

Guildhall Gainsborough  
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**AGENDA**

This meeting will be recorded and the video archive published on our website

**Licensing Sub Committee**  
**Monday, 20th March, 2023 at 10.45 am**  
**Council Chamber - The Guildhall**

**Members:** Councillor Paul Howitt-Cowan  
Councillor Mrs Angela Lawrence  
Councillor Mrs Jessie Milne

1. **Licence Hearing - Appendix 5 - Additional evidence from Interested Party** (PAGES 2 - 40)

**Hearing Type:** Application for a Betting Premises Licence under the Gambling Act 2005

**Applicant:** Done Brothers (Cash Betting) trading as BETFRED

**Operating Licence Number** 000-001058-N-102469-001.

**Premises:** 11 Market Place, Gainsborough, Lincolnshire, DN21 2BP.

**Ward Location:** Gainsborough South-West Ward

Ian Knowles  
Head of Paid Service  
The Guildhall  
Gainsborough

16 March 2023

# Agenda Item 6

## APPENDIX 5.

West Lindsey District Council

Licensing Sub-Committee

20<sup>th</sup> March 2023

Application for betting premises licence by Done Brothers (Cash Betting), trading as Betfred

11 Market Place, Gainsborough DN21 2BP

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SUBMISSIONS OF ECONOMIC GROWTH TEAM  
WEST LINDSEY DISTRICT COUNCIL

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**Introduction**

1. The purpose of this document is to set out the submissions of the Economic Growth Team (“EGT”) and to reply to the submissions of the applicant at pages 42-49 of the agenda papers.
2. The Sub-Committee is respectfully referred to the EGT’s representations on this application (pages 36-41), the contents of which are referenced but not repeated here, to avoid duplication. As the representations make clear, they are made on the grounds that the application is not reasonably consistent with two licensing objectives: protecting children and vulnerable people and preventing gambling being a source of or associated with crime and disorder.

**The statutory tests**

3. The test under the Gambling Act 2005 is set out at section 153, which is recited in the officer’s report at para 7.1 (page 12). This is sometimes argued by applicants to impose an obligation to permit. This is wrong. It is not what section 153 says at all. It imposes an obligation to aim to permit but only when (a) – (d) are all satisfied.

4. This is made clear by the Gambling Commission guidance under section 25 of the Act, to which the sub-committee must have regard (section 25(2)). The relevant guidance is set out at paragraph 7.3 of the officer's report (page 13). It makes it clear that the licensing sub-committee may not grant a premises licence unless satisfied that such use would be in accordance with the licensing objectives, among other things.
5. When is a licensing sub-committee entitled to find that such use would not be in accordance with the licensing objectives. Applicants sometimes say that no such finding can be made unless there is evidence to support it. That is also wrong. If it were right, the licensing sub-committee could never refuse a new licence, because at the point of grant there would be no evidence that that licence would harm the licensing objectives. That is, obviously, not how licensing legislation works.
6. The correct approach was set out by the Court of Appeal in R (Hope and Glory) v City of Westminster Magistrates Court [2011] EWCA Civ 31 at paragraph 42:

*“Licensing decisions often involve weighing a variety of competing considerations: the demand for licensed establishments, the economic benefit to the proprietor and to the locality by drawing in visitors and stimulating the demand, the effect on law and order, the impact on the lives of those who live and work in the vicinity, and so on. Sometimes a licensing decision may involve narrower questions, such as whether noise, noxious smells or litter coming from premises amount to a public nuisance. Although such questions are in a sense questions of fact, they are not questions of the "heads or tails" variety. They involve an evaluation of what is to be regarded as reasonably acceptable in the particular location. In any case, deciding what (if any) conditions should be attached to a licence as necessary and proportionate to the promotion of the statutory licensing objectives is essentially a matter of judgment rather than a matter of pure fact.”*

7. In other words, authorities are entitled to infer, or make a judgment about likely harm. They do not have to have evidence before them of the sort which may persuade a jury in a criminal case. As the Court of Appeal also put it at paragraph 41:

*“As Mr Matthias rightly submitted, the licensing function of a licensing authority is an administrative function. By contrast, the function of the district*

*judge is a judicial function. The licensing authority has a duty, in accordance with the rule of law, to behave fairly in the decision-making procedure, but the decision itself is not a judicial or quasi-judicial act. It is the exercise of a power delegated by the people as a whole to decide what the public interest requires.*

8. In considering the licensing objectives, the sub-committee has also rightly been directed (page 7) to section 17 of the Crime and Disorder Act 1998, which imposes a duty to exercise the licensing function with due regard to its impact on, and the need to do all that it reasonably can to prevent, crime and disorder in the area.

#### **The application site**

9. The application site, both in terms of its precise location and wider locational context, displays multiple sensitivities. This can be described in terms of Gainsborough as a whole, the ward, the Local Super Output Area and the site.
10. The CrimeRate data shows that Gainsborough is the second most dangerous small town in Lincolnshire and is among the top 10 overall in Lincolnshire's 563 settlements. The overall crime rate in 2022 was 170 crimes per 1000 people, double the rate for Lincolnshire. For England, Wales and Northern Ireland, it is among the top 20 dangerous small towns and the 150<sup>th</sup> most dangerous location of all towns, cities and villages. (See data attached at pages 12-13 of this submission, some of which is referenced by the applicant in any event.)
11. Gainsborough South West is a highly impoverished area, with 30.7% of children in poverty (the second worst in West Lindsey) and 16.5% of households in fuel poverty (the worst in West Lindsey). This is in an already poor borough with 30.5% of workers, and 71.5% of part-time workers, taking home less than the Living Wage.
12. Focussing in on the local super output area, the government's index of multiple deprivation (attached at page 14 of this submission) shows that the area is in the lowest decile nationally in terms of income, employment education and skills, health and disability, crime, barriers to housing and services and living environment.

13. As the EGT representation shows (and which the applicant does not and cannot contest), there is a well-understood and direct link between deprivation and vulnerability to gambling harms.
14. So far as the site is concerned, the EGT representation explains that this is a particularly sensitive site:
- a. At the heart of the market place.
  - b. Immediately adjacent to a leisure development intended to attract families and children and to begin to address some of the social deprivation and lack of social inclusion in Gainsborough.
  - c. In close proximity to two other betting offices (7 and 21 Market Street), so creating, in this very small town, a concentration of three betting offices, all competing with each other and offering rival betting attractions, all within a few metres of each other.
15. It is also notable that the sensitivity of the site is not just asserted by the EGT. It is actually accepted by the applicant itself. The Sub-Committee is invited to look at its risk assessment (page 24) where hazards are recognised due to the nearby bus stop, bus station, entertainment venue, school route, schools, high street, job centre, library, as well as the nature of the operation as a gambling operation. It is also stated that there is *“potential for youngsters to congregate outside the premises due to the locality within the town centre and local amenities.”*
16. The EGT strongly agrees that all of these risks apply.

