

**MERKUR SLOTS, 37/39 ST SEPULCHRE GATE, DONCASTER, DN1 1TD**

**LICENSING SUB-COMMITTEE HEARING**

**19 MARCH 2021**

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**MERKUR SLOTS, 37/39 ST SEPULCHRE GATE, DONCASTER, DN1 1TD**

**LICENSING SUB-COMMITTEE HEARING**

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**PROPOSED LICENCE CONDITIONS**

1. The premises shall install and maintain a comprehensive CCTV system. All entry and exit points must be covered enabling frontal identification of persons entering in a light condition including customer facing areas. The CCTV system shall continually record whilst the premises are open. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer of the Licensing Authority.
2. A think 25 proof of age scheme shall be operated at the premises where Any person who appears to be under 25 years of age, and who has not previously provided satisfactory proof to the contrary, is challenged at the point of entry. Acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
3. Prominent signage and notices advertising the Think 25 policy will be displayed.
4. A magnetic locking device, commonly referred to as a Maglock will be installed, maintained and available for use on the main entrance/exit to the premises which will be operable by ground floor staff.
5. Appropriate staffing levels will be assessed by way of risk assessment and cognisance will be taken of any police advice.
6. An incident log shall be maintained and made available on request to an authorised Local Authority officer or the Police, which will record the following:
  - a. All crimes reported to the venue.
  - b. Any complaints or incidents regarding crime and disorder.
  - c. Refusals and banned customers.
  - d. Any faults in the CCTV system.
  - e. Any visit by a relevant authority or emergency service.
  - f. Any Challenge 25 Refusals.
7. Third party testing on age restricted sales systems shall be carried out on the premises at least 3 times a year and the results shall be provided to the Licensing Authority upon request.
8. The licensee shall participate in a local Betwatch or similar scheme, where available.

9. Individuals who are deemed to be under the influence of excessive alcohol shall not be allowed to enter the premises.
  
10. The licensee shall take reasonable steps to prevent nuisance directly outside the Premises.

**Skeleton Argument from Philip Kolvin  
QC, Counsel for the applicant**

**DONCASTER METROPOLITAN COUNCIL**  
**APPLICATION FOR BINGO PREMISES LICENCE**  
**CASHINO GAMING LIMITED**  
**37/39 ST SEPULCHRE GATE, DONCASTER**

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**SKELETON ARGUMENT ON BEHALF OF APPLICANT**

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**INTRODUCTION**

1. This is an application by Cashino Gaming Limited (“the applicant”) for a new bingo premises licence.
2. The Licensing Sub-Committee has been presented with a large quantity of documents. The purpose of this skeleton argument is to help the Sub-Committee navigate the material by setting out some of the background to the application, explaining the legal context under the Gambling Act 2005, replying briefly to the representations made, and making brief concluding submissions.
3. In considering the application, the Sub-Committee may be particularly assisted by looking at the following documents:
  - Witness statements:
    - Amanda Kiernan, Head of Compliance (supplementary bundle page 16).
    - Steve Ambrose, Operations Director, (page 25).
    - Andy Tipple, Head of Product (page 28).
    - Darrell Butterworth, Independent Licensing Consultant (page 30).
  - Legal obligations to promote licensing objectives:
    - Gambling Commission’s Licence Conditions and Codes of Practice applicable to non-remote bingo licences (page 125).

- Mandatory and default conditions attaching to bingo premises licences (page 272).
- Individual conditions proposed by applicant (page 1).

## **BACKGROUND**

4. The applicant is part of the Gauselmann group, which is one of the most experienced providers of gaming premises on the high street across the UK, including adult gaming centres and bingo premises. Players in high street bingo premises access bingo games through the use of tablets (see page 120), which are increasingly replacing paper bingo cards as provided in large, flat-floor bingo halls.
5. As one would expect, the applicant and its sister companies have detailed systems for compliance with the law and promotion of the licensing objectives, which they implement through staff training and management programmes and supervise through area and national management oversight and independent audit.
6. Bingo premises are subject to a high degree of regulation in order to support the licensing objectives, including the following:
  - Premises and their management and operation are subject to the Gambling Commission's extensive Licence Conditions and Codes of Practice applicable to non-remote bingo operating licences.
  - Premises licences are subject to mandatory and default conditions set by the Secretary of State with the approval of Parliament.
  - The number of machines, the way they operate and their stake and prize limits, are strictly regulated through the Gambling Act 2005 (by Parliament), regulations (by the Secretary of State) and technical standards (by the Gambling Commission). For example, at least 80% of the machines in bingo premises have the same stake and prize limits as pub fruit machines, with 20% governed by the same limits as other high street gambling establishment (AGCs and betting offices).
7. The applicant has also submitted a precis of its operational standards (page 108).

*The nature of high street bingo premises*

8. Gambling on the high street in Great Britain tends to be dominated by betting offices, both numerically and in terms of environmental impact. As to numbers, betting offices outnumber bingo premises 11:1 (7,315 v 642<sup>1</sup>). As to impact, betting offices can bring with them social issues, including street drinking and disorder and loitering outside. Hence, when an application is made for a bingo premises licence, it is sometimes thought, perfectly understandably, that it will bring with it the same kind of issues as sometimes arise at high street betting offices.
9. In fact, high street bingo premises in general and the applicant's in particular are completely different from betting offices in terms of local impact. It is therefore important to try to convey why the applicant's premises trade without regulatory concern.
10. *On arrival.* It is noticeable that groups do not loiter or gather outside high street bingo premises smoking, drinking, littering and importuning passers-by. The absence of such activity is not only observable empirically but is explained by several facts:
  - The customer demographic is different from betting offices. It is older and 50% female with customers coming in alone or with partners rather than in groups.
  - There are no "events" in bingo premises such as football matches or horse races and therefore no reason to hang around, and nowhere to cluster or socialise.
  - There are no general seating areas for people to gather inside. The premises are not fitted out for groups.
  - Alcohol is not only not sold but it is strictly prohibited.
  - Those under the influence of drugs or alcohol are not admitted.
  - Unlike in betting offices, staff are not behind the counter taking or paying out bets. They are there to greet customers as they enter, which also means controlling who is permitted to enter and effectively supervising the premises.
  - Good quality CCTV systems are fitted to the exterior of the premises and are monitored. Those outside know they are under surveillance. If loitering occurs, it is dealt with.
11. The effect on the streetscape is important. Those walking past high street bingo premises do not have to run the gauntlet of street drinkers or other groups, whether during the school run, the evening or otherwise. Evidence on this topic is given by Amanda Kiernan and Gill Clulow.

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<sup>1</sup> Gambling Commission industry statistics.

12. *Exterior appearance.* The facades of high street bingo premises are smart, well-maintained and spotlessly clean. It is not possible to see gambling taking place inside, unlike (for example) betting offices or pubs which admit children. There is no advertising on the exterior which might be attractive to children: this is strictly controlled by the Advertising Standard Authority's Codes of Practice which are translated into legally enforceable regulation by the Gambling Commission's Licence Conditions and Codes of Practice. The exterior contains signage explaining that Think 25 is operated, that alcohol is not permitted and that CCTV is in operation, alongside responsible gambling messaging.
13. *Upon entry.* Those entering will be greeted face to face by a uniformed member of staff. This is an opportunity to ascertain whether the customer may appear to be under 25 (in which case Think 25 is operated), or whether there may be any other issue such as inebriation, in which case the customer will politely be asked to leave. The staff member will ascertain whether the customer needs any other form of assistance. This interaction means that staff are aware of who is using their premises. Again, this is unlike betting offices where staff are behind a counter taking and paying out bets.
14. *Appearance.* Like the exterior, the interior of premises is clean, well-lit, comfortable and carpeted. Toilet facilities are provided. Responsible gambling messaging is prominently displayed throughout the premises and on the machines. Customer information leaflets are similarly prominently displayed, explaining where and how to obtain help with problem gambling.
15. *Participation.* Customers have an opportunity to play bingo on tablets, which includes being linked to a national game, and to play gaming machines, the limits for which are set by law. During their stay they will be offered tea/coffee and snacks, and will often chat with the friendly staff. When they are finished playing they wander off with zero impact on the locality.
16. *Protection of vulnerable people from being harmed or exploited by gambling.* So far as vulnerable persons are concerned:
  - Alcohol is not permitted in Cashino bingo premises.
  - Those who are intoxicated through alcohol or drugs are not permitted on the premises.
  - "Stay in Control" posters and leaflets with the GamCare helpline number are located prominently in the premises, including the WC. An example is at page 212.

- All machines display responsible gambling messages with helpline contact details.
  - Customers are encouraged to use a self-help, app-based tool named Play Right to assist them with managing their gambling behaviour.
  - As required by the Gambling Commission's Licence Conditions and Codes of Practice, Cashino's systems include processes for customer interaction and self-exclusion, operated by trained staff. Interventions are recorded electronically so that they can be overseen by independent compliance auditors.
17. To elaborate slightly, GB regulation of gambling premises places great focus on customer interaction, which the applicant takes extremely seriously. If a customer is showing signs of problem gambling, a trained staff member will interact with the customer. This may lead to a number of outcomes, including: customer opting to cease playing; self-referral to a care provider; self-exclusion; customer signing up for the applicant's Play Right app, or the customer being banned. Outcomes are recorded on staff tablets (along with other relevant events) which are then reviewed at national level to ensure that the conduct of individual staff members is correct. Interaction data is supplied to the Gambling Commission to ensure that the obligation is being met across the company.
18. The applicant's approach to protecting vulnerable people is approved by the Gambling Commission through the operating licence and is also internationally accredited (page 237), while the staff training is accredited by GamCare. (The applicant is amenable to local statutory or other bodies participating in the training to ensure that the local context is fully conveyed.) The applicant subjects itself to independent field-based audit, mystery shopping and test purchasing. It is also the subject of an annual assurance statement to the Gambling Commission.
19. *Protection of children from being harmed or exploited by gambling.* As regards this objective:
- Although children are entitled to enter bingo premises as a matter of law, children are not allowed in the applicant's premises.
  - The exterior contains no advertising or marketing which might be attractive to children.
  - Gambling cannot be seen from the outside unlike, say, in betting offices and sometimes pubs.

- The exterior - and the interior - contain prominent messaging stating that Think 25 is applied.
- Those entering are greeted by staff members, so that their appearance is checked immediately.
- Staff are required to log all Think 25 events on their tablets, with premises data checked by the applicant's audit department to ensure that the system is being properly operated.
- Third party age verification testing is conducted at least three times a year.

20. It is fair to report that the outward appearance, interior ambience, supervision, layout and product in bingo premises are not attractive to children, and its systems have proved more than effective to ensure that underage gambling is not an issue in Cashino premises.

21. *Security.* As stated above, the applicant does not suffer significant issues with anti-social behaviour. This is a function of the customer demographic, the ban on alcohol and the nature of the product, but is also because of the measures taken by the applicant to prevent it:

- Staffing levels are set following a security risk assessment, which is updated periodically in the light of experience.
- Customer numbers are low, with usually only a handful of customers in the premises. Double digit numbers occur very rarely. This means that any miscreant behaviour would be immediately identified, recorded and dealt with.
- The layout of the premises facilitates effective supervision. There is no space for groups to gather.
- Staff members are on the trading floor, not behind a counter.
- Good quality CCTV is used throughout and customers are aware they are monitored.
- The use of Staff Guard which enables staff to use a portable alarm to liaise with a central security hub and SIA-licensed staff with audio and visual feeds, and for hub staff to speak directly with customers who therefore know they are being overseen. Staff Guard personnel can liaise directly with local Police if necessary.
- Staff members do not carry floats.

- Safes are time-delayed.
- Anti-money laundering systems are used on the machines.
- The locational and social context is part of induction training for all staff.
- Staff are also trained in how to deal with difficult customers (there is a 6 week training course at the outset followed by regular refresher training).
- Any incidents are logged on the tablet and reviewed at national level.
- Premises are fitted with maglocks, enabling entry to be controlled when necessary. The applicant maintains good liaison with local Police.

### **THE REGULATORY RECORD OF THE APPLICANT**

22. In the previous section, we have briefly described the standard controls used by the applicant to provide a safe, welcoming and congenial environment for customers while also promoting the licensing objectives.

23. That it does all of this to a standard of excellence is demonstrable:

- It has 190 licences. It has been granted licences in every premises it has applied for.<sup>2</sup>
- It has never experienced a licence review.

24. This is despite the range of areas in which the applicant operates, including some with high social deprivation and other social issues. Its systems, staff training, compliance monitoring and audit have proved sufficient to ensure that the licensing objectives are promoted.

25. It is a record of which the applicant is proud and guards assiduously. In the very rare event of any kind of issue, Cashino will always liaise with relevant authorities to ensure that it is resolved promptly and effectively.

### **THE LAW**

26. As the Sub-Committee will be aware, each piece of licensing legislation sets out a different approach to the question of grant. The approach relevant to gambling is in section 153 of the Gambling Act 2005:

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<sup>2</sup> For completeness, there was one refusal in Blackpool but this was granted on re-application three months later following submission of further information.

*“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).”*

27. 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”* (page 253).
- c. The *“aim to permit”* is explained in the leading textbook Patersons (page 261):

*“... 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 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.”*

As the Gambling Commission Guidance says (page 263):

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

- d. Conditions should only be added where it is necessary to do so, and even then such conditions need to be proportionate to the circumstances requiring a response, relevant, directly related, fair and reasonable (Guidance paras 9.26 and 9.31).
- e. As the Guidance makes clear, any refusal should be for “*reasons which demonstrate that the licensing objectives will not or are unlikely to be met*” (para 5.34). That means demonstrate by evidence.
- f. Conversely, the following considerations are legally irrelevant to the determination of an application for a premises licence:
  - i. A dislike of gambling (para 5.34).
  - ii. A general notion that it is undesirable to allow gambling premises in an area (ditto).
  - iii. Moral or ethical objections to gambling (ditto).
  - 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 locality may be relevant to planning, but they are irrelevant to licensing.
  - v. Planning considerations (see section 210 Gambling Act 2005).
  - vi. Nuisance (see Guidance para 5.5).

## **REPRESENTATIONS**

- 28. The application was submitted with documentary evidence and a Local Area Risk Assessment. The applicant engaged directly with the Police.
- 29. The upshot is that there is no objection from any responsible authority, or any other agency or organisation involved with promotion of the licensing objectives.
- 30. There is a representation from the Director of Public Health running to some 5 pages, stating that he does not support the application, together with a brief objection from the licensing service, based on the Director’s representations.

31. The essence of the objection is that Doncaster is a deprived community and that deprived people are more prone to harmful gambling and the negative consequences that can ensue. The representation states, however, that the full extent of harmful gambling is uncertain.
32. The first and most important thing to say is that the applicant takes the risk of problem gambling very seriously, is required by national regulation and its own corporate values to respond appropriately to that risk, and does so to a standard of best practice as set out above. It has received no criticism in this regard, let alone regulatory intervention, in relation to any of the premises it operate in the UK, including two in Doncaster Borough itself.
33. Second, however, and with respect, the representation provides no evidence whatsoever against this application. It contains no evidence that the applicant's operation in the location applied for would not be reasonably consistent with the licensing objectives, let alone any criticism of the applicant's operation or regulatory record.
34. Third, the objection falls into the very error against which paragraph 5.34 of the Gambling Commission's Guidance is intended to guard, in that it amounts to a general notion that it is undesirable to allow further gambling in Doncaster.
35. Fourth, it also falls foul of the same paragraph of the Guidance, which looks for a demonstration that the licensing objectives are unlikely to be met.
36. Fifth, it ignores the aim to permit, which is the founding principle of the legislation as well as the "primary obligation" of the licensing authority.
37. Sixth, the Director of Public Health's representation is an abbreviated version of a representation made by the same department against a planning application for this site (page 88). The Council's argument was comprehensively rejected for lack of evidence by a Planning Inspector on appeal (page 106 paragraphs 14-17).
38. In the High Court case of R (Manchester City Council) ex parte Dransfield Mr Justice Glidewell explained the relevance of such findings in licensing applications (page 86):

"However, if an inspector in a matter of this sort has specifically dealt with a particular issue, and expressed his view or conclusion on that issue, it is clear that his view or conclusion must be given great weight by the local authority... and there would have to be good reason for rejecting that view or conclusion..."

39. In this case, following the rejection of the department's objection by the Inspector in July 2020, the department has simply resubmitted the previous views, still without any evidence. There is no reason for rejecting the Inspector's reasoned conclusion.
40. The department is entitled to be averse to gambling in Doncaster. But the licensing sub-committee has a primary obligation to aim to permit gambling, is concerned with whether this application at this site is reasonably consistent with the licensing objectives rather than with whether it is generally supportive of gambling in Doncaster. It can only refuse if there is evidence which demonstrates that the particular application is contrary to one of the limbs of section 153 of the Gambling Act, and even then has to consider whether its concerns can be overcome by further conditions. In this case, there is no evidence against the application at all.

### **SUBMISSIONS**

41. In the light of the above, the applicant's submissions can be stated very briefly:

- The applicant is a highly competent organisation, regulated by the Gambling Commission, and one whose corporate systems, staff training, management and audit are directed towards promotion of the licensing objectives.
- It is part of a group which operates 190 licensed gambling premises in a wide variety of locations of higher and lower deprivation and population density.
- Despite that, it has never experienced a regulatory review or prosecution, including in Doncaster where it operates two premises.
- The type of premises, their customer demographic, the low numbers of customers simultaneously using premises and the quality of management mean that issues of crime and disorder are rare.
- The applicant has a well-developed and well-regarded approach to protecting children and vulnerable people, for which it has received no criticism either here or elsewhere.
- The premises, if licensed, will be subject to strict regulatory requirements, deriving from: the Licence Conditions and Codes of Practice; machine stake, prize and numbers limits, mandatory and default premises licence conditions and individual licence conditions.

- The applicant has carried out a risk assessment pursuant to the Licence Conditions and Codes of Practice. The risk assessment will be kept up to date periodically.
- The applicant has a strong track record of co-operation with local statutory bodies. In the unlikely event of an untoward consequence, Cashino Gaming Limited will work to resolve the issue promptly and efficiently.

42. For these reasons, it is submitted that the test in section 153 is fully met. Conversely, taking into account the competence and track record of the applicant, its legal obligations under the Act, Regulations and codes, and the comprehensive suite of individual licence conditions to which it is proposing to submit, it has not been demonstrated that the licensing objectives are unlikely to be met.

43. Accordingly, the Sub-Committee is respectfully invited to grant the application as asked.

**PHILIP KOLVIN QC**  
**9<sup>th</sup> March 2021**

**11 KBW**  
**Temple EC4**

**Witness statement from Amanda  
Kiernan, Head of Compliance at  
Cashino Gaming Limited**

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## LICENSING SUB - COMMITTEE HEARING – 19 MARCH 2021

### SUPPLEMENTAL STATEMENT – AMANDA KIERNAN

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#### Cashino Gaming Limited

1. I am a Chartered Institute of Internal Auditors (IIA) Qualified Internal Risk and Corporate Governance Auditor with over 25 years' experience working in risk-based customer facing environments within various industries, including High Street Retail and Optical Health. In 2011 I started working in the Gambling Industry occupying the role of Internal Audit Manager for Praesepe, responsible for all internal and external audit policies and procedures. During 2018 a merge of the Audit and Compliance departments created the role of Head of Compliance, I now hold this position and am responsible for Internal Audit, Risk/Fraud Management and the Regulatory Compliance of the Praesepe organization.
2. Cashino Gaming Limited operates a national estate of over 190 licensed bingo, adult gaming centre and family entertainment centre premises.
3. Cashino Gaming Limited is a leading national operator of bingo premises with clear and proactive policies to promote the Gambling Licensing Objectives. We always endeavour to liaise with Responsible Authorities concerning the operation of our premises and pre-consult with the police prior to making new applications.
4. Cashino Gaming Limited has full authority to provide bingo facilities through the grant of an Operating Licence issued by the Gambling Commission, which has approved the measures which Cashino Gaming Limited has put in place to ensure that it implements effective anti-money laundering procedures, security procedures and trades responsibly in accordance with gambling legislation, the Licensing Objectives and the Licence Conditions and Codes of Practice.
5. Cashino Gaming has never had a review of a bingo premises licence.
6. Cashino Gaming Limited holds key positions within the Bingo Association and BACTA (the trade association for the amusement and gaming machine industry in the UK) Executive and Social Responsibility Committees, working closely with these groups to innovate and promote Compliance and Social Responsibility within the industry.
7. Cashino Gaming Limited has over 50 Personal Management Licence Holders throughout its Operational structure, all of which are aware of their roles and responsibilities in regard to the Licence Conditions and Codes of Practice (LCCP). Legal obligations are placed upon personal licence holders to promote the Licensing Objectives whilst undertaking their respective duties.
8. Cashino Gaming Limited has appointed a dedicated team of compliance auditors that work independently of the Company's Operations Team to continually assess premises' compliance with the governing legislative standards and Company Policy and Procedure. The Company conducts a minimum of two compliance audits per year in each venue. Audits include 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 of all relevant criteria. Venues may be re-visited and any additional training needs addressed. Records of incidents, interactions, self-exclusion breaches and age verification checks are collated on a central hub, which is regularly reviewed and monthly reports are provided to Operations Teams.
9. Cashino Gaming Limited operates a strict marketing and promotional guidelines policy, which has been developed in accordance with the Gambling Commission's Licence

Conditions and Codes of Practice and the Advertising Standards Authority's Committee of Advertising Practice (CAP) and Broadcast Committee of Advertising Practice (BCAP) Codes. A copy of the Company's Marketing Code of Practice and sample window displays can be seen in the supporting documents.

10. Venue window displays are designed in consideration of premises location, particularly in busy high street areas where Children and Young Persons may pass by, and maintain the Company's focus that all gambling should be carried out in a socially responsible manner. Direct line of sight into premises is blocked by appropriate window displays and barriers adjacent to entrances, which minimise exposure of underage individuals to ambient gambling.

### **Relationship with the Responsible Authorities and Interested Parties**

11. Cashino Gaming Limited takes its duty to operate safe and Gambling Act 2005 compliant premises seriously. To this end, the Company has always sought to maintain good relations with local police and licensing authority teams.
12. For the purposes of the current application the Police Licensing Team on 19 November 2020, and they confirmed on the same date by response that they had no issues or concerns with the premises.
13. It is rare for our venues that operate throughout the night to attract customers leaving alcohol licensed venues as the entertainment offering is significantly different. Cashino Gaming Limited's late night operation appeals to shift workers and employees of the late night economy and our detailed policies, procedures and safeguards are designed to ensure that premises operation remains safe and secure for both staff and our customers.
14. All Cashino venues operate a strict zero tolerance drugs policy and refuse service to individuals who are deemed to be under the influence of alcohol. The company's extensive training, which incorporates Gamcare approved social responsibility and customer interaction tools are designed to ensure minimal conflict and successful implementation of our strict policies. In our experience, incidents of customers attempting to enter our venues whilst intoxicated or attempting to consume alcohol within our venues remains low across the Company's licensed estate regardless of premises location.
15. None of the remaining Responsible Authorities under the Gambling Act 2005 such as the Police, Gambling Commission, Environmental Health and Child Protection teams, have raised any specific concerns regarding Cashino Gaming Limited's bingo premises licence proposals. None have objected.
16. During the consultation period no trade body or private organisation specialising in adult or child vulnerability support have raised any concerns regarding Cashino Gaming Limited's proposals for the new bingo premises.
17. Cashino Gaming Limited's detailed policies and procedures are designed to ensure that all gambling in Company premises remains responsible, controlled and that the Licensing Objectives are continually promoted.
18. Cashino Gaming Limited has considered local police crime statistics and the premises location along with the Council's Statement of Licensing Principles under the Gambling Act 2005. We understand that the local area does suffer with general crime and disorder albeit not specifically associated with gambling premises. We understand that the Police believe that there are some betting premises that suffer with incidents of Anti-Social behavior. 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, lines of communication will be 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.

19. We have identified local providers of vulnerability support services within the local area risk assessment. Whilst these organisations have not raised any concerns regarding the current proposals, the Company will contact 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 premises training and evaluation.

