SPELTHORNE BOROUGH COUNCIL

DECISION NOTICE

In accordance with the GAMBLING ACT 2005 s 165

Date of Licensing Sub-Committee: 8th October, 2025

Applicant: Golden Slots (Southern) Limited, Acumen, Connaught House, Luton LU1 2RD

Premises: 39 Church Road, Ashford, Surrey TW15 2QF (proposed trading same Golden Slots)

Premises Licence type: Adult Gaming Centre ("AGC")

REASONS FOR HEARING: To determine an application for a new AGC premises licence under the Gambling Act 2005.

DECISION: Refused

REASONS FOR DECISION

The Application

1. This is an application for a new Adult Gaming Centre ("AGC") Premises Licence under s 159 of the Gambling Act 2005 by Golden Slots (Southern) Limited., for premises formerly occupied by Barclays Bank which is currently empty at 39 Church Road, Ashford TW15 2QF.

2. It is proposed that the premises will have a total of 62 gaming terminals. The premises proposes to trade under the name of Golden Slots.

Proposed Condition

3. The application was originally made for the proposed operation of 24-hours each day. At the hearing on the 8th October, 2025 after some helpful discussion the Applicant agreed to amend its operating hours to 09:00 – 23:00. This matches the hours permitted

under the current planning permission. This amendment was welcomed and accepted by the Licensing Sub-Committee.

4. The application included a list of eight conditions that the applicant considers appropriate to be attached to the premises licence if granted (these are listed on pages 29 – 30 of the Agenda Papers). The Applicant agreed during the hearing that its proposed condition [6] could be amended to make reference to drugs so that it would now read: 'Individuals who are deemed to be under the influence of excessive alcohol *and / or under the influence of drugs* shall not be allowed to enter the premises.'

5. Initially the Surrey Police made a representation objecting to the application (see Agenda pages 91 – 94). However, following engagement between the Applicant and the Surrey Police the representation of the Surrey Police was withdrawn on the basis that the Applicant agreed to and adopted the conditions suggested by the Surrey Police with one exception as to enticement promotions (see Agenda Report, page 14). We take note of the adopted conditions which are at pages 92 – 94 of our Agenda Papers.

6. At the hearing the Applicant confirmed that where there is repetition or conflict between the conditions on the application form and those conditions agreed with Surrey Police it is the wording agreed with Surrey Police that ought to be preferred.

7. Additionally, one of the interested parties – Mr Nik Urquhart – suggested 11 additional conditions (these are listed at page 544 of the Agenda Papers). During discussion at the hearing the Applicant accepted suggested condition:

   [5] 'No external ATM; no signage encouraging cash withdrawal'; and suggested condition

   [9] 'Membership of Shopwatch/Betwatch & active radio use.'.

8. Regarding suggested condition [5] the Applicant accepted that there would be no internal ATM nor would there be an external wall positioned` ATM at the premises.

9. Additionally, in the discussion on conditions, the Applicant accepted:

   [1] that it could and would obtain and use a UV ID scanner to help with the detection of fake identification documents; and

   [2] that training material and records of training could be kept on the premises and made available for inspection upon request and that the training material would include details on the identification and intervention of those at obvious and not-so-obvious risks of gambling harms.

10. In our deliberation we gave serious consideration to all the conditions as well as to the suggestion made by Mr Urquhart for the provision of SIA-licensed door supervision.

11. In its written and oral submissions, the Applicant helpfully drew our attention to the operating policies and procedures and the legal requirement to comply with the Licensing Codes and Conditions of Practice ("LCCPs") relevant portions of which were extracted for us by the Applicant (Agenda Papers, pp 455 – 525).

Aim to Permit

12. The Licensing Sub-Committee is mindful of its statutory requirement, under s 153 of the Act, to aim to permit the use of premises in so far as the licensing authority think it (a) in accordance with the Gambling Commission's codes of practice; (b) the Gambling Commissions' guidance to local authorities; (c) reasonably consistent with the three licensing objectives; and (d) in accordance with the licensing authority's own statement of licensing principles.

13. In our deliberations we reminded ourselves of the aim to permit requirements and the advice to local authorities in the Gambling Commission Guidance to Local Authorities at para 1.19 (in our Agenda Papers at pages 238 – 239) which states: '*The effect of this* [s 153 statutory aim to permit] *duty is that both the Commission and licensing authorities must approach their functions in a way that seeks to regulate gambling by using their powers, for example, powers to attach conditions to licences, to moderate the impact on the licensing objectives rather than by starting out to prevent it altogether*.' The Guidance further provides at para 1.27 (Agenda Papers page 240): '*Licence conditions are one method by which it is possible to mitigate risks associated with a particular premises. The imposition of licence conditions might be prompted by locality specific concerns, for example the proximity of gambling premises to a school.*'

Other Matters

14. We also noted that we are not to have regard for the expected demand for the gambling facilities that this application proposes to provide.