#### **Mitigation of risk**

17. The applicant, in its risk assessment, has set out various measures which it undertakes. But these seem to be standard control measures without specific reference to Gainsborough. For example, in response to an identified hazard of a *“cinema, shop and restaurant complex being built in the unit next door to the premises”*, so creating a risk to young and /or vulnerable people, the control measures include items like a panic button, a time release safe, premises secured when entering gaming machines etc which have nothing to do with the risk identified.

18. The applicant has not given any useful information at all which would enable the sub-committee to evaluate whether the measures proposed are adequate. For example:
19. While stating that there was a robbery in the past, it has not produced its incident log to show the true record of crime and disorder incidents in the premises. It is often the case that licensed operators avoid involving the police to prevent a third party record of the incidence of crime and disorder. The party with actual data on crime and disorder in the existing unit is the applicant. In the interest of transparency it should produce it. It has explained the risk of crime and disorder in its own risk assessment, but has not produced the data to enable an assessment of the current levels or the mitigation measures proposed. It has stated that its logs disclose no record of past or historic incidents inside or outside the premises. Given that it has operated there for 25 years, this appears highly unlikely, if a log has been conscientiously maintained. It should produce the log for examination.
20. The applicant has failed almost entirely to assess how the high degree of local vulnerability translates into harms in its existing premises, how it plans, operates and audits the measures it takes to identify and act on vulnerability and with what outcomes.
21. The Gambling Commission's Licence Conditions and Codes of Practice imposes important requirements on operators:

#### *3.4.1*

*1. Licensees must interact with customers in a way which minimises the risk of customers experiencing harms associated with gambling. This must include:*

- identifying customers who may be at risk of or experiencing harms associated with gambling.*
- interacting with customers who may be at risk of or experiencing harms associated with gambling.*
- understanding the impact of the interaction on the customer, and the effectiveness of the Licensee's actions and approach.*

*2. Licensees must take into account the Commission's guidance on customer interaction.*

22. The Sub-Committee has been presented with no evidence on these topics. The applicant has not even produced its register of customer interactions, even duly redacted, so that the Sub-Committee can gain some understanding of the extent of the problem in the applicant's existing premises. It should of course do so.

23. The Commission's guidance on customer interaction is attached at pages 15-29 of this submission. The Sub-Committee will see that it includes specific guidance on affordability of gambling. Given the economic circumstances of Gainsborough, this is of crucial importance. But the applicant has not even referenced it, let alone explained how it acts on it.

24. The Guidance makes specific reference to record keeping:

*You should:*

*Keep records of all customer interactions and, where an interaction has been ruled out, the reasons for this. Where an interaction has taken place at a later date, this should also be recorded.*

*Make use of all relevant sources of information to guide and deliver effective customer interactions, including your records of previous interactions.*

*Good records should include:*

- *the behaviour or activity before the interaction.*
- *the change in behaviour or prompt for the interaction.*
- *how you interacted and what was said or done, for example advice or suggestions to help the customer manage their gambling, or to take a break from their gambling, and*
- *what happened next.*



25. The applicant has produced nothing to assist the Sub-Committee in this regard. The Sub-Committee is entitled to take the view that it ought to have done so, given the circumstances of the local population and the application site itself in such a sensitive location.
26. Similarly, the Licence Conditions and Codes of Practice (para 3.5) requires operators to have policies for self-exclusion. The applicant has neither explained these policies nor, more pertinently, given any information regarding the number of self-exclusions of problem gamblers in Gainsborough. It should do so, particularly given this application to move its premises to the heart of Gainsborough's leisure and commercial area.
27. As for crime and disorder, the sum total of the applicant's evidence is contained in a single report regarding a robbery some years ago. However, it should not be thought that these crimes are unusual in betting offices in general, or Betfred in particular. There is attached at pages 30-39 of this submission, a number of reports of recent crimes in Betfred betting offices nationally. It is right to mention that the Ladbrokes in Gainsborough has also been robbed twice in recent years. Of course, only the most serious crimes make the press – the routine crime, such as vandalism of machines (betting offices being allowed four “fixed odds betting terminals” which have become known as the crack cocaine of gambling), drunk and disorderly, minor assault, often go unreported to the police, let alone the press and there are further issues arising when customers loiter outside or in the vicinity of the premises. The Sub-Committee is therefore reliant on applicants to state the position frankly, not place the onus on an agency which, by its nature, will not have access to the data.

#### **The applicant's submissions**

28. The applicant has filed submissions which, most regrettably, misrepresent EGT's submissions and seek to diminish the credibility and standing of EGT. A hostile stance is rarely helpful in licensing, this case being no exception.
29. First, it is correct to point to a material difference between the EGT and the applicant. The EGT is comprised of public servants of a body whose function is to protect and promote the economic interests of Gainsborough. The applicant's function is to increase

the profits of an organisation whose purpose is to increase the amount of money which residents of Gainsborough spend on gambling.

30. Second, EGT has taken very great care to ensure that its representations focus directly on the licensing objectives. The applicant's suggestion to the contrary is simply untrue.
31. Third, the applicant has accused the EGT of "ignorance, old-fashioned prejudice and outdated perceptions." This is a remarkable accusation given that the EGT has carefully analysed the economic and criminal circumstances of Gainsborough and used accepted, modern research to identify the risks to the licensing objectives. Moreover, the applicant has itself identified the very risks which it complains that the EGT has relied upon. Its complaints, therefore, lack any logic or substance. Furthermore, it has stated that it considers the EGT's representations to be insulting. This carries a level of irony, since its own representations essentially insult the professionals working for EGT in the interests of Gainsborough and its population. It is generally helpful to focus on the issues, which is what EGT has sought to do, rather than making disrespectful accusations.
32. Fourth, the applicant sets store by the argument that this application is a relocation. The Licensing Act 1964 used to carry a concept of "removals". However, the Gambling Act doesn't. This is an application for a new licence and should be treated as such. This would always be the case, but is particularly the case here because of:
  - a. the particular sensitivity of the proposed location.
  - b. the fact that on the applicant's own case, the proposed site is in a "strong business location." That is code for the applicant's wish to increase its gambling winnings from the local population.
33. Fifth, the applicant asserts that the EGT has produced no evidence that the existing operation has harmed the licensing objectives. However, as stated above, the party which can provide the information is the applicant, but the applicant has failed to do so. It states that none of the responsible authorities have objected to renewal of the licence: there is no such thing as renewal under the Gambling Act.

