

# BIRMINGHAM CITY COUNCIL

## PUBLIC REPORT

<b>Report to:</b>	<b>Licensing Sub Committee C</b>
<b>Report of:</b>	<b>Interim Assistant Director of Regulation &amp; Enforcement</b>
<b>Date of Meeting:</b>	<b>Wednesday 3<sup>rd</sup> November 2021</b>
<b>Subject:</b>	<b>Gambling Act 2005 Variation of a Licensed Premises Gaming Machine Permit</b>
<b>Premises</b>	<b>Village Green, Marsh Hill, Erdington, Birmingham, B23 7DS</b>
<b>Ward affected:</b>	<b>Stockland Green</b>
<b>Contact Officer:</b>	<b>Shaid Yasser, Senior Licensing Officer, <a href="mailto:licensing@birmingham.gov.uk">licensing@birmingham.gov.uk</a></b>

### **1. Purpose of report:**

Officers have delegated authority to grant Permits in respect of up to 4 Licensed Premises Gaming Machines, Category C & D in an Alcohol Licensed Premises.

This application seeks to vary the existing permission to add a further 2 Category C Gaming Machines, which if granted, would enable them to operate a total of 6 Category C Gaming Machines at the premises.

### **2. Recommendation:**

The Sub-Committee is requested to consider the application to operate a total of 6 Category C Gaming Machines on an Alcohol Licensed premises.

### **3. Brief Summary of Report:**

An application for the variation of a Licensed Premises Gaming Machine Permit was received on 15<sup>th</sup> October 2021.

### **4. Compliance Issues:**

#### **4.1 Consistency with relevant Council Policies, Plans or Strategies:**

The report complies with the City Council's Statement of Licensing Principles and the Council's Corporate Plan to improve the standard of all licensed persons, premises and vehicles in the City.

<p><b>5. Relevant background/chronology of key events:</b></p> <p>Select Gaming Ltd, on behalf of Greene King Brewing &amp; Retailing Limited, submitted an application for the variation of a Licensed Premises Gaming Machine Permit on 15<sup>th</sup> October 2021 for Village Green, Marsh Hill, Erdington, Birmingham, B23 7DS.</p> <p>The application, including the accompanying plan, is attached at Appendix 1.</p> <p>Birmingham City Council Licensing Enforcement visited the premises on 18<sup>th</sup> October 2021 and confirmed that they have no objections to the application. Their confirmation is attached at Appendix 2.</p> <p>The premises already have the benefit of a current Gaming Machine Permit issued under the Gambling Act 2005, which permits a total of 4 Category C machines. See Appendix 3.</p> <p>Gaming Machine Categories by maximum stake and maximum prizes available, see attached Appendix 4.</p> <p>Site Location Plans at Appendix 5.</p> <p>Where an application for a licensed gaming machine permit is made, the licensing authority shall consider it having regard to the licensing objectives, any relevant guidance issued by the Commission under section 25 and such other matters as they think relevant.</p> <p>The licensing objectives are:</p> <ol style="list-style-type: none"> <li>a. Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.</li> <li>b. Ensuring that Gambling is conducted in a fair and open way</li> <li>c. Protecting Children and other vulnerable persons from being harmed or exploited by gambling.</li> </ol>
<p><b>6. List of background documents:</b></p> <p>Application Form and Plan, Appendix 1  Birmingham City Council Licensing Enforcement no objection confirmation, Appendix 2  Current Gaming Machine Permit, Appendix 3  Gaming Machine Categories, Appendix 4  Site Location Plans, Appendix 5</p>
<p><b>7. Options available</b></p> <ol style="list-style-type: none"> <li>a) Grant the application</li> <li>b) Refuse the application</li> <li>c) Grant the application in respect of; <ol style="list-style-type: none"> <li>(i) A smaller number of machines than is specified in the application</li> <li>(ii) A different category of machines from that specified in the application, or</li> <li>(iii) both</li> </ol> </li> </ol> <p>A licensing authority may not refuse an application or grant it in respect of a different category or number of gaming machines without first notifying the applicant and giving the applicant an opportunity to make representations (either in written or oral form, or both).</p>

