

Public Document Pack

Blackpool Council

15 December 2015

To: Councillors G Coleman, Cross and Scott

The above members are requested to attend the:

LICENSING PANEL

Tuesday, 22 December 2015 at 10.00 am
in Committee Room B, Town Hall, Blackpool

A G E N D A

1 APPOINTMENT OF CHAIRMAN

To appoint a Chairman for the meeting.

2 DECLARATION OF INTEREST - LICENSING

Members are asked to declare any interests in the items under consideration and in doing so state:-

(1) the type of interest concerned

(2) the nature of the interest concerned; and

(3) whether they have or have not sat on a Planning Committee which has previously considered a planning application in respect of a licensed premises which is also subject to consideration for a premises licence as part of the agenda for this meeting.

If any Member requires advice on declarations of interests, they are advised to contact the Head Democratic Governance in advance of the meeting.

(Members are asked to also pay particular attention to the guidance sheet on interests supplied with the agenda).

3 PROCEDURE FOR THE MEETING

The Chairman of the Panel will summarise the procedure and announce the equal maximum amount of time for each party to speak for the hearing.

- A. Items 1 and 4 (b) will be undertaken in private session by the Panel and not in the Meeting Room.
- B. Items 2, 3, 4(a) and 4(c) will be recommended to the Panel to be held in public.
- C. The Panel may decide to exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public. (This includes a party and any person assisting or representing a party)

4 APPLICATION FOR THE REVIEW OF A PREMISES LICENCE- BET SID, 59-61 ABINGDON STREET (Pages 1 - 22)

- a. APPLICATION AND REPRESENTATIONS SUBMITTED. To consider the attached report
- b. DETERMINATION OF THE APPLICATION FOR THE REVIEW OF A PREMISES LICENCE- Bet Sid, 59-61 Abingdon Street
- c. ANNOUNCEMENT OF THE DECISION FOR THE APPLICATION FOR THE REVIEW OF A PREMISES LICENCE- Bet Sid, 59-61 Abingdon Street

5 APPLICATION FOR THE REVIEW OF A PREMISES LICENCE- BET SID, 228-230 DICKSON ROAD (Pages 23 - 50)

- a. APPLICATION AND REPRESENTATIONS SUBMITTED. To consider the attached report
- b. DETERMINATION OF THE APPLICATION FOR THE REVIEW OF A PREMISES LICENCE- Bet Sid, 228-230 Dickson Road
- c. ANNOUNCEMENT OF THE DECISION FOR THE APPLICATION FOR THE REVIEW OF A PREMISES LICENCE- Bet Sid, 228-230 Dickson Road

Venue information:

First floor meeting room (lift available), accessible toilets (ground floor), no-smoking building.

Other information:

For queries regarding this agenda please contact Lennox Beattie, Executive and Regulatory Manager, Tel: 01253 477157, e-mail lennox.beattie@blackpool.gov.uk

Copies of agendas and minutes of Council and committee meetings are available on the Council's website at www.blackpool.gov.uk.

Report to:	Licensing Panel
Relevant Officer:	Sharon Davies, Head of Licensing Services
Date of Meeting :	22 nd December 2015

APPLICATION TO REVIEW A LICENCE – Bet Sid (Abingdon Street)

1.0 Purpose of the report:

- 1.1 To consider an application by the Licensing Authority to review the licence issued in respect of BetSid, 59-61 Abingdon Street.

2.0 Recommendation(s):

- 2.1 The Licensing Panel is requested to determine the review application.

3.0 Reasons for recommendation(s):

- 3.1 This application must be determined by a panel.

- 3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

- 3.2b Is the recommendation in accordance with the Council's approved budget? Yes

- 3.3 Other alternative options to be considered:

None, once a request for a review is submitted it must be considered by a Licensing Panel.

4.0 Background Information

- 4.1 Betsid, 59-61 Abingdon Street Blackpool has the benefit of a betting (other) premises licence issued under the Gambling Act 2005. This licence permits the holder to operate as a betting shop.

