

## **Minutes of the Statutory Licensing Sub-Committee**

**27 August 2026**

**-: Present :-**

Councillors Barbara Lewis, Spacagna and Stevens

(Also in attendance: Councillor Chris Lewis)

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### **11. Election of Chair**

Councillor Spacagna was elected as Chair for the meeting.

### **12. Minutes**

The Minutes of the meeting of the Sub-Committee held on 6 August 2026 were confirmed as a correct record and signed by the Chair.

### **13. To consider an application for an Adult Gaming Centre Premises Licence for Hollywood Slots, 71 Torbay Road, Paignton, TQ4 6AJ**

Members considered a report on an application for an Adult Gaming Centre Premises Licence in respect of Hollywood Slots, 71 Torbay Road, Paignton.

Written Representations received from:

| Name                 | Details                                                                                  | Date of Representation |
|----------------------|------------------------------------------------------------------------------------------|------------------------|
| Environmental Health | Representation objecting to the application for an Adult Gaming Centre Premises Licence. | Undated                |
| Public Health        | Representation objecting to the application for an Adult Gaming Centre Premises Licence. | Undated                |

Additional Information:

Additional information was received from the Applicant in response to the representations submitted by Environmental Health and Public Health.

Oral Representations received from:

| Name                             | Details                                                                                                |
|----------------------------------|--------------------------------------------------------------------------------------------------------|
| Applicant's Legal Representative | The Applicant's Legal Representative outlined the application and responded to questions from Members. |

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|----------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Environmental Health | The Principal Officer Food Safety Commercial Environmental Health on behalf of the Regulatory Services Manager Commercial Environmental Health presented their representation against the application and responded to questions from Members. |
| Public Health        | The Public Health Specialist presented their representation against the application and responded to questions from Members.                                                                                                                   |

### Decision

That the Application for a Premises Licence for a new Adult Gaming Centre under Section 159 of the Gambling Act 2005 for Hollywood Slots, 71 Torbay Road, Paignton be refused.

### Reasons for Decision

Having carefully considered all the written and oral representations, Members unanimously resolved to refuse the application, as they could not be satisfied on the evidence before them, that granting the application would promote the gambling licensing objective of 'Protecting children and other vulnerable persons from being harmed or exploited by gambling'. At the request of the Applicant's representative, additional time for oral Representations for all parties was allowed by the Chair of the Sub-Committee, increasing the pre-set 10 minutes, as set out within the Hearing Notice, to 15 minutes.

In reaching their decision, Members noted the Applicant's submissions, including the detailed policies and procedures relating to staff training, customer interaction, self-exclusion, age verification and the identification of vulnerable persons. Members also noted the Applicant's assertion that similar measures have operated successfully at other premises and acknowledged the Applicant's commitment to complying with the requirements of the Gambling Commission and the Gambling Act 2005.

Whilst Members acknowledged this submission, they were mindful that each application must be determined on its own merits and that the risks arising from a particular locality may differ significantly from those present at other premises. Members were not satisfied that evidence of successful operation elsewhere was sufficient to demonstrate that the risks associated with this particular locality would be adequately addressed.

Central to Members' concerns was whether the Applicant's proposed mitigation measures adequately addressed the specific risks arising from the location of the premises and the characteristics of the surrounding community. Members gave considerable weight to the evidence relating to deprivation and vulnerability within Paignton and in particular, the Roundham With Hyde ward in which the premises is situated. Members accepted that deprivation is closely linked to increased levels of financial hardship, social exclusion, poor mental and physical health outcomes, addiction and other factors which can increase an individual's vulnerability to gambling-related harm. Members considered these factors to be directly relevant to the gambling licensing objective of protecting vulnerable persons from being harmed

or exploited by gambling. Members therefore considered it necessary to determine the application not only by reference to the operation of the premises itself, but also by reference to the wider characteristics of the locality in which it would operate.

Members noted that the Gambling Commission and Torbay Council's Statement of Principles, in the absence of a statutory definition, recognise vulnerable persons as including those who gamble beyond their means, spend more money or time gambling than intended, or who may be unable to make informed or balanced decisions due to health conditions, mental impairment, substance misuse or other personal circumstances. Members considered that with the proposed premises being situated within an area of deprivation, there existed a greater prevalence of those vulnerabilities than may be found elsewhere and therefore required careful consideration when considering this application.

Members had regard to the oral submissions by Public Health, as an Interested Party, relating to the immediate locality. Members noted that the Lower Super Output Area in which the premises would be situated is amongst the 10% most deprived in England in relation to crime, education, skills and training, and health deprivation and disability. They further noted that the area falls within the 20% most deprived in England in relation to employment and living environment and that 55% of children under the age of 16 living within the locality are from income deprived families. Members considered this evidence to be highly relevant to the assessment of vulnerability within the locality and the potential for gambling related harms to disproportionately affect local residents. This evidence was supported by the submission of the Licensing Authority, as a Responsible Authority.

