount paid out in prizes remains below £600 in total across all players. However, where an event is the final one of a series in which all of the players have previously taken part, a higher prize fund of up to £900 is allowed.

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# 5 Poker as private gaming

**29.46.** Poker offered as private gaming can take place anywhere to which the public do not have access, and this would include a workplace. Domestic and residential gaming are two subsets where non-equal chance gaming is allowed:

- Domestic gaming is permitted without the need for permissions if:
- it takes place in a private dwelling
- it is on a domestic occasion
- no charge or levy is made for playing.
- Residential gaming is permitted when:
- it takes place in a hall of residence or hostel not administered in the course of a trade or business
- more than 50 percent of the participants are residents.

**29.47.** Private gaming can potentially take place on commercial premises in circumstances where a members' club hires a room in, for example, a pub or hotel for a private function where equal chance gaming only is played. However, organisers would need to scrutinise very carefully the arrangements put in place to make sure that the particular area of the pub, hotel or other venue in which the gaming takes place is not, on the occasion of the private function, a place to which the public have access and that those participating are not selected by a process which means that, in fact, they are members of the public rather than members of the club. The law in this area is complex and organisers should be advised to seek their own legal advice before proceeding with the event.

**29.48.** It is a condition of private gaming that no charge (by whatever name called) is made for participation and Schedule 15 to the Act makes it clear that a deduction from or levy on sums staked or won by participants in gaming is a charge for participation in the gaming. It is irrelevant whether the charge is expressed to be voluntary or compulsory, particularly if customers are prevented from playing if they do not make the 'voluntary' donation, or there is strong peer pressure to make the donation. A relevant decided case in another licensing field is that of Cocks v Mayner (1893) 58 JP 104, in which it was found that an omnibus said to be available free of charge but whose passengers who were invited to (and in some cases did) make a voluntary contribution was 'plying for hire' without the appropriate licence.

**29.49.** Additionally, the decided cases of Panama (Piccadilly) Ltd v Newberry (1962) 1WLR 610 and Lunn v Colston-Hayter (1991) 155 JP 384 are helpful in guiding local authorities in deciding whether a person ceases to be a member of the public merely because they have agreed to become a member of a club.

**29.50.** In the first of these cases (which related to a strip show), the court said that an applicant for membership of the club and admission to the show was and remained a member of the public, as the whole purpose (of membership) was to get members of the public to see the show and there was no sufficient segregation or selection to cause an applicant to cease to be a member of the public and to acquire a different status as a member of a club on signing his application form and paying the charge. In the second (which related to an acid house party), the judge said that it was impossible, merely because of the existence of a formal scheme of club membership enforced to the extent of requiring tickets to be obtained 24-hours in advance of the event, to regard those who obtained such membership and tickets as having ceased to be members of the public.

**29.51.** This means that people joining a club to attend and take part in a 'private' event are likely to remain members of the public, particularly if 'club membership' is acquired only a short time before, and in order to attend the event.

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# 6 Advertising

**29.52.** The Gambling (Licensing and Advertising) Act 2014 (opens in new tab) amended the Act so that from 1 November 2014, gambling operators that provide facilities for remote gambling requires remote gambling operators selling into the British market, whether based here or abroad, to hold a Commission licence to enable them to transact with British consumers.

# Part 30: Travelling fairs

## 1 Introduction

**30.1.** The Act defines a travelling fair as 'wholly or principally' providing amusements and they must be on a site that has been used for fairs for no more than 27 days per calendar year. The Act does not change the principles on which travelling fairs have been regulated under previous legislation.

**30.2.** Travelling fairs may provide an unlimited number of category D gaming machines provided that facilities for gambling amount to no more than an ancillary amusement at the fair. They do not require a permit to provide these gaming machines but must comply with legal requirements about how the machine operates. Current stakes and prizes can be found at Appendix B of this guidance.

**30.3.** Higher stake category B and C fruit machines, like those typically played in arcades and pubs, are not permitted. Fairground operators must source their machines from a Commission licensed supplier and employees working with gaming machines must be at least 18 years old.

**30.4.** Part 27 of this guidance discusses the prize gaming that may be provided at travelling fairs.

**30.5.** Licensing authorities should note that the 27-day maximum is during a calendar year and not in any 12-month period and applies to the piece of land on which fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. Authorities should therefore monitor the use of land and maintain a record of the dates on which it is used. If the land straddles licensing authority areas, the authorities concerned will need to work together to maintain a central log.

**30.6.** Local authorities in England and Wales may adopt by laws to control travelling fairs under a discretionary power set out in s.75 of the Public Health Act 1961 (opens in new tab), as amended. In Scotland travelling fairs are licensed by the Civic Government (Scotland) Act 1982 (opens in new tab).

# Part 31: Crown immunity and excluded premises

# 1 Crown immunity and excluded premises

**31.1.** With the exception mentioned below, the Act applies to the Crown. This includes government departments and therefore there is no immunity for establishments such as civil service social clubs, which must apply for club machine permits or other permissions in the normal way.

**31.2.** However, the Act has no effect in relation to anything done on premises occupied, either on a permanent or temporary basis, by the armed forces namely Her Majesty's naval, military or air forces.

**31.3.** The Act enables the Secretary of State to classify a premises as exempt from the Act on the grounds of national security.

# Part 32: Territorial application of the Gambling Act 2005

# 1 Territorial application of the Gambling Act 2005

**32.1.** By virtue of the Gambling (Licensing and Advertising) Act 2014 (opens in new tab), the Act applies to all operators who provide facilities for gambling to consumers in Great Britain (England, Wales and Scotland) except for two areas which also apply to Northern Ireland. These are:

- Chain gift schemes dealt with in Part 35 of this guidance
- Section 340 of the Act (foreign betting provisions of Betting and Gaming Duties Act 1981 (opens in new tab) ceasing to have effect).

The offence of advertising unlicensed remote gambling is also applicable to Northern Ireland (see section 5 of the 2014 Act).

# Vessels

**32.2.** Vessels such as cruise ships, ferries, boats and hovercrafts are required to have a premises licence if commercial gambling is provided at them. However if a vessel is engaged on a journey into or from international waters then no premises licence is required. Further information is available at Part 7 of this guidance, paragraphs 7.12 to 7.17.

# Vehicles

**32.3.** No premises licences can be issued in respect of a vehicle. In addition to a car, lorry or coach, the Act also provides that ‘vehicle’ includes a train, aircraft, seaplane and any amphibious vehicle other than a hovercraft. There is no exemption for international travel. Whilst this is ultimately a matter for the courts it is the Commission’s view that a vehicle remains a vehicle not only when stationary but also if located permanently at a particular site, perhaps with its wheels removed but capable of being re-instated.

# Aircraft

**32.4.** No offence occurs if gambling is conducted on an aircraft which is in international space. As an aircraft is a vehicle, no premises licences can be granted to aircraft for gambling in domestic airspace.

# Part 33: Door supervision

## 1 Door supervision

**33.1.** If a licensing authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access, for example, by children and young persons, then it may require that the entrances to the premises are controlled by a door supervisor. The licensing authority is able to impose a condition on the premises licence to this effect.

**33.2.** S.178 of the Act sets out a definition of 'door supervisor' and provides that where a person employed in such a role is required to hold a licence issued by the Security Industry Authority (opens in new tab) (SIA), that requirement will have force as though it were a condition on the premises licence.

**33.3.** The SIA regulates the private security industry in England, Wales and Scotland, and is responsible for licensing individuals working within the various industry sectors, by virtue of the Private Security Industry Act 2001 (opens in new tab) (PSIA). The majority of persons employed to work as door supervisors at premises licensed for gambling and carrying out the functions listed under Schedule 2 Part 1 of the PSIA, will need to be licensed by the SIA. There are, however, exceptions to this requirement.

**33.4.** The PSIA requires that all contract staff (those employed under a contract for services) carrying out the functions set out under Schedule 2 Part 1 of the PSIA must be licensed by the SIA. However, certain premises also need to have their in-house employees (those employed under a contract of service) who carry out these functions, licensed. These premises include those holding a premises licence for the supply of alcohol or regulated entertainment under the Licensing Act 2003 (opens in new tab).

**33.5.** This requirement is relaxed when applied to door supervisors at casino and bingo premises. Where contract staff are employed as door supervisors at casino or bingo premises, such staff will need to be licensed by the SIA. However, in-house employees working as door supervisors at casino and bingo premises are exempt from these requirements.

**33.6.** In Scotland, the PSIA currently applies in respect of the Licensing (Scotland) Act 2005 (opens in new tab) by virtue of the Licensing (Scotland) Act 2005 (Consequential provisions) Order 2009 (opens in new tab), SSI No. 2009/248. This ensures that the same requirements in relation to the licensing of staff by the SIA in England and Wales also apply in Scotland.

**33.7.** Licensing authorities are encouraged to set out the circumstances in which such matters as door supervision may be required in their statement of policy.

# Part 34: Small society lotteries

# 1 Small society lotteries

**34.1.** The Act denotes 'local authorities' as being responsible for registering societies to run small society lotteries, as opposed to licensing authorities. S.2 of the Act defines licensing authorities and s.25 defines local authorities, with both given the same definition. The Commission considers therefore that for the purposes of the Act both terms are broadly the same, and in the interests of consistency with the other areas of this guidance, we refer throughout this part to licensing authorities, as opposed to local authorities, except when referring to lottery licences that local authorities can apply for themselves.

# 2 The status of lotteries under the Act

**34.2.** The Gambling Commission and the National Lottery Commission merged on 1 October 2013. No change has been made to the legislation which governs how commercial gambling, and the National Lottery are regulated. The Commission licenses and regulates all commercial gambling and the National Lottery in Great Britain.

**34.3.** The Act sets out a definition of a lottery, detailed below, and provides that promoting or facilitating a lottery is illegal, unless it falls into one of two categories of permitted lottery[22], namely:

- licensed lotteries – these are large society lotteries and lotteries run for the benefit of local authorities that are regulated by the Commission and require operating licences
- exempt lotteries – there are four types of exempt lottery that are expressly permitted under Schedule 11 of the Act, including the small society lottery.

# Definition of lottery

**34.4.** A lottery is any arrangement that satisfies all of the criteria contained within the statutory description of either a simple lottery or a complex lottery, under s.14 of the Act.

**34.5.** An arrangement is a simple lottery if:

- persons are required to pay to participate
- one or more prizes are allocated to one or more members of a class
- the prizes are allocated by a process which relies wholly on chance.

**34.6.** An arrangement is a complex lottery if:

- persons are required to pay to participate
- one or more prizes are allocated to one or more members of a class
- the prizes are allocated by a series of processes

- the first of those processes relies wholly on chance.

# Definition of society

**34.7.** Licensing authorities should define 'society' as the society, or any separate branch of such a society, on whose behalf a lottery is to be promoted, and need to understand the purposes for which a society has been established in ensuring that it is a non-commercial organisation. Further information about establishing non-commercial societies can be found in paragraph 34.29. S.19 of the Act defines a society as such if it is established and conducted:

- for charitable purposes, as defined in s.2 of the Charities Act 2006 (opens in new tab)
- for the purpose of enabling participation in, or of supporting, sport, athletics or a cultural activity
- for any other non-commercial purpose other than that of private gain.

**34.8.** It is inherent in this definition that the society must have been established for one of the permitted purposes as set out in s.19 of the Act, and that the proceeds of any lottery must be devoted to those purposes. It is not permissible to establish a society whose sole purpose is to facilitate lotteries.

# Local authority lotteries

**34.9.** Local authorities are entitled to operate their own lotteries but may only do so if licensed by the Commission. Local authorities must commit a minimum of 20 percent of the proceeds from such lotteries for a purpose for which they have power to incur expenditure and must also adhere to the other relevant provisions in the Act. They may also need to hold a remote gambling operating licence, in the event that they wish to sell lottery tickets via electronic or other remote technological methods such as over the telephone, email or via the internet.

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[22] For further information regarding this see the advice - Promoting society and local authority lotteries and How to run a lottery or fundraiser (opens in new tab)

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# 3 Licensing authority guidance

**34.10.** Licensing authorities may consider producing their own guidance for organisations and individuals seeking to operate small society lotteries. If so, the Commission's advice note Promoting society and local authority lotteries advice note (opens in new tab) (This advice note does not form part of the Guidance to Licensing Authorities) may provide a useful starting point.

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# 4 Social responsibility

**34.11.** Participation in a lottery is a form of gambling, and as such licensing authorities must be aware that the societies they register are required to conduct their lotteries in a socially responsible manner and in accordance with the Act.

**34.12.** The minimum age for participation in a lottery is 16 and Social Responsibility (SR) code 3.2.9 in the Licence conditions and codes of practice (LCCP) requires lottery licences to have effective procedures to minimise the risk of lottery tickets being sold to children, including procedures for:

- checking the age of apparently underage purchasers of lottery tickets
- taking action where there are unlawful attempts to purchase tickets.

**34.13.** The licensee must take reasonable steps to ensure that all those engaged in the promotion of lotteries understand their responsibilities for preventing underage gambling, returning stakes and not paying prizes to underage customers.

**34.14.** As with other aspects of local gambling regulation, licensing authorities are encouraged to use their statement of policy as a means of making clear their expectations of lottery operators and particular risks that may exist.

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# 5 External lottery managers' licence status

**34.15.** External lottery managers (ELMs) are required to hold a lottery operator's licence issued by the Commission to promote a lottery on behalf of a licensed society.

**34.16.** However, individuals or firms can and do provide services to a society or local authority lottery without assuming the role of an ELM. When determining whether a third party is a 'service provider' only, or has assumed the role of an ELM, the degree of management undertaken by both the promoter and the sub-contractor will be crucial factors. Key indicators will include:

- who decides how the lottery scheme will operate
- who appoints and manages any sub-contractors
- the banking arrangements for handling the proceeds of the lottery
- who sells the tickets and pays the prizes
- who controls promotional aspects of the lottery.

**34.17.** Societies employing an unlicensed ELM may be committing an offence and they will need to satisfy themselves that any ELM they employ holds the relevant operator's licence issued by the Commission. The Commission publishes a register of operating licences.

**34.18.** Licensing authorities can refer those seeking further information on ELMs to the Commission's website or its publication Promoting society and local authority lotteries advice note (opens in new tab) (the advice note does not form part of the Guidance to licensing authorities).

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# 6 Lottery tickets

**34.19.** Lotteries may involve the issuing of physical or virtual tickets to participants (a virtual ticket being non-physical, for example in the form of an email or text message). All tickets must state:

- the name of the promoting society
- the price of the ticket, which must be the same for all tickets
- the name and address of the member of the society who is designated as having responsibility at the society for promoting small lotteries or, if there is one, the ELM
- the date of the draw, or information which enables the date to be determined.

The requirement to provide this information can be satisfied by providing an opportunity for the participant to retain the message electronically or print it.

**34.20.** The Commission recommends that licensing authorities require all registered small society lottery operators to maintain written records of any unsold and returned tickets for a period of one year from the date of the lottery draw. The licensing authority is permitted to inspect the records of the lottery for any purpose related to the lottery.

**34.21.** The Act requires that lottery tickets may only be sold by persons that are aged 16 or over to persons that are aged 16 or over.

**34.22.** With regards to where small society lottery tickets may be sold, the Commission recommends that licensing authorities should apply the following criteria to all small society lottery operators:

- lottery tickets must not be sold to a person in any street. For these purposes 'street' includes any bridge, road, lane, footway, subway, square, court, alley or passage (including passages through enclosed premises such as shopping malls) whether a thoroughfare or not. Tickets may, however, be sold in a street from a static structure such as a kiosk or display stand. Tickets may also be sold door to door. Licensees must ensure that they have any necessary local authority permissions, such as a street trading licence.

This approach is consistent with the operating licence conditions imposed upon operators of large society lotteries and local authority lotteries.

# 7 Prizes

**34.23.** Prizes awarded in small society lotteries can be either cash or non-monetary. Licensing authorities need to be aware that the value of prizes declared on returns must not exceed the limits on prizes set out by the Act – in effect that combined with any expenses incurred with the running of the lottery, such as managers' fees, they must not comprise more than 80 percent of the total proceeds of the lottery. Donated prizes would not be counted as part of this 80 percent (as no money would be withdrawn from the proceeds to cover their purchase) but are still subject to the limit on a single maximum prize of £25,000 and should be declared on the return following the lottery draw.

**34.24.** The Commission recommends that licensing authorities should advise small society lottery operators to check with local police if they wish to award items containing alcohol as prizes. This is in order to ensure that licensing law is not breached.

# 8 Specific offences in relation to lotteries

**34.25.** The Act sets out a number of offences that apply to lotteries, as follows:

| Section of the Act | Offence |
|---|---|
| s. 258 | Promoting a non-exempt lottery without a licence |
| s. 259 | Facilitating a non-exempt lottery without a licence |
| s. 260 | Misusing the profits of a lottery |
| s. 261 | Misusing the profits of an exempt lottery |

| Section of the Act | Offence |
|---|---|
| s. 262 | Purporting to operate a small society lottery when not registered, or failing to make the required, or making false or misleading, returns in respect of such lotteries |
| s. 326 | Without reasonable excuse, obstructing or failing to co-operate with an authorised person exercising his or her powers |
| s. 342 | Without reasonable excuse, giving false or misleading information to the Commission or a licensing authority |

**34.26.** If a society running small lotteries fails to comply with any of the conditions of running such lotteries specified in Part 4 of Schedule 11 of the Act, it will be operating in an illegal manner, irrespective of whether it is registered with a licensing authority or not. In these circumstances, small society lottery operators may face prosecution by the Commission, a licensing authority, or the police. The lead organisation for initiating prosecutions will vary depending upon the specific circumstances of the case, but it is expected that licensing authorities will investigate offences in respect of small society lotteries. If necessary, licensing authorities can ask for advice from the Gambling Commission, but the Commission is unlikely to investigate a case unless it has national or regional significance.

**34.27.** Licensing authorities in Scotland should refer cases where there has been a breach of the Act to the police for investigation, in line with Crown Office and Procurator Fiscal Service (opens in new tab) guidance on reporting practices for non-police agencies.

# 9 Application and registration process for small society lotteries

**34.28.** When licensing authorities are approached by societies who want to register with them to operate lotteries, they will need to refer to the Act's definition of a small society lottery, which falls into two distinct areas:

- society status – the society in question must be 'non-commercial'
- lottery size – the total value of tickets to be put on sale per single lottery must be £20,000 or less, or the aggregate value of tickets to be put on sale for all their lotteries in a calendar year must not exceed £250,000. If the operator plans to exceed either of these values, then they may need to be licensed with the Commission to operate large lotteries instead.

**34.29.** Additional information is available to assist licensing authorities with society lottery applications. This can be found within our Feature article: Small society lottery applications – things to consider. Please note this article does not form part of the Guidance to licensing authorities.

**34.30.** The Commission has published a series of advisory documents as well as a toolkit[23] which licensing authorities may wish to refer applicants or potential applicants to, to enable them to establish which type of lottery they plan to operate. Promoting society and local authority lotteries advice note provides information for those seeking to run small and large society lotteries and local authority lotteries. Organising small lotteries provides advice on exempt lotteries that do not require a licence or registration. The Commission has also published Running a lottery, a quick guide for fundraisers, to help them identify what types of lottery they can run (the advice note, leaflet and quick guide do not form part of the Guidance to licensing authorities).

**34.31.** The promoting society of a small society lottery must, throughout the period during which the lottery is promoted, be registered with a licensing authority. Parts 4 and 5 of Schedule 11 of the Act set out the requirements on both societies and licensing authorities with respect to the registration of small society lotteries.

**34.32.** The licensing authority with which a small society lottery is required to register must be in the area where their principal office is located. If a licensing authority believes that a society's principal office is situated in another area, it should inform the society and the other licensing authority as soon as possible.

**34.33.** Applications for small society lottery registrations must be in the form prescribed by the Secretary of State and be accompanied by both the required registration fee and all necessary documents required by the licensing authority to assess the application. Licensing authorities are encouraged to ask applicants for a copy of their terms and conditions and their constitution to establish that they are a non-commercial society. They may also choose to require applicants to provide a declaration, stating that they represent a bona fide non-commercial society.

**34.34.** The Commission has been made aware that some small society lotteries may be avoiding applying for a society lottery operating licence from the Commission by obtaining two or more registrations with the same or different licensing authorities. Asset out previously, the Act states that a society lottery is a large lottery if the arrangements for it are such that its proceeds may exceed £20,000 in a single lottery, or if the aggregate proceeds in a calendar year exceed £250,000.

**34.35.** In cases where a society has separate branches with different aims and objectives, it is acceptable for them to hold more than one licence or registration. However, in cases where a society holds more than one registration and the aims and objectives of those societies are the same, this may constitute a breach of the threshold limits for small society lotteries set out in Schedule 11 of the Act.

**34.36.** Licensing authorities are advised to carefully consider any application by a society who is applying for or already holds more than one registration, including through another society with the same purposes. If the aims and objectives are the same and therefore the threshold limits for small society lotteries are likely to be exceeded, the applicant should be advised to apply to the Commission for a society lottery operating licence.

**34.37.** By virtue of Schedule 11 paragraph 31(5), societies may not hold an operating licence and a local authority registration with the same aims and objectives at the same time. This paragraph also provides for a statutory period of three years during which a large society cannot convert to small society status. Licensing authorities should check that applicants for registration do not hold (and have not held in the preceding three years) a society lottery operating licence granted by the Commission.

**34.38.** Licensing authorities may also wish to check with the society at the time the annual fee is paid to renew the registration, to ensure that a society does not hold a duplicate registration with them or another licensing authority where the aims and objectives of the societies are the same. If that is the case and the combined proceeds exceed or are likely to exceed the threshold limits for small society lotteries, the society should be advised to apply to the Commission for a society lottery operating licence. The licensing authority should also notify the Commission.

**34.39.** Licensing authorities may delegate the registration of small societies to licensing officers, subject to each authority's own specific process of delegations.

**34.40.** Licensing authorities are required by paragraph 44 of Schedule 11 of the Act to record details of the society on a register. While it does not have to be a public register, the Commission recommends that licensing authorities make the register available to the public on request.

**34.41.** Once the application for registration has been accepted and entered on the local register, the licensing authority must then notify both the applicant and the Commission of this registration as soon as practicable.

**34.42.** Registrations run for an unlimited period, unless the registration is cancelled. If a licensing authority cancels the registration of a society, due to non-payment of their annual fee, the licensing authority are required by paragraph 54 of Schedule 11 of the Act to notify the Commission and the formerly registered society.

If a licensing authority cancels the registration of a society, they are required by paragraph 53 of Schedule 11 of the Act to notify the Commission. An annual fee is payable to maintain the registration.

# Refusal of an application

**34.43.** Paragraphs 47 and 48 of Schedule 11 of the Act set out the grounds for licensing authorities to refuse a small society lottery registration application. In summary, licensing authorities may propose to refuse an application for any of the following reasons:

- **An operating licence held by the applicant for registration has been revoked or an application for an operating licence made by the applicant for registration has been refused, within the past five years.** The Commission will be able to advise the details of people and organisations that have been refused an operating licence or have had an operating licence revoked in the past five years. Licensing authorities should consult the Commission as part of their consideration process.
- **The society in question cannot be deemed non-commercial.** Under previous regimes, licensing authorities often required applicants to provide a statement with their application form declaring that they represented a bona fide non-commercial society, and identifying how the purpose of the society could be established. The Commission considers that a similar approach remains appropriate. However, licensing authorities should also consider whether such a declaration is sufficient in the particular circumstances of each case or whether there are additional determining factors, such as an unusual or novel purpose of the society, which may suggest that further enquiry is needed.
- **A person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence, listed in Schedule 7 of the Act.** Under previous regimes, licensing authorities often required applicants to provide a statement alongside their application form declaring that they had no relevant convictions that would prevent them from running lotteries. The authority could then verify the accuracy of the statement with the police. The Commission considers that this approach remains appropriate.
- **Information provided in or with the application for registration is found to be false or misleading.**

**34.44.** A licensing authority may only refuse an application for registration after the society has had the opportunity to make representations. These can be taken at a formal hearing or via correspondence. Licensing authorities should inform the society of the reasons why it is minded to refuse registration and provide it with at least an outline of the evidence on which it has reached that preliminary conclusion, in order to enable representations to be made.

**34.45.** Representations, and any objections that may result after such a decision, should be handled in accordance with local procedures, and in the same way that the licensing authority would deal with any other licensing matters. The Commission considers that, as a matter of good practice, licensing authorities should set out the principles they will apply in such circumstances. This could be in their statement of policy or on their website.

# Revocation of a small society’s registered status

**34.46.** A licensing authority may determine to revoke the registration of a society if it thinks that they would have had to, or would be entitled to, refuse an application for registration if it were being made at that time. Revocations cannot take place unless the society has been given an opportunity to make representations at a hearing or via correspondence. In preparation for this, licensing authorities should inform the society of the reasons why it is minded to revoke the registration and provide them with the evidence on which it has reached that preliminary conclusion. Representations that may result after such a decision should be handled in accordance with local procedures.

# Appeals

**34.47.** Following the conclusion of any hearings and receipt of representations, paragraph 51 of Schedule 11 of the Act then requires the authority to notify the applicant or the society as soon as possible if their registration is still to be revoked,or if their application for registration has still been rejected.

**34.48.** The applicant or society may decide to make an appeal against the decision and has 21 days following receipt of the notice of the decision to lodge an appeal, which must be made directly to the local Magistrates' court if in England or Wales, or the Sheriff court in Scotland. On appeal they may choose to affirm the decision of the licensing authority, reverse the decision, or make any other order.

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[23] Lotteries toolkit

# 10 Administration and returns

**34.49.** As the purpose of permitted lotteries is to raise money for non-commercial causes, the Act requires that a minimum proportion of the money raised by the lottery is channelled to the goals of the society that promoted the lottery. If a small society lottery does not comply with these limits, it will be in breach of the Act's provisions, and consequently be liable to prosecution.

**34.50.** The limits are as follows:

- at least 20 percent of the lottery proceeds must be applied to the purposes of the society (Schedule 11, paragraph 33)
- no single prize may be worth more than £25,000 (Schedule 11, paragraph 34)
- rollovers between lotteries are only permitted where every lottery affected is also a small society lottery promoted by the same society, and the maximum single prize is £25,000 (Schedule 11, paragraph 35)
- every ticket in the lottery must cost the same and the society must take payment for the ticket fee before entry into the draw is allowed (Schedule 11, paragraph 37).

**34.51.** Paragraph 39 of Schedule 11 in the Act sets out the information that the promoting society of a small society lottery must send as returns to the licensing authority with which it is registered, following each lottery held. This information allows licensing authorities to assess whether financial limits are being adhered to and to ensure that any money raised is applied for the proper purpose.

**34.52.** The following information must be submitted:

- the arrangements for the lottery – specifically the date on which tickets were available for sale or supply, the dates of any draw and the value of prizes, including any donated prizes and any rollover
- the total proceeds of the lottery
- the amounts deducted by the promoters of the lottery in providing prizes, including prizes in accordance with any rollovers
- the amounts deducted by the promoters of the lottery in respect of costs incurred in organising the lottery
- the amount applied to the purpose for which the promoting society is conducted (this must be at least 20 percent of the proceeds)
- whether any expenses incurred in connection with the lottery were not paid for by deduction from the proceeds, and, if so, the amount of expenses and the sources from which they were paid.

**34.53.** Paragraph 39 of Schedule 11 in the Act also requires that returns must:

- be sent to the licensing authority no later than three months after the date of the lottery draw, or in the case of 'instant lotteries' (scratchcards) within three months of the last date on which tickets were on sale
- be signed (electronic signatures are acceptable if the return is sent electronically) by two members of the society, who must be aged 18 or older, are appointed for the purpose in writing by the society or, if it has one, its governing body, and be accompanied by a copy of their letter or letters of appointment.

**34.54.** The Commission may inspect a society's returns, although it will not routinely do so. As such, licensing authorities are required to retain returns for a minimum period of three years from the date of the lottery draw. They should also make them available for inspection by the general public for a minimum period of 18 months following the date of the lottery draw. Licensing authorities should ensure that information is made available to the public regarding the location of statements, when they can be viewed and the cost of obtaining copies.

**34.55.** Licensing authorities should allow for returns to be sent to them both electronically and manually. The Commission recommends that each licensing authority should make details concerning the form of returns required available through appropriate media, such as licensing authority websites and leaflets.

**34.56.** Where societies run more than one lottery in a calendar year, licensing authorities must monitor the cumulative totals of returns to ensure that societies do not breach the annual monetary limit of £250,000 on ticket sales. Licensing authorities must notify the Commission if returns reveal that a society's lotteries have exceeded the values permissible, and such notifications should be copied to the society in question. The Commission will contact the society to determine if they are going to apply for a lottery operator's licence, thereby enabling them to run large society lotteries lawfully, and will inform the licensing authority of the outcome of its exchanges with the society.

**34.57.** Licensing authorities will also need to be aware of the status of external lottery managers, when monitoring returns. They are an individual, a firm or a company appointed by a society to manage a lottery or lotteries on behalf of the society and are generally consultants that take their fees from the expenses of the lottery. A maximum of 80 percent of a lottery's proceeds may be attributed to expenses and prizes, and managers' fees must be included within this total.