4.2 On 9th November 2015 the Licensing Authority gave notice under section 200 Gambling Act 2005 that they intended to review this Premises Licence because of a failed test purchase on 24th October 2015. A copy of the information supporting the decision to review the licence is attached at Appendix 4a.

4.3 A representation in support of the decision to review has been received from Children's Services attached at Appendix 4b.

4.4 **Local policy considerations**

None

4.5 **National policy considerations**

The purpose of a review is to determine whether the Licensing Authority should take any action in relation to the licence namely:

- Add, remove or amend a licence condition imposed by the licensing authority
- Exclude a default condition imposed by the Secretary of State or remove or amend such exclusion
- Suspend the premises licence for a period not exceeding three months
- Revoke the premises licence

4.6 **Observations**

This licence was granted in October 2014.

When considering applications made under the Gambling Act the licensing authority's primary obligation is to permit the use of premises for gambling in so far as it thinks that is:

- In accordance with the relevant codes of practice issued by the Gambling Commission;
- In accordance with the guidance issued by the Gambling Commission;
- Reasonably consistent with the licensing objectives; and
- In accordance with the Council's statement of licensing policy

There are a number of conditions attached to this licence

Mandatory Conditions:

- 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

- Access to premises shall be from a street or from other premises with a betting premises licence
- There shall be no means of direct access between the premises and other premises used for the retail sale of merchandise or services
- Subject to anything permitted by the Act, or done in accordance with conditions below, the premises shall not be used for any purpose other than for providing facilities for betting,
- 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
- 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
 - Communicating information about, or coverage of, sporting events, including
 - Information relating to betting on such an event; and
 - Any other matter or information, including an advertisement, which is incidental to such an event;
 - 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.
- No publications other than racing periodicals or specialist betting publications may be sold or offered for sale on the premises
- No music, dancing or other entertainment shall be provided or permitted on the premises, save for entertainment provided in accordance with conditions above,
- 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. A notice to this effect shall be displayed in a prominent place at every entrance to the premises.
- 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 the customers have unrestricted access.

Default Conditions:

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

4.7 Does the information submitted include any exempt information? No

4.8 **List of Appendices:**

Appendix 4a: Application (not for publication)

Appendix 4b: Representation from Children's Services

Appendix 4c: Additional information from the licence holder

5.0 **Legal considerations:**

5.1 Please see local and national policy in the background information.

6.0 **Human Resources considerations:**

6.1 None

7.0 **Equalities considerations:**

7.1 None

8.0 **Financial considerations:**

8.1 None

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Blackpool Council Licensing Service

Representation made by a Responsible Authority in support of an application for the Review of a Premises Licence

Responsible Authority making representation

Name of Responsible Authority	Blackpool CP licensing Officer		
Name of Officer <i>(please print)</i>	Amanda Quirke		
Signature of Officer			
Contact telephone number	01253 477541		
Date representation made	24	11	2015
Do you consider mediation to be appropriate	YES	NO	

Name of Responsible Authority / Applicant who requested a review of this Licence**Mark Marshall, Blackpool Council.****Premises Details**

Premises Name	Betsid
Address	59 – 61 Abingdon Street
	Blackpool
Post Code	

Details of your representation in support of the review application

(Please reference & attach supporting any documentation)

The premises are not meeting the Licensing Principle of protecting children and other vulnerable person from being harmed or exploited by gambling.

The premises failed a test purchase on 24th October.

Studies have shown correlation between early exposure to gambling increasing the risk of developing serious gambling problems in later life.

Young people can also become addicted to gambling which has a detrimental impact. It can lead to a range of issues such as:

Mental health problems including stress and anxiety

Anti social behaviour problems such as stealing.

Truancy from education.

