

## Licensing Sub-Committee

Tuesday, 9th August, 2016

**PRESENT:** Councillor C Townsley in the Chair

Councillors A Khan and G Wilkinson

### 1 Election of the Chair

**RESOLVED** – That Councillor C Townsley be elected as Chair for the meeting.

### 2 Late Items

There were no late items. Supplementary information submitted by the applicant regarding the application to vary a Casino Premises Licence at Grosvenor Casino, Westgate Bridge, Leeds had been published and distributed prior to the meeting.

### 3 Declarations of Disclosable Pecuniary Interests

There were no declarations of disclosable pecuniary interests.

### 4 Application for a variation of a casino premises licence under the Gambling Act 2005 for Grosvenor Casino, Westgate Bridge, LS3 1LW

The report of the Head of Elections, Licensing and Registration presented an application for the variation of a Casino Premises Licence under the Gambling Act 2005 for Grosvenor Casino, Westgate Bridge, Leeds, LS3 1LW.

Members attended the premises for a site visit prior to the meeting.

The application sought to create a second casino within the premises at Westgate Bridge and also provide an outdoor smoking area. In effect this would be the transfer of a current Casino Premises licence from premises at Merrion Way.

The application had received a representation from the Licensing Authority which raised concern that the following licensing objective would be undermined:

- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

This was due to the opinion that proposed partition walls and access points separating unlicensed areas from the casino were inadequate for the purpose of preventing an impression that the unlicensed area formed part of the casino and could result in those customers visiting the bar/refreshment area drifting into the gambling area.

The applicant's representative addressed the Sub-Committee regarding the application. Issues highlighted included the following:

- The applicant sought to re-locate the licence due to the expiry of the lease at the Merrion Way premises. Reference was made to the ability of an operator to move their licences to new sites within an existing local authority area by way of a variation application.

- The second licence would be located on the first floor of the premises at Westgate Bridge with the inclusion of a new smoking terrace.
- In relation to the non-licensed areas of the premises, reference was made to Gambling Commission guidance and mandatory conditions which applied to access and entrance areas.
- The current proposals had been devised following visits by Licensing Officers. Members' attention was brought to the proposed layout of the two casinos including the unlicensed areas and smoking areas. Each casino would have its own smoking area and there would not be access to drift between the two casinos from the smoking areas.
- Details of partitioning between the non-licensed areas and casino areas were explained. In areas without full partition walls, it was proposed to have solid partition barriers to a height of 1100mm with obscured/opaque glass on top, giving a total height of 1500mm. There was a preference for clear glass as this would assist with safety and security along with the prevention of harm to children and other vulnerable persons from being harmed or exploited by gambling. Photographs displaying examples of partitioning at other premises operated by the applicant were referred to.
- Further to a suggestion by the Licensing Authority that a height of 2000mm would be satisfactory, it was reported by the Applicant that due to differences in floor levels the actual height of the proposed partitions would be 1800mm. To install partitions of a greater height could possibly mean structural alterations.
- With regard to meeting the objective of protecting children from harm, it was felt that the proposals were more than adequate for this purpose and had satisfied the requirements of the Gambling Commission. Public areas of the premises were strictly only open to over eighteens and this was enforced by door and reception staff. All areas of the premises were covered with CCTV which had access to live monitoring.
- Entrances and access areas would be clearly marked such that customers would be clear that they were entering a casino premises. Signage would be displayed at all entrances with copies of the licence on display at the two principal entrances.
- In conclusion, it was felt that all requirements had been met with regard to protection of harm to children and other vulnerable persons from gambling. The applicant had offered a compromise with regards to the height of partitioning and had expressed a preference for any partitioning to be topped with clear glass.

In response to questions, the following was discussed:

- There was no access to the smoking terraces from outside the premises.
- There would be cash machines at the premises.
- The vast majority of customers would usually only attend the premises to use the casino.

A representative of the Licensing Authority addressed the Sub-Committee with objections to the application. It was not felt that the proposals demonstrated that there were two separate licensed premises and that the proposed partitioning

arrangements were not sufficient to support this. Concern was also expressed regarding the non-licensed area between the two proposed licensed areas and that this would not be supportive to the objective of protection to vulnerable persons due to the indistinct separation from the licensed areas and the apparent freedom to drift between the two. It would be preferable to have higher more solidly constructed partitioning between the two licensed premises within and that each of these should have its own manager.

In response to questions, the following was discussed:

- There would be more than one supervisor in each of the licensed casino areas at any one time. The Sub-Committee was informed of the management structure that would be in place.
- The two licensed areas would be separately registered for business rates and would be operated as two separate licences.

Following an adjournment further discussion and negotiation took place regarding partitioning between the proposed two licensed casinos and the non-licensed area and also with respect to entrance areas. It was further proposed that partition walls be a minimum height of 1700mm measured from the floor of the non-licensed lounge area and that funnelled entrances to the licensed areas be installed to accentuate the move into a licensed area.

The Licensing Sub-Committee carefully considered the report of the Head of Elections, Licensing and Registration; the statement of Licensing Policy and the application itself. It also considered the representations made by the Licensing Authority and the applicant's representative both in writing and at the hearing.

#### **RESOLVED –**

- (a) That the Licensing Sub Committee resolve to grant the application to vary the casino premises licence for the Grosvenor Casino, Merrion Way, in its relocation to Wellington Bridge Street;
- (b) That the Licensing Sub Committee resolve to grant the application to vary the casino premises licence for Grosvenor Casino, Wellington Bridge Street, (variation of the layout and construction of a smoking terrace). The layout of the premises are to be varied by:
  - The construction of a balustrade to a minimum height of 1700mm measured from the floor of the non-licensed lounge area, of which 1100mm is to be solid and 600mm of clear glass. The operator offered to etch the name of the operator in the glass, which would partially obscure the glass. The Licensing Sub Committee members accepted this offer;
  - That there be funnel entrances installed at the principal entrances to premises 1 and premises 2 and that there be a secondary entrance to premises 1 from the non-licensed lounge area to the slots area;
  - The construction of a smoking terrace.