# Part 35: Chain gift schemes

# 1 Introduction

**35.1.** S.43 of the Act makes it an offence to invite others to join a chain gift scheme or to participate knowingly in the promotion or administration of a scheme. These schemes have many of the features of pyramid selling schemes, but escape the ban on them because they do not involve the sale of any product. A person found guilty of the offence could be liable to a fine or imprisonment.

**35.2.** The Commission is aware that local authority trading standards officers have considerable relevant experience in dealing with chain gift schemes and are well placed to deal with schemes that arise from time to time. The Commission will keep its role in tackling chain gift schemes, where there is a gambling issue related to the scheme, under review so that if more concerted action is required centrally it can liaise with other bodies to determine what action may be taken.

**35.3.** The chain gifting offence is part of a suite of consumer protections set out in the Consumer Protection from Unfair Trading Regulations 2008 (opens in new tab). The main element of consumer protection against these schemes is publicity to prevent people becoming involved in them. Local authorities may wish to use their websites and other publicity tools to educate consumers against participation in such schemes.

**35.4.** If licensing authorities are contacted by members of the public regarding schemes of this nature they should, in the first instance, refer to their trading standards department as they are likely to have relevant experience of dealing with chain gift schemes, lottery-style scams and similar arrangements.

# 2 Street collectors selling game cards

**35.5.** Licensing authorities may also be aware of street sellers in their areas approaching the public to sell them game cards, often saying that the cards are being sold to raise money for good causes. If such cards require an element of skill on the part of the player, such as completing a tie-break question, they may be genuinely distinguishable from a lottery.

**35.6.** It will be unlikely that the product being sold is a legal lottery. This is because societies running large lotteries are not permitted to sell lottery tickets in the street by virtue of a condition on their operating licence, and the Commission recommends in this guidance that those running small lotteries have a similar restriction imposed upon them by the local authority that registers them.

**35.7.** The Commission has no comment on products that are not classed as gambling under the Act, but would advise authorities with concerns over street sales of such products to contact the trading standards department. They will be able to advise on whether the product being sold amounts to a gambling product and agree on the best course of action, which may include relying on relevant legislation such as street trading regulations.

# Part 36: Compliance and enforcement matters

## 1 Fees

**36.1.** Licensing authorities' compliance and enforcement work and the costs of dealing with illegal gambling is covered by fees from premises licences and permits.

**36.2.** Licensing authorities in England and Wales will be aware that section 212(2)(d) of the Act specifically states that local authorities 'shall aim to ensure that the income from fees… as nearly as possible equates to the costs of providing the service to which the fees relates'.

**36.3.** Furthermore Department for Culture, Media and Sport (opens in new tab) Guidance to licensing authorities on setting premises licence fees states 'The annual fee will cover the reasonable costs of compliance and enforcement work, including the cost of dealing with illegal gambling in a licensing authority's area'.

**36.4.** Fee setting must be transparent and licensing authorities should closely track their costs and be able to evidence how they arrived at the fee levels in order to demonstrate that they have been calculated on a cost recovery basis only. Fees should be reviewed annually.

**36.5.** In Scotland all fees for gambling licences and permits are set centrally by Scottish Ministers at a flat rate but again are designed to cover the costs of compliance and enforcement work.

## 2 Enforcement officers and authorised persons

**36.6.** S.303 of the Act enables the Commission to designate employees of the Commission and to appoint persons other than employees, as enforcement officers for the purpose of the Act.

**36.7.** An officer of a licensing authority can be an authorised local authority person (authorised person) under s.304 of the Act, if the conditions in s.304(2) of the Act are met, namely if:

- the premises are wholly or partly situated in the authority's area
- the officer is designated by the authority as an authorised person for the purposes of s.304.

**36.8.** Designation of someone as an authorised person for the purposes of s.304(2) is likely to be carried out by the local authority's licensing committee.

**36.9.** In England and Wales, s.101(1) of the Local Government Act 1972 (opens in new tab) provides that 'a local authority may arrange for the discharge of any of its functions by a committee, sub-committee or officer of the authority'. Delegations are set out in tables at Appendix G.

**36.10.** In Scotland, a Council's internal functions are laid down in the Local Government (Scotland) Act 1973 (opens in new tab) as amended, principally by the Local Government (Scotland) Act 1994 (opens in new tab) and the Local Government in Scotland Act 2003 (opens in new tab). S.56 of the Local Government (Scotland) Act 1973 (opens in new tab) provides that 'a local authority may arrange for the discharge of any of their functions by a committee of the authority, a sub-committee, an officer of the authority or by any other local authority in Scotland'.

**36.11.** Authorised persons of the licensing authority exercise their inspection powers in accordance with the principles set out in the licensing authority's statement of policy.

**36.12.** S.304(3) and (4) set out the circumstances in which officers of local authorities that are not licensing authorities, and certain other persons, can be authorised persons for the purposes of Part 15 of the Act. One example is Trading Standards officers who can be authorised by licensing authorities under s.304(3)(b) of the Act for the purposes of conducting test purchasing exercises.

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# 3 Powers of entry – England and Wales

**36.13. The Act states that authorised persons, constables and enforcement officers may:**

- **undertake activities for the purpose of assessing compliance with provisions made under the Act or to assess whether an offence is being committed under the Act, by virtue of s.305. This is a general power and so it is unlikely that an authorised person can gain entry under s.305 alone. It should be read in conjunction with the sections of the Act that follow it and set out specific powers**
- **enter premises if they reasonably suspect that facilities for gambling are being, are about to be, or have been provided on the premises. This would include a private club but does not apply if the suspected gambling is private or non-commercial gaming or betting (s.307). If in doubt, a licensing authority should seek legal advice about also securing a warrant issued by a justice of the peace**
- **enter a premises in respect of which an application has been made for a family entertainment centre (FEC) gaming permit, for a purpose connected with the consideration of the application, or to enter a premises in respect of which a FEC gaming machine permit has effect, in order to determine compliance with gaming machine permit requirements (s.309)**
- **enter premises in respect of which an on-premises alcohol licence has effect for the purpose of determining if any gaming that is taking place satisfies the conditions for exempt gaming in s.279 of the Act, to ascertain that any bingo taking place meets the requirements of the Act, or to ascertain the number and category of gaming machines being made available for use on the premises (s.310)**
- **enter premises in respect of which an application has been made for a prize gaming permit, for a purpose connected with the consideration of the application, or to enter a premises in respect of which a prize gaming permit has effect in order to determine whether prize gaming on the premises complies with the requirements of the Act and regulations under it (s.311).**

**36.14. Where an application for a club gaming permit or club machine permit has been made, authorised persons, constables and enforcement officers may also enter a members' club, a commercial club or miners' welfare institute under s.312 of the Act, for a purpose connected with consideration of the application, to:**

- **determine whether gaming is taking place on the premises or is about to take place on the premises**
- **or to determine whether any gaming that is taking place or is about to take place on the premises meets the requirements for exempt gaming in section 269 of the Act, a club gaming permit or a club machine permit.**

It should be noted that only police officers and enforcement officers can enter the premises that have been granted a permit to determine if the things being done are in accordance with that permit (and not primarily

because they suspect a crime is taking place or has taken place). Therefore, if an authorised person was to accompany a police officer or enforcement officer (under s.324, see below), they would not then be able to exercise any powers whilst on the premises such as the seizure of evidence.

**36.15.** Under s.318 of the Act a constable, enforcement officer or authorised person can only enter a dwelling under a warrant issued by a justice of the peace.

**36.16.** S.324 of the Act allows a constable, enforcement officer, or authorised person who is exercising a power under Part 15 of the Act, to take one or more persons with him. It should be noted that the Act would not permit an authorised person to exercise any powers on premises such as the seizure of evidence, unless they had entered under a power of entry under the Act that is applicable to their status as an authorised person. This section of the Act seeks to provide access to premises for those assisting a constable, enforcement officer or authorised person in carrying out duties, such as photographers, forensic examiners and note takers.

**36.17.** Further detail about powers of entry and inspection are set out in Appendix F.

# 4 Powers of entry in Scotland

**36.18.** In Scotland, the relevant licensing authority is called a licensing board. The powers of licensing boards are the same as to those of licensing authorities in England and Wales.

**36.19.** However, the wording of s.304(2) of the Act has created an anomaly in Scotland where the equivalent of a licensing officer is a licensing standards officer (LSO). Although s.304(2) of the Act was intended to provide licensing authorities with the opportunity to empower licensing authority staff already involved in licensing, it does not specifically apply to licensing standards officers in Scotland who are not directly employed as officers of the licensing authority but rather by the local authority. The licensing boards are separate, and LSOs are deliberately legally separated from the boards.

**36.20.** S.304(3) and (4) of the Act provide licensing authorities in Scotland with the opportunity to empower LSOs and council staff involved in other regulatory roles, such as trading standards officers and environmental health officers, to exercise the powers of authorised persons under the legislation. Indeed, council staff like environmental health officers are already authorised persons under the Act by virtue of the legislation they enforce.

**36.21.** The Commission encourages local authorities to deploy suitably trained authorised persons under the Act to ensure that gambling is regulated effectively, and that the public are afforded the protections set out in the three licensing objectives. The advice note The role of authorised persons in Scotland (opens in new tab) (this advice does not form part of the Guidance to licensing authorities) sets out the Commission's understanding of the powers of authorised persons in Scotland. The note also offers guidance to licensing authorities and others about how they might contribute to effective co-regulation of the gambling industry in Scotland.

# 5 Illegal gambling

**36.22.** The Commission views the prevention of illegal gambling as an enforcement priority. Combating illegal gambling is of significant benefit to the licensed community as the provision of illegal unregulated gambling impacts upon the reputation of the industry as a whole. The persistent and widespread existence of illegal gambling also reduces the incentive on operators to be correctly licensed. Those engaged in illegal gambling should expect to be subject to the criminal investigation and prosecution process.

**36.23.** The Commission will generally take the lead in prosecuting the offence of providing facilities for gambling where it is committed in the context of illegal gambling which appears organised and has a potentially national or regional impact, or where there are deliberate, reckless or significant breaches by a licensed operator.

**36.24.** In England and Wales, the expectation is that licensing authorities will take prosecutions against those providing or facilitating illegal gambling – in effect gambling without a licence or permit – where the criminality is contained in one premises. In Scotland, the expectation is that licensing authorities will work with the police to address this criminality.

**36.25.** Dealing with illegal poker, or illegal or illegally sited machines in a specific premises often lends itself to a multi-agency coordinated approach with licensing authority officers leading the operation and the police and sometimes HMRC (opens in new tab) providing support, advice and expertise. Licensing officers should contact the Commission in the first instance to agree if such a multi-agency approach would be appropriate.

**36.26.** As stated in paragraph 36.1, the annual premises licence fee is set to cover the costs of compliance and enforcement work undertaken by licensing authorities, including the cost of dealing with illegal gambling in a licensing authority's area.

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# 6 Test purchasing and age verification

**36.27.** Test purchasing is one method by which the Commission or licensing authorities may, in England and Wales, measure the compliance of licensed operators or groups of licensed operators, with aspects of the Act subject to Primary Authority (PA) arrangements, detailed in paragraph 36.36. Test purchasing in Scotland is the subject of an Enforcement Protocol with offences prosecuted by the Crown Office and Procurator Fiscal Service (opens in new tab).

**36.28.** Licensing authorities are familiar with the methodology in relation to the sale of age restricted products and are aware of the importance of following current guidance in this area, in order to ensure that tests are carried out in a manner that is risk-based and fair, with due regard to the welfare of young people involved in the test purchasing.

**36.29.** As noted above, in the first instance it is up to operators to ensure they are compliant with the Act and the associated regulations. The Commission's approach in relation to test purchasing in general and age verification in particular is set out in our Advice note on test purchasing in England and Wales (opens in new tab) (this advice note does not form part of the Guidance to licensing authorities).

**36.30.** The Commission encourages operators to manage the business risk associated with both underage access to premises and permitting a young person to gamble. Where an operator is required to commission a third party to test the effectiveness of their policies and procedures or put its own testing in place as required by the Licence conditions and codes of practice (LCCP) and where the results of the tests are shared with us, we are less inclined to conduct our own test purchasing.

**36.31.** Local authorities, whether acting as a licensing authority or through another function such as trading standards, should consult with operators in the first instance where they have concerns about the underage access and age verification policies or whose premises they plan to test purchase. This will enable them to identify what programmes are in place to manage the business risk and take these into account in planning a test purchase exercise.

**36.32.** Local authorities should also consult with the Commission before planning such exercises in order to ensure that there is no conflict between any ongoing investigation or enforcement activity related to either the premises or the operator that we have initiated and the test purchase operation. Local authorities in England and Wales are also subject to PA arrangements.

**36.33.** Local authorities undertaking their own test purchase operations are requested to share any test purchasing results with the Commission.

**36.34.** However, local authorities will have in place democratically determined priorities and resource allocations as well as the ability to respond to complaints and intelligence related to specific premises. As a result, irrespective of the actions of an operator on their overall estate, test purchasing may be deemed to be an appropriate course of action.

# 7 Primary Authority

**36.35.** The Primary Authority (PA) scheme, previously administered by the Better Regulation Delivery Office (opens in new tab) (BRDO), now the Office for Product Safety and Standards (opens in new tab), provides for a statutory partnership to be formed between a business and a single authority, for example, a local authority. That single authority, the PA, can provide a national inspection strategy within which other local regulators can operate (Primary Authority statutory guidance), to improve the effectiveness of visits by local regulators and enable better sharing of information between them. The PA scheme therefore aims to ensure that local regulation is consistent at the national level.

**36.36.** Since October 2013, the PA has been extended to include age-restricted sales of gambling in England and Wales (it currently does not apply in Scotland). It does not apply to any other aspect of the Act. This means local authorities in England and Wales must follow any age restricted sales of gambling national inspection plans and strategies that are published on the PA register when considering proactive age restricted sales (gambling) activity including testing. PA plans do not prohibit licensing authorities undertaking reactive test purchasing. PA does not apply to the police or the Commission.

**36.37.** The Commission fully supports the development of PA schemes between gambling operators and local authorities and has already worked closely with PAs in the development of their national inspection strategies for some larger non-remote licensed operators with whom they have entered into partnerships. The inspection plans are designed to be largely uniform and to bring consistency to proactive test purchasing in those betting shops.

**36.38.** The PA scheme, does not, of course, transfer responsibility for the regulation of age restricted sales of gambling to PAs. The PA inspection plans have the potential to help gambling businesses achieve high standards while also providing for more efficient and consistent regulation. These arrangements underpin the primary objectives of the Act in relation to protecting children from gambling-related harm and preventing them from accessing gambling facilities. The regulatory frameworks for gambling and for PA are therefore complementary.

# 8 Prosecutions

**36.39.** The Act gives licensing authorities in England and Wales, the police and the Commission the power to prosecute the offence of using premises for gambling without the requisite permissions. In exceptional circumstances, such as repeated deliberate breaches of premises licence conditions, licensed operators or permit holders may be prosecuted without any prior regulatory action, such as warnings, suspension or revocation of licence or removal of permit. Most prosecutions will be against those illegally providing gambling without a licence or permit.

**36.40.** In Scotland, licensing authorities are not able to institute criminal proceedings themselves, but are to refer cases where there has been a breach of the Act to the police for further consideration by the Crown Office and Procurator Fiscal Service (opens in new tab).

**36.41.** Normally the Commission or the licensing authority would decide when to involve the police, rather than the police initiating any action. The Commission considers that examples of scenarios where the

police should be involved include:

- when non-gambling offences are discovered, for example large-scale theft or other serious crime which extends beyond the reach of licence conditions
- assistance with Commission investigations, for example enquiries into other criminal activity.

**36.42.** There is a distinction between those who conduct gambling operations under a licence or permit but breach the conditions of that, and those who seek to profit from providing facilities for gambling without a licence or permit. While both situations result in unlawful gambling, the latter situation is generally considered by the Commission to be more serious.

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# 9 Other powers

**36.43. Licensing authorities may want to consider whether their officers have powers under other relevant legislation, such as the Licensing Act 2003 (opens in new tab) or Local Government Act 1972 (opens in new tab). For example, s.87, s.88 and s.89 of the Licensing Act 2003 give licensing authorities the ability to review club premises certificates, including suspending and withdrawing certificates, and s.90 allows licensing authorities to withdraw certificates where it appears to the licensing authority that the club does not satisfy the conditions for being a qualifying club.**

**36.44.** There are various local authority and police powers to manage issues such as street drinking and anti-social behaviour, and licensing authorities should look to these powers in the first instance as being more appropriate remedies than the Act.

**36.45.** Whilst of limited use due to the absence of a central database and the ability to share information with other authorities, licensing authorities may wish to consider the use of police cautions as a deterrent.

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# 10 Case law, templates and case studies

**36.46.** Supplementary enforcement and compliance materials are available on the Commission's website including case law, sample conditions, letter templates and examples of circumstances in which Local Authorities have made effective use of their powers under the Act in the Local Authority Toolkit.

# Appendix A: Summary of machine provisions by premises

This section of the GLA has been affected by legislative changes that came into effect on 22 July 2025 concerning the entitlements for casino premises licences as set out in The Casinos (Gaming Machines and Mandatory Conditions) Regulations 2025) (opens in new tab). More information can be found in the Non-Remote Casino Sector - legislative changes guidance. The affected sections of the GLA will be reviewed and amended in due course.

| | Machine category | | | | | | |
|---|---|---|---|---|---|---|---|
| **Premises type** | **A** | **B1** | **B2** | **B3** | **B4** | **C** | **D** |
| Large casino (machine/table ratio of 5-1 up to maximum) | | Maximum of 150 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio) | Maximum of 150 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio) | Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio) | Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio) | Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio) | Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio) |
| Small casino (machine/table ratio of 2-1 up to maximum) | | Maximum of 80 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio) | Maximum of 80 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio) | Maximum of 80 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio) | Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio) | Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio) | Any combination of machines in categories B to D (except B3A machines), within the total limit of 80 (subject to machine/table ratio) |
| Pre-2005 Act casino (no machine/table ratio) | | Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead | Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead | Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead | Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead | Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead | Maximum of 20 machines categories B to D (except B3A machines), or any number of C or D machines instead |

| Premises type | Machine category | | | | | | |
|---|---|---|---|---|---|---|---|
| | A | B1 | B2 | B3 | B4 | C | D |
| Betting premises and tracks occupied by pool betting | | | Maximum of 4 machines categories B2 to D (except B3A machines) | Maximum of 4 machines categories B2 to D (except B3A machines) | Maximum of 4 machines categories B2 to D (except B3A machines) | Maximum of 4 machines categories B2 to D (except B3A machines) | Maximum of 4 machines categories B2 to D (except B3A machines) |
| Bingo premises[1] | | | | Maximum of 20 percent of the total number of gaming machines which are available for use on the premises categories B3 or B4 | Maximum of 20 percent of the total number of gaming machines which are available for use on the premises categories B3 or B4 | Maximum of 20 percent of the total number of gaming machines which are available for use on the premises categories B3 or B4 | No limit on category C or D machines |
| Adult gaming centre[2] | | | | Maximum of 20 percent of the total number of gaming machines which are available for use on the premises categories B3 or B4 | Maximum of 20 percent of the total number of gaming machines which are available for use on the premises categories B3 or B4 | Maximum of 20 percent of the total number of gaming machines which are available for use on the premises categories B3 or B4 | No limit on category C or D machines |
| Licensed family entertainment centre[3] | | | | | | | No limit on category C or D machines |
| Family entertainment centre (with permit)[3] | | | | | | | No limit on category D machines |
| Clubs or miners' welfare institute (with permits)[4] | | | | Maximum of 3 machines in categories B3A or B4 to D | Maximum of 3 machines in categories B3A or B4 to D | Maximum of 3 machines in categories B3A or B4 to D | Maximum of 3 machines in categories B3A or B4 to D |
| Qualifying alcohol-licensed premises | | | | | | 1 or 2 machines of category C or D automatic upon notification | 1 or 2 machines of category C or D automatic upon notification |

| Premises type | Machine category | | | | | | |
|---|---|---|---|---|---|---|---|
| | A | B1 | B2 | B3 | B4 | C | D |
| Qualifying alcohol-licensed premises (with licensed premises gaming machine permit) | | | | | | Number of category C-D machines as specified on permit | Number of category C-D machines as specified on permit |
| Travelling fair | | | | | | | No limit on category D machines |

[1] Bingo premises licence are entitled to make available for use a number of category B gaming machines not exceeding 20 percent of the total number of gaming machines on the premises. Where a premises licence was granted before 13 July 2011, they are entitled to make available eight (The Gambling Act 2005 (Gaming Machines in Bingo Premises) Order 2009 (opens in new tab)) category B gaming machines, or 20 percent of the total number of gaming machines, whichever is the greater. Category B machines at bingo premises are restricted to sub-category B3 and B4 machines, but not B3A machines.

[2] Adult gaming centres are entitled to make available for use a number of category B gaming machines not exceeding 20 percent of the total number of gaming machines which are available for use on the premises and any number of category C or D machines. Where a premises licence was granted before 13 July 2011, they are entitled to make available four category B gaming machines, or 20 percent of the total number of gaming machines, whichever is the greater. Category B machines at adult gaming centres are restricted to sub-category B3 and B4 machines, but not B3A machines.

[3] Only premises that are wholly or mainly used for making gaming machines available may hold an unlicensed FEC gaming machine permit or an FEC premises licence. Category C machines may only be sited within licensed FECs and where an FEC permit is in force. They must be in a separate area to ensure the segregation and supervision of machines that may only be played by adults. There is no power for the licensing authority to set a limit on the number of machines under the FEC permit.

[4] Members' clubs and miners' welfare institutes with a club gaming permit or with a club machine permit, are entitled to site a total of three machines in categories B3A to D but only one B3A machine can be sited as part of this entitlement.

[5] Commercial clubs with club machine or gaming permits are entitled to a total of three machines in categories B4 to D.

# Appendix B: Summary of gaming machine categories and entitlements

| Category of machine | Maximum stake (from April 2019) | Maximum prize (from Jan 2014) |
|---|---|---|
| A | Unlimited – No category A gaming machines are currently permitted | Unlimited – No category A gaming machines are currently permitted |
| B1 | £5 | £10,000[‡] |
| B2 | £2 | £500 |
| B3A | £2 | £500 |
| B3 | £2 | £500 |
| B4 | £2 | £400 |
| C | £1 | £100 |
| D – non-money prize | 30p | £8 |
| D – non-money prize (crane grab machines only) | £1 | £50 |
| D – money prize | 10p | £5 |
| D – combined money and non-money prize | 10p | £8 (of which no more than £5 may be a money prize) |
| D – combined money and non-money prize (coin pusher or penny falls machines only) | 20p | £20 (of which no more than £10 may be a money prize) |

[†] With option of max £20,000 linked progressive jackpot on premises basis only

# Appendix C: Summary of gaming entitlements for clubs and alcohol-licensed premises

| | Members' club or MW institute with club gaming permit | Clubs established to provide facilities for gaming of a prescribed kind (currently bridge or whist clubs) | Members' club or commercial club with club machine permit | Members' club, commercial club or MW institute without a club gaming permit or club machine permit | Pubs and other alcohol-licensed premises |
|---|---|---|---|---|---|
| **Equal chance gaming** | Yes | Bridge and/or Whist only | Yes | Yes | Yes |
| **Limits on stakes** | No limit | No limit | **Poker**<br>£1000 / week<br>£250 / day<br>£10 /person per game<br><br>**Other gaming**<br>No limit | **Poker**<br>£1000 / week<br>£250 / day<br>£10 /person per game<br><br>**Other gaming**<br>No limit | **Poker**<br>£100 / premises per day<br><br>**Other gaming**<br>£5 / person per game<br><br>**Cribbage and dominoes**<br>No limit |
| **Limits on prizes** | No limit | No limit | **Poker**<br>£250 / game<br><br>**Other gaming**<br>No limit | **Poker**<br>£250 / game<br><br>**Other gaming**<br>No limit | **Poker**<br>£100 / game<br><br>**Other gaming**<br>No limit |
| **Max participation fees – per person per day** | **Bridge/whist**‡<br>£20<br><br>**Other gaming**<br>£3 | £18 (without club gaming permit)<br>£20 (with club gaming permit | **Bridge/whist**‡<br>£18<br><br>**Other gaming**<br>£3 (for a commercial club)<br>£1 (members' club) | **Bridge/whist**‡<br>£18<br><br>**Other gaming**<br>£1 | None permitted |
| **Bankers/unequal chance gaming** | Pontoon<br>Chemin de fer | None permitted | None permitted | None permitted | None permitted |
| **Limits on bingo**‡‡ | Maximum of £2,000 / week in stakes or prizes. | No bingo permitted | Maximum of £2,000 / week in stakes or prizes. | Maximum of £2,000 / week in stakes or prizes. | Maximum of £2,000 / week in stakes or prizes. |

† On a day when no other facilities for gaming are provided.

†† If more than the maximum, then an operating licence will be required.

# Appendix D: Summary of offences under the Gambling Act 2005

# General offences regarding the provision of gambling facilities

General offences regarding the provision of gambling facilities

| Offence | Under Gambling Act 2005 |
|---|---|
| Providing gambling facilities in Great Britain without a relevant licence, permit, notice, or exemption included under the Act | **S.33** |
| Using premises to provide gambling facilities from, or causing them to be provided, without a relevant licence, permit, notice or exemption under the Act. | **S.37** |

# Offence regarding cheating at gambling

Offence regarding cheating at gambling

| Offence | Under Gambling Act 2005 |
|---|---|
| Cheating, attempting to cheat, or assisting another person to cheat at gambling | **S.42** |

# Offences committed towards or by under-18s

Offences committed towards or by under-18s

| Offence | Under Gambling Act 2005 |
|---|---|
| Inviting, causing or permitting a child (under 16) or young person (16 – 17) to gamble, with the exception of:<br>• private / non-commercial gaming and betting<br>• participating in lotteries<br>• participating in football pools<br>• using a category D gaming machine<br>• participating in equal chance gaming at premises subject of a prize gaming permit or a Family Entertainment Centre (FEC) premises licence<br>• participating in prize gaming at a fair or an unlicensed FEC<br><br>This offence includes intentional distribution of advertising to under-18s where the intent is to encourage gambling. | **S.47**<br>**S.49** |

| Offence | Under Gambling Act 2005 |
|---|---|
| It is also an offence on the part of a young person to gamble with the exception of situations listed above. | |
| Inviting, causing or permitting a child (under 16) or young person (16 – 17) to gamble, with the exception of:<br><br>• private / non-commercial gaming and betting<br>• participating in lotteries<br>• participating in football pools<br>• using a category D gaming machine<br>• participating in equal chance gaming at premises subject of a prize gaming permit or a Family Entertainment Centre (FEC) premises licence<br>• participating in prize gaming at a fair or an unlicensed FEC<br><br>This offence includes intentional distribution of advertising to under-18s where the intent is to encourage gambling.<br><br>It is also an offence on the part of a young person to gamble with the exception of situations listed above. | **S.47**<br>**S.49** |
| Young person providing facilities for gambling, with the exception of:<br><br>• private / non-commercial gaming and betting<br>• a lottery<br>• football pools<br>• prize gaming at a travelling fair. | **S.50** |
| Employing a child or young person to provide gambling facilities, with the exception of providing the following facilities:<br><br>• private / non-commercial gaming and betting<br>• prize gaming at a travelling fair.<br><br>Employing a child to provide facilities in connection with:<br><br>• a lottery<br>• football pools. | **S.51**<br>**S.52** |
| Employing a child for any purposes when bingo is provided, or gambling provided in accordance with a club gaming permit or club machine permit. | **S.53** |
| Employing a child or young person to perform any function connected to a gaming machine.<br>It is also an offence on the part of a young person if they are employed in such a role | **S.54** |
| Employing a child or young person in a casino, an adult gaming centre, or at a betting premises, unless it is at a time when no activity is being carried on in reliance on the premises licence.<br>It is also an offence on the part of a young person if they are employed in such a role. | **S.55** |
| Inviting, causing or permitting a child to take part in football pools or a lottery with the exception of:<br><br>• an incidental lottery<br>• a private lottery<br>• part of the National Lottery. | **Sections 56 and 57** |
| Failure to comply with an operating licence condition to return stake to a child or young person. | **S.58** |

# Offences connected to operating licenses

Offences connected to operating licenses

| Offence | Under Gambling Act 2005 |
|---|---|
| Failure to comply with an operating licence condition to return stake to a child or young person | **S.58** |
| Failing without reasonable excuse to notify the Commission of change in circumstances | **S.101** |
| Licensee failing without reasonable excuse to produce their operating licence when requested by a police officer or enforcement officer | **S.108** |
| Licensee failing to notify the Commission without reasonable excuse and as soon as reasonably practicable about conviction of an offence | **S.109** |
| Licensee failing to notify the court upon conviction of a relevant offence that they are an operating licence holder | **S.109** |
| Licensee failing without reasonable excuse to produce records for the Commission relating to operating licensed activities or information about licensed activities | **S.122** |
| Operating licence holder fails without reasonable excuse to produce the authorisation they have given to someone to accept bets on their behalf, when asked to do so by a police officer or enforcement officer.<br>This offence can also apply to the person that has been authorised to accept bets. | **S.316** |

# Offences connected to personal licences

Offences connected to personal licences

| Offence | Under Gambling Act 2005 |
|---|---|
| Failure without reasonable excuse to produce a personal licence to a police officer or enforcement officer | **S.134** |
| Licensee failing to notify the Commission as soon as reasonably practicable about a conviction of offence | **S.138** |
| Licensee failing to act within the terms and conditions of their licence | **S.139** |

# General offences connected to all premises licences

General offences connected to all premises licences

| Offence | Under Gambling Act 2005 |
|---|---|
| Licensee failing without reasonable excuse to keep premises licence on premises and make available for inspection to a police officer, enforcement officer or authorised person | **S.185** |
| Licensee failing to notify without reasonable excuse the licensing authority about change of residential address or other details on the licence | **S.186** |

# Offences connected to temporary use notices

Offences connected to temporary use notices

| Offence | Under Gambling Act 2005 |
|---|---|
| Failure of premises licence holder to without reasonable excuse prominently display or make available their temporary use notice to a police officer, customs and excise officer, enforcement officer or licensing authority officer | **S.229** |

# Offences connected to lotteries

Offences connected to lotteries

| Offence | Under Gambling Act 2005 |
|---|---|
| Making a gaming machine available for use without a relevant licence or permit, or in contravention of regulations made under s.240 of the Act (SI No 2007/2319) | **S.242** |
| Manufacturing, supplying, installing, adapting, maintaining, or repairing a gaming machine without a suitable operating licence, unless:<br>• the gaming machine is scrap with no commercial value<br>• the gaming machine is incidental to the sale/letting of previously licensed property. | **S.243** |
| Supplying, installing, adapting, maintaining or repairing a gaming machine (or part of) without complying with regulations made under s.241 of the Act (SI: No. 2007/2320), unless<br>• the gaming machine is scrap with no commercial value<br>• the gaming machine is incidental to the sale/letting of previously licensed property. | **S.243** |
| Supplying, installing or making available for use a gaming machine allowing payment by credit card | **S.245** |

# Offences connected to lotteries

The offences listed here do not apply to lotteries or products forming part of the National Lottery, which are dealt with under the National Lottery etc. Act 1998 (opens in new tab) rather than the Gambling Act 2005 (opens in new tab). Police enquiries regarding offences connected to the National Lottery should be directed to the Commission.