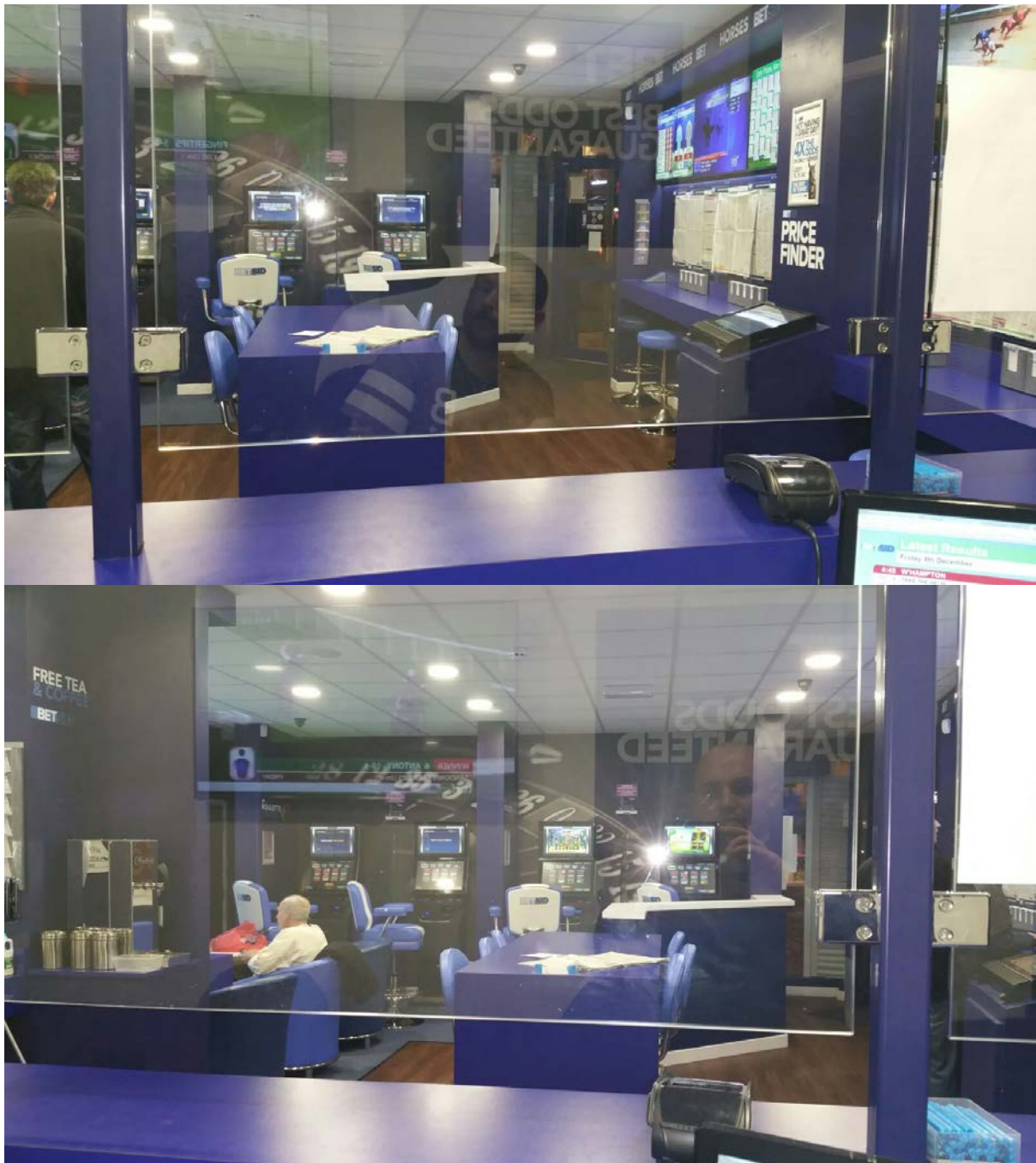
All of which may place a young person at an increased risk of abuse or sexual exploitation.

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Abingdon Street

A barrier has now been created around the machine area stretching from the right hand wall on entrance connected to the now stationary table in the centre of the shop floor. This now forces the customer to walk towards the counter before entering the machine area.

A motion detection device has also been installed in the entrance area of the LBO which alerts the staff with an audible alarm situated behind the counter.





