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## SUBMISSIONS IN SUPPORT OF APPLICATION

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1. In considering the application, the Sub-Committee may be particularly assisted by looking at the following documents.

### **Witness Statements**

- Mohammed Yousaf (pages 21 - 24)
- [REDACTED] (pages 25 - 28)
- [REDACTED] (pages 29 - 34)
- [REDACTED] (pages 35 - 36)

### **Reports of Licencing Consultants**

- Darrel Butterworth (pages 37 - 61)
- Robert Edge (pages 62 - 73)

### **Updated Local Area Risk Assessment (pages 74 - 85)**

### **Legal Obligations To Promote Licensing Objectives**

- Mandatory conditions attaching to adult gaming centre premises licences (pages 86-87)

### **Operational Standards**

- Royal Amusements Operational Standards Overview (pages 88 - 89)
- Extracts from the Royal Amusements Policies & Procedures (pages 104-120)

2. Adult gaming centres are highly regulated and subject to a number of legal obligations to support the licensing objectives;
  - Gambling Act 2005
  - Gambling Commission’s Licence Conditions and Codes of Practice
  - Mandatory conditions attaching to adult gaming centre premises licences

If this application is granted it will additionally be subject to the following;

- Proposed licence conditions for 9 Fargate (pages 90 - 92)
3. The proposed licence conditions are the result of an updated local area risk assessment completed in response to the representations received.
  4. The local licencing authority have initiated any licencing reviews for the other gambling establishments in Sheffield City Centre. As a matter of fact, there is no evidence before the Sub-Committee that those premises are harming the licensing objectives and there is therefore no reason to think that the proposed licence, if granted, will cause any greater concern than the concern in respect of the other gambling licences. Not only is it the case that the licencing authority have not initiated any licencing reviews of the current licences but further, none of the existing licences are at risk of review either.
  5. In this case, there are objections from
    - South Yorkshire Police and
    - the Public Health Department of Sheffield City Council

It is of note that the licensing department of Sheffield Council, where the licencing department is often described as “the guardian” of the licensing objectives and the borough’s gambling policy has not raised any objection but have stated as follows in response to the proposed conditions;

*“Upon careful examination, it is evident that these proposed conditions are not only robust but also aligned with the promotion of the licensing objectives. I appreciate the diligence that has gone into drafting these conditions.”*

6. As the Sub-Committee will be aware, the aim to permit in section 153 of the Act is explained by the Gambling Commission’s Guidance to Licensing Authorities as follows (pages 93 – 94)

*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.*

7. The applicant will seek to demonstrate that he:
  - is a competent operator;
  - the premises are suitable for the purpose;
  - provision of gambling in this area is not adverse to the licensing objectives;
  - the conditions, and in particular the individual conditions formulated following the risk assessment process, are suitable, sufficient and proportionate
8. In the circumstances, the applicant will invite the Sub-Committee to grant this licence subject to the conditions proposed.
9. **How regulated are adult gaming centre premises?** They are highly regulated, in order to comply with the licensing objectives, and (but not limited to) the following:
  - Premises, their management and operation are subject to the Gambling Commission's extensive Licence Conditions and Codes of Practice
  - Premises licences are subject to mandatory conditions set by the Secretary of State on the instruction of Parliament
  - The number and category of gaming machines and the nature of their operation are strictly regulated by Parliament through the Gambling Act 2005, by the Secretary of State through regulations and technical standards by the Gambling Commission
10. In addition, the applicant has offered a significant number of individual licence conditions as set out above. Further to an updated and more detailed local area risk assessment, and in recognition and in response to the detail and background of the local representations, the conditions offered would make this the only conditioned

licence in the applicants estate with conditions and would offer a considerable degree of protection of the licensing objectives.

11. When one thinks of gambling in town and city centres, it is almost always betting offices come to mind, both in terms of numbers (there are five times as many betting offices as there are adult gaming centres) and in terms of local impact. Betting offices can bring with them social issues, including street drinking, disorder and loitering outside. Hence, when an application is made for an adult gaming centre licence, members of the public (and others) are sometimes of the view, understandably (but mistakenly) that it will bring with it the same kind of issues that arise at betting offices.

12. **Is there anything different about this establishment?** As a matter of fact, adult gaming centres in general and the applicant's in particular are entirely different beasts to betting offices in terms of local impact. The applicant already has ten premises in and around West Yorkshire and Greater Manchester which trade without regulatory concern, even though none of them have any licence conditions on their premises licence. It is therefore important to try to understand why the applicant's premises trade without regulatory concern.

13. **What does it look like outside?** When entering any of the applicant's premises it is noticeable that groups do not loiter or gather outside adult gaming centres, smoking, drinking, or generally causing a nuisance. The reason for this is due to the following facts:

- The customer demographic is entirely different from that in betting offices. In adult gaming centres the customers are older and there is an equal split of male to female customers who mostly come in alone or sometimes as couples
- There are no "events" in bingo premises such as football matches or horse races and therefore for customers to congregate
- There are no seating areas for people to gather inside. The premises are not fitted out for groups
- Alcohol is not available and prohibited
- Anyone under the influence of drugs or alcohol is not admitted
- Unlike in betting offices, staff are not behind a thick glass counter taking / paying out bets, rather they are on the shop floor, greeting customers as they enter, offering tea and biscuits but more importantly also controlling who is

permitted to enter and in turn supervising the premises from the point of entry.

14. Darrell Butterworth, an independent witness and former licensing lead and Police Inspector with 30 years of experience in Greater Manchester Police, provides evidence in his witness statement which is most helpful in understanding the difference between betting offices and adult gaming centres by way of the extensive observations he has conducted on betting offices and adult gaming centres across the country.
15. The external appearance of the applicant's premises are very much different to betting offices. It is not possible to see gambling taking place inside, unlike betting offices or public houses which admit children. There is no external advertising which might attract children – as regulated by the Advertising Standard Agency and the Gambling Commission's Licence Conditions and Codes of Practice. The entrance to the premises has prominent signage setting out that under 18's are not permitted, that Challenge 25 will be operated, that alcohol is not permitted and that CCTV is in operation.
16. **What happens when you enter?** Customers on entering the applicant's premises are welcomed by a uniformed member of staff, thus allowing the member of staff to ascertain whether the customer may appear to be under 21 (in which case Think 21 applies) or whether there may be any other matters which require attention, such as a customer being in drink, vulnerable in some other way, which would result in entry being declined. If there are no issues and entry is permitted, tea and / or squash and / or biscuits would be offered - this very helpfully allows staff to have a good understanding of their customers but more importantly identify any issues on entry.
17. The interior of premises is again very much different to a betting office. The premises are plush, spotlessly clean, bright and carpeted. Information on both responsible gambling and harmful gambling are prominently displayed and available. The environment is very much like a social club where the staff are friendly and customers are at ease. Due to the demographic of the customers, as already set out above, it is most unusual for customers to be unhappy or aggressive. When customers leave, they leave quietly and without causing any disturbance to neighboring businesses.
18. **How are vulnerable people protected?**
  - Alcohol is not permitted in any of the applicant's premises

- Those who are intoxicated through alcohol or through substance misuse are refused entry
- As required by the Gambling Commission's Licence Conditions and Codes of Practice, the applicant has policies and procedures in place to document any issues and deal with self-exclusion
- "Stay in Control" documentation with the contact details for GamCare, the National Gambling Treatment Service and BeGambleAware are available and displayed prominently
- All machines display "Gamble Responsibly" stickers with helpline contact details

It is important to note, Parliament, in regulating gambling premises, has placed a great deal of focus on customer interaction, which the applicant understands, takes seriously and provides appropriate induction and refresher training to staff on. For example if a customer is showing signs of problem gambling, a staff member will engage with the customer. This could result in any number of outcomes, including the customer opting to cease playing; self-referral to a care provider; self-exclusion; or the customer being excluded by the staff. The applicant's approach to protecting vulnerable people is in accordance with the oversight and regulation of the Gambling Commission through his operating licence and has not caused any concern over the last 40 years to any police force, local authority, government body or the Gambling commission, despite operating in towns and cities which are considerably more deprived than Sheffield and where there much higher numbers of vulnerable people around the applicants premises.

19. According to the English Indices of Deprivation 2019 - Statistical Release (**page 95**) the City of Bradford is in 11th place and the borough of Oldham is in 16th place in terms of deprivation (the City of Sheffield does not feature at all on the table). There is therefore, inevitably a greater presence of vulnerable individuals in and around those city and town centres along with the premises of organisations who provide advice and assistance to those vulnerable people. The Applicant has held adult gaming centre licences in Bradford for almost 40 years and in Oldham, on and off, over the last 20 years, without any regulatory intervention nor any concern being raised by any organisation (local authority, police, government or otherwise) in relation to the protection of vulnerable people or the promotion of the licencing objectives.

20. In addition the applicant, through his management team, regularly engages in audits, mystery shopping and test purchasing to ensure the measures described in the preceding paragraphs are robust and working effectively.

21. **Does the applicant face issues with Crime and Disorder?** As set out above, the applicant rarely faces issues with crime and disorder. This is assisted by the customer demographic, the ban on alcohol, but more importantly due to the measures in place by the applicant to prevent crime and disorder:

- Staff levels are set in accordance with a risk assessment
- It is unusual to have more than 5 / 6 customers on any premises at any one time and numbers in double digits hardly ever occur. This makes it much easier to identify, deal with and document problematic behavior
- The layout of the applicant's premises facilitates effective supervision. There is no space for groups to gather or blind spots for mischief
- Staff members are on the shop floor not behind a counter, interacting with and supervising (where necessary) customers
- High quality CCTV is used throughout and customers are aware they are monitored through the use of prominent signage and visible monitors if necessary
- Staff members do not carry floats
- Safes are time delayed and this is made apparent through the use of prominent signage inside and outside the premises
- Staff members receive location appropriate induction and refresher training in how to deal with difficult customers
- Any incidents are logged and reviewed by the management team
- "Stay in Control" documentation with the contact details for GamCare, the National Gambling Treatment Service and BeGambleAware are available and displayed prominently
- Premises are fitted with maglocks, enabling entry to be controlled if and when necessary
- The applicant maintains good relations with and works alongside local Police departments
- The applicant participates in local Betwatch schemes as and when available and required



22. Recent data from the Office for National statistics (year ending June 2023) shows West Yorkshire as having the second highest crime rate in the UK. The security firm ADT which provides alarms for residential and commercial premises, looked at government and ONS data to determine crime rates for different police force areas in the UK and found West Yorkshire to have the second highest crime rate in the country, see table of findings (page 96). The applicant holds adult gaming centre licences and operates adult gaming centres in the following West Yorkshire towns and cities; Bradford (since 1984), Leeds (since 2002), Halifax (since 1988), Wakefield (since 2014), Castleford (since 2006) and Morley since last year.
23. The table also shows Greater Manchester closely follows West Yorkshire in third place. The applicant currently holds an adult gaming center licence in the Greater Manchester area (since 2013) and has held 2 separate premises, on and off, over the last 20 years in the Greater Manchester area.
24. In relation to both West Yorkshire and Greater Manchester, our Client has operated without any regulatory intervention nor any concern being raised by any organisation (local authority, police, government or otherwise) in relation to crime and disorder or the promotion of the licencing objectives.
25. The Sub-Committee will be aware of the Gambling Commission's Guidance that:
- 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.*
26. Be that as it may, due to the nature of the representations, the Sub-Committee will be reassured that the applicant is an experienced and competent operator as the statements of the applicant himself, and those on his management team confirm the applicant operates conscientiously and with diligence.
27. The applicant has in place established, detailed and comprehensive policies and procedures alongside systems, controls and audits to provide a safe, welcoming and

friendly environment for customers whilst actively promoting the licensing objectives

28. The fact this is achieved to an extremely high standard is demonstrated (and evidenced) by the following;

- The applicant holds 9 other adult gaming centre licences
- The applicant has been granted licences in every premises and by every local authority where he has applied
- The applicant has never experienced a licence review (let alone a revocation) in 40 years of operation

29. The above is despite the range of towns and cities and extremely challenging environments in which the applicant operates, including those with high levels of social deprivation, social issues and extremely high crime rates.

30. The applicant has in place established, detailed and comprehensive policies and procedures alongside systems, controls and audits to provide a safe, welcoming and friendly environment for customers whilst actively promoting the licensing objectives. The measures described, in addition to staff training, compliance monitoring and audit have proved sufficient to ensure that the applicant, his premises and the business has always operated such that the licensing objectives have always been promoted and protected where the promotion and protection of those licensing objectives has always been the primary aim.

31. The applicant therefore has demonstrable history of compliance with and promotion of the licening objectives and it is a record of which the applicant is extremely proud and guards with great care and attention.

32. If in the unlikely event of any kind of issue being raised, the applicant would, as a matter of course and without delay, liaise with relevant authorities to ensure any issue is resolved promptly and effectively.

33. In addition, the applicant has in place a strong management team which he heads very much 'hands on.' Effective management always has in the past, can now and in the future will resolve any areas of concern and ensure that proposed conditions allay any concerns there may be.

34. Nevertheless, in the light of the representations raised, the Sub-Committee may be reassured that the applicant is an experienced and competent operator. At very least, it means that if there are any issues, the applicant will deal with them promptly and professionally. The applicant has included extracts from his operating procedures in the bundle, which comply with industry best practice.
35. The applicant would contend 9 Fargate is suitable to be licensed as an adult gaming centre.
36. The premises will be configured no different to the applicants other 10 premises, ie plush, comfortable, sufficiently spacious for its purpose, well-lit and with good sightlines. The premises will have a high quality CCTV system configured to the requirements of the Police, with external cameras to help security in the immediate vicinity.
37. It has not been suggested the premises are not suitable for the proposed use.
38. The Gambling Commission requires applicants to prepare local area risk assessments as part of their premises licence applications. The applicant carried out a local area risk assessment and submitted the same with the application for the licence so as to inform the approach to and the protection and promotion of the licensing objectives. That risk assessment was the standard type of risk assessment completed and used with other local authorities and has not been criticised in this case. In recognition and in response to the detail and background of the local representations a further, more detailed, more specific local area risk assessment has been completed.
39. The representations make reference to anti-social behaviour in the area and the presence of vulnerable persons. As Mr. Butterworth (former Greater Manchester Police Licencing Inspector) explains, adult gaming centres do not contribute to anti-social behaviour and in any event the proposed conditions include adequate protective measures where, of particular note should be the fact there has not been any representation from the licencing authority. With regards to the presence of vulnerable persons, the applicant has proposed an extensive list of conditions to allay the concerns around the presence of vulnerable persons.
40. The Sub-Committee is respectfully reminded of the Gambling Commission's Guidance, which advises in paragraph 5.34 that (pages 97 - 98):

*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).*

41. As the Sub-Committee will be aware, planning and licensing are separate functions. Licensing is concerned with the licensing objectives. Planning, on the other hand, is concerned with wider matters such as high street character and function, and the density and balance of particular uses.
42. As stated above, on receipt of the representations and in response and recognition to the detail, nature and background of the local representations, an updated and much more detailed and much more specific local area risk assessment has been prepared.
43. The risk assessment recognises that this is an area where there are social issues. The risk assessment therefore sets out a comprehensive set of measures to protect and promote the licensing objectives in the light of the locational context. Those measures have in turn been translated into a particularly thorough set of proposed operational conditions.
44. The 35 proposed conditions should be read in their entirety, however the following summary will assist;

#### **Crime & Disorder**

- *CCTV* – the proposal is a total of 10 conditions, 1 a-j which are extremely comprehensive and make reference to both the interior and exterior
- *Exterior Conduct* - Condition 18 requires steps to be taken to prevent street drinking outside and ban those who engage in such practices while Condition 19 requires an exterior notice explaining that drinking outside is prohibited and that those doing so will be banned while Condition 20 requires reasonable steps to be taken to prevent nuisance directly outside the premises
- *Incident log* – the proposal is for 6 conditions, 2 a-g which are extremely comprehensive and require an incident log which will be reviewed by the management team
- *Maglock* – Condition 8 requires a maglock
- *Denying Entry* – Condition 12 requires the applicant to ban anyone upon request from the police or licensing authority, while condition 10 requires it to

ban customers who engage in crime, disorder or anti social behavior inside or out, and Condition 11 requires the applicant to ban those under the influence of alcohol/drugs

- *Toilets* – Condition 15 requires the toilets to be checked regularly
- *Betwatch* – Condition 3 requires the applicant to participate in any local Betwatch or similar scheme

#### **Protection of children from being harmed or exploited by gambling**

- *Challenge 25* – Condition 5 requires a Challenge 25 scheme to be in existence and operated
- *Challenge 25* – Condition 6 requires prominent signage for the challenge 25 to be displayed inside and out
- *Incident log* – Condition 5 requires an incident log of any attempts by children to enter
- *Incident log* – Condition 5 requires an incident log of any attempts by children to gamble
- *Incident log* – Condition 5 requires an incident log of any Challenge 25 refusals

#### **Protection of vulnerable people from being harmed or exploited by gambling**

- *Vulnerable Persons* – Condition 10 requires entry to be denied to those under the influence of alcohol / drugs
- *Vulnerable Persons* – Condition 18 requires staff to undergo drug and alcohol awareness training
- *Vulnerable Persons* – Condition 6 requires Gambling advice and support information to be provided and displayed
- *Staff Training* – Condition 17 requires staff training on local issues

45. The proposed conditions as summarised above would be the most comprehensive of any of the other premises in the applicants estate, where all other licences the applicant holds are unconditional licences. The Sub-Committee should note that none of the other adult gaming centre licences in Sheffield have any conditions at all and those unconditional licences have not caused any regulatory concern. The Sub-Committee is invited to take note of the applicant's conscientious approach and

analysis of, and response to, local circumstances and representations by taking on the legal obligations these conditions would impose.

46. As the Sub-Committee will be aware, (see paragraph 3 above) the premises licence, if granted, will be subject to the extensive requirements of the Gambling Commission's Licence Conditions and Codes of Practice and Parliament's Mandatory Conditions

47. If the Sub-Committee consider that further conditions are necessary, the applicant will, as a matter of course, be prepared to discuss this. The Gambling Commission advises in its Guidance at paragraph 5.34 (pages 97 - 98)

*Licensing authorities should not turn down applications for premises licences where relevant objections can be dealt with through the use of conditions.*

48. As the Sub-Committee will be aware the approach in law relevant to the grant of a premises licence is found at section 153 of the Gambling Act 2005

*"In exercising their functions under this Part, a licensing authority shall aim to permit the use of premises for gambling in so far as the authority thinks it:*

*(a) in accordance with any relevant code of practice [issued by the Gambling Commission]*

*(b) in accordance with any relevant guidance issued by the Commission*

*(c) reasonably consistent with the licensing objectives (subject to (a) and (b))*

*(d) in accordance with the [authority's statement of licensing policy] (subject to (a) to (c))."*

49. The following points should be noted:

- a. The test is mandatory: *"a licensing authority shall ...."*
- b. The obligation to *"aim to permit"* where (a) – (d) are satisfied is described by the Gambling Commission in its Guidance as *"the licensing authority's primary obligation"* (para 7.56) (page 99)
- c. The *"aim to permit"* is explained in the leading licencing textbook Patersons (pages 100 - 102)

*“... it creates a presumption in favour of granting the premises licence since it is only if the licence is granted that the premises may lawfully be used for gambling. But the duty seems to go further than that. The verb ‘to aim’ is defined by the Oxford English Dictionary as meaning ‘To calculate one’s course with a view to arrive (at a point); to direct one’s course, to make it one’s object to attain. Hence to have it as an object, to endeavour earnestly....’ A person who ‘aims’ to achieve a result will usually take active steps to bring it about. The provision appears to place a duty upon the licensing authority to exercise their powers so far as is lawfully possible to achieve a position in which they can grant the premises licence and thus permit the premises to be used for gambling.”*

- d. Conditions should only be added where it is necessary to do so, and even then those conditions must to be proportionate to the circumstances requiring a response, relevant, directly related, fair and reasonable (para 9.31 Gambling Commission Guidance).
- e. As the Guidance states: *“Any refusal should be for reasons which demonstrate that the licensing objectives will not or are unlikely to be met”* (para 5.34 Gambling Commission in its Guidance) (pages 97 - 98). Demonstrate means there should be evidence of the same before the Sub-Committee.
- f. Conversely, the following considerations are in law irrelevant to the determination of an application for a premises licence:
  - i. A dislike of gambling (para 5.34 Gambling Commission Guidance).
  - ii. A general notion that it is undesirable to allow gambling premises in an area (para 5.34 Gambling Commission Guidance).
  - iii. Moral or ethical objections to gambling (para 5.34 Gambling Commission Guidance).
  - iv. The demand for gambling premises (see s 153 Gambling Act 2005). As such, objections which state that there are enough gambling establishments in a particular area may be relevant to planning, but they are not relevant to licensing.

- v. Planning considerations (see section 210 Gambling Act 2005), such as the tone or character of the area.
- vi. Nuisance (para 5.5 Gambling Commission Guidance).

50. The position of the applicant can be summarised as follows;

- The applicant is a highly competent operator, with a 40 year unblemished trading history, is regulated by the Gambling Commission and one whose established policies, procedures, systems, controls, audits, staff training, and management are all in furtherance of the protection and promotion of the licensing objectives
- The applicant operates 9 other licensed adult gaming centre premises in other towns and cities, some of which have areas of greater deprivation, higher crime and where there is the presence of greater numbers of vulnerable persons
- Despite operating in such challenging environments the applicant has never experienced a review or complaint from any of the responsible authorities
- There is no evidence whatsoever before the Sub-Committee that the applicant has failed to promote the licensing objectives at the applicants other licenced premises
- Due to the nature of the premises, the customer demographic, the low numbers of customers using the premises at any one time and the quality of management mean that issues of crime and disorder are most unlikely
- If the application is successful, the applicant will be subject to strict regulatory requirements, including but not limited to the Gambling Commissions Licence Conditions and Codes of Practice, the mandatory premises licence conditions and a considerable number of proposed individual license conditions
- Following receipt of the representations, the applicant has conducted a further risk assessment, as a result of which an additional 35 licence conditions have been proposed so as to promote and protect the licensing objectives at this location
- If in the unlikely event of any kind of regulatory issue being raised, the applicant would, as a matter of course and without delay, liaise with the relevant authorities to ensure any issue is resolved promptly and effectively

51. Representations have been made by South Yorkshire Police, the Public Health Department, local councillors and a number of local objectors. The applicant is



respectful of those representations and has considered them with great care.

