



**MINUTES OF LICENSING ACT 2003 SUB-COMMITTEE**

**MEETING DATE** Tuesday, 9 December 2014

**MEMBERS PRESENT:** Councillor Marion Lowe (Chair), Councillor (Vice-Chair) and Councillors Matthew Lynch and Mick Muncaster

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

**14.LAS.38 Declarations of Any Interests**

There were no declarations of any interests.

**14.LAS.39 Procedure Notice**

Member's attention was drawn to the revised hearing procedure for applications being dealt with under the Gambling Act 2005.

**14.LAS.39a Hungry Horse, Buckshaw Village, Chorley**

The Licensing Sub Committee considered an application from John Gaunt and Partners of Omega Court Sheffield on behalf of Green King Brewing and Retailing Ltd in respect of an application for a Gaming Machine Permit for more than two gaming machines for a premises licenced under the Licensing Act 2003 known as The Hungry Horse, Buckshaw Village, 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 Lead Licensing Enforcement Officer attended the premises on 2 December 2014 to assess the suitability of the premises to accommodate additional gaming machines in line with the application received and updated the Sub Committee with his findings.

Representatives of the applicant attended the meeting to give their views and outlined the measures that would be implemented to comply with the licensing objectives.

The Sub Committee considered all the relevant information and **RESOLVED to grant the application for three Category C and one Category D Gaming machines at the Hungry Horse, Buckshaw Village for the following reasons:**

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

**Members are satisfied that there are sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines.**

#### **14.LAS.39b Trader Jacks, Hollinshead Street, Chorley**

The Licensing Sub Committee considered an application from Dorbiere Limited of Unit 3 Stainburn Road, Openshaw, Manchester in respect of an application for a Gaming Machine Permit for more than two gaming machines for a premises licenced 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 Lead Licensing Enforcement Officer attended the premises on 18 November 2014 to assess the suitability of the premises to accommodate additional gaming machines in line with the application received. It was noted that one of the two existing gaming machines on the premises was positioned to allow play without any member of staff having adequate sight of the machine. Advice was given to the Designated Premises Supervisor at that time on the re-siting of the gaming machine and assurances were given that this would take place.

However, since this application has been submitted, a further application has 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 this 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.**

#### **14.LAS.39c 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 premises licence

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 Lead Licensing Enforcement Officer attended the premises on 28 November 2014 to assess the suitability of the premises to accommodate additional gaming machines in line with the application received. It was noted that two existing Category C gaming machines on the premises are positioned in an area of the premises reserved for the over 18's only and there appeared to be adequate provision for additional gaming machines within this area where adequate supervision could be maintained. However, the Designated Premises Supervisor confirmed that he had not been notified of the application made and as no additional information had been received to support the application on the actual intended siting of the gaming machine, no assurances could be given that the granting of the application would be reasonably consistent with the licensing objectives. Also, as no one had attended the Sub Committee to give representation the Sub Committee **RESOLVED that consideration of the application be deferred pending receipt of further information until the next available meeting of the Licensing Act 2003 Sub Committee.**

Chair

Date