Report to:	Licensing Panel
Relevant Officer:	Sharon Davies, Head of Licensing Services
Date of Meeting :	22 nd December 2015

APPLICATION TO REVIEW A LICENCE – Bet Sid (Dickson Road)

1.0 Purpose of the report:

- 1.1 To consider an application by the Licensing Authority to review the Premises Licence issued in respect of BetSid, 228-230 Dickson Road.

2.0 Recommendation(s):

- 2.1 The Licensing Panel is requested to determine the review application.

3.0 Reasons for recommendation(s):

- 3.1 This application must be determined by a panel.

- 3.2a Is the recommendation contrary to a plan or strategy adopted or approved by the Council? No

- 3.2b Is the recommendation in accordance with the Council's approved budget? Yes

- 3.3 Other alternative options to be considered:

None, once a request for a review is submitted it must be considered by a Licensing Panel.

4.0 Background Information

- 4.1 Betsid, 228-230 Dickson Road Blackpool has the benefit of a betting (other) Premises Licence issued under the Gambling Act 2005. This licence permits the holder to operate as a betting shop.

- 4.2 On 9th November 2015 the Licensing Authority gave notice under section 200 Gambling Act 2005 that they intended to review this premises licence because of failed test purchase exercise on 24th October 2015. A copy of the information supporting the decision to review the licence is attached at Appendix 5a.

4.3 A representation in support of the decision to review has been received from Children's Services

4.4 **Local policy considerations**

None

4.5 **National policy considerations**

The purpose of a review is to determine whether the licensing authority should take any action in relation to the licence namely:

- Add, remove or amend a licence condition imposed by the licensing authority
- Exclude a default condition imposed by the Secretary of State or remove or amend such exclusion
- Suspend the premises licence for a period not exceeding three months
- Revoke the premises licence

4.6 **Observations**

This licence was granted in February 2014.

When considering applications made under the Gambling Act the licensing authority's primary obligation is to permit the use of premises for gambling in so far as it thinks that is:

- In accordance with the relevant codes of practice issued by the Gambling Commission;
- In accordance with the guidance issued by the Gambling Commission;
- Reasonably consistent with the licensing objectives; and
- In accordance with the Council's statement of licensing policy

There are a number of conditions attached to this licence

Mandatory Conditions:

- 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
- Access to premises shall be from a street or from other premises with a betting premises licence
- There shall be no means of direct access between the premises and other premises used for the retail sale of merchandise or services

- Subject to anything permitted by the Act, or done in accordance with conditions below, the premises shall not be used for any purpose other than for providing facilities for betting,
- 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
- 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
 - Communicating information about, or coverage of, sporting events, including
 - Information relating to betting on such an event; and
 - Any other matter or information, including an advertisement, which is incidental to such an event;
 - 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.
- No publications other than racing periodicals or specialist betting publications may be sold or offered for sale on the premises
- No music, dancing or other entertainment shall be provided or permitted on the premises, save for entertainment provided in accordance with conditions above,
- 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. A notice to this effect shall be displayed in a prominent place at every entrance to the premises.
- 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 the customers have unrestricted access.

Default Conditions:

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

4.7 Does the information submitted include any exempt information? No

4.8 List of Appendices:

Appendix 5a:Application (not for publication)

Appendix 5b:Representation from Children’s Services

Appendix 5c: Additional information from licence holder

5.0 Legal considerations:

5.1 Please see local and national policy in the background information.

6.0 Human Resources considerations:

6.1 None

7.0 Equalities considerations:

7.1 None

8.0 Financial considerations:

8.1 None

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Blackpool Council Licensing Service				
Representation made by a Responsible Authority in support of an application for the Review of a Premises Licence				
Responsible Authority making representation				
Name of Responsible Authority	Blackpool Child Protection licensing Officer			
Name of Officer <i>(please print)</i>	Amanda quirke			
Signature of Officer				
Contact telephone number	01253 477541			
Date representation made	25	11	2015	
Do you consider mediation to be appropriate			YES	NO
Name of Responsible Authority / Applicant who requested a review of this Licence				
Mark Marshall, Blackpool Council Licensing				
Premises Details				
Premises Name	Betsid			
Address	228 – 230 Dickson road			
	Blackpool			
Post Code				
Details of your representation in support of the review application (Please reference & attach supporting any documentation)				
<p>The premises are not meeting the Licensing Principle of protecting children and other vulnerable person from being harmed or exploited by gambling</p> <p>On two occasions within the last 12 months underage gambling has been permitted.</p> <p>Studies have shown correlation between early exposure to gambling increasing the risk of developing serious gambling problems in later life.</p> <p>Young people can also become addicted to gambling which has a detrimental impact. It can lead to a range of issues such as:</p> <p>Mental health problems including stress and anxiety Anti social behaviour problems such as stealing. Truancing from education All of which may place a young person at an increased risk of abuse or sexual exploitation.</p>				