52. Those representing the applicant wrote to all those who made representations, sending particularly detailed correspondence to the Public Health Department and South Yorkshire Police (on two occasions) in an attempt to identify common ground and discuss conditions to alleviate the concerns being expressed. Only the Public Health Department responded to state the applicants position has been considered but their representation would not be withdrawn. It is unfortunate that none of the other parties responded or engaged.
53. South Yorkshire Police have stated that local gambling establishments are associated with crime. Those representations have been analysed by Mr Edge and Mr Butterworth. Mr Edge states *“Having conducted many observations of premises such as this, and having managed a team of licensing Enforcement officers for a Licensing Authority, the observations made by me during the 27th and 28th October 2023 were probably the most ‘incident free’ that I have undertaken”* whilst Mr Butterworth states *“My visits to observe the management and customer base at the current Royal Amusements sites in Oldham, Halifax and Bradford mirrored what I have witnessed in the other parts of the country where I have conducted similar investigations. No crime and disorder were observed at any of the locations, no vulnerable people were attracted to the venues and gambling appeared to be conducted in a fair and honest manner. The numbers using the venue was very low in comparison with the number of pedestrians walking past. The customers tended to visit alone or in couples and the ages of most customers was 40+”*
54. The Public Health Department representations are three fold. Firstly it is said that *“those most likely to be affected include children, young adults and vulnerable people”* Secondly it is said *“the premises would lead to likely increased gambling activity with a high risk of harm”* and *“the area has a large number of vulnerable persons”* Thirdly it is said *“there is already a high concentration of similar premises in the immediate and wider vicinity. An Adult Gaming Centre is likely to have a net negative effect on the city centre and would not bring any benefit and would create clustering of similar venues which is detrimental to the character, vitality and economic wellbeing of the city centre.”*
55. With regards to the protection of vulnerable persons, the representation makes clear

that the local area is likely to include a higher than average number of vulnerable persons. The applicant agrees with this and is acutely aware of the challenges town centres and city centres can pose and the presence of vulnerable persons due to the location of the applicants other premises in area of greater deprivation.

56. Therefore following a further, more detailed and specific risk assessment being conducted, the applicant has proposed a series of measures in response, going beyond the applicants already thorough and established policies, procedures, systems, controls and audits.
57. This is the very purpose of a local area risk assessment and exactly what it is designed to achieve. As a result a large number of individual licence conditions have been proposed which reflect the challenging environment described and seek to protect those most at risk of harm.
58. The Gambling Commission's Guidance does not suggest that the mere presence of a higher than average ratio of vulnerable people should result in a refusal. That is because the statutory obligation is to aim to permit and to frame conditions to respond to identified local risks. In its guidance (para 5.14) (**page 103**) the Gambling Commission refers to matters such as physical layout, supervision of premises, use of floor-walkers etc. The applicant has taken account of this Guidance in proposing the large number of individual licence conditions.
59. With regards to children, the applicant does not admit children to any of the applicants premises at all. The licensing objective is to prevent children being harmed or exploited by gambling. Children are not allowed to enter the applicants premises, do not enter the applicants premises, let attempt to alone gamble in the applicant's premises. Further children can not see in and nor are they exposed to advertising or images which may attract them. This complies with the licensing objective and the guidance by the Gambling Commission in its Licence Conditions and Codes of Practice.
60. With regards to the third representation from the Public Health Department, this falls into those areas described at para 5.34 Gambling Commission Guidance and are considerations which are irrelevant in law to the determination of an application for a premises licence, those being a general notion that it is undesirable to allow gambling

premises in an area, the demand for gambling premises, planning considerations (s210 Gambling Act 2005) such as the tone or character of the area.

61. Representations have also been made by Local councillors and reference is made to local deprivation, concerns about problem gambling and vulnerable persons present in the area. It is hoped that the extensive evidence submitted with the application provides the Sub-Committee with assurances that the applicant takes its responsibilities in relation to the licensing objective seriously, and is proposing measures going far beyond its usual obligations to meet local concerns.
62. While the applicant could have relied on the blemish free record over the last 40 years and explained there has not been a review of any of the applicants premises licences, including those areas the applicant operates in with higher levels of deprivation and higher levels of crime and disorder, the applicant has not done so. Instead the applicant has proposed a thorough set of measures by way of conditions to mitigate the local issues identified and therefore mitigate the risk as fully as possible to ensure he is able to continue to protect and promote the licensing objectives.
63. Other representations have also been made, objecting to the application. They make a number of points, which are not relevant in law to the Sub-Committee's consideration in determining an application for an adult gaming centre premises licence. Those points include whether there is a need for further gambling establishments, the number of gambling establishments already in existence, the effect on diversity of shops / businesses, the effect on the character / tone of the area, nuisance, lack of benefit to area, immorality of gambling, moral obligation to prevent spread of gambling, impact on other business premises and the normalisation of gambling. The Sub-Committee should remember the statutory aim is to permit compliant gambling.
64. The points of objection described in the preceding paragraph are important to note as the representations raise matters which:
  - are not relevant to the gambling licensing jurisdiction (such as demand, the character of the area, the number of gambling uses and the benefit or otherwise of gambling, and/or
  - amount to a dislike of gambling, and/or
  - are not supported by any evidence of harm caused by other gambling operations

in the locality, none of which trade with any conditions, and/or

- are not supported by evidence of harm caused by the applicant's premises elsewhere.

65. To the extent that the representations do relate to the licensing objectives:

- they do not provide any evidence which demonstrates that this application will harm the objectives, when considering:
  - the obligations in the Licence Conditions and Codes of Practice;
  - the mandatory licence conditions;
  - the individual licence conditions proposed;
  - the contents of the updated risk assessment;
  - the regulatory history of the applicant
  - the applicants premises elsewhere in areas of greater deprivation, higher crime and where there is the presence of greater numbers of vulnerable persons
- they are at odds with the licencing department which has not made representations (but has made favourable comment on the conditions) and must therefore be of the view there are not grounds, in law, to object to this application.

66. Although there are representations and objections, the concerns and issues raised can and should be allayed by the imposition of appropriate conditions.

67. The Sub-Committee can rest assured that this application will result in the licencing objectives being promoted, protected and complied with, as the applicant is:

- an experienced operator who has never experienced a review over a 40 year trading history in much more challenging towns and cities where those locations are areas of greater deprivation, higher crime and where there is the presence of greater numbers of vulnerable persons
- intends to fit out, equip, staff, supervise and audit the premises in a manner consistent with the licensing objectives as per his other venues;
- is prepared to accept a considerable number of individual conditions, unlike

any other gambling premises in the city of Sheffield

68. The Sub-Committee will be aware, there is no “cumulative impact policy” for gambling. The policy as intended by Parliament requires appropriate information to be provided as to how the licensing objectives will be met. The applicant has sought not only to comply with this requirement but has gone ‘above and beyond’ with the considerable number of individual licence conditions which are proposed.
69. Respectfully, it is submitted that the test in section 153 of the Gambling Act 2005 is met entirely. Alternatively, taking into consideration competence and regulatory history of the applicant, the legal obligations under the Act, Regulations and codes, and the considerable number of individual licence conditions to which the applicant is proposing to submit, it has not been demonstrated (evidenced) that the licensing objectives will not be met or are unlikely to be met.
70. The Sub-Committee is therefore invited to grant the application.

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## WITNESS STATEMENT MOHAMMED YOUSAF

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### INTRODUCTION

1. I am the owner and licence holder of the Royal Amusements adult gaming centres which operate across West Yorkshire and Greater Manchester. I make this statement in support of my application for a premises licence at 9 Fargate, Sheffield, S1 2HD.

### BACKGROUND

2. I am a regional and independent operator and have been operating adult gaming centres since 1985. The Gambling Act 2005 repealed the Betting, Gaming and Lotteries Act 1963, the Gaming Act 1968 and the Lotteries and Amusements Act 1976, legislation with which I was familiar and complied with prior to its repeal. Prior to 2005 my premises were licensed under the old legislation and my venues operated under licences granted under section 34 of the Gaming Act 1968 where the premises were referred to as amusement arcades.
3. Following the introduction of the Gambling Act 2005 my premises have been licenced under the Gambling Act 2005, legislation with which I am familiar and are now referred to as adult gaming centres.
4. I hold an operators licence issued by the Gambling Commission.

### CURRENT & FORMER LICENCES

5. I currently hold adult gaming centre licences at the following locations

Bradford, 61 – 67 Carlisle Road and have done since 1984

Bradford, 19-21 Westgate and have done since 1997

Braford, 19 Northgate and have done since 1992

Bradford 15 Bridge Street and have done since 2019

Halifax, 26-28 Crown Street and have done since 2002  
Leeds, 110 Kirkgate and have done since 2011  
Castleford, 96-98 Carlton Street and have done since 2005  
Wakefield, 7-9 Kirkgate and have done since 2014  
Oldham, 18 – 20 Curzon Street and have done since 2016

6. I have previously held premises licences at the following locations

Bradford, 1-3 Westgate Bradford between 1995 – 1997  
Bradford 43 Grattan Road, between 1992 - 1998  
Halifax, 24a Cheapside, between 1988 - 2014  
Oldham, Yorkshire Street, between 2004 – 2006

### REGULATORY HISTORY

7. I currently have 9 operational premises in towns and cities in and around West Yorkshire and Greater Manchester. Neither my current licences nor my former licences have ever suffered complaint from any Police Force nor review from any Licencing Authority, let alone revocation.
8. I have in place a strong management team which I head very much 'hands on.' Effective management always has in the past, can now and in the future will resolve any areas of concern and ensure the Gambling Licening Objectives are protected and promoted.
9. The business has always worked in partnership with all the responsible authorities so as to ensure the Gambling Licencing Objectives are protected and promoted.
10. As a business we have established, detailed and comprehensive policies and procedures in place alongside systems, controls and audits to promote and protect the Gambling Licensing Objectives. We have always liaised with Responsible Authorities concerning the operation of our premises and to ensure that we continue to promote and protect the Gambling Licensing Objectives.
11. I have full authosiation to provide adult gaming centre facilities through the grant of an Operating Licence issued by the Gambling Commission. My Operating Licence

granted by the Gambling Commission has not ever been the subject of a review. I also have the Gambling Commissions approval for the policies, procedures, systems, controls and audits in place. The aforementioned have ensured the organisation has continued to trade responsibly and in accordance with legislation, the Gambling Licensing Objectives and the Gambling Commission Licence Conditions and Codes of Practice.

12. In 40 years of trading and operating amusement arcades / adult gaming centres, I have never been refused a premises licence nor had a review of a licence let alone had a licence revoked. I therefore have a demonstratable history of compliance with and promotion and protection of the licening objectives. It is a blemish free record of which I am extremely proud, which I value and seek to protect with great care and attention.

### COMPLIANCE

The business has a dedicated compliance manager that works to compliance with the legislation, the Gambling Licensing Objectives and the Gambling Commission Licence Conditions and Codes of Practice. Although our compliance manager shoulders a great deal of responsibility, our entire management team work towards ensuring the focus and direction of the business is such that that all gambling should be carried out in a socially responsible manner.

13. The business conducts regular compliance audits at each of its premises where checks are conducted as to regulatory compliance, customer interaction, incidents, self-exclusion breaches and age verification records. During the audits, premises staff are tested on their level of knowledge and understanding.
14. Our business strategy is to provide safe, pleasant and socially responsible gaming in a plush environment for members of the public. It is essential that customers feel safe and welcome in our venues and this is a founding principle in our business management strategy and one which we have achieved across our estate.
15. Having run this business and operation since 1985 without any regulatory intervention, it is not my wish nor intention to depart from the established, detailed and comprehensive policies and procedures, systems controls and audits which has



worked (and worked so well) for so long in promoting and protecting the Gambling Licencing Objectives.

16. My experience tells me a good manager with a team of staff trained to our usual standards will have no issue in promoting and protecting the Gambling Licencing Objectives in Sheffield City Centre in the same way we have promoted and protected the Gambling Licencing Objectives across our licenced estate.

17. As a public facing business we take very seriously any issue which our presence creates, not only because we owe it to the communities we operate in but because our licences depend upon promoting and protecting the Gambling Licencing Objectives.

**Signed**            **Mohammed Yousaf**

**Dated**            **01 November 2023**

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WITNESS STATEMENT [REDACTED]

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1. I am the compliance manager for the Royal Amusements adult gaming centres which operate across West Yorkshire and Greater Manchester. I have worked in the amusement industry for 47 years, the last 28 years of which have been at Royal Amusements. I make this statement in support of my application for a premises licence at 9 Fargate, Sheffield, S1 2HD.
2. I am familiar with the running of and the compliance required by adult gaming centre's. I have been working at Royal Amusements since 1995 where I started my role as an Area Manager.
3. The Gambling Act 2005 repealed a number of statutes, one of which was the Gaming Act 1968 with which I was familiar and complied with prior to its repeal. Prior to 2005 the Royal Amusements premises were licensed under the old legislation and the venues operated under licences granted under section 34 of the Gaming Act 1968 where the premises were referred to as amusement arcades.
4. Following the introduction of the Gambling Act 2005 our premises have been licenced under the Gambling Act 2005, legislation with which I am familiar and are now referred to as adult gaming centres.
5. As a business we have established, detailed and comprehensive policies and procedures in place alongside systems, controls and audits to promote and protect the Gambling Licensing Objectives. We have always liaised with Responsible Authorities concerning the operation of our premises and to ensure that we continue to promote and protect the Gambling Licensing Objectives.
6. In my role, I ensure the business remains compliant across the estate. I monitor compliance against (and in accordance with) legislation, the Gambling Licensing Objectives and the Gambling Commission Licence Conditions and Codes of Practice. The business conducts regular compliance audits at each of its premises where checks

are conducted as to regulatory compliance, customer interactions, incidents, self-exclusion breaches and age verification records. During audits, premises staff are tested on their level of knowledge and understanding. In addition management team conduct age verification test purchasing and secret shopper visits.

7. Alongside the management team I share responsibility to ensure the focus and direction of the business is such that that all gambling should be carried out in a socially responsible manner.
8. The business has in place a policies and procedures manual which runs to over 100 pages. Extracts of the manual have been included in the bundle of documents.
9. We have detailed policies on the following areas
  - Access to Gambling by Children and Young Persons
  - Age Verification Testing
  - Access to Premises by the Gambling Commission's Enforcement Officers
  - Advertising Standards and Marketing
  - Customer Interaction
  - Employment of Children and Young Persons
  - Fair and Open Practice and Dispute Resolution
  - Information on how to Gamble Responsibly and Help for Problem Gamblers
  - Money Laundering, Cash Handling & Suspicious Transactions
  - Self-Exclusion
10. We have logs to document
  - Attempts by Children and Young Persons to Gamble
  - Customer Interaction
  - Incidents Requiring Police Assistance
  - Self-Exclusion
  - Staff Training Summary
11. We have records of training on the following areas
  - Access to Gambling by Children and Young Persons
  - Access to Premises by the Gambling Commission's Enforcement Officers
  - Advertising Standards and Marketing
  - Customer Interaction
  - Employment of Children and Young Persons

Fair and Open Practice and Dispute Resolution  
Information on how to Gamble Responsibly and Help for Problem Gamblers  
Money Laundering, Cash Handling & Suspicious Transactions  
Self-Exclusion

12. We have forms and statements on the following issues

The Licensing Objectives  
Principal Concepts under which we trade  
Complaints Policy & Procedure Document and Terms & Conditions  
Complaints Form  
Record of Complaints & Disputes  
Record of Suspicious Monetary Transactions  
Self-Exclusion Form  
Self-Exclusion Review Form

13. Induction and refresher training is provided on all of the above. We have dedicated office space for training purposes where colleagues and staff receive face to face training and the facility for online training also. Training includes identifying of potential problem gambling and other vulnerabilities such as homelessness. Staff are thoroughly trained to take appropriate action, such as where to offer gambling control support including managing time spent playing (time outs), controlling stake limits, providing information on gambling support agencies such as incorporates Gamcare, BeGambleAware SaferGamblingStandard, offering participation in the self-exclusion scheme and refusing entry to premises where required.

14. During reviews, venue staff are tested in their level of knowledge and understating of their training. This has been independently confirmed by the former Licencing Manager Robert Edge, who having visited a number of our venues, states in his report, at **page 76** of the bundle

*"From the staff I met at the various premises, they seem to be very diligent, knowledgeable, and well trained in their policies and procedures."*

15. We ensures that all staff continue to promote responsible gambling through customer behaviour observation and interaction. As part of this process, customer play, duration and spend is monitored and customer interactions are induced to ensure play remains responsible.

16. Following a customer interaction, customers may be offered a variety of self-help measures, where appropriate, offer gambling control support including managing time spent playing (time outs), controlling stake limits, providing information on gambling support agencies such as incorporates Gamcare, Be Gamble Aware and Safer Gambling Standard, offering participation in the self-exclusion scheme and refusing entry to premises where required.
17. We have had sight of the representations which have been made. We have considered local police crime statistics and the premises location along with Sheffield City Councils Statement of Principles under the Gambling Act 2005. We note that the local area does suffer with general crime and disorder albeit not specifically associated with gambling premises. We note that the Police believe that there are some betting premises that suffer with incidents of Anti-Social behaviour. However, it has been our consistent experience that we do not experience the kind of difficulties sometimes experienced by betting offices in terms of crime and disorder, due to our different clientele, product, layout and management. Nevertheless, it would be our intention to have lines of communication maintained with the local police and the Licensing Authority to ensure that local knowledge is continuously shared and that the premises adapt to any emerging risks or local concerns identified.
18. It is noted that there are local providers of vulnerability support services in the area – it is our proposal that we will make contact with local organisations to offer information regarding responsible play, discuss gambling addiction support services that can be referred to and will invite feedback on any local concerns that can be incorporated into our policies, procedures and training.
19. This will enable us to ensure any local risks are mitigated, effectively managed and all gaming remains socially responsible.
20. I have no doubt that once staff training has been delivered, the Sheffield venue will operate in the same compliant, safe and responsible manner that all the other venues operate.

Signed



Dated

01 November 2023

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WITNESS STATEMENT [REDACTED]

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1. I work with Royal Amusements as an area manager. I have been working in the Amusement and gaming industry for 34 years, since 1990.
2. I have previously worked in British Coal where I was the senior union representative.
3. After leaving British Coal I found employment CJ Holding Amusements, who operated a chain of Adult Gaming Centers (or amusement arcades as they were then called) in the Yorkshire area, predominantly Wakefield, Castleford, Leeds and Sheffield.
4. I began my employment as a handy man but, within 12 months I was offered the position of area manager which I accepted. As an area manager I was responsible for the licensing issues in the area, staff and machinery.
5. I worked for CJ Holdings for 16 years as an area manager until they were sold to Olympia Leisure in 2006 where again I assumed the same role for Olympia Leisure, which was later taken over by Global Gaming. In 2009 I left and joined Royal Amusements as an area manager.
6. I have held responsibility for ensuring compliance with the gambling legislation, the Licensing Objectives and the Gambling Commission Licence Conditions and Codes of Practice
7. I have completed the Gamble Care Responsible course and I am aware of the standards that need to be adhered to.
8. Royal Amusements has never had a review of any of their licences by the Local Authority.
9. Royal Amusements has in place established, detailed and comprehensive policies and procedures in place alongside systems, controls and audits to promote and protect the Gambling Licensing Objectives. We have always liaised with Responsible Authorities concerning the operation of our premises and to ensure that we continue to promote

and protect the Gambling Licensing Objectives.

10. With regards to the current application before the Sub Committee we have attempted to liaise with those who have made representations through our solicitor and our licencing consultant with a view to meeting at the venue to discuss the concerns they have with a view to alleviating the same. We take seriously all representations and seek to work alongside all those around us.
11. Having reviewed the objections made and upon analysis it appears that incidents and concerns being raised are more in relation to betting shops rather an adult gaming centres as we a significantly different type of venue with different customer demographics, profiles and behaviour to those customers who visit betting shops.
12. When one thinks of gambling in town and city centres, it is almost always betting offices come to mind, both in terms of numbers (there are five times as many betting offices as there are adult gaming centres) and in terms of local impact. Betting offices can bring with them social issues, including street drinking, disorder and loitering outside.
13. As a matter of fact, adult gaming centres in general and our venues in particular are entirely different beasts to betting offices in terms of local impact. We already have nine other premises in and around West Yorkshire and Greater Manchester which trade without regulatory concern, even though none of them have any licence conditions on their premises licence.
14. When entering any of our premises it is noticeable that groups do not loiter or gather outside adult gaming centres, smoking, drinking, or generally causing a nuisance. The reason for this is due to the following facts:
  - The customer demographic is entirely different from that in betting offices. In adult gaming centres the customers are older and there is an equal split of male to female customers who mostly come in alone or sometimes as couples
  - There are no “events” in bingo premises such as football matches or horse races and therefore for customers to congregate
  - There are no seating areas for people to gather inside. The premises are not fitted out for groups
  - Alcohol is not available and prohibited
  - Anyone under the influence of drugs or alcohol is not admitted

- Unlike in betting offices, staff are not behind a thick glass counter taking / paying out bets, rather they are on the shop floor, greeting customers as they enter, offering tea and biscuits but more importantly also controlling who is permitted to enter and in turn supervising the premises from the point of entry.

