

All correspondence should be sent to our Leeds office

Licensing Section
Cheltenham Borough Council
Municipal Offices
Promenade
Cheltenham
GL50 9SA

Our ref [REDACTED]

Your ref

19 April 2024

Dear Sirs,

Application for a Premises Licence under the Gambling Act 2005
Admiral, Admiral -218 High Street, Cheltenham, GL50 3HF
Operator: Luxury Leisure

We represent St Matthew's & The Minster ("**The Minster**") of 44 Clarence St, Cheltenham GL50 3PL to object to the above application for an Adult Gaming Centre ("**AGC**") at this location.

The Minster satisfy the test under the Gambling Act 2005 of being an interested party as having a business interest that would be affected by the authorised activities should a premises licence be granted at the above address.

Background

218 High Street (the application site) and the churchyard for the Minster are directly linked via an alley way running down the side of 218 into the churchyard (Please see Tabs 1-5). In terms of proximity, it is estimated that from the door of 218, to the actual churchyard, it is only a 10-meter walk. As a church, The Minster welcome families and small children every day, to visit and to services, as well as holding events in the churchyard.

Cheltenham Minster is Cheltenham's only surviving medieval building, dating back to the mid-11th century. It is a hugely important heritage site. The surviving medieval masonry and windows are a particular highlight. The churchyard is highly significant, containing Grade II listed walls, gate piers and railings, lamp posts and memorials. The church and churchyard have been subject to criminal damage and anti-social behaviour. This has caused lasting damage to the church and heritage assets within the churchyard.

In the past, the churchyard has been a focal point for vulnerable persons, where drug use and alcohol abuse have been rife. This has improved since the redevelopment of the churchyard but it is still an issue. A handbag was recently stolen from someone during a church service before Christmas last year.

As a result, the local community and partners have worked to create Gloucestershire's first Heritage Watch scheme for the area, under the name of Operation Minster. Heritage Watch aims to highlight the historical context of the area, raise awareness locally and encourage the reporting of heritage crimes. The project has seen investment in better lighting, better seating and better general conditions to try to deter further issues, some £229,000 was received from the ERDF (European Regional Development Fund) has been invested, with contributions from St Matthew's & The Minster and other interested parties. Please see Tab 6.

Gambling Act 2005

This representation is made on the basis that the applicant will not be able to support the Gambling Act 2005 licensing objectives of:

- Preventing gambling being a source of crime and disorder, being associated with crime or disorder or being used to support crime.
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

The Minster would be directly affected by the licensed activities, just as other local businesses and local residents will be affected by the behaviour of the AGC customers. It is clear to The Minster that the risk to the licensing objectives in the local area will increase should the AGC premises licence be granted, particularly given the issues associated with crime and disorder in the area and the attraction of fast food restaurants to young children.

Crime and Disorder near the application Premises

In terms of crime and disorder, this part of the High Street is associated with not only anti-social behaviour, but also crime and disorder. This is evidenced in the news articles summarised below, as well as crime statistics for the Town Centre.

The Minster Gardens are already a haven for Crime and Disorder and anti-social behaviour. A teenager being beaten and robbed in December 2022 in the Churchyard directly behind the application premises (Please See Tab 7). There was also the stolen hand bag incident mentioned previously. In particular mention should also be made of the armed robbery that took place in Cheltenham at a betting shop in January 2023 (Please see Tab 8), highlighting the link in Cheltenham to gambling and Crime and Disorder.

Children and Vulnerable Persons

There is considerable footfall of children and vulnerable people who circulate around the area of the application premises, and this operation would pose real and considerable risks to their well-being. The application site is in very close proximity to a number of fast food restaurants, including McDonalds, Burger King, and Taco Bell, which are very attractive to children. There are also fashion brands such as Urban Outfitters, directly opposite, again which attracts children (Please see Tab 9 showing the location of key premises).

We are aware that a BetFred betting shop is situated three doors up from the proposed application premises. Should this premises licence be granted, it will allow those gamblers the offer of more higher stake, higher prize, gaming machines to play, which is of real concern in relation to gambling addiction and those that are vulnerable. Especially given the midnight hours that have been applied for, when the betting shop closes at 2200hrs (Please see Tab 10).

We are aware that the YMCA offers supported accommodation at 6 Vittoria Walk, Cheltenham GL50 1TP, for the most vulnerable members of society. This being just half a mile away from the application premises. A further gambling premises operating on the High Street will only make available more gaming machines to these vulnerable persons.

Local Residents

Cheltenham is small borough, and with the density of the residential population, there are very few areas within its boundaries that could be described as solely commercial or shopping areas. It is with this in mind that The Minster is concerned that the hours of operation (until midnight) will have a detrimental effect on the local residents.

The noise and commotion of customers coming in and out at all hours of the day will have a real effect on residents' sleep and quality of life.

Protecting Children and other Vulnerable Persons

As per Part B, paragraph 2.1 of the Cambridge Borough Council, Statement of Principles, and specific to Adult Gaming Centres, the licensing authority is aware in relation to this particular type of premises (AGC), that they must have specific regard to *“the need to protect children and vulnerable persons from harm, or being exploited by gambling will expect the applicant to satisfy The authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.”*

Again, we have not yet seen the applicant's supporting documents, but this 'need to protect' is the key thrust of this representation.

Previous Application Refused

We are aware that this operator had a premises licence application refused by the Westminster City Council Licensing Sub-Committee for an AGC application at 1A Bedford Street, London, WC2E 9HH.

The Local Area Risk Assessment for this application has yet to be seen, and so at this stage no comment can be made in relation to whether it comprehensively deals with the issues that have been raised in this representation. This was of particular importance as the Westminster City Council Licensing Sub-Committee stated that the evidence (in that case) specific to the risk assessment for that application did not give the Sub-Committee confidence that the risk to children and other vulnerable persons, considering the location of the premises, had been addressed adequately. The penultimate paragraph stated that: *“the Sub-Committee did not have confidence that the risk to children and other vulnerable persons from being harmed or exploited by gambling had been suitably mitigated, given the written and oral evidence and the compelling evidence presented by the objectors to the application.”*

The application was subsequently granted on Appeal.

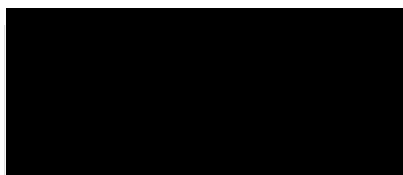
Grounds to Refuse

In accordance with section 153 of the Gambling Act, we are aware that the licensing authority should aim to permit the use of premises for gambling, and so far as it thinks it is able to in accordance with the licensing authority's statement of licensing policy. As you will note, a number of issues have been raised whereby the applicant will not accord with the authority's Gambling Policy, and so this would give grounds for the licensing authority to refuse the application should it choose to.

We, therefore, request at this stage, that the application be refused.

If all correspondence in this matter could be addressed to Chris [REDACTED] at our Leeds office, or via email at [REDACTED]

Yours faithfully



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