Members attached significant weight to the evidence before them which related specifically to the Roundham With Hyde ward. They noted that the ward has the highest level within Torbay of areas classified amongst the 20% most deprived in England and the highest levels of disability amongst people under the age of 65, residents claiming Personal Independence Payments, residents claiming Universal Credit, unplanned hospital admissions and admissions for alcohol-specific conditions. Members further noted that the ward has the lowest life expectancy at birth within Torbay, lower educational attainment levels and higher levels of unemployment and emergency admissions for self-harm than the Torbay average. Members considered that these factors were indicative of a community experiencing significant social, health and economic inequalities and that they were directly relevant when assessing vulnerability for the purposes of the Gambling Act 2005.

Whilst not a standalone or direct reason for refusal, Members were concerned by the number and concentration of gambling opportunities within this immediate locality. The Licensing Officer's report identified a number of Adult Gaming Centres within the vicinity, including an existing Hollywood Slots premises only a short distance away. Members further noted the Public Health evidence that there are currently eight Adult Gaming Centres situated on Torbay Road, six of which are located within the immediate vicinity of the proposed premises. Public Health also identified that Torbay has approximately 27.2 gambling premises per 100,000 population compared with an England average of 12.9, making Torbay one of the highest concentrations of gambling premises in England.

Whilst Members were mindful that they could not consider issues of demand, saturation, or objections based on moral grounds, as a standalone or direct reason for refusal, they considered it relevant overall that the locality already provides extensive access to gambling opportunities and that the addition of a further large Adult Gaming Centre would increase the availability and accessibility of gambling within an area where levels of deprivation and vulnerability are already significant. Members considered that increased accessibility was itself capable of giving rise to a greater risk of gambling-related harm amongst those already experiencing circumstances associated with vulnerability.

Against this background, Members were particularly concerned by the scale of the proposed operation. The application related to premises capable of accommodating approximately 146 gaming machines, including a significant number of Category B3 and B4 machines offering higher stakes and prizes. Members considered that the scale of the proposal would materially increase opportunities for gambling within the locality and, consequently, the risk of gambling related harm to those already vulnerable through financial hardship, poor health, addiction or other circumstances associated with deprivation.

Whilst Members acknowledged the Applicant's Local Area Risk Assessment (LARA) and the comprehensive policies and procedures relating to staff training, customer interaction, age verification, self-exclusion and the identification of vulnerable persons, they noted the absence of a standalone Customer Interaction Policy, as suggested was in place, and could not be satisfied that these measures adequately addressed the specific local risks associated with the location of the premises. Members considered that such measures primarily sought to identify and address harm once individuals have entered the premises and engaged with gambling facilities. Whilst these are important safeguards, Members did not consider that they adequately addressed the broader public health concern arising from increasing the availability and accessibility of gambling within an area already characterised by significant levels of deprivation and vulnerability.

Members noted that many of the measures relied upon by the Applicant, including CCTV, staff training, customer interaction and self-exclusion schemes, are standard controls which would be expected within any Adult Gaming Centre. Members were not persuaded that the LARA adequately identified, assessed or proposed specific mitigation measures to address the heightened levels of deprivation and vulnerability present within the locality. Whilst the Assessment contained a range of standard operational controls, Members were not satisfied that it demonstrated how the particular risks associated with the Roundham With Hyde ward would be mitigated, nor how the increased exposure to gambling opportunities created by a further large Adult Gaming Centre would be managed in practice.

Having considered all of the evidence before them, including the submissions of Public Health, the Licensing Authority and the Applicant, Members unanimously concluded that there remained sufficient evidence to demonstrate a clear relationship between deprivation, vulnerability and gambling related harm and that the locality of the proposed premises, heightened those risks. Whilst Members acknowledged the Applicant's criticisms of some of the evidence before them, they nevertheless considered that there remained sufficient evidence to conclude that those living in

areas of deprivation may be at greater risk of experiencing gambling related harm and that the locality of the proposed premises, heightened this concern.

Members were mindful of the statutory requirement of aim to permit within the permissive gambling regime, however, whilst such a grant remains subject to that set out in section 153(1)(a)-(d) of the Act, the relevant codes, guidance, and the local authority Statement of Principles, and ensuring that applications are reasonably consistent with the gambling licensing objectives, it does not go so far as to prevent refusal where there are grounds for doing so. Having carefully weighed all the evidence before them, Members unanimously concluded that the Applicant had not sufficiently demonstrated that the operation of a further large Adult Gaming Centre at this location would not increase the risk of gambling related harm amongst vulnerable persons within the locality

Members gave careful consideration to whether additional conditions could ameliorate their concerns. However, they concluded that the concerns identified did not primarily arise from the manner in which the premises would be operated alone, but from the locality of the premises and the increased accessibility of gambling opportunities within an area characterised by deprivation and vulnerability. Members therefore considered that no additional conditions would satisfactorily mitigate their concerns and that granting the application would not be reasonably consistent with the licensing objective of protecting children and other vulnerable persons from being harmed or exploited by gambling.

In conclusion, Members had careful regard to the Applicant's experience as an operator and the measures proposed to promote the gambling licensing objectives, however, they were not satisfied that the Applicant had demonstrated that the proposed premises would be reasonably consistent with the licensing objective of protecting children and other vulnerable persons from being harmed or exploited by gambling. In particular, Members were not satisfied that the LARA adequately addressed the heightened levels of deprivation and vulnerability present within the locality or that the proposed mitigation measures would sufficiently address the increased accessibility to gambling created by the proposal.

Accordingly, Members unanimously determined that refusal of the application was both necessary and appropriate.

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Chair