Offences connected to lotteries

| Offence | Under Gambling Act 2005 |
|---|---|
| Promoting a non-exempt lottery without a suitable operating licence or on behalf of someone with a suitable operating licence | **S.258** |
| Facilitating a non-exempt lottery without holding a suitable operating licence (where facilitating includes functions such as advertising and printing tickets and promotional materials) | **S.259** |
| Misusing profits from a lottery, that is, using them or causing them to be used for purposes other than the advertised purpose of the lottery | **S.260** |
| Misusing profits from an incidental lottery, a private society lottery, a work lottery, a residents' lottery or a small society lottery | **S.261** |
| A non-commercial society promoting a lottery without being registered with a licensing authority, or failing to provide the licensing authority with returns (or providing false | **S.261** |

| Offence | Under Gambling Act 2005 |
|---|---|
| returns) following a small society lottery | |

# Offence connected to bingo played in clubs and institutes

Offence connected to bingo played in clubs and institutes

| Offence | Under Gambling Act 2005 |
|---|---|
| Failing without reasonable excuse to inform the Commission of periods of high turnover bingo if the club or institute does not hold an operating licence (high turnover bingo being where the stakes or prizes of all games of bingo played in a seven day period exceed £2,000) | **S.275** |

# Offence connected to use of proceeds from gaming at non-commercial events

Offence connected to use of proceeds from gaming at non-commercial events

| Offence | Under Gambling Act 2005 |
|---|---|
| Using the profits (or permitting them to be used) from non-commercial prize gaming or equal chance gaming for a purpose other than that specified as the fund-raising purpose of the gaming | **S.301** |

# Offence connected to casino premises licences

Offence connected to casino premises licences

| Offence | Under Gambling Act 2005 |
|---|---|
| Failure on the part of the casino premises licence holder to produce upon demand (by a police officer or enforcement officer) the authorisation they have given to someone to provide bingo or betting facilities at the casino in question.<br>This offence can also be committed by the individual or organisation authorised by the casino premises licence holder if they fail to produce the authorisation | **S.316** |

# Offence of obstructing or failing to co-operate during an inspection

Offence of obstructing or failing to co-operate during an inspection

| Offence | Under Gambling Act 2005 |
|---|---|
| Obstructing or failing to cooperate without reasonable excuse with a police officer, enforcement officer or authorised person carrying out inspection activity under Part 15 of the Act | **S.326** |

# Offence of providing false or misleading information

Offence of providing false or misleading information

| Offence | Under Gambling Act 2005 |
|---|---|
| Providing false or misleading information to the Commission or a licensing authority regarding any provision of the Act | **S.342** |

# Offences connected to advertising of gambling facilities

Offences connected to advertising of gambling facilities

| Offence | Under Gambling Act 2005 |
|---|---|
| Contravention of any regulations relating to gambling advertising. (Please note, the Secretary of State for Culture, Media and Sport has chosen not to exercise their reserve powers to make such secondary legislation at this time) | **S.328** |
| Knowingly advertising unlawful gambling without reasonable belief otherwise | **S.330** |
| Advertising foreign gambling facilities other than lotteries (in accordance with regulations SI: 2007/2329) | **S.331** |

# Offence of failing to comply with a forfeiture order

Offence of failing to comply with a forfeiture order

| Offence | Under Gambling Act 2005 |
|---|---|
| Failure to comply with a court's forfeiture order to surrender named materials to a police officer, or co-operate with steps to comply with the order | **S.345** |

# Offence connected to unlicensed family entertainment centres

Offence connected to unlicensed family entertainment centres

| Offence | Under Gambling Act 2005 |
|---|---|
| Occupier of premises failing without reasonable excuse to produce their family entertainment centre gaming machine permit for a police officer, enforcement officer or authorised officer | Schedule 10(20) |

# Offences connected to club gaming and club machine permits

Offences connected to club gaming and club machine permits

| Offence | Under Gambling Act 2005 |
|---|---|
| Failing without reasonable excuse to produce a club gaming permit or club machine permit for a police officer or enforcement officer | Schedule 12(13) |
| Failure without reasonable excuse to have club gaming or club machine permits varied by the licensing authority as soon as practicable upon a change of circumstances | Schedule 12(15) |

# Offence connected to alcohol licensed premises gaming machine permits

Offence connected to alcohol licensed premises gaming machine permits

| Offence | Under Gambling Act 2005 |
|---|---|
| Failure without reasonable excuse to produce a licensed premises gaming machine permit upon the request of a police officer, enforcement officer or authorised person | Schedule 13(10) |

# Offence connected to prize gaming permits

Offence connected to prize gaming permits

| Offence | Under Gambling Act 2005 |
|---|---|
| Failure without reasonable excuse to produce a prize gaming permit upon the request of a police officer, enforcement officer or authorised person | Schedule 14(20) |

# Offence connected to gambling software

Offence connected to gambling software

| Offence | Under Gambling Act 2005 |
|---|---|
| Manufacturing, supplying, installing or adapting gambling software without holding a relevant operating licence | S.41 |

# Offence connected to chain-gift schemes

Offence connected to chain-gift schemes

| Offence | Under Gambling Act 2005 |
|---|---|
| Inviting another person to join chain-gift schemes or participating in the promotion of chain-gift schemes | S.43 |

# Appendix E: Summary of statutory application forms and notices

Licensing authority forms are available on the website.

# List of prescribed forms

## Application

- Application for a premises licence under the Gambling Act 2005 (standard form)
- Application for a premises licence under the Gambling Act 2005 (vessel)
- Notice of application for a premises licence under the Gambling Act 2005 (to be published)
- Notice of application for a premises licence (Form A) (for responsible authorities)
- Notice of application for a premises licence (Form B) (for responsible authorities)
- Summary of the Terms and Conditions of a premises licence
- Premises licence
- Notice of a grant of an application for a premises licence
- Annex A – form to accompany notice of grant (conditions to be attached)
- Annex B – form to accompany notice of grant (conditions to be excluded)
- Annex C – form to accompany notice of grant (representations)
- Notice of rejection of an application for a premises licence.

## Variation

- Application to vary a premises licence under the Gambling Act 2005
- Notice of Application to vary a premises licence under the Gambling Act 2005 (to be published)
- Notice of Application to vary a premises licence (Form A) (for responsible authorities)
- Notice of Application to vary a premises licence (Form B) (for responsible authorities)
- Notice of grant of an application to vary a premises licence
- Annex A – form to accompany notice of grant (conditions to be attached)
- Annex B – form to accompany notice of grant (conditions to be excluded)
- Annex C – form to accompany notice of grant (representations)
- Notice of rejection of an application to vary a premises licence.

## Review

- Application for a review of a premises licence under the Gambling Act 2005
- Notice of application for a review of a premises licence under the Gambling Act 2005
- Notice of application for a review of a premises licence (to the premises licence holder and responsible authorities)
- Notice of intention to hold a review of a premises licence under the Gambling Act 2005
- Notice of intention to hold a review of a premises licence (to the premises licence holder)
- Notice of the decision on a review of a premises licence.

# Provisional

- Application for a provisional statement under the Gambling Act 2005 (standard form)
- Notice of application for a provisional statement under the Gambling Act 2005
- Application for a provisional statement under the Gambling Act 2005 (vessel)
- Notice of application for a provisional statement (Form A) (for responsible authorities)
- Notice of application for a provisional statement (Form B) (for responsible authorities)
- Provisional statement
- Notice of grant of an application for a provisional statement
- Annex A – form to accompany notice of grant (conditions to be attached)
- Annex B – form to accompany notice of grant (conditions to be excluded)
- Annex C – form to accompany notice of grant (representations)
- Notice of rejection of an application for a provisional statement.

# Transfer

- Application to transfer a premises licence under the Gambling Act 2005
- Notice of application to transfer a premises licence (Form A) (for responsible authorities)
- Notice of application to transfer a premises licence (Form B) (for responsible authorities)
- Summary of terms and conditions of a premise licence
- Premises Licence
- Notice of grant of an application to transfer a premises licence
- Annex A – form to accompany notice of grant (conditions to be attached)
- Annex B – form to accompany notice of grant (conditions to be excluded)
- Annex C – form to accompany notice of grant (representations)
- Notice of rejection of an application to transfer a premises licence.

# Reinstatement

- Application for the reinstatement of a premises licence under the Gambling Act 2005
- Notice of application of the reinstatement of a premises licence (Form A)
- Notice of application of the reinstatement of a premises licence (Form B)
- Summary of terms and conditions of a premise licence
- Premises Licence
- Notice of grant of an application for the reinstatement of a premises licence
- Annex A – form to accompany notice of grant (conditions to be attached)
- Annex B – form to accompany notice of grant (conditions to be excluded)
- Annex C – form to accompany notice of grant (representations)
- Notice of the rejection of an application for the reinstatement of a premises licence.

# Temporary Use Notices

- Gambling Act 2005 – Temporary Use Notice (for premises other than vessels)
- Gambling Act 2005 – Temporary Use Notice (vessel)
- Counter Notice (given in response to a temporary use notice).

# Permits /lottery

- Application Form for Club Gaming Permit or Club Machine Permit
- Registration of Small Society Lotteries (Application form for registration of non-commercial society)
- Club Gaming Permit
- Club Machine Permit
- Prize Gaming Permit

- Family Entertainment Centre Gaming Machine Permit
- Licensed Premises Gaming Machine Permit.

# Appendix F: Inspection powers

- PO – Police Officer
- EO – Enforcement Officer
- AP – Authorised Person
- LAAP – Licensing Authority Authorised Person

| Section of Act | Classes of person | Premises to which the inspection power applies | Purpose for which inspection power is available |
|---|---|---|---|
| S.307 Inspection of gambling | PO, EO, AP | Reasonable suspicion of provision at premises of gambling other than private and non-commercial gaming or betting | 1. Whether gambling facilities are/have been provided<br>2. Whether there is an operating licence or premises licence<br>3. Whether there is compliance with licence conditions |
| S.308 Operating licence holders | PO, EO | Reasonable belief premises used by operating licensed holder for purpose connected with licensed activities | Whether there is compliance with licence conditions |
| S.309 Family Entertainment Centres | PO, EO, LAAP | Premises for which an application for a family entertainment centre gaming machine permit has been made | 1. A purpose connected with consideration of the application<br>2. For determining whether gaming machines comply with the Act and the Regulations |
| S.310(1) Premises licensed for alcohol | EO, LAAP | Premises licensed for the supply of alcohol | A purpose connected with consideration of the application |
| S.310(2) Premises licensed for alcohol | PO, EO, LAAP | Premises licensed for alcohol for consumption on the premises | 1. whether gaming satisfies conditions under S179 for exempt gaming<br>2. whether there is compliance with any operating licence conditions where bingo is played<br>3. whether high turnover bingo is played under s181<br>4. the number and category of gaming machines available for use |
| S.311 Prize gaming permits | PO, EO, LAAP | Premises for which an application for a prize gaming permit has been made | 1. A purpose connected with consideration of the application<br>2. For determining whether gaming machines comply with the Act and the Regulations |
| S.312(1)-(3) Clubs | PO, EO | Premises reasonably believed to be a members' club, commercial club or miners welfare institute | 1. whether gaming is or is about to take place |

| Section of Act | Classes of person | Premises to which the inspection power applies | Purpose for which inspection power is available<br>2. whether any gaming accords with a club gaming permit, club machine permit or exempt gaming provision under s169 |
|---|---|---|---|
| S.312(4) Clubs | LAAP | Premises for which an application for a club gaming permit or club machine permit has been made | A purpose connected with consideration of the application |
| S.313(1) Licensed premises | PO, EO, AP | Premises for which an application for a premises licence has been made | Assess likely effects of activities on licensing objectives |
| S.313(2) Licensed premises | PO, EO, AP | Premises for which a premises licence is in force | A purpose connected with a premises licence review under s201 |
| S.314 Registered society lotteries | EO, LAAP | Premises owned or used by a (non-commercial) society registered with a local authority for exempt lotteries | Enquiries in connected with a lottery promoted on behalf of the society |
| S.315(1) Temporary use notice | PO, EO, AP | Premises for which a temporary use notice has effect | Assess likely effectives of activities on licensing objectives |
| S.315(2) Temporary use notice | PO, EO, AP | Premises for which a temporary use notice has effect | Whether activities accord with the temporary use notice |

# Appendix G: Licensing authority delegations

# Summary of licensing authority delegations permitted under the Gambling Act, applicable to England and Wales only

| Matter to be dealt with | Full Council | Sub-committee of licensing committee | Officers |
|---|---|---|---|
| Final approval of the Licensing Authority statement of policy | **X** | | |
| Policy not to permit casinos | **X** | | |
| Fee setting (when appropriate) | | **X** (if delegated by full council) | |
| Application for premises licences | | **X** Where representations have been received and not withdrawn | **X** Where no representations received/representations have been withdrawn |
| Application for a variation to a licence | | **X** Where representations have been received and not withdrawn | **X** Where no representations received/representations have been withdrawn |
| Application for a transfer of a licence | | **X** Where representations have been received from the Commission or responsible authority | **X** Where no representations have been received from the Commission or responsible authority |
| Application for a provisional statement | | **X** | **X** |
| Review of a premises licence | | **X** | |
| Application for club gaming/club machine permits | | **X** Where objections have been made and not withdrawn | **X** Where no objections have been made and not withdrawn |
| Cancellation of club gaming/club machine permits | | **X** | |
| Applications for other permits | | | **X** |
| Cancellation of licensed premises gaming machine permits | | | **X** |

| Matter to be dealt with | Full Council | Sub-committee of licensing committee | Officers |
|---|---|---|---|
| Consideration of temporary use notice | | | **X** |
| Decision to give a counter notice to a temporary use notice | | **X** | |

**X** indicates the lowest level to which decisions can be delegated

# Appendix H: Poker games and prizes

# The overall winner wins the pot in each game and wins an overall prize based on points

If the tournament winner played three games in the whole tournament, and his winnings (from the pot) in each of these games were £100, £70 and £60 respectively, each game would fall under the £100 prize limit. This would leave £0 from the first game, £30 from the second game and £40 from the third game, which could be put towards the winner's overall tournament prize. In these circumstances, the tournament prize could be up to £70 (£0 + £30 + £40). Thus, where the pot in individual games is under £100, the tournament winner's overall prize must not exceed the aggregate of the shortfall in each of the games he plays.

# The overall winner is only awarded points in each game and wins an overall prize based on points

Let's still assume that the tournament winner plays three games in the whole tournament. If there is no individual prize in any of the three games, then the overall prize can be up to £300 (£100 for each game the winner has played). If, on the other hand, the winner played in only two games, then his overall prize may not exceed £200, and so on. Please note that the relevant number of games is the games in which the winning player participated, and not only the games that they won.

Organisers of such competitions will therefore need to work out the total value of any overall prize with reference to the number of games to be played by the overall winner and the total pot (if any) in each game.

While 'non-cash' poker for points leagues can provide harmless and legal entertainment, those promoting such leagues should be aware of the Commission's code of practice on equal chance gaming and take steps to prevent individual stakes limits being exceeded through side bets or illegal activity such as agreements to 'settle' games outside the gaming area. Where illegal activity is detected, licensing authorities should consider the removal of the alcohol licensed premises' exemption, which allows poker and other exempt gaming to be played.

# The overall winner is only awarded points in each game and wins an overall prize such as the opportunity to participate in a

# major poker tournament, casino vouchers, holidays etc

In these circumstances, tournament organisers must ensure that the statutory limits for poker in alcohol licensed premises and clubs are complied with. In particular, they must carefully consider the value of the prizes offered for games leading up to the tournament final (including money's worth or non-monetary prizes such as holidays, cars, casino vouchers, or buy-ins or seats at the final). In addition, organisers should take into account that where players are competing across premises for an overall prize, they are likely to be engaged in linked gaming, which is not permitted.

# Free or donated prizes are awarded to players in addition to the maximum prize pools for poker in clubs and alcohol licensed premises

The Act refers to money or money's worth in respect of prizes. This would include free or donated prizes which have an intrinsic value. Any prizes offered in addition to the prize pool must remain within the limits for prizes in games of poker in clubs and alcohol licensed premises. The prize limit is £250 per game in a club and £100 per game in a pub. Therefore, for example, if the prize pool available for a particular game is £80, then any non-monetary prizes must not have a value exceeding £20.

# Poker is offered in a members' club or miners' welfare institute with a club gaming permit

Members' clubs or miners' welfare institutes with club gaming permits may offer poker with unlimited stakes and prizes, but the only persons who may participate in such gaming are club members and their genuine guests. In this regard, the club must be able to demonstrate that it has a genuine and legitimate club membership scheme. Clubs must also ensure that the statutory limits on participation fees are not exceeded. The limit for bridge and whist is £20 and for other gaming is £3. In addition, there is a limit of a maximum of £2,000 per week in stakes and prizes for bingo in a members' club or welfare institute. If it is the intention of the club or institute to exceed these limits, it will be necessary for them to apply for an operating licence.

# What constitutes 'money's worth'?

Money's worth relates to the realistic value of the prize offered. It includes emoluments, vouchers, goods or other items which have a value. A prize such as a 'goody bag' would be considered money's worth and is, therefore, subject to the statutory limits for exempt gaming. Donated prizes would also be considered money's worth. This would include prizes such as the buy-ins at major poker tournaments or the opportunity to participate in poker tournaments at venues such as Monte Carlo, especially as this type of prize is likely to include the cost of the airfare and accommodation.

# Appendix I: Glossary of terms

| Term | Meaning |
|---|---|
| The Act | The Gambling Act 2005 (opens in new tab) |
| AGCs | Adult Gaming Centres |
| ATM | Automated telling machine |
| AWP | Amusement with prizes |
| CCTV | Closed Circuit Television |
| The Commission | The Gambling Commission |
| COSLA | Convention of Scottish Local Authorities |
| DCLG | Department for Levelling Up, Housing and Communities |
| DCMS | Department for Culture, Media and Sport (opens in new tab) |
| EBT | Electronic Bingo Terminal |
| ELM | External lottery manager |
| FCA | Financial Conduct Authority (opens in new tab) |
| FECs | Family Entertainment Centres |
| Guidance | Guidance to Licensing Authorities, issued by the Commission under S.25 of the Gambling Act 2005 (opens in new tab) |
| HRA 1998 | Human Rights Act 1998 (opens in new tab) |
| IOL | Institute of Licensing (opens in new tab) |
| LACE | Local Authority Compliance Events |
| LBO | Licensed betting office |
| LCCP | Licence Conditions and Codes of Practice |
| LGA | Local Government Association |
| LSO | Licensing Standards Officer |
| OC | Ordinary Code |
| OPSS | Office for Product Safety and Standards (opens in new tab) |
| OUN | Occasional use notices |
| Statement of policy | Licensing Authority's statement of licensing policy published under S.349 of the Gambling Act 2005 (opens in new tab) |
| PA | Primary Authority |
| SIA | Security Industry Authority |
| SOLAR | Society of Local Authority Lawyers and Administrators |
| SR code | Social Responsibility code |
| SSBT | Self-service betting terminal |
| SSL | Small society lotteries |
| SWP machines | Skill with prizes machines |
| TUN | Temporary use notices |
| uFECs | Unlicensed Family Entertainment Centres |
| VBT | Video bingo terminals |
| WLGA | Welsh Local Government Association (opens in new tab) |

**APPLICANT'S RESPONSE TO THE REPRESENTATIONS**

Golden Slots (Southern) Limited is a small business owned and managed by Harpreet Chattha. He started working for the previous owner at the beginning of 2019 and purchased the Company in 2022. The Company which has been trading since 2014 is licensed by the Gambling Commission to offer gambling facilities, including low stake gaming machines in Adult Gaming Centre (AGC). It has licensed Premises in Bletchley, Harringay, Cricklewood and Northampton. The Company conducts a legitimate business, contributing to the local and national economy, it employs local people, pays business rates, and pays taxes in many forms.

The following gaming machines can be made available in AGCs:-

- Category B3 maximum stake £2 maximum prize £500
- Category C – maximum stake £1, maximum prize £100
- Category D – maximum stake 10p maximum prize £5

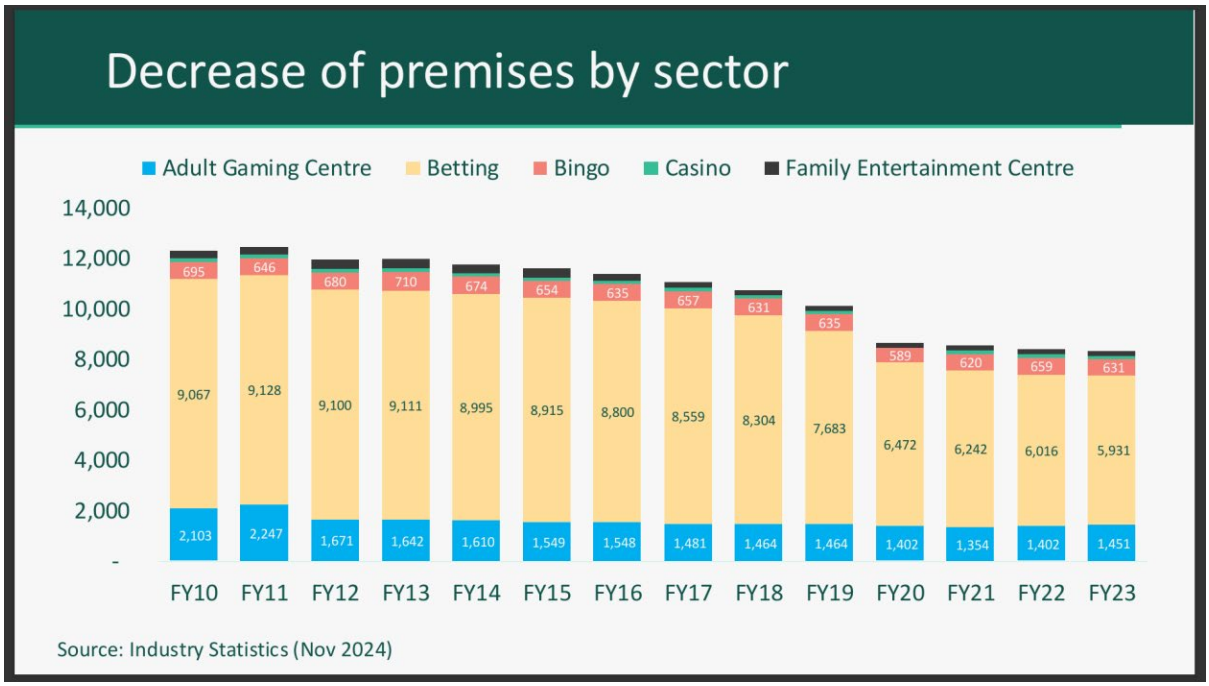
Within the AGC an operator can offer unlimited category C and D machines but only 20% of the gaming machines can be category B3. These machines are random number generators; the generated values are unpredictable and cannot be reasonably predicted better than by random chance. There are legal limits on the minimum amount that must be returned to player (RTP) which are programmed into the machines. The RTP is set at between 84-86% for a 10p stake and 94-96% for £2 stakes with variations on stakes in between.

**Industry Background**

Prior to the introduction of the Gambling Act 2005 (The Act), businesses like the Applicant simply needed a section 34e Permit issued by the licensing authority under the Gaming Act 1968; it cost £250 and was valid for 3 years. There was little in the way of regulation and no talk of socially responsible gambling. The Act introduced a regulated regime requiring most businesses offering gambling facilities to hold an Operating Licence. The application process for an Operating Licence is costly; application fees start at around £1400 with annual fees in excess of £1500. In the land-based sector there is also the requirement for a Premises Licence as well. The application fees for an AGC Premises Licence can be as much as £2000 with annual fees of £1000.

Contrary to recent media speculation, the Gambling Commission's July 2025 Industry data shows a decline in premises licensed under the Act. In 2011 there was a combined total of 12,307 licensed premises, by March 2024 that number had dropped

across all sectors to a total of 8,329, with the largest declines seen in Betting and AGCs premises (fig 1).




The Commission's latest industry data shows that total Gross Gambling Yield (the gross profit) for the land-based gambling sectors in 2023/24 (£4647.69m) was £235million less than it was in 2008/9 (£4882.87m). Yet over that 15-year period the average annual rate of inflation was 2.9%, with the population growing by circa 10%. The gross gambling yields across the land-based sector fell sharply during the pandemic, and whilst it is recovering it is still below pre pandemic levels, with betting being the largest sector in terms of GGY.

Despite the decrease in premises, gambling creates local employment opportunities (circa 82,000 according to the latest DCMS publication) and provide economic benefits locally through business rates. For the vast majority who take part in visit gambling premises, gambling is their social interaction, their fun and enjoyment, and leisure time. Sometimes their 'only' leisure time and human interaction.

The Gambling Commission's latest data on participation rates (detailed below), sets out how and where people are gambling, highlighting the fact that lottery ticket purchases are by far the most popular gambling activity.

In May 2025 the Gambling Commission published its findings from the Gambling Survey for Great Britain, for the period September 2024 to January 2025, where a nationally representative sample of 5,191 adults aged 18 and over were surveyed.

- Overall participation in any gambling activity was 46%, down from 49% in the previous period.
- When those who only took part in a lottery draw are excluded from the overall gambling participation rate, gambling participation falls to 28 percent..
- The in-person gambling participation rate was 28% and this falls to 18% when lottery draw only players are removed
- The most popular in-person gambling activities were buying tickets for a National Lottery draw (15%); buying a scratchcard (12%) or buying tickets for another charity lottery draw.
- The online gambling participation rate was 37% falling to 17% when lottery draw only players were removed, highlighting the large proportion of online players that only gamble on lottery draws (whether online or in person).

The Commission's most recent official statistics about young people's exposure to and involvement in gambling, Young People and Gambling November 2024 collected data from pupils aged 11 – 17 years old and found:

- 27% of those surveyed had spent their own money on any gambling activity in the 12 months prior to completing the survey
- The most common types of gambling activity were legal and did not feature age restricted products, namely:
    - Penny pusher/claw grab arcade machines (20%)
    - Placing bet for money between friends or family (11%)
    - Playing cards for money with family or friends (5%)
- 6% of those who had gambled had spent their own money on regulated forms of age restricted gambling (up from 4% in 2023). This included placing a bet in person or online and playing casino games in person or online.

Since 2007 the Problem Gambling Severity Index (PGSI) has been used to estimate Great Britain's population prevalence of problem gambling. Data collected via the NHS Health Surveys showed rates were consistently in the range of 03.%-0.7% over that period.

The Gambling Survey for Great Britain (GSGB) first started collecting data in July 2023, and reported a rate of 2.5% - ten times higher than the figure reported in the NHS "Health Survey" for England in 2021. However there are serious concerns over the reliability of the GSGB number.

Professor Patrick Sturgis of the London School of Economics and Political Science was asked by the Gambling Commission to carry out an independent evaluation of the GSGB in 2024 ; he highlighted the risk that the GSGB substantially overstates rates of

harmful gambling. As a result the Commission published guidance stating that the GSGB should not be used to calculate an overall rate of gambling related harms in Great Britain nor to gross up the prevalence of problem gambling or the consequences of gambling to whole population.

In May 2025 the Office for Statistics Regulation's (OSR**)** undertook a compliance review to assesses the GSGB statistics against the Code of Practice for Statistics.