**NOTIFICATION OF 2 OR LESS GAMING MACHINES or  
GAMING MACHINE PERMIT APPLICATIONS (i.e. for greater than 2 machines) for:  
CONVERSION / NEW / VARIATION / TRANSFER**

(FOR USE BY PREMISES LICENSED TO SUPPLY ALCOHOL FOR CONSUMPTION ON THE PREMISES)

*Please refer to guidance notes at the back of this form before completing*

Licensing Team Birmingham City Council Licensing Section PO Box 17013 Birmingham B6 9ES	
<b>SECTION A – What do you want to do?</b>  1. Please indicate what you would like to do  a) <b>Notify</b> licensing authority that you intend to provide up to a maximum total of 2 gaming machines category C and / or D <i>(if you choose this option then please complete sections D and E)</i> <span style="float: right;"><input type="checkbox"/></span>  b) Apply <b>to convert</b> an existing Section 34 permit issued under the Gaming Act 1968, into a licensed premises gaming machine permit (i.e. for more than 2 gaming machines) <i>(if you choose this option then please complete sections B, D and E)</i> <span style="float: right;"><input type="checkbox"/></span>  c) Apply for a <b>new</b> licensed premises gaming machine permit <i>((if you choose this option then please complete sections B, D and E)</i> <span style="float: right;"><input type="checkbox"/></span>  d) Apply to <b>vary</b> an existing licensed premises gaming machine permit <i>(if you choose this option then please complete sections B, D and E)</i> <span style="float: right;"><input checked="" type="checkbox"/></span>  e) Apply to <b>transfer</b> an existing licensed premises gaming machine permit <i>(if you choose this option then please complete sections C, D and E)</i> <span style="float: right;"><input type="checkbox"/></span>	

<b>SECTION B – Application for grant (includes <u>conversion</u>, <u>new</u> and <u>variation</u> applications)</b>  2. How many gaming machines are you currently authorised to provide and if this is a new or variation application, how many do you wish to provide? (please complete the boxes in the table)  <table border="1" style="width: 100%; border-collapse: collapse; text-align: center;"> <tr> <th style="width: 25%;">Category machine</th> <th style="width: 25%;">Number currently authorised to provide</th> <th style="width: 25%;">Number wish to provide (new or variation)</th> </tr> <tr> <td>C</td> <td>4</td> <td>6</td> </tr> <tr> <td>D</td> <td>0</td> <td>0</td> </tr> <tr> <td>Total</td> <td></td> <td>6</td> </tr> </table>  3. If you are currently authorised to provide more than 2 machines, please provide your existing Section 34 Gaming Act 1968 permit, or provide reasons stating why it cannot be provided.  <div style="text-align: right;">Existing permit provided*</div> <div style="text-align: left;"><i>(reasons why existing permit cannot be provided)</i></div>	Category machine	Number currently authorised to provide	Number wish to provide (new or variation)	C	4	6	D	0	0	Total		6	
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C	4	6											
D	0	0											
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<p><b>Section C – Application for permit <u>transfer</u></b> (i.e. where a transfer has been requested for the Licensing Act 2003 premises licence)</p> <p>4. Name of person requesting the transfer</p> <p>5. Confirmation that an application to transfer the relevant Licensing Act 2003 Premises Licence has been:</p> <div style="text-align: right; margin-right: 50px;">             Requested              Granted         </div> <p>6. Please provide your existing permit, or provide reasons stating why it cannot be provided</p> <div style="text-align: right; margin-right: 50px;">             Existing permit provided              Reasons why existing permit cannot be provided         </div> <p>.</p>	<div style="text-align: center;"> <input type="checkbox"/>   <input type="checkbox"/>   <input type="checkbox"/> </div>
<p><b>Section D – General Information</b></p> <p>7. Name of Premises- <b>Village Green</b></p> <p>8. Address of Premises- <b>Marsh Hill, Erdington, B23 7DS</b></p> <p>9. Telephone number of Premises-</p> <p>10. Name of existing Premises Licence holder <b>Greene King Brewing &amp; Retailing Ltd</b></p> <p>11. Address of Premises Licence holder (if different from 8 above)</p> <p>12. Telephone number (daytime) of Premises Licence holder</p> <p>13. E-mail address of Premises Licence holder (where available)</p> <p>14. Name, address, telephone and e-mail of agent (e.g. solicitor) if submitted on behalf of the applicant  <b>Amanda Luckamn or Select Gaming Ltd Units 5&amp;6 Motorway Industrial Estate, Forstal Rd, Aylesford, Kent, ME20 7AF.</b></p> <p>15. Licensing Act 2003 Premises Licence Reference (i.e. number)</p> <p>.....</p> <p>.....</p>	

