

Time Commenced:	11:05am
Adjourned:	11:47am
Resumed:	11:59am
Adjourned:	12:50pm
Resumed:	13:46pm
Time Finished:	13:55pm

**GENERAL LICENSING SUB COMMITTEE
16 APRIL 2013**

Present: Councillors Barker, Harwood and MacDonald

103/12 Appointment of Chair

Resolved to appoint Councillor Barker as Chair of the General Licensing Sub Committee.

104/12 Apologies

There were no apologies for absence.

105/12 Late Items to be Introduced by the Chair

There were no late items.

106/12 Declarations of Interest

There were no declarations of interest.

**107/12 Application for a New Premises Licence for:
Ladbrooks, 72 Monk Street, Derby, DE22 3QB**

The sub committee considered an application for a new premises licence for a betting office, Ladbrokes, 72 Monk Street, Derby, DE22 3QB. The proposed licensable activity is: Betting (Other than track.)

The sub committee heard from Ann Walker (Licensing – Derby City Council) Hazel Burns (objector) Councillor Sarah Russell (Elected Member for Abbey Ward) Rhiannon Daniel (Legal representative on behalf of the Applicant) Gavin Dalzell (National Licensing Manager for Ladbrokes)and taken into account all representations including supporting information presented by all parties

In making its decision, the sub committee had in regards to the relevant guidance issued by the Gambling Commission under section 25 of the Gambling Act 2005 and the Council's own Statement of Principles. The Council had also acted in a manner which is compatible with the Human Rights Act 1998 and carefully considered all the evidence presented to it.

The sub committee made this decision to promote the three Licensing Objectives:

1. Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime.
2. Ensuring that gambling is conducted in a fair and open way.
3. Protecting children and other vulnerable persons from being harmed or exploited by gambling.

There were no objections from any Responsible Authorities. In particular there was no evidence presented to the sub committee which demonstrated that the premises would be a source of crime and disorder.

There was no objection from a Child Protection Officer of Derby City Council in relation to any child protection concerns.

There was no objection from either Head teachers or Governors of schools in a nearby proximity to the premises.

The sub committee, whilst accepting that there are a class of persons who may be considered to be vulnerable in the area, this could be applicable to any area within Derby. Having carefully considered the policies and procedures which the Applicant seeks to put in place in relation to the premises, the sub-committee had determined that any concerns in relation to vulnerable people and children had been addressed and the licensing objectives would be upheld by the implementation of these policies and procedures.

The sub committee had resolved to **GRANT** the application for a new premises licence for Ladbrokes, 72 Monk Street, Derby, DE22 3QB and attach the following conditions to the premises licence as specified by the Secretary of State;

- A summary of the terms and conditions of the premises licence shall be displayed in a prominent place within the premises.
- The layout of the premises shall be maintained in accordance with the plan.
- The premises shall not be used for the sale of tickets in a private lottery or customer lottery or the sale of tickets in any other lottery in respect of which the sale of tickets on the premises is otherwise prohibited.
- A notice stating that no person under the age of 18 is permitted to enter the premises shall be displayed in a prominent place at every entrance to the premises.
- Access to the premises shall be from a street or from other premises with a betting licence. Apart from this there must be no direct access between the premises and other premises which are used for the retail sale of merchandise or services.
- The premises shall not be used for any purpose other than for providing facilities for betting apart from anything permitted under the Gambling Act 2005 and having an ATM, permitted visual/sound apparatus and permitted publications.

- 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 of information, including an advertisement, which is incidental to such an event
- Communicating information relating to betting on any event (including the result of such an 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 via the sound/visual apparatus referred to 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 explaining this 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 customers have unrestricted access.

The following default condition is attached to the premises licence as specified by the Secretary of State;

- **HOURS:** No facilities for gambling shall be provided on the premises between the hours of 22:00 hours on one day and 07:00 hours on the next day.

Having taken into account the three licensing objectives, the guidance issued under section 25 of the Gambling Act 2005, the Council's own Statement of Principles and the Human Rights Act, the Sub-Committee was satisfied that the Applicant will put in place policies and procedures which will uphold the Licensing Objectives particularly with regards to the protection of children and other vulnerable persons from being harmed or exploited by gambling.

Parties may appeal this decision.

MINUTES END