15. Customers on entering our premises are welcomed by a uniformed member of staff, thus allowing the member of staff to ascertain whether the customer may appear to be under 21 (in which case Think 21 applies) or whether there may be any other matters which require attention, such as a customer being in drink, vulnerable in some other way, which would result in entry being declined. If there are no issues and entry is permitted, tea and / or squash and / or biscuits would be offered - this very helpfully allows staff to have a good understanding of their customers but more importantly identify any issues on entry.

16. The interior of premises is again very much different to a betting office. The premises are plush, spotlessly clean, bright and carpeted. Information on both responsible gambling and harmful gambling are prominently displayed and available. The environment is very much like a social club where the staff are friendly and customers are at ease. Due to the demographic of the customers, as already set out above, it is most unusual for customers to be unhappy or aggressive. When customers leave, they leave quietly and without causing any disturbance to neighboring businesses.

17. Vulnerable people are protected in the following ways;

- Alcohol is not permitted in any of the applicant's premises
- Those who are intoxicated through alcohol or through substance misuse are refused entry
- As required by the Gambling Commission's Licence Conditions and Codes of Practice, we have policies and procedures in place to document any issues and deal with self-exclusion
- "Stay in Control" documentation with the contact details for GamCare, the National Gambling Treatment Service and BeGambleAware are available and displayed prominently
- All machines display "Gamble Responsibly" stickers with helpline contact details

We also take seriously customer interaction and provide appropriate induction and refresher training to staff on. For example if a customer is showing signs of problem



gambling, a staff member will engage with the customer. This could result in any number of outcomes, including the customer opting to cease playing; self-referral to a care provider; self-exclusion; or the customer being excluded by the staff. Our approach to protecting vulnerable people is in accordance with the oversight and regulation of the Gambling Commission through his operators licence and has not caused any concern to any police force, local authority, government body or the Gambling Commission, despite operating in towns and cities which are considerably more deprived than Sheffield and where there much higher numbers of vulnerable people around the applicants premises.

18. According to the English Indices of Deprivation 2019 - Statistical Release the City of Bradford is in 11th place and the borough of Oldham is in 16th place in terms of deprivation (the City of Sheffield does not feature at all on the table). There is therefore, inevitably a greater presence of vulnerable individuals in and around those city and town centres along with the premises of organisations who provide advice and assistance to those vulnerable people. Our organization has held adult gaming centre licences in Bradford for almost 40 years and in Oldham, on and off, over the last 20 years, without any regulatory intervention nor any concern being raised by any organisation (local authority, police, government or otherwise) in relation to the protection of vulnerable people or the promotion of the licencing objectives. We have been able to do this as we have in place established, detailed and comprehensive policies and procedures in place alongside systems, controls and audits to promote and protect the Gambling Licensing Objectives.
19. In addition we regularly engages in audits, mystery shopping and test purchasing to ensure the measures described in the preceding paragraphs are robust and working effectively.
20. We rarely face issues with crime and disorder. This is assisted by the customer demographic, the ban on alcohol, but more importantly due to the measures in place by the applicant to prevent crime and disorder:
  - Staff levels are set in accordance with a risk assessment
  - It is unusual to have more than 5 / 6 customers on any premises at any one time and numbers in double digits hardly ever occur. This makes it much easier to identify, deal with and document problematic behavior
  - The layout of the applicant's premises facilitates effective supervision. There

no space for groups to gather or blind spots for mischief

- Staff members are on the shop floor not behind a counter, interacting with and supervising (where necessary) customers
- High quality CCTV is used throughout and customers are aware they are monitored through the use of prominent signage and visible monitors if necessary
- Staff members do not carry floats
- Safes are time delayed and this is made apparent through the use of prominent signage inside and outside the premises
- Staff members receive location appropriate induction and refresher training in how to deal with difficult customers
- Any incidents are logged and reviewed by the management team
- “Stay in Control” documentation with the contact details for GamCare, the National Gambling Treatment Service and BeGambleAware are available and displayed prominently
- Premises are fitted with maglocks, enabling entry to be controlled if and when necessary
- We maintain good relations with and works alongside local Police departments
- We participate in local Betwatch schemes as and when available and required

21. Recent data from the Office for National statistics (year ending June 2023) shows West Yorkshire as having the second highest crime rate in the UK. The security firm ADT which provides alarms for residential and commercial premises, looked at government and ONS data to determine crime rates for different police force areas in the UK and found West Yorkshire to have the second highest crime rate in the country. We holds adult gaming centre licences and operates adult gaming centres in the following West Yorkshire towns and cities; Bradford (since 1984), Leeds (since 2002), Halifax (since 1988), Wakefield (since 2014), Castleford (since 2006) and Morley since last year.

22. The statistics also show Greater Manchester closely follows West Yorkshire in third place. The applicant currently holds an adult gaming center licence in the Greater Manchester area (since 2013) and has held 2 separate premises, on and off, over the last 20 years in the Greater Manchester area.

23. In relation to both West Yorkshire and Greater Manchester, we have operated without any regulatory intervention nor any concern being raised by any organisation (local authority, police, government or otherwise) in relation to crime and disorder or the promotion of the licencing objectives.
24. It is our intention, if our licence is granted, to continue to implement our robust and established, detailed and comprehensive policies and procedures in place alongside systems, controls and audits to promote and protect the Gambling Licensing Objectives.
25. In the rare case that issues do arise, the resources and commitment are in place to ensure that they are speedily resolved. For obvious reasons Royal Amusements do not wish to run licensed venues which are a cause for regulatory concern and are hands on approach ensures the compliance is met to the highest standards.
26. In my experience I can not see the Sheffield City Centre venue of 9 Fargate being run any differently to our existing venues as we take very seriously any issues created by our premises as we are entirely dependent on our licences to trade as a business.

**Signed**



**Dated**

**01 November 2023**

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## WITNESS STATEMENT

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1. I have worked at Royal Amusements for 23 years as a venue manager.
2. Whilst working for Royal Amusements, I have worked in more than one venue, my regular venue of work is Leeds City Centre, however I have also managed venues in West Yorkshire, those being Bradford City Centre, Halifax town centre, Wakefield town centre and in Greater Manchester that being Oldham town centre, as and when required to do so.
3. I first started working for Royal Amusements as a venue manager in 1995 and currently still hold the same role.
4. My job entails managing the venue and staff and ensuring the venue is fully compliant with the legislation, the Gambling Commission Licensing Conditions and Codes of Practices and the Gambling Licencing Objectives.
5. The majority of our customers in the Leeds City Centre venue are female and are aged over 40, they normally attend with their family and friends. I offer support to customers as and when required, for example I regularly will call taxis for and wait with our elderly customers when they require a taxi and ensure that they get in safely.
6. The customers that we tend to get visiting our venues are those who have been in previously and are mostly mature.
7. Most of our customers are usually looking to get out of their houses and come into a sociable environment.
8. I would say our venues are more so a gathering club for the community to come and socialise with one another, as some may be living on their own and require a sociable environment.
9. I would go as far as saying if some of our customers did not attend our venue in Leeds they would not have anyone else to converse or socialise with.

10. In the 23 years I have been working for Royal Amusements I have not experienced any angry or aggressive customers.
11. It is very unusual for our venues are to be subjected to or to be the cause of any anti-social behaviour, local nuisance or more serious incidents of crime and disorder predominantly due to our customer demographic.
12. Our average customer numbers remain low and are normally in single figures. If we were to have between 5-10 customers in at any one time that would be considered a busy period.
13. We have CCTV at our sites which we can monitor at any time and is displayed clearly within the venue.
14. I have been visited by the police on many occasions requesting a download of our CCTV when an incident has occurred near the venue as they have stated our CCTV covers much more of the area than that of the local authority CCTV.
15. We have a good relationship with the police and the Leeds City Council.
16. We regularly engage in training to keep abreast of any developments and our obligations and compliance with the legislation, Gambling Licensing Objectives and the Codes of Practice.
17. Our venues are very different from high street betting shops as we do not show sports or have large numbers coming into the premises and gathering on race days or during sports events.
18. I can not see our venue in Sheffield operating any different to our other venues and I imagine our customer base (mostly females over 40) will be the same as Leeds as the two cities are comparable in size and demographics. I see no reason why the Sheffield venue would not operate to the same standards we operate to in Leeds.

**Signed**



**Dated**

**01 November 2023**

**WITNESS STATEMENT**

*(CJ Act 1967. s. 9, MC Act 1980, s.s.5A (3a) and 5B MC Rules 1981, r70)*

Statement of: Darrell John Butterworth

Occupation: Licensing and Security compliance Consultant

Age if under 18: Over 18  
*(if over 18 insert "over 18")*

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This statement (consisting of 15 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 30<sup>th</sup> October 2023

Signature: D J Butterworth

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1. My name is Darrell John Butterworth and I currently operate as a self-employed Licensing and Security Authority Compliance Consultant. I have conducted this business since creating a company, Edmund Locard Licensing and Security Solutions, on the 1<sup>st</sup> January 2011. I make this statement in relation to an application for a Premises Licence by Royal Amusements at 9 Fargate, Sheffield S1 2HD ("The Venue").

**Experience**

3. Prior to taking up this role with Edmund Locard Ltd I completed 30 years' service with the Greater Manchester Police in a variety of uniform and non-uniformed roles. The longest period of attachment to a department was between 1998 and 2006 when I performed the role of Force Licensing Inspector. This role involved the supervision of 12 divisional licensing officers, tasking and management of a covert licensing unit comprising a sergeant and six constables, developing force policy and enforcement in relation to all licensed units and employment and briefing of a licensing solicitor to act on behalf of the force in more complex licensing hearings.
4. During the period as the Force Licensing Inspector I was responsible for the good conduct and compliance of premises operating under a variety of licences including outlets involved in selling alcohol but also those that provided gambling, betting and bingo facilities. I have represented Greater Manchester Police at Magistrates Court hearings, Crown Court Appeals, The High Court, The Court of Appeal and Council Licensing Committee hearings to

oppose unsuitable applications and to take enforcement action against those premises whose standards had fallen below an acceptable level.

5. Throughout my period in the central licensing role Assistant Chief Constable Robert Taylor, also from the Greater Manchester Police, was the Association of Chief Police officers (ACPO) lead spokesman on Alcohol and Licensing matters. As a result of this connection I became secretariat to the ACPO National Licensing officers' group and National Licensing Forum (NLF).
6. During my time in charge of the Licensing Unit I worked very closely with David Thornton, the local Gambling Commission Inspector, conducting joint operations on both legal and illegal gaming establishments.
7. In 2006 on leaving the Central Licensing Unit I received a Chief Officers Commendation, recognising the contribution I had made to licensing enforcement across Greater Manchester, particularly in relation to my leadership and commitment shown in developing force policy and training in response to the Licensing Act 2003 and Gambling Act 2005.
8. Between 2006 and my retirement from the Greater Manchester Police in December 2010 I took up the role of Neighbourhood Inspector for the town of Heywood on the Rochdale division. This involved the supervision of over 50 police officers, community support officers and civilian support staff. Within my role as a Neighbourhood Policing Team Inspector I was required to conduct analysis of crime and incident trends to ensure that resources and tactics were deployed appropriately. The outcome of this analysis ensured that resources were deployed in the right numbers, in the right areas at the right time. On a monthly basis I also presented these statistics to the town's multi agency tasking group to ensure all agencies had the relevant information on crime trends.
9. In recent months I have continued my professional development regarding licensing knowledge by taking and passing the National Licensees Certificate and National Door Supervisors course. This enabled me to successfully apply for a Personal Licence and become approved by the Security Industry Authority (SIA) as a front line operative. In September 2011 I successfully applied to become a nominated tutor with the BII enabling me to carry out training in the award for responsible alcohol retailing and award for personal licence holders. In October 2018 I attended a training course on Licensing Hearings and Appeals and in November 2019 I attended a seminar for Licensing Consultants

10. Between 2013 and the present date I have conducted investigations nationally on behalf of operators. I estimate that I have visited in excess of 1000 venues licensed under the Gambling Act 2005. A complete list of the areas and venues visited is attached to this report at Appendix 1. I have also conducted observations nationally in relation to premises licensed under the alcohol licensing act 2003, outlets often in areas close to gambling establishments and often the source of alcohol related crime and disorder.
17. In addition to acting on behalf of operators I have also conducted observations on behalf of residents, and in September 2017 I conducted 2 days of investigations on behalf of the London Borough of Camden. In August 2021 I conducted independent observations on behalf of the Home Office in relation to asylum seekers and their impact on Crime and Disorder in the West Midland area.
18. Since 2020 I have visited 18 locations (Birmingham, Crawley, Croydon, Doncaster, Droylsden, Edgware, Edmonton, Hammersmith, Leeds, Leyton, Newbury, Newcastle, Rochdale, Spalding, Stockton, Walsall, Wood Green, and Worcester) to conduct investigations at Adult Gaming Centres.
19. It is important to stress that when conducting my observations, I act totally independently of those instructing me and record accurately what I observe. To ensure that my visits accurately reflect the true situation I always insist that local operators are not made aware of my visits taking place. I am informed by those instructing me that this was the case for the current investigation.

#### **Terms of reference**

18. I have been requested by Alias Yousaf of Liberty solicitors to investigate a new Premises Licence application at 9, Fargate, Sheffield S1 2HD. The application has received representations from a number of responsible authorities and interested parties and the following terms of reference for the investigation have been agreed with those instructing me.
  - i. To visit the areas of the proposed site and conduct observations to verify the veracity, or otherwise of the statements made within the representations.
  - ii. To compare the area of the current applications with other areas where Royal Amusements and other AGC's operate and whether any additional measures should be proposed.
  - iii. To attend any future licensing hearing and give evidence.



19. To address my investigations to the matters of concern, I have seen and read the application, representations submitted and area impact assessment report. I ascertained that representations had been made on the following grounds:
- Protection of vulnerable people
  - Crime and Disorder
20. The main representation appears to be about the area and local community in which the proposed premises are to be located. Although crime and disorder has been raised as one of the representations, no statistical evidence has been provided to show that the current 3 AGC's and 4 betting shops create any of the crime and disorder problems alluded to in the representations. Nor has any evidence been provided in this case to show that any of the current premises managed by the applicant in other town and City centres create any of the issues raised to the current application.
23. In my experience the crime and disorder and vulnerability issues created from premises licensed as a high street machine premises are much lower than those created from a licence granted to a betting office or alcohol licensed premises. There are several reasons for this, including the fact that people tend to go to high street AGC venues on their own or in small numbers. Other than playing the machines there is no event taking place for customers to engage with each other, nor use the venues as a social meeting place. A group of young people attempting to enter and remain inside these types of premises would immediately be identified by staff. I have never encountered a situation during any of my extensive observations at these types of venues where young people sought to enter or remained inside any of the venues.
24. The staff employed at a high street machine premises are not engaged or distracted by taking or paying out on bets so they can spend more time on the "shop floor" observing customer behaviour and resolving any low level issues before they can escalate. The general environment of an high street AGC premises is also generally cleaner and tidier than ordinary bookmakers as there are no need for betting slips, newspapers and pens which often get discarded on the floor.
25. As a result of this less intimidating environment many of the managers of high street machine premises are female and this was certainly the case in the high street AGC premises I have visited. A further difference between high street AGC premises and traditional betting offices are people tend to spend less time at a venue on each visit. They do not wait around the venue for an event to start or to finish. As a result of this, customers of high street machine premises

do not tend to loiter at a premise other than when playing the machines and do not smoke at the front of the venue between events taking place. I have not observed any issues regarding customers congregating outside the high street AGC premises observed during the periods of observations

26. I have previously visited the Rochdale town centre area where an AGC currently operates, an area which I believe is more socially deprived than Sheffield and is, in my experience, a more challenging area to operate a gambling premises in than the Fargate location.

**Friday 14<sup>th</sup> August 2020**

**Merkur Slots Yorkshire Street Rochdale**

27. My observation commenced in the Yorkshire Street area of Rochdale from 12:30 pm and concluded at 14:50 that day. The Rochdale location was chosen as I have resided in the town all my life. I was also stationed as an Inspector on the Rochdale division from 1996-1998 and 2006-2010. I was aware that a Gaming Premises had been at this location for over 30 years and during my time as an Inspector I am unaware of any problems being raised by its presence.
28. As well as having a local knowledge of the area, in 2019 Rochdale town centre was deemed to be the most deprived area in Greater Manchester and 31st<sup>th</sup> most deprived area in the country.  
*Latest government figures show the LSOA (Lower-layer Super Output Area) which includes Rochdale town centre and parts of the neighbouring estates of College Bank and Lower Falinge is the 31st most deprived place in England.*
29. On arrival on Yorkshire Street I noticed the regular presence of groups of street drinkers and a male sat on an old blanket begging. The unit advertised as being open 24/7. I then looked around the area for signs of local authority-controlled CCTV cameras which are often located in areas of high crime and disorder. One such dome camera was located immediately outside the premises at the junction of Yorkshire Street and New Bailey Street.
30. I then looked around the area for signs of residential accommodation which I could not find in the immediate vicinity. Two other gambling machine premises were located at 55 (LeisureTime) and 88 (Admiral) Yorkshire Street. A pawn brokers (H & T) was located opposite, William Hill next door but one, and Paddy Power and Betfred bookmakers diagonally opposite.
31. The nearest educational establishment was the Rochdale sixth form college on St Mary's gate and the nearest religious building was the parish church of St Mary located in the Baum. The Regal Moon Wetherspoon's and Roebuck public houses were within 50 metres of the premises.

32. At 1244 I observed a dishevelled looking male searching through the rubbish bins on Yorkshire Street. 1 person was betting in Betfred, 9 customers in Paddy Power and 8 customers in William Hill. I then entered the Merkur Slots venue where 4 customers, wearing face masks due to Covid requirements were using the machines.
33. I then visited the LeisureTime and Admiral premises. LeisureTime was advertised as opening from 0830 till late and had 11 customers. Admiral was advertised as opening until 11pm and did not have any customers inside. I then visited the Regal Moon public house which had approximately 90 customers, the majority of whom appeared to be consuming intoxicants.
34. I then positioned myself opposite the front of the Merkur Slots machine and conducted observations on the patrons entering and leaving and the passing pedestrians. Without exception the passing pedestrians appeared to be indifferent to the presence of the gambling premises. Customers entering and leaving the premises appeared to be aged 30+ and was 50% male and female. None of the street drinkers or beggars went near the premises, attempted to enter or harassed the customers entering or leaving. Between 1315 and 1330 315 people passed along Yorkshire Street past the front of the premises.
35. At 1333 two Rochdale Council refuse collectors entered the Merkur Slots premises and exited a few minutes later holding mugs of tea which they drank whilst enjoying the afternoon sunshine. At 1354 two males sat on the public benches opposite the shop and talked in loud voices about football and horse bets that they had put on.
36. At 1418 a male aged approx. 27 asks one of the males sat on the bench for a rizzla paper which is handed over. Neither of the males were customers of the AGC. Between 1415 and 1430 407 pedestrians walk past the shop
37. At 1433 there were 4 customers in Betfred, 8 in Paddy Power and 5 in Merkur Slots. I then identified myself to the two members of staff in Merkur Slots to make a more detailed assessment of the unit. Both members of staff wore ID badges and a challenge 25 pin badge. Irene the assistant manager informed me that the premises had 67 machines. They did not feel that the premises were an intimidating place to work and infrequently they had to ask customers to prove their age. At 1448 I then left the premises and revisited William Hill (9 customers), LeisureTime (12 customers) and Admiral (2 customers and two female members of staff). I then ceased my observations.

### **Liverpool Airport (Airside Departure Lounge)**

38. On Friday 28<sup>th</sup> August 2020 I was travelling via Liverpool airport when I noted a gaming machine premises located in the airside departure lounge. The venue was in an adjoining unit to a children's play centre but did not appear to attract any attention from the young travellers passing through the airport. I took a photograph of the locality (exhibit reference DJB 1 refers). I have also seen similar set ups at other airports and in motorway service areas. The siting of these units does not appear to attract young people to gaming nor create crime and disorder issues. As with the site at Liverpool airport these gambling premises are often open fronted and visible to the passing public. This is unlike high street gambling premises where it is impossible to view what is occurring inside.

### **Royal Amusements Oldham Monday 23<sup>rd</sup> October 2023**

39. Prior to attending Oldham and to conduct a risk assessment I carried out a review of the area on the police.uk website. There is no crime data on the website for any of the Greater Manchester Police force area.
40. I commenced my observations at Royal Amusements Oldham at 1230 hours on Monday 23<sup>rd</sup> October 2023 and concluded them at 1845 hours the same day. My observations were recorded into a notes document which I later transferred onto a record of observations log (exhibit reference letter DJB 02 refers) for the purpose of this report.
41. I arrived in the Oldham town centre area and commenced observations. The week was school half term so more young people were around the area than I would normally expect on a weekday during term. Royal Amusements was in the Tommy Field market area of the town in a restricted access pedestrianised area. The premises was already open (24-hour licence). I noted a local authority-controlled CCTV camera was located directly outside which had a line of sight into the entrance corridor of Royal Amusements. No residential accommodation was nearby.
42. Other gambling premises also open in the town centre were Storey's Amusements (open 24-hour), Admiral (open 24-hour), Ladbrokes, William Hill, Mecca Bingo and Betfred. Sensitive premises in the area included Positive Steps, Job Centre Plus, New Bridge College, MIND, Oldham Food Bank, and Oldham Parish Church.
43. I entered Royal Amusements and noted that no magnetic door lock was in use and no SIA security was deemed necessary at the premises. The staff service point was immediately inside the door. Two female staff were identifiable by their staff uniform and 2 females, and a male customer were playing the machines. The two females were aged 60+ and the male was approx. 40 years of age. No conversation took place between any of the customers, and they appeared to be on their own. At 1322 1 of the females left.

