



Llywodraeth Cymru
Welsh Government

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Welsh Government
Consultation – summary of responses

Subordinate legislation consolidation and review

Responses to questions relating to use as a Betting Office

September 2022

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.

This document is also available in Welsh.

Overview

This document provides a summary of the responses received to questions 2 and 30 regarding proposed amendments.

Action Required

This document is for information only.

Further information and related documents

Large print, Braille and alternative language versions of this document are available on request.

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Additional copies

This summary of response and copies of all the consultation documentation are published in electronic form only and can be accessed on the Welsh Government's website.

Link to the consultation documentation: <https://gov.wales/subordinate-legislation-consolidation-and-review>

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1. Introduction

- 1.1 In 2018 the Welsh Government undertook the consultation: Subordinate Legislation Consolidation and Review, which sought views in relation to changes to the Town and Country Planning (Use Classes) Order 1987 and the Town and Country Planning (General Permitted Development) Order 1995. The consultation took place between 31 May 2018 and 28 September 2018.
- 1.2 The consultation document proposed a range of amendments to the UCO arising from recommendations from a review of the statutory instrument. Proposed changes to the GPDO resulted from policy commitments to expand renewable energy and telecommunication provision. A total of 64 questions were set out in the consultation document, with a standard form and an online webform provided for ease of response.
- 1.3 Consultation report summaries were published in February 2019 and December 2020 regarding a number of proposals contained within the original 2018 consultation. These documents are available on the Welsh Government website: <https://gov.wales/subordinate-legislation-consolidation-and-review>.
- 1.4 This new consultation report addresses the 2018 responses regarding betting offices, specifically questions 2 and 30:
 - Q.2 Do you agree betting offices should be removed from use class A2?
 - Q.30 Do you agree with the proposed permitted changes from a betting office?
- 1.5 A detailed explanation of the questions can be viewed in the 2018 consultation document.
- 1.6 A government response is set out in section 3, with details on the next steps set out in section 4.

2. Responses

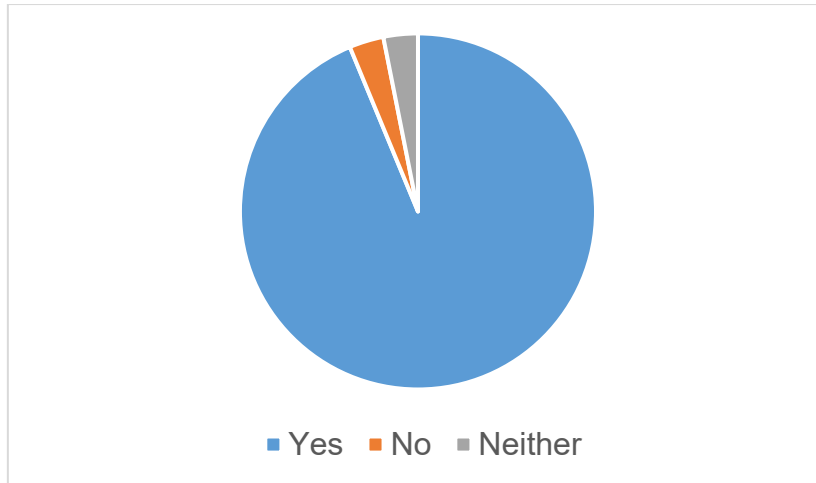
Q.2 Do you agree betting offices should be removed from use class A2?

Background

- 2.1 The UCO establishes groups of uses with similar planning impacts. Betting offices fall within use class A2 (financial and professional services) along with uses such as banks, estate agents, travel agents and solicitors offices.
- 2.2 Changes between uses within the 'class' would not result in any significant change in planning impact, so there is little benefit in requiring a planning application. Therefore, a change of use within a class (e.g. a bank changing use to a betting office) does not require planning permission
- 2.3 The consultation drew from evidence that suggests the overconcentration of betting offices reduces the diversity of the high street, impacting upon its vitality and viability, in contrast with other uses in use class A2 such as retail and banking institutions which are identified as attracting high footfall in town centres. These uses are recognised as providing important services that contribute positively towards sustaining the vibrancy, attractiveness, and viability of town centres.
- 2.4 The causal link established by research, between the overconcentration of betting offices and a reduction in footfall, and consequential impact on the vitality and viability of town centres, means there is a strong economic case for local planning authorities to have greater control over such uses.
- 2.5 Question 2 therefore sought view on whether betting offices should be removed from use class A2.

Statistics

Q.2 Do you agree betting offices should be removed from use class A2?	
Yes	30
No	1
Neither	1
Did not answer	116



Summary of comments

- 2.6 In total, 32 responses were received in respect of question 6.
- 2.7 The proposal was universally supported by all sectors. There was consensus that betting office uses typically attract less footfall than some of the other uses within A2. Respondents noted overconcentration of betting offices can have a detrimental impact on the vitality and viability of town centres. Local planning authorities welcomed the ability to influence their siting through planning policy and the planning application process. Several local planning authorities also noted the opportunity this change presents to promoting retail uses within town centre uses.
- 2.8 Those who disagreed (1 respondent) did so without comment.
- 2.9 The respondent who expressed no view (i.e. neither) stated that whilst they had no strong view on the proposed amendment to the UCO, they considered it was important to distinguish land use impacts from the possible social impacts of the misuse of a product or service. An example was provided in this case of the potential for a reduction in the number of betting offices on the high street moving more problem gambling online.

