

NOTICE

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MEETING

LICENSING PANEL SUB-COMMITTEE

will meet on

MONDAY 2 FEBRUARY 2015

at

6.30 PM

in the

GUILDHALL CHAMBER, WINDSOR SL4 1LR

TO: ALL MEMBERS OF THE LICENSING PANEL SUB-COMMITTEE (For action)

COUNCILLORS GEORGE BATHURST, GEOFF HILL AND ASGHAR MAJEED

Karen Shepherd Democratic Services Manager

Issued: 20 January 2015

Members of the Press and Public are welcome to attend Part I of this meeting.

The agenda is available on the Council's web site at www.rbwm.gov.uk or contact the Panel Administrator **Tanya Leftwich** (01628) 796345

Fire Alarm - In the event of the fire alarm sounding or other emergency, please leave the building quickly and calmly by the nearest exit, situated through the Mayor's Parlour (opposite the Chamber), and proceed down the back staircase. Do not stop to collect personal belongings. Congregate on the cobbled area, outside Hamptons Estate Agents and do not re-enter the building until told to do so by a member of staff.

Recording of Meetings – The Council allows the filming, recording and photography of public Council meetings. This may be undertaken by the Council itself, or any member of the public attending the meeting. By entering the meeting room you are acknowledging that you may be audio or video recorded and that this recording will be available for public viewing on the RBWM website. If you have any questions regarding the council's policy, please speak to the Democratic Services or Legal representative at the meeting.

AGENDA

PART I

<u>ITEM</u>	SUBJECT	<u>WARD</u>	PAGE NO
1	APPOINTMENT OF CHAIRMAN		
	To appoint a Chairman for the duration of the meeting.	-	
2	APOLOGIES FOR ABSENCE		
	To receive any apologies for absence.	-	
3	DECLARATIONS OF INTEREST		
	To receive any declarations of interest.	-	
4	CONSIDERATION OF APPLICATION FOR A PREMISES LICENCE UNDER THE GAMBLING ACT 2005 (LP 09/14)		
	To consider an application for a Premises Licence under the Gambling Act 2005 at William Hill, 236 Dedworth Road, Dedworth, Windsor SL4 4JR.	CLEWER NORTH	1-41

MEMBERS' GUIDANCE NOTE

DECLARING INTERESTS IN MEETINGS

DISCLOSABLE PECUNIARY INTERESTS (DPIs)

The Localism Act 2011 makes failure by members to comply with the regulations in respect of disclosable pecuniary interests (DPIs), without reasonable excuse, a criminal offence.

DPIs include:

- Any employment, office, trade, profession or vocation carried on for profit or gain.
- Any payment or provision of any other financial benefit made in respect of any expenses occurred in carrying out member duties or election expenses.
- Any contract under which goods and services are to be provided/works to be executed which has not been fully discharged.
- Any beneficial interest in land within the area of the relevant authority.
- Any license to occupy land in the area of the relevant authority for a month or longer.
- Any tenancy where the landlord is the relevant authority, and the tenant is a body in which the relevant person has a beneficial interest.
- Any beneficial interest in securities of a body where
 - a) that body has a piece of business or land in the area of the relevant authority, or b) the total nominal value of the securities exceeds £25,000 or one hundredth of the total issued share capital of that body or the total nominal value of the shares of any one class belonging to the relevant person exceeds one hundredth of the total issued share capital of that class.

You **must make** the declaration of interest at the beginning of the meeting, or as soon as you are aware that you have a DPI in the matter being discussed, whether or not this is in your Register of Interest. A **member with a DPI is unable to take part in discussion or vote at a meeting.** The term 'discussion' has been taken to mean a discussion by the members of the committee or other body determining the issue. A member with a DPI **may make** representations, statements or ask questions as a member of the general public can, but can not be part of the committee discussion. You should notify Democratic Services before the meeting of your intention to speak. In order to avoid any accusations of taking part in the meeting, it is suggested that you leave the room or at least move to the public area.

If the interest declared has not been entered on to your Register of Interests, you must notify the Monitoring Officer in writing within the next 28 days following the meeting.

OTHER INTERESTS

If the issue being discussed is not a DPI, but affects you more than another member of the public (either positively or negatively), or if you have a conflict of interest, then you should obtain advice from the Legal or Democratic Services Officer before participating in the meeting. You may not be able to take part in the committee discussion or vote, as this could invalidate the decision and have further legal consequences. You could still speak at the meeting if a member of the public has a right to speak on the subject.

If you have any queries in relation to the above, please seek further advice from the Monitoring Officer or Democratic Services.

REPORT TO LICENSING PANEL SUB COMMITTEE

CONSIDERATION OF APPLICATION FOR A PREMISES LICENCE UNDER THE GAMBLING ACT 2005

LISENSING PANEL SUB COMMITTEE: Date: 2nd February 2015

OFFICER REPORTING: Alan Barwise – Team Leader, Licensing

A) THE APPLICATION

APPLICANT: William Hill Organisation Ltd

PREMISES: William Hill, 236 Dedworth Road, Dedworth, Windsor SL4 4JR

Licence Application

The application is for a premises licence for betting with standard conditions.

B. RELEVANT REPRESENTATIONS

Responsible Authorities:

a) Police

None

b) Environmental Health

None

c) Fire Officer

None

d) Planning Officer

None

e) Child Protection Agency

None

d) Gambling Commission

None	

e) HMRC

None

f) Licensing Authority

None

Representations have been received from a local councillor and from local residents. Copies are attached to this report.