44. I exited Royal Amusements and continued my external observations. Throughout this period a total of 27 customers entered Royal Amusements out of the 4,448 pedestrians seen walking past the venue. Of the 27 customers visiting the premises 13 were females and 14 males. Most customers entering were estimated as being 50-80 years of age.
45. No breaches of the gambling licensing objectives were noted. The only incident of note occurred at 1751 when two males wearing balaclavas, but no crash helmets rode a motor cycle through the pedestrianised area and local streets.
46. No further noteworthy incidents occurred, and the town centre area remained very quiet. I ceased my observations at 1845 hours and left the area.

**Royal Amusements Halifax**  
**Tuesday 24<sup>th</sup> October 2023**

47. Prior to attending Halifax, I conducted a risk assessment on the police.uk website. Crown Street falls under the Halifax policing area which suffers an average crime equal to the National average. A search of the Crown Street area for August 2023 revealed 62 crimes committed, over 50% of which were shoplifting offences.
48. I arrived in Halifax at 1242 hours and commenced my observations at Royal Amusements Crown Street in the town centre. My observations concluded at 1845 hours the same day. I again recorded what I saw and heard into a notes document which I later transferred into a record of observations log for the purpose of this report (exhibit reference letter DJB 03 refers).
49. Crown Street is a pedestrian Zone with limited access to motor vehicles. The venue is located opposite a Merkur slots AGC and near to a BetFred betting shop also on Crown Street. There is a local authority-controlled CCTV camera located at the junction of Crown Street and Waterhouse Street which had a line of sight to the front of the premises. Residential accommodation was identified on the first and second floors of the building above the ground floor retail units.
50. I then looked around the area for other gambling businesses and premises that may be sensitive to gambling in the town. In addition to the Merkur and BetFred already noted there was also an Admiral AGC (open 24-hour), 2 x William Hill and a Coral betting shop. The only sensitive premises located was the Trinity 6<sup>th</sup> Form College.
51. At 1315 I entered Royal Amusements through the automatic doors, noting that no magnetic door lock or security guard was deemed necessary. The staff service point was immediately inside the entrance door and one of the two female staff immediately acknowledged me. A second member of staff was assisting one of the three female customers, who were all aged over 60 years of age.

52. At 1325 a male customer aged approximately 40 entered and I exited to conduct external observations. Footfall along Crown Street was lower than I observed the previous day in Oldham. Non-aggressive Street begging and street drinking was observed throughout the observation period.
53. At 1559 the two day staff exit, but one of the staff waits with the female smoking outside. At 1606 a taxi draws up and the staff member assists the customer into the taxi and helps her put her seat belt on.
54. At 1647 a male enters carrying a tool box and is seen to leave at 1726. I later ascertained that this man was a maintenance engineer who had attended to repair one of the gaming machines. No noteworthy incidents occurred, the area was very quiet with no customers entering or leaving Royal Amusements. Still open at 1845 are, Royal Amusements, Merkur Slots, BetFred, William Hill (x2) and Coral.
55. During the period of observations 10 male and 7 female customers entered Royal Amusements. The majority were aged over 50 years of age. During this same period 2,100 people walked past the venue. Despite street drinking and begging in the area none of these pedestrians paid any attention to the gambling establishments on Crown Street.

**Royal Amusements Bradford**  
**Wednesday 25<sup>th</sup> October 2023**

56. Prior to attending Bradford, I conducted a risk assessment on the police.uk website. Westgate falls under the Bradford City policing area which suffers lower levels of crime than the national average. No crime was recorded as being committed in Westgate during August 2023.
57. My observations on the 25<sup>th</sup> October 2023 commenced at 1500 hours and concluded at 2145 hours the same day. I recorded what I saw and heard into a notes document which I later transferred into a record of observations log for the purpose of this report (exhibit reference letter DJB 04 refers).
58. I located the Royal Amusements premises on Westgate which advertised as being open 24 hours a day. These premises differed from the two previous visits as there was a second entrance/ exit door onto Godwin Street. A local authority-controlled CCTV camera was located at the junction of Westgate and Godwin Street which gave a line of sight to the front doors of Royal Amusements. Residential property was located above the business premises on Godwin Street. Other gaming premises operating in the area were, Merkur Slots, Admiral (x3), Ladbrokes, BetFred (x2), Paddy Power and William Hill.
59. I entered Royal Amusements at 1550 and noted no magnetic door lock or SIA security were present. I passed a female (70 years) smoking at the front door. Inside were 3 female members of staff, a male (aged 40) and a female (aged 60).

60. I then returned outside and continued my external observations. Although street drinking was again observed no crime and disorder was witnessed. Nothing of note occurred and at 2145 I entered Royal Amusements where I met the applicant Mr Yousaf and introduced myself to him.
61. At 2200 I left the venue and ceased my observations.
62. Between 1600 hours and 2030 hours 1,368 pedestrians were seen walking along Westgate and Godwin Street. Between 1600 hours and 2145 hours 25 customers were seen to enter Royal Amusements.

**Proposed Royal Amusements Site**  
**Fargate Sheffield**  
**Thursday 26<sup>th</sup> October 2023**

63. Prior to attending the location, I conducted a risk assessment of the police.uk website. The area of the proposed premises falls within the Sheffield Central and North West policing area. The area suffers a higher rate of crime than the National average. In August 2023 125 crimes were recorded in the locality (43 violence/sexual offence, 20 anti-social behaviour, 20 public order and 42 other).
64. My observations in Sheffield commenced at 1238 and concluded at 1845 the same day. My observations were recorded onto a notes document that I later transferred to a record of observations log for the purpose of this report (exhibit reference letter DJB 5 refers).
65. I located the site of the proposed Royal Amusements shop on Fargate. The premises was a former nail salon which appeared run down and for lease. 8 other empty units along Fargate were in a similar state. Local authority-controlled CCTV cameras were located on Fargate which gave a line of sight to 9 Fargate. No residential property was located nearby. Other gambling premises in the area were, Genting Casino, Mecca Bingo, Betfred Bet Extra, Ladbrokes, Admiral (x2), and Shipleys. None of the Adult Gaming Centres or Betting Shops used additional security measures like magnetic door locks or security guards.
66. Sensitive premises located in the area included, Sheffield Hallam University, United Reform Church, St Maries Cathedral, Star House young people's support, Sheffield Cathedral, Job Centre Plus and UCKG help centre. Street begging was noted outside Marks and Spencer, Café Nero, McDonald's, and Sainsbury's. Street drinking was noted across the city centre including along Fargate.
67. Observations were undertaken outside the four current Adult Gaming Centres in the area. No breaches of the licensing Objectives were witnessed, and the street drinkers and beggars did not show any interest in the venues or their customers. None of the current Sheffield gambling venues had considered there to be a need to use magnetic door locks or engage

additional security staff to prevent breaches of the licensing objectives or prevent access of children or other vulnerable adults.

68. No other noteworthy incidents occurred and at 1845 hours I concluded my observations in Sheffield and left the area.

#### **Summary of visits**

69. My visits to observe the management and customer base at the current Royal Amusements sites in Oldham, Halifax and Bradford mirrored what I have witnessed in the other parts of the country where I have conducted similar investigations. No crime and disorder were observed at any of the locations, no vulnerable people were attracted to the venues and gambling appeared to be conducted in a fair and honest manner. The numbers using the venue was very low in comparison with the number of pedestrians walking past. The customers tended to visit alone or in couples and the ages of most customers was 40+.
70. Although no breaches of the licensing objectives or other incidents occurred at the Royal Amusements venues visited, I did note that the venues with a single entrance (Halifax and Oldham), had their staff service area immediately inside the entrance door. This allowed staff to be immediately aware of customers entering the premises and assessing their suitability. The venue in Bradford had two entrances with the staff service area half way between the two. Although the current issues observed in Sheffield did not occur around the current AGC's, should the licence be granted, a staff service area near to the entrance on Fargate would give better supervision of customers entering. I would therefore recommend that the applicant considers this suggestion when designing the layout of the premises.
71. The busiest location visited was the Sheffield City centre area where three Adult Gaming Centres operate near to Fargate, along with other gambling and betting premises. No crime and Disorder were observed at, or near to any of these locations, and no breaches of the gambling licensing objectives were noted. None of the street drinkers or beggars that were in the area showed any interest in the venues or their customers. Again, the customers attended alone or in couples and the numbers were low when compared with the number of the pedestrians passing through the area.
72. I did not observe anything in the Sheffield area that led me to conclude that a Royal Amusements Adult Gaming Centre at the proposed location would not operate in a similar manner to those in the other areas visited.

#### **Representations to the application**

73. South Yorkshire Police have submitted a representation to the application by Royal Amusements on the grounds that the premises will not support the Gambling Licensing Objectives. I did not observe anything during my



investigation in Sheffield or my visits to Royal Amusements in other locations, which led me to conclude this to be true.

74. The representation by South Yorkshire police correctly states that crime and disorder generally in Sheffield City Centre is high. They also state that the current gambling premises in the area have created numerous crimes and incidents and require a substantial amount of policing resources.
75. They fail to identify how many crimes have occurred at the different types of gambling premises, times of day these alleged occurrences occur or the days of the week when offences are most prevalent. It is notable that none of the gambling premises engage any additional security to counter such a high risk, if one exists, or why revocation action has not been undertaken if the problem exists to the extent claimed.
76. South Yorkshire police do concede that several gambling premises in the area have closed voluntarily, and the situation has improved. From what I have observed from monitoring other Royal Amusements venues I have no reason to conclude that the opening of such a venue at the proposed site would breach the licensing objectives.
77. I have also seen, within the representations, mapping of the city centre in relation to sensitive premises and the proposed venue. Although the mapping does not show other current gambling venues, in most cases those sensitive premises are nearer to other gambling venues. These areas have therefore been deemed suitable for gaming premises by the Licensing committee.

### **Summary**

78. I have conducted investigations in respect of applications for Adult Gaming Centres in many areas across the country. These visits were conducted following similar representations that have been raised in respect of the current application. In all these areas Bingo venues, betting offices and adult gaming centres already operated.
79. In addition to visiting areas in relation to Adult Gaming Centres I have also visited betting shops in the same areas or as stand-alone applications. I estimate that since 2013 I have visited in excess of 1200 betting offices. In paragraph 23-25 above I outline the differences that I observed between Adult Gaming Centres and betting offices during these visits. As a result of these differences, staff at Adult Gaming Centres can supervise the customers more closely and intervene before minor grievances escalate into more serious situations.
80. This early intervention results in less incidents occurring at Adult Gaming Centres, meaning less reliance on police resources as mentioned in the South Yorkshire police representation. Unfortunately, their representation does not identify types and number of crimes occurring at gambling premises nor does it detail which type of venues (AGC's or Betting Offices), are responsible for this drain on resources.

81. In my experience, sites such as proposed by Royal Amusements in Sheffield, are now common sights in airport lounges, motorway service areas and local high streets. Having visited many of these sites in different locations I have never seen any evidence of them creating crime and disorder or being an attractive location to vulnerable individuals or young people.
82. In Oldham, Halifax and Bradford, Royal Amusements already operate sites in these areas successfully and without criticism from the local enforcement authorities. I was able to visit the Royal Amusements sites in these other areas and confirm that their operation did not lead to issues of crime and disorder, nor did they attract street drinkers, beggars or other vulnerable individuals. I am unaware of any concerns being raised in respect of any of these areas since their licences were approved.
83. Having visited the Sheffield City Centre and observed the local community and gambling establishments I do not consider that the area would present a greater challenge to an operator than other sites that I have visited. Having seen the lack of security measures in place in Sheffield generally I believe the area to be less challenging than some other areas where such additional measures are required.
84. The main issue observed in Sheffield appears to be street drinking and begging, which appears to be done without challenge or condemnation, in a designated public protection space. This conduct occurs across the city centre. None of this behaviour was connected to any of the gambling venues operating in the area.

#### **Conclusion**

85. Having conducted investigations nationally in response to representations made to applications for new premises licences I have never seen any evidence produced that these types of venues cause increases in crime and disorder. In my experience this lack of evidence-based representations results from the fact that no such evidence exists.
86. Nor has any evidence been produced in this application that the current venues operated as Royal Amusements breach the gambling licensing objectives or cause increased crime and disorder in the areas they operate.
87. At paragraph 23, 24 and 25 above I outlined what I consider to be major differences between a betting office premises and a AGC premises. What I observed during these observations confirms and reinforces my experiences outlined above. Although the main cause for objection appears to be the fear of crime and disorder, I saw nothing during this period of observations which came close to supporting those concerns. In my experience the change of

these premises from an empty unit to a machine premises will improve the area for local residents and businesses and reduce the likelihood of crime, disorder and anti-social behaviour in Fargate.

56. Another indication that a town centre suffers from irresponsible criminal behaviour is the security measures taken by stores. Few of the shop frontages chose to have roller shutter security to prevent damage when closed or prevent unauthorised access out of hours. This was particularly noticeable as many venues appear to have been closed for long periods due to being vacant. Despite being empty for so long, shop windows (apart from KFC) remained intact and the street furniture appeared to be well maintained and undamaged. The betting shops that were open did not need to use magnetic door locks to prevent unwanted customers from entering or employ private security.
57. Although I did not see any crime and disorder in the area, I have seen the list of conditions that have been proposed by the applicant in support of this application. I believe that these conditions demonstrate that the applicant is a responsible operator and goes beyond the minimum requirement needed to ensure they do not create the types of issues referred to in the representations.
58. Throughout my observations I saw no groups of people congregating outside the current gaming premises and no breaches of conditions by any operator. Although street drinking and begging was observed in the vicinity of the application site, this appeared to be due to the selling of alcohol from nearby off licences and the large numbers of people. As a result, the only conclusion I can arrive at, is that the current gaming venues in the areas are not the source of crime and disorder: gambling is conducted in an open and fair way: and I saw no evidence that children and other vulnerable people are harmed by gambling.
59. In my experience of hearings in other areas no evidence has ever been produced to show that a AGC type premises exacerbates the current levels of gambling in an area or that the locating of a AGC licensed premises increases the risk to vulnerable people in a location and contributes to crime and disorder.
60. These conclusions are based on my previous experience as a police licensing Inspector and 10+ years as an independent licensing consultant. Following my observations in Sheffield those conclusion and experiences have been reinforced.

Darrell Butterworth  
30<sup>th</sup> October 2023

**Appendix**

Exhibit reference letter DJB 1 Photograph of machine premises Liverpool  
Airport

Exhibit reference letter DJB 02 Observation log Oldham

Exhibit reference letter DJB 03 Observation log Halifax

Exhibit reference letter DJB 04 Observation log Bradford

Exhibit reference letter DJB 05 Observation log Sheffield

**Observations Log PRO FORMA** Exh ref letter DJB

**Premises**

Name of premises	Royal Amusements
Address of premises	18 Curzon Street Oldham OL1 3AG
Day/ Date of visit	Monday 24 <sup>th</sup> October 2023
Name of consultant conducting visit	Darrell Butterworth

Time	Comment
1230	I arrived in the Oldham town centre area and commenced observations. The week was school half term so more young people were around the area than I would normally expect on a weekday during term. Royal Amusements was located in the Tommy Field market area of the town in a restricted access pedestrianised area. The premises was already open. I noted a local authority-controlled CCTV camera was located directly outside which had a line of sight into the entrance corridor of Royal Amusements. No residential accommodation was nearby. Other gambling premises also open in the town centre were Storey's Amusements (open 24-hour), Admiral (open 24-hour), Ladbrokes, William Hill, Mecca Bingo and Betfred. Sensitive premises in the area included Positive Steps, Job Centre Plus, New Bridge College, MIND, Oldham Food Bank, and Oldham Parish Church.
1315	I entered Royal Amusements and noted that no magnetic door lock was in use and no SIA security was deemed necessary at the premises. Two female staff were identifiable by their staff uniform and 2 females and a male customer were playing the machines. No conversation took place between the customers, and they appeared to be on their own. The two females were aged 60+ and the male was approx. 40 years of age. At 1322 1 of the females leaves.
1320	A female aged 50+ on a mobility scooter enters the premises.
1339	A male carrying several parcels enters and leaves a short time later without the parcels.
1340	Female 60+ enters.
1344	Male exits.
1347	Male 50+ enters with a walking stick. Delivery man exits.
1406	Male exits
1408	Female 60+ pulling a wheeled shopping trolley enters.
1409	Male 55+ enters.
1411	Delivery man returns carrying plastic bags.
1416	Female 60+ enters
1427	Delivery man leaves without the plastic bags. Two uniformed police officers walk

	past the venue.
1430	Between 1330 and 1430 1,468 pedestrians walked past Royal Amusements.
1432	Female 40+ enters.
1433	Female 30+ enters.
1453	Male 35+ enters.
1456	Male exits.
1500	4 members of female staff are now present looking at the entrance doors to the venue. Two of the original staff leave shortly after.
1502	2 Female exits.
1505	Female exits.
1509	Female exits.
1512	2 males mid-twenties enter.
1520	Female leaves.
1522	Male leaves.
1526	Female on mobility scooter leaves. Female leaves.
1527	Male leaves
1530	Between 1430 and 1530 1,280 pedestrians walk past Royal Amusements.
1548	Female 60+ supported by a walking stick enters. Female exits.
1558	Female with walking stick goes to Fish and chip shop and appears to have a chip cone before returning inside at 1558. 2 females exit. One with a walking stick.
1611	Female 55+ enters.
1617	Female exits to use mobile phone before returning inside. Male with a walking stick exits.
1622	Female 60+ with walking stick enters.
1625	Male 30+ enters.
1627	2 private security officers walk past.
1630	Between 1530 and 1630 967 pedestrians walk past Royal Amusements. Male aged 50+ enters. Male exits.
1635	Female exits to smoke before returning inside.
1642	Male exits.
1652	Male with walking stick exits.
1657	Female with walking stick leaves.
1702	Female 60+ with walking stick enters. Male 30 + enters.
1730	Between 1630 and 1730 498 pedestrians walked past Royal Amusements.
1732	Female exits.
1737	Male 45+ enters.
1743	Male exits.
1745	Male 60+ enters. Female with stick leaves.
1751	2 males on a motorcycle without crash helmets but wearing balaclavas, ride through the pedestrianised area and continue through the town centre.
1804	Male 50+ enters.
1807	Female 60+ enters. Male exits.
1814	Male 40+ enters. Male exits.
1816	Male 40+ enters.

1827	Male exits.
1830	Between 1730 and 1830 206 pedestrians walk past Royal Amusements.
1831	Male exits.
1835	I entered Royal Amusements. No magnetic door lock in use and no SIA security. Two female members of staff and two customers remained. One was a male aged 65+ and the other a female aged 65+. Also, still open in the area at this time are Admiral, Storey's Amusements, Betfred, Ladbrokes, William Hill and Mecca Bingo.
1845	No further noteworthy incidents occurred, and I ceased my observations and left the area.

**Observations Log PRO FORMA** Exh ref letter DJB

**Premises**

Name of premises	Royal Amusements
Address of premises	
Day/ Date of visit	Tuesday 24 <sup>th</sup> October 2023
Name of consultant conducting visit	Darrell Butterworth

Time	Comment
1242	Arrived in the Halifax town centre area and commenced observations. The Royal Amusements site was located in a pedestrian zone with restricted vehicle access on Crown Street. The premises was open and a sign in the front window was asking for part time staff. A local authority CCTV camera was located at the junction of Crown Street and Waterhouse Street which appeared to have a line of sight to the front of Royal Amusements. Residential accommodation was in the 1 <sup>st</sup> and 2 <sup>nd</sup> floors above the shop frontages along Crown Street. Other gaming premises in the area were, Admiral (open 24-hour), William Hill, (x 2), Coral, Betfred and Merkur Slots (open until 0530). Sensitive location in the area was the Trinity 6 <sup>th</sup> form college.
1315	Entered Royal Amusements through the automatic doors and noted that no magnetic door lock was in use and there was no SIA security presence. 2 female members of staff were present wearing red uniform tops along with 3 female customers, all aged 60+.
1325	A male customer aged 40+ enters the premises. One of the female customers is standing at the door, smoking and using her mobile phone.
1330	2 x females aged 60+ enter. 1 male mid 30's enters.
1344	Male aged 60+ enters. Male exits.
1346	Male 80+ with walking stick enters.
1401	Female 65+ enters. Female smokes at door and is asked for money by a passing beggar. Member of staff smokes at front door.
1408	Male 40+ enters. Female walks along Crown Street drinking from a can of strong lager. Male leaves. Male smokes at front door.
1410	Male who left at 1408 returns inside. Two males walk along Crown Street drinking from cans of strong cider.
1425	Female smokes outside and returns inside at 1426. Male leaves. Two different males walk along Crown Street drinking from cans of cider.
1430	Between 1330 and 1430 532 pedestrians walked along Crown Street past the premises. Male exits and is asked for money by a beggar. Male smokes outside.
1433	Smoker returns inside. FM 60 + enters.