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**Section E – Fee and Signature(s)**

***Please can someone call me to take payment for the FEE*** ☐

***I understand that I must comply with the Gaming Machine Code of Practice for Alcohol Licensed Premise Permits and Permissions issued by the Gambling Commission. (see guidance note 8)***

**Please note: It is an offence under section 342 of the Gambling Act 2005 if a person, without reasonable excuse, gives to a licensing authority for a purpose connected with that Act information which is false or misleading.**

Dated 12<sup>th</sup> October 2021

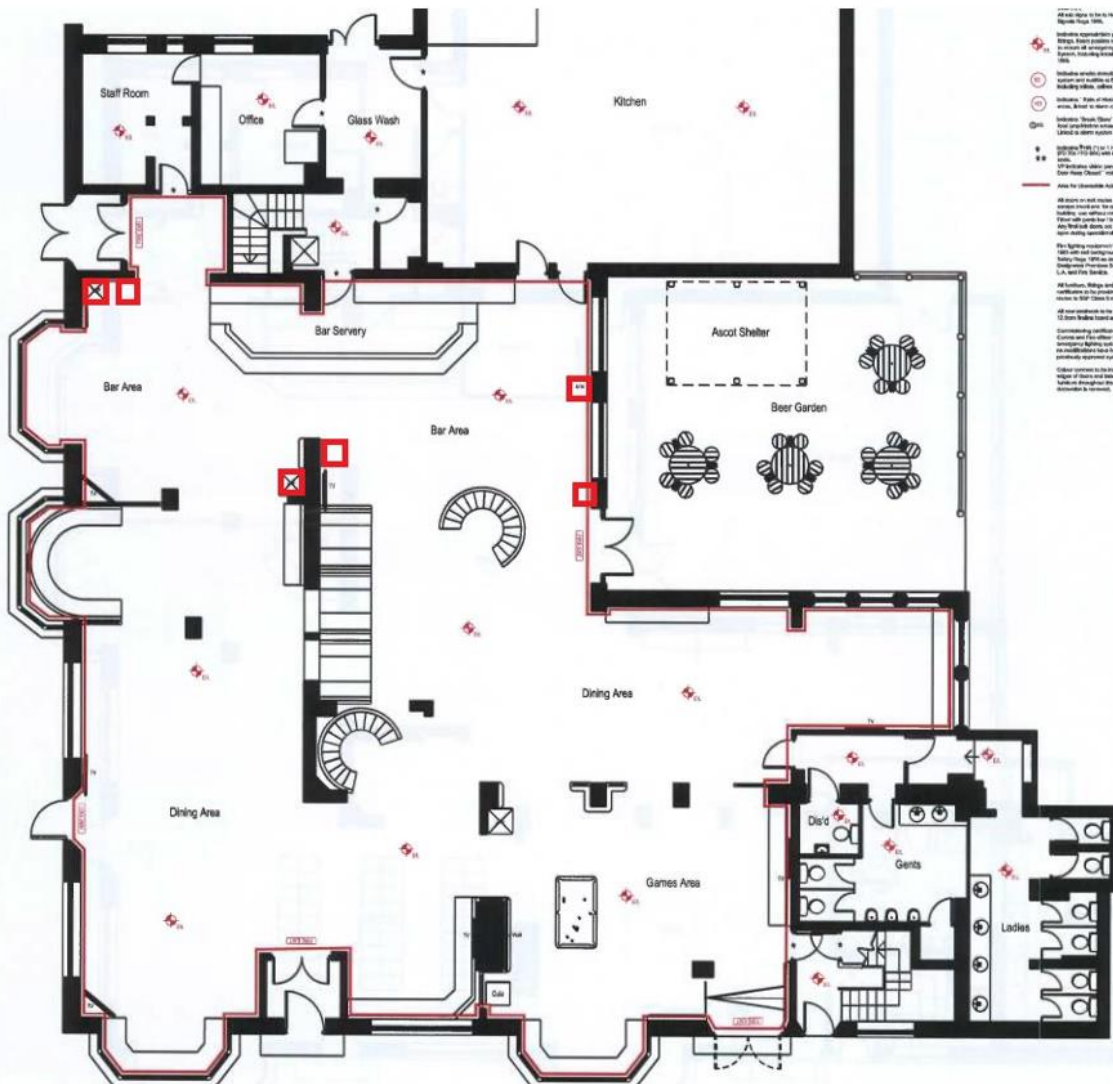
**Signed (by or on behalf of Licensing Act 2003 Premises Licence holder)**