C) OBSERVATIONS

Background Information

- The Gambling Act 2005 came into effect on 1 September 2007. It introduced a new licensing regime for betting and gaming under the joint responsibility of the newly established gambling commission and the local licensing authority.
- Under the act the gambling commission has primary responsibility for issuing operators licences and personal licences while the local authority has primary responsibility for issuing premises licences. Gaming and betting establishments are normally required to obtain all three types of licence before they are able to operate lawfully. No premises licence may be issued without an operating licence having been obtained from the commission.
- In considering applications made to it under the Act this authority is required to have regards to:
 - The Gambling Act 2005 and the secondary regulations issued under the Act;
 - The licensing objectives set out in the Act (see paragraph 6 below);
 - The Guidance given to licensing authorities by the gambling commission;
 - The authority's own statement of gambling licensing policy
- 7 The three licensing objectives set out under the Act are
 - Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support to support crime;
 - Ensuring that gambling is conducted in a fair and open way; and
 - Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 8 The local licensing authorities primary concern under the Act will be with the third objective of protecting children and other vulnerable people.

- 9 Section 153 of the Act provides that in exercising its function under part 8 of the Act (which deals with premises licensing and provisional statements) a licensing authority should aim to permit the use of premises for gambling in so far as it this it
 - In accordance with any relevant code of practice under section 24 of the Act:
 - In accordance with any relevant guidance issued by the commission under section 25 of the Act;
 - Reasonably consistent with the licensing objectives (subject to the above); and
 - In accordance with the statement of policy published by the authority under section 349.
- 10 Consultation on the application has been undertaken in accordance with the Act and relevant regulations. Notification of the application has been given by the applicant to the relevant responsible authorities and the application has been advertised by way of a poster displayed at the premises and in a local newspaper.

Mandatory Licence Conditions

The sub-committee should be aware that in event that a premises licence may be granted in respect of this application the following mandatory conditions applicable to all categories of premises must be attached to that licence.

- (1) The conditions specified in paragraph (2), (3) and (4) shall be attached to every premises licence;
- (2) The summary of the terms and conditions of the premises licence issued under section 164(1)(c) of the Act shall be displayed in a prominent place within the premises;
- (3) The layout of the premises shall be maintained in accordance with the plan;
- (4) The premises shall not be used for
 - (a) The sale of tickets in a private lottery; and
 - (b) The sale of tickets in any other lottery in respect of which the sale if tickets on the premises is otherwise prohibited
- (5) In this regulation
 - (a) A "private lottery" means a private society lottery or a work lottery within the meaning of paragraphs 10 and 11 od Schedule 11 to the Act; and
 - (b) A "customer lottery" has the same meant as in Part 3 of schedule 11 to the Act 2005.

Additionally the following mandatory conditions applicable to betting premises licences (other than tracks) will be applied

- (1) A notice stating that no person under the age of 18 years is permitted to enter the premises shall be displayed in a prominent place at every at every entrance to the premises;
- (2) (1) Access to the premises shall be from a street or from other premises with a betting premises licence;

- (3) (2) Without prejudice to sub-paragraph (1), there shall be no means of direct access between the premise and other premises used for the retail sale of merchandise or services;
- (4) Subject to anything permitted by virtue of the 2005 Act, or done in accordance with paragraphs 4, 5, 6 an 7 below, the premises shall not be used for any purpose other than for providing facilities for betting;
- (5) Any ATM made available for uses on the premises shall be located in a place that requires any customer who wishes to use it to leave any gaming machine or betting machine in order to do so;
- (6) No apparatus for making information or other material available in the form of sounds or visual images may be used on the premises, except for apparatus used for the following purpose
 - (a) Communicating information about, or coverage of , sporting events, including
 - i) Information relating to betting on such an event; and
 - ii) Any other such matter or information, including an advertisement, which is incidental to such an event
- (7) No publications, other than racing periodicals or specialist betting publications, may be sold or offered for sale on the premises;
- (8) No music or dancing other entertainment shall be provided or permitted on the premises, save for entertainment provided in accordance with paragraph 5;
- (9) (1) No alcohol shall be permitted to be consumed on the premises at any time during which facilities for gambling are being provided on the premises;
- (2) A notice stating the condition in sub-paragraph (1) shall be displayed in a prominent place at every entrance to the premises; and
- (10) A notice setting out the terms on which customers are invited to bet on the premises shall be displayed in a prominent place on the premises to which customers have unrestricted access.

Default Licence Conditions

The Committee should also be aware that in the event that any premises licence is issued in respect of this application the following default condition should also be added to that licence

(1) No facilities for gambling shall be provided on the premises between the hours of 10pm on one day and 7am on the next.

Compliance with Conditions

The premises in question are not yet operable. Accordingly the applicant company has been asked to confirm that it will be able to comply with each of the mandatory and default conditions listed in paragraphs 16 to 18 above.

The Gambling Commission's Code of Practice for Gambling Operators

Under Section 24 of the Act the Commission is empowered to make Codes of Practice about the manner in which facilities for gambling are provided. One of these codes – The Code of Practice for Gambling Operators – contains requirements with which all operators must comply through conditions attached to the operating licence.

Relevant to Committee's considerations are the social responsibility provisions of the operators licence.

In dealing with combating problems gambling operators licence require that

- (1) Licensees must have and put into effect policies and procedures intended to promote socially responsible gambling
- (2) Licensees' policies and procedures for socially responsible gambling must include but not be confined to
 - The specific policies and procedures required by the following provisions of section 2 of this code;
 - A commitment to and how they will contribute to research into the prevention into treatment of problem gambling;
 - A commitment to and how they will contribute to public education on the risk of gambling and how to gamble safely; and
 - A commitment to and how they will contribute to the identification of and treatment of problem gamblers.