The OSR's 9 recommendations included that the Gambling Commission should:

- *clearly communicate to users within the statistical releases the potential biases that may affect the GSGB estimates, the possible impact of these, and Professor Sturgis' conclusion regarding the risk that the statistics potentially overestimate some gambling behaviour; and*
- *do more to investigate the coherence and comparability of GSGB statistics with other relevant data, such as from the Health Survey for England and the Adult Psychiatric Morbidity Survey that will be published later in 2025 and communicate these findings to users.*

In June 2025 the Adult Psychiatric Morbidity Survey (APMS) Survey of Mental Health & Wellbeing, England (2023/24) was published**.** Chapter 7 of the report, focuses on gambling behaviour, with some of the key findings being:

- Overall, 1.6% of adults experienced at least moderate risk gambling (PGSI score of 3+). **0.4% of adults experienced problem gambling** (as indicated by a PGSI score of 8+). ***This is significantly lower the GSGB's 2.5% and not dissimilar to the NHS Health Survey evidence.***
- Most adults experiencing moderate risk gambling had never used services or support specifically related to gambling. Whereas 25% of adults with a PGSI score of 3+ had used some form of gambling-specific treatment or service.

**Gambling Regulations**

When processing an application for an Operating Licence the Gambling Commission carries out lengthy and detailed due diligence to ensure that an applicant is suitable to hold an operating licence. It checks:

- The identity and ownership of the applicant
- The integrity of the applicant
- The competence of the applicant, to carry on the licensed activities in a manner consistent with the pursuit of the licensing objectives
- The financial and other circumstances of the applicant past and present
- The criminality of the applicant

This is then rechecked every time there is a change of ownership.

To support an application, a business must submit detailed policies and procedures that demonstrate how it will conduct its business so that it complies with the legislation and regulations governing the industry. A copy of my Clients latest Compliance policies were submitted with this application. The Commission also carries out compliance checks, including site visits to land-based Operators to ensure they are conducting their business in a manner consistent with the licensing objectives.

The Gambling Commission is also required under the Act to issue Licence Conditions and Codes of Practice (LCCPs) that all licensed Operators must comply with. A breach of the LCCPs can result in the Gambling Commission reviewing an Operator's Licence with potential sanctions including a fine, suspension or revocation of the Operating Licence. Furthermore, a breach of a Social Responsibility Code set out within the LCCPs can result in prosecution. A copy of the LCCPs applicable to the arcade sector is at Appendix 1 to this document and which may be referred to at the hearing.

**LCCPs - Section 3 Socially Responsible Codes applicable to the Protection of children and other vulnerable persons**

As the majority of the Representations raise concerns about the protection of children and other vulnerable persons Section 3 of the Codes of Practice that specifically deals with the protection of Children and other vulnerable persons is particularly relevant.

There is no definition of a vulnerable person, within the Act. The Commission's says that ..*for regulatory purposes we consider that the group of 'other vulnerable persons' will include:*

- *people who spend more money and/or time gambling than they want to*
- *people who gamble beyond their means*
- *people who may not be able to make informed or balanced decisions about gambling, for example because of health problems, learning disability, or substance misuse relating to alcohol or drugs.*

The Act clearly did not intend it to include everyone; if it did then the third licensing objective would simply state to protect everyone from being harmed or exploited by gambling.

When considering this application it is important to take into account the obligations set out in Socially Responsible Code provisions that apply to the Protection of children and other vulnerable persons. A summary is set out below.

**SR Code 3.2.3 dealing with underage gambling requires Operators to have procedures for:**

- checking the age of apparently underage customers
- removing anyone who appears to be underage and cannot produce an acceptable form of identification
- taking action when there are attempts by under-18s to enter the premises.

Operators must

- take account of the layout of their premises
- not deliberately provide facilities that appeal particularly to children or young people
- must refuse service where an adult is accompanied by a child or young person.
- train Staff on their responsibilities for preventing underage gambling.
- only accept valid photo ID which includes a date of birth
- must conduct age test purchasing and provide the results to the Gambling Commission, annually.

**SR Code 3.3.1** Operators to make information readily available to customers on how to gamble responsibly and how to access information about and help for problem gambling.

The information must cover:

- any measures to help individuals monitor or control their gambling, such as restricting the time spent gambling or the amount of money they can spend
- timers and 'reality checks'
- self-exclusion options
- information about the availability of further help or advice.

The information must be

- displayed prominently
- available in all areas where gambling facilities are provided and adjacent to ATMs
- available to take away
- and in locations which enable the customer to obtain it discreetly.

**SR Code 3.4.1** Operators must interact with customers to minimises the risk of customers experiencing harms associated with gambling. This must include:

- identifying customers who may be at risk of or experiencing harms associated with gambling.
- interacting with customers who may be at risk of or experiencing harms associated with gambling.
- understanding the impact of the interaction on the customer, and the effectiveness of the Operator's actions and approach.

Operators must take into account the Commission's guidance on customer interaction, this includes evaluating the success of previous customer interactions in order to determine whether an alternative interaction may be more successful as well as consideration of an Operator led exclusion.

**SR Code 3.5.1** Operators must have a self-exclusion scheme and refuse service to anyone who has self-excluded . Procedures must be in place to ensure that an individual who has self-excluded cannot gain access to gambling including:-

- a register of those excluded;
- photo identification and a signature;
- staff training to ensure that staff can effectively administer the systems; and
- the removal of any self-excluder found in or attempting to gamble from the premises.

**SR Code 3.5.6** Operators must offer anyone self-excluding the ability to self-exclude from other local premises by participating in one or more available multi-operator self-exclusion schemes.

**It will be noted that the Applicant's policies and procedures deal with all of these Social Responsibility Code provisions. The Applicant adheres to them; failure to do so would leave the company and its directors liable to prosecution**.

**Addressing the Licensing Authority Representations**

The Leader of Spelthorne Council was a signatory to a letter sent by Brent Council to the DCMS earlier this year demanding reform of the "Aim to Permit" set out in the Act . The DCMS has subsequently reiterated that Local Authorities have a range of powers available to them to manage gambling in their areas, both under the planning system and as licensing authorities under the Act. Those powers include setting out a local authority's expectations in their Statements of Licensing Policy and site inspections. Statements of licensing policy form the mandate for managing local gambling provisions, it should set out how a local authority views the local risk environment and its expectations in relation to operators with premises in the locality. The Commission's guidance to local authorities encourages the development of local area profiles as part of the licensing policy, mapping out key characteristics of the local area. Statements of policy must be prepared and published every 3 years as a minimum. Consideration was given to the Local Area Profile in Spelthorne's Statement of Policy when the current application was drafted. The Area Profile at Annex 1 makes no reference to concerns about deprivation or cumulative impact in either Ashford or Spelthorne.

Fees from premises licences and permits submitted under the Act are ring fenced and must be used by Local Authorities for compliance and enforcement work, required under the Act. This includes conducting site visits to gambling premises, to check that Operators are conducting business in compliance with regulations and ensure that measures are in place to protect customers. Further information can be found about this at Appendix F to the Gambling Commission's Guidance to Local Authorities https://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities/appendix-f-inspection-powers

It should be noted that Spelthorne Licensing Authority has not conducted any gambling premises inspections in the last 5 years; presumably because it does not have any concerns about the operation of gambling premises in its jurisdiction.

In relation to the application itself, no representations or requests for clarification were raised by the Licensing Authority after the application was submitted and no attempts were made to engage with the Applicant during the 28-day consultation period. The Applicant was only made aware that the Licensing Authority had made representation 2 weeks after the closing date when the Principal Licensing Officer mentioned it in passing during a telephone conversation with the Applicants' representative. A copy of those representation was not received by the Applicant until 15 September, nearly 3 weeks after the closing date and only then when specifically requested by the Applicants Representative.

The Applicants Local Area Risk Assessment (LARA) identified the schools in the locality. It is noted that children pass the premises on their way to and from school but they also do so at other times outside of school hours. Industry experience shows that young children are exceedingly unlikely to enter an Adult Gaming Centre unless accompanied by an adult, in which case they are both asked to leave. It is suggested that children of secondary school age maybe attempt to enter the Premises. That risk is identified in the LARA and in mitigation the entrance will be monitored by staff at all times. There will always be staff on the floor and anyone who appears to be under the age of 25 will be challenged for ID and asked to leave if they cannot prove that they are over the age of 18.

The Applicant does not want people under 18 in its premises; it is not in the Applicant's interest, for the following reasons

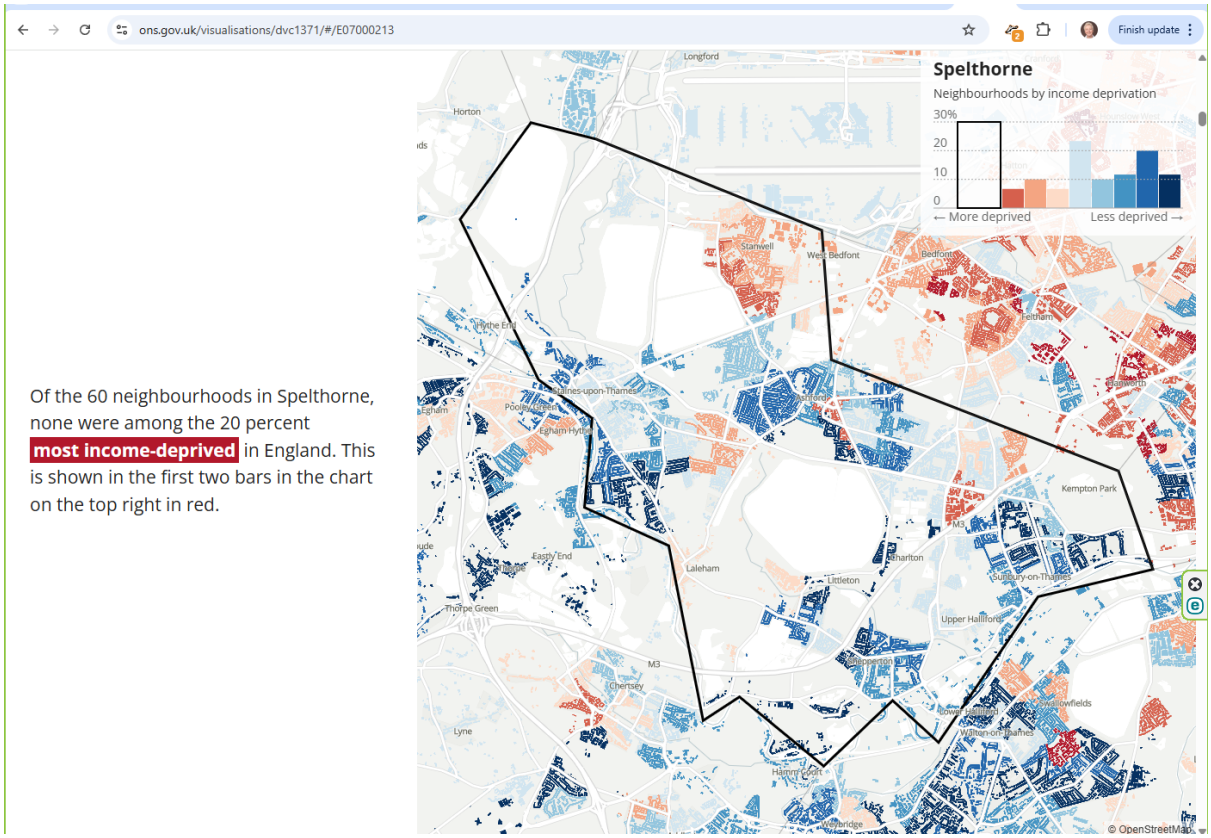
1. It is a criminal offence under the Act to permit any child to gamble without an exemption (s46)
2. It is a criminal offence under the Act to permit anyone under 18 to enter an AGC (s47(5))
3. It is a breach of Social Responsibility Code 3.2.3 which could result in my Client's Operating Licence being revoked and the directors liable to prosecution

The Applicant noted and included Studholme Medical Centre and Clarendon Family Centre as risks in its LARA. Noting the Licensing Authority's comments about Ashford Mental Health Clinic, enquiries have been made with the local health trust. It was confirmed that there is no mental health clinic at Ashford Health Centre which is a walk in treatment centre operated by nurses . If that changes the LARA will be updated to reflect the fact and further mitigation measures added.

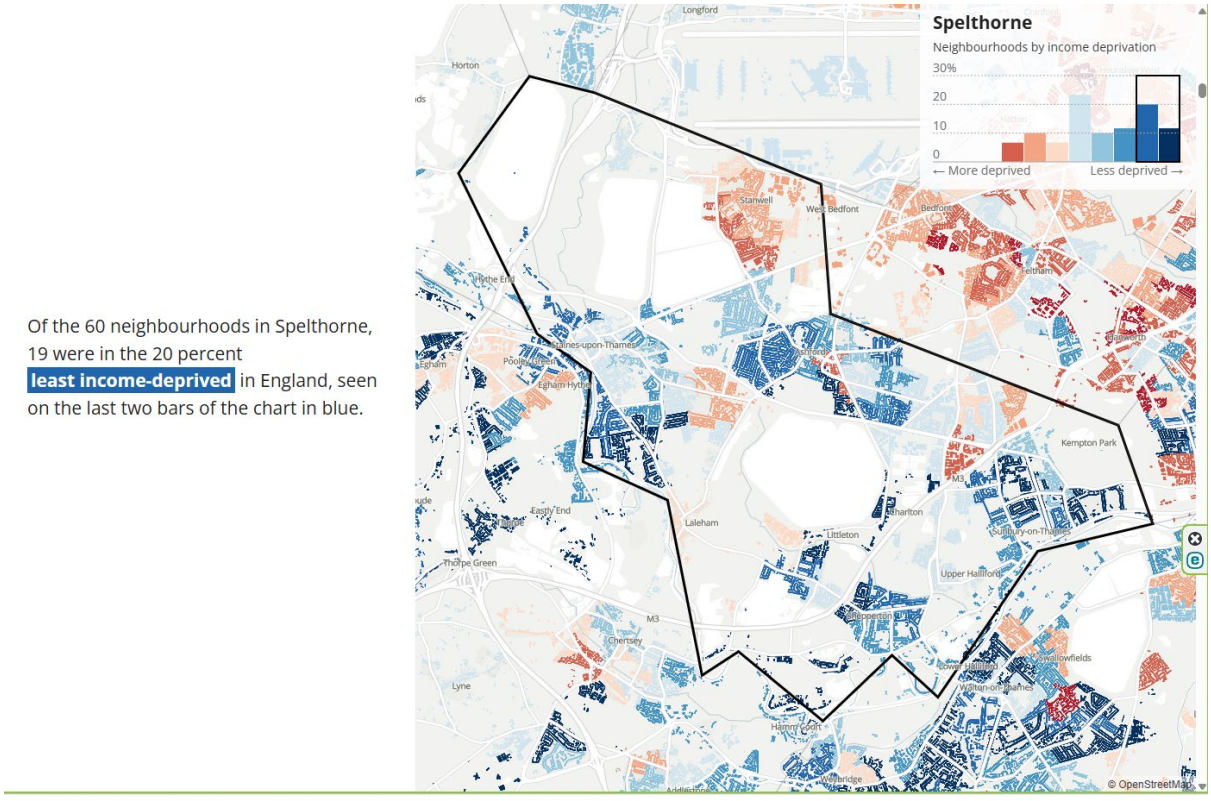
The Applicants policies and procedures are designed to ensure vulnerable people are protected. Fully trained staff will be on site who will routinely interact with customers and get to know regular visitors. They are trained to spot signs of vulnerability and to talk with customers to pick up on any indicators that may not physically manifest themselves, through conversations with those customers. Those showing signs of living rough, experiencing drugs or alcohol problems will immediately be asked to leave.

The Applicant's data on deprivation has been challenged; it comes directly from the ONS website https://www.ons.gov.uk/visualisations/dvc1371/#/E07000213 – screenshots below

Of the 60 neighbourhoods in Spelthorne, none were among the 20 percent **most income-deprived** in England. This is shown in the first two bars in the chart on the top right in red.




Of the 60 neighbourhoods in Spelthorne, 19 were in the 20 percent **least income-deprived** in England, seen on the last two bars of the chart in blue.




Whilst it is acknowledged that Spelthorne has areas of deprivation the evidence indicates that Ashford itself is in an area of least income deprivation. “Of the 60 neighbourhoods in Spelthorne none were among the 20 percent most income deprived

in England … 19 were in the 20 percent least income deprived, seen on the last two bars of the chart in blue”

Using Surrey’s own data referred to in the representations found at https://www.surreyi.gov.uk/census-2021/census-2021-household-deprivation/, it is possible to identify the data for Ashford Town showing the deprivation levels in 0 – 4 dimensions

Fig 1. No Deprivation Ashford - higher than the national average of 48.8%

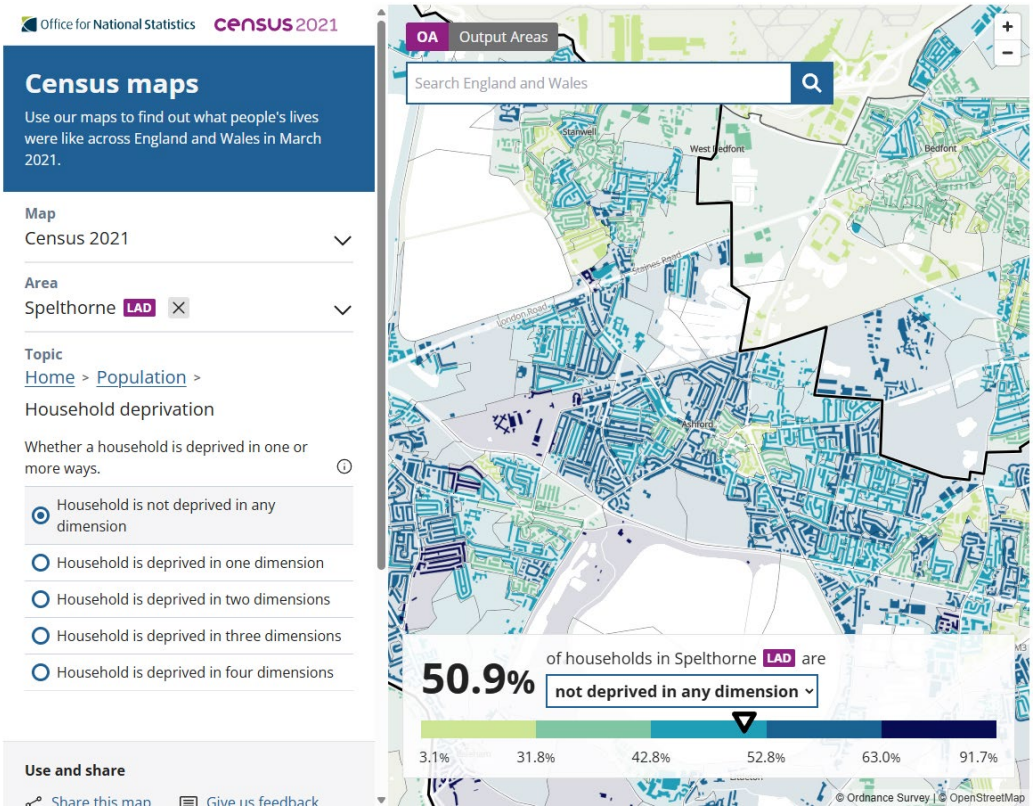


Fig 2 – Deprivation in 1 dimension – just lower that national average of 33.5%

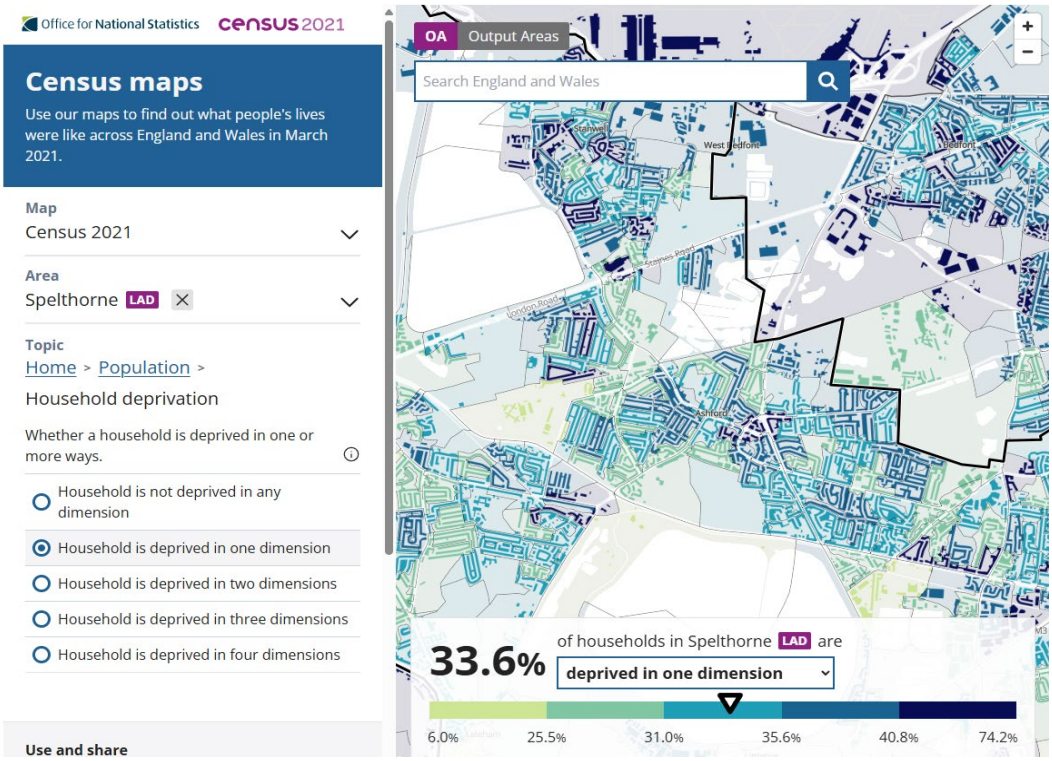



Fig 3 Deprivation in 2 dimensions - lower than national average of 14.2%

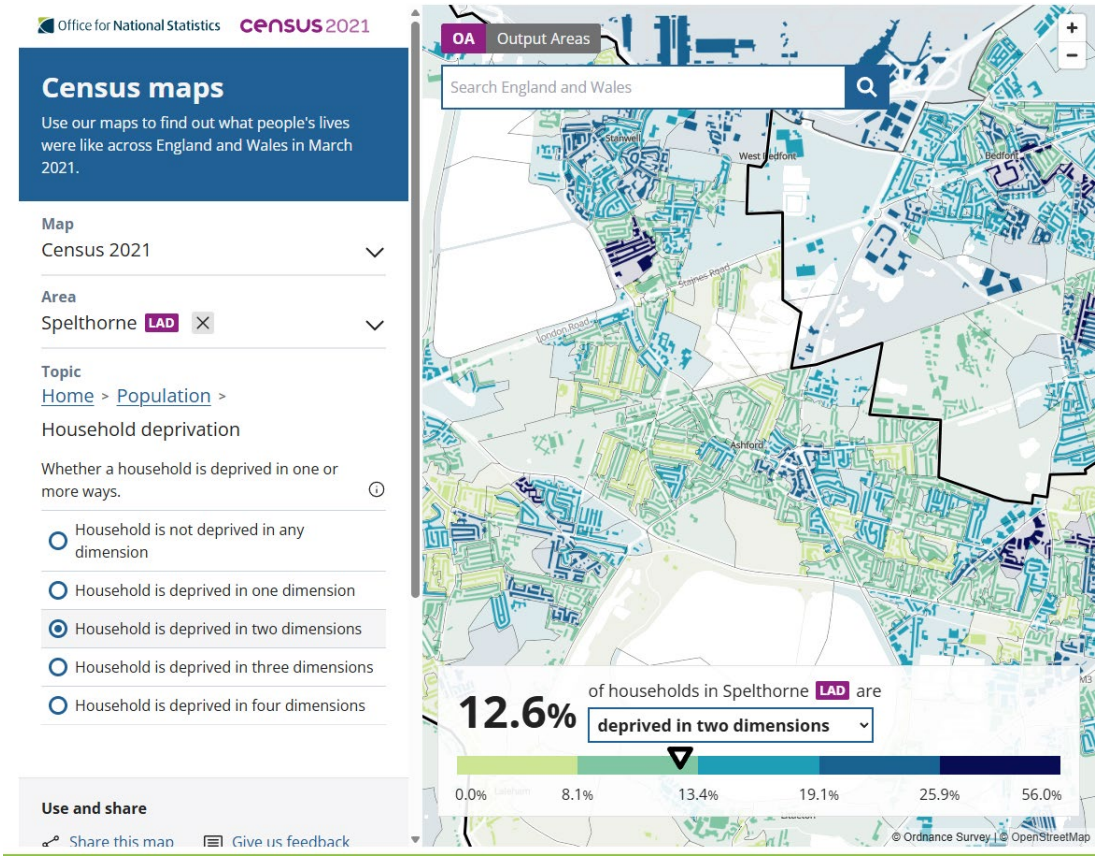


Fig 4 Deprivation in 3 dimension - below the national average of 3.7%

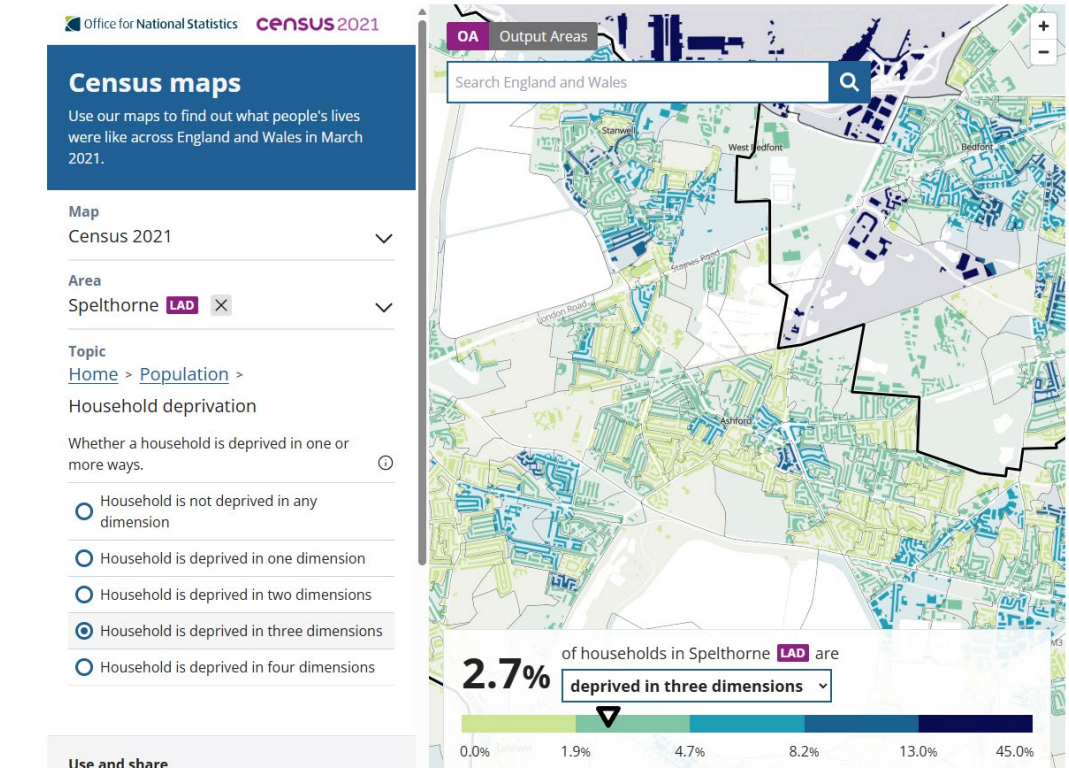
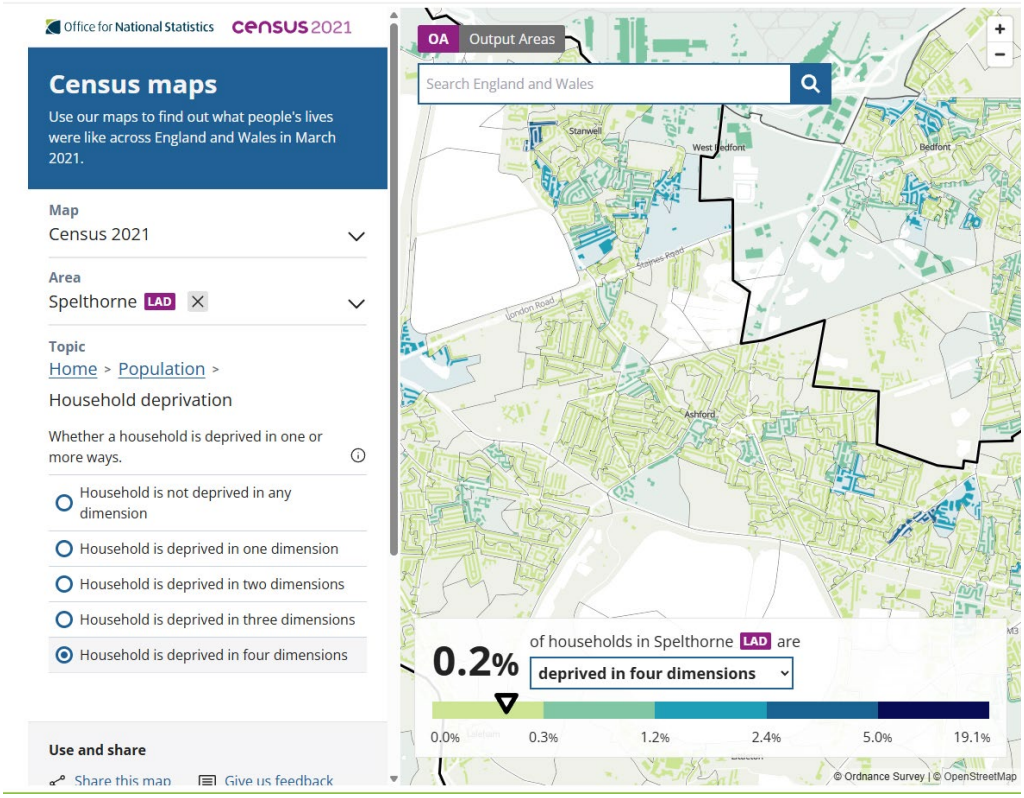



Fig 5 Deprivation in 4 dimensions – at the national average of 0.2%



There are questions raised in the licensing authority's representations, that could have been asked during the consultation periods, and which show a lack of understanding of the gambling regulations and the gambling industry. In response:

- On average the business would not expect to have more than 8 customers at a time and so the model is based on that. The Applicant does not intend to close the premises if numbers go up to 9 or even 10, from time to time, but if it is identified that there are more customers routinely visiting, then the Applicant will employ additional staff.
- The maglock will be operated at night so that the Applicant can restrict entry to customers who will be required to ring a bell for entry. There will still be at least 2 members of staff in the premises and if there are concerns about a particular person(s) wanting to enter they can refuse entry in the same way as pubs and clubs can do.
- The Applicant's LARA is intended to identify risks; it identified that there was a risk that someone under 18 might try to enter. Anyone unable to verify their age would be someone who is asked to provide proof of age and is unable to do so; they would be asked to leave immediately
- It is a legal requirement under s83 of that Act that where an Operator becomes aware that a child or young person is using or has used facilities for gambling, they must return any stake but may not give a prize to the child or young person. However that does not apply to the use of a Category D gaming machine.
- Age Test purchases are carried out, as required by SR Code 3.2.3, by an independent third party that Operators are required to engage; there are approved procedures for organisations engaged in test purchasing. The results are reported annually to the Gambling Commission and if the test is failed, a further test must be conducted. The Licensing Authority is also at liberty to conduct its own test purchases and the Gambling Commission sets out further information in Part 36 of its Guidance to Local Authorities https://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities/part-36-test-purchasing-and-age-verification
- It is accepted that the LARA did not include the risk of persons trying to enter under the influence of or carrying alcohol and drugs. Nevertheless, staff are trained to identify and refuse entry to anyone showing signs of being under the influence of drugs or alcohol. Staff are also trained not to the permit anyone to bring drink or drugs into the premises. The following is a Mandatory Condition on an Adult Gaming Centre Premises Licence
    - No alcohol shall be permitted to be consumed on the premises at any time during which facilities for gambling are being provided on the premises
    - A notice stating the condition in sub-paragraph (1) shall be displayed in a prominent place at every entrance to the premises.