#### **Cashino Gaming Limited Compliance – Protection of Children and Vulnerable**

20. Cashino Gaming Limited was selected by the Gambling Commission as one of the first top 40 licensees to prepare an annual assurance statement due to its size and scale of operation. Annual Assurance Statements enable an annual comprehensive review of the business, completed at Board level, in consideration of the effectiveness of the Company's governance and risk management arrangements designed to facilitate positive consumer protection, address gambling-related harm and crime prevention measures. This process ensures that the highest standards are implemented across the Company's estate from Board through to premises level.
21. In August 2020, Praesepe Limited, Cashino Gaming Limited's parent Company, and Cashino Gaming Limited's Merkur brand premises obtained G4 Global Gambling Guidance Group accreditation, which can be seen in the supporting documents. G4 is a group of international experts in the field of problem gambling and responsible gambling and accreditation is awarded to responsible operators. Audit reports identified that 'Customer care is of an exemplary standard in all Merkur Venues, regulatory compliance policies and procedures are excellent...and provide a strong foundation for consistent approaches to Responsible Gambling across the (Company's) estate'.
22. Cashino Gaming Limited operates training upon recruitment and then 6-monthly refresher training programmes for all employees. Training modules include 'The Essentials of Compliance and Social Responsibility' which covers the Gambling Act 2005, Licence Conditions and Codes of Practice, the Licensing Objectives under the Gambling Act 2005 and 'Safeguarding Children & Vulnerable People', which focus on assisting staff to recognise and respond to indicative behaviours of potential problem gambling and vulnerability and how to conduct effective customer interaction. Initial six-week, classroom based, induction training is completed for all new venue teams and includes customer interaction role play and exposure to operation and customers in live venues. Following site opening, new teams are provided regular follow up and support. The Company also incorporates Gamcare and Bingo Association accredited Social Responsibility and Interaction training for its premises management teams. Excerpts from the Company's training platform are provided in the supporting documents.
23. Cashino Gaming Limited has two National Training Centres where venue teams receive face to face training which includes identifying signs of potential problem gambling and other vulnerabilities such as homelessness. Staff are rigorously 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 GambleAware, offering participation in the Bingo Association's national self-exclusion scheme and refusing service where deemed necessary.
24. Cashino Gaming Limited 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 triggered to ensure play remains responsible.

25. Following a customer interaction, customers may be offered a variety of self-help measures, where appropriate, such as the Playright App to control and monitor spend and time spent gambling, time outs, information regarding gambling support services and self-exclusion. For customers deemed to be at risk who do not agree to self-exclusion we reserve the right to bar customers, should the need arise. Staff members are provided detailed training to ensure that interaction is completed in a sensitive manner whilst ensuring that the Company's policies and procedures are effectively implemented.
26. Cashino Gaming Limited has undergone Gambling Commission inspection and Company training and compliance policies and procedures comply with the Licence Conditions and Codes of Practice attached to the Company's Operating Licence.
27. Examples of some of Cashino Gaming Limited's responsible gambling information have been provided in the supporting documents.
28. As part of Cashino Gaming Limited's continuing commitment to high standards of staff training and compliance, the Company has engaged the services of YGAM (Young Gamers & Gamblers Education Trust). The charity will work in partnership with another charity, Betknowmore, to develop and provide additional training and resources for venue and area managers. Training will be designed to complement our existing face to face training and will be City and Guilds accredited.
29. Cashino Gaming Limited promotes the use of the customer self-help tool called Playright. All venues have the capability for customers to sign up to the App and staff are fully trained and able to advise on its use. This responsible gambling tool enables customers to set time limits on their machine play. Subject to the customers' set permissions, the system has the ability to send an alert to the venue should the customer enter at a time they have chosen not to gamble. This alert would then trigger a customer interaction.
30. All Cashino Gaming Limited's bingo premises are adult only and operate a strict Think 25 policy. Age verification procedures are embedded in Company training platforms and responsible gambling policies. Age verification test purchasing and mystery shopper visits are frequently carried out by third party companies (Check Policy and Store Checker) and test results can be provided to the Licensing Authority upon request.
31. Extracts of Cashino Gaming Limited's Compliance and Social Responsibility policy have been included with our hearing documentation, which highlight the priority given to responsible gambling and the provision of responsible gambling information to our customers and staff members.

### **Proposed site location**

32. A detailed local area risk assessment has been submitted designed in consideration of Doncaster Councils Gambling Licensing Policy, Gambling Local area Profile, local crime statistics, local demographics and establishments that may impact on potential customer vulnerability and local crime and disorder.
33. Local analysis is an invaluable tool to direct local resources and assists with the identification of potential risks and the development of local training and partnership to ensure that potential risks are mitigated and that gaming in Merkur Slots premises remains responsible.
34. Cashino Gaming limited operates in many large cities and towns that have higher levels of deprivation and are subject to potentially higher levels of footfall from Children and Young Persons. In our experience venues are not more susceptible to access by underage individuals due to the nature of our gaming services and customer demographics. The Company's partnership approach and high standard of staff training,

customer monitoring and interaction has continued to ensure that all potential risks are mitigated and the occurrence of incidents remains minimal.

35. As a result of the Company's commitment to responsible operation and the resources directed to responsible play, none of Cashino Gaming Limited's 190 premises licences have been subject to review proceedings or revocation.

### **Underage Gambling**

36. Cashino Gaming Limited's detailed policies and procedures are designed to ensure that all gambling in Company premises remains responsible, controlled and that the Licensing Objectives are continually promoted.
37. By law, licensed bingo premises can permit under 18s on the premises and can also apply for a premises licence under the Licensing Act 2003. All Cashino Gaming Limited's premises are strictly adult only, operate Think 25 and none of our 90 high street bingo premises seek to obtain a licence under the Licensing Act 2003.
38. Unlike many other licensed operators, such as some licensed betting premises and adult gaming centres, the proposed Merkur Slots venue will apply our strict marketing and advertising policy, ensuring that advertising is not appealing to underage individuals and that line of site into the venue is restricted. This will ensure that children and young persons cannot see into the premises, preventing exposure to ambient gambling with all gaming activities hidden from view.
39. Merkur Slots customer demographics are up to 50% female with an average age over 30.
40. Staff training and company policy is designed to mitigate the potential risk of underage gambling and exposure to ambient gambling.

### **Crime and Vulnerability**

41. Cashino Gaming Limited have considered local police crime statistics, the premises location, local demographics and establishments that may impact on potential customer vulnerability and local crime and disorder.
42. It is rare for our premises to be associated with anti-social behaviour or crime and disorder but our staff training procedures and security measures, including external CCTV, are designed to monitor customer behaviour and external areas for anti-social behaviour. Company policy ensures that appropriate steps are taken to minimise any risks and we record and report any incidents or concerns to Company management, for internal review and assessment, and local authorities.
43. Cashino Gaming Limited operates premises within other areas of the country with high crime statistics and manage their premises effectively and incidents relating to crime and disorder are rare. Cashino Gaming Limited are experienced operators which has proven history in operating premises in challenging areas.
44. All staff training is developed to consider local area characteristics and Merkur Slots operates on the basis that its controls and best practice are adopted at all times.
45. Cashino Gaming Limited's training scheme and control systems are proven to be effective across the Company's licensed estate but local premises management will always work with any local authorities, other authorities, trade groups and vulnerability support services to reinforce any local concerns and identify any emerging local risks within premises' training and operation.

### **Representation**

46. The representation received identifies the potential for vulnerable persons from being harmed or exploited by gambling.
47. Following receipt of the representation, myself, Mr Ambrose and Mr Tipple attended a virtual meeting with Caroline Temperton, Public Health, and Chris Greatorex, Licensing, to discuss their concerns.
48. During the meeting Mr Greatorex noted that he has visited our other two venues licensed by Doncaster Council to undertake inspections, and both went well. We are pleased to see this and thankful for his feedback.
49. Cashino Gaming Limited undertake regular test purchases on all their sites to ensure compliance and over the past few years our two other venues have received 100% pass rates.
50. Cashino appreciate the comments made by Public Health and the particular deprivation of the area. Doncaster is listed as the 42 most deprived area within the country, and Cashino Gaming Limited operate premises in 26 of the 41 areas more deprived than Doncaster with little or no issues.
51. If the committee are minded to grant the application, Cashino Gaming Limited would be committed to work with all the local vulnerability groups outlined in the Local Area Risk Assessment, and any others which are brought to our attention, to ensure a working understanding is gained of the local demographic.
52. Cashino Gaming Limited implement a self-exclusion policy throughout our licensed premises and operate a Smart Tablet system for recording self-exclusions, reinstatements and breaches. We are also members of the Bingo Association Multi-Operator Self-exclusion Scheme.
53. Cashino Gaming Limited has completed a detailed local area risk assessment, reviewed local area statistics and demographics, consulted with the local police licensing team and reviewed the Council's detailed policies in order to effectively identify any potential risks to the proposed operation.
54. Cashino Gaming Limited will implement robust security policies and procedures to monitor customer behaviour both within the premises and immediately outside the venue, refuse service to individuals who may be under the influence of alcohol or drugs and assess the vulnerability of customers entering the premises.
55. Cashino Gaming Limited will work in partnership with all responsible authorities in the unlikely event that any incidents occur.
56. Cashino Gaming Limited operate a business-wide Anti-Money Laundering (AML) policy, which is reviewed annually, and provides that the risks of money laundering in these premises are considerably low. The premise layout is designed to allow customer supervision at all times. All machines within the premises are linked to a central machine data capture system, which allows the venues to individually analyse live transactional activity for money laundering. All AML incidents, rare as they are, are reported by the venue staff via a tablet which also provides an automated email alert to myself, as the dedicated AML manager.
57. The Company's detailed training procedures and evaluation tools have been designed to mitigate any local risk to the Licensing Objectives, with a particular focus on the protection of children and the vulnerable from harms associated with gambling. Having considered the concerns raised, we believe that the proposed licence conditions will mitigate any

perceived risk. The Company's training program incorporates the Bingo Association's 'Social Responsibility and Interaction training', which is accredited by GamCare.

58. Cashino Gaming Limited understands that local risk assessment and staff training is a live matter, which is regularly assessed and adapts to any emerging or changing risks in the locations in which it operates.
59. Due to the nature of the gaming that is provided at Cashino Gaming Limited venues, it is rare for customers to congregate outside, unlike betting premises, as there is no ongoing entertainment such as a sporting event. It is also rare for our venues to have significant customer numbers at any one time and customer dispersal rarely causes concern to our local neighbours throughout all hours of operation.
60. As part our Cashino Gaming Limited's Socially Responsible Gambling Policy, customers are continually monitored and interactions completed where concerns are identified. As part of the interaction process, customer play is assessed to trigger customer affordability and source of funds enquiries to ensure that all gaming remains controlled.

### **Premises Operation**

61. The premises will be managed by an experienced shop manager who will in turn be supported by a complement of staff who will all have received the comprehensive level of training appropriate to their specific role. Training focuses on the promotion of the Licensing Objectives and a copy our Policies and Procedures has been provided as part of our hearing bundle.
62. The Merkur Slots premises layout has been developed to facilitate customer observation and all staff members provide regular sweeps of the premises to ensure positive engagement with our customers and facilitate continuous observation and customer interaction.
63. Merkur Slots staff members are not restricted to counter positions that may be found in other licensed venues, such as betting premises. Our staff are actively encouraged to move throughout the premises and proactively engage with all customers, particularly on entry, not only to implement our Think 25 policy, but to build customer relationships and ensure effective identification of potentially vulnerable individuals.
64. All Cashino Gaming Limited's staff members actively monitor and manage the area immediately outside their premises and record all incidents should they occur. Reporting lines are set up with local police teams to ensure that any potential local issues are identified and addressed.
65. All Cashino Gaming Limited premises operate extensive CCTV throughout customer facing areas and also external areas to assist with monitoring customer behaviour and that of other individuals in the immediate vicinity of the premises. CCTV displays are appropriately situated to ensure that all customer areas are monitored.
66. It is very rare for our premises to employ dedicated SIA registered door staff as, in our experience, this is almost never necessary. We do not have SIA conditions on any of our bingo premises licences. However, staff numbers and rotas are continuously reviewed to adapt to customer numbers and cognisance is taken of police advice.

### **Conclusion**

67. The business of Cashino Gaming Limited is the provision of safe and pleasant gaming environments. It remains crucial to the business that customers feel safe and welcome in Merkur Slots premises. This principle is fundamental to Company management strategy

from head office to premises level. It is a principle which as a company we have achieved in all of our venues, which provide safe, welcoming and congenial environments for our customers.

68. 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, Cashino Gaming Limited does not wish to run licensed venues which cause regulatory issues, and the Company devotes a great deal of time and resources to ensuring that there are none.
69. In my experience a good manager and their team will know regular customers well and new customers will always attract raised awareness.
70. In my experience I can state that it is rare for our premises to be the cause of, or otherwise associated with, crime, disorder or nuisance to nearby premises due to the nature of our gaming premises and our customer base.
71. Cashino Gaming Limited continues to take very seriously any issue which its presence creates, both out of respect for the local community and because its licence and commercial reputation depends upon it.

Ms Amanda Kiernan, Head of Compliance, Cashino Gaming Limited

Date: 8 March 2021

**Witness statement from Steve  
Ambrose, Operations Director at  
Cashino Gaming Limited**

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## LICENSING SUB - COMMITTEE HEARING – 19 MARCH 2021

### SUPPLEMENTAL STATEMENT – STEVE AMBROSE

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1. I am the Operations Director for Praesepe having held this position since December 2016 responsible for all day to day operations across our estate of Adult Gaming Centres, High Street Bingo premises and Bingo Halls.
2. I am a Director of the Bingo Trade Association "The Bingo Association" and the Vice Chairman of the Amusement Trade Association "BACTA" covering Adult Gaming Centres across Great Britain.
3. I started in the Gaming Industry in 1992 and have held a multitude of positions ranging from Customer Service Assistant right up to my present position of Operations Director, this experience has enabled me to gain an understanding of the complexities of operating in gaming businesses both big and small, in rural and city centre locations.
4. Through my years of working in the gambling industry I can state categorically that it is rare for Cashino Gaming Limited's venues, and specifically its high street bingo premises, to be associated with crime and disorder, anti-social behaviour or local nuisance.
5. Whilst I appreciate this may be different to perceived risks that may be associated with other licensed gambling venues, such as betting premises, I believe this reflects the type of gaming operated by Cashino Gaming Limited and its customer demographic, which is approximately 50% female with an average age of over 30.
6. Due to the nature of the gaming services provided at our high street bingo venues, customers do not congregate outside our venues, unlike betting premises that may show sporting events over long periods of time. In our high street venues, there is no 'event' taking place.
7. Across the high street bingo estate, average customer numbers at any one time remain relatively low, in single figures, and customer numbers between 5 and 10 at any one time, would be considered an exceptionally busy period.
8. Customer numbers do not vary significantly throughout the hours of premises operation and due to the relatively low numbers, later hours of operation are often sought, with the majority of Merkur premises operating into the early hours. Later hours of opening appeal to shift workers and employees of the late-night economy and Merkur Slots policies, procedures, safeguards, and security measures are designed to ensure that premises operate securely and safely at all hours of operation.
9. All our venues operate CCTV throughout, which is designed to not only assist with monitoring all customer facing areas but to cover the area immediately in front of our venues, which provides additional security in the high street areas in which we operate.
10. Our venue teams seek to form genuine relationships with local police, town centre groups, support services and Betwatch or Pubwatch schemes should they be available. Our staff are proud of the areas in which they live and work and do not wish to see any level of anti-social behaviour.
11. We set out to provide a comfortable and convivial atmosphere. Our premises are carpeted, well-appointed and spotlessly clean. Our staff are smart and friendly. They are not positioned behind a counter, but are present on the trading floor, circulating and interacting with customers and offering tea and snacks.

12. Staff levels are continually risk assessed to ensure that sufficient numbers are maintained not only to enable effective premises management but also to ensure that customers can be continually monitored and assisted where necessary.
13. Customer monitoring, interaction and any incidents including implementation of our Think 25 policy are recorded on electronic IHL tablets. This technology enables all recording to be logged whilst staff are present in customer facing areas and it is rare for staff to be called away to back office areas during their shifts. IHL tablets are linked through a central system so that Cashino Gaming Limited's independent audit team can regularly monitor all records.
14. The Company's audit department collates and evaluates monthly reports on venue operations and management to allow continued assessment of operational compliance, including monitoring self-exclusions, under-age checks and any untoward behaviour. The monitoring process allows venues to adapt to any emerging risks and staff training requirements.
15. Our venues operate a ticket in ticket out system, which minimises the need for cash handling on site during opening hours.
16. Machine emptying is only carried out when customer numbers are low and security systems implemented, which include activating the premises maglock and ensuring sufficient staff remain on duty.
17. Cashino Gaming Limited venues also operate time delay safes where keys are stored. All cash is retained within the GeWeTe change machine on the venue floor.
18. Venues are equipped with our staff guard system. The system allows direct communication with a central monitoring station through audio and CCTV. The central monitoring station would then contact the relevant emergency services in case of incident.
19. All of these features mean that our premises provide safe and congenial environments and do not impact on their localities. In my experience, while concerns are sometimes expressed by local residents and some authorities with regard to theoretical risks and the potential impact when applications are made, such concerns vanish once premises actually open.

Mr Steve Ambrose, Operations Director, Cashino Gaming Limited

Date: 8<sup>th</sup> March 2021

**Witness statement from Andy Tipple,  
Head of Product at Cashino Gaming  
Limited**

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**LICENSING SUB-COMMITTEE HEARING – 19 MARCH 2021**  
**SUPPLEMENTAL STATEMENT - ANDY TIPPLE**

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**Cashino Gaming Limited**

1. Cashino Gaming Limited has reviewed Doncaster Councils Gambling Licensing Policy and the local area profile. A detailed local area risk assessment has been designed to identify all potential local risks and the measures that will be implemented to mitigate those risks.
2. The Company is committed to working in partnership with local Responsible Authorities and local groups, including those providing support services to vulnerable individuals. The Company will contact local organisations, to provide information regarding responsible play and self-help tools, and also request any information regarding any relevant or emerging matters which can then be incorporated, as appropriate, in our site protocols and training.
3. Cashino Gaming Limited operates over ~90 'High Street Bingo' premises, 5 bingo clubs, 5 Family Entertainment Centres and 87 Adult Gaming Centres throughout Great Britain.
4. The development of High Street Bingo has occurred because customers are decreasingly interested in attending large, sub-regional bingo halls and, even when they do, increasingly wish to play bingo with an electronic terminal rather than marking numbers off a card. Accordingly the High Street Bingo model has evolved, with a customer offer of live and automated bingo played on terminals together with gaming machines in accordance with the permission provided by a bingo premises licence.
5. The governing legislation provides strict limits on the types of gaming machines that may be made available in bingo premises, which is the same as that permitted in licensed Adult Gaming Centres.
6. Cashino Gaming Limited premises do not operate Fixed Odds Betting Terminals (FOBTs/category B2 gaming machines) unlike licensed betting premises.
7. High Street Bingo premises operate a combination of category B3 and C gaming terminals with stakes ranging from 10p through to £2.
8. Across Cashino Gaming Limited's venues the average stake placed is between 30p and 40p. Only 20% of the machines may be category B3s. The remainder, being the category C gaming machines, have the same stake and prize levels as those offered in pubs.
9. Merkur Slots, Doncaster will not operate 'infill' gaming machines.
10. All Cashino Gaming Limited premises are sufficiently staffed to ensure effective implementation of the Company's Think 25 policy and all staff are fully trained on the three Licensing Objectives under the Gambling Act 2005, with particular focus on the protection of vulnerable persons from being harmed or exploited by gambling. Full written details of the training and the Company's operating procedures have been provided in the hearing bundle.

Mr Andy Tipple, Head of Product, Cashino Gaming Limited

Date: 8 March 2021

**Witness statement and appendixes  
from Darrell Butterworth, Independent  
Licensing Consultant**

## **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

Age if under 18: Over 18

Occupation: Licensing and Security  
Compliance Manager

*(if over 18 insert "over 18")*

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This statement (consisting of 12 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 1<sup>st</sup> March 2021

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 Merkur Slots at 37-39 St Sepulchre Gate Doncaster DN1 1TD ("The Venue").
2. This investigation was carried out during a national lockdown due to Covid-19 and therefore is restricted in relation to the actual operation of other venues in the area. Should this situation ease prior to the forthcoming hearing it is my intention to re-attend the area and update this report by way of a supplementary statement

### **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. In March 2013 I spent 3 days in the London Borough of Newham visiting 111 different betting shop premises to observe customer usage and monitoring their compliance with the Gambling Objectives. In April 2013 I spent 7 days in the London Borough of Newham visiting 109 different betting shop premises to observe customer usage and monitoring their compliance with the Gambling Objectives. In May 2013 I spent 5 days in the London Boroughs of Brent and Haringey visiting 174 different betting shop premises and monitoring customer usage and their compliance with the Gambling Objectives.
11. In November 2013 I spent 2 days in the London Borough of Newham visiting 13 betting shop premises to observe customer usage and their compliance with the Licensing Objectives. In December 2013 I spent 4 days in the London Borough of Newham visiting 24 different betting shop premises to observe customer usage and their compliance with the Licensing Objectives. In April 2014 I lived in the Haringey area of London for a four-day period visiting several betting shop premises and conducting observations on criminal and antisocial behaviour.
12. In August 2018 I spent a day in the London Boroughs of Camden, Tottenham and Kilburn visiting Gambling Licensed Premises. In these areas similar concerns had been raised by local councillors and the Public Health Authority that the venues would lead to increased crime and disorder in the area and vulnerable people would be adversely affected. Whilst conducting these visits I did not observe any of the issues raised in the representations submitted in respect of that application.
13. In August 2020 I spent two days in the Rochdale and Droylsden suburbs of Manchester, conducting observations. The application subject of those observations received a number of representations from church leaders, residents and local councillors regarding the deprivation in the locality of the proposed venue, crime and disorder and the locality being located near to other gambling type and alcohol led premises. During my observations I found no evidence to support these representations and the licence was granted following a hearing.
14. In September 2020 I spent two days in the Harehills area of Leeds conducting observations in respect of an application for a new Gambling Premises licence.

The Harehills area is one of the most socially deprived in the City and is prominent in many of the indices used to measure social deprivation. In the same month I also attended the High Road, Tottenham visiting an Licensed Gambling Premises including 4 betting offices.

15. In October 2020 I spent two days in Blackpool conducting observations in respect of an application for a new gambling premises licence. Already in the area were 3 adult gaming centres and 3 betting shops. Also, in October 2020 I attended a zoom conference aimed at Licensing Consultants, Police officers, and local authorities when updates were given on amendments to the Gambling Act and amended guidance from the Gambling Commission.
16. At the end of October 2020 I spent two days in Newbury visiting Licensed Gambling Premises. In December 2020 I spent a day in the Acocks Green area of the West Midlands visiting Betting shops and gaming centres. In February 2021 I spent two days in the Worcester City Centre area conducting observations in respect of an application for a new Bingo licence.
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. 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 Richard Bradley of Poppleston Allen solicitors to investigate a new Gaming Premises Licence application at 37-39 St Sepulchre Gate Doncaster DN1 1TD. The application has received representations from the Director of Public Health supported by the Licensing Authority, 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 visit similar locations where Merkur Slots currently operate licences to assess the impact of those venues on the local communities.
  - iii. To analyse the current crime trends in the area to see what impact the existing premises have on Crime and Disorder.

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

20. The representation appears to be about the area and local community in which the proposed premises are to be located. However, no evidence has been provided to show that the current premises managed by the applicant since 2016 and located 200 yards from the application site creates any of the issues raised to the current application. In fact having a venue already operating in an area means that the staff employed already have a knowledge and can identify vulnerable members of the local community and can prevent them entering the venue or causing a problem to other customers.

23. In my experience the vulnerability issues created from premises licensed as a high street bingo premises are much lower than those created from a licence granted to a betting office. There are several reasons for this, including the fact that people tend to go to high street bingo 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 remain inside.

24. The staff employed at a high street bingo 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 bingo 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 bingo premises are female and this was certainly the case in the high street bingo premises I have visited. A further difference between high street bingo 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 bingo 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 did not

observe any issues regarding customers congregating outside the high street bingo premises observed during this period of observations

26. As a result of the representations made regarding the area subject to the application, I decided to visit the area of the current application. Comparatively, I have also visited Rochdale where the applicant currently operates a bingo Centre, an area which I believe is more socially deprived than Worcester and equally as challenging to operate gambling premises in as The Cross 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. I photographed the Merkur Slots venue (exhibit reference letter DJB 1 refers). 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 Weatherspoon'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 were using the machines. A male and female member of staff was present, and I noted signage containing the Gambling Premises Licence, Challenge 25, responsible gambling and No alcohol. Face covering was mandatory and hand sanitisers were positioned in several locations around the premises. I later returned to the venue and took a photograph of the signage (exhibit reference DJB 2 refers).
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 Merkur Slots. 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 3 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.