In dealing with the protection of children, gambling operator's licences require that

- (1) Licensees must have and put into effect policies and procedures designed to prevent underage gambling, and monitor the effectiveness of these;
- (2) This must include procedures for:
- Checking the age of apparently underage customers;
- Removing from adult only licensed premises anyone who appears to be underage who tries to access the gambling facilities and cannot produce an acceptable form of identification;
- Taking action when there are attempts by under 18s to enter adult only premises;
- Refusing entry to any adult only area of a track to anyone unable to produce an acceptable form of identification; and
- Taking action when there are unlawful attempts to enter the adult only areas.
- (3) Licensees must not deliberately provide facilities for gambling in such a way as to appeal particularly to children or young people, for example by reflecting or being associated with youth culture;
- (4) In premises restricted to adults, service should be refused in any circumstances where any adult is accompanied by a child or young person;
- (5) Licensees must take all reasonable stops to ensure that all staff understand their responsibilities for preventing under-age gambling. This should include appropriate training which must cover the legal requirements on returning stakes and not paying prizes to underage customers;
- (6) Licensees must only accept identification which:
- Contains a photograph from which the individual can be identified;
- States the individual's date of birth;
- Is valid; and
- Is legible and has no visible signs of tampering or reproduction.

Representations

The following is taken from the Gambling Commission

- 7.48 In dealing with an application, licensing authorities are obliged to consider representations from two categories of person, referred to in the Act as 'responsible authorities' and 'interested parties'.
- 7.49 It would be helpful if licensing authorities provide in a form that is readily accessible (for example, on their websites) about how representations can be made.
- 7.50 When considering a representation, the first thing the licensing authority should determine is whether the representation has been made by a responsible authority or interested party. This is very important as only representations from these two categories of person are admissible. If the representation has not been by a responsible authority or interested party it is inadmissible.
- 7.51 Licensing authorities should be aware that their decision on this initial issue could be subject to legal challenge in the courts. There is no right of appeal under the Act against a licensing authority's determination that representations are not admissible.
- 7.52 After determining whether the representation has come from a responsible authority or interested party, and consequently whether it is admissible or inadmissible, the authority must then determine its relevance. The only representations that are likely to be relevant are those that relate to the licensing objectives, or that raise issues under the Licensing Authority Statement of Policy, or the Commission's Guidance or Codes of Practice (that is those matters mentioned in section 153 of the Act).
- 7.53 The Secretary of State and Scottish Ministers have made regulations under section 160 of the Act concerning notice of application. These require applicants for premises licences to give notice of their application to the responsible authorities. They also stipulate that applicants publish notice of their application in a local newspaper and display it on the premises for the benefit of interested parties. These provisions apply, with one or two necessary modifications, in relation to applications for provisional statements and some ancillary applications that can be made in relation to a premises licence. Responsible authorities will have a legitimate interest in the development of the premises, because of the functions that they will need to carry out in relation to them. But licensing authorities must take care to ensure that the concerns that responsible authorities may have in relation to their own functions are not taken into account if they are not relevant to the application for a premises licence under the Act. Thus, the following examples of possible representations would not likely be relevant:
 - That there are already too many gambling premises in the locality (although it may be relevant if it points, as a result, to rising problems in crime, disorder, underage gambling or problem gambling)

- That the proposed premises are likely to be a fire risk
- That the location of the premises is likely to lead to traffic congestion; or that the premises will cause crowds of people to congregate in one area, which will be noisy and create a nuisance.

This list is by no means exhaustive, and each case must be decided on the facts.

7.54 It should be noted that unlike the Licensing Act, the Gambling Act specifically does not include as a licensing objective the prevention of public nuisance.

Any nuisance associated with gambling premises should be tackled under other relevant laws.

SCHEDULE 1 Regulation 3

Form and content of applications for a premises licence

PART 1

Form of application for a premises licence

Application for a premises licence under the Gambling Act 2005 (standard form) PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST If you are completing this form by hand, please write legibly in block capitals using ink. Use additional sheets if necessary (marked with the number of the relevant question). You may wish to keep a copy of the completed form for your records. Where the application is— In respect of a vessel, or To convert an authorisation granted under the Betting, Gaming and Lotteries Act 1963 or the Gaming Act 1968, the application should be made on the relevant form for that type of premises or application. Part 1 - Type of premises licence applied for Regional casino Large casino Small casino Adult gaming centre Family entertainment centre Bingo Betting (Other) Betting (Track) Do you hold a provisional statement in respect of the premises? Yes

If the answer is "yes", please give the unique reference number for the provisional

statement (as set out at the top of the first page of the statement):

PERMIT

Part 2 – Applicant details
If you are an individual, please fill in section A. If the application is being made on behalf of an organisation (such as a company or partnership), please fill in Section B.
Section A Individual applicant
1. Title: Mr Mrs Miss Ms Or Other (please specify)
2. Surname: Other name(s):
[Use the names given in the applicant's operating licence or, if the applicant does not hold an operating licence, as given in any application for an operating licence]
3. Applicant's address (home or business [delete as appropriate]):
4(a) The number of the applicant's operating licence (as set out in the operating licence):
4(b) If the applicant does not hold an operating licence but is in the process of applying for one, give the date on which the application was made:
5. Tick the box if the application is being made by more than one person.
[Where there are further applicants, the information required in questions 1 to 4 should be included on additional sheets attached to this form, and those sheets should be clearly marked "Details of further applicants".]
Section B Application on behalf of an organisation
6. Name of applicant business or organisation: WILLIAM HILL ORGANIZATION LIMITED
[Use the names given in the applicant's operating licence or, if the applicant does not hold an operating licence, as given in any application for an operating licence.]

