



## **BIRMINGHAM CITY COUNCIL**

### **LICENSING SUB COMMITTEE B**

**22 SEPTEMBER 2020**

#### **Admiral, Ground and First Floor, 54-57 High Street, Birmingham, B4 7SY**

That the application by Talarius Limited for an Adult Gaming Premises Licence in respect of Admiral, Ground and First Floor, 54-57 High Street, Birmingham, B4 7SY

**BE GRANTED SUBJECT TO THE FOLLOWING CONDITION OFFERED BY THE APPLICANT COMPANY** to promote the gambling objectives in the Gambling Act 2005:

- The licence held by the applicant company for the premises situated at 4 Priory Square, Priory Square Shopping Centre, Birmingham, shall be surrendered six weeks after the opening of the premises situated at 54-57 High Street, Birmingham

In addition to the above condition, those matters detailed in the operating schedule and the relevant mandatory conditions under the Gambling Act 2005 will form part of the licence issued.

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The Sub-Committee's reason for imposing this volunteered condition was that it was a sensible precaution which would ensure that the applicant company could uphold the objectives. The Sub-Committee carefully considered the operating schedule put forward by the applicant, and the likely impact of the application on the High Street vicinity, and found it to be satisfactory. The Sub-Committee was aware that the Guidance recommended that Members should aim to permit 'where the requirements were met'. The Sub-Committee noted in particular that no representations had been received from West Midlands Police.

The Sub-Committee heard representations from a local business – a branch of a national betting shop chain, situated directly next door to the applicant's premises. However, the Sub-Committee did not consider that there was evidence that the applicant company would be unable to operate safely, even in a 'difficult' area. The applicant company's premises situated nearby (Priory Square shopping centre) had operated without incident for a considerable period. Whilst there were certainly problems of anti-social behaviour in the area, created by homeless people and drug users who seemed to congregate there, and also a homeless soup kitchen in close proximity, the applicant's style of operation was capable of addressing such issues, such that the objectives could be upheld. The proposals for CCTV and a SIA registered doorman would act as a deterrent; this reassured the Sub-Committee

The risks relating to youngsters (schoolchildren and young college students) using the bus stops and tram stops on the High Street and visiting the branch of McDonald's Restaurants in the immediate vicinity, were also unlikely to be a problem given that the applicant company was a responsible operator.

The Sub-Committee considers the condition imposed to be appropriate, reasonable and proportionate to address concerns raised.

In reaching this decision, the Sub-Committee has given due consideration to the City Council's Statement of Principles under the Gambling Act 2005, the various 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 company via 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.