



## BIRMINGHAM CITY COUNCIL

### LICENSING SUB COMMITTEE A

18 JANUARY 2021

#### **Merkur Slots, 1076 Warwick Road, Acocks Green, Birmingham, B27 6RD**

That the application by Cashino Gaming Limited for a Bingo Premises Licence Premises Licence in respect of Merkur Slots, 1076 Warwick Road, Acocks Green, Birmingham B27 6RD, **BE GRANTED.**

Those matters detailed in the operating schedule and the relevant mandatory conditions under the Gambling Act 2005, and the Gambling Act 2005 (Mandatory and Default Conditions) (England and Wales) Regulations 2007, will also form part of the licence issued, together with those conditions agreed in advance with Licensing, namely:

- a) As the premises intends to carry out works the issue of the licence will be subject to the premises being constructed in accordance with the deposited plans and will not trade until such time as they have been inspected and approved by officers of the City Council
- b) The Licence will be offered for surrender should the premises not have been completed in accordance with the deposited plans

And together with those conditions volunteered in advance by the applicant, namely:

1. The premises shall install and maintain a comprehensive CCTV system, which shall continually record whilst the premises are open. All recordings shall be stored for a minimum period of 31 days. Viewing of recordings shall be made available upon the request of Police or an authorised officer of the Licensing Authority, subject to data protection legislative requirements.
2. Notices shall be prominently displayed within the premises stating that CCTV is in operation.
3. An incident log shall be kept at the premises and made available on request to an authorised officer of the Licensing Authority or the Police. Details to include:
  - a. all crimes reported to the venue
  - b. all ejections of patrons
  - c. any complaints received concerning crime and disorder
  - d. any incidents of disorder
  - e. all seizures of drugs or offensive weapons
  - f. any visit by a relevant authority or emergency service
  - g. any attempts by children and young persons to gain access to the premises to gamble
  - h. any Challenge 25 Refusals

4. A “Think 25” proof of age scheme shall be operated at the premises where any person who appears to be under 25 years of age, and who has not previously provided satisfactory proof to the contrary, is challenged at the point of entry. Acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
5. Signage advertising the aforementioned proof of age scheme shall be prominently displayed throughout the premises.
6. Individuals who are deemed to be under the influence of excessive alcohol shall not be allowed to enter the premises.
7. The appropriate staffing levels will be assessed by way of risk assessment and cognisance will be taken of any police advice
8. The licensee shall participate in a local Betwatch or similar scheme, where available.
9. The licensee shall take reasonable steps to prevent nuisance directly outside the Premises.
10. Maglock will always be available for use.

The Sub Committee deliberated the operating schedule put forward by the applicant and the likely impact of the application, including the volunteered conditions, and concluded that by granting this application, the three licensing objectives contained in the Gambling Act will be properly promoted.

The applicant’s representative explained that the company was a highly experienced operator which currently held some 160 licences up and down the country, including six in Birmingham. Whilst the ‘Merkur Slots’ brand was a new aspect of the business, the company was confident that its considerable experience meant that it could promote the objectives properly, and the Report included a large amount of the company’s own management material, detailing their practices and systems. Many members of staff attended the meeting.

Bingo sessions were to be the primary activity. The demographic of bingo premise patrons was generally not one that included those likely to create crime, disorder or antisocial behaviour. The proposed operation would not serve alcohol and would not admit those under 18. The Sub-Committee found all of this to be satisfactory.

No objections had been submitted by any of the responsible authorities. Members carefully considered the representations made by other persons who attended the meeting to object to the application, but were not convinced that there was an evidential and causal link between the issues raised and the effect on the three objectives. The objectors were the local Ward Councillor and two members of the Acocks Green Focus Group. The focus of their representations was what they called the “over-concentration” of gambling premises; however, even taking into account the backdrop of the Acocks Green area, there was no reason to suppose that a very highly experienced and responsible operator like Cashino Gaming Ltd would be unable to promote the objectives properly.

In reaching this decision, the Sub-Committee has given due consideration to the City Council’s Statement of Principles Gambling Act 2005, the Guidance issued to Local Authorities by the Gambling Commission, the application for a Gambling Act Premises Licence, the written representations received and the submissions made at the hearing by the applicant, its legal adviser and by those making representations.

All parties are reminded that under the provisions contained within Schedule 10 to the Gambling Act 2005, there is the right of appeal against the decision of the Licensing Authority to the Magistrates' Court, such an appeal to be made within twenty-one days of the date of notification of the decision.