7. The applicant's registered or principal address: GREENSIDE HOUSE	
50 STATION ROAD, WOOD GREEN	
LONDON N22 7TP	
Postcode:	
8(a) The number of the applicant's operating licence (as given in the operating licence): 004 - 002752 - N - 102413 - 001	
8(b) If the applicant does not hold an operating licence but is in the process of applying for one, give the date on which the application was made:	
9. Tick the box if the application is being made by more than one organisation.	
[Where there are further applicants, the information required in questions 6 to 8 should be included on additional sheets attached to this form, and those sheets should be clearly marked "Details of further applicants".]	
Part 3 – Premises Details 10. Proposed trading name to be used at the premises (if known): WILLIAM HILL	
11. Address of the premises (or, if none, give a description of the premises and their location): 236 DEDWORTH ROAD,	
DEDWORTH,	
WINDSOR	
SL4 4JR	
Postcode:	
12. Telephone number at premises (if known):	

building	(for example, a shop	pping centre or office	please describe the nature of the block). The description should include or(s) on which the premises are
	ting premises will o		or unit at the end of this block of
5 retail	units. There are 2 u	pper floors to the bl	ock which are in residential use,
with se	parate access from	the side of the bloc	k.
********		***************	

14(a) Ar	e the premises situa	ted in more than one	licensing authority area? No [delete as appropriate]
authoriti		a the premises are pa	e give the names of all the licensing rtly located, other than the licensing
15(a) Do		ing authority to exclu	de a default condition so that the uld otherwise be the case?
[Where	•	oremises licence is no	No [delete as appropriate] It subject to any default conditions, the
			e complete the table below to indicate able for use under the premises licence
	Start	Finish	Details of any seasonal variation
Mon			
Tues			
Thurs			
Fri			
Sat		11111	
Sun			
			a condition restricting gambling to below using calendar dates:

Part 5 – Miscellaneous
17. Proposed commencement date for licence (leave blank if you want the licence to commence as soon as it is issued):
/(dd/mm/yyyy)
18(a) Does the application relate to premises which are part of a track or other sporting venue which already has a premises licence? No [delete as appropriate]
18(b) If the answer to question 18(a) is yes, please confirm by ticking the box that an application to vary the main track premises licence has been submitted with this application.
19(a) Do you hold any other premises licences that have been issued by this licensing authority? YES [delete as appropriate]
19(b) If the answer question 19(a) is yes, please provide full details:
45/47 King Street, Maidenhead, Berkshire SL6 1DZ
91 Peascod Street, Windsor, Berkshire SL4 1DH
20. Please set out any other matters which you consider to be relevant to your application:

Part 6 – Declarations and Checklist (<i>Please tick</i>)		
I/ We confirm that, to the best of my/ our knowledge, the information contained in this application is true. I/ We understand that it is an offence under section 342 of the Gambling Act 2005 to give information which is false or misleading in, or in relation to, this application.		
I/ We confirm that the applicant(s) have the right to occupy the premises. Checklist:	\square	
Payment of the appropriate fee has been made/is enclosed	\checkmark	
A plan of the premises is enclosed	abla	
 I/ we understand that if the above requirements are not complied with the application may be rejected 	N	
I/ we understand that it is now necessary to advertise the application and gethe appropriate notice to the responsible authorities	jive	
Part 7 – Signatures		
21. Signature of applicant or applicant's solicitor or other duly authorised agent. If signing on behalf of the applicant, please state in what capacity:		
Signature: B. Hindone		
Print Name: BRIAN MINIHANE		
12 th December 2014 DEVELOPMENT MANAGER		
Date: Capacity: Capacity:		
22. For joint applications, signature of 2nd applicant, or 2nd applicant's solicitor or of authorised agent. If signing on behalf of the applicant, please state in what capacity:		
Signature:		
Print Name:		
Date: Capacity:		
[Where there are more than two applicants, please use an additional sheet clearly marked "Signature(s) of further applicant(s)". The sheet should include all the information requested in paragraphs 21 and 22.]		
[Where the application is to be submitted in an electronic form, the signature should generated electronically and should be a copy of the person's written signature.]	be	

l	
	Part 8 – Contact Details
	23(a) Please give the name of a person who can be contacted about the application: BRIAN MINIHANE
ı	
	23(b) Please give one or more telephone numbers at which the person identified in question 23(a) can be contacted:
ı	07740 735475
ĺ	
	24. Postal address for correspondence associated with this application: DEVELOPMENT DEPARTMENT, WILLIAM HILL ORGANIZATION LIMITED,
	GREENSIDE HOUSE, 50 STATION ROAD, WOOD GREEN,
ı	LONDON N22 7TP
I	Postcode:
	25. If you are happy for correspondence in relation to your application to be sent via e-mail, please give the e-mail address to which you would like correspondence to be sent: bminihane@williamhill.co.uk
1	

SCHEDULE 6

Regulation 12

Form of notice of application

PART 1

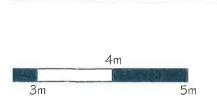
Application for a premises licence: form of notice to be given to the responsible authorities

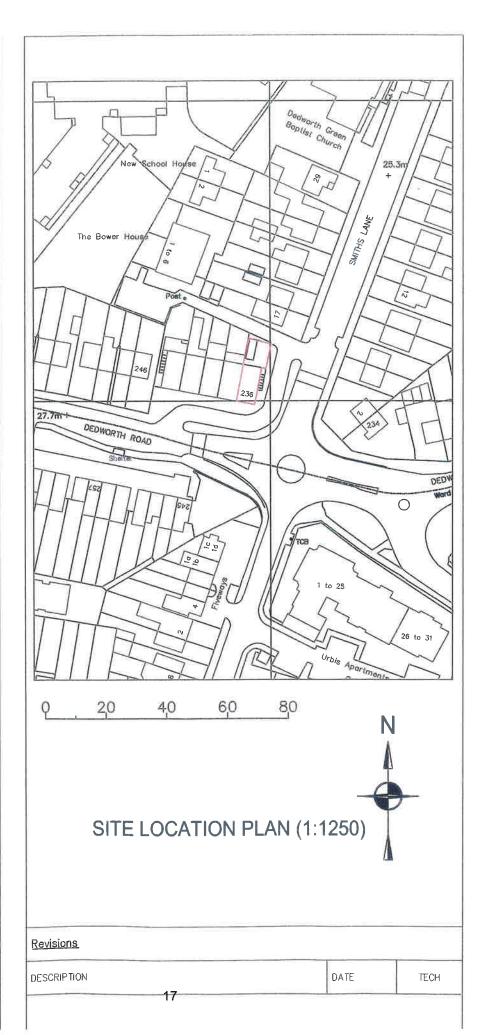
Two forms are specified for the purposes of this Part. Form A is to be used where there is only one applicant. Form B is to be used where there are two or more applicants.