1437	Male is begging on Crown Street.
1448	Male leaves.
1451	Male 50+ enters.
1454	Male who had entered at 1451 exits eating one of the complimentary sandwiches.
1504	Female leaves.
1516	Male 60+ enters. Male drinks a bottle of Stella on Crown Street.
1519	Female exits.
1526	2 male and 1 female walk along Crown Street drinking cans of cider.
1530	Between 1430 and 1530 461 pedestrians walked along Crown Street.
1544	I noted an increase in the number of passing school children. None paid any attention to any of the three gambling venues on Crown Street.
1554	Female 40+ enters (staff). Female enters with their hood up (staff).
1559	Female uses mobile phone outside. Female smokes outside. Staff leave but one of the staff waits with the female smoker and then assists her in getting into her taxi (1606). Male is begging on Crown Street.
1603	Male exits. Male 70+ with walking stick enters.
1606	Female with walking stick exits. Female who had been smoking outside gets into a waiting taxi. Over 70 stands at door with cup of tea whilst smoking.
1612	Female leaves.
1620	Male smoker returns inside.
1630	Between 1530 and 1630 447 people walk past along Crown Street.
1635	Male purchases a can of cider from the Eastern European Supermarket and drinks it as he walks along Crown Street.
1647	Female with walking stick leaves. Male enters carrying a tool box (machine maintenance man).
1711	Male leaves.
1716	Male (80+) smokes and drinks a brew at the front door.
1726	Smoking male returns inside. Machine maintenance man leaves.
1730	Between 1630 and 1730 454 people walk along Crown Street past the venue.
1751	Male is begging on Crown Street.
1815	Female walks along Crown Street drinking from a can of lager. Male shop keeper from Eastern European Supermarket leaves his shop and enters Royal Amusements. Comes rushing back when a customer enters his own shop.
1830	Between 1730 and 1830 206 people walk along Crown Street. Two female staff remain at Royal Amusements along with 1 male customer aged 80+. Still open in the area at this time are Royal Amusements, Merkur Slots, Betfred, William Hill (x2) and Coral.
1845	No further incidents of note occurred, and I ceased my observations and left the area.

**Observations Log PRO FORMA Exh ref letter DJB**

**Premises**

Name of premises	Royal Amusements
Address of premises	Westgate Bradford
Day/ Date of visit	Wednesday 25 <sup>th</sup> October 2023
Name of consultant conducting visit	Darrell Butterworth

Time	Comment
1500	Arrived in the Westgate area of Bradford and identified the Royal Amusements premises on Westgate opposite one of the entrances to the Kirkgate Shopping Centre. The premises was open, and I noted that unlike the two previous venues visited there were two entrance/exit doors. This premises like Oldham was also open 24-hour). I noted a town centre CCTV camera located at the junction of Westgate and Godwin Street which had a line of sight to both entrances to Royal Amusements. Residential accommodation was also located on Godwin Street above the ground floor business. Other gambling establishments in the area are Merkur Slots, Ladbrokes, Betfred (x2), Paddy Power, William Hill and Admiral (x3). Sensitive premises included Guardian House, Active Minds, My Wellbeing, IAPT services, Communities outreach and Opportunities centre,
1550	I entered Royal Amusements noting that no magnetic door lock was in place and no SIA security presence. Three female staff were present along with 2 customers (aged 45 and 60). I also noted a woman's coat over one of the stools in front of a gaming machine which I assumed belong to a female smoking outside (aged 70 years).
1559	The machine maintenance man who I had seen the previous day in Halifax enters.
1603	A female exited who I recognised as one of the 3 staff. A male drinking strong beer is walking along Westgate.
1610	Female exits.
1614	Female aged 65 enters through the door from Godwin Street.
1615	Female leaves via Westgate exit. Male leaves via Westgate entrance. Male smokes at Westgate entrance.
1616	Smoker back inside.
1619	Male (aged 70) leaves front entrance and smokes as he walks around the corner and re-enters the rear.
1625	Male smokes at front and after a couple of drags returns inside.
1630	Between 1600 and 1630 269 pedestrians walked along Westgate and Godwin Street.
1645	Female (aged 65) enters Westgate door.
1656	Male (aged 30) enters.
1652	Female exits front door.
1702	Male smokes at Westgate door.
1703	Machine repair man leaves. Male smoker back inside.
1715	Male exits front door.
1715	Male exits front door. A male walks along Westgate drinking a can of lager.
1730	Between 1630 and 1730 526

1735	Male 35 enters Westgate entrance. Female (aged 65) enters.
1741	Male smokes at front door. 2 males enter Westgate (Aged 35).
1743	Male drinks can of lager as he walks along Westgate.
1745	Re-entered Royal Amusements to check occupancy numbers due to there being two entrance/ exit doors. 5 males (2 x35 year olds, 1 55-year-old and 1 x 65). And three female (2 aged 60+ and 1 aged 45) customers were present.
1803	Male (35 years) enters via Westgate. 2 males exit onto Westgate.
1808	Female exits onto Westgate.
1850	Male exits onto Westgate.
1810	Female exits onto Westgate.
1812	Male exits onto Westgate. Male smoke at Westgate entrance. Female 35 enters.
1814	Smoker returns. Two males (35 years) return through Westgate entrance.
1816	The delivery driver who I had seen delivering to Oldham the previous Tuesday enters with a black bin bag.
1820	2 males exit onto Westgate.
1824	Delivery man leaves.
1827	Male exits onto Westgate. Female (age 40 years) enters via Westgate.
1830	Between 1730 and 1830 263 pedestrians walk along Westgate and Godwin Street.
1834	Female exits onto Westgate.
1837	Male exits on Westgate.
1840	Male (aged 45) enters via Westgate.
1847	Female (aged 55. enters via Westgate. Female smokes at Westgate entrance.
1850	Male (aged 35) enters via Westgate.
1858	Male exits onto Westgate.
1906	Female exits onto Westgate. Male from 49A Westgate enters then returns to 49A. I later ascertained this was to collect keys to the basement property. Female smokes at Westgate entrance.
1910	Female smoker returns inside.
1919	Female exits onto Westgate.
1921	Female (aged 55+) enters.
1927	Female exits onto Westgate.
1928	Male (aged 35 years) enters via Westgate.
1930	Between 1830 and 1930 171 pedestrians walked along Westgate and Godwin Street. Female exits onto Westgate.
1933	Male exits onto Westgate.
1934	Male and female (aged 55 years) enter via Westgate.
1939	Male exits onto Westgate. Male exits onto Westgate.
1941	Female exits onto Westgate.
1943	Male exits onto Westgate.
1945	Male (40 years) enters via Westgate.
1948	Male exits via Westgate.
1950	Female smokes outside on Westgate.
1955	Smoker back in

1959	Male exit onto Westgate.
2008	Staff seen to sweep and mop the external entrances.
2010	Female smokes outside Westgate entrance.
2012	Smoker returns inside.
2030	Between 1930 and 2030 139 pedestrians walked along Westgate and Godwin Street. Female exits onto Westgate. Male exits onto Westgate. Female exits onto Westgate. Male (aged 40) enters via Westgate.
2044	Male and female (aged 40) enter via Westgate.
2050	Male and female exit onto Westgate.
2052	Female exits onto Westgate.
2054	Female exits onto Westgate.
2116	Male 60 years enters via Westgate. I later ascertained that this was the applicant, Mr Yousaf. The rear doors to Godwin Street are closed.
2125	Male (aged 65 enters) via Westgate.
2145	No noteworthy incidents occurred, and I re-entered Royal Amusements. Two female staff, Mr Yousaf and 2 male customers (aged 60 years and 40 years) remained inside.
2200	I exited the premises and ceased my observations.

**Observations Log PRO FORMA Exh ref letter DJB**

**Premises**

Name of premises	Proposed site
Address of premises	9 Fargate Sheffied
Day/ Date of visit	Thursday 26 <sup>th</sup> October 2023
Name of consultant conducting visit	

Time	Comment
1238	I arrived in the Sheffield City centre area and commenced observations. I located the site of the proposed Royal Amusements shop on Fargate. The premises was a former nail salon which appeared run down and for lease. 8 other empty units along Fargate were in a similar state. Local authority-controlled CCTV cameras were located on Fargate which gave a line of sight to 9 Fargate. No residential property was located nearby. Other gambling premises in the area were, Genting Casino, Mecca Bingo, Betfred Bet Extra, Ladbrokes, Admiral (x2), and Shipleys. None of the Adult Gaming Centres or Betting Shops used additional security measures like magnetic door locks or security guards. Sensitive premises located in the area included, Sheffield Hallam University, United Reform Church, St Maries Cathedral, Star House young peoples support, Sheffield Cathedral, Job Centre Plus and UCKG help centre. Street begging was noted outside, Marks and Spencer, Café Nero, McDonalds, and Sainsbury's. Street drinking was noted across the city centre including along Fargate.
1355	Between 1340 and 1355 hours 911 people walked along Fargate.
1426	A distressed female, drinking from a can of stella, is crying and trying to talk to a City Centre Ambassador outside McDonald's. The female is clearly intoxicated and has a second can of stella in her coat pocket.
1445	Between 1430 and 1445 685 pedestrians walk past 9 Fargate.
1447	Female drinks from a can of Stella in Market Place.
1450	Commenced observations outside Shipleys on Haymarket. I noted that Game Nation AGC had closed down.
1457	Female (70 years) exits.
1503	Male (50 years) uses mobile phone outside before returning inside.
1507	Male (aged 50 years) enters.
1516	Male (40 years) enters. Male (30 years) smokes before returning inside. Male (50 years) enters. Female (65 years) enters.
1530	Returned to Fargate.
1536	2 uniformed police officers walk along Fargate.
1545	Between 1530 and 1545 629 pedestrians walk past 9 Fargate.

1550	Observations outside Admiral, Fitzalan Square. I noticed signage in the window advertised the venue as a Safe Space, Walk Safe venue.
1556	Male (40 years) exits.
1600	Male (40 years) enters. Male and female (45 years) enter.
1602	Female (65 years) with walking stick exits.
1604	Male drinks from a can of lager as he walks past.
1615	Male (50 years) exits. Male (25 years) exits.
1630	A male is now asleep on the footpath outside Poundland. Male drinks bottle of beer and female a can of Desparado lager in High Street. Female is begging outside HMV. Male is begging outside Greggs. Female is begging in Fargate.
1645	Between 1630 and 1645 685 pedestrians walk along Fargate. One of the female beggars is now asleep on the footpath outside HMV.
1650	Observations outside Admiral Castle Street.
1656	Male (35 years) enters. Female (60years) enters. Three males (30 years) enter.
1707	2 males (40 years) exit.
1714	Two female staff smoke and talk to a male at the front door.
1716	Male (35 years) exits.
1718	Male (35 years) enters.
1724	Male (30 years) enters.
1729	Two uniform police officers walk along Fargate. Female is begging outside HMV.
1730	Returning to Fargate. I noticed the large shop front window at KFC had been smashed.
1745	Between 1730 and 1745 538 pedestrians walk along Fargate.
1747	Female drinks from a 750 cl bottle of red wine outside McDonald's. Male drinks a bottle of Guinness in Castle Square. Male drinks a can of cider in Castle Square.
1750	Commenced observations outside Admiral Castle Street as this appeared to be the busiest AGC.
1753	Female (30 years) stands outside smoking and talking on a mobile phone.
1757	Female (65 years) exits. Female (60 years) enters.
1800	Passing male picks up cigarette dimps from around the entrance.
1804	Male (35 years) enters.
1807	Two males (40 years) exit
1809	Male who entered at 1804 leaves with two females aged 65 and 60 years.
1812	Male smokes outside and returns inside after a couple of drags.
1819	Male (45 years) exits.
1830	Still open in the area are Admiral (x2), Shipleys, Bet Extra, Mecca Bingo, Genting Casino, Ladbrokes and Betfred.
1845	No incidents of note occurred, and I ceased my observations and left the area.



# Gambling Act 2005

Report on the Application for Royal Amusements  
9 Fargate, Sheffield, S1 2HD  
for Gambling Act 2005 Premises Licence Application  
Adult Gaming Centre

=====

Report author :	Robert V Edge.
Occupation:	Licensing Consultant at Licence Leader Ltd
Dated:	30, October 2023

This report consisting of 12 pages, is true to the best of my knowledge and belief, I make this as an expert witness in the field of licensing.

This report is lodged in support of the application on behalf of the applicant.

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My name is Robert Edge and I operate as a self-employed Licensing Consultant. I have conducted this role in the business as the Founder and Director of Licence Leader Ltd since 2015. I submit this report in relation to an application by Royal Amusements 9 Fargate, Sheffield, S1 2HD for Gambling Act 2005 Premises Licence Application - Adult Gaming Centre.

## Experience

Prior to my setting up Licence Leader, I was the manager of a licensing team for a Local Authority, this involved managing and overseeing all of the functions within the licensing team, for at least 7 years.

- Day to day responsibility for the management, operation, financial control, Co-ordination and development of an area of the Council's licensing functions.
- Assisting the Head of Service in the effective organisation and management of the service.
- To represent or deputise for the Service Manager as and when required.
- To effectively contribute to the development and implementation of the Service Cluster and Divisional Policies, procedures and protocols and the training and management of individuals assigned to the section.
- Training for both members of the team and Councillors of the Licensing Committee -in both Licensing Act 2003, Gambling Act 2005.
- I have dealt with all aspects of Licensing Act 2003, Gambling Act 2005, and Local Government (Miscellaneous Provisions) Act 1982 ("the 1982 Act"), in particular sex shops and sex cinemas.

During this period, I carried out, not least, the following additional roles:

- Chair of the PESAG (Public Events Safety Advisory Group)
- Chair of Responsible Authorities Forum. Authored and implemented the (TOR) Terms of Reference for the (RAF) Responsible Authorities Forum, for the Licensing Authority.
- Co-Chair of the Licensing Act 2003 and Gambling Act 2005 Responsible Authorities Forum, setting agendas, coordinating the joint working approach for the Night Time Economy strategy within the City.
- Chairing hearing licensing panels for Taxi drivers who fall foul of the relevance of convictions & breaches of licence conditions. Overseeing the delivery of appropriate training to Taxi Drivers.

### **Licence Leader Ltd**

Is a family business with years of expertise in licensing and hospitality, we understand the challenges that hospitality businesses face every day. We're here to make life just a bit easier, Licence Leader was set up by Robert Edge in 2015 to help simplify the process of premises licence applications for the hospitality and entertainment industries.

Having spent many years at a Local Authority leading a team of Licensing Officers, I felt that many of the businesses I worked with would have benefited from some honest and expert advice before and during the Licence application process. Many of these businesses were not fully aware of the various steps and strategies needed in order to successfully obtain a licence, much less the legislation - and so Licence Leader was born.

Following eight successful years helping hundreds of businesses and private clients to obtain a wide range of alcohol, entertainment and late night licences, Licence Leader has expanded the team, it has opened a new office in Hertfordshire, covering the South and South East where there is increasing demand for licensing services.

With a wealth of knowledge and expertise, we have established ourselves as the go-to experts in alcohol and entertainment licensing services. Whether clients are opening a new bar or restaurant, organising a music event, or simply need guidance on licensing regulations, Licence Leader is dedicated to providing comprehensive solutions tailored to their specific needs. Our



team of professionals are well-versed in the intricacies of licensing laws and regulations, ensuring that premises stay compliant and avoid any potential legal pitfalls.

All three of the consultants (family members) at Licence Leader have continued to improve our professional development, attending various courses, being members of recognised official bodies and updating professional qualifications, and constantly ensuring we are up to date with all relevant legislation.

### 3. Terms of Reference

I have been instructed by Alias Yousaf of Liberty Solicitors to conduct an investigation into a new Gambling (AGC) premises licence application for 9 Fargate, Sheffield. S12HD.

The client operates AGC's in the following West Yorkshire towns and cities.

- Bradford - since 1984
- Halifax - since 1988
- Leeds - since 2002
- Castleford - since 2006
- Wakefield - since 2014
- Oldham - since 2016
- Morley - since 2022

All of these licensed premises have operated without any need for regulatory intervention, nor any concern being raised by any organisation (licensing authority, Police, or other Regulatory body) in relation to the protection of vulnerable people, Crime and Disorder or the promotion of the licencing objectives.

This application has received representations from a number of interested parties and therefore the following terms of reference for the investigation have been agreed with those instructing Licence leader:

- To visit the areas of the proposed site and conduct observations to verify the veracity, or otherwise of the statements made within the representations.
- To visit similar sites where this operator currently holds premises licences of the same nature, to assess the impact of those venues on the local community.
- To analyse the current crime trends in the area to see what impact the existing premises have on Crime and Disorder.

In order to address my investigations to the matters of concern, I have seen and read the full application, as well as the representations received. I have ascertained that the representations had been made on the following grounds:

- Fargate location is close to areas of high deprivation.
- Members of the community have substance misuse and other mental health difficulties.
- It will attract more anti-social behaviour.

- Planning permission
- Increasing harm through gambling and anti-social behaviour.
- Fargate was already a crime 'hotspot.'
- Various assumptions based on suspicions of what might lie ahead.

## Crime and Disorder

None of the representations, objections to this premises seek to criticise either the operator or the manner in which they operate other similar venues in similar challenging locations, nor have any of the objectors approached the operator to establish what policies and procedures are in place at their premises.

The representations appear to be about the area and local community in which the premises is located, and the current levels of ASB and low level crime. Although some statistical evidence was provided to support the representations, no evidence has been produced to show that the current gaming centres traded by the applicant have caused any of the issues. It is noticeable that the Police, custodians of the data held on this area and other locations where the operator 'slots' operate, have not felt it necessary to seek any special conditions at this site by way of a formal police representation, nor have they asked to mediate or have dialogue with the applicants agent.

It is my experience that crime and disorder, as well as anti-social behaviour issues created from a premises licensed as a bingo club or adult gaming centre are very much lower than those granted to a betting offices. There are a number of reasons for this, including the fact that people tend to go to Adult Gaming Centres on their own or in very small numbers, usually alone. Other than playing machines, whilst drinking tea or coffee, there is no event taking place for customers to engage with each other, nor use the venues as a social meeting place.

The staff employed at such centres are not engaged or distracted by taking or paying out on bets, so they can spend more time on the "shop floor"; observing and interacting with customers, and monitoring behaviour and resolving any low level issues before they can escalate. The general environment of such premises is generally cleaner and tidier than an ordinary bookmakers, as there is no requirement for any form of paperwork, newspapers, or writing implements, which often get discarded on the floor of the premises and in the surrounding areas.

As a result of this less intimidating environment many managers are females. A further difference between high street bingo clubs, adult gaming centres and traditional betting shops are that people tend to spend less time at a venue on each visit. They do not wait around outside the premises for an event to start or to end. As a result of this, customers of such premises do not tend to loiter at a premises, having engaged in gambling, and do not smoke at the front of the venue between events taking place. I did not observe any issues regarding customers congregating outside any of the other venues during my observations.

4. As a result of the representations made regarding the unique nature of the area subject to the application, and that there appeared to be no representations made regarding the manner that

the sites are operated elsewhere, I decided to visit the area of the current application and the local area to be certain of the facts in this report/witness statement.

### **Location 1. Royal Amusements. 9 Fargate, Sheffield S1 2HD**

My observations took place in the area of the premises on Friday 27 October 2023. The area seems to be a busy, with quite a high footfall, and close to the High street, with a buzz of activity. On arrival in the area, I noticed a relatively high number of Street drinkers/beggars, in addition to 'Chuggers, the charity street sellers, and a single male busker. There are a number of betting shops within a few minutes' walk from the premises, some had people lingering outside.

I have photographed the premises, and the picture can be seen at Appendix A to this document.

Whilst I was close to the premises, I observed 2 buskers, who were pestering members of the public for money.

I then visited the nearest public house 'Bankers Draft' it had approx. 25 people in during mid-morning and approx. 55 early evening, 4 smoking near the entrance.

I ceased my observations and then proceeded to the next location.

### **Location 2. Royal Amusements. 9-11 Kirkgate, Wakefield. WF1 1HS**

I visited the premises known as Royal Amusements on Friday 27 October 2023, at the time of my visit around 1600 hrs there had been approx. 20 customers who had visited the premises so far that day.

The premises is within a shopping parade with very little residential accommodation. Close by was a Wetherspoons public house at the bottom of the road, this is currently being refurbished and re-opening in February 2024. A few doors away from the public house is a Merkur slots AGC at 47 Kirkgate, very quiet with 5 customers present.

The area was fairly quiet and there were a number of shops either boarded up or to let. I noticed that there were 2 street beggars in the local area, at the time of my visit.

I observed approx. 40 people who walked past the premises in question, 1 had entered and none had left the premises. All were within the age range of 30+ to 55 years of age. None of the passers-by seemed to notice the AGC any more than they did any of the other retail outlets in the parade.

### **Location 3. 110 Kirkgate, Leeds, LS1 6DW (Visited on Saturday 28 October 2023).**

I entered the premises and made myself know to members of staff and had a conversation with the manager (Jackie). It had been a fairly quiet day so far. Staff members were easily identified by ID badges. The manager was very well versed in the Gambling Act as well as her own policies and procedures. She did not feel that the premises was an intimidating place to work and infrequently needed to carry out an age verification, she could not recall the last occasion she had to deal with a problem either within or to the frontage of the premises.

This is within a main road just off the city centre, with very little residential properties in the vicinity. There were a high number of empty/to let premises, and a number of street beggars further down the road. There are some residential properties to the bottom end of the road.

Close by was an AGC, 'Storeys Amusements' in Call Lane, it was very quiet with less than a handful of clients.

The Regent public house next door to Royal Amusements was very busy, with approx. 50 customers, mostly football fans, and those I spoke with in the area said the public house was more likely to be a 'hotspot' than the AGC.

I observed approx. 46 people who walked past the premises in question, All were within the age range of 30+ to 55 years of age. 1 had entered and 2 had left the premises. None of the passers-by seemed to notice the AGC any more than they did any of the other retail outlets in the parade.

### **Summary.**

During the periods of my extensive observations, I did not observe any conduct outside of the premises Gaming Centres or betting offices which came close to the comments made within the representations in respect of the application for the Fargate premises.

During the time I spent at all three locations I saw no sign of routine foot patrolling of the areas by police officers or police community support officers. Conduct often associated with areas of high incidents of Crime and Disorder.

