

<b>Report of:</b>	Director of Environment & Commercial Services
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<b>Submitted to:</b>	Licensing Sub-Committee A
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<b>Date:</b>	7 February 2024
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<b>Title:</b>	Application for a Premises Licences (Adult Gaming Centre) under the Gambling Act 2005 ("the Act")
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<b>Report for:</b>	Decision
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<b>Status:</b>	Public
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<b>Key decision:</b>	Not applicable
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<b>Why:</b>	Not applicable
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<b>Urgent:</b>	Not applicable
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<b>Why:</b>	Not applicable
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### Executive summary

#### THE APPLICATION

**1. Application for Adult Gaming Centre Premises Licence at 17a Parkway Centre, Coulby Newham, Middlesbrough, TS8 0TJ**

#### THE PARTIES

- 1. The Applicant – Cleveland Leisure Centres Limited, 36-38 Kings Road, North Ormesby, Middlesbrough**
- 2. Interested Party – Emma Lonsdale**
- 3. Interested Party - Angela Brookmyre**
- 4. Interested Party – Abigail Cronin**
- 5. Interested Party – Bernadette Foley**
- 6. Interested Party – Dominique Bendlow-Chilver**
- 7. Interested Party – Dr Abi Witherden**
- 8. Interested Party – Emma Bullock**
- 9. Interested Party – Malcolm Turley**

- 10. Interested Party – Frank Davies**
- 11. Interested Party – Sarah Small**
- 12. Interested Party – Rebecca Arnold**
- 13. Interested Party – June Holt**
- 14. Interested Party – Geoff Peirse**
- 15. Interested Party – Julie Philpot**
- 16. Interested Party – Joanne Story**
- 17. Interested Party – James Small**

## Appendices

1.	Application for Premises Licence for the Adult Gaming Centre 17a Parkway Centre, Middlesbrough
2.	Plan of proposed Adult Gaming Centre Premises
3	Local Area Risk Assessment
4.	Email from Applicant's Legal representative – 15 January 2024
5	Additional Supporting evidence from Applicant – Statement of John Graham, MD, Cleveland Leisure Centres Limited
6.	Additional Supporting evidence from Applicant – BACTA Handbook
7.	Additional Supporting evidence from Applicant – Citizen Card Application Form
8.	Additional Supporting evidence from Applicant – Money Laundering Risk Assessment
9.	Representation made by Emma Lonsdale, Local Resident (supported by online petition with 345 signatures)
10.	Representation made by Angela Brookmyre, Local Resident
11.	Representation made by Abigail Cronin, Local Resident
12.	Representation made by Bernadette Foley
13.	Representation made by Dominique Bendelow-Chilver, Local Resident
14.	Representation made by Dr Abi Witherden, Local Resident
15.	Representation made by Emma Bullock, Local Resident
16.	Representation made by Malcolm Turley, Local Resident
17.	Representation made by Frank Davies, Local Resident
18.	Representation made by Sarah Small
19.	Representation made by Rebecca Arnold
20.	Representation made by June Holt
21.	Representation made by Geoff Peirse
22.	Representation made by Julie Philpot, Local Resident
23.	Representation made by Joanne Story
24.	Representation made by James Small
25.	Copy of the Notice of Hearing sent to the Parties
26.	<b>OTHER DOCUMENTATION</b>

**The Parties have been requested to endeavour to supply documentary information they wish to rely on at least five days before the Hearing, any such documentation will be circulated separately to this report**

Regulation 9(4)(b) of the Gambling Act 2005 (Proceedings of Licensing Committees and Sub Committees) (Premises Licences and Provisional Statements) (England and Wales) Regulations 2007 states:

In conducting a hearing the relevant committee must take into consideration any documentary or other information in support of the application or representations produced by a party (i) before the hearing or (ii) at the hearing, with the consent of all the other parties attending the hearing.

## **Background and relevant information**

1. On 5 December 2023 an application was made by Cleveland Leisure Centres Limited for a Premises Licence for an Adult Gaming Centre under Section 159 Gambling Act 2005 in respect of premises at 17a Parkway Centre, Middlesbrough, TS8 0TJ. The premises are situated in Coulby Newham Ward.
2. Notices of the Premises Licence Application were posted on site, published in a local newspaper and given to the Responsible Authorities in accordance with Regulation 12 of the Gambling Act 2005 (Premises Licences and Provisional Statements) Regulations 2007.
3. Representations were received by 16 local residents, including a petition objecting to the application, details of which can be found at <https://chnng.it/S4MmsVntdy> . The grounds for objection are primarily on the grounds of protecting children and other vulnerable persons from being harmed or exploited by gambling.
4. The representations were received within the 28 day period permitted for receipt of representations under Regulation 15 of the Gambling Act 2005 (Premises Licences and Provisional Statements) Regulations 2007.

## **The Requirement to Hold a Hearing**

8. Section 187 (3) of the Act which deals with Applications to vary premises licences applies Part 8 of the Act to applications to vary as they apply for new applications for premises licences (subject to any modifications in section 187 itself and any other necessary modifications).
9. Section 162 (within Part 8) of the Act requires the Licensing Authority to hold a hearing if an interested party or responsible authority has made (and not withdrawn) representations about the application.

## **Principles to be applied**

10. Under Section 153 of the Act, the licensing sub committee shall aim to permit the use of premises for gambling in so far as it thinks it
  - (a) in accordance with any relevant Gambling Commission Code of Practice,
  - (b) in accordance with any relevant guidance issued by the Gambling Commission,
  - (c) reasonably consistent with the licensing objectives (subject to paragraphs a and b above). (The licensing objectives are:)
    - 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, and

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

(d) in accordance with the statement published by the Licensing Authority (the Policy)

11. The Gambling Commission Licensing Conditions and Codes of Practice and the Gambling Commission's Guidance to Local Authorities are available through the following links and have been supplied to Members  
[Licence Conditions and Codes of Practice \(gamblingcommission.gov.uk\)](https://www.gamblingcommission.gov.uk/conditions-and-codes-of-practice)  
[Guidance to licensing authorities \(gamblingcommission.gov.uk\)](https://www.gamblingcommission.gov.uk/guidance-to-licensing-authorities)
12. The Policy expired in January 2022 and is currently under review, the Policy is available through the following link and has previously been supplied to Members.  
[Gambling policy 2019 - 2022 \(middlesbrough.gov.uk\)](https://www.middlesbrough.gov.uk/gambling-policy-2019-2022)

### **The Steps that may be taken**

13. Under Section 163 of the Act, the Licensing Sub Committee may grant the Applications or reject the Applications
14. Section 169 of the Act enables the Licensing Sub Committee, where a decision is made to grant the Applications, to attach a condition or conditions to the Premises Licences or exclude a default condition from the Premises Licence if it considers it appropriate to do so.

The Parties may make representations on this report at the hearing.

**Contact: Tim Hodgkinson, Licensing Manager**  
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