Form A

NOTICE OF APPLICATION FOR A PREMISES LICENCE
This notice is issued in accordance with regulations made under section 160 of the Gambling Act 2005
Notice is hereby given that: WILLIAM HILL ORGANIZATION LIMITED
[Give the full name of the applicant as set out in Part 2 of the application for a premises licence]
of the following address:
50, STATION ROAD
WOOD GREEN
LONDON N22 7TP
Postcode
004 - 002752 - N - 102413 - 001
the number of whose operating licence is/
who applied for an operating licence on
[Delete as appropriate. Insert the reference number of the applicant's operating licence (as set out in the operating licence). Where an application for an operating licence is in the process of being made, indicate the date on which the application was made.]
BETTING (OTHER)
has made an application for a

The application relates to the following premises:
WILLIAM HILL,
236 DEDWORTH ROAD,
DEDWORTH,
WINDSOR
SL4 4JR
[Give the trading name to be used at the premises, and the address of the premises (or, if none, give a description of the premises and their location).]
The application for a premises licence has been made to the following licensing authority: THE LICENSING TEAM, ROYAL BOROUGH OF WINDSOR & MAIDENHEAD,
TOWN HALL,
ST IVES ROAD,
MAIDENHEAD, BERKSHIRE SL6 1RF
Postcodewww.rbwm.gov.uk
Website:
Information about the application is available from the licensing authority, including the arrangements for viewing the details of the application.
The following person connected with the applicant is able to give further information about the application:
BRIAN MINIHANE - 07740 735475 - bminihane@williamhill.co.uk
[This entry is optional and is to be included if the applicant wishes to provide the name, telephone number and (if available) e-mail address of a person connected with the applicant who is able to answer questions and provide further information about the application.]
Any representations under section 161 of the Gambling Act 2005 must be made no later than the following date:
9 th January 2015
[Please insert last day on which representations may be made in relation to the application. The period for making representations is 28 days (inclusive) starting with the day on which the application for the premises licence was made to the licensing authority.]







8 January 2015

Royal Borough of Windsor and Maidenhead, Licensing Section, Town Hall, St Ives Road, Maidenhead, SL6 1RF

Dear Sirs,

Objection to the application from William Hill for a licence to open a betting shop at 236 Dedworth Road, Dedworth, Windsor, SL4 4JR

Representation on behalf of local residents

I write this letter on behalf of both the residents of the ward where I am a Councillor, that of Clewer North, and also as Chairman of the West Windsor Residents Association and its 1,100 member households in Windsor.

The residents of West Windsor do not want yet another betting shop in the area. They have great concerns about the lack of resident centred leadership by the local authority, and in relation to this application;

- the loss of a valuable retail unit,
- the antisocial effects of moving the emphasis of operations from day to evening,
- exposing vulnerable people and children to addictive influences,
- the proliferation of betting shops in close proximity increases the risk of addiction for people more susceptible to gambling addiction
- allowing the gambling industry to target vulnerable communities with the most virulent, addictive, and damaging forms of gambling,



- the majority of profits from a new betting shop is more likely to be from the FOBTs than over the counter betting and that this therefore being primarily a gaming not betting establishment,
- the risk of additional crime, associated directly with the shop, in raising the risk of proceeds of crime being laundered here and the crime associated with an increase in problem gamblers
- the consequent threat to our close knit communities.

These are concerns also shared by the resident led Windsor Neighbourhood Plan Group (WNP) who will seek a "balance between shop uses and devise policies to aim for a healthy balance between use classes" is the one that applies here." [xvi]

In the words of the WNP's co-Chair, Claire Milne, "Too many betting shops would go against that objective so objecting to an application would fit in with what we are trying to do."

A unique opportunity to protect our residents

There are many compelling reasons for refusing this application, and many high profile, and excellent, local authorities up and down the UK have take a strategic stand to protect their residents.

You have a unique opportunity to learn from the experience of many other local authorities up and down the country, who have already suffered the negative effects of clusters of betting shops.

You can act to prevent a series of malaises from settling on Dedworth.

You can act now to protect the health of our residents, whether social health, economic health, mental health, or physical wellbeing.

RBWM knows well from its Adult Services transforming lives agenda that prevention is cheaper, and more effective, than trying to find a cure after the event.



Methodology of this submission

If you feel unable to take such a robust stand on behalf of our residents, but feel you can only restrict yourself to the letter of the law, I will colour code the issues related to the three "Principles to be applied by licensing authorities" (Objectives) being;

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

I have also included **Video** links to help panel members. Just click on the URL hyperlinks to view the video.

Background

Gambling is legal, but it is also addictive. And some forms of gambling are even more addictive than others.

Here's what was said on a recent, local, radio phone in on BBC Radio Berkshire's Breakfast Show with Andrew Peach.

Video – a discussion on BBC Radio Berkshire http://youtu.be/7maXaV3ZE-I

Let's talk local

As a reminder, according to the 2011 Census, Maidenhead has a population of 72,700, and 3 betting shops. That's 3 bookies for 72,700, in an area 7km².

By contrast, Dedworth, comprising Clewer North & Clewer South, has a population of 13,069.



If you grant William Hill a licence, there will be 3 betting shops ½ mile stretch, just along Dedworth Road i.e. 3 gambling dens in an area 1Km².

That's a cluster of betting shops by anyone's reckoning.

Why is the gambling industry targeting Dedworth residents?

