

## Licensing Sub-Committee

MINUTES of the OPEN section of the Licensing Sub-Committee held on Friday 14 September 2012 at 10.00 am at Ground Floor Meeting Room G02A - 160 Tooley Street, London SE1 2QH

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**PRESENT:** Councillor Sunil Chopra (Chair)  
Councillor Jeff Hook  
Councillor Althea Smith

**OTHERS PRESENT:** Councillor Dan Garfield  
John Wallington, Southwark Street Traders

**OFFICER SUPPORT:** David Paabo, legal officer  
Dorcas Mills, licensing officer  
Kenny Uzodike, constitutional officer

### 1. APOLOGIES

There were none.

### 2. CONFIRMATION OF VOTING MEMBERS

The three members present were confirmed as voting members.

### 3. NOTIFICATION OF ANY ITEMS OF BUSINESS WHICH THE CHAIR DEEMS URGENT

It was noted that item.

### 4. DISCLOSURE OF INTERESTS AND DISPENSATIONS

There were none.

### 5. LICENSING ACT 2003 - PECKHAM LODGE HOTEL, 110 PECKHAM ROAD, LONDON SE15 5EU

The committee was informed that the applicant had requested that the item be deferred to allow for time for the completion of works.

### RESOLVED:

That the application by Euro Hotels (Peckham) Ltd, for a premises licence issued under the Licensing Act 2003 in respect of Peckham Lodge Hotel, 110 Peckham

Road, London SE15 5EU be deferred.

**6. GAMBLING ACT 2005 - APPLICATION FOR A BINGO PREMISES LICENCE IN RESPECT OF THE PREMISES KNOWN AS VENUE BINGO, 281 WALWORTH ROAD, LONDON SE17 2TG**

The licensing officer presented her report. Members had no questions for the licensing officer.

The applicant and his solicitor addressed the sub-committee. Members had questions for the applicant. The ward councillor also had questions for the applicant.

A local resident addressed the sub-committee. Members had questions for the resident.

The ward councillor addressed the sub-committee. Members had no questions for the ward councillor.

All parties were given five minutes to sum up.

The sub-committee went into closed session at 11.55am. The meeting resumed at 12.05pm.

**RESOLVED:**

That the application by Venue Gaming Limited for a grant of a Bingo premises licence at 281 Walworth Road be partially granted as set out below.

That the following mandatory conditions shall apply:

- 1) Notice stating that no person under the age of 18 years is permitted to play bingo on the premises shall be displayed in a prominent place at every entrance to the premises.
- 2) No customer shall be able to enter the premises directly from any other premises in respect of which one of the following permissions has effect:
  - Casino premises licence
  - An adult gaming centre premises licence
  - A betting premises licence other than a track premises licence.
- 3) a. This paragraph shall apply where children or young persons or both are permitted by the licence holder to enter the premises, and category B or C gaming machines are made available for use on the premises.
  - b. Any area of the premises to which category B and C gaming machines are located:
    - i Shall be separated from the rest of the premises by a physical barrier which is effective to prevent access other than by an entrance designed for the purposes;

- ii Shall be supervised at all times to ensure children or young persons or both do not enter the area; and
    - iii Shall be arranged in such a way that ensures all parts of the area can be observed by the persons mentioned in sub-paragraph (c).
  - c. The reference to supervision in this paragraph means supervision by:
    - i One or more persons whose responsibilities include ensuring children or young persons or both do not enter the area; or
    - ii Closed circuit television which is monitored by one or more persons whose responsibilities include ensuring that children or young persons or both do not enter the area.
  - d. A notice stating that no person under the age of 18 years is permitted to enter the area shall be displayed in a prominent place at the entrance to any area of the premises in which Category B or C gaming machines are made available for use.
- 4)
  - a. In the case of a charge for admission to the premises, a notice of that charge shall be displayed at a prominent place at the principal entrance to the premises.
  - b. In the case of any other charges in respect of gaming, a notice setting out the information in sub-paragraph (c) shall be displayed at the main point where payment for the charge is to be made.
  - c. The notice in sub-paragraph (b) shall include the following information:
    - i The cost (in money) of each game card (or set of game cards) by an individual in respect of a game of bingo;
    - ii In respect of each game card (or set of game cards) referred to in paragraph (i) the amount that will be charged by way of a participation fee for entitlement to participate in that game; and
    - iii A statement to the effect that all or part of the participation fee may be waived at the discretion of the person charging it.
  - d. The notice may be displayed in electronic form;
  - e. A reference in this paragraph to a charge in respect of gaming does not include an amount paid for an opportunity to win one or more prizes in gaming to which section 288 of the 2005 Act (meaning of "prize gaming") applies.
- 5)
  - a. The rules of each type of game that is available to be played on the premises other than games played on gaming machines shall be available to customers within the premises.
  - b. The condition in sub-paragraph (a) may be satisfied by:

- i Displaying a sign setting out the rules;
  - ii Making available leaflets or other written materials containing the rules; or
  - iii Running an audio-visual guide to the rules prior to any bingo game being commenced.
- 6) Any automated teller machine (ATM) made available for use on the premises shall be located in a place that requires any customer who wishes to use it to cease gambling in order to do so.

That the following default conditions be attached to bingo premises licence:

- 1) Subject to paragraph (b) no facilities for gambling shall be provided on the premises between the hours of midnight and 9.00am.
- 2) The condition in paragraph (1) shall not apply to making gaming machines available for use.

### **Reasons**

This is an application for a bingo premises licence in respect of 281 Walworth Road SE17.

Six representations were received objecting to the application. One of these objections was made by Councillor Dan Garfield and another John Wallington on behalf of Southwark Association of Street traders both of whom attended today and gave detailed reasons on why they objected to the application.

The sub-committee heard from the applicant's solicitor and was satisfied that the applicant is a reputable operator and is proposing appropriate measures to meet the licensing objectives. In particular a Challenge 25 policy and no entry to persons under 18. The sub-committee is satisfied that the small size of the premises will limit the scope for problem gambling. The sub-committee notes that the premises have been closed for some time.

The sub-committee heard from Councillor Dan Garfield that crime and disorder on the nearby Trafalgar estate is serious. It would have assisted the sub-committee if it had been provided with more detailed evidence from the police on this issue. The police did not make any representation. The sub-committee also notes that there were no representations from the schools and safeguarding vulnerable adults and children.

The sub-committee appreciated the concerns raised by Mr Wallington, in particular a trend towards a lack of diversity in the East Street market. Under the existing law, the sub-committee found on the evidence before it, that the proper decision is to grant the application.

### **Appeal rights**

That the licensee and any person who made relevant representations in relation to the application may appeal against the decision. Any appeal must be made to the magistrate court for the petty sessions area in which the premises are situated. Any appeal must be

commenced by notice of appeal given by the appellant to the designated officer for the magistrates' court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.

The meeting ended at 12.35pm.

**CHAIR:**

**DATED:**