15. We also confirm that we disregard any moral objections to gambling.

Overview of Evidence

16. In reaching our determination we have had regard to:

- The application (Agenda Papers, pp 27 – 31) and supporting documents (Agenda Papers, pp 433 – 537 which includes the most recent Local Area Risk Assessment at pp 526 – 537);
- The conditions agreed between the Applicant and Surrey Police;
- The further agreement as to conditions (including the reduction in hours sought) and the wider conditions discussion;
- The written representations and supporting document of all the parties; and
- The oral submissions and responses from:
    - Debbie Bollard (Applicant's Agent)
    - Harpreet Chattha (Applicant)
    - Bruce Stuart Reid (Spelthorne Licensing Authority)

- Alistair Hill (Surrey County Council Public Health)
- Councillor Greg Neall (Agenda Papers, pp 187 – 191 and page 3 of the supplementary agenda); and
- Nik Urquhart (Agenda Papers, p 165 and pp 539 – 544).

17. We do not propose to go into the full details of the oral submissions and the discussion at the hearing. The hearing was live streamed and a recording of the hearing will be retained by the Council until the appeal period has expired.

18. The written representations by the Licensing Authority, Surrey Public Health and of Civil Society are helpfully summarised in the introductory sections of our Agenda Papers, pp 14 – 16.

19. Our decision notice should be read in the full context of the application as amended, the agenda papers and the submissions made to us.

The Applicant

20. We note that the Applicant company is owned and managed by Harpreet Chattha. The company has held an Operating Licence since 2016 without any enforcement action being taken against it. Mr Chattha has worked for the company since 2019 and he purchased the company in 2022. The company operates AGC's in Milton Keynes, Haringey, Cricklewood and Northampton. The bulk of oral submissions were made by Ms Bollard on behalf of the company. However, when asked questions Mr Chattha answered clearly and openly; he engaged with the conditions discussion and made helpful and welcome concessions including the reduction in hours. We find no reason to doubt his good intentions.

Reasoning

21. Ms Bollard on behalf of the Applicant made oral submissions which were a summary of her detailed written submissions which are found in our Agenda Papers at pp 433 – 452. During her oral submissions she mentioned the Magistrates' Court decision of *Royal Amusements v Sheffield* which she tells us is not a legally binding decision and cannot be relied on as a precedent. During the hearing our legal advisor confirmed that this is correct, and we reminded ourselves that this case is reflective of a particular application in the particular location of the City of Sheffield. For this reason, we have also disregarded the comments provide by Mr Urquhart on this case in his further submissions (Agenda Papers, p 541).

22. All parties including the Applicant agree that we are concerned with the locality-specific concerns and consideration of this application. Ms Bollard described the location of the premises as an already deteriorating high street. This accords with the view of the local residents. Given this consensus we find this a credible assessment of the current character of Church Road. The representations of all parties highlighted to

us that we must consider the circumstances of the actual location of this application premises. An approach to locality-specific concerns is advocated for by the Gambling Commission and in our statement of licensing principles. We must, obviously, have regard to Church Road and the surrounding areas which feed into and cross into Church Road (including, Stanwell North & Stanwell Moor and Stanwell South).

23. We found the wider gambling context and industry background presented by Ms Bollard informative and helpful but ultimately not determinative. It was clear to us from her submissions that our focus was required to remain focused and local; as stated in our policy statement: *The Council will … consider the location on a case-by-case basis* (Agenda Papers, p 211).

24. The Applicant has provided an updated Local Area Risk Assessment. It was confirmed during the hearing that this updated LARA should be dated 25th September, 2025 and not 20th May, 2025. We were told that the methodology for the LARA was that consideration was given to the withdrawn Police Representation, the Council's Statement of Licensing Policy and a walk through the area by Ms Bollard and Mr Chattha. The LARA, and indeed all the parties, invites us to consider a variety of statistical information and provide submissions thereon. Of course, we recognise, that unlike the brief LARA visits by the Applicant, we can, as local councillors, rely upon our own considerable local knowledge of the area in assessing the statistics and submissions made thereon.

25. The LARA and the oral submissions also identify particular uses of premises that we should have regard to: Schools, Banks & ATMs, Pubs & Bars, Churches, Care Homes, Transport Hubs, Areas of general interest to children and Centres for vulnerable people. These same premises uses are also referred to by the Licensing Authority and Interested Parties. Our statement of Gambling Policy specifically highlights: Schools, Vulnerable adult centres; and Residential areas with a high concentration of children (para 2.3, Agenda Papers, p 211).

26. The question for us is whether there is sufficient evidence of locality specific concerns that identify adverse impacts on local areas of deprivation. We find that despite the different focus and accent on the statistical data relied upon by all parties (including the Applicant) we are on balance able to conclude that there are relevant concerns in respect of deprivation and other adverse circumstances (*e.g.* homelessness).

