

Havering Council – Decisions taken by the Licensing Sub-Committee on Thursday, 6 April 2017

Agenda Item No	Topic	Decision
-------------------	-------	----------

Note: this decision list is for guidance only. The text of the minutes, which may be different, is definitive.

Part A – Items considered in public

A1	APPLICATION TO VARY A LICENSED PREMISES GAMING MACHINE PERMIT SPIRIT PUB COMPANY (Services) LTD AT GOOD INTENT PH.	<div data-bbox="1160 464 1738 592">  <div> Havering L O N D O N B O R O U G H </div> </div> <div data-bbox="1317 644 1603 715"> <p align="center">Gambling Act 2005 Notice of Decision</p> </div> <div data-bbox="840 791 1077 973"> <p>PREMISES Good Intent South End Road Hornchurch RM12 5NU</p> </div> <div data-bbox="840 1050 1332 1125"> <p>APPLICANT Spirit Pub Company (Services) Ltd</p> </div> <div data-bbox="840 1198 1211 1235"> <p>1. Details of application</p> </div> <div data-bbox="840 1273 2072 1348"> <p>The application to vary a gaming machine permit was made by Spirit Pub Company (Services) Ltd under section 283/schedule 13 of the Gambling Act 2005</p> </div>
----	--	--

Havering Council – Decisions taken by the Licensing Sub-Committee on Thursday, 6 April 2017

Agenda Item No	Topic	Decision
		<p>2. Details of requested variation</p> <p>The application to vary the site's gaming permit was made appropriately. It seeks to increase the number of gaming machines to be made available for use from the current limit of five to six.</p> <p>3. Details of Representations</p> <p>The Sub-Committee noted that was no representation either from interested parties or from a responsible authority.</p> <p>4. Determination</p> <p>Consequently upon the hearing held on 6 April 2017, the Sub-Committee's decision regarding the application to vary the category C gaming machines licence was as set out below, for the reasons shown:</p> <p>The Sub-Committee was obliged to determine this application with a view to promoting the gambling objectives.</p> <p>In making its decision, the Sub-Committee also had regard to: -</p> <ul style="list-style-type: none"> a. the Gambling Act 2005, b. in accordance with the codes of practise issued by the Commission under section 24,

Havering Council – Decisions taken by the Licensing Sub-Committee on Thursday, 6 April 2017

Agenda Item No	Topic	Decision
		<p>c. in accordance with the Guidance to Licensing Authorities issued by the Commission under s. 25,</p> <p>d. in accordance with the licensing policy published by the London Borough of Havering pursuant to s. 349.</p> <p>5. Decision</p> <p>During its deliberation, the Sub-Committee noted that the Licensing Officer recently inspected the premises about 6 weeks ago.</p> <p>The Sub-Committee was informed by the Licensing Officer that the premises was to undergo some refurbishment that he thought would include carpet replacement and some paint work, yet in the Applicant's letter dated 22 March 2017 the works were described as a redevelopment. It was the intention of the Licensing Officer to visit the premises following the redevelopment and ascertain the location of the category C machines.</p> <p>The Sub-Committee had some concern regarding the non-attendance of the applicant or any representative to respond to issues of concern that included the potential for harm to children and vulnerable people, the staffing levels and understanding of the Gambling and Licensing objectives.</p> <p>In reaching its decision the Sub Committee considered the Gambling Act 2005, the Gambling Commissions Guidance to Licensing Authorities, Gambling Commissions Licensing Conditions and Codes of Practice, and the Council's Statement of Gambling Policy. In discharging its functions the Sub Committee did so with a view to promoting</p>

Havering Council – Decisions taken by the Licensing Sub-Committee on Thursday, 6 April 2017

Agenda Item No	Topic	Decision
		<p>all the licensing objectives and in particular protecting children and other vulnerable persons from being harmed or exploited by gambling.</p> <p>Having considered all the evidence put before it the Sub-Committee decided to refuse the application for a variation to an existing premises gaming machine permit.</p> <p>Spirit Pub Company (Services) Limited on behalf of the Good Intent PH, South End Road, Hornchurch RM12 5NU.</p> <p>The Applicant was not represented at the hearing.</p> <p>The Council's Statement of Gambling Policy at paragraph 10.7 states that the application will be referred to the Licensing Sub-Committee at which it is expected that a representative of the Applicant will be present to deal with any issues arising out of the application. The Sub-Committee took account of their knowledge of the premises and were unable to determine the application because they did not have sufficient information about the following matters.</p> <ol style="list-style-type: none"> 1 A list of the gaming machines currently on the premises, and the category of each one. 2 Staff training (which may be provided, for example, by providing a copy of the training manual). 3 Supervision of the gaming machines by staff and CCTV, and the retention policy of the CCTV film.

Havering Council – Decisions taken by the Licensing Sub-Committee on Thursday, 6 April 2017

Agenda Item No	Topic	Decision
		<p>4 The application of the Think 21 Challenge and whether gambling infringements are recorded in a log, and the retention policy for the log.</p> <p>5 The exact location of the gambling machines bearing in mind the additional gaming machine would not be installed until after the proposed renovations were complete and the Council's Statement of Gambling Policy at paragraph 10.6.</p> <p>6. Right of Appeal</p> <p>Any party to the decision or anyone who has made a relevant representation [including a responsible authority or interested party] in relation to the application may appeal to the Magistrates Court <u>within 21 days of notification of the decision</u>. On appeal, the Magistrates' Court may:</p> <ol style="list-style-type: none"> 1. dismiss the appeal; or 2. substitute the decision for another decision which could have been made by the Sub Committee; or 3. remit the case to the Sub Committee to dispose of it in accordance with the direction of the Court; and 4. make an order for costs as it sees fit.

Havering Council – Decisions taken by the Licensing Sub-Committee on Thursday, 6 April 2017

Agenda Item No	Topic	Decision
		Taiwo Adeoye Clerk to the Licensing Sub-committee
A1		
A2		