It would appear that the betting industry seems to be attempting to establish a cluster of operations in Dedworth, and target our residents, or sub-groups of our residents.

Why are betting shops taking this approach?

A Parliamentary report in 2014 noted gambling shops seem to be more prevalent in poorer areas.

The proliferation of betting shops appears to be driven by what are called B2 gaming machines, otherwise known as Fixed Odds Betting Terminals (FOBTs). These have brought high-speed, high-stake, high-risk casino style gaming to the high street. The machines allow players to stake up to £100 every 20 seconds using either cash, or money transferred from their debit and credit cards in the shop.

Video – are FOBTs fair http://youtu.be/Q6QXq4AfgbY

Queen of the High Street, Mary Portas went further in her analysis, saying the reason is to circumvent "legislation which prohibits the number of betting machines in a single bookmakers, I understand many are now simply opening another unit just doors down. This has led to a proliferation of betting shops often in low-income areas." [xxviii]

So, we have concerns that the gambling industry is not conducting itself in a fair and open way.

Gambling and crime



The LB Haringey in their report, "Scrutiny Review of the Clustering of Betting Shops in Haringey" [xiii] noted that

- clusters of betting shops contributed to increase levels of street litter and other related shop generated debris, and
- incidents of low-level crime and ASB (anti-social behaviour)
- the Met Police concluded, that betting shops had become a focal point for crime and anti social behaviour

The Guardian also reported that drug dealers use FOBT machines to launder drug money. [xviii]

Safety and security

Bookmakers often operate shops from8amthrough tomidnight—maximising the accessibility to the FOBTs. A single staff member will often be responsible for serving and attending customers, ensuring under 18s do not gamble on the premises, dealing with angry FOBT players who very often lose more than they can afford, and at the same time ensuring the three licensing objectives are maintained. Not surprisingly, the safety and security of betting shop staff has been raised as a subject of serious concern in Parliament.

Evidence of the negative impact of lone staffing has been shown with the murder of a betting shop manager in London who was attacked and left to die with his body not discovered for two hours because he was manning a shop alone. [viii] In Edinburgh a man was jailed for life after attacking betting shop staff when he lost £200 on FOBTs. [ix] Staff are without doubt more vulnerable when made to work alone.

The council should feel some responsibility for the staff employed in betting shops, as well as customers.

Impact on vulnerable people

According to the Mayo Clinic "Gambling can, leading to addiction" which fuels risk taking.



People use Gambling as a way to escape problems or feelings of helplessness, guilt or depression

The Mayo Clinic [xxxvii] set out the Addiction Cycle of misery;

- "Gambling can, leading to addiction" which fuels risk taking. (MC)
- People use Gambling as a way to escape problems or feelings of helplessness, guilt or depression (MC)
- Gaining a thrill from taking big gambling risks (MC)
- Taking increasingly bigger gambling risks (MC)
- Preoccupation with gambling (MC)
- Reliving past gambling experiences (MC)
- Taking time from work or family life to gamble (MC)
- Concealing or lying about gambling (MC)
- Feeling guilt or remorse after gambling (MC)
- Borrowing money or stealing to gamble (MC)

The Independent recently reported that Young gambling addicts in NHS treatment have lost an average of £60,000. Yes, just the young people. [xxii]

So, we are exposing our people to a corrosive series of products that could erode, and destroy, their financial being.

How many vulnerable people?

It's been suggested that between 1 in 40 and 1 in 20 people have characteristics which make them susceptible to becoming problem gamblers – the 2010 British Gambling Prevalence Survey identified that nearly 1 in 100 people already have a problem with their gambling activity. [iv] On average, 10 other people, such as family members, friends or work colleagues, are affected by each problem gambler. [v]

That would indicate that in the Royal Borough, up to 7,000 people could be at risk, or, if the rates are the same, around 700 people in Dedworth could be at risk.



The NHS states, there are 450,000 gambling addicts in the UK, and that "There's also a link between gambling and alcohol abuse. Many gambling addicts are also addicted to alcohol. Rates of depression and attempted suicide among gambling addicts are around double the national average. "

"The worst kind of drug"

FOBTs have been described in the media as the "crack cocaine of gambling" due to their addictive gaming nature.[iii]

These are sentiments stressed not just by grieving parents, spouses, or children, but by also the long time Book Maker Mike Simons who was shaken when **one of his clients killed himself, and another attempted suicide**. He goes further and says, these machines "can kill. They're as bad as the worst kind of drug. That's why they're called the crack - cocaine of gambling. People who use them just can't stop. I had one customer who won £8,000. The next day he was back and shovelling it all into the machine." [xxxi]

Sickness, not just death & poverty

The clustering of betting shops results in problem gamblers moving from shop to shop, from FOBT to FOBT, hoping to find a 'lucky one'. But after a win, gamblers often use their winnings to continue gambling, hoping to find a 'winning streak'. But these are *fixed odds* betting terminals, and the only ultimate winner will be the machine operator.

Adding to the number of betting shops here will add to the problems of people addicted, or close to being addicted, to gambling on these machines, giving more opportunities in close proximity to lose more money than they can afford.

These are a key group of vulnerable people who need protecting, and through them their wider circle of friends and contacts.

Targeting the vulnerable



According to the William Hill website [xv], they aim

- To suck in more people "to make their betting more engaging"
 i.e. suck in more people
- Expand their revenue from those people "expand our business through new shop openings, expanding our shop estate on a net basis by around 1% per annum"
- To target "younger generation of gamblers"

And the radio interview noted above also points out that shop staff and managers can take a lack-a-daisical approach, or even encourage gamblers, rather than invoke protection.

It's no use William Hill closing the stable door after the horse has bolted; this would be too risky for our residents. We must select more draconian, and invasive means, of protecting out residents from what might quickly degenerate into lip-service from businesses.

Betting shops, or gambling dens?

