

**Licensing Sub-Committee**  
**Thursday, 25 March 2021**

**Present:** Councillor Harris\*, Councillor B. Oxford\*,  
Councillor Wood\*

**Substitutes:** None

\*attended remotely

**56. Appointment of Chairman**

*RESOLVED* that Councillor Harris be appointed Chairman for the Sub-Committee meeting.

**57. Alcohol Licensed Premises Gaming Machine Permit – Hollywood Bowl**

Sarah White, Senior Licensing Officer attended the meeting to present the report. The Sub-Committee considered a report inviting it to determine an application which had been made for an Alcohol Licensed Premises Gaming Machine Permit which had been submitted by The Original Bowling Company. The Sub-Committee was advised that no complaints or representations had been received in respect of the application, and the Sub-Committee were required to determine the application solely as a result of the requirements of Colchester Borough Council (the Council)'s Gambling Act 2005 Licensing Policy, which stipulated that applications for five or more gaming machines must be determined by the Sub-Committee.

Ewen MacGregor of TLT Solicitors, represented the applicant and addressed the Sub-Committee. It was confirmed that no concerns had been raised in respect of the application, and the referral to the Sub-Committee was in accordance with Policy. The Sub-Committee was being asked to consider two applications as part of the published agenda, and as they were extremely similar, it was proposed that they be considered jointly. The Original Bowling Company had two main brands, which were Hollywood Bowl and Puttstars, and two sites were to be located in the redevelopment at Colchester's Northern Gateway site, together with other entertainment and leisure establishments. Both proposed premises had been granted alcohol licences under the Licensing Act 2003, and the Sub-Committee had been provided with documentation supporting the applications, including training policies and layout plans of the premises.

The Sub-Committee were advised that the applicant was the single largest provider of ten pin bowling facilities in the United Kingdom, and the applications which had been made were to provide gaming facilities which were common to the applicant's

other sixty sites. It was the applicant's aim to provide a fun-filled and safe environment to as broad a range of its clientele as possible. Since the formation of the applicant's company in 2010, no issues had been raised in respect of any Alcohol Licensed Gaming Machine Permits which it held, and none had been the subject of any regulatory action.

The applicant had gained considerable experience in opening new sites, and the application for 5 category 'C' gaming machines and 35 category 'D' gaming machines was, in their experience, proportionate for their business model which was dependent on the individual sites for which permits were held. Permits for identical numbers of machines has been issued in recent years to the applicant at a wide variety of locations throughout the country.

The Sub-Committee were assured that all staff at every level of the organisation received training in age verification before they were permitted to start work, and they were empowered to challenge customers who appeared to be under the age of 18 when buying alcohol or when using age restricted gaming machines. Daily machine and age verification checks were carried out, and the results of these recorded in a due diligence logbook. As part of the applicant's commitment to due diligence, the premises were audited by internal auditors, and were the subject of 'mystery shopper' and security checks. The category 'C' gaming machines were all located within sight of the bar to allow staff to ensure that no one under the age of 18 was playing them, and the applicant had adopted a 'challenge 25' policy with regard to age verification on both alcohol sales and gaming machine usage. These machines all bore stickers confirming that nobody under the age of 18 was allowed to use them, together with stickers advertising the services of gambling support 'Gamcare'. With regard to the category 'D' gaming machines, the Sub-Committee was advised that these constituted 'crane grabber' or 'penny falls' type machines, and not amusement with prizes (traditional fruit machine) style games.

In response to a question from Councillor Oxford, Darryl Lewis, Chief Operating Officer for the Hollywood Bowl Group, addressed the Sub-Committee. He explained that the gaming machines which would be offered at the two sites were supplementary to the main activities of the sites, which were the provision of bowling and miniature golf facilities. Although people attended the sites primarily to participate in these core activities, it was the applicant's intention to provide a space in which families would dwell and socialise when they attended the site. The provision of a variety of gaming machines increased the time that patrons lingered onsite, and provided an additional income stream for the applicant, of which the over 18 gambling machines provided a tiny part. Councillor Oxford, raised concerns in relation to the rise of gambling addiction, and wondered whether it was necessary to instal so many gaming machines. It was clarified to the Sub-Committee that the majority of the machines were category 'D' gaming machines, which did not include an over 18 gambling element, and the installation of the 5 category 'C' gaming machines was something which was considered to deliver the right balance between delivering a service to customers and over-saturating the premises with gaming machines. Should there prove to be less of a demand for the machines than

anticipated, then they would be removed to make way for more profitable use of the space they occupied.

Councillor Harris was pleased to note the thorough training regime which was in place, and wondered what steps were in place to ensure that training was kept up to date. Darryl Lewis confirmed that the training was delivered to staff via an electronic programme, and refresher training was also managed through this system, meaning that at anytime it was possible to see which staff required refresher training to ensure that this was delivered. In addition to this, staff were afforded monthly opportunities to raise any issues they had encountered and request additional training or support. Measures were also in place to support customers whose gambling raised concerns with staff, or who wished to self-exclude from the premises, although such concerns were experienced extremely infrequently in this style of premises. The Sub-Committee were assured that staff were constantly moving through the premises, and would be well positioned to observe the category 'C' gaming machines to ensure that they were used appropriately. All policies and procedures were in place across both of the proposed sites.

The applicant requested that the Sub-Committee considered both applications on the agenda at the same time, as they were identical in scope.

*RESOLVED* that: the licensed premises gaming machine permit applied for by The Original Bowling Company (t/a Hollywood Bowl) in respect of the premises Unit L4, Ground Floor, Northern Gateway Leisure, United Way, Colchester, CO4 5UP be granted. The permit authorises the provision of 5 category C gaming machines, and 35 category D gaming machines.

### **Reasons for the determination**

In reaching its decision, the Sub-Committee examined all the documents submitted, and considered all the representations made at the hearing.

The Sub-Committee was particularly assured by the policies and procedures that had been adopted by the applicant to mitigate against gaming harms, including staff training programmes, self-exclusion policies and machine placement, and expressed confidence in the way that the management of the premises had been presented.

### **58. Alcohol Licensed Premises Gaming Machine Permit – Puttstars**

*RESOLVED* that: the licensed premises gaming machine permit applied for by The Original Bowling Company (t/a Puttstars) in respect of the premises Units L1 and L4, First Floor, Northern Gateway Leisure, United Way, Colchester CO4 5UP be granted. The permit authorises the provision of 5 category C gaming machines and 35 category D gaming machines.

## **Reasons for the determination**

In reaching its decision, the Sub-Committee examined all the documents submitted, and considered all the representations made at the hearing.

The Sub-Committee was particularly assured by the policies and procedures that had been adopted by the applicant to mitigate against gaming harms, including staff training programmes, self-exclusion policies and machine placement, and expressed confidence in the way that the management of the premises had been presented.