

# **Licensing Act 2003 Sub-Committee**

**Friday, 16 January 2015**

**Present:** Councillor Marion Lowe (Chair), and Councillors Matthew Lynch and Mick Muncaster

**Also in attendance**

**Officer:** Alex Jackson (Legal Services Team Leader), Stephen Culleton (Lead Licensing and Enforcement Officer) and Dianne Scambler (Democratic and Member Services Officer)

## **15.LAS.40 DECLARATIONS OF ANY INTERESTS**

There were no declarations of any interests.

## **15.LAS.41 THE GAMBLING ACT 2005 - APPLICATIONS FOR A GAMING MACHINE PERMIT FOR MORE THAN 2 GAMING MACHINES**

### **15.LAS.41a Trader Jacks, Hollinshead Street, Chorley**

Following a site visit to the premises, the Licensing Sub Committee considered an application on behalf of Dorbiere Limited of Unit 3 Stainburn Road, Openshaw, Manchester in respect of a Gaming Machine Permit for more than two gaming machines for a premise's licensed under the Licensing Act 2003 known as Trader Jacks of Hollinshead Street, Chorley.

The Council's Statement of Gambling Policy states that each application will be determined on a case by case basis and as the Council's scheme of delegation does not authorise officers to determine the application where the application is for more than two gaming machines, it was for this Sub Committee to determine the application based upon the licensing objectives, the Gambling Commission Guidance and such other matters as it thought relevant.

The Licensing Authority would expect the applicant to satisfy it that there are sufficient measures to ensure under 18 year olds do not have access to the adult only gaming machines. Such measures may include the adult machines being in sight of the bar, or in sight of staff that will monitor that the machines are not being used by those under the age of 18.

The Sub Committee had met to determine the application on 9 December 2014, however, since the application had been submitted, a further application had been received by the Council for a change to the Designated Premises Supervisor and as the siting of the additional gaming machine was unknown at that stage the Sub Committee resolved that consideration of the application be deferred to allow for a site visit to the premises by the Sub Committee.

At the premises, the Sub Committee met with the Regional Manager for Dorbiere Limited and the Bar Manager and was given more detail as to the siting of the gaming machines.

The Sub Committee considered all the relevant information and **RESOLVED to grant the application for three Category C Gaming machines at Trader Jacks, 38 Hollinshead Street, Chorley PR7 1EP for the following reasons:**

- 1. The granting of the applications for two additional gaming machines would not compromise any of the licensing objectives.**
- 2. Members noted from the site visit that the additional two machines will be in view of the bar area and can be monitored by staff.**

Members also noted the planned refurbishment and that the premises would contact the Lead Licensing Enforcement Officer to discuss any changes in the siting of the machines.

#### **15.LAS.41b The Highfield Restaurant, Southport Road, Leyland**

The Licensing Sub Committee considered an application from Poppleston Allen solicitors on behalf of Orchid Pubs and Dining Limited in respect of an application for a Gaming Machine Permit for more than two gaming machines for a premise's licensed under the Licensing Act 2003 known as The Highfield Restaurant, Southport Road, Leyland.

The Council's Statement of Gambling Policy states that each application will be determined on a case by case basis and as the Council's scheme of delegation does not authorise officers to determine the application where the application is for more than two gaming machines, it was for this Sub Committee to determine the application based upon the licensing objectives, the Gambling Commission Guidance and such other matters as it thought relevant.

The Licensing Authority would expect the applicant to satisfy it that there are sufficient measures to ensure under 18 year olds do not have access to the adult only gaming machines. Such measures may include the adult machines being in sight of the bar, or in sight of staff that will monitor that the machines are not being used by those under the age of 18.

The decision had been deferred on the 9 December 2014 as there was no information on where the machines where to be positioned on the premises. Since then, the Lead Licensing and Enforcement Officer had met with the applicant at the premises to assess the suitability of the proposed positioning and a plan was provided at the meeting for the consideration of the Sub Committee.

The Sub Committee considered all the relevant information and **RESOLVED to grant the application for two Category C Gaming machines and one Category D Gaming machines at The Highfield Restaurant, Croston for the following reasons:**

- 1. The granting of the application does not compromise any of the licensing objectives.**

2. **The Category C Gaming machine will be positioned in an area of the premises reserved for the over 18's only where adequate supervision could be maintained.**
3. **The Category D Gaming machine was in a supervised area.**

Chair