Having visited these areas, where current licences are in place, as well as the site of the proposed application, I would consider the site to be more than suitable. As the operator has been in this business almost 4 decades, without creating the issues raised within the representations, I see no reason why a very similar operation in Fargate would cause any such problems. I would say the same, even if I had witnessed groups of youths loitering close to the premises. In my experience, there is no reason to believe that this operation would add to any issues being experienced.

### **Conditions proposed by the applicant for the operating schedule.**

Although I did not witness any issues of concern during my visits and observations, I have seen the conditions offered by the applicant in support of their application. In my opinion the conditions offered will act as a deterrent to Crime and disorder, they will assist the premises to uphold the licensing objectives and prevent the concerns highlighted within the representations.

### **Final Conclusion.**

Having conducted many observations of premises such as this, and having managed a team of licensing Enforcement officers for a Licensing Authority, the observations made by me during the 27<sup>th</sup> and 28<sup>th</sup> October 2023 were probably the most "incident free" that I have undertaken.

Despite this locality containing a number of public houses and betting premises, take-aways and off licences, along with quite a high footfall, I still found little of noteworthiness.

I did not observe any conduct to support the concerns of those raised in the representations made to this application based on its location or the applicants. I can therefore only conclude that the grant of the Gaming premises Licence at this location would not lead to a change in the current situation as envisaged.

The granting of such a licence may have the opposite effect and assist in the regeneration of the area, and bring welcomed employment. From my years of experience, there is no reason to suppose that the presence of this premises at this location would add any cumulative effect to the local area.

From the staff I met at the various premises, they seem to be very diligent, knowledgeable, and well trained in their policies and procedures.

This conclusion is based on my observations of these localities, my years of experience as a Licensing Team Manager and as a Licensing Consultancy Company Director.

I have essentially considered specific objections and the evidence provided when determining the validity of objections to this application, and conclude that based on the merits of the case, the law, and the evidence presented, this application should be granted as applied for.

R V Edge  
Founder/Director  
Licence Leader Ltd

Appendix A. Photograph of the premises.	Fargate, Sheffield
Appendix B. Photograph of the premises.	Kirkgate, Wakefield
Appendix C. Signage within the premises	Kirkgate, Wakefield
Appendix D. Photograph of the premises	Kirkgate, Leeds
Appendix E. Signage within the premises	Kirkgate, Leeds

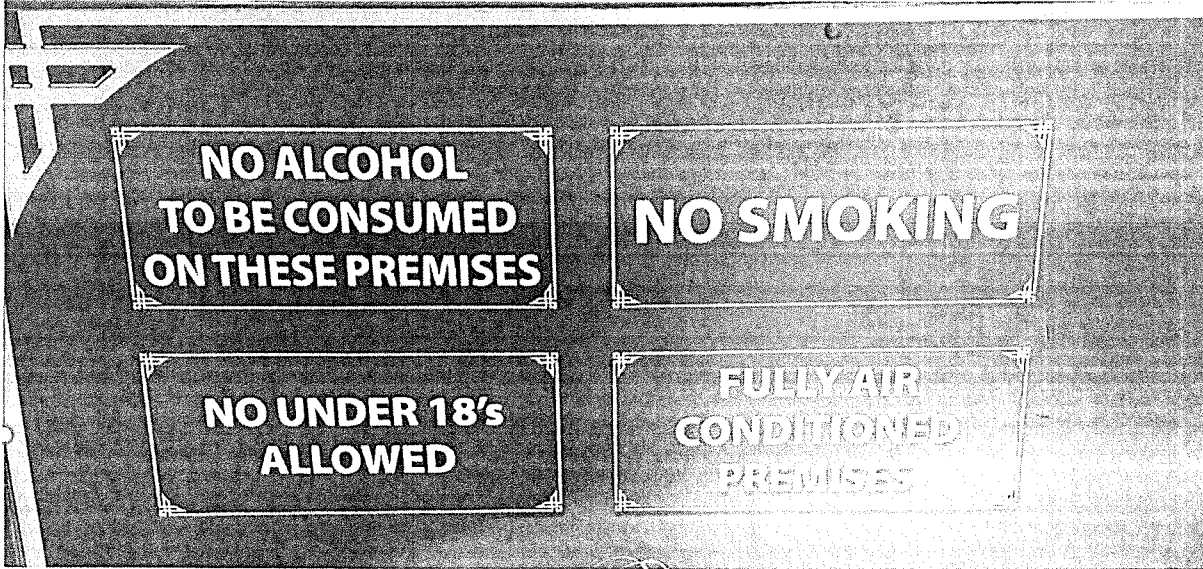












## Adult Gaming Centre Local Risk Assessment

Premises Name:	Royal Amusements
Premises Address:	9 Fargate Sheffield
Premises Post Code:	S1 2HD
Premises Licence Number:	TBC
Category of Premises:	AGC

Organisation

Operating Company:	Royal Amusements
Operating Licence Number:	TBC

Assessment Writer

Name of Person Writing this Assessment:	Robert V Edge
Position within Company or Name of Authorised Agent:	Licensing Consultant at Licence Leader Ltd, acting on behalf of the applicant.
Date of this Assessment	01/11/2023
Date that Original Assessment was Written	18/07/2023

The Gambling Act 2005 sets out three licensing objectives:

- (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; and
- (C) Protecting children and other vulnerable people from being harmed or exploited by gambling

In compliance with the Gambling Commission Licence Conditions and Codes of Practice 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

This document seeks to identify and assess the risk to the licensing objectives that the operation may pose in accordance with Code Provision 10.1.1 of the Gambling Commission's License Conditions and Codes of Practice. This risk assessment will also set out measures designed to mitigate the identified risks

### Local Area and Site Profile

The Adult Gaming Centre is situated in Fargate, which is a pedestrian precinct and shopping area in Sheffield, with approx. 40 retail outlets. It runs between Barker's Pool and High Street opposite the cathedral. It was pedestrianised in 1973. The area is city centre urban and densely populated with retail, leisure, and hospitality venues. There are around 5 high street banks nearby and in the wider vicinity which have ATM facilities.

The venue itself has a single door entrance/exit at street level to the front on to Fargate and Chapel Walk. A CCTV monitor situated at the premises allows staff to view and monitor internally as well as the street level entrance.

The postcode is within the city ward/electoral division, which is in the constituency of Sheffield Central. There are a small number of licensed betting offices in the area but few in the immediate vicinity. In Haymarket approx. half a mile a mile away there are four betting shops. There is not a cluster of gambling premises in or near this location.

The area of Fargate, Sheffield consists of some apartments/flats and retail units, which is common in inner cities, student neighborhoods and poorer suburban settings. Like any city centre location and in particular because of its size and importance, Fargate has been in a state of decline for a number of years and is currently undergoing a transformation utilizing a European grant fund, and once completed should bring it back to how it used to be with a concentration of cafes, restaurants, and a diverse mix of retail outlets.

There are some facilities nearby for those with dependency issues and more in the wider area. There are also a number of places of worship where it is acknowledged that the vulnerable often tend to congregate.

The Police clearly state that the location of the premises is within one of their main hotspot areas for violence, although they cannot attribute violence to this specific premises, as it is not yet open and should therefore not be pre-judged.

The benefits of an adult gaming center in Sheffield, or any other location, can vary depending on the specific features and services it offers. Adult gaming centers, often known for hosting various forms of gambling and entertainment, can have several potential benefits:

Entertainment and Leisure: Adult gaming centers provide a source of entertainment and leisure for adults looking for a fun and exciting way to spend their free time.

**Economic Contribution:**

These establishments can contribute to the local economy by generating revenue from both patrons and employees. They may also pay taxes and fees to the local government.

**Job Creation:**

Adult gaming centers create employment opportunities in various roles, including management, customer service, security, and maintenance, and the extended supply chain.

**Tourism Attraction:**

Such establishments can draw tourists and visitors to the area, boosting the local tourism industry and supporting other local businesses.

**Revenue for Local Government:**

The local government can collect taxes and fees from these businesses, which can be used to fund public services and infrastructure improvements.

**Social Interaction:**

Adult gaming centers provide a social environment where people can interact, relax, and socialize with others.

**Accessibility:**

Conveniently located gaming centers can be easily accessible to local residents, offering them a place for entertainment without having to travel long distances.

**Recreational Options:**

These centers often provide a range of gaming options, including slot machines, electronic gaming, and sometimes even traditional table games. This variety can cater to different preferences.

Adult gaming centers are always subject to regulations and oversight to ensure fairness and safety for patrons.

**Further Considerations:**

Sheffield City Council's Statement of Licensing Policy:

Policy paragraph 5.2 – Location

Policy paragraph 5.4 – Risk

Policy paragraph 5.5 – Area

Policy 5.2 Location

a school, university, college, nursery or other similar premises substantially used by or for children or young persons (including children's homes and specialist units), a park or similar space used for children's play or young people's recreational activity; a Hospital, Mental Incapacity or Disability Centre, mental health projects and facilities or similar premises; vulnerable adult centres and community buildings (e.g. centre for gambling addicts), substance misuse treatment services, youth or other children or vulnerable people specialist services locations known to attract unaccompanied vulnerable young people or criminals

Policy paragraph 5.4 – Risk

Whether the premises is in an area subject to high levels of crime and/or disorder

Location of areas/buildings that attract or involve the presence of children and vulnerable people (e.g. schools, colleges, universities, leisure centres, certain shops, children's homes, substance misuse treatment services or other specialist services for children and vulnerable people; money lending organisations etc)

Demographics of the area and in particular to vulnerable groups (eg the location of the premises in deprived areas, level of social housing, or

location in relation to money lending businesses)

Location of services for vulnerable groups in the area

Deprivation of local area (at the very least the Ward area)

Local policies and strategies to assist in the promotion of the licensing objectives

Policy paragraph 5.5 – Area

the possible impact a gambling premises may have on any premises that provide services to children, young people and vulnerable persons, i.e. a place of education, play, recreation or treatment or vulnerable adult centres in the area and any mitigating factors put in place by the applicant to reduce risk

the possible impact a gambling premises may have on residential areas where there may be a high concentration of families with children and

any mitigating factors put in place by the applicant to reduce risks (- see below)

the size of the premises and the nature of the activities taking place

appropriate number of staff and supervision procedures

levels of crime in the area and the impact of the grant of the licence

If the applicant has offered any conditions which would mitigate risks and be reasonably consistent with the licensing objectives.

How the premises will operate to restrict access to children, young persons and vulnerable persons

Details of any partnership working arrangements the operator has in place with police, social care or similar agencies

How the risk of online gambling will be managed if offered at a premises



Licensing Objective	Local Risk	Risk Management
<p>Preventing Gambling From Being a Source of Crime or Disorder, Being Associated With Crime or Support Crime</p>	<p><i>Anti-social behavior</i></p> <p><i>Poor security increase vulnerability to crime and disorder and failing to protect employees and customers from harm</i></p> <p><i>Money Laundering (Dye-stained notes, fake notes, foreign coins, criminal spend etc)</i></p> <p><i>Commission of criminal offences to fund problem gambling</i></p>	<ul style="list-style-type: none"> <li>- The premises will be fitted with a high quality CCTV system with coverage of all public areas including all entry and exit points</li> <li>- CCTV will be clearly advertised to customers with screens visible to staff and the capability for remote viewing by a dedicated team at head office and provide footage to relevant authorities as required</li> <li>- The layout of the premises is designed to avoid blind spots and continuous observation of the single entry / exit point, machines and the toilet with staff remaining on the floor at all times to interact with customers and identify underage or vulnerable persons</li> <li>- We have reviewed the police.uk hot spot mapping for Fargate and are aware of the crime map, the statistics, the different types of recorded crime, vulnerable people, vulnerable places and we are alive to the issue of problem gambling. It is our intention to make efforts to liaise with South Yorkshire Police to ensure our involvement as a business does not play any part in criminal activity in the area</li> </ul>
		<ul style="list-style-type: none"> <li>- Staff training includes the ability to identify problematic situations and aggressive customers</li> </ul>
		<ul style="list-style-type: none"> <li>- Royal Amusements Fargate will participate with any local / city centre scheme and actively seek to support and be involved with local initiatives aimed towards reducing crime and disorder and if necessary share information with other local stakeholders to further this aim</li> </ul>
		<ul style="list-style-type: none"> <li>- Whilst public nuisance is not a Licensing Objective and the Gambling commission makes clear that disorder means serious disorder, we recognize the risks and potential escalation and</li> </ul>

Sheffield City Council to reduce this risk

- Staff are trained to monitor the outside of the premises and surrounding areas (as well as the inside of the premises) and take appropriate steps to minimise risks - the CCTV monitor allows for viewing of the exterior and interior of the premises
- The organisation has a designated Money Laundering Reporting Officer and anti money laundering policies with which staff will be trained
- Adequate staff levels will always be maintained and subject to regular review and risk assessment
- Antisocial behavior caused by alcohol is not tolerated within the premises and there are policies and procedures in place to deal with any issues - in addition there is the "No Alcohol" signage
- Drugs misuse is not tolerated on the premises and in those locations where there is a heightened risk, toilets are locked with access monitored and controlled by staff
- Staff are trained to refuse access to any person who is or appears to be under the influence of alcohol or drugs or
- Staff are trained to be extra vigilant where there is an issue of street drinking and the business encourages a partnership approach with local stakeholders and authorities

Licensing Objective	Local Risk	Risk Management
<p><b>Ensuring That Gambling is Conducted in a Fair and Open Way</b></p>	<p><i>Advertising Standards and Marketing</i> <i>Failure to deal with customers making complaints about the outcome of gambling</i> <i>Failure to display Terms and Conditions</i></p>	<ul style="list-style-type: none"> <li>- All advertising and marketing by the business is compliant with legal obligations in the UK and does not amount to or involve misleading statements</li> <li>- All advertising and marketing is legal, decent, honest, and truthful</li> <li>- All advertising is prepared with a sense of responsibility to our customers and society at large</li> <li>- All advertising and marketing is respectful to the principles of fair competition generally accepted in business</li> <li>- All advertising and marketing is checked to ensure it does not contain anything that is likely to lead people to adopt styles of gambling that are unwise</li> <li>- All advertising and marketing is socially responsible and does not encourage excessive gambling</li> <li>- All advertising and marketing is prepared with care so as not to exploit the young, the immature or those who are mentally or socially vulnerable</li> <li>- All advertising and marketing is prepared with care so as not to be directed at those under the age of 18 years</li> <li>- All advertising and marketing is prepared with care such that there is honesty at all times with regard to the chances of winning, the likelihood of a big win, and the odds or payout ratio that applies to the gambling on offer</li> <li>- All advertising and marketing carries a reference for the need to keep gambling under control</li> </ul>

- All advertising and marketing is prepared with care such that it is never suggested or implied that gambling is a means of getting out of financial difficulty
- Advertising and marketing material should not appear on any primary web page/screen or micro-site that provides advice or information on responsible gambling
- Machines are only purchased from licensed suppliers
- Machine compliance checks and maintenance conducted by a qualified technician when installing new machines
- Customer complaints policies and procedures in place
- Complaints policy and procedure displayed prominently in each site
- Complaint forms will be available at the premises
- Terms and Conditions will be displayed prominently within the premises

Licensing Objective	Local Risk	Risk Management
<p>Protecting Children and Other Vulnerable People From Being Harmed or Exploited by Gambling</p>	<p><i>Children entering the site unnoticed</i></p> <p><i>Children enter site with adult</i></p> <p><i>Children enter site and play before being noticed</i></p> <p><i>Children enter site and play where age is misjudged</i></p> <p><i>Children enter site and play where age is misjudged</i></p> <p><i>Age verification is not sought</i></p> <p><i>Young person wearing face covering is not challenged for verification of age</i></p> <p><i>Children knowingly allowed to play</i></p> <p><i>Children vulnerable to sexual exploitation by customers</i></p> <p><i>Those who are vulnerable through abuse of drugs and/or alcohol having access to gambling. Those considered to be vulnerable, having access to gambling (where 'vulnerable' to include but not limited to those</i></p>	<ul style="list-style-type: none"> <li>- Layout of premises considered in staff numbers - a minimum of 2 staff are on duty at any one time. Breaks and shift changes are planned to take account of school closing times to ensure there is always supervision of the gaming area</li> <li>- Staff deployed to specific areas for which they have responsibility</li> <li>- Machine layout takes into consideration lines of site to the entrance</li> <li>- CCTV cameras positioned to cover all parts of the premises but specifically the entrance</li> <li>- We will operate a 'Challenge 25' policy in which all staff are trained at induction and they receive regular refresher training</li> <li>- All staff are trained in social responsibility as part of their induction and are provided with regular refresher training</li> <li>- Clear 'Over 18' signage is displayed, visible from outside and also in the entrance to the premises</li> <li>- Staff are trained to look for the signs of CSE</li> <li>- Staff log all attempts to enter by young persons on the appropriate log</li> <li>- Staff have been trained to ask a customer to lower a face covering if necessary, this has the effect of allowing staff to adjudge the apparent age of all customers and if necessary challenge for verification by the presentation of ID.</li> </ul>

<p><i>illness, recently bereaved, suffering from long-term or terminal illness, difficulty communicating, learning disability, substance misuse or addiction, breakdown of close personal relationships etc)</i></p> <p><i>Failure to provide information to players on responsible gambling</i></p> <p><i>Failure to provide information in a suitable format</i></p> <p><i>Failure to recognise signs of problem gambling</i></p> <p><i>Failure to interact with customer displaying signs of problem gambling</i></p> <p><i>Failure to sign-post customer to help and support</i></p> <p><i>Failure to properly administer self-exclusion</i></p> <p><i>Failure to impose exclusion in locality and in same types of establishments</i></p> <p><i>Customer breaches of self-exclusion</i></p> <p><i>Customer breaches self-exclusion by using another to gamble on their behalf</i></p>	<ul style="list-style-type: none"> <li>- Posters/Leaflets with online links for GAMCARE, Playnice.org and Gambleaware are displayed</li> <li>- Responsible Gambling information stickers on all machines</li> <li>- Policies and procedures in place for customer interaction and staff intervention where necessary</li> <li>- Staff training includes policies and procedures for self-exclusion</li> <li>- Digital cameras or appropriate devices are provided across the estate to take an image of customers wishing to self-exclude so that the exclusion can be effectively enforced</li> </ul>
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# The Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007

UK Statutory Instruments 2007 No. 1409 SCHEDULE 3

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## SCHEDULE 3

Regulation 12

### Mandatory conditions attaching to adult gaming centre premises licences

1. A notice stating that no person under the age of 18 years is permitted to enter the premises shall be displayed in a prominent place at every entrance to the premises.

2. No customer shall be able to access the premises directly from any other premises in respect of which a licence issued under Part 8 of the Act, or a permit issued under Schedule 10, 12 or 13 to the Act, has effect.

3. 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.

4.—(1) No alcohol shall be permitted to be consumed on the premises at any time during which facilities or gambling are being provided on the premises.

(2) A notice stating the condition in sub-paragraph (1) shall be displayed in a prominent place at every entrance to the premises.

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# Royal Amusements - Operational Standards Overview

## THE LICENSING OBJECTIVES - GAMBLING ACT 2005

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

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

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

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

All licenced premises are monitored on high quality CCTV which is kept for 56 days

The business has established, detailed and comprehensive policies and procedures in place alongside systems, controls and audits to allow for incidents to be shared across the estate and with relevant authorities and / or government departments

The business has established, detailed and comprehensive policies and procedures in place alongside systems, controls and audits for the monitoring and audit of employees and customer activity where criminal activity may be suspected

The business has established, detailed and comprehensive policies and procedures in place alongside systems, controls and audits in place for the monitoring and audit of employees and customer activity where criminal activity may be suspected

The business has established, detailed and comprehensive policies and procedures in place alongside systems, controls and audits in place for induction and refresher training for employees covering the licencing objectives, money laundering and the law in general

The business is aware of its obligations to notify the Gambling Commission should it suspect the commission of offences under the Gambling Act 2005 and it familiar and compliant with the advice from the Gambling Commission on matters contained in the Proceeds of Crime Act 2002

The business has in place a money laundering risk assessment and regularly completes and updates (where necessary) Local Area risk assessments and implements policies and procedures to prevent money laundering

If suspicion arises of any of the business premises being used for the furtherance of crime (eg the sale of drugs, using counterfeit money, or any other offences) the police are informed and matters are reported internally to the Compliance Manager and recorded as per policies and procedures

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

Gaming rules are displayed in prominent locations across all premises

All employees have a good understanding of gaming rules

The customer complaints procedure is displayed prominently across the estate

Where customer complaints can not be resolved locally they are referred to the management team

The business has established, detailed and comprehensive policies and procedures in place alongside systems, controls and audits for induction and refresher training for employees dealing with complaints handling

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

All premises are for over 18's only and this is signposted on entry, on all marketing material and throughout the premises

The business operates a Challenge 25 policy where all employees are trained to request a photographic form of identity if they suspect that a customer is under the age of 25.

The business has established, detailed and comprehensive policies and procedures in place alongside systems, controls and audits in place for induction and refresher training for employees dealing with social responsibility, safeguarding children and vulnerable people, with a particular focus on the prevention of gambling harm.

The business prominently displays information throughout its premises on responsible gambling and provides information and contact details of organisations that can provide support and guidance such as GamCare, the National Gambling Treatment Service and BeGambleAware

The business has established, detailed and comprehensive policies and procedures in place alongside systems, controls and audits in place for induction and refresher training for all employees dealing with being able to identify potential at risk customers and respond accordingly

The business has established, detailed and comprehensive policies and procedures in place alongside systems, controls and audits for and strictly implements a self-exclusion policy across the estate where self-exclusions are documented, monitored along with reinstatements and breaches.