Recent financial returns from betting shop operators indicate that more than half the profits from betting shops now come from the FOBTs, not from over the counter betting.[i]

Given the existing betting shops in this area, it therefore seems likely that this application is driven by FOBT revenue and that betting will not be the primary gambling activity. The premises may be equipped with live UKracing transmissions to facilitate betting activity, but the cost of this can be more than covered by four FOBTs which would typically take £900 or more per terminal per week.[ii] This adds up to well over £150,000 per year.

Section 3.26 of the Gambling Act says: "The Commission considers that a typical betting shop offering betting as the primary gambling activity would have a clearly defined business plan setting out the expected use



of betting versus gaming including interim targets (and supporting promotional activity)."

- > Such a business plan should be expected, and its success be able to be judged when the licence comes up for renewal.
- ➤ If needed, further conditions should be imposed on the premise license as remedial action to ensure betting is the primary activity and not gaming.

Wider economic impact

It appears that customers at betting shops are disproportionately people from lower-socioeconomic groups, and a significant number are unemployed. People who can ill-afford to lose money.

At the same time, research has shown that money spent through betting shops provides fewer jobs in the local community than general retail and service spending. [vi] Indeed, as the number of betting shops has increased over the last few years, the actual number of people employed within these shops has fallen, many now being single-staffed, as customers using the FOBTs require less staff time than over-the-counter punters. [vii]

Fair and Open

Key characteristics of FOBTs are the speed of play and maximum stake. Speed of play at 20 seconds is, in relation to an equivalent live casino event, four to five times faster. A 20 second event on a FOBT compares to a four minutes or more horse race betting opportunity or a 90 minute football match. This disparity in event frequency, combined with other proven addictive characteristics associated with electronic gaming machines, leads players to incur losses at a higher rate than any other standard gambling opportunity. Coupled with a maximum stake of £100 this is a very high risk gambling product.

On average, gamblers playing for the same stakes lose their cash far <u>faster</u> on FOBTs than in casinos, and gamblers playing for the same



stakes and the same length of time lose far<u>more</u> on FOBTs than in casinos.

There is no explanation of any of this information either within betting shops, or on FOBTs themselves for gamblers who may be young, inexperienced or otherwise vulnerable. Without clear 'plain English' explanations of the terms and conditions of the rules and the payback percentage, and informing gamblers about the high risk nature of FOBT gambling, young and vulnerable gamblers are not even being offered protection.

And finally Esther

Although the operator's license is approved nationally, it is worth noting that William Hill have fared poorly in preventing under-age gambling, shown by test-purchases.[xi]

Interestingly, the Chief Executive of William Hills, Ralph Topping, has recently stated that he is against clustering of betting shops on social grounds...[xii]

Wiliam Hill have also been cited in many other mal-practises across the world including in te Phillipines, South Africa, and to name but a few. [xxxiii], [xxxiv], [xxxv].

Request

I am asking on behalf of my local residents that you <u>reject the</u> <u>application from William Hill</u> for a licence to open a betting shop at 236 Dedworth Road, Dedworth, Windsor, SL4 4JR.

License conditions to be considered

If, after due deliberation, the committee decides to issue a licence, I ask that conditions are attached, including:



- The location and proportion of floor and wall space allocated to betting facilities should be in proportion to that allocated to B2 gaming machines. If reduced coverage of over the counter betting facilities by way of reduced screen displays or newspaper display space is required then the number of B2 machines should be reduced in proportion.
- 2. It should be a condition of the premise license that both Satellite Information Services (SIS) and Turf TV text and live screen systems should be installed to provide complete coverage of all UK live racing and betting products.
- 3. The nature, location and extent of any barriers separating any part of the premises in which B2 gaming machines will be made available from any other part of the premises should be clearly defined and explained.
- 4. Can evidence be provided that a notice has been displayed on the proposed premises for at least 28 days subsequent to the application being made and if deemed necessary that same notice has been made publicly available via local media or newsletter?
- 5. In what form was the premise license application made; if sent by facsimile or electronic mail was permission to use that format for the application given by the Licensing Authority?
- 6. Under part 4 (times of operation) of the premise license application, we request that a default condition is not excluded and that trading times are conditional to 30 minutes before and 30 minutes after the end of any UK based and broadcast sport and track racing, with the specific exclusion of any foreign racing activity.
- 7. That a condition is imposed on the premise license forbidding the use of B2/FOBT marketing in external window displays. This would be considered an appropriate protection measure to safeguard the young and vulnerable.
- 8. That a minimum of 2 staff are on duty at all times from 12pm through to close each day.



- 9. That a business plan should be required from William Hill, indicating how over the counter betting will be the core business of the shop within the first year of operation, and that subsequent renewal of the licence will be conditional on achieving this.
- 10. That the council arranges for independent 'test purchases' using under-age gamblers in all betting shops in the Royal Borough at least once every year, and use the results of this to improve standards, amend conditions or revoke licences as appropriate.

I would be happy to speak at any hearing, if my timetable permits.

Yours faithfully,

WDaCosta

Mr Wisdom Da Costa Councillor, Clewer North, Winsdor Chairman, West Windsor Residents Association



Appendix A

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Appendix B

Evidence of how the proliferation of betting shops and Fixed Odd Betting Terminals is causing public opposition across the country.

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London, China Town November 2010

http://www.bbc.co.uk/news/uk-england-london-11705831

From:

Licensing

Sent:

12 January 2015 08:21

To:

Alan Barwise

Subject:

FW: Quote ref 033664

----Original Message-----

From: Heidi Rhodes (

Sent: 09 January 2015 14:50

To: Licensing

Subject: Quote ref 033664

In regard to the application for yet another gambling establishment on the Dedworth road is absolutely ridiculous. Even more so as the location is on the busiest corner in Dedworth surrounded by local schools and would result in hundreds (Yes hundreds) of children walking past this establishment everyday.

