

LICENSING SUB COMMITTEE

14 September 2017

Present: Councillor J Fahmy (Chair)
Councillors M Mills and D Scudder

Also present: Ewan Macgregor, Legal Director Bond Dickinson
Mark Francis, Product Director The Original Bowling
Company Limited

Officers: Senior Solicitor
Environmental Health Manager (Commercial)
Licensing Officer (PS)
Committee and Scrutiny Support Officer (AG)

4 Committee membership/ election of a Chair

The Committee and Scrutiny Support Officer confirmed that the sub-committee would comprise Councillors Fahmy, Scudder and Mills.

The sub-committee was asked to elect a Chair for the Hearing.

RESOLVED that –

Councillor Fahmy be elected Chair for the Hearing.

5 Disclosure of interests (if any)

There were no disclosures of interest.

6 Application, under the Gambling Act 2005, to provide Category C and Category D gaming machines: Hollywood Bowl, Intu, Charter Place, Watford

Preliminary matters

There were no preliminary matters raised.

Facts of the application

The sub-committee received a report of the Head of Community and Environmental Services. The Licensing Officer introduced the report and referred members to Appendix Seven. She explained that the venue held a Premises Licence to sell alcohol for consumption on the premises and was therefore entitled to apply for the provision of Category C and D gaming machines. The Licensing Officer referred members to Appendix Two in the report and explained the various gaming machine categories and entitlements as described therein.

She advised that the premises was newly built and that Category C machines were only for the use of people aged 18 or over - and that Category D machines may or may not provide for cash prizes. She informed members that the four Category C machines would be sited in the bar area and would be easily supervised by bar staff; and the reception area was also supervised.

The Licensing Officer explained that the Watford Borough Council's Gambling Act 2005 Statement of Principles (paragraph 19.11) required that applications for five or more gaming machines would be determined by a Licensing Sub-Committee. She informed members that The Hollywood Bowl Original Gaming Company had its own Gaming Machine Code of Practice and that this seemed to be in line with the Gambling Commission's Code of Practice, its guidance and the Council's Gambling Act 2005 Statement of Principles. There appeared to be an underage policy in place and the self-exclusion of individuals. The company followed the Gambling Commission's requirements.

The Licensing Officer advised that, in making a determination, members should take in to account the Council's Gambling Act 2005 Statement of Principles and the Gambling Act 2005 requirements. She informed members that they could either grant the application in full, grant the application but requiring a reduced number or different category of gaming machines (or both) or refuse the application. She concluded that Members should give reasons for their decision.

The Chair invited questions of the Licensing officer – there were none.

Address by the applicant

The Chair advised that members had read the application and asked that a background to the company be provided and information on how the present application compared to the Watford Woodside site. The ideas behind the

four Category C and thirty two Category D gaming machines would also be useful to the sub-committee.

The applicant's legal representative addressed the sub-committee. Mr Macgregor explained that it was appreciated that the Council's Gambling Act 2005 Statement of Principles required a hearing in these circumstances and that the policy may have been written, predominantly, in respect of public house type premises. It may not have taken in to account the original Watford application for the site in Woodside.

He explained that The Original Bowling Company Limited was the largest company of its kind in the United Kingdom. It currently operated fifty seven sites – with the present Watford application being the fifty ninth. He advised that applying for four Category C and thirty two Category D gaming machines was consistent with the type of premises in question. He explained that these categories of gaming machine were at the bottom end of the spectrum and were very different from Fixed Odds Betting Terminals. In effect, Category C were 'fruit machines' and Category D were 'fairground' type machines.

The Category C gaming machines would be located nearest to the bar and all staff at the venue would be trained in age restriction products. There would be four 'walkers', whose primary role would be to monitor the bowling alleys; but who would provide additional supervision to the gaming machine area.

Mr Macgregor clarified that the thirty two Category D machines would not all be physical items – rather there would be thirty two positions (he outlined how this operated in practice). The number of gaming machines applied for had been carefully considered and was consistent with other similar venues operated by the company.

The Chair further clarified why it was necessary to hold a hearing and invited questions from members – there were none.

In response to a question from the Senior Solicitor, Mr Macgregor and Mr Francis confirmed that 'walkers' would be employed to enhance supervision of the gaming machines and added that the facilities were better than at the Woodside site.

The Chair thanked Mr Macgregor and Mr Francis for their contributions.

Decision

The sub-committee retired to consider their decision.

On the sub-committee's return, the Chair announced the decision.

RESOLVED that –

Having heard from the Licensing Officer, the premises applicant and representative; the sub-committee is satisfied that the proposals are compliant with the policy and code of practice under the Gambling Act 2005. The Sub-committee consequently grants the application in full.

In reaching this decision, the sub-committee has taken in to account the provisions of the Gambling Act 2005, the Gambling Commission's Guidance and the Council's Gambling Act 2005 Statement of Principles.

Signed
Chair Licensing Sub-Committee

The meeting started at 10.30 a.m.
and ended at 11.00 a.m.