

LICENSING SUB-COMMITTEE HEARINGS

21 MARCH 2014

Present :- Councillors Julia Havis and Michael Lilley
Substitute Member :- Councillor Mary Blandon for Councillor Pauline Hazell

1. Appointment of Chairman

RESOLVED that Councillor Havis be appointed Chairman

2. Declarations of Interest

There were no declarations of interest.

3. Applications under the Gambling Act 2003

The Head of Professional Services submitted a report in relation to the following premises licence application for determination by the Sub-Committee, in accordance with the provisions of the Gambling Act 2003.

- Coral, 1-2 High Street, Colchester

The Sub-Committee considered an objection to a premises licence application which had been received in respect of Coral at 1-2 High Street, Colchester to permit –

- Betting (other)

In Attendance

Applicant: Mr Dimmock, Senior Development Manager, Coral
Mr E Macgregor, Bond Dickinson

Objector: Mr Swift, owner of Bobby Swift
Ms Mead, Company Secretary, Bobby Swift

Licensing Authority: Mr Ruder, Licensing & Enforcement Manager
Mr Samuel, Legal Services
Mr Swain, Enforcement Officer
Mrs White, Licensing and Committee Co-ordinator

Observing Mrs Harrington, Professional Services Manager

Mr Ruder gave a brief summary of the application and representation that had been received. Mr Samuel informed the Sub-Committee of the grounds on which it could consider the application and that it could not have regard to expected demand for the facilities which a premises licence would be proposed to provide.

Mr Macgregor outlined the application on behalf of the applicant and sought and obtained confirmation that the Sub-Committee had received copies of the bundle of evidence supporting. A more detailed plan than that included with the application showing the location of the fixed odds betting terminals and other facilities for betting had been circulated.

In presenting the application Mr Macgregor briefly set out the nature of the company and its operation in Colchester. It had a number of premises in the Borough and there was no evidence to suggest that they placed a burden on the local authority or other responsible authorities. The internal layout of the premises was explained with reference to the plan and with reference to the issue of primary use; it was made clear that the premises had a full range of betting shop facilities.

The shop would operate 'Know your limits, set your limits' and 'Think 21' ;and staff would be fully trained in their responsibilities under the Gambling Act to protect children and vulnerable persons. In response to the concerns raised in the representation Mr Macgregor gave further details on the operation of the premises, the training of staff and the measures designed to safeguard users. It was confirmed that there was not an ATM on the premises although it was acknowledged that given the shop's location an ATM was only a short walk away. The matter of self exclusion was discussed and the figures for Colchester were considered to be broadly in line with the figures for premises elsewhere; the levels of problem gambling in the general population were considered to be very low at 0.6% of the population.

Ms Mead addressed the Sub-Committee in respect of the representation made by Bobby Swift and gave further information on the issue of self exclusion and possible problem gambling in Colchester. It was their belief that these problems may be made worse if a further premises licence was granted. There was discussion on the establishment of BetWatch, which was similar in its operation to PubWatch and the Sub-Committee indicated that it would like further investigations to take place concerning its implementation in the Borough.

RESOLVED to grant the premises licence application as applied for with the revised plan.

Reasons for the Determination

In considering the case, the Sub-Committee considered carefully the representations made and the evidence presented. The Sub-Committee had full regard to the principles to be applied as referred to in Section 153 of the Gambling Act 2005. In accordance with Section 153(2) of the Act, the Sub-Committee did not have regard to expected demand for the facilities which a premises licence would be proposed to provide.

It did appear to the Sub-Committee that certain of the objections made at the hearing revolved around issues which it was not at liberty to consider in making its decision. The Sub-Committee noted that there appeared to be a problem with regard to self - exclusion but considered that this was not a matter that could be addressed in considering the application. The Sub-Committee would commend a willingness by both

parties to support BetWatch should it be implemented in the Borough.