

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	<p>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).</p> <p>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</p> <p>Two plans have been provided and are attached at Appendix E and F.</p>
Representations	<p>Relevant representations have been received from the below Responsible Authorities</p> <ul style="list-style-type: none">• Police (Appendix G)• Public Health (Appendix H)• Planning (Appendix I)• Licensing (Appendix J) <p>Valid and relevant representations were received from 133 Interested persons (Appendix K)</p>

Options	<p>The Licensing Sub-Committee is required to give appropriate weight to the representations (including supporting information) presented by all the parties, the Guidance¹ 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.</p> <p>The options available to the Sub-Committee are:</p> <ul style="list-style-type: none"> • 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 • 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 • To refuse the application.
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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 11 Betting Shops <ul style="list-style-type: none">• Ashford x 2• Sunbury x 4• Shepperton x 1• Staines x 2• Stanwell x 2 1 Track Betting - Kempton

Licensing Act 2003 Premises Licence with 24 Hour Opening	9 total out of 321 premises, broken down as follows: <ul style="list-style-type: none">• 2 of these are petrol stations• 1 microbrewery cabin• 1 small supermarket• 2 large supermarkets• 2 hotels• 1 Film Studios
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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	Maximum Stake £2	Maximum Stake £1	Maximum Stake for Money prize 10p
Maximum prize £500	Maximum prize £400	Maximum prize £100	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 online² 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](https://petition.stopthegamblingcentreinashford.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 Committee's 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:

Index	General Statement of Principles	Page Numbers
1 Introduction		
1.1	The Gambling Act 2005	4
1.1.1	General Statement of Principles	4
1.1.2	The Functions of Licensing Authorities	4-5
1.1.3	The Licensing Objectives	5
1.2	Spelthorne Borough – Local Area Profile	5-6
1.4	Declaration	6
1.5	Responsible Authorities	6-7
1.5.1	Protection of Children	7
1.6	Interested Parties	7-8
1.7	Exchange of Information	8

2 Premises Licences		
2.1	Decision making – general	10
2.2	Premises “ready for gambling”	10-11
2.3	Local Risk Assessments	11-12
2.4	Plan	12
2.5	Multiple Conditions and Codes of Practice	13
2.7	Licence Conditions and Codes of Practice	13
2.9	Conditions	14-15
2.10	Door Supervisors	15
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**