



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

**MEETING DATE** **Wednesday, 4 November 2015**

**MEMBERS PRESENT:** Councillor Roy Lees (Chair), and Councillors Margaret France and Anthony Gee

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

**APOLOGIES:** None

**OTHER MEMBERS:** None

**15.LAS.51 Declarations of Any Interests**

No declarations of any interests were received.

**15.LAS.52 Procedure**

The Chair outlined the procedure to be used to conduct the meeting.

**15.LAS.53 The Gambling Act 2005 - Application for a gaming machine permit for more than two gaming machines**

The Sub Committee considered a report of the Director of Public Protection, Streetscene and Community to determine an application received from Poppleston Allen Solicitors, on behalf of the premises licence holder, Mitchells and Butler Leisure Retail Ltd, in respect of variation of a gaming machine permit for more than two gaming machines, made under Schedule 13, of the Gambling Act 2005 for a premises licensed under the Licensing Act 2003 known as The Highfield, Southport Road, Leyland. Although invited, there was no one present to support the application at the meeting.

The premises benefited from a Premises Licence issued under Section 17 of the Licensing Act 2003 authorising the sale of alcohol and a copy of the licence and plan of the premises were provided for information. Where premises wish to have more than two machines, the premises holder needs to apply for a Gaming Machine permit and the authority would consider the application based upon the licensing objectives, Gambling Commission guidance and other such matters as they felt relevant.

Officers had attended the premises on 8 October 2015, to assess the suitability of the premises to accommodate additional gaming machines in line with the application that

had been received. It was noted that two existing Category C gaming machines on the premises were positioned in an area reserved for over 18's only, together with a skills machine. Other areas of the premises were designated as family friendly and the premises promoted itself as offering a children's ball play area, extensive restaurant facilities, three crane grab machines and a number of novelty machines dispensing toys.

It was reported that there was no evidence that the premises promoted any advice or guidance to its staff or to the public in relation to the control of and use of the machines and at the time of the visit, the current Designated Premises Supervisor had not been available.

The premises presently benefited from a Gaming Machine Permit for two Category C machines and one Category D machine and the application received by the Council sought authority to introduce one additional Category D machine.

Members noted that the following machines had been made available to the public at the time of a licensing visit on 8 October 2015:

- 2 x Cat C gaming machines (located within the over 18's area)
- 1 x skills machine (located within the over 18's area) (genuine skill machines are outside the allotted quota of machines in the Gambling Act 2005)
- 2 x grab machines (within main restaurant area)
- 5 x toy dispensing machines (within the main restaurant area)
- 1 x grab machine (within a soft ball area)

Recent notification received by the Gambling Commission gave clarification to what category grab machines might fall into given the type of construction, operation and specification. Given the complexity of the different types of grab machines available and technical specifications offered by the various manufacturers, officers were not able to determine what category the existing grab machines fell into, there was also no obvious markings on the machines as was required to advise the public.

Members were informed that officers had received a set of operating instructions for one Prize Zone Crane, indicating that the machine to which it related would fall into a Category D machine. Officers had requested clarification as to which grab machine or machines that the manual relates to and Members were informed at the meeting that it was a Sega Key Master machine which was a Category D machine and was the reason why the premises holder had need to submit the application to vary the licence.

Members were reminded of the Gambling Act 2005 licensing objectives and the Gambling Commission's published code of practice, providing the requirements that must be complied with by the Gaming Machine Permit Holder.

After careful consideration of all the relevant information, the Sub Committee **RESOLVED to grant the application for one additional Category D Gaming machine at The Highfield Restaurant, Southport Road, Leyland for the following reasons:**

- 1. The granting of the application is reasonably consistent with the licensing objectives.**
- 2. The Category D Gaming machine will be positioned in the bar area where adequate supervision could be maintained for both children and adults.**

- 3. That the Council's licensing officer advise the management of the Premises of the need for sufficient signage pertaining to the machine and training for staff.**

Chair

Date