The LARA has been updated to reflect this additional risk – updated copy as Appendix 2

The level of crime in any town or city is a matter for the police, using the resources that they have available. It is not a valid reason for refusing an application where an applicant can demonstrate that is has measures in place to ensure the operation of its business will not contribute to local criminal activity. There is no evidence to support the assertions that an Adult Gaming Centre will increase the risk of criminal activity including shoplifting. It is also noted that whilst addressing the publics concerns about potential crime the Planning Appeal Decision says at point 31.

> *I note the concerns regarding the perceived risk of crime and antisocial behaviour associated with the proposed development. However, there is no compelling evidence before me to directly show that AGCs contribute toward increased crime and disorder in the area. The Council also confirms that the local Police Crime Officer did not raise any specific concerns while noting that any crime and / or antisocial behaviour issues would be a matter for the licensing regime.*

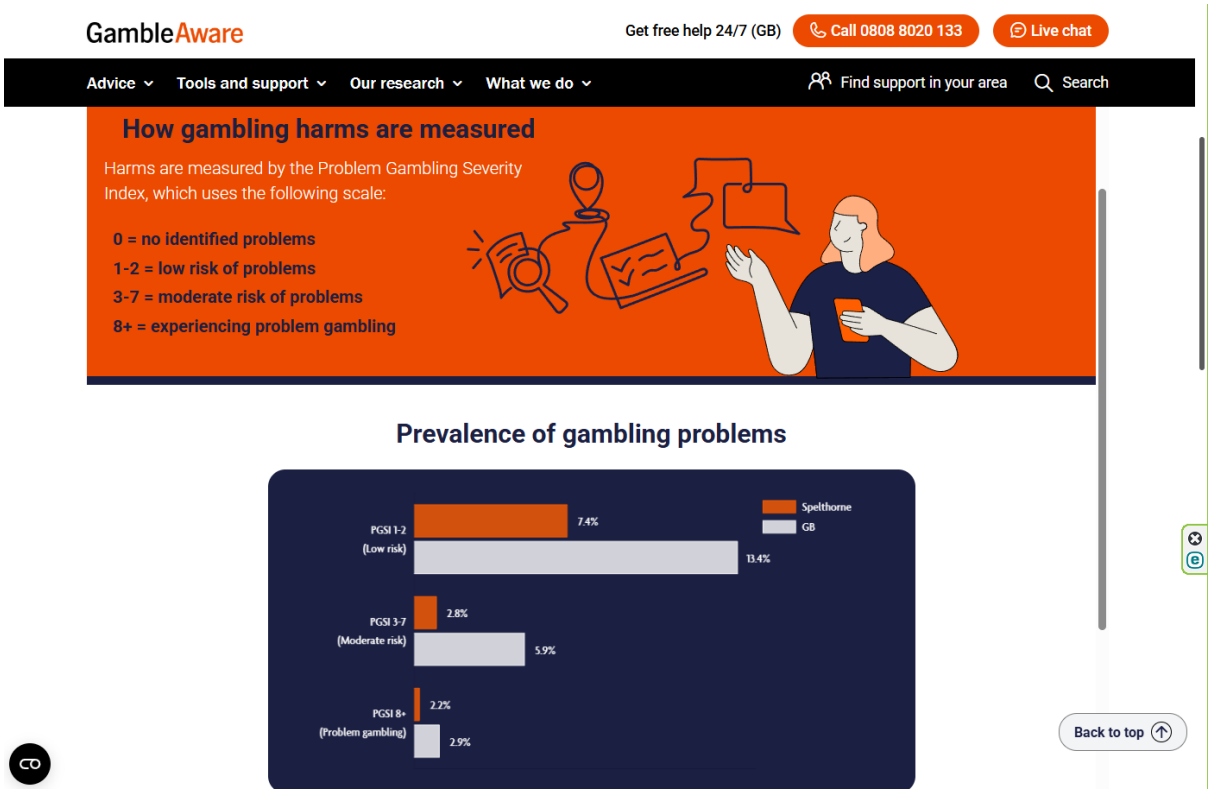
A Licensing Enforcement Officer with Surrey Police has stated that there is no evidence of criminal activity linked to the nearby AGC in Staines.

The conditions agreed with the Police were in addition to conditions the Applicant had already proposed in its application and are intended to be preventive measures that will prevent the premises having a negative impact on crime and anti-social behaviour in the area.

**Addressing Public Health Representations**

Gambling premises are found in town and city centres as well as at the coast, as part of the leisure and hospitality sector. Around every town and city centre there are areas of deprivation where those on the lowest income live; often immediately behind the commercial area and in industrial towns on the windward side.

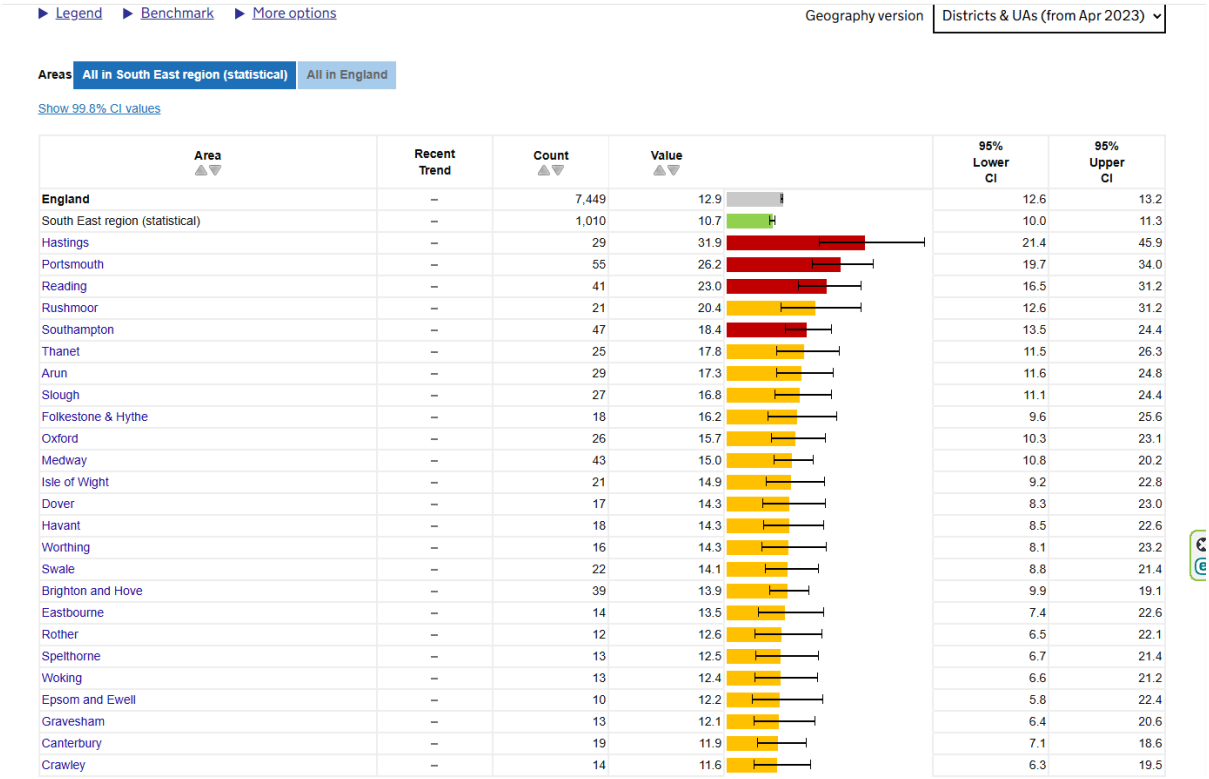
Public Health England has referred to there being a higher proportion of people in Spelthorne scoring one or more on the Problem Gambling Severity Index (14.4%) compared to GB as a whole (13.4%). Although the Applicant has not been served a copy of the data file it is assumed to come from Gambleaware's constituency data https://www.gambleaware.org/our-research/publication-library/treatment-and-support-survey/gambleaware-gb-maps-constituency-data/




This data suggests that the prevalence of gambling problems in Spelthorne is lower than the national average but in any case this is relevant to Spelthorne as a whole and not Ashford itself. More importantly it must be read in light of previous NHS Health Survey evidence and the Adult Psychiatric Morbidity Survey (APMS) Survey of Mental Health & Wellbeing, England (2023/24) previously referred to and which found that overall, 1.6% of adults experienced at least moderate risk gambling (PGSI score of 3+) and 0.4% of adults experienced problem gambling (as indicated by a PGSI score of 8+). And yet

Gambeaware is not using that data; if it is using the GSGB's estimates then it has ignored the Gambling Commission's published guidance stating that the GSGB should not be used to calculate an overall rate of gambling related harms in Great Britain nor to gross up the prevalence of problem gambling or the consequences of gambling to whole population.

The Department of Health's and Social Care indicators for the determinants of health as quoted by Public Health should also be seen in context  against the whole of the South East of England which ranges from 3.3 to 31.9  and then compared to the England average of 12.9%, noting that Spelthorne is 12.5%.



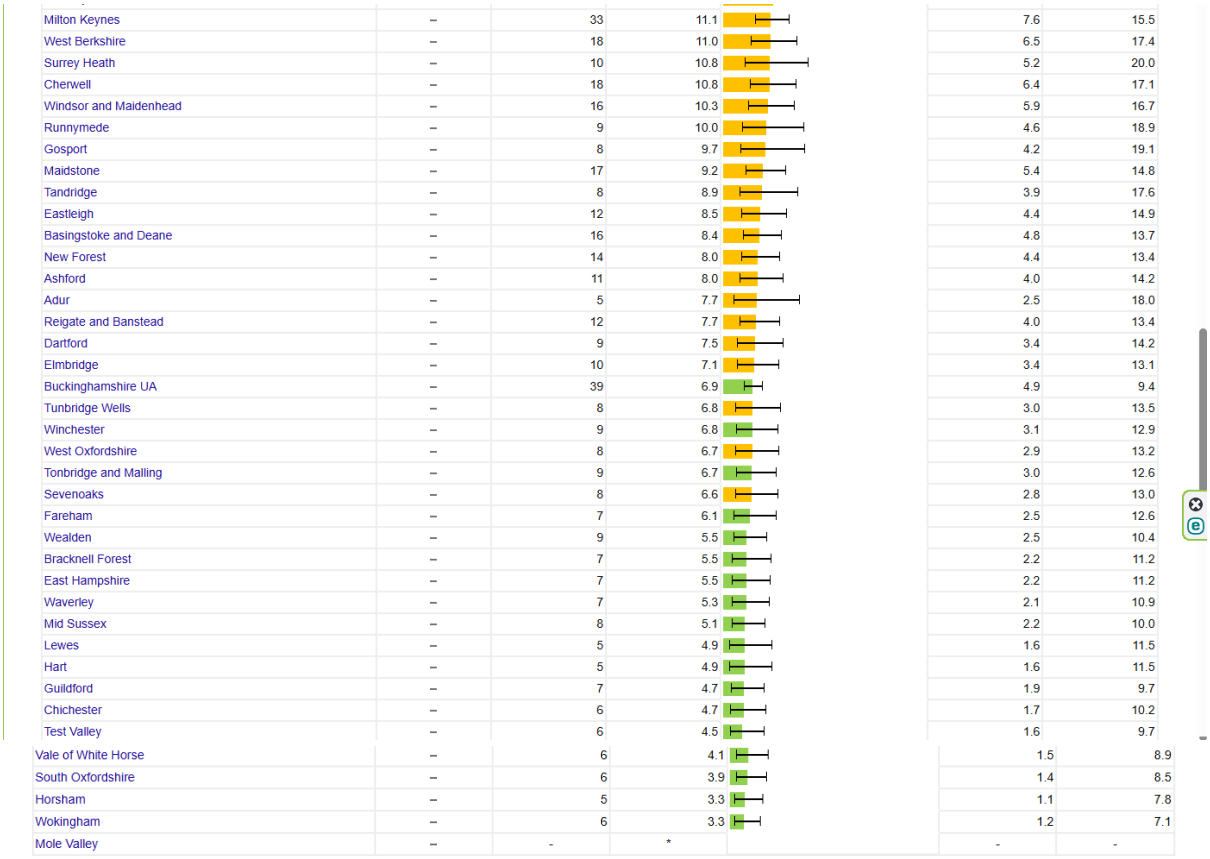
▶ Legend ▶ Benchmark ▶ More options

Geography version: Districts & UAs (from Apr 2023)

Areas: All in South East region (statistical) | All in England

Show 99.8% CI values

| Area | Recent Trend | Count | Value | 95% Lower CI | 95% Upper CI |
|---|---|---|---|---|---|
| **England** | – | 7,449 | 12.9 | 12.6 | 13.2 |
| South East region (statistical) | – | 1,010 | 10.7 | 10.0 | 11.3 |
| Hastings | – | 29 | 31.9 | 21.4 | 45.9 |
| Portsmouth | – | 55 | 26.2 | 19.7 | 34.0 |
| Reading | – | 41 | 23.0 | 16.5 | 31.2 |
| Rushmoor | – | 21 | 20.4 | 12.6 | 31.2 |
| Southampton | – | 47 | 18.4 | 13.5 | 24.4 |
| Thanet | – | 25 | 17.8 | 11.5 | 26.3 |
| Arun | – | 29 | 17.3 | 11.6 | 24.8 |
| Slough | – | 27 | 16.8 | 11.1 | 24.4 |
| Folkestone & Hythe | – | 18 | 16.2 | 9.6 | 25.6 |
| Oxford | – | 26 | 15.7 | 10.3 | 23.1 |
| Medway | – | 43 | 15.0 | 10.8 | 20.2 |
| Isle of Wight | – | 21 | 14.9 | 9.2 | 22.8 |
| Dover | – | 17 | 14.3 | 8.3 | 23.0 |
| Havant | – | 18 | 14.3 | 8.5 | 22.6 |
| Worthing | – | 16 | 14.3 | 8.1 | 23.2 |
| Swale | – | 22 | 14.1 | 8.8 | 21.4 |
| Brighton and Hove | – | 39 | 13.9 | 9.9 | 19.1 |
| Eastbourne | – | 14 | 13.5 | 7.4 | 22.6 |
| Rother | – | 12 | 12.6 | 6.5 | 22.1 |
| Spelthorne | – | 13 | 12.5 | 6.7 | 21.4 |
| Woking | – | 13 | 12.4 | 6.6 | 21.2 |
| Epsom and Ewell | – | 10 | 12.2 | 5.8 | 22.4 |
| Gravesham | – | 13 | 12.1 | 6.4 | 20.6 |
| Canterbury | – | 19 | 11.9 | 7.1 | 18.6 |
| Crawley | – | 14 | 11.6 | 6.3 | 19.5 |



| | | | | | |
|---|---|---|---|---|---|
| Milton Keynes | – | 33 | 11.1 | 7.6 | 15.5 |
| West Berkshire | – | 18 | 11.0 | 6.5 | 17.4 |
| Surrey Heath | – | 10 | 10.8 | 5.2 | 20.0 |
| Cherwell | – | 18 | 10.8 | 6.4 | 17.1 |
| Windsor and Maidenhead | – | 16 | 10.3 | 5.9 | 16.7 |
| Runnymede | – | 9 | 10.0 | 4.6 | 18.9 |
| Gosport | – | 8 | 9.7 | 4.2 | 19.1 |
| Maidstone | – | 17 | 9.2 | 5.4 | 14.8 |
| Tandridge | – | 8 | 8.9 | 3.9 | 17.6 |
| Eastleigh | – | 12 | 8.5 | 4.4 | 14.9 |
| Basingstoke and Deane | – | 16 | 8.4 | 4.8 | 13.7 |
| New Forest | – | 14 | 8.0 | 4.4 | 13.4 |
| Ashford | – | 11 | 8.0 | 4.0 | 14.2 |
| Adur | – | 5 | 7.7 | 2.5 | 18.0 |
| Reigate and Banstead | – | 12 | 7.7 | 4.0 | 13.4 |
| Dartford | – | 9 | 7.5 | 3.4 | 14.2 |
| Elmbridge | – | 10 | 7.1 | 3.4 | 13.1 |
| Buckinghamshire UA | – | 39 | 6.9 | 4.9 | 9.4 |
| Tunbridge Wells | – | 8 | 6.8 | 3.0 | 13.5 |
| Winchester | – | 9 | 6.8 | 3.1 | 12.9 |
| West Oxfordshire | – | 8 | 6.7 | 2.9 | 13.2 |
| Tonbridge and Malling | – | 9 | 6.7 | 3.0 | 12.6 |
| Sevenoaks | – | 8 | 6.6 | 2.8 | 13.0 |
| Fareham | – | 7 | 6.1 | 2.5 | 12.6 |
| Wealden | – | 9 | 5.5 | 2.5 | 10.4 |
| Bracknell Forest | – | 7 | 5.5 | 2.2 | 11.2 |
| East Hampshire | – | 7 | 5.5 | 2.2 | 11.2 |
| Waverley | – | 7 | 5.3 | 2.1 | 10.9 |
| Mid Sussex | – | 8 | 5.1 | 2.2 | 10.0 |
| Lewes | – | 5 | 4.9 | 1.6 | 11.5 |
| Hart | – | 5 | 4.9 | 1.6 | 11.5 |
| Guildford | – | 7 | 4.7 | 1.9 | 9.7 |
| Chichester | – | 6 | 4.7 | 1.7 | 10.2 |
| Test Valley | – | 6 | 4.5 | 1.6 | 9.7 |
| Vale of White Horse | – | 6 | 4.1 | 1.5 | 8.9 |
| South Oxfordshire | – | 6 | 3.9 | 1.4 | 8.5 |
| Horsham | – | 5 | 3.3 | 1.1 | 7.8 |
| Wokingham | – | 6 | 3.3 | 1.2 | 7.1 |
| Mole Valley | – | - | * | - | - |

*Source: Office for Health Improvement and Disparities*

Indicator Definitions and Supporting Information

The Review by the University of Bristol referred to by Public Health was a scoping review of other literature and therefore has a number of limitations that mean that less weight should be attached to its findings.

In particular it should be noted that the introduction to the Review chapter on *Spatial inequalities and gambling harm,* says in relation to Electronic Gaming Machines (EGMs);

> *EGMs have attracted significant attention in Great Britain in recent years, specifically through the positioning of Fixed Odds Betting Terminals (FOBTs) within betting shops that offer the opportunity to gamble on digital roulette and slots-based games. FOBTs were subject to regulation in April 2019, when the maximum spend possible on FOBTs was reduced from £100 per spin to £2 per spin. Industry data show that 24,347 FOBTs were operating in Britain as of March 2022 (Gambling Commission, 2022). Whilst this is a sharp decline since 2019 when 32,776 were in operation, FOBTs still generated just over £1 billion for the industry in 2021/2022, amounting to 7.6% of the sector's total Gross Gambling Yield (Gambling Commission, 2022). Recent action in Palmers Green demonstrates the desire of communities to prevent further venues which house FOBTs, such as adult amusement centres, from entering the high street* (Allin, 2023).

The authors of the Review have used research that mistakenly assumed that FOBTs are permitted Adult Gaming Centres, which they are not. FOBTs are only permitted in Casinos, Betting shops and Tracks with Pool Betting-not Adult Gaming Centres. Furthermore the Review included literature from the US, Canada and Australia where the regulation of gaming machines is very different to the of the UK which is one of the most highly regulated gambling industries. In addition the literature it reviewed for Great Britain was in the main relevant to FOBTs in betting shops prior to the date of the reduction in stakes in 2019.

In addressing the concerns about a proliferation of gaming machines it should be noted that the Licensing Authority has granted only 13 gambling premises licences that are currently in operation

- 1 Adult Gaming Centre on Staines High Street which can offer cat B/C/D gaming machines
- 11 Betting Shops which can only have up to 4 cat B gaming machines including 2 in Ashford
- 1 Track betting licence for Kempton

It has also issued

- 9 Gaming machine permits authorising the use of cat C /D gaming machines
- 9 Club Machine Permits which permit up to 3 cat B gaming machines

It has received 34 gaming machine notifications that a pub will operate up to 2 cat C gaming machines. However that number is unlikely to be up to date as a new notification must be served for each change of landlord and with pubs closing at a rate of one a day.

Turning to Ashford Town itself it has only 2 Betting Offices and 4 pubs:

- The Kings Head with 3 cat C machines
- The Freeman Arms with 4 cat C machines
- The King's Fairway with 2 cat C machines
- The District Arms with 2 cat C gaming machines

That is a total of 8 cat B gaming machines and11 cat C gaming machines for an adult population of circa 18,000 (census 2021)

To have 2 betting shops close in a commercial area of a town/city is not unusual. The fact that there is not an AGC or bingo premises in Ashford is however unusual and which was why the Applicant has seen the opportunity of locating there. It offers an alternative to betting and playing category B2 roulette style gaming machines;

furthermore AGCs are often preferred by women who feel more comfortable in less male orientated surroundings.

Public Health Surrey have suggested that the evidence produced in their representations demonstrates a significant risk to children and young people and vulnerable people based on the nature of the business. There are risks in everything that we do, and businesses are required to undertake risk assessments and put in place policies and procedures to mitigate those risks. Alcohol poses a risk to everyone's health, especially alcoholics, and tobacco and vapes pose a risk to everyone's health particularly those with comorbidities and the law ensures that children and young people are protected with the same measures that are required in the gambling industry. According to the Addiction Treatment UK 0.75% of the population have a shopping addiction spending thousands of pounds, in shops and online, mounting up huge debts with no protection at all.

The gambling industry acknowledges there are risks and it is regulated to a high level; much higher than many other industries in order to protect those that maybe at risk of harm. But there are many adults who are not at risk of harm and their needs should also be taken into account.

**Comments by planning and the public – opening hours**

Much has been made of the fact that the premises has planning consent to operate 0900-2300 and the Applicant does not intend to breach that condition. Nevertheless it may at a later date revisit the opening hours once it has demonstrated that there is not an issue with noise and disturbances. At that time it would prefer not to have the additional expense of also having to apply to vary the Premises Licence to remove any conditions on operating hours. That is the sole reason for not stating alternative opening hours on the application.

APPENDIX 1

LICENCE CONDITIONS AND CODES OF PRACTICE APPLICABLE TO THE AMUSEMENT ARACDE SECTOR – also available on line at https://www.gamblingcommission.gov.uk/licensees-and-businesses/lccp/online

APPENDIX 2
APPLICANTS UPDATED LARA

# Extract of Licence Conditions and Codes of Practice (LCCP) for Arcades

## Version effective from 7 August 2025

# 1.1.1 - Qualified persons – qualifying position

**Applies to:**

All operating licences, except ancillary remote licences, issued to small-scale operators.

1. In this condition the terms ‘small-scale operator’, ‘qualifying position’ and ‘qualified person’ have the meanings respectively ascribed to them by the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006[1].
2. Schedule X[2] lists those individuals notified to the Commission as qualified persons.
3. If, whilst the licensee remains a small-scale operator, an individual begins or ceases to occupy a qualifying position in relation to the licensee, the licensee must within 28 days apply to the Commission under section 104(1)(b) of the Act[3] for amendment of the details of the licence set out in Schedule X.
4. An application for amendment under section 104(1)(b) of the Act may be made in advance of an individual beginning or ceasing to occupy a qualifying position provided it specifies the date from which the change to which it relates is to be effective.
5. In this condition ‘qualified person’ has the same meaning as in the Gambling Act 2005(Definition of Small-scale Operator) Regulations 2006.

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[1] Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006(opens in new tab)

[2] The schedules mentioned here will be attached to individual licences.

[3] Section 104(1)(b) of the Act (opens in new tab)

# 4.2.1 - Disclosure to customers

**Applies to:**

All operating licences, except gaming machine technical, gambling software, host, ancillary, remote bingo, and ancillary remote casino licences.

1. Licensees who hold customer funds must set out clearly in the terms and conditions under which they provide facilities for gambling information about whether customer funds are protected in the event of insolvency, the level of such protection and the method by which this is achieved.

2. Such information must be according to such rating system and in such form the Commission may from time to time specify. It must be provided in writing to each customer, in a manner which requires the customer to acknowledge receipt of the information and does not permit the customer to utilise the funds for gambling until they have done so, both on the first occasion on which the customer deposits funds and on the occasion of any subsequent deposit which is the first since a change in the licensee's terms in relation to protection of such funds.

3. In this condition 'customer funds' means the aggregate value of funds held to the credit of customers including, without limitation:

    a. cleared funds deposited with the licensee by customers to provide stakes in, or to meet participation fees in respect of, future gambling;
    b. winnings or prizes which the customer has chosen to leave on deposit with the licensee or for which the licensee has yet to account to the customer; and

c. any crystallised but as yet unpaid loyalty or other bonuses, in each case irrespective of whether the licensee is a party to the gambling contract.

## 5.1.1 - Cash and cash equivalents

**Applies to:**

All operating licences except gaming machine technical, gambling software and host licences.

1. Licensees, as part of their internal controls and financial accounting systems, must implement appropriate policies and procedures concerning the usage of cash and cash equivalents (for example, bankers drafts, cheques and debit cards and digital currencies) by customers, designed to minimise the risk of crimes such as money laundering, to avoid the giving of illicit credit to customers and to provide assurance that gambling activities are being conducted in a manner which promotes the licensing objectives.

2. Licensees must ensure that such policies and procedures are implemented effectively, kept under review, and revised appropriately to ensure that they remain effective, and take into account any applicable learning or guidelines published by the Gambling Commission from time to time.

# 6.1.1 - Provision of credit

**Applies to:**

All gaming machine general operating licences for adult gaming centres and family entertainment centres.

1. Licensees must neither:
    a. provide credit themselves in connection with gambling; nor
    b. participate in, arrange, permit or knowingly facilitate the giving of credit in connection with gambling.

# 7.1.1 - Fair and transparent terms and practices

**Applies to:**

All operating licences except gaming machine technical and gambling software licences.