The Dedworth Road is beginning to look like the Farnham Road in Slough and we do not need anymore Pizza or junk food outlets either!

A definite NO to this application!

Heidi Rhodes

Resident - Roses Lane

Business owner - Fairacres Industrial Estate

From:

Licensing

Sent:

12 January 2015 08:21

To:

Alan Barwise

Subject:

FW: Application no. 033664

From: Catriona Hathaway [_

Sent: 09 January 2015 23:59

To: Licensing

Subject: Application no. 033664

To whom it may concern.

As a local resident with three young children I would like to register my concerns about the application from William Hill for a licence to open a betting shop at 236 Dedworth Road, Dedworth, Windsor, SL4 4JR, **Application no. 033664**

This application is is for a betting shop in a location within a few hundred meters of a local middle and first school, and in a position where hundreds of children pass daily. Apart from the poor parental example this positioning encourages, it also normalises betting and gambling for all those children. I would be very concerned if my children had to walk pass a betting shop daily as it could mean that my children would grow up considering gambling as a normal adult behavior the they might want to emulate, rather then a destructive one. In this day in age where we should be encouraging children to be responsible with money, this seems a terrible choice for filling the retail space.

I would far rather the council encourages a local business rather then a national chain aiming to make money from one of the less wealthy areas of Windsor.

Sincerely Catriona Hathaway 9, Wilton Crescent Windsor

From:

Licensing

Sent:

06 January 2015 13:05

dully

To:

Alan Barwise

Subject:

FW: License Application re William Hill, Dedworth Road, Windsor

From: Karen Holmes [

Sent: 06 January 2015 12:39

To: Licensing

Subject: License Application re William Hill, Dedworth Road, Windsor

I am writing to object to the change of use of the former Blockbusters shop to yet another betting shop in Dedworth. I would ask councillors to decline the application for a license for the following reasons:

- Dedworth is an area of significant social deprivation and urgently needs to be regenerated in a
 positive way.
- There are many social issues in Dedworth that are being exacerbated by the way in which the area has developed in recent years.
- Dedworth already has 2 betting shops and a Racecourse how many betting shops does one small area need? Proposals for a third betting shop are complete overkill.

Businesses that provided good local services are being replaced randomly with fast food outlets and new businesses are in their place which only contribute to the local community in a negative way and feed negative social habits:

Nationwide Building Society - now a Pizza Hut (unhealthy) - we already had a Domino's! Stows Cycles - now a coffee shop (threatening the wonderful community cafe run by All Saints Church)

Residents have access to KFC, two Indian restaurants, three chinese takeaways, two fish and chip shops, Domino's pizza, Pizza Hut, a kebab van and **two Tescos** - how did that happen? Do we really need that many food outlets? Many residents aren't in a position to use them.

It is a pity that no-one is taking an overview on how Dedworth can be regenerated in a positive way to address many of the health and social problems that are more prevalent in this community than in any other in Windsor. As a health worker I am aware that long term conditions are particularly prevalent amongst this population. Betting shops and fast food outlets are the very last thing that this area needs, given all its social issues! The latest business takeovers of premises have only fuelled and will potentially exacerbate the social issues that councillors are very aware of.

Is there really no other option than putting another betting shop there? It is hardly a positive social message to local schoolchildren walking past every day.

I am disappointed. Dedworth is fast becoming a place that I want to move away from. The sense of local community is disappearing as many of the businesses are not pertinent or useful to the actual people who live there. The large Tesco on Dedworth Road sadly started a rot for local businessmen and the area is fast becoming one that you want to drive through. I wait with bated breath to see what will happen to The

Queen - MacDonalds/Burger King/Kebab shop?

It is a pity that our growing elderly population who are isolated and need services close to home aren't being considered when looking at what businesses may best benefit the area. Does the highest bidder override the voice of common sense? I hope that Councillors will consider the granting of a licence to William Hill very carefully and bear in mind the potential negative impact of yet another betting shop on the local residents.

Kind regards,

Karen Holmes 12 Black Horse Close Windsor SL4 5QP

From:

Licensing

Sent:

09 January 2015 14:55

To:

Alan Barwise

Subject:

FW: Another Gambling establishment?!

From: Linda Parker-Green [mailto:

Sent: 09 January 2015 14:13

To: Licensing

Subject: Another Gambling establishment?!

To whoever it may concern

Ref:033664

It is appalling that yet another gambling establishment is being considered for Dedworth. Is three not enough? What kind of message does this send to the thousands of school children who pass this way everyday. Surely there is a better use of this space and one which will benefit the community.

Yours faithfully

Linda Green

Resident Pierson Rd

From:

Licensing

Sent:

09 January 2015 08:15

To:

Alan Barwise

Subject:

FW: Objection to the blockbusters becoming a betting shop

From: Katie Chanter __

Sent: 09 January 2015 07:09

To: Licensing

Subject: Objection to the blockbusters becoming a betting shop

Having lived with an alcoholic gambler for 7 years and knowing first hand what damage this did to my own family, I just can't see how this would benefit the community.

Businesses such as Costa Coffee have provided a meeting place for people to come together and Dedworth needs that, it needs more opportunities for people to come together as a community. There are already two betting shops in Dedworth that I know of and I also know how young people are more engaged in gambling now, as my (ex) step son at 14/15 was gambling online and apparently it is becoming the norm in young male culture, especially around sport. Dedworth's young people are a vulnerable group as it is. (I'm a parent and teacher in the area, have been a youth worker in the area also and have just moved opposite the proposed site).

It's on the main run for Dedworth Green and Middle School children, many of which already use the shop next door in the mornings and young people are impressionable. If this is something that they see as being at the heart of their community it will only encourage it further down the line.

What type of place do we want Dedworth to be in the future? Is this really going to take us on that journey?

Katie Chanter

249 Dedworth Road