27. There is an acceptance amongst all parties (including the Applicant) that gambling can have an adverse impact on vulnerable persons. Ms Bollard in her oral and written submissions explained the policies and procedures adopted by the Applicant. Mr Chattha stated that his staff are trained to spot problem gamblers including those adversely affected by alcohol or drugs. They both confirmed in discussion that non-obvious vulnerabilities were a concern, but that the staff could be trained to spot these invisible harms. We found this somewhat surprising, as we accepted, as evidenced in the Applicant's submissions, detecting vulnerabilities or harms that are invisible is self-evidently very difficult even for good and conscientious operators of gambling

premises. We welcomed the acceptance by Ms Bollard that of course there would be some problem gambling, that some vulnerable people could not be spotted and that some gambling related harms would occur. We found this approach to be mature, sensible and realistic.

28. In his submissions to us Cllr Neall gave us the anonymised perspective of a problem gambler. We are sympathetic to the plight of problem gamblers. We note the sympathy of the Applicant to the plight of problem gamblers as reflected in the LARA, operating policies and procedures and the proposed conditions. We also note that for the majority of people gambling is a lawful and enjoyable pastime. We also, respectfully, note that problem gamblers must accept and assume personal responsibility for their problem and the solution to it – in this regard we found the information on self-exclusion provided by the Applicant to be very helpful.

29. We are aware that there is no definition of 'vulnerable persons' in the Act or in the Gambling Commission Guidance. But, at para 5.17 of the Gambling Commission's Guidance it states that for regulatory purposes vulnerable persons 'includes people who gamble more than they want to, people who gamble beyond their means and people who may not be able to make informed or balanced decisions about gambling due to, for example, mental health, a learning disability or substance misuse relating to alcohol or drugs.' (Agenda Papers, p 252). It is evident to us that when thinking about vulnerable people and gambling related harms such vulnerabilities and harms are not always visible – we accept that within this locality there are 'invisible' vulnerabilities, and it is more likely than not that there may arise 'invisible' harms.

30. The Licensing Authority, Public Health and Civil Society submit that a grant of an AGC would have an adverse impact on children and vulnerable residents in the locality of the proposed AGC, albeit that statistically that may be a small number. Though the fiscal cost associated with problem gambling is £1,439,742 – no small sum. We have been provided with various plans, diagrams and statistics in this regard.

31. Having considered the locality, the locality specific concerns and after careful deliberation we agree that this AGC, in this location is much more likely than not to have an adverse impact on children and vulnerable people.

32. Applying the s 153 criteria our starting point is that we should aim to permit the grant of this application – this is why we led our deliberations with a full consideration of the proposed conditions, policies and procedures proposed by the Applicant. The Applicant has detailed the LCCPs, its proposed conditions (from the application form, police agreement and conditions discussion in the hearing) and its policies and procedures. We accept that these conditions, policies and procedures are effective within the premises and at the door of the premises. We note the candid acceptance by the Applicant that some persons with unseen vulnerabilities might fall through the operating measures. Vulnerabilities extend beyond the physical premises and extend into the local community. We note that the local community includes legitimate businesses such as that proposed by the Applicant and all those people that gamble lawfully, safely and enjoyably.

33. We welcomed the reduction in hours. Lesser hours reduce the opportunity for gambling and the potential for gambling related harms. None-the-less 09:00 – 23:00 remains a significant gambling offering at the most convenient times. The engagement by the Applicant with the Surrey Police and with the Licensing Sub-Committee in the hearing is welcomed and commendable.

34. We found the Applicant credible and reliable. We found the same of the Licensing Authority, Public Health and the other Interested Parties. This was not an easy determination given the considered approach by all parties and the persuasive data and submissions on all sides.

35. In our view considering the relevant premises uses in the locality of the proposed AGC (*e.g.* schools, medical, services for vulnerable people *etc.*) and the evidenced concerns in the locality (*e.g* deprivation etc) of the proposed AGC the conditions, policies and procedures do not, on balance, sufficiently ameliorate or protect against the harms that may flow from this AGC into the wider locality.

36. We also asked ourselves whether we could impose additional conditions to ameliorate our concerns; we could not think of any further conditions that would be sufficiently capable of protecting children or other vulnerable persons from being harmed or exploited by gambling.

DECISION

37. For the reasons set out herein above the Licensing Sub-Committee has decided to refuse this application.

Date of Decision: 17th October, 2025

Councillor M Lee (Chairman)

Councillor T Burrell

Councillor K Grant

RIGHT TO APPEAL

You have a right to appeal this decision to Staines Magistrates' Court, within 21 days of receipt of this Notice of Decision. If you decide to appeal, you will need to submit your appeal to Guildford Magistrates Court which runs the administration for the courts in Surrey. You should allow sufficient time for your payment of the relevant appeal fee to be processed. For queries, Guildford Magistrates Court can be contacted on 01483 405 300.