1. Licensees must ensure that the terms on which gambling is offered, and any consumer notices relating to gambling activity, are not unfair within the meaning of the Consumer Rights Act 2015[1]. Licensees must comply with those terms.
2. The contractual terms on which gambling is offered and any consumer notices relating to gambling activity must be transparent within the meaning of the Consumer Rights Act 2015. The contractual terms on which gambling is offered must be made available to customers in an easily accessible way.
3. Licensees must ensure that changes to customer contract terms comply with the fairness and transparency requirements under the Consumer Rights Act 2015. Customers must be notified of material changes to terms before they come into effect.
4. Licensees must ensure that they do not commit any unfair commercial practices within the meaning of the Consumer Protection from Unfair Trading Regulations 2008[2], at any stage of their interactions with consumers.

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[1] Consumer Rights Act 2015 (opens in new tab)

[2] Consumer Protection from Unfair Trading Regulations 2008 (opens in new tab)

# 12.1.1 - Anti-money laundering - Prevention of money laundering and terrorist financing

**Applies to:**

All operating licences except gaming machine technical and gambling software licences.

1. Licensees must conduct an assessment of the risks of their business being used for money laundering and terrorist financing. Such risk assessment must be appropriate and must be reviewed as necessary in the light of any changes of circumstances, including the introduction of new products or technology, new methods of payment by customers, changes in the customer demographic or any other material changes, and in any event reviewed at least annually.

2. Following completion of and having regard to the risk assessment, and any review of the assessment, licensees must ensure they have appropriate policies, procedures and controls to prevent money laundering and terrorist financing.

3. Licensees must ensure that such policies, procedures and controls are implemented effectively, kept under review, revised appropriately to ensure that they remain effective, and take into account any applicable learning or guidelines published by the Gambling Commission[1] from time to time.

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[1] Guidelines on the prevention of money laundering and combating the financing of terrorism (opens in new tab)

# 14.1.1 - Access to premises

**Applies to:**

All operating licences.

1. Licensees must have and put into effect policies and procedures (including staff training programmes) designed to ensure that their staff co-operate with the Commission's enforcement officers in the proper performance of their compliance functions and are made aware of those officers' rights of entry to premises contained in Part 15 of the Act[1].

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[1] Part 15 of the Gambling Act 2005 (opens in new tab)

# 15.1.1 - Reporting suspicion of offences etc – non-betting licences

**Applies to:**

All operating licences except betting, betting intermediary, ancillary remote betting, betting host and remote betting intermediary (trading rooms only) licences.

1. Licensees must as soon as reasonably practicable, in such a form or manner as the Commission may from time to time specify, provide the Commission with any information that they know relates to or suspect may relate to the commission of an offence under the Act, including an offence resulting from a breach of a licence condition or a code provision having the effect of a licence condition.[1]

   Read additional guidance on the information requirements contained within this section.

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[1] These matters are to be reported to us online via our 'eServices' digital service on our website

# 15.1.3 - Reporting of systematic or organised money lending

**Applies to:**

All non-remote casino, non-remote bingo, general betting, adult gaming centre, family entertainment centre and remote betting intermediary (trading rooms only) licences.

1. Licensees must as soon as reasonably practicable, in such form or manner as the Commission may from time to time specify, provide the Commission with any information relating to cases where they encounter systematic, organised or substantial money lending between customers on their premises, in accordance with the ordinary code provisions on money lending between customers.[1]

   Read additional guidance on the information requirements contained within this section.

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[1] These matters are to be reported to us online via our 'eServices' digital service on our website

# 15.2.1 - Reporting key events

**Applies to:**

All operating licences.

A key event is an event that could have a significant impact on the nature or structure of a licensee's business. Licensees must notify the Commission, in such form or manner as the Commission may from time to time specify, of the occurrence of any of the following key events as soon as reasonably practicable and in any event within five working days of the licensee becoming aware of the event's occurrence[1].

Operator status

1. Any of the following applying to a licensee, any person holding a key position for a licensee, a group company or a shareholder or member (holding 3% or more of the issued share capital of the licensee or its holding company):
    - presenting of a petition for winding up
    - making of a winding up order
    - entering into administration or receivership
    - bankruptcy (applying to individuals only)
    - sequestration (applicable in Scotland), or
    - an individual voluntary arrangement.

Relevant persons and positions

2. In the case of licensees who are companies or other bodies corporate having a share capital, the name and address of any person who (whether or not already a shareholder or member) becomes a shareholder or member holding 3% or more of the issued share capital of the licensee or its holding company.

3. The taking of any loan by the licensee, or by a group company who then makes an equivalent loan to the licensee, from any person not authorised by the Financial Conduct Authority: a copy of the loan agreement must be supplied.

4. The appointment of a person to, or a person ceasing to occupy, a 'key position' (including leaving one position to take up another). A 'key position' in relation to a licensee is:

    a. in the case of a small-scale operator, a 'qualifying position' as defined in the Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006[2]
    b. in the case of an operator which is not a small-scale operator, a 'specified management office' as set out in (current) LCCP licence condition 1.2
    c. a position where the holder of which has overall responsibility for the licensee's anti-money laundering and/or terrorist financing compliance, and/or for the reporting of known or suspected money laundering or terrorist financing activity.
    d. any other position for the time being designated by the Commission as a 'key position'. (Notification is required whether or not the person concerned is required to hold a personal management licence and whether or not the event notified requires the licensee to apply for a variation to amend a detail of their licence.)

Financial events

5. Any material change in the licensee's banking arrangements, in particular the termination of such arrangements or a particular facility and whether by the licensee or the provider of the arrangements.

6. Any breach of a covenant given to a bank or other lender.

7. Any default by the licensee or, where the licensee is a body corporate, by a group company in making repayment of the whole or any part of a loan on its due date.

8. Any change in the licensee's arrangements as to the methods by which, and/or the payment processors through which, the licensee accepts payment from customers using their gambling facilities (this key event applies to remote casino, bingo and betting operating licences, except ancillary and remote betting intermediary (trading room only) licences).

Legal or regulatory proceedings or reports

9. The grant, withdrawal or refusal of any application for a licence or other permission made by the licensee, or in the case of a licensee which is a body corporate, any group company of theirs, to a gambling regulator in another jurisdiction. In the case of a withdrawal or refusal of the application, the licensee must also notify the reasons for such withdrawal or refusal. (This condition does not apply to applications for licences or other permissions to carry on activities which would fall outside the scope of a Gambling Commission operating licence if carried out in Britain or with customers in Great Britain.)

10. Any investigation by a professional, statutory, regulatory or government body (in whatever jurisdiction) into the licensee's activities, or the activities of a person in a 'key position', where such an investigation could result in the imposition of a sanction or penalty which could reasonably be expected to raise doubts about the licensee's continued suitability to hold a Gambling Commission licence.

11. Any criminal investigation by a law enforcement agency in any jurisdiction in which the licensee, or a person in a 'key position' related to the licensee, is involved and where the Commission might have cause to question whether the licensee's measures to keep crime out of gambling had failed.

12. The referral to the licensee's Board, or persons performing the function of an audit or risk committee, of material concerns raised by a third party (such as an auditor, or a professional,

statutory or other regulatory or government body (in whatever jurisdiction)) about the provision of facilities for gambling: a summary of the nature of the concerns must be provided.

13. The imposition by the licensee of a disciplinary sanction, including dismissal, against the holder of a personal licence or a person occupying a qualifying position for gross misconduct; or the resignation of a personal licence holder or person occupying a qualifying position following commencement of disciplinary proceedings in respect of gross misconduct against that person.

14. The commencement (in whatever jurisdiction) of any material litigation against the licensee or, where the licensee is a body corporate, a group company: the licensee must also notify the outcome of such litigation.

15. The making of a disclosure pursuant to section 330, 331, 332 or 338 of the Proceeds of Crime Act 2002[3] or section 19, 20, 21, 21ZA, 21ZB or 21A of the Terrorism Act 2000[4] (a suspicious activity report): the licensee should inform the Commission of the unique reference number issued by the United Kingdom Financial Intelligence Unit of the National Crime Agency[5] in respect of each disclosure and for the purposes of this key event the five working day period referred to above runs from the licensee's receipt of the unique reference number. The licensee should also indicate whether the customer relationship has been discontinued at the time of the submission.

Gambling facilities

16. Any security breach to the licensee's environment that adversely affects the confidentiality of customer data; or prevents the licensee's customers, staff, or legitimate users from accessing their accounts for longer than 12 hours.

17. Where a gaming system fault has resulted in under or overpayments to a player (this includes instances where a fault causes an incorrect prize/win value to be displayed).

18. In the case of remote gambling, the commencement or cessation of trading on website domains (including mobile sites or mobile device applications) or broadcast media through which the licensee provides gambling facilities (including domains covered by 'white label' arrangements). In this condition: 'body corporate' has the meaning ascribed to that term by section 1173 of the Companies Act 2006[6] or any statutory modification or re-enactment thereof

    a. in respect of a company, 'holding company' and 'subsidiary' have the meaning ascribed to that term by section 1159 of the Companies Act 2006[7] or any statutory modification or re-enactment thereof
    b. a 'group company' is any subsidiary or holding company of the licensee and any subsidiary of such holding company.

Read additional guidance on the information requirements contained within this section.

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[1] Key events are to be reported to us online via the 'eServices' (opens in new tab) digital service on our website.

[2] Gambling Act 2005 (Definition of Small-scale Operator) Regulations 2006 (opens in new tab)

[3] Proceeds of Crime Act 2002 (opens in new tab)

[4] Terrorism Act 2000 (opens in new tab)

[5] United Kingdom Financial Intelligence Unit of the National Crime Agency (opens in new tab)

[6] Section 1173 of the Companies Act 2006 (opens in new tab)

[7] Section 1159 of the Companies Act 2006 (opens in new tab)

# 15.2.2 - Other reportable events

**Applies to:**

All operating licences.

1. Licensees must also notify the Commission in such form or manner as the Commission may from time to time specify, as soon as reasonably practicable of the occurrence of any of the following events[1]:

    a. any material change in the licensee's arrangements for the protection of customer funds in accordance with licence condition 4 (protection of customer funds) (where applicable)
    b. any change in the identity of the ADR entity or entities for the handling of customer disputes, as required by the social responsibility code provision on complaints and disputes.
    c. their becoming aware that a group company which is not a Commission licensee is advertising remote gambling facilities to those residing in a jurisdiction in or to which it has not previously advertised, or their becoming aware of a sustained or meaningful generation of 3% or 10% of group Gross Gambling Yield being exceeded by the group in that jurisdiction.
    d. any actual or potential breaches by the licensee of the requirements imposed by or under Parts 7 or 8 of the Proceeds of Crime Act 2002[2], or Part III of the Terrorism Act 2000[3], or any UK law by which those statutes are amended or superseded.

2. The licensee must notify the Commission, as soon as reasonably practicable, if it knows or has reasonable cause to suspect that a person who has gambled with it has died by suicide, whether or not such suicide is known or suspected to be associated with gambling. Such

notification must include the person's name and date of birth, and a summary of their gambling activity, if that information is available to the licensee.

In this condition:

a. ‘group company’ has the same meaning as in condition 15.2.1; and
b. without prejudice to section 327 of the Gambling Act 2005[4], ‘advertising’ includes: having a home page directed towards a jurisdiction and written in, or in one of, that jurisdiction’s official language(s), having arrangements enabling that jurisdiction’s currency to be selected for gambling or the use of payment methods available only in that jurisdiction, and providing a specific customer service facility referable to that jurisdiction.

Read additional guidance on the information requirements contained within this section.

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[1] Key events are to be reported to us online via the ‘eServices’ (opens in new tab) digital service on our website.

[2] Proceeds of Crime Act 2002 (opens in new tab)

[3] Part III of the Terrorism Act 2000 (opens in new tab)

[4] Section 327 of the Gambling Act 2005 (opens in new tab)

# 15.3.1 - General and regulatory returns

**Applies to:**

All operating licences.

On request, licensees must provide the Commission with such information as the Commission may require, in such a form or manner as the Commission may from time-to-time specify, about the use made of facilities provided in accordance with this licence and the manner in which gambling authorised by this licence and the licensee's business in relation to that gambling are carried on.

In particular within 28 days of the end of each quarterly period licensees must submit an accurate Regulatory Return to the Commission containing such information as the Commission may from time to time specify.

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[1]Regulatory returns are to be submitted to us online via the 'eServices' digital service on our website.

**Ordinary code**

These do not have the status of operator licence conditions but set out good practice. Operators may adopt alternative approaches to those set out in ordinary code provisions if they have actively taken account of the ordinary code provision and can demonstrate that an alternative approach is reasonable in the operator's particular circumstances; or that to take an alternative approach would be acting in a similarly effective manner.

Ordinary codes of practice are admissible in evidence in criminal or civil proceedings and must be taken into account in any case in which the court or tribunal think them relevant, and by the Commission in the exercise of its functions; any departure from ordinary code provisions by an operator may be taken into account by the Commission on a licence review, but cannot lead to imposition of a financial penalty.

**Social responsibility code**

Compliance with these is a condition of licences; therefore any breach of them by an operator may lead the Commission to review the operator's licence with a view to suspension, revocation or the imposition of a financial penalty and would also expose the operator to the risk of prosecution.

# 1.1.1 - Cooperation with the Commission

**Ordinary code**

**Applies to:**

All licences.

1. As made plain in its Statement of principles for licensing and regulation[1], the Commission expects licensees to conduct their gambling operations in a way that does not put the licensing objectives at risk, to work with the Commission in an open and cooperative way and to disclose anything which the Commission would reasonably need to be aware of in exercising its regulatory functions. This includes, in particular, anything that is likely to have a material impact on the licensee's business or on the licensee's ability to conduct licensed activities compliantly. Licensees should have this principle in mind in their approach to, and when considering their compliance with, their obligations under the conditions attached to their licence and in relation to the following provisions of this code.

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[1] Statement of principles for licensing and regulation (opens in new tab)

# 1.1.2 - Responsibility for third parties – all licences

**Social responsibility code**

**Applies to:**

All licences.

1. Licensees are responsible for the actions of third parties with whom they contract for the provision of any aspect of the licensee's business related to the licensed activities.

2. Licensees must ensure that the terms on which they contract with such third parties:

    a. require the third party to conduct themselves in so far as they carry out activities on behalf of the licensee as if they were bound by the same licence conditions and subject to the same codes of practice as the licensee
    b. oblige the third party to provide such information to the licensee as they may reasonably require in order to enable the licensee to comply with their information reporting and other obligations to the Commission
    c. enable the licensee, subject to compliance with any dispute resolution provisions of such contract, to terminate the third party's contract promptly if, in the licensee's reasonable opinion, the third party is in breach of contract (including in particular terms included pursuant to this code provision) or has otherwise acted in a manner which is inconsistent with the licensing objectives, including for affiliates where they have breached a relevant advertising code of practice.

# 1.1.3 - Responsibility for third parties – remote

**Social responsibility code**

**Applies to:**

All remote licences.

1. Remote licensees must ensure in particular:
    a. that third parties who provide user interfaces enabling customers to access their remote gambling facilities:
        i. include a term that any such user interface complies with the Commission's technical standards for remote gambling systems[1]; and
        ii. enable them, subject to compliance with any dispute resolution provisions of such contract, to terminate the third party's contract promptly if, in the licensee's reasonable opinion, the third party is in breach of that term.

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[1] Remote gambling and software technical standards (opens in new tab)

# 2.1.2 - Anti-money laundering – other than casino

**Ordinary code**

**Applies to:**

All licences except casino licences.

1. As part of their procedures for compliance with the requirements in respect to the prevention and detection of money laundering in the Proceeds of Crime Act 2002[1] and the Terrorism Act 2000[2] , licensees should take into account the Commission's advice on the Proceeds of Crime Act 2002, *Duties and responsibilities under the Proceeds of Crime Act 2002 – Advice for operators[3] (excluding casino operators). *

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[1] Proceeds of Crime Act 2002 (opens in new tab)

[2] Terrorism Act 2000 (opens in new tab)

[3] Proceeds of Crime Act 2002 – Advice for operators (opens in new tab)

# 3.1.1 - Combating problem gambling

**Social responsibility code**

**Applies to:**

All licences.

1. Licensees must have and put into effect policies and procedures intended to promote socially responsible gambling including the specific policies and procedures required by the provisions of section 3 of this code.

# 3.2.3 - AGC SR code

**Social responsibility code**

**Applies to:**

All adult gaming centre licences.

1. Licensees must have and put into effect policies and procedures designed to prevent underage gambling, and monitor the effectiveness of these.

2. This must include procedures for:

    a. checking the age of apparently underage customers
    b. removing anyone who appears to be under age and cannot produce an acceptable form of identification
    c. taking action when there are attempts by under-18s to enter the premises.

3. Licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises.

4. Licensees must not deliberately provide facilities for gambling in such a way as to appeal particularly to children or young people, for example by reflecting or being associated with youth culture.

5. In premises restricted to adults, service must be refused in any circumstances where any adult is accompanied by a child or young person.

6. Licensees must take all reasonable steps to ensure that all staff understand their responsibilities for preventing underage gambling. This must include appropriate training which must cover all relevant prohibitions against inviting children or young persons to gamble or to enter gambling premises, and the legal requirements on returning stakes and not paying prizes to underage customers.

7. Licensees must only accept identification which:

    a. contains a photograph from which the individual can be identified
    b. states the individual's date of birth
    c. is valid
    d. is legible and has no visible signs of tampering or reproduction.

8. All licensees must conduct test purchasing or take part in collective test purchasing programmes, as a means of providing reasonable assurance that they have effective policies and procedures to prevent underage gambling, and must provide their test purchase results to the Gambling Commission, in such a form or manner as the Commission may from time to time specify.

    Read additional guidance on the information requirements contained within this section.

# 3.2.4 - AGC ordinary code

**Ordinary code**

**Applies to:**

All adult gaming centre licences.

1. The Commission considers acceptable forms of identification to include any identification carrying the PASS logo (for example Citizencard or Validate); a military identification card; a driving licence (including a provisional licence) with photocard; or a passport.

2. Licensees should put into effect procedures that require their staff to check the age of any customer who appears to them to be under 25.

3. Licensees should consider permanent exclusion from premises for any adult accompanied by a child or young person on more than one occasion to premises restricted to adults, or if there is reason to believe the offence was committed knowingly or recklessly.

4. Procedures should be put into effect for dealing with cases where a child or young person repeatedly attempts to gamble on premises restricted to adults, including oral warnings, reporting the offence to the Gambling Commission[1] and the police, and making available information on problem gambling.

5. In providing training to staff on their responsibilities for preventing underage gambling, licensees should have, as a minimum, policies for induction training and refresher training.

   Read additional guidance on the information requirements contained within this section.

[1] These matters are to be reported to us online via our 'eServices' digital service on our website.

# 3.2.5 - Bingo and FEC SR code

**Social responsibility code**

**Applies to:**

All non-remote bingo and family entertainment centre licences.

1. Licensees must have and put into effect policies and procedures designed to prevent underage gambling, and monitor the effectiveness of these.

2. This must include procedures for:

    a. checking the age of apparently underage customers
    b. refusing entry to any adult-only areas to anyone unable to produce an acceptable form of identification
    c. taking action when there are unlawful attempts to enter the adult-only areas.

3. Licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises.

4. Licensees must not permit children or young people to gamble in the adults-only areas of premises to which they have access. If there is a ‘no under-18s’ premises policy, licensees must pay particular attention to the procedures they use at the entrance to the premises to check customers’ ages.

5. Licensees must take all reasonable steps to ensure that all staff understand their responsibilities for preventing underage gambling. This must include appropriate training which

must cover:

a. all relevant prohibitions against inviting children or young persons to gamble on age-restricted products or to enter age-restricted areas;
b. the legal requirements on returning stakes and not paying prizes to underage customers; and
c. procedures for challenging any adult who may be complicit in allowing a child or young person to gamble.

6. Licensees must only accept identification which:

a. contains a photograph from which the individual can be identified
b. states the individual's date of birth
c. is valid
d. is legible and has no visible signs of tampering or reproduction.

7. All licensees must conduct test purchasing or take part in collective test purchasing programmes, as a means of providing reasonable assurance that they have effective policies and procedures to prevent underage gambling, and must provide their test purchase results to the Commission, in such a form or manner as the Commission may from time to time specify.

Read additional guidance on the information requirements contained within this section.

# 3.2.6 - Bingo and FEC ordinary code

**Ordinary code**

**Applies to:**

All non-remote bingo and family entertainment centre licences.

1. The Commission considers acceptable forms of identification to include: any identification carrying the PASS logo (for example Citizencard or Validate); a military identification card; a driving licence (including a provisional licence) with photocard; or a passport.

2. Licensees should require a person who appears to relevant staff to be under the age of 25 to be asked to produce proof of age, either at the point of entry to the gambling area or as soon as it comes to the attention of staff that they wish to access gambling facilities.

3. Licensees should have procedures for dealing with cases where an adult knowingly or recklessly allows a child or young person to gamble. These procedures might include refusing to allow the adult to continue to gamble, removing them from the premises, and reporting the incident to the police or local authorities, or taking action where forged identification is produced.

4. Procedures should be put into effect for dealing with cases where a child or young person repeatedly attempts to gamble on their premises, including oral warnings, reporting the offence to the Gambling Commission[1] and the police, and making available information on problem gambling to the child or young person concerned.

5. Where it is likely that customers' young or otherwise vulnerable children will be left unattended on or adjacent to their premises, licensees should consider reminding customers of their parental responsibilities and assess whether there is a need to develop procedures for minimising the risk to such children.

6. In providing training to staff on their responsibilities for preventing underage gambling, licensees should have, as a minimum, policies for induction training and refresher training.

   Read additional guidance on the information requirements contained within this section.

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[1] These matters are to be reported to us online via our 'eServices' digital service on our website.

# 3.2.11 - Remote SR code

**Social responsibility code**

**Applies to:**

All remote licences (including ancillary remote betting licences in respect of bets made or accepted by telephone or email), except lottery licences, gaming machine technical, gambling software, host, ancillary remote casino, and ancillary remote bingo licences.



1. Licensees must have and put into effect policies and procedures designed to prevent underage gambling and monitor the effectiveness of these.

2. Such procedures must include:

    a. Verifying the age of a customer before the customer is able to:
        i. deposit any funds into their account;
        ii. access any free-to-play versions of gambling games that the licensee may make available; or
        iii. gamble with the licensee using either their own money or any free bet or bonus.
    b. warning potential customers that underage gambling is an offence;
    c. regularly reviewing their age verification systems and implementing all reasonable improvements that may be made as technology advances and as information improves;
    d. ensuring that relevant staff are properly trained in the use of their age verification procedures; in particular customer services staff must be appropriately trained in the use of secondary forms of identification when initial verification procedures fail to prove that an individual is of legal age; and

e. enabling their gambling websites to permit filtering software to be used by adults (such as parents or within schools) in order to restrict access to relevant pages of those sites.

## 3.2.12 - Remote ordinary code

**Ordinary code**

**Applies to:**

All remote licences (including ancillary remote betting licences), except gaming machine technical, gambling software, host, ancillary remote bingo, ancillary remote casino and remote betting intermediary (trading rooms only) licences.

1. Licensees should, and should request their contracted partners to, draw attention to parental responsibility as part of the purchasing process of facilities such as mobile phones and interactive television.

# 3.3.1 - Responsible gambling information

**Social responsibility code**

**Applies to:**

All licences, except gaming machine technical, gambling software, host, ancillary remote bingo, ancillary remote casino and remote betting (remote platform) licences.

1. Licensees must make information readily available to their customers on how to gamble responsibly and how to access information about, and help in respect of, problem gambling.

2. The information must cover:

    a. any measures provided by the licensee to help individuals monitor or control their gambling, such as restricting the duration of a gambling session or the amount of money they can spend
    b. timers or other forms of reminders or ‘reality checks’ where available
    c. self-exclusion options
    d. information about the availability of further help or advice.

3. The information must be directed to all customers whether or not licensees also make available material which is directed specifically at customers who may be ‘problem gamblers’.

4. For gambling premises, information must be available in all areas where gambling facilities are provided and adjacent to ATMs. Information must be displayed prominently using methods appropriate to the size and layout of the premises. These methods may include the use of posters, the provision of information on gambling products, or the use of screens or other

facilities in the gambling premises. Information must also be available in a form that may be taken away and may also be made available through the use of links to be accessed online or using smart technology. Licensees must take all reasonable steps to ensure that this information is also readily accessible in locations which enable the customer to obtain it discreetly.

## 3.3.2 - Foreign languages

**Ordinary code**

**Applies to:**

All licences, except gaming machine technical, gambling software, host, ancillary remote bingo and ancillary remote casino licences.

1. Licensees who market their services in one or more foreign languages should make available in that, or those, foreign languages:
    a. the information on how to gamble responsibly and access to help referred to above
    b. the players' guides to any game, bet or lottery required to be made available to customers under provisions in this code
    c. the summary of the contractual terms on which gambling is offered, which is required to be provided to customers as a condition of the licensee's operating licence.

# 3.3.4 - Remote time-out facility

**Social responsibility code**

**Applies to:**

All remote licences except: any remote lottery licence the holder of which does not provide facilities for participation in instant win lotteries, ancillary remote betting licences, remote betting (remote platform), gaming machine technical, gambling software, host, ancillary remote bingo, ancillary remote casino and remote betting intermediary (trading room only) licences.

1 Licensees must offer a ‘time out’ facility for customers for the following durations:

a. 24 hours
b. one week
c. one month or
d. such other period as the customer may reasonably request, up to a maximum of 6 weeks.

# 3.4.1 - Premises-based customer interaction

**Social responsibility code**

**Applies to:**

All non-remote licences (except non-remote lottery, gaming machine technical, gambling software and host licences); only the following remote licences – ancillary remote bingo, ancillary remote casino, ancillary remote betting, remote general betting limited, and remote betting intermediary (trading rooms only).

1. Licensees must interact with customers in a way which minimises the risk of customers experiencing harms associated with gambling. This must include:

    a. identifying customers who may be at risk of or experiencing harms associated with gambling.
    b. interacting with customers who may be at risk of or experiencing harms associated with gambling.
    c. understanding the impact of the interaction on the customer, and the effectiveness of the Licensee's actions and approach.

2. Licensees must take into account the Commission's guidance on customer interaction[1].

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[1] Customer interaction: formal guidance for premises-based operators (opens in new tab)

# 3.5.1 - Self exclusion – Non-remote and trading rooms SR code

**Social responsibility code**

**Applies to:**

All non-remote licences (except lottery, gaming machine technical and gambling software licences) and remote betting intermediary (trading rooms only) licences.

1. Licensees must have and put into effect procedures for self-exclusion and take all reasonable steps to refuse service or to otherwise prevent an individual who has entered a self-exclusion agreement from participating in gambling.

2. Licensees must, as soon as practicable, take all reasonable steps to prevent any marketing material being sent to a self-excluded customer.

3. Licensees must take steps to remove the name and details of a self-excluded individual from any marketing databases used by the company or group (or otherwise flag that person as an individual to whom marketing material must not be sent), within two days of receiving the completed self-exclusion notification.

4. This covers any marketing material relating to gambling, or other activities that take place on the premises where gambling may take place. However, it would not extend to blanket marketing which is targeted at a particular geographical area and where the excluded individual would not knowingly be included.

5. Licensees must close any customer accounts of an individual who has entered a self- exclusion agreement and return any funds held in the customer account. It is not sufficient merely to

prevent an individual from withdrawing funds from their customer account whilst still accepting wagers from them. Where the giving of credit is permitted, the licensee may retain details of the amount owed to them by the individual, although the account must not be active.

6. Licensees must put into effect procedures designed to ensure that an individual who has self-excluded cannot gain access to gambling. These procedures must include:

    a. a register of those excluded with appropriate records (name, address, other details, and any membership or account details that may be held by the operator);
    b. photo identification (except where the Licensee can reasonably satisfy themselves that in the circumstances in which they provide facilities for gambling an alternative means of identification is at least as effective) and a signature;
    c. staff training to ensure that staff are able to administer effectively the systems; and
    d. the removal of those persons found in the gambling area or attempting to gamble from the premises.

7. Licensees must ensure that their procedures for preventing access to gambling by self-excluded individuals take account of the structure and layout of the gambling premises.

8. Licensees must, when administering the self-exclusion agreement, signpost the individual to counselling and support services.

# 3.5.2 - Self-exclusion – non-remote ordinary code

**Ordinary code**

**Applies to:**

All non-remote licences and remote betting intermediary (trading rooms only) licences, but not gaming machine technical and gambling software licences.

1. Self-exclusion procedures should require individuals to take positive action in order to self-exclude. This can be a signature on a self-exclusion form.
2. Individuals should be able to self-exclude without having to enter gambling premises.
3. Before an individual self-excludes, licensees should provide or make available sufficient information about what the consequences of self-exclusion are.
4. Licensees should take all reasonable steps to extend the self-exclusion to premises of the same type owned by the operator in the customer's local area. In setting the bounds of that area licensees may take into account the customer's address (if known to them), anything else known to them about the distance the customer ordinarily travels to gamble and any specific request the customer may make.
5. Licensees should encourage the customer to consider extending their self-exclusion to other licensees' gambling premises in the customer's local area.
6. Customers should be given the opportunity to discuss self-exclusion in private, where possible.