34. So far as harm is concerned, the applicant's evidence is that its staff are experienced, the toilets are clean and the customers have been coming in for a long time. This does not begin to demonstrate how the applicant identifies, let alone meets, the regulatory challenges of operating in a sensitive location such as Gainsborough.
35. It is said that representatives can attend and brief the authority on policies and procedures, both re vulnerability and crime. However, the production of new evidence at the hearing is precluded by regulation 9(4)(b) of the Gambling Act 2005 (Proceedings of Licensing Committees and Sub-Committees) Premises Licences and Provisional Statements) (England and Wales) Regulations 2007. The applicant knows the objection, but has simply not produced evidence to overcome it. It is not enough to say that the evidence will be given at the hearing.
36. Sixth, the applicant points out that pubs and newsagents offer gambling and admit children. If this were an answer, no betting office application could ever be refused. The reality is that betting offices (along with casinos, adult gaming centres etc) offer hard commercial gambling, which is why they require both operating and premises licences, and sub-committees are given power to consider the sensitivity of the location and whether it has been demonstrated that the mitigation measures proposed overcome concerns based on the location. That is not an assessment which can be made on the material presented in this case. Pointing to other places where gambling facilities operate near to markets etc does not begin to answer the issue. Each case has to be decided on its own merits by the statutory body appointed for the purpose.
37. Seventh, the applicant seeks to argue that the entrance to the new cinema will not be directly off Market Place. This point is belied by the applicant itself assessing the proximity of the new development as a risk to the licensing objectives.
38. Eighth, the applicant appears to be arguing in favour of an open shop front. Given the use of Market Place by children and families, this is completely unacceptable. Children should not be able to witness hard commercial gambling from a well-used public space such as Market Place. It is understandable why it is commercially attractive to the applicant to be able to keep its shop door "entirely clear and open" to tempt people in, but is disappointing that such a proposal would be made in the light of the sensitivities in this location.

## Conclusions

39. The Licensing Sub-Committee is invited to refuse this application, because it is not reasonably consistent with the first or third licensing objective.
40. If, however, the Sub-Committee considers that a licence should be granted, it is invited to impose the following licence conditions:
- (1) **That the premises be double-staffed at all times.** This is proposed as a mitigation measure in the risk assessment and should be reflected in conditions. This is particularly because a cashier taking and paying out bets is not able simultaneously to floor-walk or police the entrance, as contemplated by the risk assessment.
  - (2) **That there be no visibility of the inside of the premises from the outside.** This is to prevent children being able to see in, and to prevent gambling becoming normalised. This condition is frequently imposed in licensing hearings and is particularly important here because of the nature of the immediate vicinity.
  - (3) **That the opening hour of the premises shall be 9 a.m.** This is so that children do not pass open gambling premises on their way to school.
  - (4) **That the maglock be in place from 3 p.m. to 5 p.m. and on market days during market hours.** This is so that children cannot just walk in after school, and to provide extra protection on market days. The applicant has listed a maglock as a control measure: it should be in effect at vulnerable times. Alternatively, the Sub-Committee may wish to consider a condition requiring the applicant to deploy security staff during these hours.
  - (5) **That the applicant shall use its best endeavours to prevent loitering and street drinking outside its premises, and shall post a notice stating that those who do either will be banned from the premises.** This is self-explanatory.
  - (6) **That the applicant shall maintain an incident log, containing details of any incidents of crime and disorder inside its premises, together with customer interactions and self-exclusions, which shall be produced to the licensing authority immediately on request.** This is also self-explanatory.

**(7) That the applicant shall not operate this licence until it has surrendered the licence for 8 Silver Street.** This reflects the applicant's own case: see page 16.

41. However, the EGT's position is that the public interest protected by the Gambling Act is not met by permitting this use in the very heart of Gainsborough, immediately adjacent to its new, family-oriented, leisure development. It is not consistent with two licensing objectives, and it is also inconsistent with the duty under section 17 of the 1998 Act.

42. Accordingly, the sub-committee is asked to refuse the application.

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# Crime and Safety in Gainsborough

## Page highlights:

[Recent Crime Data >](#)[Violent Crime Map >](#)[Historical Crime Rates >](#)[Crime Compared >](#)

Gainsborough is the second most dangerous small town in Lincolnshire, and is among the top 10 most dangerous overall out of Lincolnshire's 563 towns, villages, and cities. The overall crime rate in Gainsborough in 2022 was 170 crimes per 1,000 people. This compares poorly to Lincolnshire's overall crime rate, coming in 100% higher than the Lincolnshire rate of 85 per 1,000 residents. For England, Wales, and Northern Ireland as a whole, Gainsborough is among the top 20 most dangerous small towns, and the 150th most dangerous location out of all towns, cities, and villages.

In January 2019, Gainsborough had the worst crime rate in Lincolnshire for possession of weapons, with 10 crimes reported and a crime rate of 0.48 per 1,000 inhabitants.

The most common crimes in Gainsborough are violence and sexual offences, with 1,416 offences during 2022, giving a crime rate of 68. This is 20% higher than 2021's figure of 1,181 offences and a difference of 11.23 from 2021's crime rate of 56. Gainsborough's least common crime is theft from the person, with 6 offences recorded in 2022, the same as 2021's figure of 6 crimes.

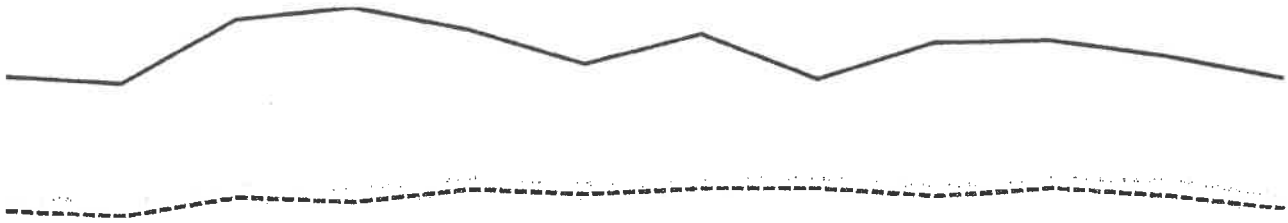
## Gainsborough 2023 Crime Scorecard

-  **Second Most Dangerous**  
*Small Towns, Lincolnshire*
-  **89% higher**, regional crime rate  
*East Midlands*
-  **105% higher**, national crime rate  
*England, Wales & NI*

## Local Crime in Context

As of 2023, the crime rate in Gainsborough is 89% higher than the East Midlands and 105% higher than the England, Wales & Northern Ireland overall figure.