The business has established, detailed and comprehensive policies and procedures in place alongside systems, controls and audits for seeking to operate only in those locations where premises are such that the layout of our premises is able to facilitate customer supervision by employees without any difficulty

## Proposed Conditions for 9 Fargate, Sheffield

### CCTV

1 A digital CCTV system installed to Home Office Guidance standards and maintained in a good working condition to ensure continuous quality of image capture and retention where

- (a) Cameras to be sited to observe the entrance doors from the inside.
- (b) Cameras on the entrances must capture full frame shots of the heads and shoulders of all people entering the premises i.e. capable of identification.
- (c) Cameras must be sited to cover all areas to which the public have access including any outside smoking area.
- (d) Cameras must record whilst members of the public are frequenting the premises.
- (e) CCTV system to be able to provide a linked recording of the date, time of any image
- (f) CCTV system to have a monitor to review images and recordings
- (g) a member of staff trained in operating CCTV to be at the venue during times open to the public
- (h) CCTV footage must be kept for 31 days
- (i) CCTV equipment must have a suitable export method, e.g. CD/DVD writer / USB
- (j) CCTV footage must be available within a reasonable time to Police on request.

### Incidents

2 An incident log shall be kept at the premises, it will be in a hardback durable format handwritten at the time of the incident or as near to as is reasonable which will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) any faults in the CCTV system
- (g) any visit by a relevant authority or emergency service

3 Join any local Betwatch or similar scheme

## **Children and Young People**

4 Prominent signage and notices advertising that Under 18's are not allowed on the premises

5 An incident log shall be kept at the premises, it will be in a hardback durable format handwritten at the time of the incident or as near to as is reasonable documenting 'Challenging 25 Refusals,' any attempts by under 18's to enter the premises and any attempts by under 18's to gamble.

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

7 A 'Challenge 25' proof of age scheme shall be operated at the premises.

## **Entrances and Doors**

8 A magnetic locking device, commonly referred to as a Maglock will be installed on the main entrance/exit to the premises which will be operable by staff as and when required.

## **Staffing Levels**

9 Appropriate staffing levels will be assessed by way of risk assessment and cognisance will be taken of any advice from the Sheffield City Council Licencing Department.

## **Identification of Vulnerable Persons, Offenders or Problem Persons**

10 The Licensee shall implement a policy of banning any customers who engage in crime or disorder within or outside the premises

11 The licensee will refuse entry to customers who appear to be under the influence of alcohol or drugs

12 The licensee will refuse entry to customers upon request from the police or licensing authority

## **Alarms**

13 The licensee shall install and maintain an intruder alarm on the premises

14 The premises shall install and maintain a fixed panic button

### **Toilets**

15 The licensee will ensure that customer toilets are regularly checked for evidence of drug taking

### **Signage, Promotional Material and Notices**

16 Prominent GamCare documentation will be displayed and made available at the premises along with other notices promoting responsible gambling

### **Staff Training**

17 The licensee shall provide training on the specific local risks to the licensing objectives that have been identified for these premises as part of the staff induction training programme and periodically provide refresher training to all of its staff working at these premises on the specific local risks to the licensing objectives

18 Staff will also undergo drug and alcohol awareness training

### **Homeless and Street Drinking**

19 The Licensee shall take all reasonable steps to prevent street drinking of alcohol directly outside the premises and to ban from the premises those who do so

20 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

21 The licensee shall take reasonable steps to prevent nuisance directly outside the premises

[For licensing authorities](#)

[Gambling Commission publishes National Strategy to Reduce Gambling Harms delivery update](#)

[Reducing Gambling Harms resources](#)

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## 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.

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## 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.

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## 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.

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## 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.

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## 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

**Table 3: The 20 local authority districts with the highest proportion of neighbourhoods in the most deprived 10 per cent of neighbourhoods nationally on the IMD 2019, and change since the IMD2015**

Local Authority	IMD2019		IMD2015		Percentage point change from 2015
	Count of LSOAs in 1st Decile	% of LSOAs in 10% most deprived nationally	Count of LSOAs in 1st Decile	% of LSOAs in 10% most deprived nationally	
1. Middlesbrough	42	48.8%	42	48.8%	0.0
2. Liverpool	145	48.7%	134	45.0%	3.7
3. Knowsley	46	46.9%	45	45.9%	1.0
4. Kingston upon Hull	75	45.2%	75	45.2%	0.0
5. Manchester	122	43.3%	115	40.8%	2.5
6. Blackpool	39	41.5%	36	38.3%	3.2
7. Birmingham	264	41.3%	253	39.6%	1.7
8. Burnley	23	38.3%	20	33.3%	5.0
9. Blackburn with Darwen	33	36.3%	28	30.8%	5.5
10. Hartlepool	21	36.2%	19	32.8%	3.4
11. Bradford	104	33.5%	101	32.6%	1.0
12. Stoke-on-Trent	51	32.1%	48	30.2%	1.9
13. Halton	25	31.6%	21	26.6%	5.1
14. Pendle	18	31.6%	16	28.1%	3.5
15. Nottingham	56	30.8%	61	33.5%	-2.7
16. Oldham	43	30.5%	32	22.7%	7.8
17. North East Lincolnshire	32	30.2%	31	29.2%	0.9
- . Hastings	16	30.2%	16	30.2%	0.0
19. Salford	45	30.0%	43	28.7%	1.3
20. Rochdale	40	29.9%	38	28.4%	1.5

*Note: table based on 2019 local authority configurations. For 2019, Halton and Pendle rank 13<sup>th</sup> and 14<sup>th</sup> respectively and are presented here with the same percentage of LSOAs in the 10% most deprived nationally according to the IMD2019 due to rounding. North East Lincolnshire and Hastings (17<sup>th</sup>) are equally ranked according to the IMD2019.*

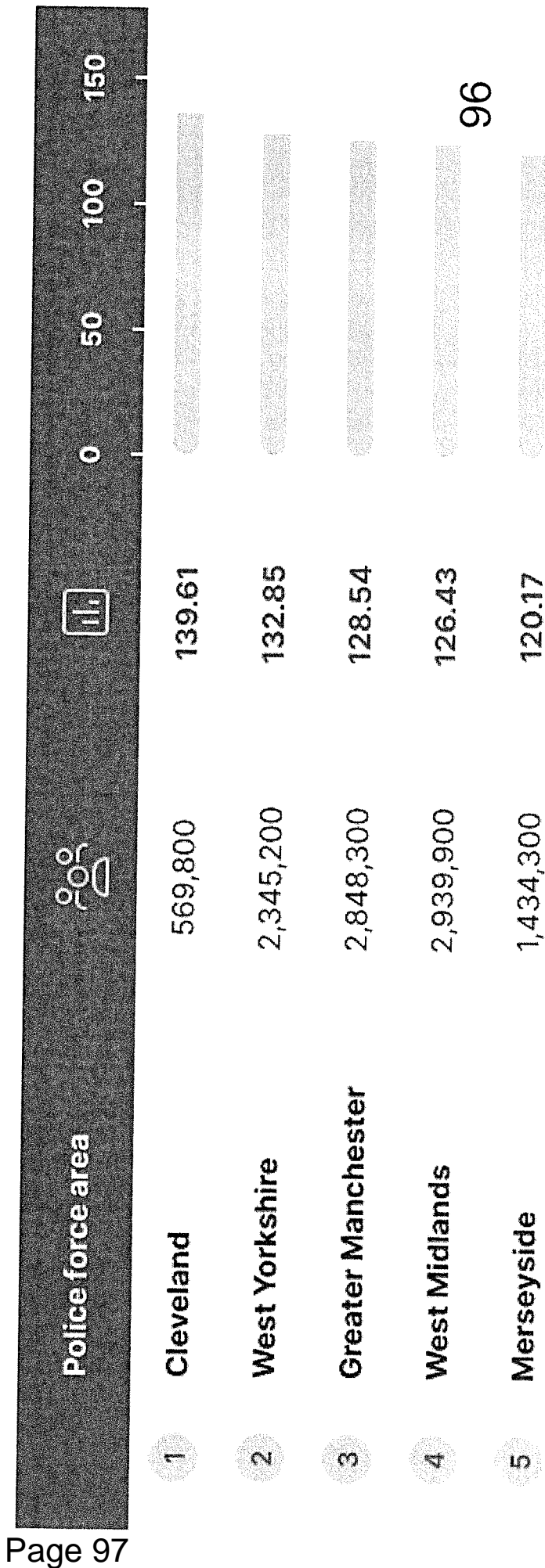
Changes have also occurred between iterations in other areas. Chart 3 shows the ten local authority districts that experienced the largest percentage point decreases on this summary measure and the ten which experienced the largest percentage point increases. A number of London Boroughs have seen large decreases in the proportion of their neighbourhoods that are highly deprived. In Tower Hamlets and Westminster in particular, there were reductions of 22 percentage points and 12 percentage points respectively. This is based on the percentage point change between the proportion of LSOA's present in a local authority area which are ranked in the most deprived 10 per cent nationally from the IMD2015 to the IMD2019. Oldham and Rossendale have seen an increase in the proportion of their neighbourhoods being ranked amongst the most deprived nationally. Oldham has seen an 8 percentage point increase in the proportion of its neighbourhoods ranked in the most deprived 10 per cent nationally. Rossendale has seen an increase of 7 percentage points.

Five of the ten local authority districts with the largest percentage point increases on this summary measure (Oldham, Walsall, Blackburn with Darwen, Halton and Burnley) were also among the most deprived districts nationally according to this summary measure. This is illustrated in Chart 4 which depicts the 32 most deprived local authority districts according to this measure on the IMD2019 and how they have fared relative to other areas on the IMD2015.



# UK police force areas with the highest crime rates

KEY:  Population  Crime rate per 1,000 people



Business, Innovation and Skills<sup>5</sup>, 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<sup>6</sup> 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<sup>7</sup>.

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<sup>5</sup> Now the Department for Business, Energy and Industrial Strategy

<sup>6</sup> [Age-restricted products and services framework \(opens in new tab\)](#)

<sup>7</sup> [Age-restricted products and services: a code of practice for regulatory delivery \(opens in new tab\)](#)

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## 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.

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## 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).

**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.

## 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

### **Determination of application**

[5.158]

In determining an application the licensing authority must hold a hearing<sup>1</sup> if:

1.
  - representations have been made by an interested party or responsible authority and have not been withdrawn;
2.
  - the authority intend to use their discretion under s 169(1) to attach a condition to a licence; or
3.
  - the authority intend to use their discretion under s 169 to exclude a default condition (ie a condition automatically attached to the licence under s 168 unless excluded by the authority in its discretion)<sup>2</sup>.

A hearing may, however, be dispensed with if the applicant and any interested party or responsible authority who have made representations consents to this course<sup>3</sup>, or the authority think that the representations are vexatious or frivolous or will certainly not influence their determination of the application<sup>4</sup>. If the authority do propose to dispense with a hearing on these latter grounds they must as soon as is reasonably practicable notify the person who made the representations<sup>5</sup>, presumably to enable him to seek a remedy by way of judicial review if so advised.

Where the applicant for the premises licence is an applicant for an operating licence<sup>6</sup> the authority cannot determine the application until the relevant operating licence has been issued<sup>7</sup>.

On considering an application for a premises licence (whether at a hearing or not) the licensing authority must either grant it or reject it<sup>8</sup>. In making that determination the licensing authority will be subject to the provisions of s 153 which sets out the principles to be applied by the authority in exercising all their functions under Part 8 GA 2005 (ie including, but not limited to, the grant or refusal of an application for a premises licence). Section 153(1) provides as follows:

"In exercising their functions under this Part a licensing authority shall aim to permit the use of premises for gambling in so far as the authority think 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 paras (a) and (b)), and
- (d) in accordance with the statement published by the authority under s 349 (subject to paras (a) to (c))."

The subsection starts by imposing a general duty on the authority to 'aim to permit the use of premises for gambling' and then sets out a series of four factors which may, in any individual case, qualify or override the general duty. The first point to note is that the provision imposes a duty on the licensing authority: it must, subject to the qualifying factors, aim to permit the use of premises for gambling. What is the scope of this duty? It is suggested that there are two elements: first, it creates a presumption in favour of granting the premises licence since it is only if the licence is granted that the premises may lawfully be used for gambling. But the duty seems to go further than that. The verb 'to aim' is defined by the *OED*<sup>9</sup> as meaning: '5. To calculate one's course with a view to arriving (at a point); to direct one's course, to make it one's object to attain. Hence fig To have it as an object, to endeavour earnestly'. The *Shorter OED*<sup>10</sup> defines it as: '3. Direct one's course, make it one's object to attain, intend, try'. A person who 'aims' to achieve a result will usually take active steps to bring it about. The provision appears to place a duty upon the licensing authority to exercise their powers so far as is lawfully possible to achieve a position in which they can grant the premises licence and thus permit the premises to be used for gambling. The most obvious way in which the authority will be able to exercise their powers in this way will be by an imaginative use of their power to frame and impose conditions (see para 5.159 below) so as to overcome objections to the application which might, in the absence of suitable conditions, lead to the application being rejected. No doubt the authority could also, in a case where a licence application gave rise to issues which could not be addressed by suitably drafted conditions, seek to consider with the applicant whether amendments to the application might overcome the objections and enable it to be granted.

However, it is also necessary to recognise that the language of s 153(1) stops short of being mandatory; 'aim to permit' provides a strong steer to look favourably on an application, but no more.

As to the list of qualifying factors, these are set out in s 153(1)(a)–(d). Section 153(1)(a) qualifies the duty to aim to permit use of premises for gambling to the extent that such use must be in accordance with any relevant code of practice issued by the Gambling Commission under s 24. That section requires the Gambling Commission to issue codes of practice about the manner in which facilities for gambling are to be provided (whether by the holder of a licence or by another person). In issuing a code of practice the Gambling Commission will be subject to a duty under s 22 to promote the licensing objectives. Accordingly any code of practice should be consistent with those objectives. Section 153(1)(b) qualifies the licensing authority's duty to aim to permit the use of premises for gambling to the extent that such use must be in accordance with any relevant guidance issued by the Gambling Commission under s 25. This section requires the Gambling Commission to issue guidance to local authorities<sup>11</sup> as to the manner in which they are to exercise their functions under the Act and the principles that they should apply in exercising those functions. Again the effect of s 22 is that in issuing such guidance the Commission will be under a duty to promote the licensing objectives, so again such guidance should be consistent with those objectives. The effect of all this is that any code of practice and any guidance to local authorities ought to promote the licensing objectives and no inconsistencies between the two should arise. On that basis codes of practice and guidance are placed (by s 153(1)(a) and (b)) as enjoying equal importance at the top of the hierarchy of factors set out in s 153(1)(a)–(d).

Next comes s 153(1)(c): this provides that the duty of the licensing authority to aim to permit the use of premises for gambling is qualified to the extent that such use must be reasonably consistent with the licensing objectives, but it goes on to provide that this condition is 'subject to paras (a) and (b)'. In principle there should, of course, be no conflict between (a) and (b) (which will both reflect the Gambling Commission's duty to promote the licensing objectives) and (c) (which will reflect the licensing authority's view of what the licensing objectives require). However the effect of the legislation appears to be that should there be any conflict between the two then the guidance set out in codes of practice or guidance emanating from the Gambling Commission will 'trump' any factors which the licensing authority themselves would otherwise have taken into account as relevant to the licensing objectives under s 153(1)(c).

Finally, s 153(1)(d) provides that the duty of a licensing authority to aim to permit the use of premises for gambling is qualified to the extent that such use must be in accordance with the authority's own statement issued under s 349. In preparing that statement the authority are not themselves expressly required to have regard to the licensing objectives, but they are obliged to have regard to guidance issued by the Gambling Commission under s 25 and such guidance deals, amongst other things, with the formulation by the authority of their licensing policy (see para AM5.6655). Since the s 25 guidance must itself promote the licensing objectives the effect should be that the authority's licensing policy will itself be consistent with those objectives so that it should not conflict with any code of practice or guidance issued by the Commission nor with the licensing objectives themselves. However, s 153(1)(d) provides that consideration of the licensing authority's own policy is 'subject to paras (a) to (c)' which appears to mean that in the case of an inconsistency a relevant Commission code of practice, relevant guidance or the licensing objectives themselves would 'trump' the authority's licensing policy.

In determining the application the authority may not have regard to the expected demand for the facilities which it is proposed to provide<sup>12</sup>, nor may they have regard to the question whether or not the proposal is likely to be granted planning permission or building regulation approval<sup>13</sup>. Where the authority have resolved under s 166 not to issue casino premises licences an application for such a licence will, of course, necessarily fail and be rejected<sup>14</sup>.

Where the application is granted the authority must as soon as reasonably practicable give notice of the grant in the form prescribed to the applicant, the Commission, any person who made representations, the chief officer of police for any area in which the premises are wholly or partly situated and HMRC<sup>15</sup> and must issue the licence to the applicant and must give him a summary of the terms and conditions in the prescribed form. If they have attached a condition to the licence under s 169(1)(a) or have excluded a default condition<sup>16</sup> they must give their reasons<sup>17</sup>. If representations were made by an interested party or a responsible authority they must give their response to the representations<sup>18</sup>.

Where the application is rejected the authority must as soon as reasonably practicable give notice of the rejection in the form prescribed to the applicant and to the same parties as are entitled to be notified of a grant<sup>18</sup>. The notice must give the authority's reasons for rejecting the application<sup>19</sup>.

1.

<sup>1</sup> As to procedure at hearings in relation to applications see SI 2007/173.

2.

- 2 GA 2005, s 162. See further para 5.159 below.
- 3.
4. <sup>3</sup> GA 2005, s 162.
5. <sup>4</sup> GA 2005, s 162(3).
6. <sup>5</sup> GA 2005, s 162(4).
7. <sup>6</sup> Ie under GA 2005, s 159(3)(b).
8. <sup>7</sup> GA 2005, s 163(2).
9. <sup>8</sup> GA 2005, s 163(1).
10. <sup>9</sup> *The Oxford English Dictionary* (2nd edn, 1989).
11. <sup>10</sup> (5th Edn, OUP).
12. <sup>11</sup> See 'Guidance to Licensing Authorities – 5th Edition', September 2015 at para AM5.6655.
13. <sup>12</sup> GA 2005, s 153(2).
14. <sup>13</sup> GA 2005, s 210.
15. <sup>14</sup> GA 2005, s 153(3), 166.
16. <sup>15</sup> GA 2005, s 164 and see SI 2007/459, regs 17 and 19.
17. <sup>16</sup> Ie a condition under GA 2005, s 168.
18. <sup>17</sup> GA 2005, s 164(2)(b).
19. <sup>18</sup> GA 2005, s 164(2)(c).
20. <sup>19</sup> GA 2005, s 165 and SI 2007/459, regs 18 and 19.

# Objective 3 : Protecting children and other vulnerable persons from being harmed or exploited by gambling

.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.

.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.

.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.

.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.

.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.

.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

.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).



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**GAMBLING ACT 2005**  
*Licence Conditions and Codes of Practice*

**ACCESS TO GAMBLING BY CHILDREN AND YOUNG PERSONS**

*It is illegal for any person who is under 18 years of age to be permitted entry to an Adult Gaming Centre or Adult Gaming Area.*

Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

Policy and Procedures

- Our policies and procedures with regard to age restriction take into account the structure and layout of our gambling premises so as to prevent access to gambling by children and young persons, and that our facilities do not appeal to children and young persons.
- Clear and prominent signage is placed at the entrance(s) to our Adult Gaming Centre(s) and adult area(s) stating that it is illegal for persons under the age of 18 years to enter and for the Company to permit entry.
- It is a matter of gross misconduct if a member of staff knowingly allows entry by any person who is under the age of 18 years to our Adult Gaming Centre(s) or Adult Gaming Area(s).
- Any person known to be under 18 years of age is refused entry.
- Any person who appears to be under 18 years of age, and has not previously provided satisfactory proof to the contrary, is asked to provide appropriate identification when it comes to the attention of staff and before an attempt to gamble. *Members of staff are trained to 'think 21' as a minimum.*
- If the person admits to being under the age of 18, they are refused entry.
- Should they claim to be 18 or over and there is still doubt, satisfactory proof of age is requested and has to be provided before entry is allowed. *Incidents involving suspected forged documents will be recorded and reported.*
- Proof of age documents must contain a photograph from which the individual can be identified; state the individual's date of birth; be valid, and legible. It should bear no visible signs of tampering or reproduction. *Acceptable forms of identification include those that carry the PASS logo (e.g. Citizencard); a driving licence (including a provisional licence) with photograph, a passport and military identification cards.*
- Where there is still doubt and the person cannot produce proof of age, they are advised that they will not be permitted to enter until such time as they provide such proof.
- They will be shown, have explained to them, and be given a 'proof of age card' application form or offered an explanation on how to apply for a card.
- Should the person then refuse to leave, they are advised that the age restriction is a legal requirement.
- If they still will not leave, the Duty Manager is immediately contacted to take over the situation.
- Any attempts by under-18s to enter the premises or designated adult area(s) and gamble are brought to the attention of the Duty Manager immediately and recorded as an entry on a log retained on the premises for this purpose. *Details of entry to include date, time, identity of the individual if known - or detailed description if unknown – member of staff dealing, action taken, the outcome and measures put in place to prevent a re-occurrence. Log to be countersigned by the Duty Manager.*
- Service is refused in all circumstances where any adult is accompanied by a child or young person.
- All gaming machines, other than category 'D' machines, are inscribed with a notice prohibiting play by persons under the age of 18 years.
- Stakes are returned to under-18s where they have been identified as gambling in AGCs or adult-only areas, and are not permitted to retain any monetary prize.
- Members of staff are trained as part of their induction process in the understanding of, and the strict adherence to this policy and accompanying log, and required to sign to this effect retaining a copy for their future reference; the original being retained on the employee's personnel file. Staff training policy covers all relevant prohibitions against inviting children or young persons to gamble or to enter gambling premises, and refresher training is carried out at appropriate intervals.