### **Application premises, St Sepulchre Gate Doncaster**

#### **Saturday 27<sup>th</sup> February 2021**

39. On my journey to Doncaster I had cause to stop at the Ferrybridge service area. On entering the building I noted a machine type premises located in the central area, which was clearly visible to everyone entering and leaving the premises. Unlike the proposed venue in Doncaster this site had no shop frontage to prevent anyone from observing the gambling by people inside. I took a photograph of the location to show how visible the activities inside would have been had the premises been able to open (exhibit reference letter DJB 4 refers).
40. I arrived in the Doncaster town centre area at 1130 on Saturday 27<sup>th</sup> February 2021 and my observations concluded at 1800 hours that same day. My observations were recorded into a notes document which I later transcribed into a record of observations log for the purpose of this report (exhibit refer letter DJB 5 refers).
40. I identified the former travel agents venue subject to the Premises Licence application on St Sepulchre Gate and noted that the Premises Licence notice was still prominently displayed in the ground floor window. I assessed the area has being predominantly business use with office and shop units at ground floor with further offices and a small number of residential apartments on the upper floors. Signage in the area indicated that parts of the town centre were covered by a Public Spaces Protection Order.
41. A large number of venues appeared closed and signage indicated that it was not due to the pandemic but that the unit was up for rent/sale. Immediately opposite the application premise is the Frenchgate shopping centre and the highway in between was pedestrianised with access only for vehicles after 5pm. A number of units did not have any additional window or door security

- shutters. Despite this no damage had been caused to any of the doors or windows. Graffiti in the area or damage to street furniture was also not extensive.
42. Immediately to the North elevation of the venue was the door way to a Coral betting office but the actual shop floor was not visible from the highway. Immediately to the South elevation of the application venue was a double fronted Café Nero and offices appeared to be on the upper floors. No public access could be gained to the rear of the site.
  43. I then looked around the area for signs of residential accommodation. The nearest residential accommodation identified, and those most likely to be impacted on by the activities at Merkur Slots, was at upper floor levels of The Burton Apartments at 21-27 St Sepulchre Gate. I then looked around the area for signs of local authority-controlled CCTV cameras. Two such cameras were located, St Sepulchre Gate/ West Laith Gate and St Sepulchre Gate and High Street. The former appeared to have a comprehensive line of sight to the applicant's venue.
  45. I then looked around the area for other gambling premises. I identified Coral on St Sepulchre Gate; Cashino (Merkur Slots), Bet Extra, MegaBet on the High Street; BetFred on the High Street and Cleveland Street; Ladbrokes Market Place and Printing Office Street; Jackpot Amusements on Duke Street; Admiral on Baxter Gate; Mecca Bingo East Laith Gate; William Hill and Paddy Power on Market Place.
  46. The nearest place of religious worship identified was the Priory Place Methodist Church on Cleveland Street. The nearest education establishments identified were Doncaster UTC a quarter of a mile away, and the Doncaster College on the opposite side of the town centre..
  47. During this period of observations I took footfall counts of pedestrians passing by the site of the proposed premises. every hour. Even though a national lockdown was in force at its peak more than 1,300 people an hour passed by and St Sepulchre Gate remained a busy thoroughfare through the town centre. After 1700 the number of pedestrians passing through the town reduced considerably.
  48. At 1313 a male was observed buying 3 lottery cards from WH Smith. At 1334 a beggar in a green hoody approached me and asked me for spare cash. At 1420 I observed a male in the West Street railway station car park drinking a can of Kronenbourg. The male, who said he was called Carl, engaged me in conversation and told me that he had travelled down from York on Friday and had stopped off at Doncaster on his way to London. At 1750 that day the male

was seen asleep in the corner of the station car park (photograph exhibit reference letter DJB 6 refers).

49. No other noteworthy incidents took place and at 1800 hours I concluded my observations and left the area.

### **Summary**

52. The representation made uses statistical analysis that reflects the social context of Gambling in general in the Doncaster area with a particular emphasis on gambling by young people. It does not provide the gambling committee with any evidence that the manner in which Merkur Slots operates and manages its venues contributes in any way to these statistics anymore than, for example, the National Lottery does. Should the current Merkur Slots venue on the High Street Doncaster be significantly adding to these problems, such evidence would be made available to the committee. However, there appears to be no criticism from any of the Statutory Authorities or any other person of the manner in which their current premises is operated.
53. During my time spent in Doncaster town centre I saw limited signs of routine foot patrolling of the areas by police officers and police community support officers. Patrolling of the area was also carried out by private security officers predominantly from the Frenchgate Gate shopping centre. Non-aggressive begging was observed in the area and street drinking took place despite the public spaces protection order being in force.
54. The nature of the begging, street drinking and visible signs of deprivation and homelessness was not as evident as some of the areas that I have visited and where Merkur Slots operates successful businesses. I did not observe any physical nor social aspects of the Doncaster town centre which led me to consider that Merkur Slots should not be able to operate a successful second business in this location.
55. At paragraph 23, 24 and 25 above I outlined what I consider to be major differences between a betting office premises and a bingo premises. What I observed during these observations confirms and reinforces my experiences outlined above. In my experience the change of these premises from an empty unit to a bingo machine premises will improve the area for local residents and businesses and reduce the levels of crime, disorder and anti-social behaviour in Doncaster.

55. During the observations I did not observe any evidence of criminal damage or vandalism to property which I have often observed during visits to other towns and cities.
56. Another indication that a town centre suffers from irresponsible criminal behaviour is the security measures taken by stores. Shop frontages did not always have roller shutter security to prevent damage when closed or prevent unauthorised access out of hours. This was particularly noticeable as many venues have been closed for long periods due to lock down. Despite being empty for so long, shop windows remained intact and the street furniture appeared to be well maintained and undamaged.

**Conditions proposed by the applicant**

57. Although I did not see any serious 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. These conditions go above and beyond those attached to the Gambling premises currently operated in this area. 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 representation.

**Conclusion**

58. Throughout my observations I saw no groups of people congregating outside the current betting offices and no breaches of conditions by any operator. No such conduct occurred in the vicinity of the application site, betting offices or the current Gaming venues observed. 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 machine type premises, as proposed in Doncaster, exacerbates the current levels of Gambling in an area or that the locating of a bingo licensed premises increases the risk to vulnerable people in a location.

Darrell Butterworth  
1<sup>st</sup> March 2021

**Appendix**

Exhibit reference letter DJB 1 Photograph of Merkur Slots site at Rochdale  
Exhibit reference letter DJB 2 Photograph of Merkur Slots signage at Rochdale  
Exhibit reference letter DJB 3 Photograph of machine premises Liverpool  
Airport  
Exhibit reference letter DJB 4 Photograph of slot machine venue Ferry Bridge  
services.  
  
Exhibit reference letter DJB 5 Observation log Doncaster 27<sup>th</sup> February 2021.  
  
Exhibit reference letter DJB 6 Photograph of rough sleeper located Doncaster  
station car park.

**Observations Log PRO FORMA** Exh ref letter DJB 05

**Premises**

Name of premises	Merkur Slots
Address of premises	37-39 St Sepulchre Gate, Doncaster DN1 1TD
Day/ Date of visit	Saturday 27 <sup>th</sup> February 2021
Name of consultant conducting visit	Darrell Butterworth

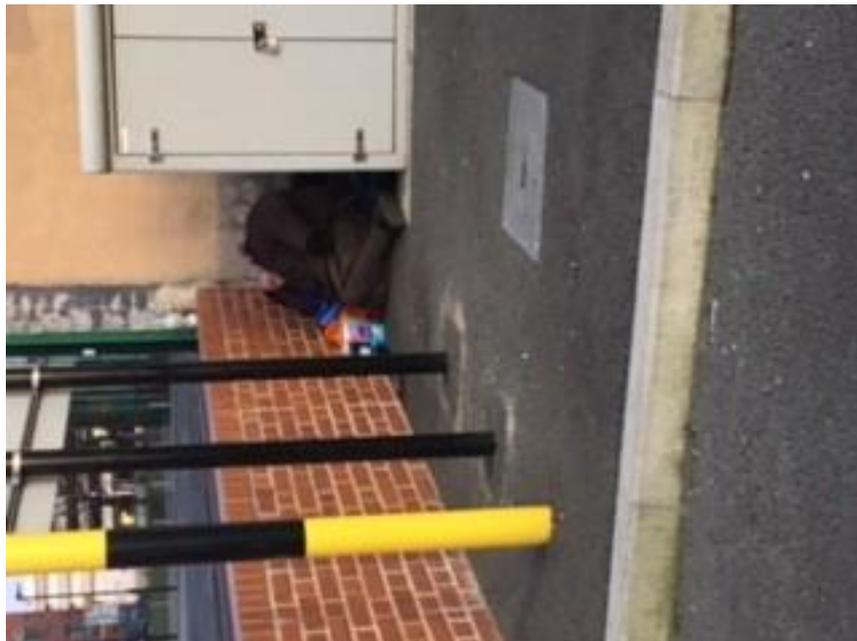
Time	Comment
11.30	Arrived in Doncaster Town centre area. Located applicant premises on St Sepulchre Gate. Premises licence application still visible in the window. Business area with small amount of residential accommodation on higher floors. Police vehicle parked outside Peacocks. McDonald's open until 23:00 hrs. I identified Coral on St Sepulchre Gate; Cashino (Merkur Slots), Bet Extra, MegaBet on the High Street; BetFred on the High Street and Cleveland Street; Ladbrokes Market Place and Printing Office Street; Jackpot Amusements on Duke Street; Admiral on Baxter Gate; Mecca Bingo East Laith Gate; William Hill and Paddy Power on Market Place. The camera at Laith Gate appeared to give line of site to the proposed venue. Lots of empty shops up for let. Public places protection order signs in place.
12.45	Between 12.30 and 12.45 326 pedestrians walked past the site of the proposed premises.
13.13	Male buys 3 scratch cards in W H Smiths.
13.31	2 Police officers walk along St Sepulchre Gate
13.34	Approached by a male in a green top asking for spare change.
13.45	Between 13.30 and 13.45 265 pedestrians walked past the site of the proposed premises
14.20	Male drinking can of Kronenbourg in West Street Car Park of Doncaster station, second open can on the floor, bedding and bags behind car park wall. Male said he was called Carl and that he had travelled from York the previous day and had stopped off at Doncaster on his way to London.
14.45	Between 14.30 and 14.45 205 pedestrians walked past the site of the proposed premises
14.50	2 PCSOs cycle along St Sepulchre Gate West.
14.54	3 males drinking cans of beer in the grounds of Doncaster Minster.
14.55	2 males drink bottles of Peroni outside the Bucharest Supermarket on Nether Hall Road.
15.15	Police Vehicle travels along East Laith Gate with blue lights flashing.
15.34	2 private security officers walk along St Sepulchre Gate
15.38	Male in grey hoody begging on St Sepulchre Gate.
15.45	Between 15.30 and 15.45 130 pedestrians walked past the site of the proposed

	premises.
15.48	2 Private security officers walk down the High Street.
16.26	Male walks along St Sepulchre Gate drinking from a bottle of Peroni. He sits on the Sepulchre Monument to finish his bottle.
16.37	Male in grey hoody continues begging along St Sepulchre Gate.
16.45	Between 16.30 and 16.45 97 pedestrians walked past the site of the proposed premises.
16.50	The male in the West Street Car Park is now asleep behind the wall. Second male on West Street asks me for money.
17.19	Male drinks from a bottle of beer outside Frenchgate Shopping Centre.
17.42	A group of 13 females and 4 males (Approx 16 years of age) walk noisily along St Sepulchre Gate, shouting and screaming, not social distancing. Security officers from Frenchgate move them on and they continue noisily towards Doncaster Railway Station. The group are dressed as if they are going out for the night.
17.45	Between 17.30 and 17.45 70 pedestrians (including the 17 youths) walked past the site of the proposed premises.
18.00	No further incidents of note, ceased observations and left the area.

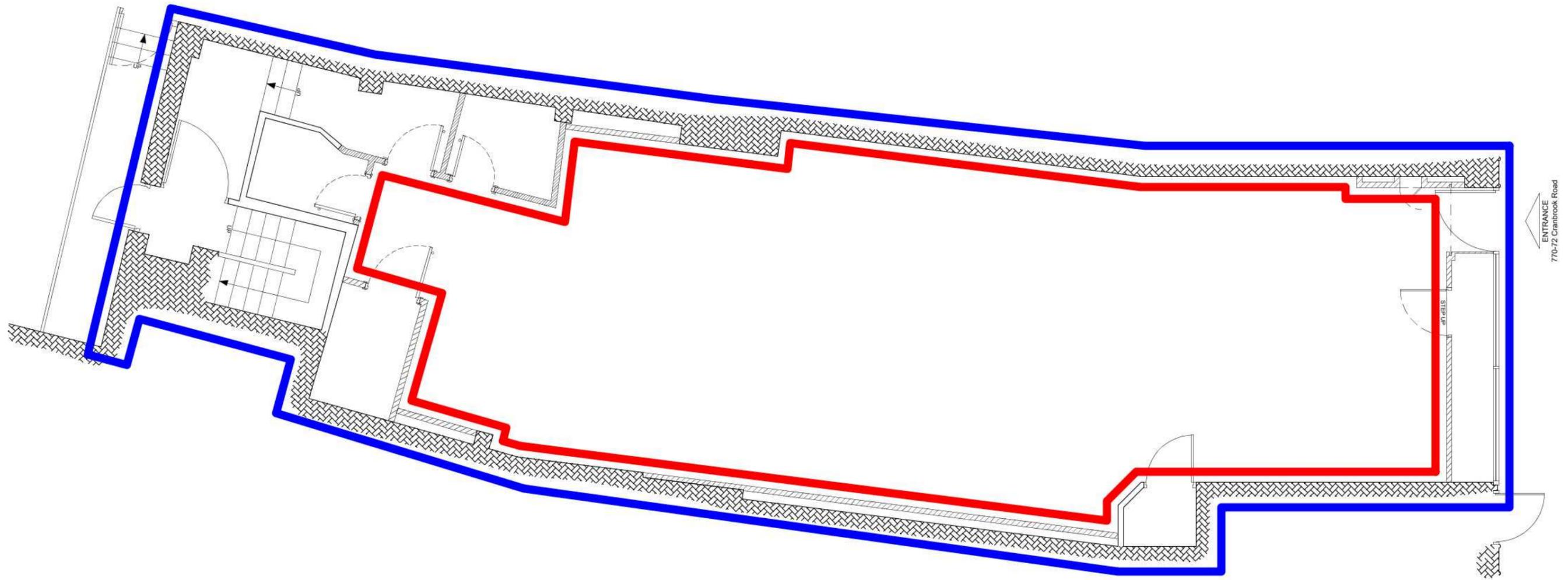








# **Copy of Licensing plan of the premises**



ENTRANCE  
770-72 Cranbrook Road

LICENSE PLAN LEGEND	
LINE TYPE	LINE TYPE DESCRIPTION
	AREA IN WHICH FACILITIES WILL BE PROVIDED FOR GAMING.
	EXTENT OF PREMISES

**GAMBLING ACT 2005 LICENSING PLAN**  
Anything shown on this plan, which is not required by The Gambling Act 2005 (Premises Licenses and Provisional Statements) Regulation 2007 is for illustrative purposes only, and does not form part of the premises licence.

REVISIONS
REV 01: Drawing updated to current template (13/11/20).

<b>FIT OUT TYPE</b> FUTURE VENUE
<b>PROJECT</b> MERKUR SLOTS 37-39 SEPULCHRE GATE DONCASTER DN1 1TD
<b>DESCRIPTION</b> PROPOSED LICENSE PLAN

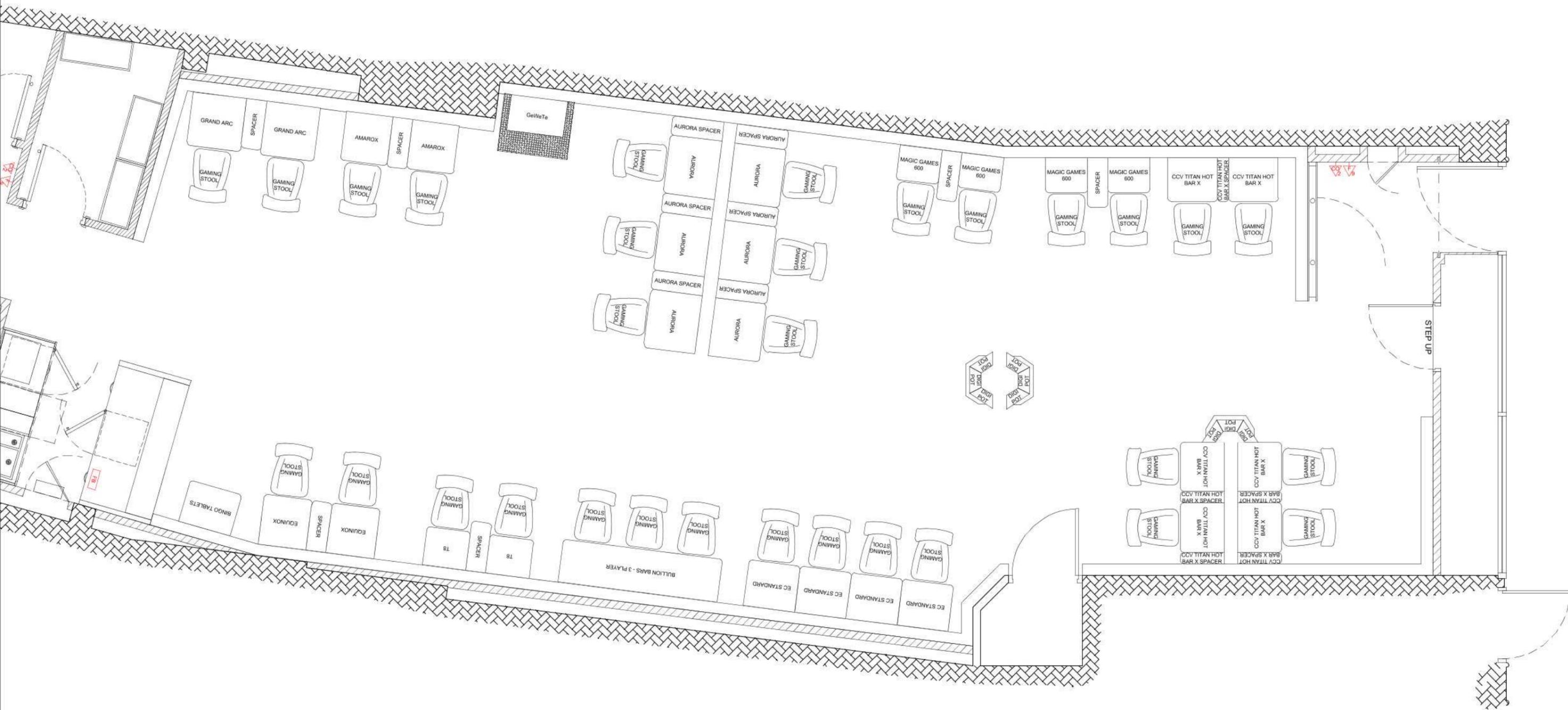
<b>REFERENCE DRAWINGS</b> MEASURED SURVEY	
<b>SCALE</b> 1:75	
<b>DRAWN BY</b> MG	
<b>DATE</b> 13/11/20	
<b>DRAWING No.</b> 999-PR-07	<b>REVISION</b> 01



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# **Copy of Illustrative plan of the premises**



REVISIONS  
 REV 01: Drawing updated to current template  
 (13/11/20).

FIT OUT TYPE  
 FUTURE VENUE

PROJECT  
 MERKUR SLOTS  
 37-39 SEPULCHRE GATE  
 DONCASTER  
 DN1 1TD

DESCRIPTION  
 PROPOSED MACHINE PLAN

REFERENCE DRAWINGS  
 MEASURED SURVEY

SCALE  
 1:50

DRAWN BY  
 S.R.B.

DATE  
 13/11/20

DRAWING No.  
 999-PR-05

REVISION  
 01



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# **Copy of the Local Area Risk Assessment**

# Merkur Slots, 37/39 Sepulchre Gate, Doncaster, DN1 1TD

## Local Area Risk Assessment

<b>Trading Name:</b>	Merkur Slots
<b>Premise</b>	37/39 Sepulchre Gate Doncaster, DN1 1TD
<b>Local Authority:</b>	Doncaster Metropolitan Borough Council
<b>Premise Licence No:</b>	New application
<b>Operator Licence No:</b>	000-003266-N-103444-024 (Cashino Gaming Ltd)
<b>Company Details:</b>	Praesepe Group, 1a Seebeck House, Seebeck Place, Knowlhill, Milton Keynes MK5 8FR Premise Licence Holder: Cashino Gaming Limited
<b>Name and Title of Assessor:</b>	Lisa Kennedy - Internal Audit Officer and Amanda Kiernan – Head of Compliance
<b>Date of Assessment:</b>	10th December 2020
<b>Review Date:</b>	On opening in conjunction with local staff

## Local Area Profile Risk Factors

Local Risk Profile:	Merkur Slots a former Travel Agency, is situated on the pedestrianised Sepulchre Gate, directly opposite the Frenchgate Centre with other occupiers in the close vicinity including Cafe Nero, Savers, TK Maxx, Co-operative Bank, Nationwide Building Society and Tui Travel Agent. There are bus stops close to the property and Doncaster Train Station is a short walk away (0.02 miles). Merkur Slots Sepulchre Gate is located within the city center, with transport links to other areas/cities.
Establishments of note:	Two Bookmakers are on Sepulchre Gate, Coral and Bet Extra. There are a further eleven in the local area. The Frenchgate Shopping Center is opposite the premises and offers High Street Shopping chains, Restaurants and Coffee Bars, along with a wide variety of Bars & Restaurants. There are a number of Adult Gambling Centres in the town including Cashino, Admiral and Haynes. Two Public Houses - The Tut n Shive and The Little Plough are a short walk away; both operate late night opening until midnight at weekends. There are a number of late night Bars and Clubs in a separate part of the town centre around 10 minutes' walk away.
Adjoining premises:	Merkur Slots Doncaster is located between Coral Bookmakers and Café Nero
Crime statistics:	During October 2020 there were 141 crimes recorded on or around Sepulchre Gate within a 250m, radius. 41 incidents of violent crime, 27 incidents of shop lifting, 18 incidents of anti-social behavior, 18 public order offences, 8 incidents of burglary, 8 incidents of criminal damage/arson, 6 incidents other theft, 4 bicycle thefts recorded, 4 incidents relating to drugs, 4 incidents relating to the possession of weapons, 2 robberies and 1 vehicle crime. In the year ending June 2020, crime rates were down in Doncaster and down in the South Yorkshire force area, compared with the corresponding quarter in June 2019. Local Policing Priorities include, plain clothes operations and burglary prevention patrols, and patrols of hotspot areas including increased foot patrols in areas of high Anti-Social Behaviour incidents.
Population:	The population of Doncaster postcode area DN1 is 243,552. Compared to other areas, Doncaster has a lower percentage of 20-24 year olds, and a higher proportion of 55-64 year olds Over a quarter of Doncaster residents live in Single households. The accommodation in the area of Sepulchre Gate consist predominantly of terraced housing & purpose built flats. Most of the housing stock is rented from private landlords, with the main occupancy being one or two people. The Doncaster town population is 19,535 residents of which 21.8% are below the age of 18 yrs. (Doncaster Town Ward Profile 2015).
Culture:	The Doncaster town population ethnic make up is 81.83% White British, 11.6% Asian/ Asian British and the remaining from other ethnic backgrounds. 31% of residents own their own property. (Doncaster Town Ward Profile 2015).
Unemployment:	Merkur Slots Doncaster is in an area with an employment rate of 81%. 33.7% work in Senior Occupations, Directors & Managerial. 20.6% work in Administrative roles and skilled trades. 19.2% work in the Care, Leisure, sales & customer service and 26.5% work in factory & Machine production roles. Unemployment rate or full time students is at 19% compared to the average UK rate of 4%. Of the Doncaster town population 4.9% of working age residents are unemployed. (Doncaster Town Ward Profile 2015).
Deprivation:	The 2019 Indices of Multiple Deprivation show that since 2015 Doncaster's deprivation ranking relative to other areas has worsened, from 48 <sup>th</sup> most deprived to 41 <sup>st</sup> (out of 317). Ranking has improved for employment, income and the environment, but has worsened for housing, education, skills, training and crime. There are a number of premises occupied by organisations supporting homeless and vulnerable persons including a YMCA on the edge of the town centre and homeless people can be seen around the town centre.
Local Police:	South Yorkshire Police, Doncaster Central When contacted local Police had no concerns with proposals



**The Gambling Act 2005 sets out the three licensing objectives (LO), which are:**

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

**Localised Risks to the Licensing Objectives**

This Local Area Risk assessment takes into consideration Doncaster Council Local Authority Statement of Licensing Policy, Reference section 4.8 for Bingo premises and Doncaster Borough Profile 2011 and Doncaster Town Ward Profile 2015.