## Gainsborough Crime Rate Over Time



## Gainsborough Crime Map

Incidents mapped in Gainsborough represent the time frame between February 2020 and January 2023. Each point on the map represents an area where crimes have been recorded locally.

### Use Crime Map

Hover over a point to see a breakdown of crime types recorded at that location. You can also filter by individual crime types, or use a combinations of offences to visualize the data you need.

[Open Crime Map](#)

Percentile Period LSOA or LSOA Num Index of MI Income Rank Income Decile Income Sct Employee Education Health and Health and Crime Rank Crime Dec Burdens to Housing and S Burriers to Housing and Services Living Environment Rank Living Environment Dec IDACI Rent IDACI DecID IDACI Scat IDACPI Res IDACPI Res IDACPI Dm IDACPI Score  
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Formal guidance under SR Code 3.4.1

# Customer interaction: formal guidance for premises-based operators

This guidance applies to premises-based operators and is currently in effect.

This is an HTML version of this guidance. You can also view or download the [original customer interaction guidance for premises-based operators \(PDF\)](#) published in July 2019.

Premises-based licensees are required to interact with customers in a way which minimises the risk of customers experiencing harms associated with gambling, as set out in [Social Responsibility Code Provision 3.4.1 \(/licensees-and-businesses/lccp/condition/3-4-1-customer-interaction\)](#) of the Licence Conditions and Codes of Practice (LCCP).

A requirement to LCCP with effect from 31 October 2019 (as amended 12 September 2022) requires premises-based licensees to take into account the Commission's guidance on customer interaction. This guidance is structured along the three key outcomes operators are expected to meet.

These are, to:

- **identify**
- **interact**
- **evaluate**

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This guidance sets out why customer interaction is a requirement, makes our expectations clear, and suggests ways you could meet them. This includes learnings from research and some ways that gambling operators have found worked for them and their customers.

## How to use this guidance

The purpose of this guidance is to share knowledge based on research, current practice and lessons learned in order to support licensees in determining how they can meet the outcomes. It sets out why customer interaction is important and makes our expectations clear. Not all of the content of the guidance will be relevant to all operators, but licensees must take it into account and be able to demonstrate how they have done so.

Following the guidance is no guarantee that all customers experiencing or at risk of harm will be identified. The guidance is not the only source of information which operators should use to help them develop their own processes, and licensees should also keep up to date with published research and other sources.

## How we will use this guidance

For compliance and enforcement purposes, we will expect licensees to demonstrate how their policies, procedures and practices meet the required outcomes. This can be through implementing relevant parts of the guidance or demonstrating how and why implementing alternative solutions equally meet the outcomes.

Our understanding of gambling harms and how they manifest is constantly evolving, so for the purposes of raising standards, protecting consumer interests, and preventing harm to consumers, we will update and re-issue guidance where new evidence or risks emerge which may have a meaningful impact on how the outcomes can be met.

## Identifying the right customers

You need to know:

- the types of markers and behaviours that could indicate harm relevant to online gambling, and
- how to spot when those indicators should trigger an interaction.

You need to put together what you know about the customer, with the relevant indicators of harm, to decide whether you need to interact. More knowledge about what to look for, with effective processes for monitoring customer behaviour, can mean quicker and better-informed decisions.

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Some indicators of harm, such as high staking behaviour, can look similar to VIP and high-value customer activity. Even if you think the customer can afford it, they may still be experiencing gambling harms. Your enhanced contact with your VIPs means you have many opportunities to get to know them well and make better informed decisions.

## Identify

We expect you to:

- Use a range of indicators relevant to your business that you can observe and monitor. Do not rely on financial indicators alone. Where trigger points or thresholds are used, they should be realistic, and remember that not every customer who is experiencing or at risk of harm will trigger every indicator.
- Monitor customer activity and behaviour so that you are able to interact early and quickly. Invest in appropriate systems and staff to manage your customer interaction process effectively.
- Make sure your process keeps pace with any increase in demand – through general growth or seasonal, promotional or other variations which might mean you are busier than usual.
- Train your staff to know their roles and responsibilities, and ensure they are supported and given the tools and skills they need to be able to act promptly when they spot or are alerted to indicators of harm, including those among your VIP and monitored customers.
- Ensure that your customers are not put at any greater risk of harm as a result of your premises being busier or quieter than usual. You need to protect your customers regardless of these factors.
- Think about the protection of new customers – you know less about them, so you may not know what their regular gambling pattern looks like. This means that alternative measures must be applied.
- Take safer gambling seriously for all customers including VIPs and not let commercial considerations override customer protection.
- Make meaningful records of all interactions with customers. Make these records available to staff and use them to aid decision-making. This should also take place in circumstances where an interaction has been ruled out. For example, because the customer is displaying signs of agitation.
- Even if you think your sector is 'lower risk', all forms of gambling present risks and you should understand the prevalence of gambling harms for the type of gambling products you offer and implement appropriate processes.
- Actively promote tools such as voluntary machine alerts, and ensure all your customers have access to information about safer gambling and the

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## Understanding the impact of gambling harms

In 2018 the Gambling Commission published research (Wardle et al 2018) on understanding the full range of gambling harms and the impact this can have on society. This research defined gambling harms as the 'adverse impacts from gambling on the health and wellbeing of individuals, families, communities and society'. This can include loss of employment, debt and crime – gambling harms can also have detrimental impacts on physical and mental health and relationships, and at its worst, gambling can contribute to loss of life through suicide.

Gambling harms cannot be solely measured in terms of finance and resources. This is why we expect you to use a range of indicators in order to identify customers who may be experiencing harms.

## Using the right indicators for your business

Change compared with previous gambling activity is a general trigger for customer interaction. Building up your knowledge of your regular customers is key to helping you spot changes in their behaviour.

You should use a range of indicators. This is not an exhaustive list, but your indicators should include the following.

### Time indicators

Amount of time spent gambling, visit frequency or length of stay on the premises, leaving and then returning to the premises.

### Spend

Amount and frequency of deposits, large losses, using multiple or more expensive payment methods, declined payments, appearing to spend more than they originally intended.

### Behaviour or appearance

Such as signs of distress, agitation, or changes which could be an indication that gambling is having a negative impact on a customer's wellbeing.

### Use of gambling management tools

Previous self-exclusions or previous customer interactions, or playing through machine alerts.

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Information or hints from the customer, frequent complaints about not winning, or talking about the negative impacts of their gambling.

## Play indicators

chasing losses, erratic betting patterns and gambling on higher risk products, or unusual markets or outcomes on which the customer is unlikely to have been able to make an informed choice. People who bet in-play may place a higher number of bets in a shorter time period than people who bet in other ways, as [in-play betting](#) ([/licensees-and-businesses/guide/in-play-or-in-running-betting](#)), offers more opportunities to bet.

