

Meeting: LICENSING & REGULATORY COMMITTEE

Date of Meeting: 22<sup>nd</sup> February 2010

Title of Report: DETERMINATIONS MADE UNDER THE GAMBLING ACT 2005:  
PERIOD COVERING 2<sup>ND</sup> JANUARY 2010 TO 5<sup>TH</sup> FEBRUARY 2010.

Report of: P. J. Moore,  
Environmental Protection Director

Contact Officer: K.T. Coady,  
Senior Licensing Officer  
0151 934 2946

This report contains	Yes	No
CONFIDENTIAL information		√
EXEMPT information by virtue of paragraph(s) ... of Part 1 Schedule 12A of the Local Government Act 1972		√
Is the decision of this report DELEGATED?	√	

### **Purpose of Report**

To update Members regarding those applications, made under the Gambling Act 2005, that have been determined by Officers.

### **Recommendation(s)**

That Members:

- i) note this Report and its contents
- ii) note that further Reports will be brought forward to up date Members as and when necessary

### **Corporate Objective Monitoring**

Corporate Objective		Positive Impact	Neutral Impact	Negative Impact
1	Creating a Learning Community		√	
2	Creating Safe Communities	√		
3	Jobs and Prosperity		√	
4	Improving Health and Well-Being		√	
5	Environmental Sustainability		√	
6	Creating Inclusive Communities		√	
7	Improving the Quality of Council Services and Strengthening Local Democracy		√	
8	Children and Young People		√	

### **Financial Implications**

None.

## **Background**

1. Members will recall that Sefton's Statement of Gambling Licensing Policy followed the recommended delegation of functions contained within the Gambling Commission Guidance which was issued under Section 25 of the Gambling Act 2005.
2. In effect this means that where there are no relevant representations to an application, for the grant of a Premise Licence or a Permit, then these matters are dealt with by Officers. This ensures that decisions and functions, particularly for non-contentious applications and purely administrative functions, are taken or carried out in a speedy, efficient and cost-effective way.
3. It is considered best practice that, where powers have been delegated as above, Licensing Committees should receive regular reports on decisions made by Officers in order that they may maintain an overview of the general gambling situation.

## **Numbers determined**

4. During the period 2<sup>nd</sup> January 2010 to 5<sup>th</sup> February 2010 the following number of applications have been determined:
  - Applications made under Gambling Premise Licences **3**
  - Applications made under Licensed Premises Gaming Permits **1**
  - Notifications given for Licensed Premises Automatic Gaming **2**
5. Details of the above determinations are attached within the Annex to this Report.

**Gambling Premises Licences**

<b>Licence Number</b>	010445		
<b>Name &amp; Address of Premises</b>	Mint Southport 180 Lord Street Southport PR9 0QP		
<b>Gambling activity</b>	Converted Casino		
<b>Application for</b>	Change of Circumstances		
<b>Premise Licence Holder</b>	Genting Casinos UK Limited		
<b>Date of action</b>	05/01/2010	<b>Licence effective from</b>	01/09/2007
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

**Mandatory Conditions**

Mandatory: all premises

1. The summary of the terms and conditions of the premises licence issued under section 164(1)(c) of the 2005 Act shall be displayed in a prominent place within the premises.
2. The layout of the premises shall be maintained in accordance with the plan.
3. The premises shall not be used for:
  - (a) the sale of tickets in a private lottery or customer lottery, or
  - (b) the sale of tickets in any other lottery in respect of which the sale of tickets on the premises is otherwise prohibited.

Mandatory: Casino

- 1.(1) The principal entrance to the premises shall be from a street.
- (2) No entrance to the premises shall be from premises that are used wholly or mainly by children, by young persons, or by both.
- (3) No customer shall be able to enter the premises directly from any other premises in respect of which a licence issued under Part 8 of the Act, or a permit issued under Schedule 10, 12 or 13 to the Act, has effect.
2. A gap of at least 2 metres shall be maintained between any ordinary gaming table and any other equipment, apparatus or structure used by a person to gamble on the premises.
3. No more than 40 separate player positions may be made available for use in relation to wholly automated gaming tables at any time.
- 4.(1) The rules of each type of casino game that is available to be played on the premises shall be displayed in a prominent place within both the table gaming area and other gambling area of the premises to which customers wishing to use facilities for gambling have unrestricted access.
- (2) The condition in sub-paragraph (1) may be satisfied by:
  - (a) displaying a clear and legible sign setting out the rules; or
  - (b) making available to customers leaflets or other written material containing the rules.
5. Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to cease gambling at any gaming table, gaming machine or betting machine in order to do so.
6. A notice shall be displayed in a prominent place at every entrance to the premises stating that no person under the age of 18 years is permitted to enter the premises.
- 7.(1) This paragraph shall apply to premises which have a gambling area the floor area of which is no less than 200m.