**Environmental Factors**

In preparing this assessment Praesepe has considered the relevance of environmental factors. In this context, environmental factors include the physical location of schools, playgrounds, residential areas, other retail premises and locations (bus stations, tube stations) which influence footfall. We have set out below our position on risk in this area:

Licensing Objectives	Local Risks	Control Measures
<p>Protecting children and other vulnerable people from being harmed or exploited by gambling</p>	<p><b>Unemployment:</b> Merkur Slots Doncaster is in an area with an employment rate of 81%. 33.7% work in Senior Occupations, Directors &amp; Managerial. 20.6% work in Administrative roles and skilled trades. 19.2% work in the Care, Leisure, sales &amp; customer service and 26.5% work in factory &amp; Machine production roles. Unemployment rate or full time students is at 19% compared to the average UK rate of 4%. Of the Doncaster town population 4.9% of working age residents are unemployed. (Doncaster Town Ward Profile 2015).</p> <p><b>Deprivation:</b> The 2019 Indices of Multiple Deprivation show that since 2015 Doncaster’s deprivation ranking relative to other areas has worsened, from 48th most deprived to 41st (out of 317). Ranking has improved for employment, income and the environment, but has worsened for housing, education, skills, training and crime. There are a number of premises occupied by organisations supporting homeless and vulnerable persons on the edge of the town centre and homeless people can be seen around the town centre.</p> <p><b>Schools and Education</b> Doncaster UTC, College Road, DN1 3BF Atlas Academy, Prospect Place, DN1 3QP Hall Cross Academy, Thorne Road, DN1 2HY St Francis Xavier Catholic Primary School, Roberts Road, DN1 2JS Town field Primary School, Thorne Road, DN1 2JS</p>	<p><b>Age Verification</b> <i>Ensuring Under 18’s do not have access to licensed premises</i></p> <p>All Merkur Slots venues are strictly adult only (over 18’s only).</p> <p>Gambling is an age restricted product and Praesepe operates a ‘Think 25’ policy.</p> <p>Age verification is embedded in training platforms and responsible gambling policies.</p> <p>Over 18’s notices are displayed on the entrance.</p> <p>Think 25 advertising is prominently displayed throughout the premise.</p> <p>Merkur Slots Sepulchre Gate Premise frontage will be of a style which obscures the interior with no advertising depicting images that may appeal to children.</p> <p>Marketing and Promotional activity complies with LCCP and standards set by the Committee of Advertising Practice (CAP) and the Broadcast Committee of Advertising Practice (BCAP).</p> <p>Merkur Slots operate a comprehensive Think 25 Policy, age verification checks are carried out and recorded, any person unable or unwilling to verify their age with appropriate ID will be told to leave, if they have managed to play machines, their staked money will be returned to them.</p>

<p>Balby Central Primary Academy, Littlemore Lane, DN4 0LL</p> <p><b>Community Centres and Youth Centres</b>  Sikh Bhatra's Community Hall, 4175 Trafford Way, DN1 3AN  Maridon Pastoral Centre 5 Nether Hall Road, DN1 2PH  The Junction Community Advice Centre, 28 Urban Road, DN4 0BE  Nether Hall Area CIC, 9-13 Highfield Road, DN1 2LA  Hexthorpe Parish Hall, 12 Shady Side, DN4 0DN  Doncaster Central Development Trust, Unit 1A The Church View Centre, Church View, DN1 1AF  Doncaster Deaf Community Centre, Milton Walk, St James Street, DN1 3QG  Expect Youth, The Point, S.Parade, DN1 2DR  YMCA, 31 Wood Street, DN1 3LH  Doncaster Childrens Services Trust, Colonnades House, Duke St, DN1 1ER  Changing Lives, 2-5 Prince's Street, DN1 3NJ  Doncaster Sea Cadets, 1 Chappell Drive,</p> <p><b>Parks, play grounds and sports/leisure facilities</b>  Westfield Park, Littlemoor Lane, DN4 0LN  Town Fields, DN2 6BZ  Regent Square, South Parade, DN1 2DR  Playground, 61 Beechfield Road, DN1 2AJ  Westfield Park Playground, 61 Balby Road, DN4 0RD  Stirling Street Playground 147 Milton Walk, DN1 3QL  St James Street Play Area, DN1 3RT  Elmfield Park, DN4 5AP  St Mary's Crescent Play Area, DN1 2NJ  Doncaster Town Fields Sports Club, Bennetthorpe, DN2 6AA  The Gym, Frenchgate Shopping Centre, DN1 1SW  Boon Khwan Thai Boxing Camp, Civic Quarter, College Road, DN1 3JH  Doncaster Martial Arts Centre, 76a, Baxter Avenue, DN1 2NN  Active Doncaster, Waterdale, DN1 3BU</p> <p><b>Vulnerable and addiction support services</b>  Aspire Drug and Alcohol, 37 Thorne Road, DN1 2EZ  Better Deal Young Persons Drug Service, 83 Thorne Road, DN1 2ES  Project 3, East Laith Gate House, DN1 1JE</p> <p><b>Homeless shelters and food banks</b>  Food Bank, BME United 56-58 Beckett Road, DN2 4AJ  Food Bank, Christ Church, Thorne Road, DN1 2HG  Food Bank, Trussell Trust, Thorne Road, DN1 2HG</p>	<p>Age verification test purchasing, and mystery shopper visits are frequently carried out by 3rd party companies - Check Policy and Store Checker. Age verification tests for 2019/2020 resulted in a pass rate of 96.09% which is 20% higher than the Industry average, all venues receive 3 or 4 random test visits per year.</p> <p>Test purchase fails are reviewed within 48 hours by the Area Manager, this involves reviewing CCTV footage of the incident and implementing appropriate training or where necessary disciplinary action.</p> <p>All age verification checks are recorded on the IHL SMART Tablet AV App, this data is collated centrally and regularly reviewed by an independent team of compliance auditors.</p> <p>Results of age verification checks and third-party results are shared with the Gambling Commission.</p> <p>Proof of Age scheme in place with application forms available in the venue.</p> <p><b>Vulnerability</b>  Training and guidance are given to Merkur Slots staff on vulnerability (the inability or limited ability of people to control their actions). This includes addictive gambling, mental health, alcohol or drugs issues.</p> <p>Marketing and Promotional activity complies with LCCP and standards set by the Committee of Advertising Practice (CAP) and the Broadcast Committee of Advertising Practice (BCAP).</p> <p>All staff complete on boarding and 6 monthly refresher training which includes Safeguarding Children and Vulnerable People and Customer Interaction.</p> <p>Staff are trained how to deal with vulnerable customers and how to make effective interactions, any difficult cases are referred to our compliance team for review and resolution.</p> <p>Merkur Slots take 'know your customer' seriously including affordability checks, engaging with customer on products to enabled an informed choice and take a risk-based approach to harm minimization.</p> <p>Merkur Slots, Sepulchre Gate will support the promotion of the NHS Northern Gambling Service within the premises and guide any vulnerable people or those at risk of harm from gambling towards this support service.</p> <p>Praesepe will incorporate reference to the NHS Northern Gambling Service in its employee Safeguarding Vulnerable People from Gambling Harm training modules.</p>
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	<p>Homeless Shelter – YMCA, 31 Wood Street, DN1 3LH</p> <p><b>Pawnbrokers and Loan Shops</b>  H&amp;T Pawnbrokers, 23 High Street, DN1 1DW  Antique &amp; Bargain Stores Ltd, 28 Market Place, DN1 1NE  Cash Shop, 19 French Gate, DN1 1PZ  Ramsdens, 49 High Street, DN1 1BB  Cash Converters, 11 Wood Street, DN1 3LH  Doncaster Jewellers, 22 High Street, DN1 1DW  Albemarle &amp; Bond Pawnbrokers Ltd, 47 Sepulcher Gate, DN1 1TD  Everyday Loans, 20-22 French Gate, DN1 1QQ  Bad Credit History Loans, 11 East Laith Gate, DN 1 1JG  Finance &amp; Asset Leasing Ltd, 18 Thorne Road, DN1 2HS  CEX, 21 Printing Office Street, DN1 1TJ  Ramsdens, Frenchgate Shopping Centre, St Sepulchre Gate, DN1 1SW  Herbert Brown 47 St Sepulchre Gate, DN1 1TD  Re-Generate, 27 High St, DN1 1DW</p> <p><b>Medical Centres, Care Homes and Mental Health facilities</b>  The Medical Centre, 2 Francis Street, DN1 1JS  Doncaster Health Centre, St Sepulchre Gate West, DN1 3AP  The Flying Scotsman Health Centre, St Sepulchre Gate West, DN1 3AP  The Mount Group Practice, 54 Thorne Road, DN1 2JP  Mills Medical Services, Portland Place, DN1 3DF  DRG Health Clinic, 9 Priory Place, DN1 1BL  The Phoenix Medical Practice, Cavendish Road, DN1 2DJ  Chequer Road Clinic, Chequer Road, DN1 2AD  The Burns Practice, 4 Albion Place, DN1 2EG  Tri Health, East Laith Gate House, DN1 1JE  The St Vincent Practice, 77 Thorne Road, DN1 2ET  St Mary’s Nursing Home, Thorne Road, DN1 2JT  Amphion View Residential Home, 17-19 Avenue Road, DN2 4AG  Thorndene, 107 Thorne Road, DN2 5BE  Hollybrook House, 3 Avenue Road, DN2 4AH  Wycar Leys Doncaster Ltd, 4 Avenue Road, DN2 4AH  Socratis Clinic, 1 Cavendish Court, South Parade, DN1 2DJ  Rotherham, Doncaster, and South Humber NHS Trust, East Laith Gate,  Cheswold Park Hospital, Cheswold Lane , DN5 8AR  Wentbridge Centre, Cheswold Lane, DN5 8AR  Yorkshire Counselling, 1<sup>st</sup> Floor, Danum House, DN1 2DY  Rebound, 1 South Parade, DN1 2DY</p>	<p><b>Customer Interaction</b>  Merkur Slots provide comprehensive customer interaction training, instruction and supporting policies to all staff in this area (via training platforms, training centres and Compliance Manual).</p> <p>Staff are provided with the training to enable them to provide guidance on safer and responsible gambling.</p> <p>Staff are trained on conducting effective customer interactions, identifying behavioral changes and how to identify and interact with players who exhibit signs of developing problems with their gambling.</p> <p>Staff are trained to monitor and record customer behavior, spend and time spent gambling and customer interactions are used to assess customer source of funds/income where relevant.</p> <p>Customer interactions may result in the customer being guided to gambling support services such as Gamcare encouraged to use a self-help tool to assist them with managing their gambling behavior, such as the Playright App or Self-Exclusion.</p> <p>All customer interactions are recorded on the IHL SMART Tablet Interaction App, this data is collated centrally and regularly reviewed by an independent team of compliance auditors.</p> <p><b>Player Protection</b>  <i>To identify signs associated with problem gambling and people who may be at risk of gambling related harm</i>  <i>Failure to provide information to customers on responsible gambling</i>  <i>Failure to maintain and administer the self-exclusion process, including breaches and reinstatement reviews</i></p> <p>Staff are aware of the importance of social responsibility and are trained to advise customers on gambling responsibly and the identification of potential gambling harm.</p> <p>'Stay in Control' Posters and Leaflets containing the Gamcare helpline number are in prominent locations within the premise and in private areas, such as customer toilets.</p> <p>Playright App available for customers to self-manage their play and spend and can send alerts to Merkur Slots Sepulchre Gate if the customer enters at a time, they have chosen not to play which instigates an interaction with the customer. Merkur Slots will actively seek to support and be involved in any local initiatives targeted at reducing harm caused by gambling.</p>
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<p><b>Gambling premises</b>  Bet Extra, 1 Sepulchre Gate, DN1 1TD  Admiral Casino, 25 Baxter Gate, Dn1 1LD  Coral, 35 St Sepulchre Gate, DN1 1TD  Paddy Power, 41 Market Place, DN1 1NH  BetFred, 54 High Street, DN1 1BE  Merkur Cashino, High Street, DN1 1BE  Ladbrokes, 49 Market Place, DN1 1NJ  William Hill, 8 Market Place, DN1 1LQ  Ladbrokes, 39,47 Printing Office, DN1 1TP  Coral, 154 Carr House Road, DN4 5AP  Mecca Bingo, 1c East Laith Gate, DN1 1JG  Hayes Family Amusements, The Colonnades, 14 Pells Close, DN1 3EG  Jackpot Amusements, 46 Duke Street, DN1 3EA  BetFred 31-33 Cleveland St, DN1 3DY</p> <p><b>Public Houses and Alcohol Licensed Premise</b>  Old Castle Hotel, 10 Market Place, DN1 1LQ  Red Lion Hotel, Market Place, DN1 1NH  Jazz Café, 5-7 Printing Office, DN1 1TJ  Mallard, Unit 14, Frenchgate Shopping Centre, DN1 1SW  The Grind, 25 High Street, DN1 1DW  The Leopard, 2 West Street, DN1 3AA  Sibella Shisha Bar, 12 Priory Walk, Dnm1 1TS  Paris Gate, 76 Sepulchre Gate, DN1 1SD  Number Fifteen, 21 High Street, DN1 1DW  The White Swan, 34 French Gate, DN1 1QQ  Zest Bar &amp; Grill, 19-20 High Street, DN1 1DW  The Queen Crafthouse &amp; Kitchen, 1 Sunny Bar, DN1 1LY  The Lord Nelson, 54 Printing Office, DN1 1TR  Ballers Sports Bar, 14 Silver Street, DN1 1HQ  Tut N Shive, 6 West Laith Gate, DN1 1SF  Manana Manana, 7 Bradford Row, DN1 3NF  Doncaster Brewery &amp; Tap, 7 Young Street, DN1 3EL  The Pad, 3 Priory Walk, DN1 1TS  Debbie's Bar, 6 Silver Street, DN1 1HQ  The Lockwood, 50 Hall Gate, DN1 3PB  The Gate House, Priory Walk, DN1 1TS  The Angel &amp; Royal, Cleveland Street DN1 3EF  St Leger Tavern, 8 Silver Street, DN1 1HQ  Toast Bar, 10-12 Priory Place, DN1 1TS  Corner Pin, 145 St Sepulchre Street, DN1 3AH  Vintage Bar, 64-66 Silver Street, DN1 1HT</p>	<p>Socially Responsible messaging is implemented on all digital B3 and Cat C machines.</p> <p>All machines display Gamble Responsibly stickers with helpline contact details.</p> <p>Senior Management are members of the Bingo Association Executive and Socially Responsible Committees and BACTA Divisional and Socially Responsible Committees. They take the opportunity to actively participate with these trade bodies, collaborating with other operators to promote responsible gambling initiatives including the development of an Accredited Gamcare training programme and the Machine Messaging trial and evaluation.</p> <p><b>Deprivation</b>  Whilst the premise may be near or in an area of relative deprivation, Merkur Slots takes the view that individual customers must be treated holistically, and the information provided in this document are designed to identify individuals that could potentially be at risk of gambling related harm</p> <p>Merkur Slots operates on the basis that its controls and best practice is always adopted therefore, it is not a question of degrees of vigilance being implemented in different areas.</p> <p><b>Homelessness</b>  Some premises are used by the homeless for warmth and company. Merkur Slots treats all customers with dignity and has a clear policy on begging.</p> <p>Staff are trained to deal with vulnerable people in a sympathetic manner, any difficult cases are referred to our compliance team for review and resolution.</p> <p>Staff are trained how to manage situations with homeless people seeking refuge.</p> <p>A line of contact will be created with local high-risk premises, homeless shelters, foodbanks to provide social responsibility information.</p>
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The Rum Rooms, 7 Market Road, DN1 1LS  
 Hogan's Bar, 24-28 Silver Street, DN1 1HQ  
 Yates Doncaster, 58 Hall Gate, DN1 3PB  
 The Draughtsman Alehouse, Platform 3 Doncaster Railway Station, DN1 1PE  
 Decades Doncaster, 10-12 Cleveland Street, DN1 3EH  
 Relish Bar & Grill, 19 East Laith Gate, DN1 1JG  
 Biscuit Billys, 8 Silver Street, DN1 1HQ  
 Frank & Stein, 18-20 Silver Street, DN1 1HQ  
 La Rustica Restaurant & Wine Bar, 5 Nether Hall Road, DN1 2PH  
 Mambo, 14 Silver Street, DN1 1HQ  
 The Mason Arms, 22 Market Place, DN1 1ND  
 The Black Bull, 12 Market Place, DN1 1LQ  
 The Social, 10-20 Lazarus Court, DN1 3NF  
 Courtyard, 36 Market Place, DN1 1NE  
 Modiva Tapas, 10 Priory Walk, DN1 1TS  
 Horse & Groom, 3 East Laith Street, DN1 1JG  
 Woolpack Live, 32 Market Place, DN1 1NE  
 Flares Doncaster, 5 Hall Gate, DN1 3LU  
 The Salutation, 14 South Parade, DN1 2DR  
 The Saracens, 38-40 Cleveland Street, DN1 3DZ  
 The Establishment, 1A Bradford Row, DN1 3NF  
 Hallcross, 32 Hall Gate, DN1 3NL  
 Magdalen 20 Market Place, DN1 1NE  
 The Little Plough, 8 West Laith Gate, DN1 1SF  
 Bentleys Gentleman's Club. 44 Hall Gate, DN1 3NR  
 Shooters Shot Bar, 60 Hall Gate, DN1 3PB  
 Market Place, Alehouse & Deli, 21 Market Place, DN1 1ND  
 The Coach & Horses, 5 Scot Lane, DN1 1EW  
 Banditos Bar, 12 Cleveland Street, DN1 3EH  
 The Harewood, 28 Waterdale, DN1 3EY  
 The Night Jar, 54 Silver Street, DN1 1HT  
 The Railway, West Street, DN1 3AA  
 Yorkshire Grey, 16 Hall Gate, DN1 3NA  
 Rock-A-Hula Tiki Bar, 20 Hall Gate, DN1 3NG  
 The Staff of Life, Princegate, DN1 3EN  
 Angels Champagne Bar, 23 Hall Gate, DN1 3NG  
 Boogie Bar, DN1 1HH  
 Turkuaz Bar & Grill, 8b Nether Hall Road, DN1 2PW  
 Barley Twist Table Table, High Fisher Gate, DN1 1QZ  
 Doncaster Brewery, 7 Young Street, DN1 3EL  
 Don Valley Tap, The Wool Market, DN1 1NG  
 Utopia Bar & Restaurant, 8c Nether Hall Road, DN1 2PW

	<p>La Barraca, 56-60 Silver Street, DN1 1HT          Slug &amp; Lettuce, 53-54 Hall Gate, DN1 3PD          Gallery Bar &amp; Club, 34/36 Silver Street, DN1 1HQ          Craft Gin Lounge &amp; Gin Club, 6B Sunny Bar, DN1 1LY          Anthony's, Danum Hotel, High Street, DN1 1DN          Corporation Brewery Taps, 135 Cleveland Street, DN1 3AR          La Familia, 41 Prince Gate, DN1 3EN          Luxx Shisha Bar &amp; Lounge, 14 Priory Walk, DN1 1TS          The City Restaurant, 2 Kingsgate, DN1 3JZ</p> <p><b>Residential Areas</b>          The accommodation in the area consist predominantly of terraced housing &amp; purpose built flats. Most of the housing stock is rented from private landlords, with the main occupancy being one or two people.</p> <p><b>Bus stops and other Transport links</b>          St Sepulchre Gate          Doncaster Train Station (0.2mile)</p> <p><b>Locally Identified Premises</b>          French Gate Shopping Centre, St Sepulchre Gate, DN1 1SW          McDonalds, 68 St Sepulchre Gate, DN1 1RX</p>	
<p>Preventing gambling being a source of crime or disorder, being associated with crime and disorder or being used to support crime</p>	<p><b>Crime statistics:</b>          During October 2020 there were 141 crimes recorded on or around Sepulchre Gate within a 250, radius. 41 incidents of violent crime, 27 incidents of shop lifting, 18 incidents of anti-social behavior, 18 public order offences, 8 incidents of burglary, 8 incidents of criminal damage/arson, 6 incidents other theft, 4 bicycle thefts recorded, 4 incidents relating to drugs, 4 incidents relating to the possession of weapons, 2 robberies and 1 vehicle crime.          In the year ending June 2020, crime rates were down in Doncaster and down in the South Yorkshire force area, compared with the corresponding quarter in June 2019          Local Policing Priorities include, Plain clothes operations and burglary prevention patrols, and patrols of hotspot areas. Increased foot patrols of high ASB areas.</p> <p><b>Local Police:</b>          South Yorkshire Police, Doncaster Central          When contacted Local police had no concerns over the application.</p>	<p><b>Premise Security and violence in the workplace</b>  <i>Poor security control measures which may increase vulnerability to crime</i>  <i>Failure to protect employee and customers from harm during the hours of late-night opening</i></p> <p>Merkur Slots Sepulchre Gate is subject to a separate security risk assessment, local factors are considered, and proportionate control measures/physical security measures are installed.</p> <p>Merkur Slots Sepulchre Gate will be fitted with a HD CCTV system with coverage of all public areas including all entry and exits points, CCTV will be clearly advertised to customers with screens visible by staff when working in the service area. Ability to review CCTV remotely and provide footage to relevant parties when required.</p> <p>Floor layout will be designed to avoid blind spots to enable the active management and observation of customers entering and leaving the premises, from the central service area the entrances, machines and toilets can be observed and staff will</p>