Company:

Registered Address:

Date:

**GAMBLING ACT 2005**  
**Licence Conditions and Codes of Practice**

**ACCESS TO GAMBLING BY CHILDREN AND YOUNG PERSONS**

**AGE VERIFICATION TESTING**

**Companies in Operating Licence fee category C or higher, whereby they are permitted to operate sixteen (16) or more AGCs, or sixteen (16) or more licenced FEC premises.**

- It is a requirement to conduct ongoing age verification testing or take part in collective age verification testing programs so as to provide reasonable assurance that policies and procedures to prevent underage gambling are effective.
- It is a further requirement that the results of age verification tests carried out by the Company are provided to the Gambling Commission.

**Companies in Operating Licence fee category A & B, whereby they are only permitted to operate up to fifteen (15) AGCs, or up to fifteen (15) licenced FECs.**

- It is a requirement that Licensees should consider how they monitor the effectiveness of their policies and procedures for preventing underage gambling, for example through collective test purchasing programs, and be able to explain their approach.

It is a condition of bacta membership that age verification tests are carried out by all AGC licensees, and that the results of testing are shared with the Commission.

Bacta's protocol for age verification testing is accredited by a Unitary Authority (Reading Borough Council).

## GAMBLING ACT 2005

### *Licence Conditions and Codes of Practice*

#### ACCESS TO PREMISES BY THE GAMBLING COMMISSION'S ENFORCEMENT OFFICERS

##### Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

##### Policy and Procedures:

The Company acknowledges its obligation to ensure that staff openly co-operate with the Gambling Commission 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 document) and that:

- The Company must provide the Gambling Commission with any information that the Commission would reasonably need to be aware of in exercising its regulatory functions 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 of practice provision having the effect of a licence condition. Changes in key circumstances must be reported within five days of their occurrence in accordance with the terms set out in the Operating Licence.
- The Company must provide the Gambling Commission with such information as the Commission may require from time to time about the use of facilities provided such as:
  - (i) the numbers of people making use of the facilities and the frequency of such use;
  - (ii) the range of gambling activities provided by the licensee and the number of staff employed in connection with them; and
  - (iii) 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, meet the reasonableness test under the Unfair Contract Terms Act 1977.
- The Appointed Manager will be informed immediately a Gambling Commission Enforcement Officer properly identifies himself on the premises, and will attend to the Officer without undue delay. Staff will co-operate at all times with the Commission's Enforcement Officers.
- Members of staff are trained as part of their induction process in the understanding of, and the strict adherence to this policy, and required to sign to this effect retaining a copy for their future reference. The original is retained on the employee's personnel file.

Company:

Registered Address:

Date:

## GAMBLING ACT 2005

### PART 15

Members of staff are to co-operate at all times with the Commission's enforcement officers in the proper performance of their compliance functions.

The officers' rights of entry to premises are contained in Part 15 of the Act which deals with inspection (Sections 303 to 326). A constable, enforcement officer or authorised person under the Act may enter premises for the purpose of assessing compliance or assessing whether an offence is being committed. 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 (Section 306). Entry may also be for the purpose of discovering whether facilities for gambling are being provided, to determine whether an operating licence or premises licence is held and to determine whether facilities are being provided in accordance with terms and conditions of an operating licence (Section 307).

Entry may also be made to assess the likely effects of activity when application has been made for a premises licence. A constable or enforcement officer may require the holder of an operating licence to produce, within a specified period, a copy of the authorisation (Section 316). Failure to comply without reasonable excuse to a request to produce a copy of the authorisation may result in an offence and be liable on summary conviction to a fine not exceeding level 2. Section 317 sets out powers of the constable, enforcement office or authorised person and include inspection of any part of the premises or any machine on anything on the premises, questioning any person, access to written or electronic records, remove or retain evidence of committing an offence or breach of terms and conditions. Section 20 provides that the power of inspection must be exercised only at a reasonable time. The enforcement officer or authorised person must provide evidence of his identify and authority (Section 321). Section 323 provides that a constable, enforcement officer or authorised person may use reasonable force to enter a premises. Section 326 provides that it is an offence to obstruct a constable, enforcement officer or authorised person in carrying out their duties.

**GAMBLING ACT 2005**  
*Licence Conditions and Codes of Practice*  
**ADVERTISING STANDARDS AND MARKETING**

Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

Policy and Procedure

All advertising and marketing by the Company complies with standards set by the Committee of Advertising Practice (CAP) and the Broadcast Committee of Advertising Practice (BCAP). We ensure that our marketing communications, advertisements, and invitations to purchase (within the meaning of the Consumer Protection from Unfair Trading Regulations 2008), including 'free bet' offers, do not amount to or involve misleading actions or misleading omissions within the meaning of those regulations.

We adopt the general principles that our advertising is:

- legal, decent, honest and truthful;
- prepared with a sense of responsibility to consumers and to society;
- respectful to the principles of fair competition generally accepted in business; and
- not intended to bring advertising into disrepute.

Specifically, we ensure that:

- advertising contains nothing that is likely to lead people to adopt styles of gambling that are unwise;
- advertisements and promotions are socially responsible and do not encourage excessive gambling;
- care is taken not to exploit the young, the immature or those who are mentally or socially vulnerable;
- advertising is not directed at people under the age of 18 years through the selection of media, style of presentation, content or context in which they appear. No medium is used to advertise gambling if more than 20% of its audience is under 18 years old;
- persons shown gambling are not, nor do they appear to be, under 25 years of age;
- there is honesty at all times with regard to the chances of winning, the likelihood of a big win, and the odds or payout ratio that applies to the gambling on offer;
- advertising and promotional material carries a reference for the need to keep gambling under control;
- it is never suggested or implied that gambling is a means of getting out of financial difficulty.
- Advertising and marketing material should not appear on any primary web page/screen or micro-site that provides advice or information on responsible gambling

Marketing and Promotion

Any incentive or reward scheme or other arrangement under which the customer may receive money, goods, services or other advantage (including the discharge in whole or in part of any liability (the benefit)) the scheme is designed to operate, and be operated, in such a way that neither the receipt nor the value or amount of the benefit is:

- (a) dependent on or calculated by reference to the length of time for or the frequency with which the customer gambles or has at any time gambled; or
- (b) dependent on the customer gambling for a pre-determined length of time or with a pre-determined frequency.

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. Incentives and rewards are proportional to the type and level of the customer's gambling.

Members of staff, as appropriate, are trained as part of their induction process in the understanding of, and the strict adherence to this policy, and required to sign to this effect retaining a copy for their future reference. The original is retained on the employee's personnel file.

**Company:**



Registered Address:

Date:

**GAMBLING ACT 2005**  
*Licence Conditions and Codes of Practice*

**CUSTOMER INTERACTION IN RELATION TO IDENTIFYING CUSTOMERS WHO MAY BE SUSCEPTIBLE TO GAMBLING HARM**

Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

Policy and Procedures

The Company makes use of all relevant sources of information to ensure effective customer interaction and decision making in relation to identifying possible gambling disorders; equally to identify at-risk customers who may not be displaying obvious signs of problem gambling, and in respect of customers designated 'high value' or 'VIP'. We work together with other operators to share experience and deliverance of good practice through bacto.

If members of staff have concerns that a customer's behaviour may be related to having problems with gambling, the Duty Manager is to be informed at the earliest available opportunity. Indicative behaviour may include signs of distress, agitation, aggression, intense mood swings, hysteria, remorse and perhaps even damage to property and violence or the threat of violence to staff or other customers.

Notwithstanding any initial urgent action taken to deal with the customer's behaviour, the Duty Manager is required thereafter to observe the individual and make a judgement as to whether it is appropriate to suggest to the customer that they might want to be provided with information regarding where they can seek professional advice about the nature of their gambling activity or have the process of self-exclusion explained for consideration.

If the customer refuses such information and continues to behave in a manner which could reasonably be considered to be disruptive or puts the staff or other customers in potential danger, the Duty Manager will implement the Company's procedures for dealing with antisocial situations.

The Duty Manager may give consideration to refusing service or barring the customer from the premises and, in extreme situations, contacting police for assistance. *Whenever police are called to the premises for assistance in handling any incident, a log entry will be made whether police attend or not.*

Notwithstanding any other action that may have to be taken immediately to prevent an incident from worsening, the Duty Manager will log all such reports which may result in future customer interaction or where it has been ruled out where otherwise it would have taken place. The interaction is conducted between the appointed manager and the customer in a confidential and meaningful manner.

Members of staff are aware of the appointed Manager who is specifically designated to deal with requests for self-exclusion, and are aware of where customers can be directed for confidential advice should they be directly approached for assistance.

This policy and procedure is consistent with, and implemented with due regard to the Company's duty in respect of the health and safety of members of staff.

Members of staff are trained as part of their induction process in the understanding of, and the strict adherence to this policy and accompanying log, and required to sign to this effect retaining a copy for their future reference. The original is retained on the employee's personnel file.

**Company:**

**Registered Address:**

**Date:**

**GAMBLING ACT 2005**  
*Licence Conditions and Codes of Practice*  
**EMPLOYMENT OF CHILDREN AND YOUNG PERSONS**

Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

Policy and Procedures

It is an offence for children (under-16s) and young persons (those aged 16 and 17) to be engaged, or permitted to be engaged in:

- Providing facilities for gambling.
- Performing any function (including cleaning) in connection with a gaming machine at any time.
- Carrying out any other function on Adult Gaming Centre licensed premises, whether directly employed or not, whilst any gambling activity is being carried on in reliance on the premises licence.

All relevant staff, including children and young persons, employed by this Company have been trained about the laws relating to access to gambling by children and young persons.

It is strict Company policy that:

- 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.
- Gaming machines sited in Adult Gaming Centres or adult gaming areas are turned off if children and/or young persons are working on the premises outside the hours when the premises are open for business.
- Due diligence is given to verifying the age of all new members of staff where there is reason to doubt authenticity of birth dates supplied.
- The movement of children and young persons employed on the premises are carefully monitored and supervised so as to ensure compliance.

Members of staff are trained as part of their induction process in the understanding of, and the strict adherence to this policy, and required to sign to this effect retaining a copy for their future reference. The original is retained on the employee's personnel file.

Company:

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## GAMBLING ACT 2005

### *Licence Conditions and Codes of Practice*

#### FAIR AND OPEN PRACTICE ~ COMPLAINT AND DISPUTE RESOLUTION

##### Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

##### Complaints Procedure

The Company is committed to providing a high quality, accessible and responsive service to customers and the local community. However, dissatisfied customers may communicate a complaint to us either verbally or in writing. All complaints are taken seriously, investigated thoroughly and handled in a confidential manner. If the complaint cannot be resolved to the satisfaction of both parties on site, a copy of our written procedure for dealing with complaints, together with a complaint form, is supplied to the complainant at the earliest opportunity together with the name and status of the Company representative delegated to deal with the complaint.

Complainants should provide us with a comprehensive description and nature of the complaint; whether it is an original complaint, or where the outcome of a previous complaint was found unacceptable, and their name and postal address including a contact telephone number.

A 'complaint' means a complaint about any aspect of the Company's conduct of the licensed activities, and a 'dispute' is any complaint which:

- (a) is not resolved at the first stage of the complaints procedure; and
- (b) relates to the outcome of the complainant's gambling transaction.

In the first instance, the Company will endeavour to resolve the complaint to the satisfaction of both parties within fifteen working days. Should this not be possible we will explain why and provide a date by which the complainant can expect a full response.

In the event of a complaint relating to the outcome of a customer's gambling is unable to be satisfactorily resolved between the Company and the complainant, the complainant will be given contact details of an Alternative Dispute Resolution (ADR) entity.

- Complainants also have the means and opportunity of submitting their own version of events.
- The dispute is investigated in full by the ADR entity.
- Both parties are notified in writing of the review outcome with suggestions of a resolution if appropriate.
- This procedure may, but need not, provide for the ADR entity's resolution of the dispute to be binding on both parties.

The Company is obliged to keep a record of all complaints and disputes, other than those considered to be trivial, including all disputes referred to the ADR entity that are not resolved at the initial stages of the complaints procedure. There is a requirement to submit reports of the outcome of disputes referred to the ADR entity to the Gambling Commission at intervals determined by the Commission either by the ADR entity or by the Company.

The Company is satisfied that the terms on which gambling is offered are not unfair within the meaning of the Consumer Rights Acts 2015 and is compliant with those terms.

An accurate summary of the contractual terms on which gambling is offered is available to customers who are notified of material changes to terms before they come into effect.

Company:

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## GAMBLING ACT 2005

### *Licence Conditions and Codes of Practice*

#### INFORMATION ON HOW TO GAMBLE RESPONSIBLY AND HELP FOR GAMBLERS WITH PROBLEMS

##### Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

##### Stay in control advice

*Without breaching the principle that customers are responsible for their own gambling, the nature of the activity suggests that they should be reminded of the need to exercise caution. Accordingly, signage in the form of an appropriate number of posters or other appropriate means is displayed on our premises:*

- Giving clear guidance that in order to keep gambling a fun social activity the customer needs to 'stay in control'.
- Drawing attention to further information, such as leaflets that are available on the premises.
- Indicating sources of help such as the National Gambling Helpline operated by GamCare.
- Large enough and written in language so as to be easily seen and understood.
- Prominently displayed.
- Maintained in a clean and tidy condition, preferably within a glass fronted frame.

##### Advertising sources of help

*At the core of exercising a duty of care is the principle of assisting customers who may wish to express concern about their gambling. This tenet is drawn to the attention of customers on our premises in the following ways:*

- The prominent display of 'Responsible Gambling' or 'Stay in Control' information.
- There are holders or racks containing leaflets in appropriate places that emphasise the need to keep gambling under control and where to seek help should anyone be concerned about their own or a family member's gambling. These leaflets are available to be taken away from the premises without the necessity of having to ask for them.
- The leaflets are available at all times for customers to take discreetly without having to ask a member of staff, and are located in the gambling area either near to exit doors, ATMs or toilets. We endeavour to maintain an effective stock control system to ensure that such leaflets are always available to supply. Signposting Information may also be made available through the use of links for online or smart technology.
- Details of GamCare, giving the National Helpline telephone number is inscribed on all appropriate categories of gaming machines.

##### Protecting those who seek assistance

*Responding to someone who admits to having a problem with their gambling is a delicate matter that has to be timely and needs to be approached sensitively. It is our policy that:*

- rules and procedures relating to a policy of responding to problem gamblers are clearly formulated and incorporated into our day-to-day operation;
- at least one member of staff who has been trained to deal with situations that might require a response is on duty at any one time, or available without undue delay;
- a positive response including communicating sources of help and the possibility of self-exclusion is offered to any customer who admits to having lost control of their gambling;
- the facility of a self-exclusion policy for customers who wish to voluntarily self-exclude themselves from these premises, and other premises offering the same style of gambling in the locality, that stipulates a minimum exclusion period of six months - with a further 24-hour 'cooling off' period thereafter;
- we draw to the attention of relatives who express concern about a family member's gambling the options available to that person should they wish to address the extent of their gambling;
- members of staff do not collude with customers when asked to lie on their behalf, and
- where services are marketed in one or more foreign languages, we make available information on how to gamble responsibly, access to help, guides to the playing of any game, and a summary of the contractual terms on which gambling is offered in that, or those, foreign languages.

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**GAMBLING ACT 2005**  
*Licence Conditions and Codes of Practice*  
**MONEY LAUNDERING, CASH HANDLING AND SUSPICIOUS TRANSACTIONS**

Introduction

As part of its procedures for compliance with the requirements in respect of the prevention and detection of money laundering in the Proceeds of Crime Act 2002 and the Terrorism Act 2000, the Company takes 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 (excluding Casino operators)*.

Money Laundering Definition

Money laundering is a process by which the proceeds of crime are converted into assets which appear to have a legitimate origin, so that they can be retained permanently or recycled into further criminal enterprises. This definition of money laundering means that potentially any employee could contravene the Regulations if they were to become aware of or suspect the existence of criminal property and continue to be involved in a matter which relates to that property without reporting their concerns.

Policy

- The Company is committed to ensuring that all necessary safeguards are in place with regard to the receipt of money in order to avoid it being used to launder money that may originate from the proceeds of crime.
- The Company has appointed a Designated Money Laundering Officer (MLO)
- All relevant staff are trained on the requirements of the Regulations and told of the need to report any suspicious cash transactions to the MLO for the purpose of informing the relevant authorities.

Disclosure Procedure

- Where it is suspected by a member of staff that money laundering activity is taking/has taken place, a disclosure must be made to the MLO as soon as possible. Because of the importance attached to the process, notification should normally take place immediately by telephone or, where that is not possible, by any other expedient means.
- No discussion will take place with colleagues as confidentiality is paramount.
- The MLO will determine whether or not to submit - online or otherwise - a suspicious activity report (SAR) to the National Crime Agency (NCA) and will maintain records of all notifications received detailing the method of verification used to identify the suspected person.

Cash Handling

Operating policies and procedures are in place with regard to accounting practices and record keeping in respect of:

- (i) Monetary stakes introduced to machines (gross takings),
- (ii) Money introduced to re-float machines
- (iii) Token transactions
- (iv) Customer refunds due to machine malfunctions.
- (v) Money removed from machines (net takings)

Members of staff, where appropriate, are trained as part of their induction process in the understanding of, and the strict adherence to this policy, and required to sign to this effect retaining a copy for their future reference. The original is retained on the employee's personnel file.

Company:

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## Anti-Money Laundering

### Prevention of money laundering and terrorist financing

#### Licence Condition 12.1.1

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 from time to time.

As part of their procedures for compliance with the requirements in respect of the prevention and detection of money laundering in the Proceeds of Crime Act 2002 and the Terrorism Act 2000, 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 (excluding casino operators)*.

HM Treasury has decided to exempt all gambling sectors from the EU 4<sup>th</sup> Anti-Money Laundering Directive with the exception of non-remote and remote casinos.

This means that only remote and non-remote casinos will have to comply with the new Money Laundering Regulations which will be introduced in June 2017.

**GAMBLING ACT 2005**  
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**SELF-EXCLUSION**

Statement

The Company recognises its responsibility and obligation to comply with the Licensing Objectives of the Gambling Act 2005 and the Licence Conditions and Codes of Practice. Social responsibility awareness is an important aspect of our day-to-day operating practice, and monitoring of policies and procedures is regularly reviewed and subject to change as part of our ongoing risk assessment.

Policy and Procedures

*Whilst most customers are able to enjoy and control their gambling, this Company recognises its duty of care to those who cannot. Accordingly, we provide a self-exclusion process for those customers who seek to prevent their own access to our premises and others in the locality offering a similar style of gambling as defined by the premises licence.*

- When a customer has requested that they be refused entry to our premises, the customer and the appointed manager will formally acknowledge and document the request on a self-exclusion request form, or directly on the web-based AGC national self-exclusion scheme. This will be preceded by a meaningful discussion about the terms and conditions applicable to the scheme and will include other options available to assist a person having a gambling disorder, including being signposted to counselling and support services. A copy of the terms and conditions will be signed by the excluder as acknowledgement of understanding and consent. Customers are given the opportunity of discussing self-exclusion in private where possible.
- Photo identification and signature of the excluder is required for self-exclusion agreements except where an alternative means of identification is at least as effective. Photographs, preferably of the passport style, should be full-faced and a good likeness both initially and throughout the duration of the self-exclusion agreement.
- The Duty Manager will offer the exclusion for a minimum duration of not less than six months, nor more than twelve months; the customer thereafter may request to extend the length of the self-exclusion for one or more further periods of at least six months, reliant on the Company's ability to manage longer agreements. The Company will not allow the excluder admittance to the premises during the term of the self-exclusion agreement, and will have in place procedures for preventing self-excluded individuals from gambling during the period of the self-exclusion agreement including taking into account the internal structure and layout of the premises.
- It is made clear to the customer that they may not revoke the self-exclusion during the agreed period and that if found either in the gambling area or attempting to gamble they will be asked to leave. Members of staff are trained to be alert to self-excluded individuals attempting to breach agreements and instances of them getting another person to gamble on their behalf. It is a requirement that staff regularly pay heed to self-exclusion agreement records that are currently active (particularly photographs) in order to stay alert to the identity of those excluded in the locality of the premises.
- Self-excluders have the opportunity of also excluding from other premises owned by the Company without necessarily having to enter areas licenced for gambling. Where the self-exclusion agreement is extended to other Company's premises we will consider any specific requests made by a customer in setting the bounds of the exclusion area.
- The Company will offer customers with whom they enter into a self-exclusion agreement in respect of facilities for any kind of gambling we offer, the ability to exclude from facilities for the same kind of gambling offered in our 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. In addition, the Company is participating in the possible development of a multi-operator self-exclusion scheme that will apply to all styles of gambling.
- A self-exclusion log is maintained on the premises for recording detail of those currently excluded in addition to records stored digitally.



- Those self-excluded will be removed from any marketing databases held by this Company within two days of receiving the completed self-exclusion form, but we will take all reasonable steps to prevent details being knowingly sent as soon as practicable.
- At the end of the self-exclusion period, the exclusion will remain in place for a further six months, unless the customer takes positive action in order to gamble again.
- At the end of the exclusion period, the Duty Manager and customer will, together, review the terms of agreement either by telephone or in person. The review process is recorded on a self-exclusion review form.
- Where a customer chooses not to extend the self-exclusion and makes a positive request to begin gambling again, the customer is offered a 24-hour 'cooling off' period before being allowed access to the gambling facilities.
- Customers are given the opportunity to discuss self-exclusion in private where possible.
- The Company retains self-exclusion records for the length of the agreement plus a further 6 months.
- Members of staff are trained both on induction and refresher sessions thereafter in the understanding of, and the strict adherence to this policy and accompanying log, and required to sign to this effect retaining a copy for their future reference. The original is retained on the employee's personnel file.

**Company:**

**Registered Address:**

**Date:**