- (2) In determining the floor area of the gambling area, all areas in which facilities for gambling are provided on the premises shall be taken into account.
- (3) The premises shall contain a non-gambling area, the floor area of which is no less than 10% of the floor area of the gambling area.
- (4) The non-gambling area may consist of one or more areas within the premises.
- (5) Lobby areas and toilet facilities may be taken into account in calculating the non-gambling area; but the non-gambling area shall not consist exclusively of lobby areas and toilet facilities.
- (6) Facilities for gambling shall not be provided in the non-gambling area.
- (7) At any time during which facilities for gambling are being provided on the premises, each separate area comprising the non-gambling area, other than the lobby areas and toilet facilities referred to in sub-paragraph (5), shall contain recreational facilities that are available for use by customers on the premise.

### Default Conditions

Default: Casino

1. No facilities for gambling shall be provided on the premises between the hours of 6am and noon on any day.

<b>Licence Number</b>	010569		
<b>Name &amp; Address of Premises</b>	Riverside Racing 117 Deyes Lane Maghull L31 6DG		
<b>Gambling activity</b>	Betting (other than a track)		
<b>Application for</b>	Transfer		
<b>Premise Licence Holder</b>	Mr Joseph McNamara/Riverside Racing		
<b>Date of action</b>	13/01/2010	<b>Licence effective from</b>	01/09/2007
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

### Mandatory Conditions

Mandatory: all premises

1. The summary of the terms and conditions of the premises licence issued under section 164(1)(c) of the 2005 Act shall be displayed in a prominent place within the premises.
2. The layout of the premises shall be maintained in accordance with the plan.
3. The premises shall not be used for:
  - (a) the sale of tickets in a private lottery or customer lottery, or
  - (b) the sale of tickets in any other lottery in respect of which the sale of tickets on the premises is otherwise prohibited.

Mandatory: Betting Not Track

1. A notice stating that no person under the age of 18 years is permitted to enter the premises shall be displayed in a prominent place at every entrance to the premises.
2. (1) Access to the premises shall be from a street or from other premises with a betting premises licence.  
(2) Without prejudice to sub-paragraph (1), there shall be no means of direct access between the premises and other premises used for the retail sale of merchandise or services.
3. Subject to anything permitted by virtue of the 2005 Act, or done in accordance with paragraphs 4, 5, 6 and 7 below, the premises shall not be used for any purpose other than for providing facilities for betting.

4. Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to leave any gaming machine or betting machine in order to do so.

5. No apparatus for making information or other material available in the form of sounds or visual images may be used on the premises, except for apparatus used for the following purposes:

(a) communicating information about, or coverage of, sporting events, including:

(i) information relating to betting on such an event; and

(ii) any other matter or information, including an advertisement, which is incidental to such an event;

(b) communicating information relating to betting on any event (including the result of the event) in connection with which betting transactions may be or have been effected on the premises.

6. No publications, other than racing periodicals or specialist betting publications, may be sold or offered for sale on the premises.

7. No music, dancing or other entertainment shall be provided or permitted on the premises, save for entertainment provided in accordance with paragraph 5.

8.(1) No alcohol shall be permitted to be consumed on the premises at any time during which facilities for gambling are being provided on the premises.

(2) A notice stating the condition in sub-paragraph (1) shall be displayed in a prominent place at every entrance to the premises.

9. A notice setting out the terms on which customers are invited to bet on the premises shall be displayed in a prominent place on the premises to which customers have unrestricted access.

### Default Conditions

Default: Betting Not Track

1. No facilities for gambling shall be provided on the premises between the hours of 10pm on one day and 7am on the next day.

<b>Licence Number</b>	010451		
<b>Name &amp; Address of Premises</b>	Stanley Southport Promenade Southport PR9 0DZ		
<b>Gambling activity</b>	Converted Casino		
<b>Application for</b>	Change of Circumstances		
<b>Premise Licence Holder</b>	Genting Casinos UK Limited		
<b>Date of action</b>	05/01/2010	<b>Licence effective from</b>	01/09/2007
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Licence Issued (if applicable)</b>			

### Mandatory Conditions

Mandatory: all premises

1. The summary of the terms and conditions of the premises licence issued under section 164(1)(c) of the 2005 Act shall be displayed in a prominent place within the premises.