## A 'big win' or a windfall

Research (Parke and Parke 2017) shows high staking following a win could hide or even lead to harmful behaviour. Suddenly having more money than usual can lead to increasing staking, which can lead to harms not associated with wealth or resources.

## Affordability and a customer's personal circumstances

Historically, gambling operators have not systematically considered customer affordability when developing their customer interaction policies. Many have used deposit or loss thresholds as a main or sole prompt for a customer interaction, but these have often been set at levels that were inappropriately high, in comparison to the average amount of money that the majority of people have available to spend on leisure activities.

This has led to a number of examples of customers spending more than they could afford, and this not being identified sufficiently early, as seen in much of the Commission's compliance and enforcement casework since 2017.

Operators should aim to identify those experiencing or at risk of harm and intervene to try to reduce harm at the earliest opportunity. Reliance on deposit or loss thresholds that are set too high will result in failing to detect some customers who may be experiencing significant harms associated with their gambling. It is therefore imperative that threshold levels are set appropriately.

Open source data exists which can help operators assess affordability for their British customer base and improve their risk assessment for customer interactions. Thresholds should be realistic, based on average available income for your customers. This should include the Office of National Statistics (ONS) publications on levels of household income. See the [ONS information on personal and household finances](#) ([opens in new tab](#)). (<https://www.ons.gov.uk/peoplepopulationandcommunity/personalandhouseholdfinances>).

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These thresholds, you should be aware of the difference between 'discretionary income' and 'discretionary income' which refers to the amount left

after living costs are taken into account, but it does still include many other unavoidable costs. Most people would consider it harmful if they were spending a significant amount of their discretionary income on gambling.

## Vulnerability

Life events or changes to an individual customer's circumstances may mean that a person becomes more or less vulnerable to experiencing gambling harms. Those circumstances could include bereavement, loss of income or other factors, as follows. It will not always be obvious or clear to an operator when such events have occurred, but knowing your customers, and ensuring staff ask questions when there are potential signs of vulnerability, will help to determine whether those individual circumstances present an increased risk.

As part of 'know your customer' and developing customer interaction policies and procedures, operators should consider the factors that might make an individual more vulnerable to experiencing gambling related harms.

Factors include:

- **personal and demographic** - if the individual is experiencing poor physical or mental health, physical or cognitive impairment, suffering side effects from a brain injury or medication or has an addiction
- **situational** - if the individual is experiencing financial difficulties, is homeless, is suffering from domestic or financial abuse, has caring responsibilities, experiences a life change or sudden change in circumstances
- **behavioural** - if an individual has a higher than standard level of trust or high appetite for risk
- **market-related** - if an individual is engaged in an activity which is highly complex; that they have a lack of knowledge and/or experience of the market
- **access** - if an individual has difficulty accessing information because of poor literacy or numeracy skills, knowledge, dyslexia.

We have seen examples through our casework of customers who should have received some interaction but did not, including customers who were particularly vulnerable, and more susceptible to experiencing gambling harms.

## Spotting harmful gambling

How you monitor activity depends on your business. For some very small operators, manual monitoring may work. Larger operators will need comprehensive systems, which could include a mix of automated and manual processes and should draw on all available sources of data to give a picture of the customer's gambling.

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Options for spotting harmful gambling include:

- Reports on activity where relevant, for example from observation or loyalty carded play, particularly if the play is linked to online play
- Sharing of information by staff about concerns
- Customer interaction forms, day diary with flags
- Utilising back office systems and alerts where they exist.

The right information can mean better and quicker decisions. The customer interaction records you keep should give staff a more complete picture of the customer's previous activity, which will help to inform decisions.

Your customers should not be at more risk because your premises are either busier or quieter than usual. You should ensure you have appropriate levels of well-trained staff on duty to meet the licensing objectives.

Because VIP customers can also experience harm, it is good practice to carry out a safer gambling check when upgrading customers to VIP status and keep this under review. You should also use these opportunities to carry out checks for Anti-Money Laundering (AML). This could also help you to support customers who have had major wins.

## The role of staff

It is important that all staff receive training so that they are aware of the signs that could indicate that a customer may be experiencing harms associated with gambling.

This is not an exhaustive list, but you should ensure that:

- Staff are trained to identify the signs of harm and refer back to documents that include the types of behaviour that may trigger customer interaction at an appropriate moment. Staff should know how to escalate a situation if they are unsure or require support.
- Staff understand how indicators of harm could be displayed differently in VIP or 'high-value' customers and know how to spot the signs.
- As a minimum, staff receive training at induction as well as refresher training.

## Identify: questions to consider

These include:

- Are you curious about your customers?
- Are your indicators relevant to your gambling facilities and customers?
- How do you decide the right level of your thresholds?

[Back to top](#) appropriate staff have access to customer interaction records?

- How do you assess the risks posed by new and unfamiliar customers?
- Is staff training on customer interaction meaningful and engaging?
- Do you take into account all relevant information and act quickly?
- Does the structure and layout of your premises help or hinder identifying customers you need to interact with?
- Do you have any blind spots which mean that you are unable to monitor all customer activity?
- Is spend monitored across different products for individual customers?
- Do you offer the same level of protection for all your customers, no matter how long they have been a customer, or whether they are VIPs?

## Interacting with the customer

When you are concerned that a customer may be experiencing harm, acting early and quickly could help stop or prevent the harm worsening. It is important in a premises environment that you interact with the customer in a timely manner whilst the opportunity presents itself.

For some customers, making them aware of why you are concerned may be enough to prompt them to think and make a change. Some customers will need more support or advice.

Your interactions should have an outcome. Knowing what impact your interaction has had will help you support the customer and help to keep improving your approach. To achieve this, it is vital to keep good records and make them available to staff to inform decisions.

### Interact

We expect you to:

- Be curious, and if you spot behaviour or vulnerabilities that could indicate harm, to act on it.
- Ensure your staff have access to the information and support they need, such as customer interaction records, so that they are able to make decisions about how to interact and can do so discreetly.
- Interact in a way that is appropriate to the severity of the potential harm. You should trial and evaluate different approaches to achieve this. **Importantly, this may include refusing service or ending the business relationship.**
- Think about what information you should give the customer to help them understand why you are interacting with them, such as describing the behaviour they display or practical help or support where

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In gambling premises, many of your interactions are likely to be face-to-face, so it is important for staff to be prepared in advance of carrying out a customer interaction.

You should consider:

- What do you need to know from the customer and what do you already know about them?
- What information do you want to give them?
- How many times have you already interacted with the customer?
- What outcome do you want to achieve?
- Is the customer behaving in a way which might inhibit an interaction at this point?