7. Licensees should take steps to ensure that:

    a. the minimum self-exclusion period offered is of a duration of not less than 6 nor more than 12 months
    b. any self-exclusion may, on request, be extended for one or more further periods of at least 6 months each
    c. a customer who has decided to enter a self-exclusion agreement is given the opportunity to do so immediately without any cooling-off period. However, if the customer wishes to consider the self-exclusion further (for example to discuss with problem gambling groups), the customer may return at a later date to enter into self- exclusion
    d. at the end of the period chosen by the customer, the self-exclusion remains in place for a further 6 months, unless the customer takes positive action in order to gamble again
    e. where a customer chooses not to renew the self-exclusion, and makes a positive request to begin gambling again during the 6 month period following the end of their initial self-exclusion, the customer is given one day to cool off before being allowed access to gambling facilities. The contact must be made via telephone or in person
    f. notwithstanding the expiry of the period of self-exclusion chosen by a customer, no marketing material should be sent to them unless and until they have asked for or agreed to accept such material.

8. The licensee should retain the records relating to a self-exclusion agreement at least for the length of the self-exclusion agreement plus a further 6 months.

9. Please note that the Commission does not require the licensee to carry out any particular assessment or make any judgement as to whether the previously self-excluded individual should again be permitted access to gambling. The requirement to take positive action in person or over the phone is purely to a) check that the customer has considered the decision to access gambling again and allow them to consider the implications; and b) implement the one day cooling-off period and explain why this has been put in place.

10. Licensees should have, and put into effect, policies and procedures which recognise, seek to guard against and otherwise address, the fact that some individuals who have self-excluded might attempt to breach their exclusion without entering a gambling premises, for example, by getting another to gamble on their behalf.

11. Licensees should have effective systems in place to inform all venue staff of self-excluded individuals who have recently attempted to breach a self-exclusion in that venue, and the licensees neighbouring venues.

12. In providing training to staff on their responsibilities for self-exclusion, licensees should have, as a minimum, policies for induction training and refresher training.

# 3.5.3 - Self-exclusion – remote SR code

**Social responsibility code**

**Applies to:**

All remote licences except: gaming machine technical, gambling software, host, ancillary remote bingo, ancillary remote casino, betting intermediary (trading room only) and remote betting (standard) (remote platform) licences. Paragraph 8 does not apply to ancillary remote betting licences, remote general betting (limited), or any remote lottery licence the holder of which does not provide facilities for participation in instant win lotteries.



1. Licensees must have and put into effect procedures for self-exclusion and take all reasonable steps to refuse service or to otherwise prevent an individual who has entered a self-exclusion agreement from participating in gambling.

2. Licensees must, as soon as practicable, take all reasonable steps to prevent any marketing material being sent to a self-excluded customer.

3. Licensees must take steps to remove the name and details of a self-excluded individual from any marketing databases used by the company or group (or otherwise flag that person as an individual to whom marketing material must not be sent), within two days of receiving the completed self-exclusion notification.

4. This covers any marketing material relating to gambling. However, it would not extend to blanket marketing which is targeted at a particular geographical area and where the excluded individual would not knowingly be included.

5. Licensees must close any customer accounts of an individual who has entered a self- exclusion agreement and return any funds held in the customer account. It is not sufficient merely to prevent an individual from withdrawing funds from their customer account whilst still accepting wagers from them. Where the giving of credit is permitted, the licensee may retain details of the amount owed to them by the individual, although the account must not be active.

6. Licensees must put into effect procedures designed to ensure that an individual who has self-excluded cannot gain access to gambling. These procedures must include:

    a. a register of those excluded with appropriate records (name, address, other details, and any membership or account details that may be held by the operator);
    b. a record of the card numbers to be excluded;
    c. staff training to ensure that staff are able to administer effectively the systems; and
    d. the removal of access from those persons found to have gambled or who have attempted to gamble on the facilities.

7. Licensees must when administering the self-exclusion signpost the individual to counselling and support services.

8. Customers must be given the opportunity to self-exclude by contacting customer services and in addition by entering an automated process using remote communication. In order to avoid inadvertent self-exclusion it is acceptable for an automated process to include an additional step that requires the customer to confirm that they wish to self-exclude. The licensee must ensure that all staff who are involved in direct customer service are aware of the self-exclusion system in place, and are able to direct that individual to an immediate point of contact with whom/which to complete that process.

# 3.5.4 - Self-exclusion – Remote ordinary code

**Ordinary code**

**Applies to:**

All remote licences (including ancillary remote betting licences), except gaming machine technical, gambling software, host, ancillary remote bingo, ancillary remote casino, remote betting intermediary (trading rooms only) and remote betting (standard) (remote platform) licences.

1. Self-exclusion procedures should require individuals to take positive action in order to self-exclude:

    a. over the internet; this can be a box that must be ticked in order to indicate that they understand the system
    b. by telephone; this can be a direct question asking whether they understand the system.

2. Before an individual self-excludes, licensees should provide or make available sufficient information about what the consequences of self-exclusion are.

3. Licensees should encourage the customer to consider extending their self-exclusion to other remote gambling operators currently used by the customer.

4. Within the licensee’s information about self-exclusion policies, the licensee should provide a statement to explain that software is available to prevent an individual computer from accessing gambling internet sites. The licensee should provide a link to a site where further information is available.

5. Licensees should take all reasonable steps to ensure that:

    a. the minimum self-exclusion period offered is of a duration of not less than 6 nor more than 12 months;
    b. any self-exclusion may, on request, be extended for one or more further periods of at least 6 months;
    c. the self-exclusion arrangements give customers the option of selecting a self-exclusion period of up to at least five years;
    d. a customer who has decided to enter a self-exclusion agreement is given the opportunity to do so immediately without any cooling-off period. However, if the customer wishes to consider the self-exclusion further (for example to discuss with problem gambling groups) the customer may return at a later date to enter into self-exclusion;
    e. at the end of the period chosen by the customer, self-exclusion remains in place, for a minimum of 7 years, unless the customer takes positive action to gamble again;
    f. where a customer chooses not to renew, and makes a positive request to begin gambling again, during the 7 year period following the end of their initial self-exclusion, the customer is given one day to cool off before being allowed to access gambling facilities. Contact must be made via phone or in person; re-registering online is not sufficient; and
    g. notwithstanding the expiry of the period of self-exclusion chosen by a customer, no marketing material should be sent to them unless and until they have asked for or agreed to accept such material.

6. The licensee should retain the records relating to a self-exclusion agreement for as long as is needed to enable the self-exclusion procedures set out in paragraph 5 above to be implemented.

7. Please note that the Commission does not require the licensee to carry out any particular assessment or make any judgement as to whether the previously self-excluded individual should again be permitted access to gambling. The requirement to take positive action in person or over the phone is purely to a) check that the customer has considered the decision to

access gambling again and allow them to consider the implications; and b) implement the one day cooling-off period and explain why this has been put in place.

8. In providing training to staff on their responsibilities for self-exclusion, licensees should have, as a minimum, policies for induction training and refresher training.

## 3.5.5 - Remote multi-operator SR code

**Social responsibility code**

**Applies to:**

All remote licences except: any remote lottery licence the holder of which does not provide facilities for participation in instant win lotteries, ancillary remote betting when relied upon to provide facilities for betting via a machine (commonly known as self-service betting terminals) on premises where a betting or track premises licence has effect, remote general betting (remote platform), remote betting intermediary (trading room only), gaming machine technical, gambling software, host, ancillary remote bingo, and ancillary remote casino licences.

1. Licensees must participate in the national multi-operator self-exclusion scheme.

# 3.5.6 - Multi-operator non-remote SR code

**Social responsibility code**

**Applies to:**

All non-remote casino, bingo and betting licences (except in respect of the provision of facilities for betting in reliance on a track premises licence) and holders of gaming machine general operating licences for adult gaming centres.

1. Licensees must offer customers with whom they enter into a self-exclusion agreement in respect of facilities for any kind of gambling offered by them at licensed gambling premises the ability to self-exclude from facilities for the same kind of gambling offered in their locality by any other holder of an operating licence to whom this provision applies, by participating in one or more available multi-operator self-exclusion schemes.

# 3.6.5 - AGCs

**Ordinary code**

**Applies to:**

All adult gaming centre licences.

1. Licensees who employ children (under-16-year-olds) and young persons (those aged 16 and 17) should be aware that it is an offence:

    a. to employ them to provide facilities for gambling;
    b. if gaming machines are sited on the premises, for their contracts of employment to require them, or for them to be permitted, to perform a function in connection with a gaming machine at any time; and
    c. to employ them to carry out any other function on adult gaming centre licensed premises while any gambling activity is being carried on in reliance on the premises licence.

2. As to 1b, it should be noted that in the Commission's view the relevant provision of the Act applies to any function performed in connection with a gaming machine. This includes servicing or cleaning such a machine.

3. Accordingly, licensees should have and put into effect policies and procedures designed to ensure that:

    a. children and young persons are never asked to perform tasks within 1a or 1b, above
    b. all staff, including those who are children or young persons themselves, are instructed about the laws relating to access to gambling by children and young persons.

4. Licensees should consider adopting a policy that:

    a. children and young persons are not employed to work on adult gaming centre licensed premises at any time when the premises are open for business
    b. gaming machines are turned off if children and young persons are working on the premises outside the hours when the premises are open for business.

# 3.6.6 - FECs

**Ordinary code**

**Applies to:**

All family entertainment centre licences.

1. Licensees who employ children (under-16-year-olds) and young persons (those aged 16 and 17) should be aware that it is an offence:

    a. to employ them to provide facilities for gambling; and
    b. if gaming machines are sited on the premises, for their contracts of employment to require them, or for them to be permitted, to perform a function in connection with a gaming machine at any time.

2. As to 1b, it should be noted that in the Commission's view the relevant provision of the Act applies to any function performed in connection with a gaming machine. This includes servicing or cleaning such a machine.

3. Accordingly, licensees should have and put into effect policies and procedures designed to ensure that:

    a. children and young persons are never asked to perform tasks within 1a or 1b, above; and
    b. all staff, including those who are children or young persons themselves, are instructed about the laws relating to access to gambling by children and young persons.

4. Licensees should consider adopting a policy that:

a. children and young persons are not employed to carry out any work in an adult-only area of family entertainment licensed premises at a time when any gambling is taking place; and
b. gaming machines sited in adult-only areas are turned off if children and young persons are working on the premises outside the hours when the premises are open for business.

## 3.8.2 - Money-lending – other than casinos

**Ordinary code**

**Applies to:**

All non-remote bingo, general betting, adult gaming centre, family entertainment centre and remote betting intermediary (trading rooms only) licences.

1. Licensees should seek to prevent systematic or organised money lending between customers on their premises. As a minimum, they should have arrangements in place to ensure staff are requested to report any instances of substantial money lending when they become aware of them.

# 3.9.1 - Identification of individual customers - remote

**Social responsibility code**

**Applies to:**

All remote licences (including ancillary remote betting licences) except gaming machine technical, gambling software, host, ancillary remote bingo, ancillary remote casino and remote betting intermediary (trading rooms only) licences.

1. Licensees must have and put into effect policies and procedures designed to identify separate accounts which are held by the same individual.

2. Where licensees allow customers to hold more than one account with them, the licensee must have and put into effect procedures which enable them to relate each of a customer's such accounts to each of the others and ensure that:

    a. if a customer opts to self-exclude they are effectively excluded from all gambling with the licensee unless they make it clear that their request relates only to some forms of gambling or gambling using only some of the accounts they hold with the licensee;
    b. all of a customer's accounts are monitored and decisions that trigger customer interaction are based on the observed behaviour and transactions across all the accounts;
    c. where credit is offered or allowed the maximum credit limit is applied on an aggregate basis across all accounts; and
    d. individual financial limits can be implemented across all of a customer's accounts.

3. Licensees which are companies or other bodies corporate must take all reasonable steps to comply with the above provision as if reference to a customer holding more than one account

with them included a reference to a customer holding one or more accounts with them and one or more accounts with a group company.

4. A company is a 'group company' in relation to a licensee if it is the holding company of, subsidiary of, or shares a common holding company with, the licensee. For these purposes 'holding company' and 'subsidiary' have the meanings ascribed to them by section 1159 of the Companies Act 2006[1] or any statutory modification or re-enactment thereof.

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[1] Section 1159 of the Companies Act 2006 (opens in new tab)



## 4.1.1 - Fair terms

**Social responsibility code**

**Applies to:**

All licences, except gaming machine technical and gambling software licences.

1. Licensees must be able to provide evidence to the Commission, if required, showing how they satisfied themselves that their terms are not unfair.

# 5.1.1 - Rewards and bonuses – SR code

**Social responsibility code**

**Applies to:**

All licences (including ancillary remote licences), except gaming machine technical and gambling software licences.

1. If a licensee makes available to any customer or potential customer any incentive or reward scheme or other arrangement under which the customer may receive money, goods, services or any other advantage (including the discharge in whole or in part of any liability of his) ('the benefit') the scheme must be designed to operate, and be operated, in such a way that:

    a. the circumstances in which, and conditions subject to which, the benefit is available are clearly set out and readily accessible to the customers to whom it is offered;
    b. neither the receipt nor the value or amount of the benefit is:
        i. dependent on the customer gambling for a pre-determined length of time or with a pre-determined frequency; or
        ii. altered or increased if the qualifying activity or spend is reached within a shorter time than the whole period over which the benefit is offered.
    c. if the value of the benefit increases with the amount the customer spends it does so at a rate no greater than that at which the amount spent increases; and further that:
    d. if the benefit comprises free or subsidised travel or accommodation which facilitates the customer's attendance at particular licensed premises the terms on which it is offered are not directly related to the level of the customer's prospective gambling.

2. If a licensee makes available incentives or reward schemes for customers, designated by the licensee as 'high value, 'VIP' or equivalent, they must be offered in a manner which is consistent with the licensing objectives.

Licensees must take into account the Commission's guidance on high value customer incentives[1].

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[1] Guidance on high value customer incentives (opens in new tab)



## 5.1.2 - Proportionate rewards

**Ordinary code**

**Applies to:**

All licences (including ancillary remote licences), except gaming machine technical and gambling software licences.

1. Licensees should only offer incentive or reward schemes in which the benefit available is proportionate to the type and level of customers' gambling.

# 5.1.6 - Compliance with advertising codes

**Social responsibility code**

**Applies to:**

All licences, except lottery licences.

1. All marketing of gambling products and services must be undertaken in a socially responsible manner.

2. In particular, Licensees must comply with the advertising codes of practice issued by the Committee of Advertising Practice (CAP)[1] and the Broadcast Committee of Advertising Practice (BCAP)[2] as applicable. For media not explicitly covered, licensees should have regard to the principles included in these codes of practice as if they were explicitly covered.

3. The restriction on allowing people who are, or seem to be, under 25 years old (that is, those in the 18-24 age bracket) to appear in marketing communications need not be applied in the case of non-remote point of sale advertising material, provided that the images used depict the sporting or other activity that may be gambled on and not the activity of gambling itself and do not breach any other aspect of the advertising codes.

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[1] Committee of Advertising Practice (opens in new tab)

[2] Broadcast Committee of Advertising Practice (opens in new tab)

# 5.1.8 - Compliance with industry advertising codes

**Ordinary code**

**Applies to:**

All licences.

1. Licensees should follow any relevant industry code on advertising, notably the Gambling Industry Code for Socially Responsible Advertising[1].

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[1] Gambling Industry Code for Socially Responsible Advertising (opens in new tab)

# 5.1.9 - Other marketing requirements

**Social responsibility code**

**Applies to:**

All licences.

1. Licensees must ensure that their marketing communications, advertisement, and invitations to purchase (within the meaning of the Consumer Protection from Unfair Trading Regulations 2008[1]) do not amount to or involve misleading actions or misleading omissions within the meaning of those Regulations.

2. Licensees must ensure that all significant conditions which apply to marketing incentives are provided transparently and prominently to consumers. Licensees must present the significant conditions at the point of sale for any promotion, and on any advertising in any medium for that marketing incentive except where, in relation to the latter, limitations of space make this impossible. In such a case, information about the significant conditions must be included to the extent that it is possible to do so, the advertising must clearly indicate that significant conditions apply and where the advertisement is online, the significant conditions must be displayed in full no further than one click away.

3. The terms and conditions of each marketing incentive must be made available for the full duration of the promotion.

[1] Consumer Protection from Unfair Trading Regulations 2008 (opens in new tab)

## 5.1.10 - Online marketing in proximity to information on responsible gambling

**Ordinary code**

**Applies to:**

All licences.

1. Licensees should ensure that no advertising or other marketing information, whether relating to specific offers or to gambling generally, appears on any primary web page/screen, or micro site that provides advice or information on responsible gambling

# 5.1.11 - Direct electronic marketing consent

**Social responsibility code**

**Applies to:**

All licences.

1. Unless expressly permitted by law consumers must not be contacted with direct electronic marketing without their informed and specific consent. Whenever a consumer is contacted the consumer must be provided with an opportunity to withdraw consent. If consent is withdrawn the licensee must, as soon as practicable, ensure the consumer is not contacted with electronic marketing thereafter unless the consumer consents again. Licensees must be able to provide evidence which establishes that consent.

# 6.1.1 - Complaints and disputes

**Social responsibility code**

**Applies to:**

All licences (including ancillary remote licensees) except gaming machine technical and gambling software licences.

1. Licensees must put into effect appropriate policies and procedures for accepting and handling customer complaints and disputes in a timely, fair, open and transparent manner.
2. Licensees must ensure that they have arrangements in place for customers to be able to refer any dispute to an ADR entity in a timely manner if not resolved to the customer's satisfaction by use of their complaints procedure within eight weeks of receiving the complaint, and where the customer cooperates with the complaints process in a timely manner.
3. The services of any such ADR entity must be free of charge to the customer.
4. Licensees must not use or introduce terms which restrict, or purport to restrict, the customer's right to bring proceedings against the licensee in any court of competent jurisdiction. Such terms may, however, provide for a resolution of a dispute agreed by the customer (arrived at with the assistance of the ADR entity) to be binding on both parties.
5. Licensees' complaints handling policies and procedures must include procedures to provide customers with clear and accessible information on how to make a complaint, the complaint procedures, timescales for responding, and escalation procedures.

6. Licensees must ensure that complaints policies and procedures are implemented effectively, kept under review and revised appropriately to ensure that they remain effective, and take into account any applicable learning or guidance published by the Gambling Commission[1] from time to time.

7. Licensees should keep records of customer complaints and disputes and make them available to the Commission on request.

In this Code, 'ADR entity' means

a. a person offering alternative dispute resolution services whose name appears on the list maintained by the Gambling Commission in accordance with The Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015[2] and,
b. whose name appears on the list of providers[3] that meet the Gambling Commission's additional standards found in the document 'Alternative dispute resolution (ADR) in the gambling industry – standards and guidance for ADR providers'.

Both lists are on the Commission's website and will be updated from time to time.

Read additional guidance on the information requirements contained within this section.

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[1] Complaints and disputes: Guidance published by the Gambling Commission (opens in new tab)

[2] The Alternative Dispute Resolution for Consumer Disputes (Competent Authorities and Information) Regulations 2015 (opens in new tab)

[3] List of approved Alternative Dispute Resolution providers (opens in new tab)

# 7.1.2 - Responsible gambling information for staff

**Social responsibility code**

**Applies to:**

All licences, including betting ancillary remote licences, but not other ancillary remote licences.

1. Licensees must take all reasonable steps to ensure that staff involved in the provision of facilities for gambling are made aware of advice on socially responsible gambling and of where to get confidential advice should their gambling become hard to control.

# 8.1.1 - Ordinary code

**Ordinary code**

**Applies to:**

All licences.

1. As stated earlier in this code, the Commission expects licensees to work with the Commission in an open and cooperative way and to inform the Commission of any matters that the Commission would reasonably need to be aware of in exercising its regulatory functions. These include in particular matters that will have a material impact on the licensee's business or on the licensee's ability to conduct licensed activities compliantly and consistently with the licensing objectives.

2. Thus, licensees should notify the Commission, or ensure that the Commission is notified, as soon as reasonably practicable and in such form and manner as the Commission may from time to time specify[1] , of any matters which in their view could have a material impact on their business or affect compliance. The Commission would, in particular, expect to be notified of the occurrence of any of the following events in so far as not already notified in accordance with the conditions attached to the licensee's licence[2] :

    a. any material change in the licensee's structure or the operation of its business
    b. any material change in managerial responsibilities or governance arrangements
    c. any report from an internal or external auditor expressing, or giving rise to, concerns about material shortcomings in the management control or oversight of any aspect of the licensee's business related to the provision of gambling facilities.

Read additional guidance on the information requirements contained within this section.

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[1] These matters are to be reported to us online via our 'eServices' digital service on our website.

[2] Events which must be reported, because the Commission considers them likely to have a material impact on the nature or structure of a licensee's business, are set out in general licence condition 15.2.1

# 10.1.1 - Assessing local risk

**Social responsibility code**

**Applies to:**

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.

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[1].

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.

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[1]This is the statement of licensing policy (opens in new tab) under the Gambling Act 2005.

# 10.1.2 - Sharing local risk assessments

**Ordinary code**

**Applies to:**

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.

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 GAMBLING RISK ASSESSMENT**

**Premises:** **Golden Slots 39 Church Road Ashford TW15 2QF**

**Operator:** **Golden Slots (Southern) Limited**
**Operating Licence:** **043695-N-323074-011**

**Prepared by:** **Debbie Bollard**
**Date:** **20 May 2025**

**Requirement to Comply**

**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**

**Social responsibility code provision 10.1.1**

**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.**

**Ordinary code provision 10.1.2**

**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.**

**Premises Location**

The Premises are located on the ground floor of a three-storey building previously occupied by a bank which has Sui Generis (Amusement) planning permission.

The premises will be open 24/7 with at least 2 members of staff working on site at any given time on the basis of a maximum of 8 customers, if the numbers increase then an additional member of staff will be used for busier periods . A maglock will be in use between the hours 2200 and 0800 with the door locked during those hours and opened by a member of staff when a customers wants to enter the premises. This will also be used when the machines are being emptied and refloated when the Premises will be closed. The Company is a participant of the Boomerang SmartEXCLUSION multi-operator self-exclusion scheme, a member of the Bacta the trade body representing industry members.

The site is in Ashford Surrey, 3 miles from Heathrow Airport, located on the corner of Church Road and Dudley Road, with a single entrance off Church Road and a fire exit onto Dudley Road. Church Road (B378) is a primary route through Ashford and is lined with a variety of typical high street businesses, often with residential above. To the West side of Church Road behind the commercial development is mainly low density residential bounded by the A308, London Road to the north and Ashford Golf club to the south. To the east of Church Road is also mainly residential with a mixture of houses and purpose built flats bounded to the north by the railway line, Bedfont Lakes Country Park to the east and the A308. At the time of the 2011 census there were 2,388 detached house, 4,380 semi-detached, 1,672 terraced houses and 2,618 apartments.

Immediately next door is a Wimpy restaurant and a furniture store; Dudley Road is an entrance to a large residential area. Church Road comprises of a mixture of retail, food outlets, personal care salons and public amenities. There are 2 Betting shops on Church Road – Coral and William Hill within 500 feet of the location on either side of the road. Both are part of large national chains with robust compliance policies in place particularly around social responsibility. The nearest Adult Gaming Centre is Casino Slots in Feltham nearly 3 miles away as is the nearest Bingo Hall Buzz Bingo. Public community buildings include Ashford Library almost across the road.

**Demographics**

Ashford is located in Spelthorne District Council with a population of circa 23k (2021 census) with over half being of working age and predominantly white British ethnicity. The average debt per person is £670 (Local Gov Reports 2023) and child poverty in Ashford is circa 10%, which is below the national average of 22%. Spelthorne is the most deprived borough in Surrey (https://www.surreyi.gov.uk/census-2021/census-2021-household-deprivation/ with 7.9% of the population income deprived. However the area of Ashford where the Premises are located is in one of the least deprived wards and is in the 20 percent least income deprived neighbourhoods in England (fig 1)

Spelthorne has a low rate of unemployment being sited close to Heathrow: 1.4% of those economically active aged 16 to 64, compared to the South East (2.2%) and UK as a whole (3.5%). Average wages are slightly above regional averages at £827 per week for full-time employees (ONS).

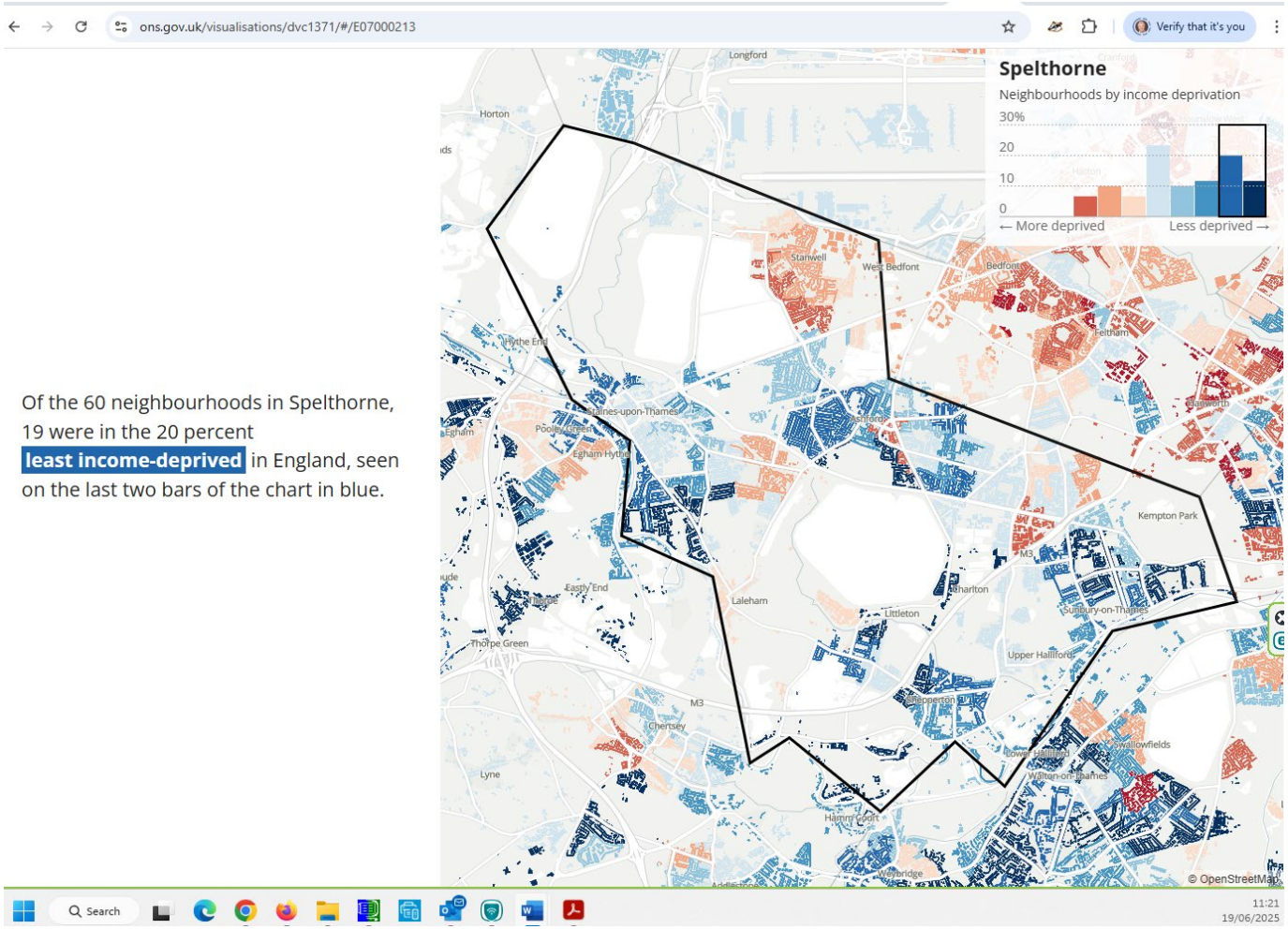


Fig 1

The health of people in Spelthorne is generally better than the England average. About 12.6% (2,225) children live in low-income families. Life expectancy for both men and women is higher than the England average. Life expectancy is 5.6 years lower for men and 6.0 years lower for women in the most deprived areas of Spelthorne than in the least deprived areas such as Ashford (Public Health England).

