

NAME OF PREMISES: BET EXPRESS, 11 MILTON PAVEMENT, BIRKENHEAD

NAME OF APPLICANT: PETER COWAP

1.0 EXECUTIVE SUMMARY

1.1 The purpose of this report is to consider an application for the grant of a Betting Premises Licence under the provisions of the Gambling Act 2005.

2.0 RELEVANT BACKGROUND

2.1 In considering an application for a Betting Premises Licence the Licensing Act 2003 Sub-Committee may either grant it or reject it. Where a licence is granted the Sub-Committee may attach conditions to the licence and/or exclude a condition that would otherwise be attached to the licence by virtue of section 168 of the Gambling Act 2005. A copy of these conditions are available together with the mandatory conditions applicable to Betting Premises Licences under the Gambling Act 2005.

2.2 If a Betting Premises Licence is granted the licence authorises the holder to make up to four gaming machines, each of which must be of Category B, C or D, available for use. Regulations state that category B machines at betting premises are restricted to sub-category B2, B3 and B4 machines. Details of the list of categories are available for Members information which provides details of the stake limits and prize limits.

2.3 These premises are currently split into two premises and both have the benefit of an Adult Gaming Centre Premises Licence.

3.0 APPLICATION

3.1 An application has been received from Peter Cowap for the grant of a Betting Premises Licence. The application and a plan of the premises is available for Members information which details the proposed area for the Betting Premises Licence. If this application is granted the Adult Gaming Centre Premises Licence which is to be replaced by the Betting Premises Licence will have to be surrendered.

4.0 RELEVANT REPRESENTATIONS

4.1 Representations must be made in accordance with the following Licensing Objectives of the Gambling Act 2005:

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

4.2 Interested Party

A person is an interested party in relation to a premises licence or in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority:

(a) lives sufficiently close to the premises to be likely to be affected by the authorised activities,

(b) has business interests that might be affected by the authorised activities

4.3 In respect of this application two representations have been received from Local Residents which relate to one or more of the above Licensing Objectives. A representation has also been received from Oasis Amusements Limited who have business interests that might be affected by the application. Copies of the representations are available.

4.4 There have been no other representations received from the following Responsible Authorities:

Gambling Commission
HM Revenue and Customs
Fire Authority
Local Safeguarding
Environmental Health
Planning Authority
Merseyside Police

5.0 FINANCIAL AND STAFFING IMPLICATIONS

5.1 A statutory fee has been paid in respect of the application, which goes towards administrative and enforcement costs.

6.0 EQUAL OPPORTUNITIES IMPLICATIONS

6.1 There are none arising from this report.

7.0 LOCAL AGENDA 21 IMPLICATIONS

7.1 There are none arising directly from this report.

8.0 LOCAL MEMBER SUPPORT IMPLICATIONS

8.1 The premises are located in the Birkenhead and Tranmere Ward.

9.0 HUMAN RIGHTS IMPLICATIONS

9.1 Article 6, of the First Protocol, concerned with the right to a fair hearing, may be applicable.

10.0 COMMUNITY SAFETY IMPLICATIONS

10.1 Effective control of Licensing Legislation can assist in raising standards and improve the perception of community safety.

11.0 **PLANNING IMPLICATIONS**

11.1 There are none arising from this report.

12.0 **ANTI-POVERTY IMPLICATIONS**

12.1 In accordance with the Licensing Act 2003 the Licensing Authority is responsible for protecting vulnerable persons from being harmed or exploited by gambling when considering applications.

13.0 **SOCIAL INCLUSION IMPLICATIONS**

13.1 There are none arising from this report.

14.0 **BACKGROUND PAPERS**

14.1 Application form applying for a Betting Premises Licence

14.2 Representations received from Local Residents.

15.0 **RECOMMENDATIONS**

15.1 The Licensing Act 2003 Sub-Committee are asked to consider the application for the grant of a Betting Premises Licence in respect of the above premises.

Alan Stennard
Director of Regeneration

This report was prepared by Richard Leyland who can be contacted on 691 8478