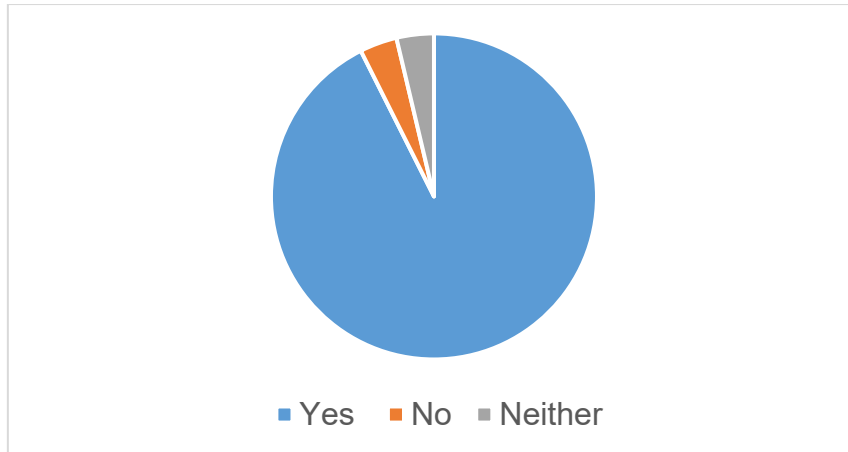
Q.30 Do you agree with the proposed permitted changes from a betting office?

Background

- 2.10 With the proposed removal of betting offices from use class A2, consideration was needed in respect of whether permitted development rights currently granted by the GPDO for changes of use from uses within use class A2 should continue to apply to a betting office once the use becomes a unique use.
- 2.11 Under its current grouping in use class A2, Class D of Part 3 permits the change of use of a betting office with a display window at ground floor level to a use falling within use class A1 (shops). A betting office can also change to any other use falling within use class A2 (financial and professional services) as this is not deemed to be development.
- 2.12 Question 30 sought views on the Welsh Government proposal to maintain the existing flexibility by amending the GPDO to permit changes of use from a betting office to:
- A1 (shops) with a display window at ground floor level
 - A2 (financial or professional services)
 - mixed use containing a betting shop and up to two flats (Q.29 sought views on proposals to amend Class F of Part 3 which currently permits the provision of a single residential flat in addition to a Class A1 use or Class A2 use to two flats).

Statistics

Q.30 Do you agree with the proposed permitted changes from a betting office?	
Yes	25
No	1
Neither	1
Did not answer	121



Summary of comments

2.13 In total, 27 responses were received in respect of question 30.

2.14 As for question 2, the proposal was universally supported by all sectors. Few respondents provided further comment, however there was consensus amongst those who did elaborate upon their response that the permitted changes of use would be less harmful to the vitality or viability of any centre than use as a betting office use and should be facilitated through permitted development.

2.15 Those who disagreed (1 respondent – a local planning authority) only did so partially, objecting to the proposed change of use to a mixed use containing a betting shop and up to two flats due to the potential loss of affordable housing contributions when planning permission is granted for new residential units by the GPDO.

3. Welsh Government Response

3.1 The Welsh Government welcomes the substantial support across all sectors for making betting offices a unique use, whilst maintaining their existing permitted development rights.

3.2 Making use as a betting office a unique use will provide local planning authorities, with the ability to have greater control over what is characterised as a problem use in certain locations through policy development and detailed consideration of each proposal through a planning application.

3.3 Furthermore, maintaining existing permitted development rights reflects the ethos of Part 3 of the GPDO (i.e. facilitating changes of use where the planning impacts are equal to the original use or reduced) and will encourage the reuse of former betting offices for uses that positively contribute towards the vitality and viability of high streets.

4. Next Steps

- 4.1 Use as a betting office will be removed use class A2 and will be specified in Article 3(6) as a unique use as part of the Town and Country Planning (Use Classes) (Amendment) (Wales) Order 2022.
- 4.2 Furthermore, as part of The Town and Country Planning (General Permitted Development etc) (Amendment) (Wales) Order 2022, provision will be made for the change of use of a betting office to:
- a use falling within use class A1
 - a use falling within use class A2
 - a mixed use containing a betting office and a single flat
 - a mixed use containing a A1 use and a single flat
 - a mixed use containing a A2 use and a single flat
- 4.3 Where a mixed use exists consisting of a betting shop and a single flat, planning permission would also not be required to change use to any of the following uses:
- Any use falling within use class A1 (Shops)
 - A mixed use containing a A1 use and a single flat
 - Any use falling within use class A2 (financial and professional services)
 - A mixed use containing a A2 use and a single flat
 - Singular use as a betting shop.
- 4.4 The Orders will be subject to the relevant legislative procedures of the Senedd and will come into force in the Autumn.
- 4.5 The Orders will be publicised through the publication of a letter on the Welsh Government website and direct circulation to all local planning authorities.