<p><b>Public Houses and Alcohol Licensed Premise</b></p> <p>Old Castle Hotel, 10 Market Place, DN1 1LQ  Red Lion Hotel, Market Place, DN1 1NH  Jazz Café, 5-7 Printing Office, DN1 1TJ  Mallard, Unit 14, Frenchgate Shopping Centre, DN1 1SW  The Grind, 25 High Street, DN1 1DW  The Leopard, 2 West Street, DN1 3AA  Sibella Shisha Bar, 12 Priory Walk, Dnm1 1TS  Paris Gate, 76 Sepulchre Gate, DN1 1SD  Number Fifteen, 21 High Street, DN1 1DW  The White Swan, 34 French Gate, DN1 1QQ  Zest Bar &amp; Grill, 19-20 High Street, DN1 1DW  The Queen Crafthouse &amp; Kitchen, 1 Sunny Bar, DN1 1LY  The Lord Nelson, 54 Printing Office, DN1 1TR  Ballers Sports Bar, 14 Silver Street, DN1 1HQ  Tut N Shive, 6 West Laith Gate, DN1 1SF  Manana Manana, 7 Bradford Row, DN1 3NF  Doncaster Brewery &amp; Tap, 7 Young Street, DN1 3EL  The Pad, 3 Priory Walk, DN1 1TS  Debbie's Bar, 6 Silver Street, DN1 1HQ  The Lockwood, 50 Hall Gate, DN1 3PB  The Gate House, Priory Walk, DN1 1TS  The Angel &amp; Royal, Cleveland Street DN1 3EF  St Leger Tavern, 8 Silver Street, DN1 1HQ  Toast Bar, 10-12 Priory Place, DN1 1TS  Corner Pin, 145 St Sepulchre Street, DN1 3AH  Vintage Bar, 64-66 Silver Street, DN1 1HT  The Rum Rooms, 7 Market Road, DN1 1LS  Hogan's Bar, 24-28 Silver Street, DN1 1HQ  Yates Doncaster, 58 Hall Gate, DN1 3PB  The Draughtsman Alehouse, Platform 3 Doncaster Railway Station, DN1 1PE  Decades Doncaster, 10-12 Cleveland Street, DN1 3EH  Relish Bar &amp; Grill, 19 East Laith Gate, DN1 1JG  Biscuit Billys, 8 Silver Street, DN1 1HQ  Frank &amp; Stein, 18-20 Silver Street, DN1 1HQ  La Rustica Restaurant &amp; Wine Bar, 5 Nether Hall Road, DN1 2PH  Mambo, 14 Silver Street, DN1 1HQ  The Mason Arms, 22 Market Place, DN1 1ND  The Black Bull, 12 Market Place, DN1 1LQ  The Social, 10-20 Lazarus Court, DN1 3NF  Courtyard, 36 Market Place, DN1 1NE  Modiva Tapas, 10 Priory Walk, DN1 1TS</p>	<p>regularly patrol the gaming floor to supervise and interact with customers to identify underage or vulnerable persons.</p> <p><b>General Crime and Disorder</b>  <i>To identify aggressive customers to prevent crime and disorder</i>  <i>Awareness of local crime issues in the local area</i></p> <p>We have reviewed the Police.UK hot-spot mapping for Doncaster policing neighbourhood and are aware of the areas of Recorded Crime, Vulnerable People and Vulnerable Places and are very mindful of the potential damage associated with problem gambling. We will make every effort to liaise with Kent Police over reducing our involvement in any incident.</p> <p>Staff are trained to identify suspicious activity and have the ability to interrogate real-time machine data to identify criminal activity and fraudulent incidents which are logged and escalated where appropriate.</p> <p>All incidents are recorded on the IHL SMART Tablet Incident App inc. crime reference number where applicable.</p> <p>Staff are trained on how to deal with aggressive customers and situations which may also require police assistance.</p> <p>The company operate an internal security alert system and are registered with trade associations for crime bulletins (Bingo Association and BACTA).</p> <p>Machine data is captured in real-time and full secure cash reconciliation is completed on a weekly basis, the machine exceptions are monitored by a centrally based income protection team and all exceptional cash losses are investigated by the internal audit compliance team.</p> <p>Merkur Slots Sepulchre Gate will participate with any local/town centre scheme and actively seek to support and be involved with any local initiatives targeted at reducing crime and/or disorder and will engage in the sharing of information with other businesses to support the local community.</p> <p><b>Anti-social behavior outside the premise</b>  Whilst Public Nuisance is not a Licensing Objective and the Gambling Commission has made clear that 'disorder' means serious disorder, Merkur Slots recognise that public nuisance can escalate in certain circumstances and as a corporate citizen, it has a responsibility to work in partnership with local residents and authorities to reduce environmental impacts.</p>
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<p>Horse &amp; Groom, 3 East Laith Street, DN1 1JG  Woolpack Live, 32 Market Place, DN1 1NE  Flares Doncaster, 5 Hall Gate, DN1 3LU  The Salutation, 14 South Parade, DN1 2DR  The Saracens, 38-40 Cleveland Street, DN1 3DZ  The Establishment, 1A Bradford Row, DN1 3NF  Hallcross, 32 Hall Gate, DN1 3NL  Magdalen 20 Market Place, DN1 1NE  The Little Plough, 8 West Laith Gate, DN1 1SF  Bentleys Gentleman’s Club. 44 Hall Gate, DN1 3NR  Shooters Shot Bar,60 Hall Gate, DN1 3PB  Market Place, Alehouse &amp; Deli, 21 Market Place, DN1 1ND  The Coach &amp; Horses, 5 Scot Lane, DN1 1EW  Banditos Bar, 12 Cleveland Street, DN1 3EH  The Harewood, 28 Waterdale, DN1 3EY  The Night Jar, 54 Silver Street, DN1 1HT  The Railway, West Street, DN1 3AA  Yorkshire Grey, 16 Hall Gate, DN1 3NA  Rock-A-Hula Tiki Bar, 20 Hall Gate, DN1 3NG  The Staff of Life, Princegate, DN1 3EN  Angels Champagne Bar, 23 Hall Gate, DN1 3NG  Boogie Bar, DN1 1HH  Turkuaz Bar &amp; Grill, 8b Nether Hall Road, DN1 2PW  Barley Twist Table Table, High Fisher Gate, DN1 1QZ  Doncaster Brewery, 7 Young Street, DN1 3EL  Don Valley Tap, The Wool Market, DN1 1NG  Utopia Bar &amp; Restaurant, 8c Nether Hall Road, DN1 2PW  La Barraca, 56-60 Silver Street, DN1 1HT  Slug &amp; Lettuce, 53-54 Hall Gate, DN1 3PD  Gallery Bar &amp; Club, 34/36 Silver Street, DN1 1HQ  Craft Gin Lounge &amp; Gin Club, 6B Sunny Bar, DN1 1LY  Anthony’s, Danum Hotel, High Street, DN1 1DN  Corporation Brewery Taps, 135 Cleveland Street, DN1 3AR  La Familia, 41 Prince Gate, DN1 3EN  Luxx Shisha Bar &amp; Lounge, 14 Priory Walk, DN1 1TS  The City Restaurant, 2 Kingsgate, DN1 3JZ</p> <p><b>Pawnbrokers and Loan Shops</b>  H&amp;T Pawnbrokers, 23 High Street, DN1 1DW  Antique &amp; Bargain Stores Ltd, 28 Market Place, DN1 1NE  Cash Shop, 19 French Gate, DN1 1PZ  Ramsdens, 49 High Street, DN1 1BB  Cash Converters, 11 Wood Street, DN1 3LH</p>	<p>Staff are aware to monitor the outside of the premise and surrounding area for anti-social behavior and take appropriate steps within reason to minimise the risks. The CCTV monitor on the central desk allows staff to view the exterior at all times.</p> <p>Incidents of anti-social behavior are recorded on the IHL SMART Tablet Incident App.</p> <p>Staff are trained to be extra vigilant where there is clear evidence of continued anti-social behavior occurring in the vicinity and encourages a partnership approach with local authorities.</p> <p>Where short term risk is created by young people congregating nearby or attempting to enter the premise staff are trained to closely monitor the entrance. In extreme cases the maglock system would be deployed.</p> <p><b>Money Laundering</b>  <i>Failure to identify the occurrence to launder money on our premises (e.g. dyed stained notes, fake notes, foreign coins) and to adhere to reporting policies and procedures.</i></p> <p>Merkur Slots has a designated Anti Money Laundering Officer (AMLO) and AML polices with clear escalation and reporting processes.</p> <p>There are 15 pawnbrokers and loan shops in the vicinity, staff are trained to monitor and record customer behavior, spend and time spent gambling and customer interactions are used to assess customer source of funds/income where relevant, enhanced scrutiny will be implemented where concerns of criminal activity or association of are suspected. Any suspicious activities are reported to the nominated officer who will report to NCA where appropriate.</p> <p>IHL SMART Tablet AML App is used to record AML incidents with emails alerts sent directly to the AMLO.</p> <p>Security alerts and photos of suspects are shared with other operators. CCTV systems available for additional monitoring of activity and MARS (machine data capture system) provides individual transactions and fraud alerts for suspicious activity.</p> <p>Anti-fraud analysis on MARS (machine data capture system) identifies suspicious gaming activity.</p> <p>Adequate staff will always be maintained and subject to regular review and risk assessment.</p> <p>Merkur Slots, in line with many businesses on the high street will at times operate with a single staff member. Such times when Merkur Slots choose to single man is strictly controlled and are never planned to happen from 8pm until 6am.</p>
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	<p>Doncaster Jewellers, 22 High Street, DN1 1DW          Albemarle &amp; Bond Pawnbrokers Ltd, 47 Sepulcher Gate, DN1 1TD          Everyday Loans, 20-22 French Gate, DN1 1QQ          Bad Credit History Loans, 11 East Laith Gate, DN 1 1JG          Finance &amp; Asset Leasing Ltd, 18 Thorne Road, DN1 2HS          CEX, 21 Printing Office Street, DN1 1TJ          Ramsdens, Frenchgate Shopping Centre, St Sepulchre Gate, DN1 1SW          Herbert Brown 47 St Sepulchre Gate, DN1 1TD          Re-Generate, 27 High St, DN1 1DW</p> <p><b>Gambling premises</b>          Bet Extra, 1 Sepulchre Gate, DN1 1TD          Admiral Casino, 25 Baxter Gate, Dn1 1LD          Coral, 35 St Sepulchre Gate, DN1 1TD          Paddy Power, 41 Market Place, DN1 1NH          BetFred, 54 High Street, DN1 1BE          Merkur Cashino, High Street, DN1 1BE          Ladbrokes, 49 Market Place, DN1 1NJ          William Hill, 8 Market Place, DN1 1LQ          Ladbrokes, 39,47 Printing Office, DN1 1TP          Coral, 154 Carr House Road, DN4 5AP          Mecca Bingo, 1c East Laith Gate, DN1 1JG          Hayes Family Amusements, The Colonnades, 14 Pells Close, DN1 3EG          Jackpot Amusements, 46 Duke Street, DN1 3EA          BetFred 31-33 Cleveland St, DN1 3DY</p> <p><b>Residential Areas (impacted by Anti Social Behavior)</b>          The accommodation in the area consist predominantly of terraced housing &amp; purpose built flats. Most of the housing stock is rented from private landlords.</p>	<p>In considering when it is appropriate for a venue to operate with one member of staff Merkur Slots will primarily consider the security of the employees by reviewing customer levels, cash control needs and the activity within the local area such as licensed premises closing times.</p> <p>Any period of single-staffing is managed by the lone-working policy, locked door policy, remote monitoring of CCTV and keeping in touch policy.</p> <p>Merkur Slots Doncaster will operate TITo machines with a central redemption change machine GeWeTe, the GeWeTe is fitted with a duress code facility and built in time delay. Staff do not carry cash floats and only management can open the gaming machines and change machines.</p> <p>As such staff are based predominately on the venue floor and have very little need to work in a back area, any back office work is planned when the venue is closed (cash collections) or where customer numbers are low and sufficient staff available.</p> <p>Venue and machine keys are secured in a time delay safe accessible only by Duty Management who require very limited access due to the TITO and GeWeTe management of cash within the venue.</p> <p>The premise and staff will be protected by a Staffguard security system, Maglock and intruder alarms will be installed. Staffguard provides instant access to live security support and there are panic alarms giving direct contact with the Police.</p> <p>Venue and machine keys are secured in a time delay safe accessible only by Duty Management.</p> <p>The premise and staff will be protected by a Staffguard security system, Maglock and intruder alarms will be installed.</p> <p>Staff are trained to deal with incidents of a criminal nature and aggressive persons. There are support mechanisms available to staff, including counselling and an Employee Assistance Programme.</p> <p><b>Alcohol and Drugs</b>          Anti-social behavior caused by alcohol is not tolerated within our premises and there are comprehensive security and reporting processes to escalate, report and deal with any issues as they arise.          'No Alcohol Allowed' signage on the door.</p>
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		<p>Drug misuse is not tolerated within the premise and in locations where there is heightened risk, the toilets are locked with access monitored and controlled by the staff.</p> <p>Staff are aware to refuse access to any person who is or appears to be under the influence of alcohol or drugs, or adopting anti-social behavior, any such incident will be logged on the IHL SMART Tablet Incident App and depending on severity will be reported to the police.</p> <p>Staff are trained to be extra vigilant where there is clear evidence of street drinking in the vicinity and encourages a partnership approach with local authorities.</p> <p>Maglock systems will be deployed during times of public houses closing.</p> <p><b>Money Lending</b> Money lending is not tolerated within our premises.</p> <p>Suspicious of organised money lending by illegal money lenders are escalated to the audit compliance team and onwards to local authority money lending teams.</p>
<p>Ensuring that gambling is conducted in a fair and open way</p>		<p><b>Bingo/Gaming Machine and Supervision</b> The premise will operate under a Bingo Licence, with proprietary bingo equipment, and a range of category B3 (max stake £2/prize £500), C (max stake £1/prize £100) and D (max stake 10p/prize £5) machines (company average stake is 30/40p).</p> <p>Bingo will be available by means of G-Tab tablets offering a range of Bingo products and Live calling. G Tabs are linked to Merkur venues and other operators across the country and allow customers to play Bingo including the National Game which is played twice per day in the venue when customer numbers are as low as one. Tablet systems now account for most of the bingo play in venues of all sizes.</p> <p><b>Customer Complaints</b> <i>Failure to prevent customers complaints and disputes regarding gambling within our premises. Failure to resolve customer's complaints and disputes regarding our gambling premises.</i></p> <p>Merkur Slots operate a clear customer complaints policy both within venues and via a customer complaints link on the website. Complaints management policy in place for written, telephone and complaints received via the 'customer complaints' link on company website.</p>

		<p>The Company Code of Practice and Complaints and Disputes Policy will be displayed on the Customer Information Board at the entrance with leaflets available within the premise - ADR provider is IBAS.</p> <p>Complaints portal used to collate and manage responses. 4 stage complaints procedure with ADR entity Independent Betting Adjudication Service Ltd (IBAS) for unresolved complaints. Staff are trained and encouraged to use positive discretion to resolve customer complaints in venue.</p> <p><b>Marketing</b> Merkur Slots promote responsible gambling and social responsibility throughout all marketing campaigns. Marketing and Promotional activity complies with LCCP and standards set by the Committee of Advertising Practice (CAP) and the Broadcast Committee of Advertising Practice (BCAP).</p> <p>External windows will have digital marketing screens which will display safer gambling messages, No Under 18's allowed, Think 25, Bingo Played here, opening times and promotional activity.</p> <p>All marketing campaigns are reviewed for appropriateness before being launched. No advertising is used that depicts images that may appeal to children.</p>
Other	<p><b>Places of worship and Religious Buildings</b>          Priory Place Methodist Church, 20-26 Printing Office Street, DN1 1TR          All Nations Living Springs Church, 77-70 Sepulchre Gate, DN1 1RX          HallGate URC Church, 7B HallGate, DN1 3NG          Doncaster Unitarian &amp; Free Christian Church, 60 HallGate, DN1 3PB          National Spiritualist Church, College Road, DN1 3JH          St James Church, Sepulchre Gate West, DN1 3AQ          The Minster Church of St George, 9 Church Street, DN1 1RD          Jamia Mosque Doncaster, Bentinck Close, DN1 3ST</p>	<p><b>Ethnicity and Local Area Demographic</b>          Merkur Slots does not discriminate on the ground of ethnic or social demographic.</p> <p>Local area profiles which detail deprivation, social, ethnic or population may be used as part of the risk assessment in relation to gambling related harm in conjunction with the company standard controls.</p> <p>Merkur Slots takes a holistic approach to customers and is aware that the Equality Act precludes the exclusion of any group for generalised reasons.</p> <p>Merkur Slots will participate with any local/town centre scheme and actively seek to support and be involved with any local initiatives targeted at reducing deprivation (crime/employment/health) and engage in the sharing of information.</p> <p><b>Training &amp; Social Responsibility</b>          Merkur Slots take responsible gambling and social responsibility seriously, ensuring all staff are fully trained to carry out their roles in a responsible manner.</p>

		<p>Praesepe have attained Responsible Gambling Accreditation from the G4 Global Gambling Guidance Group.</p> <p>Praesepe work with YGAM (Young Gamers and Gamblers Education Trust) to deliver City and Guilds accredited training on vulnerable and gambling harm to all levels of management.</p> <p>There are two National Training Centres and a dedicated Learning and Development Team.</p> <p>Bingo Association, Gamcare Accredited training completed by members of management.</p> <p>All staff complete on boarding and 6 monthly refresher training: The Essentials of Compliance, Safeguarding Children and Vulnerable People Age Verification and Customer Interaction.</p> <p>Staff are aware of the importance of social responsibility, trained to advise customers of gambling responsibly and identifying potential problem gamblers.</p> <p>Compliance and Social Responsibility Folder and Player Protection Framework containing policies and procedures is available to all staff. Venue Managers review compliance logs monthly, Area Managers Bi monthly and Compliance Auditors twice yearly.</p> <p><b>COVID 19</b> All staff receive training on COVID-19 guidelines.</p> <p>Control measures clearly displayed at the entrance, temperature checks prior to entry and hand sanitisers available on entrance and throughout premise.</p> <p>Masks made available to customers.</p> <p>Appropriate social distancing signage throughout the gaming area and maximum capacity limits enforced.</p> <p>COVID-19 Daily Check, B3 Ratio Check and Customer Track and Trace will be recorded on the IHL SMART Tablet.</p>
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**Merkur Slots 37-39 Sepulchre Gate, Doncaster, DN1 1DT Premise Layout**

<b>Premise level:</b>	Merkur Slots Sepulchre Gate is a ground floor premises fronting onto the pedestrianised area on Sepulchre Gate.
<b>Premise frontage:</b>	Merkur Slots Sepulchre Gate will be a property will be of a style which obscures the interior with digital Marketing Screens displaying safer gambling messages, no under 18's, opening times. Marketing and promotions will comply with LCCP and standards set by the Committee of Advertising Practice (CAP) and Broadcast Committee of Advertising Practice (BCAP).  Example shop frontage on page 18
<b>Counter Position:</b>	Merkur Slots Sepulchre Gate floor layout will be of the design to avoid blind spots and enable supervision of entrances and machines from the central service area and staff will regularly patrol the gaming floor to supervise and interact with customers and identify underage or vulnerable persons. The central service area serves as the main support area for staff to manage the venue without having to leave the floor: <ul style="list-style-type: none"> <li>- TiTo machines with a central redemption change machine GeWeTe, the GeWeTe is fitted with a duress code facility and built in time delay. Staff do not carry cash floats and only management can open the gaming machines and change machines.</li> <li>- Beverage and snacks are provided from the service area</li> <li>- IHL SMART Tablet located on the service desk provides the facility to record age verification checks, customer interactions, incidents, self-exclusions, reinstatements, track and trace and general venue management checklists</li> <li>- The CCTV monitor on the central desk allows staff to view the exterior at all times.</li> </ul>
<b>Floor layout:</b>	Merkur Slots Sepulchre Gate floor layout will be designed to avoid blind spots to enable the active management and observation of customers entering and leaving the premises, from the central service area the entrances, machines and toilet can be observed and staff will regularly patrol the gaming floor and interact with customers allowing identification of underage and vulnerable persons. 'Stay in Control' Posters and Leaflets will be located in prominent locations within the premise.
<b>Machine Positions:</b>	Merkur Slots Sepulchre Gate will operate under a Bingo Licence, with proprietary bingo equipment, and a range of category B3 (max stake £2/prize £500), C (max stake £1/prize £100) and D (max stake 10p/prize £5) machines (company average stake is 30/40p).  Bingo will be available by means of G-Tab tablets offering a range of Bingo products and Live calling. G Tabs are linked to Merkur bingo venues and other operators across the country and allow customers to play Bingo including the National Game which is played twice per day in the venue when customer numbers are as low as one.
<b>Hidden Areas:</b>	Merkur Slots Sepulchre Gate will be fitted with a HD CCTV system with coverage of all public areas including all entry and exits points, CCTV will be clearly advertised to customers with screens visible by employees when working in the service area.

## Additional Comments

I have worked in the Gaming Industry for 16 years in operations as a Bingo Manager for 5 years and Internal Audit Officer for Praesepe for 11 years. I was requested to complete a Local Area Risk Assessment for the new Merkur Slots premises in Doncaster. My work area covers Merkur Slots, High Street Doncaster, and I usually visit at least twice a year, I have not encountered any issues during my visits, which have been during daylight hours and through the night. I have spent time driving and walking around the area to build the required information. I used this information, together with my own further research to put together the LARA. I am confident that a venue in this location would not present any particular risk.  
(Lisa Kennedy – Internal Auditor)

I am a Chartered Institute of Internal Auditors (IIA) Qualified Internal Risk and Corporate Governance Auditor with over 25 years' experience working in risk-based customer facing environments within various industries. In 2011 I started working in the Gambling Industry occupying the role of Internal Audit Manager for Praesepe, responsible for all internal and external audit policies and procedures. During 2018 a merge of the Audit and Compliance departments created the role of Head of Compliance, I now hold this position and am responsible for Internal Audit, Risk/Fraud Management and the Regulatory Compliance of the Praesepe organization.  
(Amanda Kiernan – Head of Compliance).

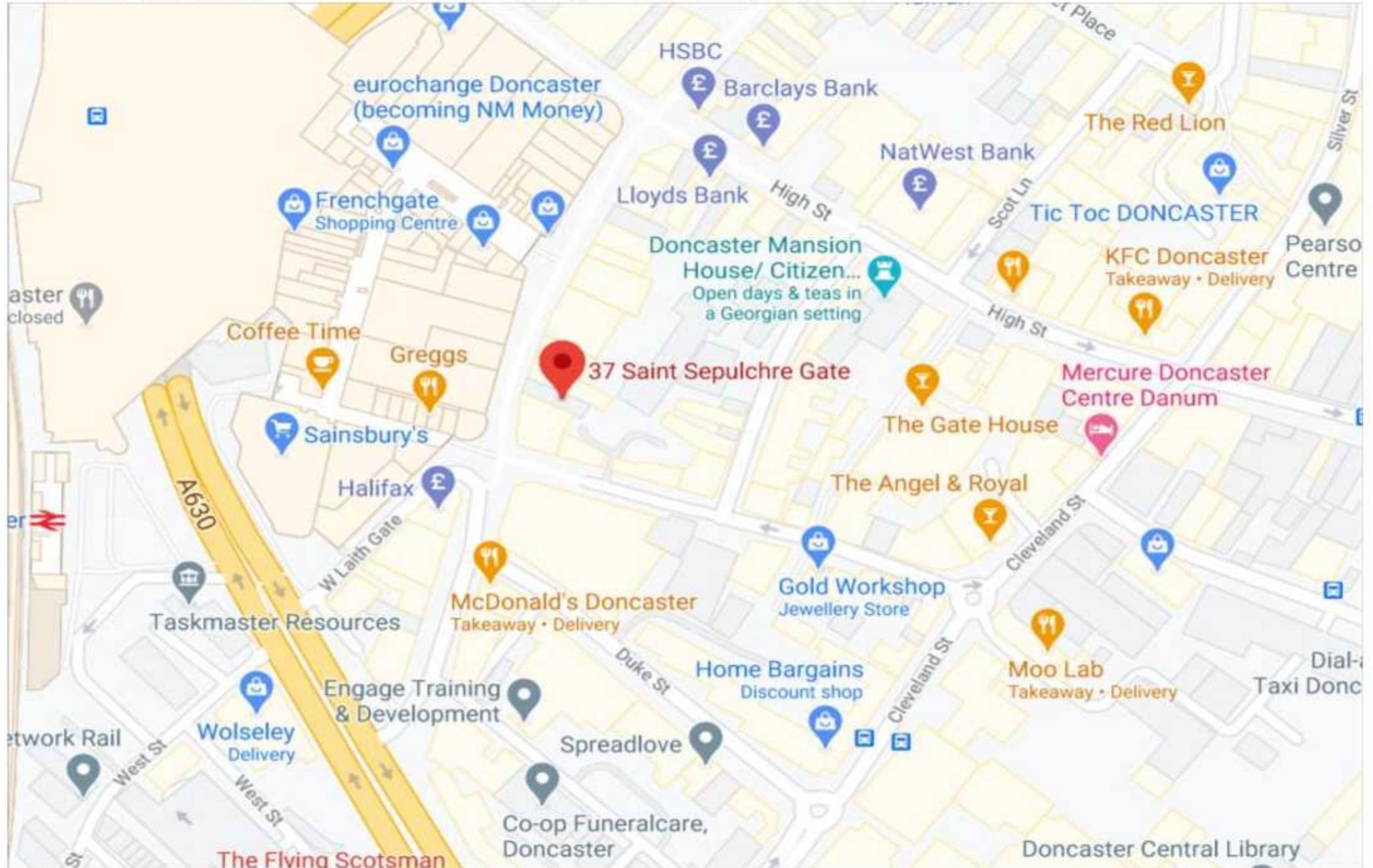
Praesepe Group already operate two other gambling premises under Doncaster Borough Council, Cashino Gaming, 52 High Street, Doncaster, DN1 1BB and Cashino Gaming, 96 High Street, Mexborough, S64 9AU and previously Cashino Gaming, 2 Queensgate, The Waterdale Centre, Doncaster, DN1 3JN (ceased trading 2018). These premises have been operated by Praesepe since 2017 and Have never been subject to a local authority or Gambling Commission review.

This document provides an assessment of risk at premise level relating to the provision of these facilities for gambling. Praesepe is a national operator and employs several standard policies, procedures and control measures across all premises. These issues are clearly articulated in the "Compliance Manual" to be found in the premise and in our Player Protection Framework. The company also carries out premise's security risk assessments (available on request) and health and safety risk assessments which inter alia relate to the objective of keeping crime out of gambling.

Where relevant, Praesepe has also considered any substantive local risks identified in a wide range of policy statements related to gambling and local area profiles specifically related to gambling. However, the company does not operate discriminatory policies against any identified groups based on social demographic or ethnic origin. Therefore, identification of issues relating to gambling related harm are based on individual customer behavior even where particular groups are identified through research at being at greater risk of gambling related harm.