## **A customer interaction has three parts**

These are:

1. Observation – behaviour or activity you have spotted or something the customer tells you.
2. Action – contact to prompt the customer to think about their gambling, for you to find out more, and an opportunity for you to offer information or support.
3. Outcome – what you or the customer did next. In some cases, you may need to monitor the customer's gambling to spot any change which may prompt further action.

## **Offering help and support**

Encourage customers to think about their gambling. Their responses will help you work out the right kind of help and support to offer.

You will need to direct some customers to information about safer gambling and/or suggest appropriate gambling management tools. You might need to signpost them to sources of help and specialist support from organisations which deal with advice and treatment for problem gambling.

You must also make information about safer gambling readily available to customers, as well as information about problem gambling.

You will need to interact with some customers a number of times. Your records of previous interactions with customers will help you decide how to provide the right help and support.

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Feedback from consumers shows that they often respond better to being informed about their behaviour and why, rather than being “told” what to do. But for some customers, and particularly if the behaviour continues to cause concern, you may need to take a more proactive approach. In some cases, you may need to take action for the customer, which could mean refusing service.

## The role of staff

You should ensure that your staff:

- understand the types of interaction that could take place and how to interact appropriately. For example, they may only need a brief intervention.
- know the type of help or support to offer, such as information, signposting customers to specialist support or the gambling management tools which are available. These may be the minimum required under the LCCP or tools you offer which go beyond minimum requirements.
- know the circumstances and process for refusing service to customers, such as requesting a customer to leave or barring a customer.
- understand their respective responsibilities and who is designated to carry out customer interactions, if only certain staff members are authorised to interact.
- are advised how to deal with situations where customers demonstrate signs of agitation, distress, intimidation, aggression or other behaviours that may inhibit customer interaction, and what to do if the interaction does not take place at that time.

Whilst training on the legislative framework is important, staff also need to be trained on the skills and techniques they need to help them carry out customer interactions.

## Keeping records

Good record keeping allows you to demonstrate when and why you have interacted with customers and helps with ongoing monitoring of customers.

You should:

- Keep records of all customer interactions and, where an interaction has been ruled out, the reasons for this. Where an interaction has taken place at a later date, this should also be recorded.
- Make use of all relevant sources of information to guide and deliver effective customer interactions, including your records of previous interactions.

Good records should include:

[Back to top](#) or activity before the interaction.

- the change in behaviour or prompt for the interaction.
- how you interacted and what was said or done, for example advice or suggestions to help the customer manage their gambling, or to take a break from their gambling, and
- what happened next.

You should also record situations where an interaction was prompted but did not take place, and how you followed that up.

In some cases, you will need to monitor the customer's gambling to spot behaviours which could indicate further harm.

## Interact: questions to consider

- Where concerns arise, are you able to intervene early and engage with a customer at the right time?
- How do you ensure your staff are prepared and able to carry out interactions?
- Are your staff able to carry out customer interactions discreetly?
- Are your staff aware of and trained to carry out different levels of interaction?
- Have you allocated the right level and kind of resources to be able to interact with customers effectively when you have concerns?

## Evaluate

By evaluate, we mean to understand impact and effectiveness in two ways:

- did an individual customer interaction have a positive outcome for the customer, and
- does your overall approach to customer interaction work?

To help with the latter, the Advisory Board for Safer Gambling published an evaluation protocol in 2016 for the industry to use when designing evaluations.

Find out more about the [National Strategy to Reduce Gambling Harms \(/about-us/reducing-gambling-harms\)](#), including the [evaluation protocol \(/strategy/national-strategy-to-reduce-gambling-harms/evaluation-gambling-commission-actions\)](#), and further research on gambling-related harms.

## Evaluate

We expect you to:

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- Understand the impact of individual interactions on a consumer's behaviour and whether, or what, further action is needed.
- Evaluate the effectiveness of your approach by trialling and measuring impact.
- Embed lessons learned and best practice across the business and collaborate to share across the industry.

## Understanding the impact of individual interactions

In this context, by impact we mean a change in the customer's gambling activity which could be attributed to the interaction. An important part of this is whether the customer has understood the information or advice you gave.

Not every customer who receives an interaction will require active follow up, but many will. In these cases, follow up activity should be proportionate to the severity or extent of the harm being displayed. This approach will help you target your resources where they are most needed.

Understanding the impact of the interaction on the customer includes being able to look at and compare:

- the behaviour before the interaction.
- the change in behaviour or prompt for the interaction.
- how you interacted – what was said or done, and
- what happened next.

Some ways to work out impact include:

- Did the customer start using gambling management tools independently or following your advice?
- If you use email, did the customer click through to safer gambling information from your tracked links?
- Was there a positive change in behaviour? Did the customer's gambling seem to change after the interaction?
- You could also follow up and ask the customer whether they found the interaction helpful or not.
- Is there a need for further or follow up action?

You may already quality assure individual customer interactions by spot-checking records. As well as checking that customers are getting the right support, this can also identify staff development needs and highlight good practice that you can share across your business and across the industry.

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## Evaluating the effectiveness of the approach

Records of interactions can provide useful evidence of what types of indicators, methods of interacting and options for providing support work well for customers. They will help to inform an evaluation of the effectiveness of your overall approach to customer interaction. Good evaluation helps you to understand which aspects of your approach are the most effective at identifying the right customers, and the types of tools or support that work well to help customers manage their gambling in a way that works for them.

The following measures could help to work out whether your approach is working well:

- Customer retention.
- Reduction in complaints.
- The appropriate number of customer interactions in relation to the size of your customer base or footfall, and the type of gambling you offer, as follows.

You should know and understand the prevalence of at-risk gambling among your customer base. A starting point is the [combined health surveys \(/news/article/gambling-commission-publishes-latest-combined-health-survey\)](#) of England, Scotland and Wales (Gambling Commission 2018). This data is broken down to gambling activity type, and by region.

However, rates will vary significantly between geographical areas and localities, and research shows that problem gambling rates in urban areas are likely to be higher than the national average. Further information on this topic can be found in the Research Report Problem Gambling in Leeds (Kenyon et al 2016). When looking at the potential percentage of your customers who may be experiencing harm, remember to consider the percentage of gamblers participating in that activity and not the percentage of the adult population.

Currently the only industry-wide quantitative measure of identifying and interacting with customers who may be experiencing harms associated with gambling is data on the numbers of customers who received an interaction, submitted to the Commission as part of regulatory returns. We have clarified the definitions in regulatory returns to offer guidance on what should be included in a customer interaction (incident) log and make clearer what should be recorded.

Your log should include as a minimum:

- the identity or other identifier of the customer involved
- the behaviour or activity that prompted the interaction
- the advice or support given, and
- the outcome of the interaction.