**Print Name** Amanda Luckman

\*

If you wish to have a maximum of 2 gaming machines then the fee payable is £50. If you wish to have more than 2 gaming machines then the fee payable is £150 for new applications and £100 for Section 34 (Gaming Act 1968) holders.

### Appendix 1 continued – Plan



LICENSING ENFORCEMENT JOB – GAMBLING APPLICATIONS	
Name of Premises	VILLAGE GREEN
Address of Premises	Marsh Hill Erdington Birmingham B23 7DS
Correspondence Address/Contact Details	Amanda Luckman TEL NO - E-MAIL – Amanda.luckman
Application Type	GRANT      Number of Machines Requested <input type="text" value="6"/> Type of Grant <input type="text"/> VARIATION <input checked="" type="checkbox"/> Machine increase from and to <input type="text"/> TRANSFER (Comments Only – No inspection Required) PROVISIONAL <input type="checkbox"/> SMALL SOCIETY LOTTERY
Date Received & Representations	<input type="text" value="15/10/2021"/> Note: Representation period for the above type of applications under GA2005 starts on the day the application is received by the Licensing Section: Rep period Start Date: 15/10/2021 Rep period End Date: 12/11/2021
Require Inspection and confirm if advertisement is being displayed -	
Officer Dealing with Application	Arvinder K Loyal
MAPPS Number	N/ A
Date and Time of Visit	18 <sup>th</sup> October 2021 at 12:30pm.
Name of Officer Visiting	Sharon Watts
Objection	Objections <input type="checkbox"/> No Objections <input checked="" type="checkbox"/> Please attach Report as necessary and send to <a href="mailto:licensing@birmingham.gov.uk">licensing@birmingham.gov.uk</a>
Further Comments - Please see attached application as received by e-mail. Sopra Ref/No – 123020 application seeks to increase number of machines to 6. Currently authorised 4	

**This form is prescribed by regulation 4 of the Gambling Act 2005 (Licensed Premises Gaming Machine Permits) (England and Wales) Regulations 2007**

**Licensed Premises Gaming Machine Permit**

**No: 854 / 3**

This licensed premises gaming machine permit authorises:

Greene King Brewing & Retailing Ltd

to make gaming machines, of the category and number specified below, available for use on the following premises

Village Green, Marsh Hill, Erdington, Birmingham, B23 7DS

Number of Category C Gaming Machines authorised by this permit:	<b>4</b>
Number of Category D Gaming Machines authorised by this permit:	<b>0</b>

Date on which this permit takes effect or is renewed:  
03/11/2017

This permit is issued by:  
**Birmingham City Council**  
Licensing Section, P.O. Box 17013, Birmingham, B6 9ES



**Gaming Machines (Fruit Machine, Slot Machine) Categories****Summary of gaming machine categories and entitlements**

Category of machine	Maximum stake (from April 2019)	Maximum prize (from Jan 2014)
A	Unlimited – No category A gaming machines are currently permitted	
B1	£5	£10,000*
B2	£2	£500
B3A	£2	£500
B3	£2	£500
B4	£2	£400
C	£1	£100
D – non-money prize	30p	£8
D – non-money prize (crane grab machines only)	£1	£50
D – money prize	10p	£5
D – combined money and non-money prize	10p	£8 (of which no more than £5 may be a money prize)
D – combined money and non-money prize (coin pusher or penny falls machines only)	20p	£20 (of which no more than £10 may be a money prize)

\* With option of max £20,000 linked progressive jackpot on premises basis only