<b>Assessors Name:</b>	Lisa Kennedy - Internal Audit Officer and Amanda Kiernan – Head of Compliance
<b>Signature:</b>	
<b>Date:</b>	17.12.2020

# Merkur Slots, 37-39 Sepulchre Gate, Doncaster, DN1 1DT



# Merkur Slots, 37-39 Sepulchre Gate, Doncaster, DN1 1DT – Shop frontage example



**Annotated copy of UK Government  
National Statistics report – Indices of  
Deprivation 2019**

Local Authority District name (2019)	IMD - Average rank	IMD - Rank of average rank	IMD - Average score	IMD - Rank of average score	IMD - Proportion of LSOAs in most deprived	IMD - Rank of proportion of LSOAs in most deprived	IMD 2019 - Extent	IMD 2019 - Rank of extent	IMD 2019 - Local concentration
Blackpool	26765.29	1	45.039	1	0.4149	6	0.5766	5	32838.16
Manchester	26417.75	2	40.005	6	0.4326	5	0.5999	2	32509.62
Knowsley	26199.75	3	43.006	2	0.4694	3	0.5992	3	32740.28
Liverpool	25833.57	4	42.412	3	0.4866	2	0.6213	1	32684.97
Barking and Dagenham	25551.85	5	32.768	21	0.0364	139	0.4724	20	29391.87
Birmingham	25319.55	6	38.067	7	0.4131	7	0.5792	4	32208.16
Hackney	25312.57	7	32.526	22	0.1111	78	0.4319	25	30187.74
Sandwell	25276.49	8	34.884	12	0.1989	44	0.5349	10	31705.52
Kingston upon Hull, City of	25222.75	9	40.564	4	0.4518	4	0.5505	8	32621.01
Nottingham	24458.51	10	34.891	11	0.3077	15	0.5235	11	31909.18
Burnley	24400.26	11	37.793	8	0.3833	8	0.5357	9	32627.54
Newham	24138.70	12	29.577	43	0.0244	154	0.2884	67	28987.07
Hastings	23845.37	13	34.281	17	0.3019	17	0.4376	24	32432.12
Blackburn with Darwen	23819.60	14	36.013	9	0.3626	9	0.5519	7	32396.85
Stoke-on-Trent	23797.05	15	34.504	14	0.3208	12	0.5073	12	32056.84
Middlesbrough	23729.10	16	40.460	5	0.4884	1	0.5710	6	32726.13
Rochdale	23414.21	17	34.415	15	0.2985	20	0.4758	19	32295.70
Hyndburn	23297.52	18	34.333	16	0.2692	21	0.4796	17	32271.77
Wolverhampton	23274.95	19	32.102	24	0.2089	38	0.4828	16	31347.16
Salford	23233.56	20	34.210	18	0.3000	19	0.4720	21	32355.62
Bradford	23086.82	21	34.666	13	0.3355	11	0.4981	13	32399.09
Leicester	22857.96	22	30.877	32	0.2031	42	0.3713	37	31842.02
Tameside	22774.30	23	31.374	28	0.2057	40	0.4155	28	31859.28
Great Yarmouth	22767.13	24	33.097	20	0.2459	25	0.3926	33	32507.39
Hartlepool	22581.98	25	35.037	10	0.3621	10	0.4973	14	32560.44
South Tyneside	22573.29	26	31.509	27	0.2451	26	0.4508	23	31513.31
Tower Hamlets	22507.05	27	27.913	50	0.0139	175	0.3057	57	29011.42
Islington	22490.24	28	27.535	53	0.0488	126	0.2705	74	29301.65
Oldham	22460.10	29	33.155	19	0.3050	16	0.4790	18	32318.78
East Lindsey	22178.95	30	29.892	39	0.1605	55	0.3396	49	31945.71
Walsall	22152.64	31	31.555	25	0.2635	22	0.4844	15	31611.53
Tendring	22083.12	32	30.484	36	0.1798	48	0.3139	53	32305.16

Sunderland	21993.93	33	30.586	35	0.2270	34	0.3960	32	31950.32
Thanet	21985.10	34	31.314	30	0.2143	37	0.3642	42	32447.07
Lewisham	21959.25	35	26.661	63	0.0296	148	0.2464	84	28994.08
Pendle	21934.23	36	30.723	33	0.3158	14	0.4077	29	31652.21
Haringey	21887.62	37	27.956	49	0.0966	84	0.3210	52	30429.89
Barnsley	21850.19	38	29.933	38	0.2177	35	0.3838	35	31740.45
Halton	21746.16	39	32.325	23	0.3165	13	0.4678	22	32282.99
St. Helens	21635.55	40	31.518	26	0.2437	28	0.4011	30	32345.57
Doncaster	21613.33	41	30.289	37	0.2371	32	0.3984	31	31914.03
Lambeth	21351.38	42	25.422	81	0.0000	195	0.1949	108	28390.91
Southwark	21247.36	43	25.811	72	0.0301	147	0.2305	91	28758.95

**Highlighted copy of R v Manchester  
Crown Court ex parte Dransfield (1982)**

**R v MANCHESTER CROWN COURT EX PARTE  
DRANSFIELD NOVELTY COMPANY LIMITED**

Queen's Bench Division

Glidewell J

16 February 1982

*Gaming Machines – Section 34 permits for amusement arcades – Relevance of grant of planning permission – Duty of professional judge to give reasons – Jurisdiction of High Court in judicial review – Findings of Crown Court, whether supported by evidence – Nature of evidence in licensing matters – Gaming Act 1968*

Dransfield Novelty Company Ltd (the company) sought to open a leisure centre in Ashton-under-Lyne. It sought to distinguish between a leisure centre and an amusement arcade suggesting that leisure centres were aimed at older, more mature people, in particular those engaged in shopping. The local authority refused to grant a permit and the company appealed to the Crown Court. The Crown Court dismissed the appeal

The history of the premises was that the company had applied for planning permission, which had been turned down by the local authority on the ground that the proposed use would be 'out of character with the area'. Upon appeal the inspector allowed it stating that he was satisfied that the leisure centre was unlikely to have a materially adverse effect on the amenity and character of the adjoining shopping area.

Upon the application for a permit the licensing subcommittee of the local authority considered the matter in the absence of the parties and being mindful to refuse the application on moral grounds invited the applicant company to attend a committee meeting and make representations. The police raised no objection. The committee refused the application on the following grounds: the grant of a permit '(1) would encourage young persons to delinquency; (2) would encourage school children to truancy; (3) would be to the detriment of the Borough of Tameside; and (4) was not justified as the evidence provided by the applicant failed to prove that the proposals would not be socially undesirable'.

In preparation for the appeal the company sought an explanation of the third and fourth reasons but none was given. The Crown Court dismissed the appeal but did not give any reasons. Upon application for leave to apply for judicial review, Comyn J suggested that the Crown Court judge give the court's reasons and a statement of reasons was supplied about 6 months after the event. The Crown Court's reasons were: (a) the area concerned had fallen into decline and could barely be called a secondary shopping centre; (b) with adult shoppers becoming fewer operators might be tempted to resort to a youthful or teenage customer; (c) the grant of a licence in a less desirable area may inhibit the grant of a later application in a more desirable location; and (d) the question of 'need' was relevant to the exercise of discretion. Other reasons given related to the undesirability of such premises becoming teenage gambling places and local opinion being against the grant (evidence given by a local councillor).

The company applied for judicial review contending that: (1) the Crown Court failed to adopt or confirm either of the local authority's first two grounds for refusal; (2) there was no evidence to justify the Crown Court's conclusion; and (3) the first three reasons given by the judge dealt with the planning issues and were therefore irrelevant the matter having been determined by the inspector in the planning proceedings. At the hearing points were taken on jurisdiction and the Crown Court's failure to give reasons at the time of the hearing of the appeal.

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- A** **Held** – dismissing the appeal –
- (1) Neither of the third and fourth reasons given by the local authority had a sensible meaning and had to be ignored.
- (2) Despite the wording of para 13 of Sch 9 to the Gaming Act 1968 ('The judgment of the Crown Court on the appeal shall be final.') the decision of the Crown Court on such an appeal was amenable to challenge by way of judicial review.
- (3) The Crown Court judge was wrong not to have given the reasons of the court for dismissing the appeal at the time when he announced the decision.
- B** (4) Whilst it was true that the Crown Court did not adopt or confirm expressly the grounds of the local authority, the main points in the appeal had concerned the likelihood of young people being attracted to the premises which is what the local authority's first two grounds were about.
- (5) The Crown Court must have some evidence before it upon which it can properly reach its conclusion. It cannot decide on no evidence. It cannot properly guess or simply make assumptions not founded on evidence. But if there is some evidence to support its decision the weight to be given to any particular piece of evidence is a pure matter of discretion for the Crown Court.
- C** (6) The nature of evidence called and accepted in licensing matters is not of the nature of evidence called, for instance, in the criminal courts. Licensing courts and authorities dealing with licensing matters are not bound by the strict rules of evidence, and they can therefore, and properly do, accept hearsay evidence and unproved documents. Again, what weight they attach to such evidence is a matter for them to consider. There was evidence in this case to support the Crown Court's findings.
- D** (7) A Crown Court is entitled to reconsider, and if it thinks right, to differ from an inspector who dealt with the planning issues. However, if an inspector in a matter of this sort has specifically dealt with a particular issue, and expressed his view or conclusion on that issue, it is clear that his view or conclusion must be given great weight by the local authority, and by the Crown Court on an appeal, and there would have to be good reason for rejecting that view or conclusion. In this case there was an overlap between the matters dealt with by the inspector and the Crown Court, but the Crown Court had not trespassed on the area with which the inspector had had to deal.
- E**

#### Statutory provisions considered

Gaming Act 1968, ss 30, 34, 54, Sch 7, Sch 9, paras 8, (2), 12, 13  
Courts Act 1971, s 10

**F**

#### Cases referred to in judgment

*R v Knightsbridge Crown Court ex parte International Sporting Club (London) Limited and Another* [1981] 3 WLR 640, QBD

*R v Medical Appeal Tribunal ex parte Gilmore* [1957] 1 QB 574, [1957] 2 WLR 498, CA

*Sagnata Ltd v Norwich Corporation* [1971] 2 QB 614, [1971] 3 WLR 133, CA

**G**

*Tehrani and Another v Rostron* [1972] 1 QB 182, [1971] 3 WLR 612, CA

*R.J. Harvey QC* and *J. Ker-Reid* for the applicant  
*J. Hugill QC* and *H. Singer* for the respondent

**H**

**GLIDEWELL J:** This is an application for judicial review of a decision made on 25 June 1981 at Manchester Crown Court by His Honour Judge Hardy and four justices dismissing an appeal to them against the refusal of the Tameside Metropolitan Borough Council to grant a permit under s 34 of the Gaming Act 1968 for premises in Ashton-under-Lyne. The relief sought comprises an order of certiorari to quash the decision, an order of mandamus requiring the court to rehear the appeal and associated declarations.

I start by saying something about the applicants and their application. The applicant company is a subsidiary of a group which manufactures and sells gaming machines on a large scale. The applicant company is concerned in the business of operating what are called leisure centres. At present the company has one such subsidiary in Leeds and one in Batley, and has planning permission for two others, also in Yorkshire. There is recognised in the trade a distinction between what is called a leisure centre and what is called an amusement arcade. This distinction, as I understand it, is based largely upon the nature of the machines which are installed in the respective institutions, and to an extent upon the way in which they are decorated and furnished. A leisure centre is intended to appeal to older people (by which I do not mean those who are necessarily of an age to draw the old age pension, but those certainly of maturer years) in particular to those who are engaged in shopping, which at any rate during the working week must largely mean housewives. A suitable location for a leisure centre is therefore thought by those concerned in running them to be a major shopping street or a shopping centre.

By contrast, an amusement arcade contains machines and entertainments some of which involve a good deal of noise, and I suppose also flashing lights, and it is set out and is expected to appeal much more to the younger members of society, particularly teenagers.

One of the ways in which the use of gaming machines on which prizes may be won may be rendered lawful is by the grant of a permit relating to premises under s 34 and Sch 9 of the Gaming Act 1968. Such a permit may relate either to premises in which another main trade is carried on, to which the machine or machines is or are an addition, as for instance is the case where one or two such machines are installed in a cafe; alternatively, the permit may relate to premises such as a leisure centre where the whole object of the enterprise is to provide facilities for playing these machines. The use of such premises therefore requires both a permit under s 34 and planning permission if, as is normally the case, the use in planning terms of the premises has previously been a different use.

For leisure centres the appropriate district council is normally both the planning authority and the licensing authority under s 54, a fact which imposes on the authority the obligation to make sure that it does not confuse its functions.

I turn to the history of the matter. On 25 November 1979 the applicant company (now the appellant company) made an application for planning permission for a change of use of premises at 212 Stamford Street, Ashton-under-Lyne as a leisure centre. On 5 March 1980 the Tameside Metropolitan Borough Council refused that application on the ground that the proposed use would be 'out of character with the area'. (That last phrase is a quotation.) The applicants appealed.

On 5 August 1980 the inspector who had heard the appeal allowed it, he being delegated to deal with the matter. In his decision letter he said his opinion was: 'The decision in this case turns firstly, on whether or not the proposal would have an adverse effect on the amenity and character of Stamford Street and secondly, whether it would prejudice the effectiveness of the retail trade in this locality'.

Having in his letter, in the usual way, summarised the cases presented, both by the appellant company and by the council, he came to his

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A conclusions. On the first issue he said: 'I am satisfied ... that a leisure centre is unlikely to have a materially adverse effect on the amenity and character of the adjoining shopping area'. He also said: 'It is unlikely that it will attract congregations of people or an undesirable element of the population which would be likely to cause problems in Stamford Street'. Then he said, thirdly: 'The social and moral aspects of the proposal are matters for consideration by the appropriate licensing authority and are not material planning considerations'.

B He then turned to the second issue. He characterised Stamford Street as a secondary shopping area and said it was expected to continue as such. He said: 'I consider that the appeal proposal is unlikely to have an adverse effect on the shopping effectiveness of the street since a large percentage of its customers would be likely to be mature women shoppers who, during shopping hours, would find relaxation offered by the centre for short periods during a shopping trip'. He therefore decided to allow the appeal.

C On 9 October 1980 the company made an application for a permit under s 34 of the 1968 Act. On 21 November 1980 the Director of Administration of the Tameside Metropolitan Borough Council wrote to the appellants' solicitors telling them that the relevant committee had considered that application, that the committee had been told that planning permission had been granted, and the police had raised no objection, but he said: 'Following detailed consideration of the application during which Members expressed concern at the opening of this leisure centre within a shopping area and were mindful to refuse the application on moral grounds, it was resolved – that a decision upon the application be deferred until the next meeting to enable the applicant to attend'. The letter went on to invite them to do exactly that.

D So on 11 December 1980, which was the date of the next meeting of the committee, the applicants attended the committee meeting, represented by their solicitors, and I think by, counsel (but I am not entirely certain) and made representations to the committee which then considered the application having heard those representations. On 11 December 1980 the committee decided to refuse the application, and the refusal was notified to the applicants on 15 December 1980, by letter of that date. That gave the grounds of refusal, which were: 'The granting of such a permit: (1) would encourage young persons to delinquency; (2) would encourage school children to truancy; (3) would be to the detriment of the Borough of Tameside; (4) was not justified as the evidence presented to the Environmental Health and Control Committee by the applicant failed to prove to their satisfaction that the proposals would not be socially undesirable'.

E The applicants at once appealed to the Crown Court, but in addition, through agents they asked for an explanation or expansion of the third and fourth of those grounds of refusal. That information was not granted to them. It is fair, therefore, to say that neither of those third or fourth grounds of refusal, without expansion or clarification, can have a great deal of sensible meaning. The third ground, that the grant of a permit would be to the detriment of the Borough of Tameside, is of course a broad statement, but it is one that is quite impossible to rebut unless one knows in what respect it is said it would be to the detriment of the Borough of Tameside, and the question of the social undesirability was not expanded. Therefore it must be assumed, in my view, that it was the first two grounds that were really the

basic reasons for the committee's refusal, both relating to young people, namely, that young people might be encouraged to delinquency or to truancy. A

I should say, as Mr Harvey very properly and fairly acknowledged, that in having given the applicants advance warning that they were minded to stay their hand until the applicants had been heard, and giving them the opportunity to make representations, the borough council had in that respect acted entirely properly, and no complaint of the way in which they dealt with this matter can possibly be made. B

On the 25 June 1981 the Crown Court heard the appeal. There were called on behalf of the applicants two witnesses, Mr Jack Transport, who is the property and estate manager of the company, and Mr E. E. Taylor, a fellow both of the Royal Institution of Chartered Surveyors and of the Royal Town Planning Institute, and a distinguished figure in the field of town planning. Mr Taylor had given evidence for the applicants on the planning appeal. On behalf of the council one witness was called, a senior councillor, Councillor Hatton. C

At the conclusion of the hearing the bench retired, and when they returned to court, the circuit judge announced that the appeal was dismissed. He said he did not intend to give any reasons for the dismissal.

Application was made for leave to move for judicial review, and Comyn J, who heard that application, suggested, I am informed, that the learned judge should be invited in retrospect, so to speak, to give a statement of the Crown Court's reasons for the refusal of the appeal. His Honour Judge Hardy, in response to that suggestion, therefore supplied a statement of reasons dated 17 December 1981, almost 6 months after the hearing of the appeal. The point was made by Mr Harvey that the application for leave was heard and leave was granted on the 8 October of this year, and therefore that His Honour Judge Hardy received the invitation to give a statement of reasons shortly after that, which was somewhat nearer in date to the hearing of the appeal than was the date when he finally produced the statement of reasons. Of course that is correct, though it was still some 4 months after the hearing of the appeal. I make that comment because, not surprisingly, the learned judge in his statement, amongst other things says: 'I am fairly confident that I cannot now after several months recall all my own reasons nor the comparative weight that I attached to each of them for taking the view that the appeal should be dismissed'. Having said that, he went on to set out the reasons he could recall. In seeking to reconstruct the reasons for a decision given months before he has indeed my sympathy. D E F

I turn first to consider a matter relating to the jurisdiction of this court. The procedure for the application and the grant of permits under s 34 of the Gaming Act 1968 is set out in Sch 9 to that Act. Paragraph 8 of that Schedule makes two points: First, in relation to the grant of the permit, the grant is wholly at the discretion of the local authority, and so far as the statute is concerned that discretion is unlimited; secondly, when one comes to renewal, if a permit has been granted in the first place, it is made clear that renewal can only be refused on a number of grounds, which are very limited, putting it shortly. Paragraph 12 and the immediately following paragraphs deal with an appeal to the Crown Court. Those paragraphs make it clear, first, that the appeal is by way of rehearing secondly, that in hearing the appeal and coming to its decision the Crown Court has precisely the same discretion as the local authority had in the first instance; and thirdly, to quote G H

A the last words of para 13: 'The judgment of the Crown Court on the appeal shall be final'.

Despite those last words it has long been held that in certain respects the decision of the Crown Court on an appeal of this nature can be challenged by way of an application for judicial review, just as can the decision of a tribunal or body whose decision is said to be final. The discretion of the court, whilst statutorily unlimited, must be exercised judicially, and this court can and will interfere if it is satisfied that the discretion has not been so exercised.

B The authority to which I was referred in this respect is a decision of the Court of Appeal in *Tehrani and Another v Rostron* [1972] 1 QB 182, which was dealing with an analogous subject, that is to say, the registration of a gaming club under s 30 and Sch 7 of the 1968 Act, which contained similar provisions. At 187, Lord Denning, the Master of the Rolls, referred to the fact that Mr Harvey, who was leading counsel for the applicants in that matter, had drawn the court's attention to the provisions of Sch 7, saying that the judgment of Quarter Sessions (as it then was) was final, and went on to say: 'I must say at once that I do not think we should accede to this preliminary objection. Much has happened since those cases' – those are the earlier cases, to which he had referred – 'were decided. The courts have given more thought to the meaning of the legislature when it says that a decision of this or that tribunal is to be "final." The modern cases establish this principle: when Parliament says that a decision of an inferior tribunal is to be "final," it does so on the assumption that the tribunal will observe the law. Parliament only gives the impress of "finality" to the decision on the condition that it is reached in accordance with law: and the Queen's courts will see to it that this condition is fulfilled. Accordingly if a tribunal goes wrong in law and the error appears on the face of the record, the High Court will interfere by certiorari to quash the decision. It is not to be deterred by the enactment that the decision is "final." The decision may be final on the facts, but it is not final on the law. This was settled by [*R v Medical Appeal Tribunal ex parte Gilmore* [1957] 1 QB 574], where all the cases are collected'.

F Then a little lower down he said, at 188: 'Mr Harvey agreed that, in the present case, if Quarter Sessions went wrong in law the High Court would intervene by certiorari or a declaration'. Then he went on to deal with the question whether, as had been done in that case, it was proper to deal with the matter by way of case stated, a problem which does not concern me. Phillimore and Megaw LJ agreed with the learned Master of the Rolls.

G I comment that it is clear that the provisions of s 10 of the Courts Act 1971, which do provide that there cannot be an appeal by way of case stated from a decision of the Crown Court in this situation, have no bearing upon and do not inhibit the right of an applicant to apply for judicial review in these circumstances.

H My conclusion on jurisdiction, therefore, is that this court can interfere with the decision of the Crown Court if either (1) the Crown Court was wrong in law and this was apparent on the face of the record; or (2) the Crown Court took into consideration an irrelevant matter or failed to take into account a relevant matter in arriving at its decision; or (3) the decision was so perverse that no court, properly instructing itself on the law, could reasonably have reached that decision on the evidence. In this case the first

and third of those situations do not arise, but Mr Harvey, in his submission to which I now turn, relies on the second of those matters. He invites me to conclude that the Crown Court both took into account irrelevant considerations and failed to take into account a relevant consideration.

I turn to the judge's statement of reasons. In para 5 he sets out the principles of law which he explained to the justices. These were, shortly: 'That the appeal was a rehearing, and that evidence of the discussions of the Committee was not properly admissible'. I break off to say that he had indeed refused to allow evidence to be given as to what the committee had dealt with during its discussions. Secondly, the learned judge advised the magistrates that the grant was at the discretion of the appropriate authority and there was no guidance in the Act as to the exercise of the court's discretion; thirdly, that they should apply the dictum of Lord Goddard, approved by the Court of Appeal, 'to pay great attention to the fact that the duly constituted and elected local authority have come to their opinion' and that the function of a Crown Court was to exercise its powers when it was satisfied that the judgment below was wrong, not merely because it was not satisfied that the judgment was right. Finally, he advised them that if it was granted the permit would be for a period of 3 years, and if there was a breach of any undertaking given by the applicants that would not be a reason for refusal to renew, so that there was no sanction for the breach of such an undertaking.

There is no doubt that on the first three of those matters his instruction to the justices was immaculate. Mr Harvey is inclined to the view that in relation to the question of the breach of undertaking the learned judge went a little too far. He says it is arguable that the breach of an undertaking would be a ground for objection to the renewal of a permit, and thus for the refusal of a permit under para 8(2) of Sch 9 of the 1968 Act. Mr Hugill contended to the contrary. Certainly it is arguable that the learned judge was right.

The learned judge then went on in para 7 of his statement of reasons to set out what he described as the reasons which he could recall, and I think it right that I should read those in full. He said: 'The reasons I can recall are as follows: (a) The area, which I know, could now barely be called a secondary shopping centre; it was the main shopping street but a by-pass has cut it in two lengthways destroying it as an entity and a new shopping development elsewhere has accelerated its decline. There is no direct access by vehicle between the two halves and virtually it is true also for pedestrians. (b) The application was put forward as providing facilities for adult shoppers but unless something arrests the decline they will become fewer. I therefore took the view that the facilities would be better sited where the density of shoppers was greater and although the commercial viability is not the direct concern of a licensing court if the failure to attract the contemplated customers tempts the operators to resort to a youthful or teenage customer that might be undesirable. (c) The grant of a licence in a vicinity which the licensing court regards as less desirable than another nearby may inhibit the grant later in the latter location. Unless one took the view which I do not that the Act requires the grant of licences in unlimited numbers or without regard as to position or locations.

(d) Although (a) (b) and (c) above can have some similarity to planning considerations I took the view that there is an area of overlap between licensing and planning and that the two are not mutually exclusive. (e) I did

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A not regard (b) (c) and (d) above as involving the "need" concept but if they did, they did not involve the need concept exclusively and the submission by the appellants on the authority of [*Sagnata Ltd v Norwich Corporation* [1971] 3 WLR 133] (at page 151/2 "the alternative facilities in the City is to be disregarded") that it was required to be excluded, I did not accept that the case did so require. That was an obiter dictum seemingly based on an admission to that effect. The report not disclosing why it was admitted. The question of "need concept" has always been commonplace for liquor licences and bingo although nowhere referred to in the Act and I do not accept that in an equally unfettered discretion granted by this part of the Gaming Act 1968 it should be as a matter of law excluded and even if that view is wrong and the matters in (b) (c) and (d) above should have played no part in my decision I would still have reached the same decision'.