2. The layout of the premises shall be maintained in accordance with the plan.

3. The premises shall not be used for:

(a) the sale of tickets in a private lottery or customer lottery, or

(b) the sale of tickets in any other lottery in respect of which the sale of tickets on the premises is otherwise prohibited.

## Mandatory: Casino

- 1.(1) The principal entrance to the premises shall be from a street.
  - (2) No entrance to the premises shall be from premises that are used wholly or mainly by children, by young persons, or by both.
  - (3) No customer shall be able to enter the premises directly from any other premises in respect of which a licence issued under Part 8 of the Act, or a permit issued under Schedule 10, 12 or 13 to the Act, has effect.
2. A gap of at least 2 metres shall be maintained between any ordinary gaming table and any other equipment, apparatus or structure used by a person to gamble on the premises.
3. No more than 40 separate player positions may be made available for use in relation to wholly automated gaming tables at any time.
- 4.(1) The rules of each type of casino game that is available to be played on the premises shall be displayed in a prominent place within both the table gaming area and other gambling area of the premises to which customers wishing to use facilities for gambling have unrestricted access.
- (2) The condition in sub-paragraph (1) may be satisfied by:
- (a) displaying a clear and legible sign setting out the rules; or
  - (b) making available to customers leaflets or other written material containing the rules.
5. Any ATM made available for use on the premises shall be located in a place that requires any customer who wishes to use it to cease gambling at any gaming table, gaming machine or betting machine in order to do so.
6. A notice shall be displayed in a prominent place at every entrance to the premises stating that no person under the age of 18 years is permitted to enter the premises.
- 7.(1) This paragraph shall apply to premises which have a gambling area the floor area of which is no less than 200m.
- (2) In determining the floor area of the gambling area, all areas in which facilities for gambling are provided on the premises shall be taken into account.
- (3) The premises shall contain a non-gambling area, the floor area of which is no less than 10% of the floor area of the gambling area.
- (4) The non-gambling area may consist of one or more areas within the premises.
- (5) Lobby areas and toilet facilities may be taken into account in calculating the non-gambling area; but the non-gambling area shall not consist exclusively of lobby areas and toilet facilities.
- (6) Facilities for gambling shall not be provided in the non-gambling area.
- (7) At any time during which facilities for gambling are being provided on the premises, each separate area comprising the non-gambling area, other than the lobby areas and toilet facilities referred to in sub-paragraph (5), shall contain recreational facilities that are available for use by customers on the premise.

## Default Conditions

### Default: Casino

1. No facilities for gambling shall be provided on the premises between the hours of 6am and noon on any day.

### Licensed Premises Gaming Permits

<b>Permit Number</b>	016051		
<b>Name &amp; Address of Premises</b>	Coach & Horses 164-166 Liverpool Road North Maghull L31 2HP		
<b>Permit type</b>	Licensed Premises Gaming Permit		
<b>Application for</b>	Conversion		
<b>Permit Licence Holder</b>	Punch Taverns PLC		
<b>Date of action</b>	25/01/2010	<b>Licence effective from</b>	25/01/2010
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Permit Issued (if applicable)</b>			

### Licensed Premises Automatic Gaming

<b>Permit Number</b>	015918		
<b>Name &amp; Address of Premises</b>	Cue 39-41 South Road Waterloo L22 5PE		
<b>Permit type</b>	Licensed Premises Automatic Gaming		
<b>Application for</b>	Grant		
<b>Permit Licence Holder</b>	Mr Alan Edward Seddon		
<b>Date of action</b>	08/01/2010	<b>Licence effective from</b>	08/01/2010
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Permit Issued (if applicable)</b>			

<b>Permit Number</b>	016020		
<b>Name &amp; Address of Premises</b>	Seaburn Inn 194-196 Marsh Lane Bootle L20		
<b>Permit type</b>	Licensed Premises Automatic Gaming		
<b>Application for</b>	Grant		
<b>Permit Licence Holder</b>	Mr Brian Oliver		
<b>Date of action</b>	18/01/2010	<b>Licence effective from</b>	18/01/2010
<b>Date of Expiry (if applicable)</b>		<b>Surrender Date (if applicable)</b>	
<b>Copy of Permit Issued (if applicable)</b>			