Keeping your policies and procedures under review and up to date by taking into account research and industry best practice will help you to identify customers

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you should be interacting with, which will help you target your resources where they are most needed, in ways which may lead to better outcomes.

You should also review your internal controls following the publication of a regulatory settlement, to address any similar weaknesses which could exist in your own processes.

## The role of staff

Your staff have an important role to play to understand whether your approach works.

As a minimum, you should:

- Ensure that records of all customer interactions are made by staff and used to aid decision making. Such records should be used for evaluation purposes, for example, dip sampling for quality assurance purposes. Or, to assess whether a customer changed their behaviour as the result of an interaction.
- Train staff to recognise when follow-up activity to an interaction is required.
- Ensure that staff use customer interaction records as a decision-making tool.
- Ensure that staff are properly supported in carrying out effective interventions.

## Evaluate: questions to consider

- Do you know how many of your customers may be experiencing some level of harm associated with gambling?
- How do you know you are delivering positive outcomes for your customers?
- How could you improve on your policies and procedures?
- How could you share your good practice with the industry?

## Files

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### Customer Interaction Formal Guidance: Non Remote (July 2019)

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## Norwich Betfred bookmakers raid: Victim was 'petrified'

18th January

CRIME



**By Peter Walsh**  
 walshp76  
 Crime Correspondent



A "petrified" worker at a Norwich bookmakers "feared for her life" during an £5,000 armed robbery set up by a co-worker, a court has



138398988561

# Morecambe Betfred robbery arrest after man threatens staff with knife

A 46-year-old man from Morecambe was arrested on suspicion of robbery following the incident at the Glentworth Road West store

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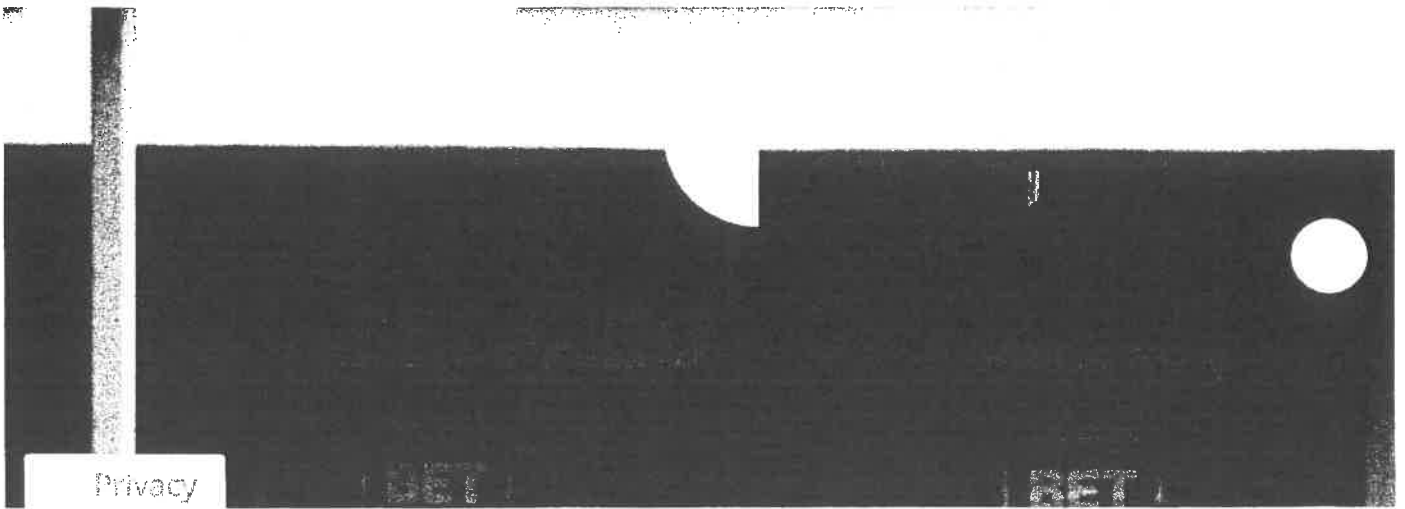


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## Middlesbrough man wanted by police in connection with robbery at Betfred

7th November 2022

CRIME



**By Connor Larman**

[connorlarmanne](#)

Live Reporter (North Yorkshire)



Police looking to speak with this man after robbery at North East bookmakers (Image: *Picture: CLEVELAND POLICE*)

**Police have launched an appeal to help identify a man in connection with a robbery at a Betfred bookmakers in a North East town.**

**The Northern Echo**



# Betfred robbery Reading: Video shows gunpoint raid

9th December 2021

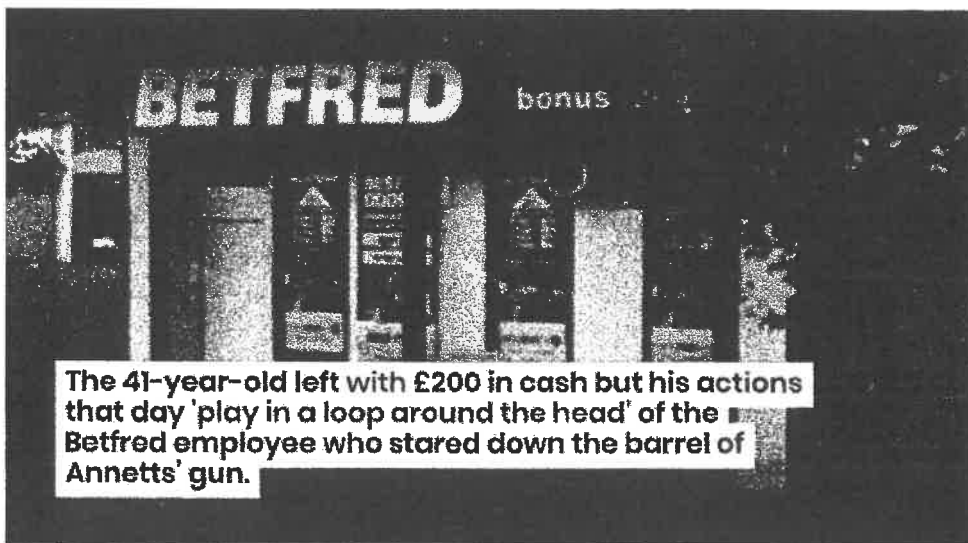
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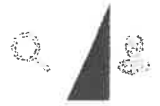
**By Ollie Sirrell**  
@olliesirrell  
Court and crime reporter



3 Comments



The 41-year-old left with £200 in cash but his actions that day 'play in a loop around the head' of the Betfred employee who stared down the barrel of Annetts' gun.