C I do not propose to quote the rest of the reasons. I will summarise them. In (f) he said he accepted and agreed with Mr Taylor's evidence that 'the type of customers attracted to amusement centres depends upon management, the range of facilities provided and its location'. Then he commented that the appellant accepted that it was undesirable that premises should become a teenage gambling place and that the court had little control over management, as management policy might change. He said in (g) that Mr Taylor's evidence assumed there would be no change in management policy. He said, in effect, that he was critical of Mr Taylor as a witness, and 'I felt it necessary for that reason to suspect his conclusions expressed in general terms'.

E He referred to a report, which had been put in evidence (which was shown to me) to the Church's Council on Gambling, that report being by a Mr Taylor (of course another Mr Taylor) on amusements with prizes. He then said that Mr Hatton struck him as a witness who was not bigoted but was uneasy about the particular application and was not able to articulate his reasons very clearly. He went on to say he placed weight on Councillor Hatton's evidence and opinions by reason of the fact that local councillors are usually sensitive to and good barometers of local opinion. It was suggested to me, and I accept, that although he did not say this in terms, where Councillor Hatton and Mr Taylor had disagreed he was preferring the evidence of Councillor Hatton.

F I turn to the submissions. Mr Harvey made three main points: first, the judge did not adopt or confirm either of the local authority's first two reasons for refusal, that is, the likely encouragement of young persons to delinquency and/or truancy; secondly, there was no evidence to justify the Crown Court's conclusion; and thirdly, the Crown Court took into account planning considerations and/or disagreed with the inspector who heard the planning appeal and therefore took into account irrelevant considerations.

G Before I come to deal with those submissions and express my judgment on them I make a general point as to the giving of reasons by the Crown Court in an appeal of this sort. In *R v Knightsbridge Crown Court ex parte International Sporting Club (London) Limited and Another* [1981] 3 WLR 640, the Divisional Court was concerned precisely with this situation. The facts were somewhat different, in the sense that what had happened in that case was that the judge hearing the appeal had given a judgment which had been recorded and was available to the Divisional Court, but counsel for the Gaming Board objected to the Divisional Court consulting that judgment to

ascertain the judge's reasons, submitting that all they were entitled to do was to look to see whether there was an error of law on the face of the record, and the record was merely the record of the decision of the Crown Court, without reasons. The Divisional Court held that was wrong. It had been argued that the judge could direct that the judgment be made part of the order, and in that case it would become part of the record. At 648 Griffiths LJ said: 'It seems to us that it could be a scandalous state of affairs that, if having given a manifestly erroneous judgment, a judge could defeat any review by this court by the simple expedient of refusing a request to make his judgment part of the order. That would indeed be formalism triumphant. It may be said that the same end can be achieved by the court refusing to give any reasons, as Judge Friend said he was entitled to do in this case. However, it is the function of professional judges to give reasons for their decisions and the decisions to which they are a party. This court would look askance at the refusal by a judge to give his reasons for a decision particularly if requested to do so by one of the parties. It does not fall for decision in this case, but it may well be that if such a case should arise this court would find that it had power to order the judge to give his reasons for his decision'.

Then he reviewed some older authorities which were to the contrary effect, and he said: 'But the courts must adapt their procedures to modern conditions. In the last century the facilities available for recording spoken reasons were not comparable to those which exist today. Shorthand had only recently been invented and there was no electronic recording apparatus with which many courts are now equipped. This court can now rely with confidence upon a transcript of the oral judgment given by a lower court or tribunal as accurately setting out its reasons which may not have been the case 100 years ago'. At 649 he said: 'We, therefore, hold that the reasons contained in the transcript of the oral judgment of the Crown Court constitute part of the record for the purposes of certiorari and we are entitled to look at it to see if they contain errors of law'.

That judgment was given only a few days before His Honour Judge Hardy gave his decision in the Manchester Crown Court. I have been reminded that the judgment in the *International Sporting Club* case was reported in *The Times*, but the report, I am informed and accept, was mainly, if not entirely, concerned with the merits of the matter rather than with the question upon which I have quoted part of the judgment of Griffiths LJ. It seems most probable that His Honour Judge Hardy was therefore totally unaware of the decision of the Divisional Court in that matter when he came to deal with this appeal on 25 July. He was therefore following a practice which had been adopted in the past.

Following, and bound as I am, by the Divisional Court's decision I conclude that he was wrong to have adopted the course of not giving reasons for his decision at the time when he announced his decision. Nevertheless, for the reasons I have explained, he did not realise that the Divisional Court had already adverted to this matter. I do not want it to be thought that in any way I am being critical of him in adopting the course he did, but the fact is that if he had given his reasons there and then – not merely his reasons but the reasons of the court generally – they would undoubtedly have been reasons that were fresh in the minds of the members of the court, and secondly, it is possible that they might have been in somewhat different terms from the reasons which he was able to recollect some 6 months later.

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A Mr Hugill for the respondent borough council accepted that it was desirable that the judge should have given his reasons. Indeed, he referred me to an earlier authority, *R v Medical Appeal Tribunal ex parte Gilmore* [1957] 1 QBD 574, a decision of the Court of Appeal, in which Denning LJ (as he then was) at 582 adverted to the possibility that the Divisional Court might require a lower court to give reasons if it were necessary for justice to be done.

B Taking these matters into account I am satisfied, as counsel was satisfied, that I am entitled to look at the reasons set out by the judge based on his recollection, the affidavits which had been filed on this application and the documents exhibited to the affidavits to establish what evidence was before the Crown Court, because that of course is the essential matter upon which Mr Harvey bases his complaint.

C I come back to deal with Mr Harvey's three submissions. As to the first of them, that the judge did not adopt or confirm either of the local authority's first two reasons for refusal, it is true that the Crown Court did not do so expressly, but first, I note that throughout the hearing before the Crown Court it was conceded by the appellants that it was undesirable, or would be undesirable, if young persons were attracted to the premises. Indeed, that was not an issue in the appeal. The main issue was whether they were likely to be attracted, and secondly, if so, whether the appellants could effectively prevent them from coming in by suitable measures of management. These must have been the main points, in my view, in the minds of the members of the court on 25 July.

D Secondly, the judge was therefore entitled to deal with the matter on the basis that it was not merely conceded but established that it would be undesirable if young people were attracted to the premises, and would be undesirable, for the two reasons given by the borough council as its first two reasons for refusal. The point is made in the judge's reasons not directly but by inference in my view, at both subpara (b) and (f) of para 7. I therefore find that Mr Harvey has not substantiated those points.

E I turn to the second submission, that there was no evidence to justify the Crown Court's conclusion. I make two general points about the nature of the evidence. First, I accept that the authorities establish that the Crown Court must have some evidence before it on which it can properly reach its conclusion. It cannot decide on no evidence. It cannot properly guess or simply make assumptions not founded on evidence. But on the other hand, if there is some evidence to support its decision, the weight to be given to any particular piece of evidence is a pure matter of discretion for the Crown Court. It is not a matter for me in this court. Secondly, the nature of the evidence called and accepted in licensing matters generally is not of the nature of evidence called, for instance, in the criminal courts. Licensing courts and authorities dealing with licensing matters are not bound by the strict rules of evidence, and they can therefore, and properly do, accept hearsay evidence and unproved documents. Again, what weight they attach to such evidence is a matter for them to consider.

F I turn to inquire what evidence there was on the major issue, that is to say, that young people might be attracted and be led into truancy and delinquency, and on the question of what steps the applicants could properly take to prevent them from being attracted. Mr Hugill submits, and I agree, that there was admissible evidence on these issues in, first, the evidence of

Councillor Hatton, who spoke, amongst other matters, of the increasing unemployment locally, of the nearness of schools to the premises in Stamford Street and of the difficulty of enforcing an age limit for entrance to the premises. Secondly, there was evidence contained in the report of Mr Taylor to the Church's Council, which was submitted to the Crown Court and which they were entitled to take into account; and thirdly, there was the evidence of Mr E. E. Taylor, who accepted the undesirability of young people being attracted to the centre. A major part of his evidence was concerned with the steps, and their efficacy, which could be taken to prevent them from doing so. I certainly therefore conclude that I cannot hold that there was no evidence on which the Crown Court could reach its decision, and I therefore cannot conclude that the Crown Court took into account an immaterial consideration.

Thirdly, Mr Harvey submits that the judge's first three reasons deal with the planning issues and are thus irrelevant. Mr Hugill submits to the contrary, that the Crown Court is entitled to reconsider, and if it thinks right, to differ from the inspector who dealt with the planning issues. As a matter of law I think that Mr Hugill is correct. However, if an inspector in a matter of this sort has specifically dealt with a particular issue, and expressed his view or conclusion on that issue, it is clear that his view or conclusion must be given great weight by the local authority, and by the Crown Court on an appeal, and there would have to be good reason for rejecting that view or conclusion. However, it is unnecessary for me to express a concluded view about this because I am not satisfied that the Crown Court did disagree with the inspector.

The inspector's two issues, which I have already read out, related to the effect on the amenity and character of Stamford Street and whether the proposed development would prejudice the retail trade in the locality. On those specific issues the Crown Court made no finding. It is true that the inspector did go on to advert to the likelihood that the clientele of the premises would be largely mature women shoppers and that the applicants intended to seek to exclude young people, but those are not the fundamental matters with which he was concerned. Therefore, insofar as there was overlap – and I accept there was an overlap – between the area with which the Crown Court dealt and the area with which the inspector dealt on the planning appeal, the Crown Court was not trespassing on the area with which the inspector *had* to deal and upon which he had specifically based his decision on the appeal.

There is one other point which Mr Harvey made to which I must refer. The inspector had said, as I have already mentioned, that Stamford Street has become a secondary shopping street. The judge found that Stamford Street had declined as a retail area. Whether there is anything between those two I very much doubt, but if there is, then I cannot find it is a matter of such significance that of itself it would entitle me to say that the Crown Court's decision should be quashed. For those reasons I am not satisfied that the Crown Court was in breach of the principles I have endeavoured to set out relating to what is relevant and what can properly form the basis of its decision. The application therefore fails and it must be dismissed.

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A *Appeal dismissed with costs.*

Solicitors: *Warren Murton and Co* for the applicant  
*Local authority solicitor*

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KERRY BARKER  
*Barrister*

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**‘Gambling: An evidence briefing paper for Doncaster’ submitted by Public health in response to the Planning Permission application for Merkur Slots, 37/39 St Sepulchre Gate, Doncaster, DN1 1TD**



Doncaster  
Council

## Gambling:

### An evidence briefing paper for Doncaster



# Gambling: An evidence base briefing paper for Doncaster

## 1 Purpose

This paper provides an overview of gambling and the evidence in relation to the impact of problem gambling.

It must be noted that at the time of writing there is a lack of robust evidence concerning problem gambling, particularly local data and intelligence. This paper attempts to summarise useful evidence that will help us respond to the needs of problem gamblers in Doncaster.

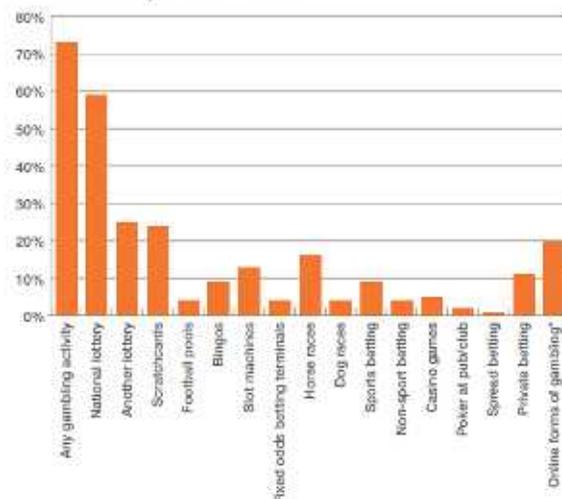
## 2 Background

There are numerous definitions of gambling and synonyms to describe gambling (e.g. gaming, wager, bet flutter). In essence gambling is the practice of playing games of chance or betting in the hope of winning money or, to stake or risk something of value on an event with an uncertain, or chance outcome.

Gambling has been described as being like alcohol, a legal activity on a continuum of harm (Best 2018). It has been suggested that there is a large number of people experiencing harm from gambling, and a small number of people that experience high levels of harm (Browne et al 2016).

Gambling is a common feature of everyday life for many people in Great Britain with up to three quarters of adults estimated to gamble to some degree each year. For the vast majority there are no significant negative consequences to gambling but it is estimated that 1 in every 90 adults in Great Britain is a problem gambler (Cards on the Table, Dec 2016); problem gambling is defined by the Royal College of Psychiatrists as gambling that disrupts or damages personal, family or recreational pursuits.

There are many different forms of gambling that people in Britain participate in. The illustration below shows the percentage of the British adult population that have participated in gambling activities over a 12-month period. Can the table be made bigger?



Source: British Gambling Prevalence Survey 2010 (BGPS 2011)  
\*Note: Online forms of gambling includes online bets on horse races, dog races, other sports or non-sports events with a sportsbook or betting marketplace. Also includes using the internet to play the national lottery, other lotteries, bingo, football pools, casino games and online slot machines style games.

### 3 Gambling and the economy

Headline findings indicate areas of interest across the industry or within each sector, highlighting percentage changes and changes in trends.

**£14.5bn**

Total Gross Gambling Yield (GGY) of the Great Britain gambling industry  
(Oct 2017 – Sep 2018) (0.6% decrease from Apr 2017 – Mar 2018)

**£5.6bn**

Total GGY for the remote sector  
(Oct 2017 – Sep 2018) (2.9% increase from Apr 2017 – Mar 2018)

**106,670**

Total number of employees in the Great Britain gambling industry  
(Sep 2018) (1.4% decrease from Mar 2018)

**39%**

Market share of the remote sector  
(Oct 2017 – Sep 2018) (1.2% increase from Apr 2017 – Mar 2018)

**8,423**

Total number of betting shops in Great Britain  
(Sep 2018) (1.5% decrease from Mar 2018)

**183,813**

Total number of gaming machines in Great Britain  
(Oct 2017 – Sep 2018) (2.4% increase from Apr 2017 – Mar 2018)  
(excludes those requiring only a local authority permit)

**650**

Total number of bingo premises in Great Britain  
(Sep 2018) (1.1% decrease from Mar 2018)

**£1.5bn**

Contributions to good causes from The National Lottery  
(Oct 2017 – Sep 2018) (0.2% increase from Apr 2017 – Mar 2018)

**152**

Total number of casino premises in Great Britain  
(Sep 2018) (1 more than Mar 2018)

**£314m**

Contributions to good causes from large society lotteries  
(Oct 2017 – Sep 2018) (5.1% increase from Apr 2017 – Mar 2018)

**1,639**

Total number of licensed arcades in Great Britain  
(Sep 2018) (5.3% decrease from Mar 2018)

Gambling Commission Industry Statistics April 2016 to March 2018 Updated to include October 2017 to September 2018  
<https://www.gamblingcommission.gov.uk/PDF/survey-data/Gambling-industry-statistics.pdf>

### 4 Gambling in the UK

The Gambling Commission\* reports high levels of participation in gambling in the UK:

**46%** of people have gambled in the past four weeks

**51%** of men have gambled in the past four weeks

**41%** of women have gambled in the past four weeks

**18%** of people have gambled online in the past four weeks

#### Online gambling behaviour (year to Dec 2018)

**96%** of online gamblers gamble at home

**45%** of online gamblers gamble using a laptop

**55%** of online gamblers gamble using a mobile or tablet device

**23%** of online gamblers have bet in-play in the past four weeks

\*Last accessed 20.3.19 <https://www.gamblingcommission.gov.uk/news-action-and-statistics/Statistics-and-research/Levels-of-participation-and-problem-gambling/Gambling-participation-and-problem-gambling.aspx>

The Gambling Commission's paper Young People and Gambling (2018) explores the gambling behaviours of young people aged between 11-16 years old in England, Scotland and Wales:

**14%** Percentage of 11-16 year olds that have gambled in the last week

**66%** Percentage of 11-16 year olds that have seen gambling advertising on TV

**1.7%** Percentage of 11-16 year olds that are defined as problem gamblers

**26%** Percentage of 11-16 year olds that have seen their parents gamble

**13%** Percentage of 11-16 year olds that have played online-gambling style games

**12%** Percentage of 11-16 year olds that follow gambling companies on social media

Last accessed 20.3.19 <https://www.gamblingcommission.gov.uk/news-action-and-statistics/Statistics-and-research/Levels-of-participation-and-problem-gambling/Young-persons-survey.aspx>

Gamcare, the national provider of free information, advice and support for anyone affected by problem gambling, highlights the indicative trends emerging from their 2017/18 data. These statistics are gathered from calls to the National Gambling Help Line and from the treatment services delivered across their network in England, Scotland and Wales. These statistics are not collected, nor do they have integrity as a dataset, for academic purposes. Key messages:

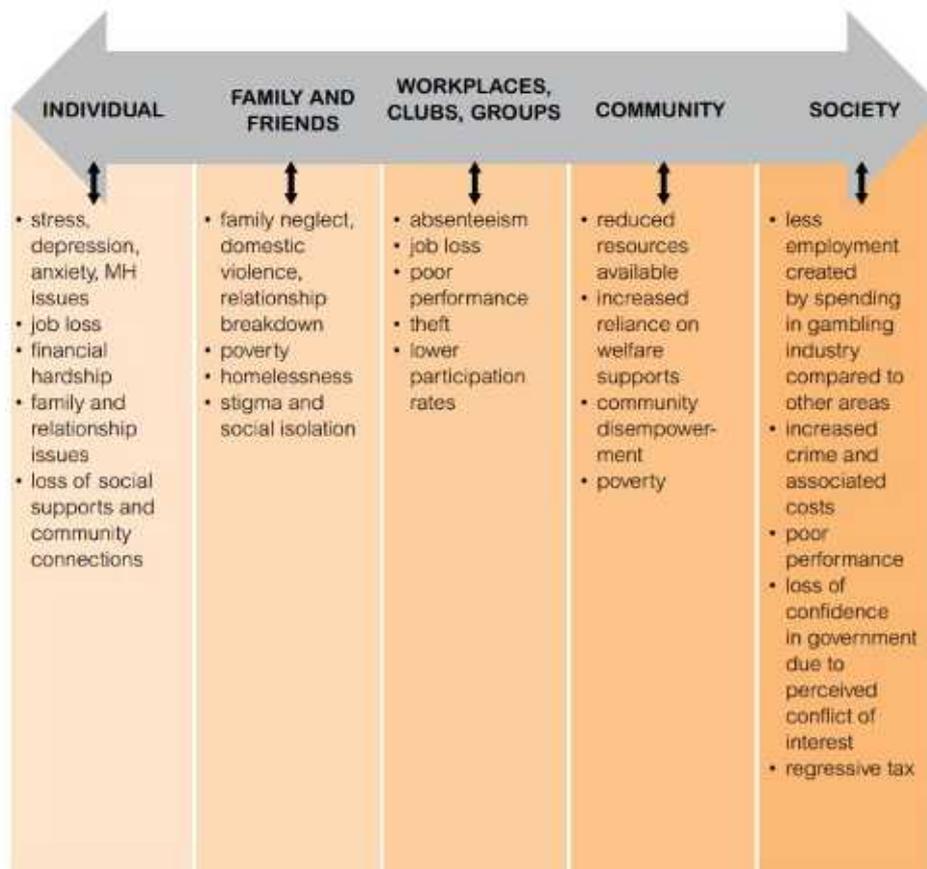
- Target calls from problem gamblers and affected others increased by 2% to 29,889
- Clients in treatment across Great Britain increased by 3% to 8,310
- Gamcare has seen a gradual increase in the number of callers to the National Gambling Help Line disclosing issues with online gambling, rising from 47% of callers in 2014/15 to 55% of callers in 2017/18.

- Similarly, more clients in treatment are disclosing issues with online gambling, rising from 38% in 2014/15 to 53% in 2017/18.
- Overall, 43% of callers mentioned impacts on their mental wellbeing last year, including anxiety, stress, depression, isolation, plus suicidal thoughts and feelings. Health problems include alcohol misuse, anxiety/stress, feeling isolated, general health and mental health.

There were also 2,289,469 unique visitors to the GamCare website during the year. Further detail can be found at: <https://www.gamcare.org.uk/app/uploads/2019/03/Briefing-Paper-GamCare-Annual-Statistics-2017-18.pdf>.

## 5 Levels of Harm from Problem Gambling

The consequences of problem gambling or gambling related harms can be far reaching, affecting not only the individual, their family and friends but also social networks and society.



**Source:** Health promotion resource guide for problem gambling prevention in Melbourne North<sup>12</sup>

Research commissioned from the Institute for Public Policy Research in 2016 estimated that the cost to government associated with people who are problem gamblers in Britain was between £260 million – £1.16 billion (based on problem gambling rates ranging from 0.4 to 1.1 per cent of the adult population). This was based on six identified specific costs covering primary and secondary health costs, hospital inpatient services, welfare and employment costs, housing costs and criminal justice costs.

<https://www.local.gov.uk/tackling-gambling-related-harm-whole-council-approach>

## 6 How gambling affects the population

Goodwin et al's (2017) best estimate is that a typical problem gambler affects six other people. Nash et al (2018) suggest that this figure could be 6 – 10 people.

There is growing evidence that the prevalence of problem gambling or the vulnerability to developing problem gambling may be higher within certain population sub-groups, particularly:

- Younger people, particularly men
- Those with other addictions (drugs, alcohol, nicotine)
- Those with mental health difficulties
- Unemployed, economically inactive, low socio-economic status, deprivation
- Some ethnic groups (e.g. new migrants)
- Children of problem gamblers

(Dowling et al. 2018; Shaffer et al. 1999, p1372; Petry et al. 2005; Cochrane collaboration 2012, p6; Geofutures, 2015; Responsible Gambling Strategy Board, 2016, p2; Cowlshaw et al. 2017 p277-8)

Studies screening offender populations have also found higher prevalence of problem gambling than would be expected in the general population. A pilot by the Beacon Trust, Cheshire Police, Mitie Care and Custody and Gamcare (November 2017) which screened using Lie/Bet identified problem gambling levels in the arrestee population in Cheshire at 13%.

<https://www.gamcare.org.uk/app/uploads/2017/11/HOWARD-LEAGUE-WINNER-CRIMINAL-JUSTICE-BROCHURE.pdf>

## 7 Who is at risk?

### Vulnerable Groups (Geofutures 2015)

[https://www.geofutures.com/file\\_exchange/gambling\\_risk\\_index/public/Phase2ReportWebVersionFinal9thFebruary2016.pdf](https://www.geofutures.com/file_exchange/gambling_risk_index/public/Phase2ReportWebVersionFinal9thFebruary2016.pdf)

Demographics	Socio-economic	Poor judgement/impairment	Other
Youth	Unemployed	Low educational attainment	Poor mental health
Older people	Low income	Low IQ	Substance abuse/misuse
Women	Deprived areas	Under influence alcohol/drugs	Problem gamblers
Ethnic groups	Financial difficulties/debt	Learning disabilities	
	Homeless	Personality traits	
	Immigrants		
	Prisoners/probation		

## 8 Local Picture

### Licensing objectives

In accordance with the Gambling Act 2005 Doncaster Council carries out its licensing functions with a view to promoting the following three licensing objectives:

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 carried out in a fair and open way;
3. Protecting children and other vulnerable persons from being harmed or exploited by gambling.

It should be noted the Licensing Authority (Doncaster Council) is not involved in licensing remote gambling, which is regulated by the Gambling Commission via operating licences.

In January 2019 Doncaster Council updated its Statement of Licensing policy. Going forward the Director of Public Health will be consulted on any application received for a new license. Public Health will complete a risk profile of the area and submit it to the licensing department for consideration as part of the application process.

Links between deprivation and gambling have already been established; Doncaster is ranked as the 39<sup>th</sup> most deprived area in England and the 3<sup>rd</sup> most deprived area in the Yorkshire and Humber region.

### Deprivation

The table below shows the deprivation rank of each ward area (1 being the worst and 21 the best). It also shows what % of the population live within 1km of a betting office.

2015 Ward Profiles <https://www.teamdoncaster.org.uk/Contents/Item/Display/83> shows that in the 10 most deprived wards in Doncaster over 80% of the population lives within a 1km of a betting shop.