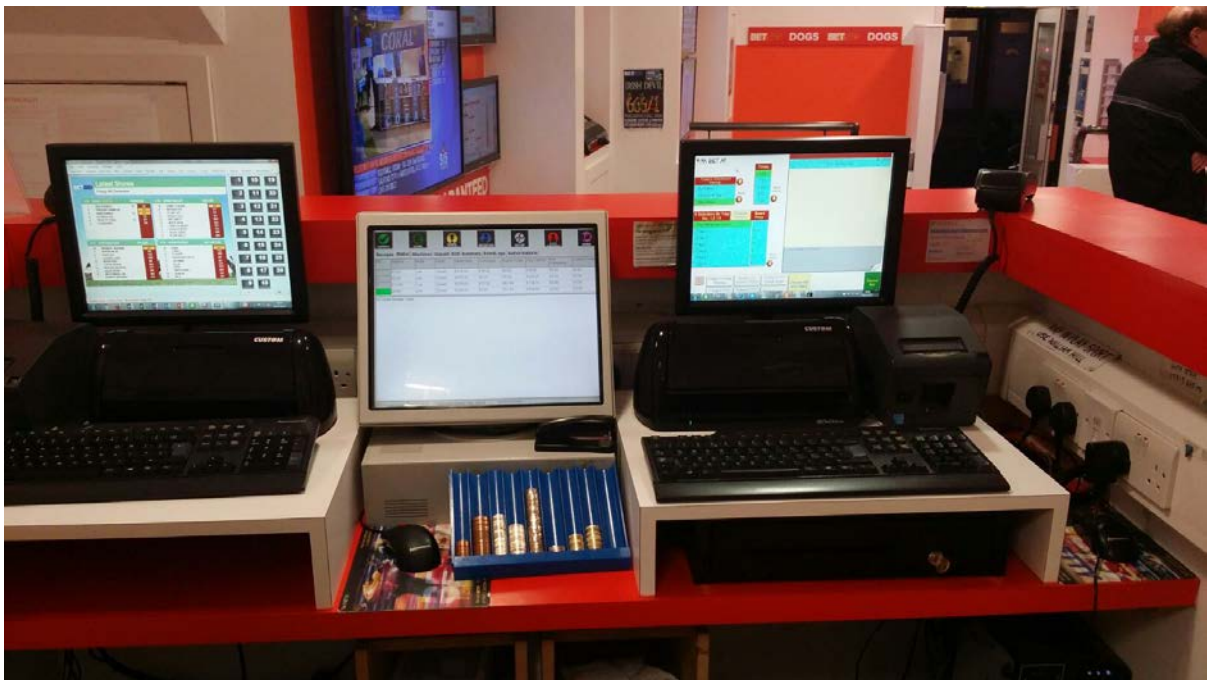
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Dickson Road

The 2 FOBT's located on the lower floor near the entrance have now been relocated to the upper floor.

The counter till terminals have both been raised and till draws relocated for a higher seating position allowing maximum visibility of all 4 machines and the entrance route to the shop.

The LCD monitor to located on the counter top has now been removed.





Training

Since the incident occurred on the 24th October we have not entered into a Primary Authority partnership in relation to Age Verification with Reading Borough Council co-ordinated by the ABB.

All our current full time / part time staff have now taken part in training that has been approved by Reading Council. This includes a test that requires a 90% pass mark. Records are available if you so request.

We have also created our own training presentation to support this.