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# Man, 40, arrested over armed robbery at Cheshire BetFred shop

He has been arrested on suspicion of armed robbery and is currently being held in police custody

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By Angela Ferguson

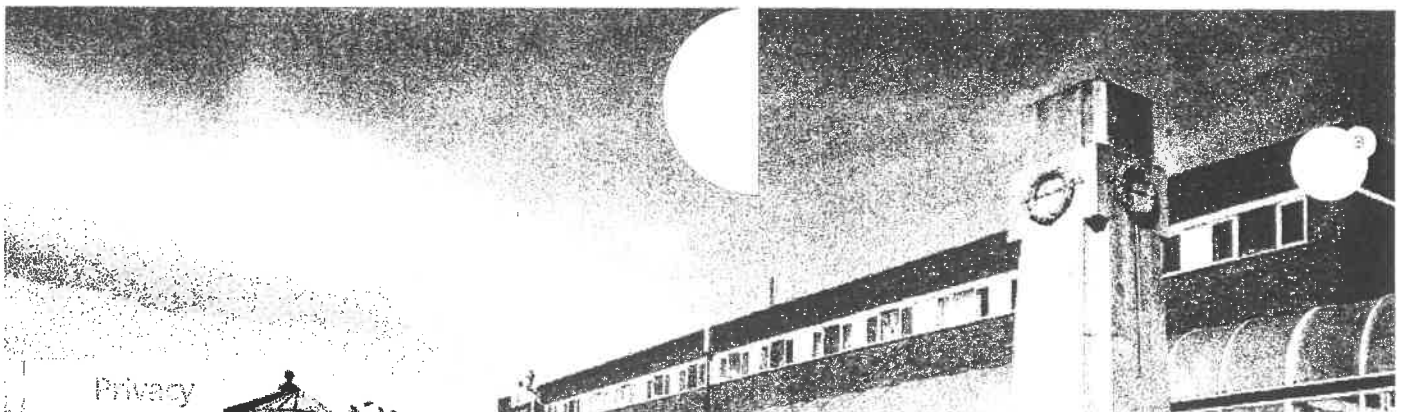
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# CCTV image shows man police want to speak to after betting shop staff threatened in robbery

Anyone with information is asked to contact police

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 The man police want to speak to in connection with a robbery (Image: Cleveland Police)

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A man is being sought after reports a male threatened betting shop staff before fleeing with cash.

**Cleveland Police** has launched a manhunt following the alleged robbery which took place at around 8.30pm on Sunday, at Betfred, The Cleveland Centre. Officers have released pictures of a man they want to speak to in connection with the incident and asked anyone with information to come forward.

Privacy



138405386249

# Raiders rob same Stoke-on-Trent bookies twice in six days

Staffordshire Police are linking the raids on Betfred, in Abbey Hulton

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2

By **Dave Knapper**

14:12, 14 DEC 2022

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# Armed robber in Thornton Heath given 10 years for bank and shop raids

31 January 2023 | Yann Tear | 0 Comments

A man has been jailed for 10 years for committing three robberies, two of them while he was armed.

Dorian Rankin – 42, of Beulah Road, Thornton Heath, was sentenced on Thursday at Inner London Crown Court.

He had pleaded guilty at the same court on December 16 to seven offences.

The first robbery he committed was at H & T Pawnbrokers in Walworth Road on November 16, 2021, before he went on to carry out two armed robberies – one at Betfred bookmakers in Rye Lane, Peckham on January 13 and another at Lloyds Bank in Sydenham Road, on February 14.

He also pleaded guilty to two counts of possessing a firearm or imitation firearm with intention to commit an offence, driving whilst disqualified on May 26 in Beulah Road, and of illegally possessing or controlling identity documents with intent to commit an offence.

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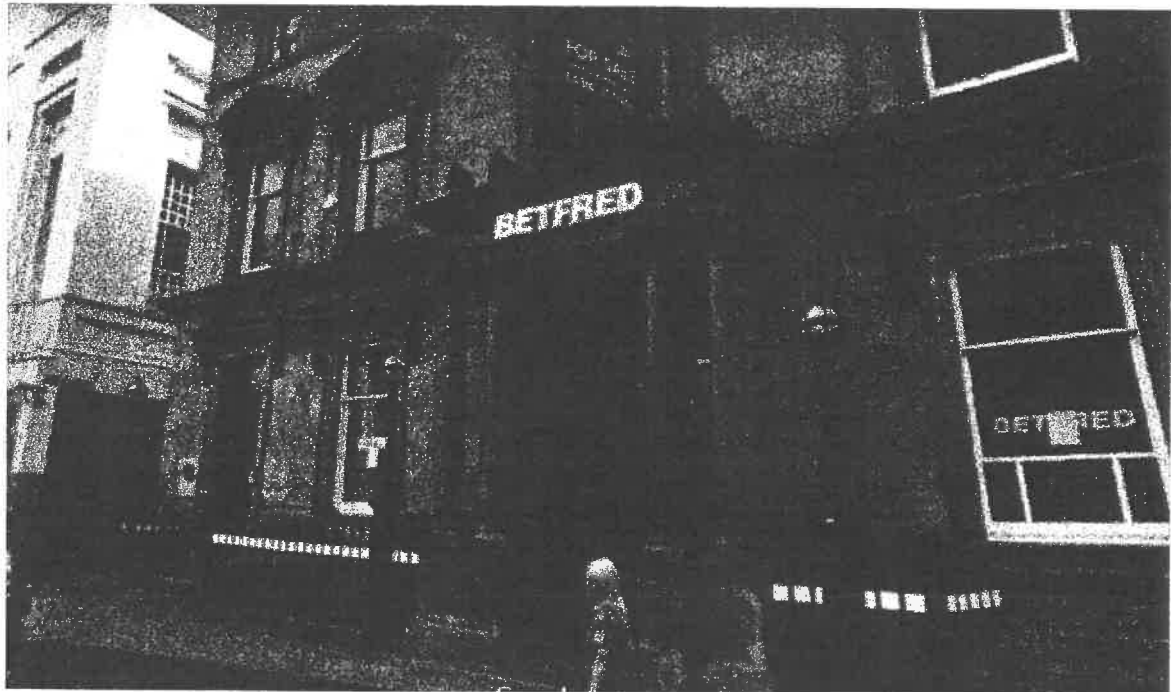
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# Bookmakers in Dundee city centre robbed

By Jake Keith  May 14 2022, 9.41am



Betfred on the Murraygate, Dundee. Supplied by Google

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Detectives are investigating after a bookmakers in Dundee city centre was hit by a robbery on Friday evening.

A man wearing a dark baseball cap, grey hooded top and white baggy jogging bottoms entered the Betfred store on the Murraygate around 7pm and threatened staff there.