Deprivation Rank	Ward	% of population within a 1km buffer of betting shop
1	Town	97.7
2	Hexthorpe	98.7
3	Mexborough	81.8
4	Conisbrough	89.3
5	Adwick	85.6
6	Wheatley	83.3
7	Stainforth	33.2
8	Thorne	91.4
9	Bentley	69
10	Balby South	71.6
11	Edlington	90.4

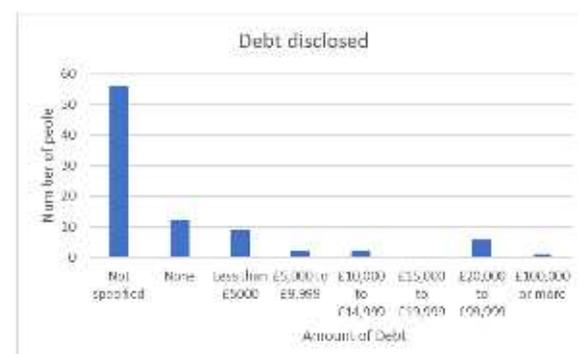
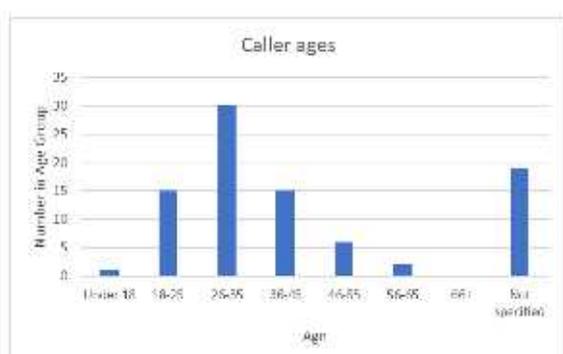
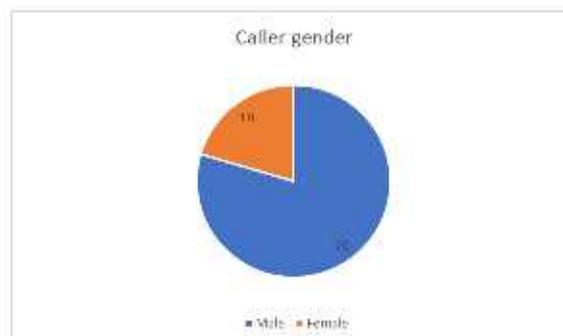
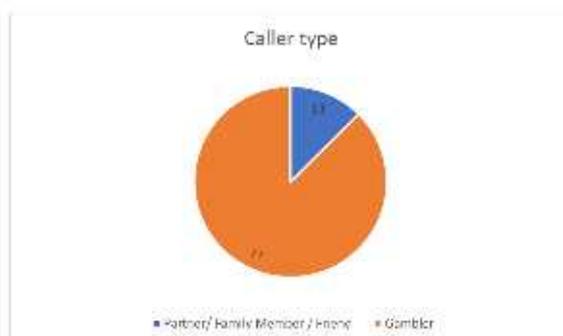
12	Rossington	81.5
13	Norton	43.9
14	Hatfield	47.7
15	Armthorpe	92.1
16	Bessacarr	53.6
17	Roman Ridge	90.9
18	Edenthorpe	0.4
19	Sprotbrough	2.9
20	Finningley	3.3
21	Tickhill	n/a

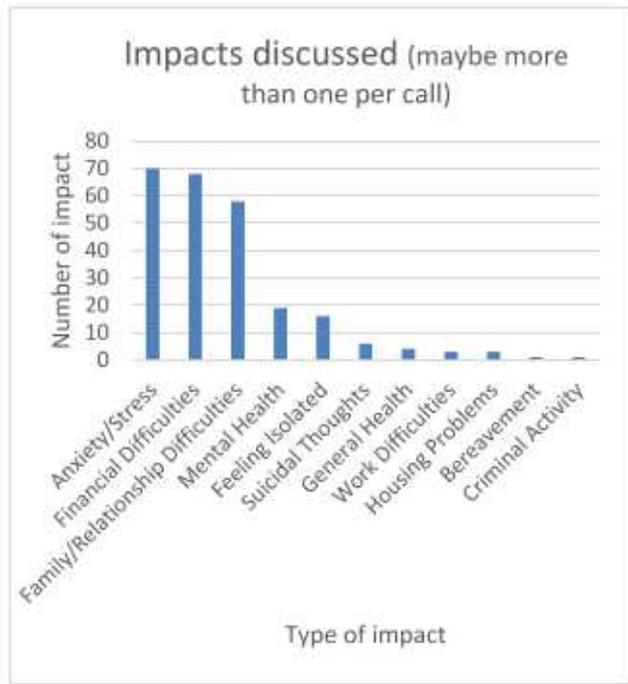
## 9 Gambling data for Doncaster

There is limited local data available as to how many problem or harmful gamblers there are in Doncaster. However, the following information does provide some useful insight:

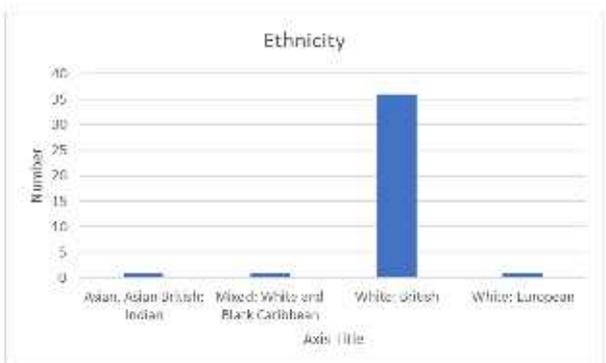
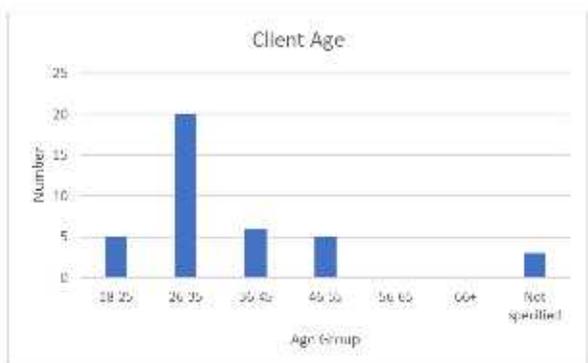
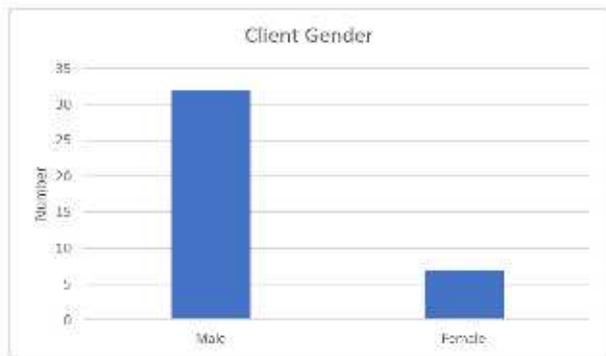
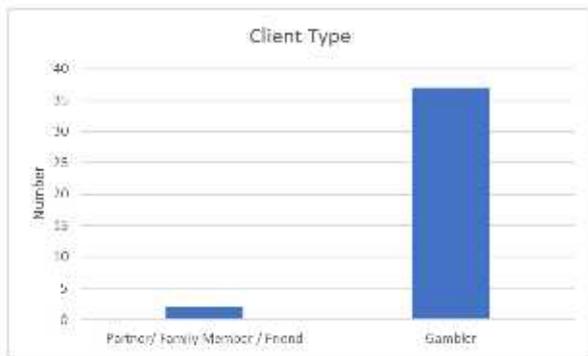
### Doncaster's Gamcare Statistics 2018

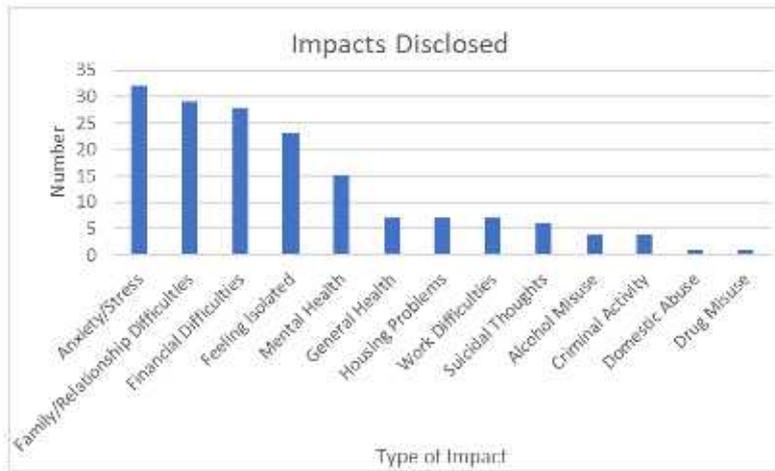
During the year 2017/2018 there were **88 telephone callers** to the Gamcare Helpline. The charts below show the demographic breakdown, the amount of debt disclosed and the impacts experienced.





In addition, **39 people** accessed local treatment and support. This could be face to face or via online courses.





### Doncaster's Pupil Lifestyle Survey

For the first time during school year 2018/19 the Doncaster Secondary School Pupil Lifestyle Survey asked the following questions in relation to gambling. This was to try to gain an understanding of young people's behaviour locally in relation to gambling.

#### STAYING SAFE

**Q** How many people of your age in your school do you believe have taken part in gambling activities in the last 7 days?

- None
  Some
  Most of them
  Nearly all

**Q** Do you ever take part in any of the following gambling activities?

	No	Less than once a month	At least once a month	At least once a fortnight	At least once a week	More than 3 times a week
I play arcade games for fun	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I play arcade games to win money	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I buy lottery tickets	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I play gambling games online (e.g. bingo, card games like poker)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I place bets online (e.g. horse races, sports results)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I place bets with my friends (e.g. horse races, sports results)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**Q** Do you experience any of the following when taking part in these types of gambling activities?  
(Tick one box on each row)

	No, never	Yes in the past	Yes, sometimes
I can forget about everything else when I'm playing	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I find it hard to stop	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I always try and win all my money back	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

**Q** If you think you, or someone you know might have a gambling problem would you know how to get help?

Yes       No

The results of the survey are as follows:

- 5% of pupils believe most or nearly all of their peers have taken place in gambling activity within the last 7 days. This is higher amongst Year 10s than Year 8s (7% vs 2%) and higher amongst boys than girls (8% vs 1%).
- 63% of pupils engage in activities related to gambling at least occasionally:
- 19% of pupils play arcade games for fun at least once a month. Of those, 6% play more than 3 times a week. 5% of all pupils play arcade games to win money at least once a month, with 2% playing more than 3 times a week. Boys have a slightly higher propensity to play for money (21%) than girls (17%) and although they equally play for fun (66% each), girls tend to do so less often.
- Overall, lottery tickets don't have a high uptake with 91% of pupils saying they never buy a ticket. 10% play online gambling games such as card games or bingo, which increases to 14% for those in Year 10. Boys are slightly more inclined to play online gambling games than girls, with 11% compared to 7%.
- 10% of pupils say they place bets online (e.g. horse races or sports results) and 14% bet with their friends. Pupils in Year 10 and boys more than girls are more likely to bet online and with friends.
- **8% say they find it hard to stop gambling. For 16% it offers an escape as they 'forget about everything else when playing' and 17% will always try to win their money back.**
- Overall 45% of pupils say they would know where to go if they or someone they know might have a gambling problem. Boys, who have expressed that they are more inclined to experience an emotional response to gambling than girls, are more likely to say they don't know where to get help (59% vs 53%).

#### St Leger Homes Website activity

St Leger Homes, the organisation that manages the council's 21,000 homes, has a page on its website where people can find information about support for gambling addiction.

During the five months leading up to 29 July 2019, data pulled from the website shows there have been 128 page views. The time spent on the page (03:37 minutes) is reasonable which suggests that people are most likely reading it rather than a quick look in and out of the page.

	Page Views	Unique Page Views	Avg. Time on Page	Entrances	Bounce Rate
	128 % of Total: 0.07% (178,603)	87 % of Total: 0.07% (123,810)	00:03:37 Avg for View: 00:01:17 (182,634)	82 % of Total: 0.12% (66,267)	0.00% Avg for View: 0.07% (-100.00%)
Managing money problems/gambling-addiction/	128 (100.00%)	87 (100.00%)	00:03:37	82 (100.00%)	0.00%

The data below is from the website provider so does not exclude repeat IP addresses and also includes visits by SLHD/DMBC staff.

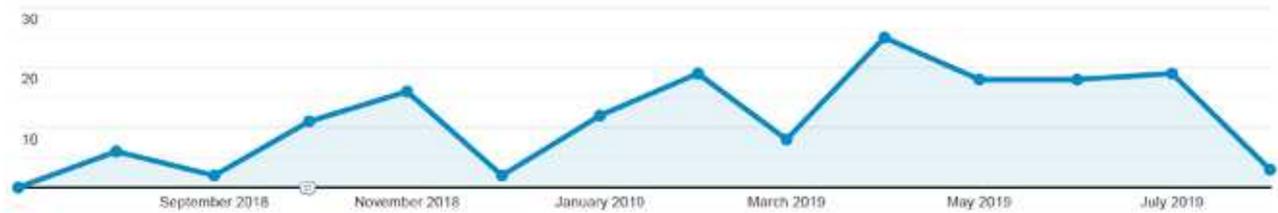
Page List

Page	Recent Hits	Hits Last Month	Hits This Year	Hits Last Year
/moneywise/energy/fuel-debts/	61	66	479	1154
/moneywise/food-banks/	355	332	2420	4207
/moneywise/managing-money-problems/	156	161	1047	2040
/moneywise/managing-money-problems/coping-with-debt/	75	55	426	1075
/moneywise/managing-money-problems/coping-with-debt/different-types-of-debt/	44	44	291	510
/moneywise/managing-money-problems/coping-with-debt/former-tenant-arrears/	58	64	362	599
★ /moneywise/managing-money-problems/gambling-addiction/	125	83	717	1313
/moneywise/managing-money-problems/life-changes/	49	44	312	724
/moneywise/managing-money-problems/life-changes/divorce-and-separation/	55	43	307	680
/moneywise/managing-money-problems/life-changes/having-children/	45	48	286	699

Similarly, the [Your Life Doncaster Website](#) has also seen a number of hits on its gambling information pages during the period July 2018 to August 2019.

Explorer

Pageviews



This data was filtered with the following filter expression: #4372

Page	Pageviews	Unique Pageviews	Avg. Time on Page	Entrances	Bounce Rate	% Exit	Page Value
	159 % of Total: 0.12% (135,896)	137 % of Total: 0.14% (101,167)	00:02:16 Avg for View: 00:00:47 (191.31%)	118 % of Total: 0.37% (32,316)	82.20% Avg for View: 62.86% (30.78%)	77.99% Avg for View: 23.78% (227.95%)	£0.00 % of Total: 0.00% (£0.00)
1. /s4s/whereilive/council?pageid=4372	159 (100.00%)	137 (100.00%)	00:02:16	118 (100.00%)	82.20%	77.99%	£0.00 (0.00%)

## 10 Licensing Requirements/Recommendations

There is a fine balance between creating a thriving economy and ensuring the environment encourages good population health. There are population groups in Doncaster that are likely to be at risk of problem gambling. The Licensing Committee is guided by three objectives and if those are met by the applicant then a license will be granted. However, there are ways to encourage safe gambling and identify problem gamblers and there are also conditions and mandatory requirements that are imposed as part of the operating license. These are:

- Leaflets offering assistance to problem gamblers should be available in gambling premises in a location that is both prominent and discreet, such as toilets.
- Training for staff members that focuses on, building an employee’s ability to maintain a sense of awareness of how much (e.g. how long) customers are gambling, as part of measures to detect persons that may be vulnerable.
- Trained personnel for the purpose of identifying and providing support to vulnerable persons.
- Self-exclusion schemes.
- Stickers or notices on gaming machines to identify the stakes/prizes.
- Operators should demonstrate their understanding of best practice issued by organisations that represent the interests of vulnerable people.
- Fixed Odds Betting Terminals should clearly display the odds.
- Positioning of ATM machines.

**Actions:**

- Establish a multi-agency Gambling and Financial Inclusion Group to co-ordinate appropriate action plan for Doncaster utilising the Gambling Harm Reduction Framework developed by the ADPH Regional Problem Gambling Working Group.
- Ensure all licensing conditions are utilised on new licensing applications.
- Endeavour to deter proliferation of gambling establishments in town and local centres utilising licensing and planning powers.
- Encourage Betting Office and Pub staff to undertake Making Every Contact Count on-line training.
- Facilitate Health Promotion campaigns targeting those most likely to be problem gamblers and those using remote gambling services.
- Encourage GPs/healthcare staff to give consideration to gambling participation when assessing a patient's situation (this could be the patient themselves or a family member presenting with related issues).
- Support front line staff/volunteers that are most likely to come into contact with people experiencing or at risk of problem/harmful gambling to access brief intervention training
- Promote services that support gamblers via community focussed websites e.g. the Your Life Doncaster, St Leger Homes and Gamcare
- Promote YGAM (Young Gamblers Education Trust) train the trainer programmes to relevant partners across the borough

**Planning Permission Decision for  
Merkur Slots, 37/39 St Sepulchre Gate,  
Doncaster, DN1 1TD**



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## Appeal Decision

Site visit made on 14 July 2020

**by Edwin Maund BA (Hons) MSc Dip UP MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 14<sup>th</sup> August 2020

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**Appeal Ref: APP/F4410/W/20/3250246**

**37-39 St Sepulchre Gate, Doncaster DN1 1TD**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
  - The appeal is made by Praesepe Holdings Ltd against the decision of Doncaster Metropolitan Borough Council.
  - The application Ref 19/02976/COU, dated 6 December 2019, was refused by notice dated 3 February 2020.
  - The development proposed is Change of use of the ground and first floors to adult gaming and amusement centre with bingo (Sui Generis) at ground floor and ancillary staff area at first floor.
- 

### Decision

1. The appeal is allowed and planning permission is granted for the change of use of the ground and first floors to adult gaming and amusement centre with bingo (Sui Generis) at ground floor and ancillary staff area at first floor at 37-39 St Sepulchre Gate, Doncaster DN1 1TD, in accordance with the terms of the application, Ref 19/02976/COU, dated 6 December 2019 subject to the conditions set out in the schedule attached to this decision notice.

### Procedural Matters

2. The Council in determining the application refused it on the basis of the current development plan, but in setting out their case in support of the appeal have made reference to the Emerging Local Plan. The Examination into the Local Plan is at a relatively early stage, and it is too early in the process to know what modifications may be made as the Examination hearings have yet to commence. In these circumstances, and in accordance with Paragraph 48 of the Framework, I consider only moderate weight can be given to the Emerging Local Plan and I have determined the appeal on this basis.

### Main Issues

3. The main issues are;
  - The effect of the proposal on the vitality and viability of the Doncaster town centre and primary shopping frontage; and
  - The effect of the proposal on the health and wellbeing of residents living in the Town Ward of Doncaster.

## Reasons

### *Vitality and Viability*

4. The appeal property is a vacant shop unit on the eastern side of St Sepulchre Gate within the designated primary shopping frontage of Doncaster town centre. Located on a pedestrianised street, at the time I visited, early afternoon, mid-week, the centre was busy, and footfall was apparent in all directions, despite some ongoing restrictions due to Covid-19. I recognise this is just a snapshot in time, but from my observations the location appeared to be a healthy town centre shopping area.
5. A small number of premises were vacant, including the appeal site, nevertheless there was a good range of shops including national retail chains and other ancillary services which you would expect to find in a town centre location.
6. Along the same side of St Sepulchre Gate between High Street and Printing Office Street, I was able to view that despite being highlighted as a primary shopping frontage, this side of the road is broadly a 50/50 split between retail and non-retail uses, with several banks, two betting shops, and two cafes. With the appeal premises located between a betting shop and a café.
7. Policy TC6 of the Doncaster Unitary Development Plan (UDP) (1998) seeks to retain the predominant retail function of these frontages but supports the change from retail where that use contributes to the vitality and viability of the centre and does not seriously disrupt the continuity of the shopping frontage.
8. Policies CS7 and CS8 of the Doncaster Core Strategy (CS) (2012) highlight the importance of Doncaster town centre as the sub regional centre, sub criteria B) of CS7 advises that the vitality and viability of the borough's centres will be enhanced, by in part widening the range of uses and encouraging service and employment facilities to meet the day to day needs of residents.
9. I have been provided with information in respect of how the property has been marketed since October 2018, but this does not include whether the price sought reflected a realistic value in the current economic climate, nevertheless what information I do have is indicative of some of the challenges facing town centres and the retail sector.
10. I am also mindful of the forthcoming changes to the Use Classes Order that will come into effect on 1 September 2020 allowing greater flexibility for changes of use from retail within town centres. While this would not directly affect this proposal as the proposed use is sui generis it is a material consideration in respect of how it would affect the current policy and in particular the aims of retaining primary retail frontages.
11. The use proposed would comply with the aims of this policy by supporting the vitality and viability of the town centre and bring a vacant unit back into use, facilitating a use which could add to the footfall and increase the opportunity for shared trips. It would also add to the evening economy being a use that would be open up to 24 hours, and also subsequently increase employment opportunities.
12. The Council consider that the proposal would be in conflict with the Emerging Local Plan policy 24. I do not agree, the proposal is for none of the exclusions

identified in that it is adult gaming and amusement centre with bingo, not a betting shop, pay day loan unit or pawnbrokers. Even, if I were to agree with the Council's interpretation of the supporting text, the appellant has marketed this vacant property for in excess of 12 months with no success. The appeal proposes having an occupier within the building where there is an opportunity for additional footfall, and it would not result in a cluster or concentration of such uses, being the only such use in this immediate area.

13. In summary, I do not consider that the proposed use would be in conflict with policy TC6 of the UDP, or CS7 and CS8 of the CS which seek to ensure amongst other things, to maintain the vitality and viability of the town centre.

#### *Health and wellbeing*

14. The appeal site is located within Doncaster Town Ward. The Council identify that it is an area of deprivation relative to Doncaster Borough as a whole and Doncaster itself is relatively deprived. The Ward the Council consider has an over representation of residents that are susceptible to problem gambling, as such the appeal if allowed would exacerbate the situation and consequently have an adverse effect on public health.
15. Conversely, the updated report '*Gambling: An Evidence Briefing Paper for Doncaster*' accepts that there is a lack of robust evidence concerning problem gambling; and there is limited local data for Doncaster itself. Nor does it correlate that the proximity of a gambling establishment within a close proximity to residents' results in additional problem gambling.
16. There is an estimate that 1 in 90 adults in the UK are problem gamblers, with no further information on how this differs locally, if at all, or how, should the appeal be allowed, this might make matters worse, I do not agree therefore that the argument presented can be given significant weight, or that there is a clear link between the proposed use of the site and the concerns the Council identify.
17. I do not consider therefore that the proposal would adversely affect the health and wellbeing of residents in the Town Ward of Doncaster. I do not consider therefore that this would lead to a conflict with either the Framework or the Emerging Local Plan policy 51.

#### **Other Matters**

18. The site is located within the Doncaster High Street Conservation Area there is a duty therefore to pay special attention to the desirability of preserving or enhancing the character or appearance of the area. The effect on the Conservation Area has not been raised as an area of concern by the Council as no changes are proposed to the external façade of the building and a shop window display has been confirmed to be retained which can be controlled by a suitable condition, I consider the duty to preserve the Conservation Area would be achieved.
19. The appellant has pointed me towards their social responsibility policy, which is to be welcomed but it is not something which could be enforced through planning conditions so can be given limited weight in determining the appeal.
20. I have been referred to a series of other appeal decisions which were allowed relating to changes of use from retail (A1) to Adult Gaming Centres (Sui

Generis) in Croydon<sup>1</sup>, Eastwood<sup>2</sup>, and Hull<sup>3</sup>. Given that each of these appeals were in different localities and had differing policy backgrounds I do not draw significant conclusions from them and therefore they do not carry significant weight in my decision.

### **Conditions**

21. I have considered the planning conditions that have been suggested by the Council against the tests in the Framework and the advice in the Planning Practice Guidance and have made such amendments as necessary to comply with those documents. To provide certainty a condition is necessary requiring that the development is carried out in accordance with the approved plans.
22. I have imposed a condition requiring the implementation and retention of a shop window display in the interests of the vitality and viability of the area and to preserve the character and appearance of the conservation area.  
I have not imposed the condition limiting opening hours as this is a town centre site in a sub-regional centre where late night activities could be expected.

### **Conclusions**

23. The appeal is allowed.

*Edwin Maund*

INSPECTOR

### **Schedule of Conditions**

- 1) The development hereby permitted shall begin not later than 3 years from the date of this decision.
- 2) The development hereby permitted shall be carried out in accordance with the following approved plans: 000-EX-01, 000-DR-01.
- 3) A shop window display in all ground floor windows fronting St Sepulchre Gate shall be installed before the use commences and retained for the lifetime of the use.

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<sup>1</sup> Appeal Reference APP/L5240/W/19/3232831

<sup>2</sup> Appeal Reference APP/J3015/W/18/3212670

<sup>3</sup> Appeal Reference APP/V2004/W/19/3233244