**Crime**

The nearest police station is Staines Police Station 22 Kingston Road Staines TW18 4LQ open Monday to Sunday during the hours of 08:00-22:00. Alternate Hounslow Police Station 3-5 Montague Road TW3 1LB open 24/7

Ashford is the reported as the most dangerous medium-sized town in Surrey, and in the top 10 most dangerous of all communities in Surrey. The overall crime rate in was 102 crimes per 1,000 people which compares poorly to Surrey's overall crime rate, of 61 per 1,000 daytime population. For England, Wales, and Northern Ireland as a whole, Ashford is the 87th most dangerous medium-sized town, and the 995th most dangerous location out of all towns, cities, and villages (crimerate.co.uk/surrey/ashford)

In January – April 2025 nearly 700 crimes were committed in Ashford, the most common crimes in Ashford are violence and sexual offences, and anti social behaviour (police.uk/surrey/ashford)

**Schools**

- **Primary**
  - Clarendon Primary School (01784 253379) 0.2 miles
  - St Michael's Primary School (01784 253333) 0.4 miles
  - Fordway Centre SSS (01784 243365) 0.4 miles
  - Ashford Primary School (01784 253310) 0.8 miles
  - The Echelford Primary School (01784 253233) 1.0 mile
  - Ashford Park Primary School ((01784 250305) 1.0 mile
  - The Matthew Arnold School (01784 457275) 1.4 miles
- **Secondary**
  - St James Senior Boys School (01784 266930) 0.3 miles
  - Thomas Knyvette College (01784 243824) 0.6 miles

**Banks & ATMs**

| | |
|---|---|
| Tesco ATM | less than 0.1 mile |
| Sainsbury's ATM | less than 0.1 miles |
| NatWest Bank | 0.2miles |
| Stanwell Road Post Office | 0.4 miles |
| Lloyds | 1.7 miles |

**Pawn Shops - nil**

**Pubs and Bars**

Kings Head (0.4 miles)
Kings Fairway (0.5 miles)
The District Arms (0.8 miles)

**Churches**

Ashford Congregational Church – Clarendon Road (<0.1 mile)
St Michael's Fordbridge Road (0.2 miles)
Ashford Baptist Church (0.2 miles)
Woodthorpe Methodist Clarendon Road (0.2 miles)
St Matthew - Church Road 0.3 miles
St Hilda's – Stanwell Road/Woodthorpe Road - (0.4 miles)
Salvation Army Woodthorpe Road (0.5 miles)
There are no known mosques or temples in the vicinity

**Care Homes**

| | |
|---|---|
| Cedars Care Home (01784 242356) | 0.2 miles |
| Echelforde Care Home (01784 819505) | 0.2 miles |
| Acacia Lodge (01784 452855) | 1.8 miles |

**Transport Hubs**

Bus stop Dudley Road

Bus stop Church Road Car Park
Ashford Railway Station

**Area of general interest to children**

| | |
|---|---|
| The Kub Club | 0.2 miles |
| Ashford Youth Club | 0.9 miles |
| Woodthorpe Road Play Area | 0.9 miles |
| Hengrove Park | 1.1 miles |

**Centres for vulnerable people**

Studholme Medical Centre (0.1 mile)
Clarendon Family Centre (0.2 miles)

| RISKS | LEVEL | IMPACT | RISK MANAGEMENT | DATE REVIEWED |
|---|---|---|---|---|
| Children entering the site unnoticed or unchallenged particularly after school and during school holidays | Low | Severe to Business<br><br>Severe to Child | The latest gambling participation survey (2024) reports the most common types of gambling activity that young people participated in were legal such as penny pushers or claw grab machines (20%), 4% played on fruit or slot machines and did not feature age restricted products, but only.<br><br>There is only one entrance/exit from Church Road which is effectively monitored by staff at all times from the customer service desk and by the floor walkers.<br><br>The site frontage is designed to obscure the interior so as not to be attractive to children and there is no advertising that is designed to be attractive to children at the entrance.<br><br>Over 18s notices are clearly displayed at entrance to the Premises<br><br>The site is strictly 18+ and the Operator has a Think 25 policy in place; anyone appearing to be under 25 will be asked to provide photographic ID . The Operator will only accept passports photo card driving licences and HM Forces ID cards. Anyone unable to verify their age is asked to leave immediately.<br><br>Staff age verification training is delivered, with staff receiving training on induction and at least annually. Additional/remedial training is given when considered necessary. All training is recorded and stored electronically and in paper format on staff files.<br><br>Gaming machines are clearly labelled as 18+ and set out so that players are not obscured from view. CCTV cameras and monitor screens are in use around the premises in the gaming area to monitor players at all times. CCTV is recorded, backed up by equipment in the back office and is available to download for 30 days.<br><br>Stakes are returned to anyone who has played a category C or B gaming machine and unable to verify their age | |

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| | | | Age test purchasing is undertaken at least annually and the results are reported to the Gambling Commission on an annual basis. Any failure will be reviewed by senior management and additional training put in place. Further testing will be arranged within a week. | |
| Out of control gambling by other vulnerable people and failure to recognise signs associated with problem gambling or substantial changes in gambling behaviour | Low | Moderate to business<br><br>Severe to Vulnerable people | The Operator has a robust customer interaction policy & procedure<br><br>Staff receive training on induction and at least annually on how to identify customers who are or may be at risk of harm from gambling and how to interact with them.<br><br>Customers are offered a number of self-help tools including timers, time outs and self-exclusion.<br><br>Customer interactions are reviewed and assessed weekly for effectiveness. Where appropriate further and alternative interactions are used if no change in behaviour is seen.<br><br>Operator led exclusions are used as a last resort where a customer displaying problems refuses to engage in customer interactions and continues to display signs of extreme problem gambling<br><br>The site is designed to have effective monitoring of all customers at all times. CCTV cameras and monitor screens are in use around the premises in the gaming area to monitor players at all times. CCTV is recorded, backed up by equipment in the back office and is available to download for 30 days.<br><br>The results of all customer interactions are recorded on SmartEXCLUSION tablet and reported to the Gambling Commission quarterly<br><br>Marketing and advertising complies with the LCCPs, the CAP and BCAP standards and is not designed to attract vulnerable persons or encourage gambling beyond means | |

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| Failure to provide information on responsible gambling to players | Low | Severe to business<br><br>Severe to customers | The Operator has stay in control posters displayed prominently<br><br>The Cat B gaming machines display safer gambling messages and are programmed with reality checks<br><br>Stay in control leaflets are made available in racks & discreet locations<br><br>Regular audit of poster & leaflets to maintain stock levels | |
| Failure to properly administer the self-exclusion process & maintain its effectiveness, including breaches & reinstatements | Low | Severe to business<br><br>Severe to customer | At least two members of staff are employed at any given time on the basis of a max 1:4 ratio.<br><br>Staff are required to review the self-exclusion data before starting each shift so they are familiar with those who have recently self-excluded from the site and other local AGCs.<br><br>The site layout is designed for effective monitoring of customers entering premises from the customer service desk and by floor walkers<br><br>CCTV at entrance to the premises and monitors on the walls aid identification of known excluders<br><br>Use of on-site & SmartEXCLUSION self-exclusion schemes<br><br>Use of group WhatsApp to notify staff of customers attempting to, or actual breaches of self-exclusions | |
| Failure to deal with customers making complaints about the gaming machines | Moderate | Moderate to business | All gaming machines are sourced from licensed suppliers only<br><br>All gaming machines are regularly maintained and switched off immediately where the outcome of a gambling fault is identified. | |

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| | | Severe to customers | Terms and conditions displayed at premises provide details of how to make a complaint<br><br>Paper copies of complaints procedure and complaints form are available<br><br>Staff are trained on induction on how to deal with customer disputes, including referrals to IBAS the ADR provider | |
| Failure to identify attempts by third parties to launder money through the business | Low | Severe to business<br><br>Low to customers | There are no pawn shops identified in the local vicinity<br><br>Effective monitoring of customers' behaviour by good line of sight from customer service desk and CCTV with monitors sited on the walls<br><br>Staff are regularly trained to identify counterfeit money<br><br>Staff are trained to identify unusual customers behaviour such as anonymous large spenders and customers trying to cash out without playing<br><br>Change machines & note takers are regularly inspected<br><br>Incidents of concern including money lending are reported through the SmartEXCLUSION system and to the MRLRO | |
| Poor security increasing vulnerability to crime | Low | Severe to business<br><br>Severe to customers | Cash float and money for banking are retained in a locked safe and deposited at the bank as soon as possible.<br><br>Toilets are locked and can only be accessed by asking a member of staff to unlock them .<br><br>Liaison with local police teams as appropriate<br><br>Effective CCTV with monitors sited on the walls, with data recorded and stored for 30 days and available to download. | |

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| | | | Toughened glass windows and doors with mag-lock fitted and in operation during hours of 2200-0800 and when refloats and empties are in progress<br><br>All incidents recorded in incident log and reported to the Gambling Commission quarterly<br><br>Intruder alarm installed and regularly serviced; staff will be issued with personal attack alarms if the nee is identified | |
| Failure to identify people entering the premises under the influence of or carrying drink or drugs | Low | Severe to business<br><br>Severe to Customers | Staff are trained to look out for customers entering the premises who may be under the influence of alcohol and/or drugs and to refuse entry or ask them to leave immediately<br><br>Staff are trained to monitor customers entering the premises carrying alcohol and/or drugs and to refuse entry or ask them to leave immediately<br><br>The customer toilet is locked and customers must ask a member of staff for the key<br><br>Signs at the entrance to the Premises that no alcohol is permitted in the property | |
| Anti-social behaviour outside the premises | Low | Moderate to business<br><br>Low to customers | The Operator acknowledges its public responsibility to ensure its Premises are not a source that public nuisance and disorder. It will work closely with the police and other local partnerships to reduce the risk of any impact.<br><br>Staff are trained to monitor the external area around the entrance for any anti-social behaviour and to take appropriate steps. Anyone seen loitering around the entrance will be asked to move away. | |

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| | | | Where an incident appears to be escalating the staff with use the mag-lock to lock the door and engage with local partnerships to minimise the risk | |

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Statement to Licensing Sub-Committee – Gambling License, 39 Church Road, Ashford

Good morning Councillors. My name is Nik Urquhart. I live directly opposite 39 Church Road and I am speaking both as a resident and on behalf of the Ashford Residents Association.

I recognise that under section 153 the Committee aims to permit gambling where it is reasonably consistent with the licensing objectives, the Commission's Codes and Guidance, and your Statement of Principles. Today is about whether this specific location and this specific risk profile can be made reasonably consistent with those objectives.

Your own Statement of Gambling Policy is clear that location matters. Section 2.3 flags proximity to schools and vulnerable adult centres, and areas with high concentrations of children, as potential causes for concern and expects applicants to show how those risks are overcome through a robust local risk assessment that engages with Spelthorne's Local Area Profile.

Section 2.11 lists concrete measures the authority expects for Adult Gaming Centres including staffing, supervision, CCTV, opening hours and safeguarding protocols.

This site sits on Ashford High Street with regular child and youth footfall. Clarendon Primary School is roughly 340 yards away on Knapp Road, St Michael Catholic Primary School & Nursery is about 600 yards on Feltham Hill Road, and Thomas Knyvett College is around ½ mile on Stanwell Road. Church Road is also served by regular buses - including 117,216 and 290, bringing pupils past the frontage throughout the day. This is exactly the kind of sensitive setting your policy expects operators to address in their risk assessments.

Ashford also records persistent anti-social behaviour. Police data for the Ashford area shows anti-social behaviour as one of the most reported categories in recent months, which increases the risk of loitering and disorder around a late-opening venue that handles cash and machines. The applicant's risk assessment should have reflected that local reality and not treated Ashford as if it were a typical large town centre. We don't have the kind of late-night economy or heavy security presence that bigger towns do.

The Gambling Commission's Guidance is clear: the "aim to permit" is not absolute. Licensing authorities are entitled to refuse where risks cannot be mitigated, particularly where risk assessments fail to engage with the *local* picture. The National Guidance also stresses the importance of robust, site-specific risk assessments that genuinely respond to your policy and local area profile, not boilerplate documents copied from elsewhere.

There is a recent and very relevant court decision. In February 2025 the Sheffield Magistrates Court dismissed an appeal against refusal of an AGC on a prominent city centre street. The District Judge accepted that conditions cannot control harms that occur beyond the doorway and that councils are entitled to assess invisible harms and unidentified vulnerabilities in a particular locality. The court also criticised risk assessments that treated one city like any other

rather than engaging with the actual local profile. That decision confirms that refusal is open to you where the risks in this locality cannot be adequately mitigated.

That same principle of local accountability is also reflected in wider national evidence about how the gambling industry is operating in practice.

Recent national investigations have shown serious failures within the Adult Gaming Centre sector in meeting this objective. A BBC *File on 4* investigation broadcast on 17 June 2025 revealed that only one of fourteen AGCs visited successfully prevented a self-excluded gambler from accessing slot machines. The Gambling Commission described those findings as "very concerning" and has since opened a formal inquiry.

If such breaches occur across larger and better-resourced towns, there can be no confidence that a small AGC in Ashford would uphold the standards of fairness and openness required by the Gambling Act.

Residents are not against responsible businesses, but fairness and openness must mean more than promises on paper. Until the Gambling Commission itself can guarantee that national protections actually work, it would be unsafe to introduce a new AGC into a community like ours.

Finally, while you must decide this case under the current Gambling Act, it is telling that government policy is now shifting. The recently announced *Pride in Place* programme will give councils stronger powers to refuse new betting shops and other unwanted uses. National policy is moving toward giving communities like Ashford greater control, exactly in line with what residents are asking you to do today.

The local facts, national policy direction, and real-world evidence all point in one direction, that approving an AGC in this location would carry unmanageable risks.

Bringing this together: this location has regular youth footfall, schools in close proximity, and a record of anti-social behaviour. In that context, no set of conditions can realistically mitigate the off-premises risks to children and vulnerable persons, or the risk of disorder on the High Street.

On behalf of Ashford residents, I respectfully ask you to refuse this license as not reasonably consistent with the licensing objectives in this locality, when read alongside your Statement of Principles and the Gambling Commission's Guidance.

If, however, the Committee is minded to grant, we would ask you to adopt tightly drawn conditions to reduce risk, including restricted opening hours, minimum staffing, SIA supervision, and strict safeguarding protocols, which I have submitted in writing.

Thank you.

## Evidence Pack – Golden Slots, 39 Church Road, Ashford

Prepared by: Nik Urquhart, Ashford Residents Association
Submission deadline: 30 September 2025 (12:00 Noon)

This evidence pack has been compiled by Nik Urquhart, speaking on behalf of the Ashford Residents Association and local residents who submitted valid representations. It provides supporting material relevant to the three licensing objectives under the Gambling Act 2005 and demonstrates why the proposed Adult Gaming Centre at 39 Church Road cannot be considered reasonably consistent with those objectives.

### Sheffield AGC Refusal Case (February 2025)

In February 2025, Sheffield Magistrates' Court dismissed an appeal against the refusal of a premises licence for an Adult Gaming Centre in the city centre. The District Judge confirmed that licensing authorities are entitled to refuse applications where risks to the licensing objectives cannot be effectively managed, even if conditions are proposed.

Key findings:
1. Invisible harms and unidentified vulnerabilities – Licensing authorities may consider the impact on vulnerable people who may not be visible or identifiable.
2. Locality-specific risks – Risk assessments must engage with the particular local area, not just generic factors.
3. Limits of conditions – Conditions cannot mitigate all risks, especially those occurring outside the premises such as loitering, antisocial behaviour, or exposure of children and vulnerable people.

This case demonstrates that refusal is a lawful and proportionate option where an AGC would undermine the licensing objectives due to its location and context, even if conditions are offered.

Reference Links:

https://www.ftbchambers.co.uk/news/news-view/licensing-appeal-for-adult-gaming-centre-dismissed

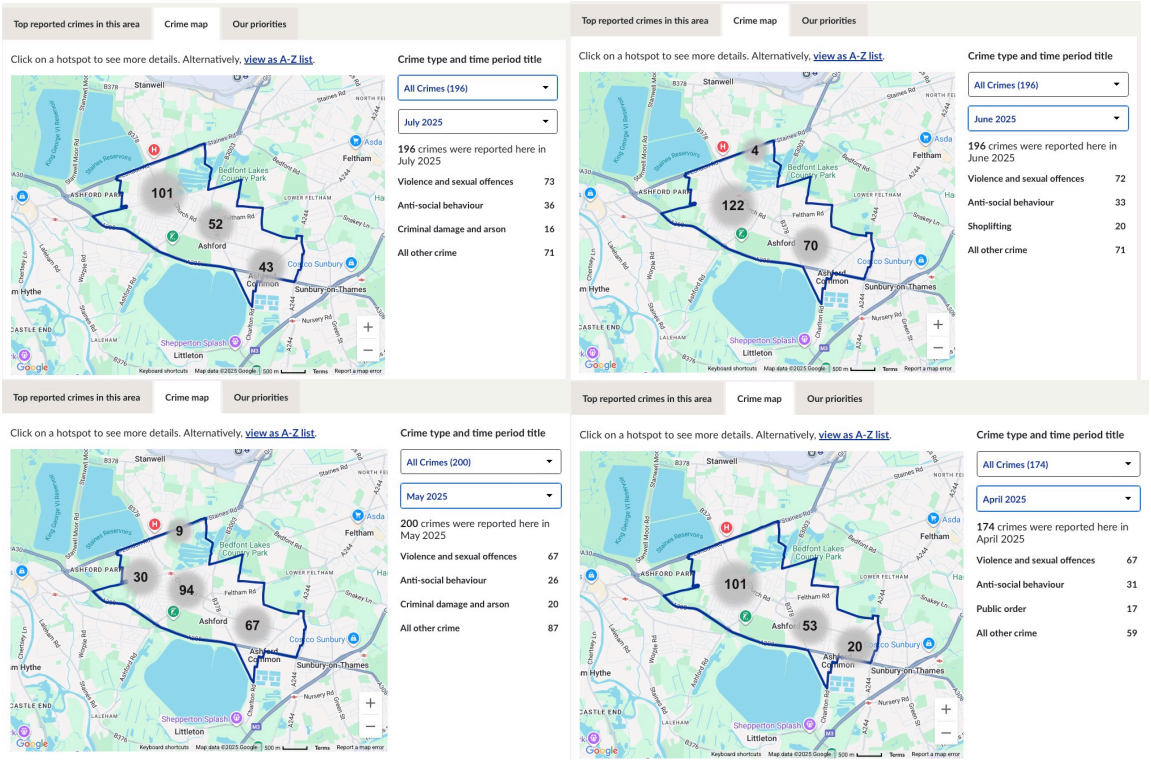
https://instituteoflicensing.org/network-news/local-authority-perspective-on-sheffield-aim-to-permit-case/

https://www.ftbchambers.co.uk/images/uploads/documents/Royal_Amusements_v_SCC_-_Judgement_%28Final%29_-_24.02.25.pdf?utm_source=chatgpt.com

## Local Risk Context – Crime & Anti-Social Behaviour

Surrey Police Crime Heat Map for Ashford (April–July 2025):

https://www.surrey.police.uk/area/your-area/surrey/spelthorne/ashford/about-us/crime-map




## BBC File on 4 investigation (17 June 2025)

A BBC File on 4 investigation broadcast on 17 June 2025 revealed that only one of fourteen Adult Gaming Centres tested successfully prevented a self-excluded problem gambler from accessing slot machines. The Gambling Commission described these findings as 'very concerning' and has since opened a formal inquiry.

The programme exposed widespread failures in enforcing self-exclusion schemes that are supposed to protect vulnerable customers. It demonstrates that the AGC sector is currently failing to ensure gambling is conducted fairly and openly, and that existing safeguards are not reliably enforced in practice.

This evidence directly relates to the third licensing objective: Ensuring gambling is conducted in a fair and open way. If large, established operators are unable to comply consistently with these standards, there is little confidence that a small, late-opening venue in Ashford could do so safely or effectively.

Reference:
BBC Radio 4, File on 4: 'The Cost of the Spin – Gambling and Self-Exclusion Failures', broadcast 17 June 2025.
https://www.bbc.co.uk/programmes/m002dmmn

Quote from the BBC summary:
“Only one of 14 Gaming Centres refused entry to a self-excluded gambler – others allowed him to play despite national bans.”

## Other Reference Links:

Gambling Commission – Guidance to licensing authorities

https://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities/part-1-statutory-aim-to-permit-gambling

https://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities/part-5-licensing-objectives

SBC Statement of Gambling Policy 2025-2028

https://www.spelthorne.gov.uk/sites/default/files/2025-09/Statement_of_Gambling_Policy_2025-2028%20for%20website-v2%20.pdf

# Conditions List (Fallback if Granting)

1. Hours limited: 09.00–22.00 daily.
2. Minimum 2 staff on duty at all times, incl. named manager.
3. SIA-licensed door supervisor from 18.00–close on Fri/Sat & bank holiday eves.
4. Full digital CCTV coverage, 31-day retention, entrance + machines covered.
5. No external ATM; no signage encouraging cash withdrawal.
6. Windows to remain obscured; no child-appeal advertising visible from street.
7. Challenge 25 age verification + refusals log.
8. No entry under 18; no entry if accompanied by under-18s.
9. Membership of Shopwatch/Betwatch & active radio use.
10. Incident/welfare log (refusals, exclusions, police contacts) → reviewed weekly, available to Licensing/Police.
11. Written safeguarding protocol: staff trained in brief intervention, clear referral routes to National Gambling Helpline.

**Objection to Application for Adult Gaming Centre (AGC), Ashford**
(39 Church Road, Ashford, Surrey TW15 2QF)

Objection submitted by Surrey County Council Public Health
public.health@surreycc.gov.uk

1. **Rationale**

Gambling Act (2005) Objective: *Protecting children and other vulnerable people from being harmed or exploited by gambling.*

2. **Spelthorne has a higher-than-average proportion of residents experiencing Gambling Harm**

Spelthorne has a higher proportion of people scoring one or more on the Problem Gambling Severity Index 14.4%) compared to GB as a whole (13.4%). [GambleAware].

The estimated annual fiscal cost associated with "problem gambling" in Spelthorne in 2023 was more than £1.4m across services for health, welfare, and crime (National Institute of Economic & Social Research).

3. **Electronic gaming machines are associated with gambling harm**

**Electronic gaming machines (EGMs)**, including slot machines as are intended for use in the proposed AGC, are most frequently associated with **harmful gambling**, contributing to severe health impacts. Their usage has been found to be the biggest predictor of someone going on to experience future gambling harms. Bournemouth University Group 2025 combined datasets for research for the Annual Great Britain Treatment and Support Survey. This data set included 40,000 participants who gamble across Great Britain, collected over a 3-year period.

The key findings were

- 76% of people using physical gambling machines experienced 'problem gambling'
- Young adults aged 18-34 years predominantly used EGMs compared to older adults

EGMs provide a dissociative effect due to the immersive experience and are more likely to affect emotionally vulnerable individuals. The use of EGMs for emotional coping is linked to problem gambling.

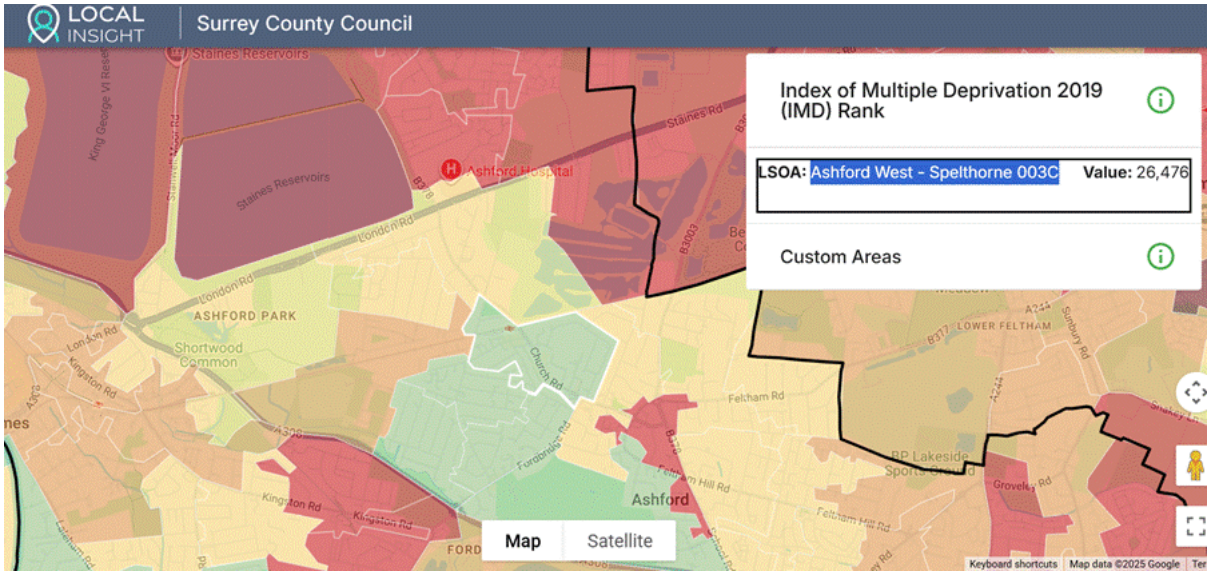
4. **The proposed location of the Adult Gaming Centre is close to neighbourhoods and communities disproportionately affected by social deprivation and health inequalities**

The location is in the Lower Super Output Area (LSOA) Ashford West – Spelthorne 003C. (see map below with light green area with white outline - just below centre). It is within walking distance of seven LSOAs with higher levels of deprivation.

The Surrey Health and Wellbeing Strategy identifies two of these seven areas as Key Neighbourhoods where resident populations experience the poorest health outcomes.

The distances below show how far the proposed Adult Gaming Centre is from the nearest residential areas within LSOAs ranked in the bottom 40% nationally for deprivation [based on Google Maps and Surrey County Council's Local Insight data].

| | | |
|---|---|---|
| Stanwell North & Stanwell Moor - Spelthorne 001B | IMD 6 666 | 1.7 miles from TW19 7DZ |
| Stanwell North & Stanwell Moor - Spelthorne 001C | IMD 9 197 | 1.2 miles from Town Lane |
| Stanwell South - Spelthorne 002C | IMD 7 818 | 1 mile from Ashford Hospital |
| Ashford East - Spelthorne 005B | IMD 10 099 | 0.4mile from West border |
| Stanwell South – Spelthorne 002A | IMD 11 655 | 1.5 mile from Desford Way |
| Staines South West - Spelthorne 007B | IMD 11 855 | 0.8 mile from TW15 3SF |
| Stanwell North & Stanwell Moor - Spelthorne 001D | IMD 12 768 | 1.9 miles from South border |
| Staines South West - Spelthorne 007C | IMD 12 737 | 1.1 miles from Celia Cresent. |




Surrey Health and Wellbeing Strategy identifies and prioritises 21 Key Neighbourhoods - which are Wards that include the most deprived Lower Super

Output Areas (LSOAs) in Surrey, with populations most at risk of experiencing the poorest health outcomes.

There are two Key Neighbourhoods close to the proposed AGC location: Stanwell North & Stanwell Moor and Stanwell South, and another three LSOAs close by – that are ranked in the bottom 40% for deprivation in the UK.

A 2024 review by University of Bristol What-social-and-spatial-inequalities-exacerbate-gambling-harms.pdf states: evidence shows that the geographical positioning of Electronic Gaming Machines (EGMs) may cause harm at an individual level, with the placement of EGMs within certain locations (e.g. close to supermarkets or pubs) and in specific environments (e.g. venues within easy reach of low-income neighbourhoods) increasing the risk of harms.

PHE Gambling Related Harms Evidence Review (2023) states: "there was a clear association between gambling at all levels of harm and increased alcohol consumption. This association is evident for overall gambling participation but is greater for at-risk and problem gambling."

There are 9 pubs/bars/sports clubs selling alcohol less than 1 mile and in walking distance from the proposed AGC venue: Elle & Fee (0.2 miles), Kings Head (0.4 miles), The Kings Fairway (0.5 miles), The Ash Tree (0.6 miles), Freeman Arms (0.7 miles), W.R Sports Club (0.7 miles), The District Arms (0.8 miles), Harvester Bulldog (0.8 miles), Ashford Community Centre (0.9 miles). 8 of these have a gaming/club machine permit.

University of Bristol (2024) systematic review and meta-analysis of available evidence indicating the prevalence of gambling disorders in substance use treatment suggests:

- around 14% of patients demonstrate comorbid pathological gambling
- around 23% suffer conditions along the broader spectrum of problem gambling

5. **The proposed location of the AGC is close to facilities for vulnerable people and exposes them to increased risk of gambling harm**

This includes:

- 5 homeless shelters/ temporary housing locations between 0.3 and 1 mile away
- A Pupil Referral Unit 0.4 miles away (Fordway Centre)
- Senior boys school 0.4 miles away (St James) and a college 0.6 miles away (Thomas Knyett)

In addition, gambling harm has been recognised as a theme in the Surrey Suicide Prevention Strategy published. This based on:

- Firstly, national evidence. A longitudinal 9-year birth cohort study, (2,801 participants) by the University of Bristol (2025), found that compared to someone who experiences no gambling harms, problem gamblers face triple the suicide risk one year later, and quadruple the risk four years on.
- Secondly, local insights. Gambling was identified in several cases of death by suicide in 2023 and 2022 Surrey suicide audits. (We are unable to share exact numbers due to data reporting thresholds).

6. **The proposed AGC would increase the density of licensed gambling premises locally**

Recently published Department of Health and Social Care indicators for the determinants of health show that Spelthorne has a *higher number of gambling premises* per 100,000 population than South-East England – 12.5 vs 10.7. (Fingertips). There are two betting shops very close to the proposed AGC location: a William Hill betting shop within two minutes walk and a Coral betting shop within four minutes walk.

References

Local Authority Gambling Harms Prevalence Data – GambleAware 2023

Office for Health Improvement & Disparities/PHE (2023). Research and Analysis: Gambling Related Harms an Evidence Review. A Summary.

Surrey Health and Wellbeing Strategy (2019).

Surrey Suicide Prevention Partnership Strategy (2025).

Wang, R., et al (2025) Bournemouth University: Relative Risk of Gambling products within Great Britain: Findings from a rapid review of literature and secondary analysis project.

Wheaton, J., Collard, S., & Nairn, A. (2024). Experience, Risk, Harm: What Social and spatial inequalities exacerbate alcohol related harms. University of Bristol Research Hub.