#### **BIRMINGHAM CITY COUNCIL**

#### **PUBLIC REPORT**

Report to:	Licensing Sub Committee			
Report of:	Interim Assistant Director of Regulation & Enforcement			
Date of Meeting:	Wednesday 27 <sup>th</sup> May 2020			
Subject:	Gambling Act 2005 Premises Licence - Grant			
Premises	Merkur Slots, 220 High Street, Erdington, Birmingham, B23 6SJ			
Ward affected:	Erdington			
Contact Officer	Shaid Yasser, Senior Licensing Officer, licensing@birmingham.gov.uk			

#### 1. Purpose of report:

To consider relevant representations made in respect of an application for a Bingo Premises Licence.

#### 2. Recommendation:

To consider the representations that have been made and to determine the application.

## 3. Brief Summary of Report:

Premises Licence application received on 8<sup>th</sup> April 2020 in respect of Merkur Slots, 220 High Street, Erdington, Birmingham, B23 6SJ.

Representations have been received from Interested Parties.

### 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.

#### 5. Relevant background/chronology of key events:

Cashino Gaming Limited submitted an application for a Bingo Premises Licence on 8<sup>th</sup> April 2020 for Merkur Slots, 220 High Street, Erdington, Birmingham, B23 6SJ.

Representations have been received from Interested Parties and these are attached as Appendices 1 - 8.

Birmingham City Council Licensing Enforcement visited the premises and confirmed that they have no objections to the application. Their confirmation is attached at Appendix 9.

Comments have been received by the Planning Department and this is attached at Appendix 10.

The application is attached as Appendix 11.

The applicant has submitted supporting documents, which are attached as separate appendices to this report

Site Location Plan Appendix 12.

When carrying out its licensing function, a licensing authority shall aim to permit the use of premises for gambling in so far as the authority think it is in accordance with any relevant codes of practice issued by the Gambling Commission, in accordance with guidance to licensing authorities issued by the Commission, in accordance with the authorities' statement of licensing principles and is reasonably consistent with the licensing objectives, which are: -

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

#### 6. List of background documents:

Representation as detailed in Appendices 1 - 8

Birmingham City Council Licensing Enforcement no objection confirmation, Appendix 9 Comments made by Planning, Appendix 10

Application Form, Appendix 11

Site Location Plan, Appendix 12

## 7. Options available

To Grant the application

To Refuse the application

Grant the application with conditions

Question	Response
Title:	
First name:	
Last name:	
Email address:	
Telephone number:	
House / flat number or name:	
Road:	Harrison Road
Area:	
Town / city:	BIRMINGHAM
Postcode:	B24
Ward:	Erdington
I prefer to be contacted by:	Email
Organisation name:	Cashino Gaming Ltd/ Merkur Lots
Complaint type:	Gambling
Incident category:	Request For Information
Trading name:	Cashino Gaming Ltd
Premises address:	220 High Street, Erdington. B23 6SJ
Date of incident:	: 13/04/2020
Time of incident:	

Question Response

> Please note that a licensing application is currently under consideration for the above trading company and as a concerned resident on the nearby Harrison road, and as a neighbourhood watch co-ordinator I would like to make a respresentation against this application on behalf of and by the order of the residents of Harrison road. There are already over 6 gambling related venues within a 300 yard cirumference and moreover a lot of these establishments encourage anti-social behaviour, and therefore another licensing venue with excarcerbate the issue instead of resolving the problems.

> I would urge the decision making body to look at the reported incidences of crime and antisocial behaviour in and around the gambling premises of this area. Surely approval of licenses have to take into account community imapct?

Erdington is already an underlying area of concern and poverty with an over representation Incident details: of anti social behaviour, gambling and alcohol additions as well as petty crime. The increase in these premises serves only to drain the area of much needed revenue instead of increasing its potential.

Furthermore, I am curious why nearby Wylde Green and Sutton Coldfield have fewer gambling license approval rates even though they are either equivalent in size or cover a larger footfall. I would look forward to a FOI request on the number of gambling license refusals in Sutton Coldfield in comparison to Erdington.

Most importantly I would like it to be noted that there is already a betting shop across the road from this with slot machines, another one less than 30 yards from this shop and a further two at-least just over a hundred yards away. The one less than two hundred yards away is already and exclusive slot machine style gambling premises. Another one is therefore clearly not needed.

4

Question		Response
Title:		
First name:		
Last name:		
House / flat number or name:		
Road:	Harrison Road	
Area:	Erdington	
Town / city:	Birmingham	
Postcode:	B24	
Ward:	Erdington	
Email address:		
Telephone number:		
I prefer to be contacted by:- Tell us how we can contact you.:	Email	
Organisation name:	n/a	
What type of licence are you enquiring about?:	Gambling	
Would you like an licence application form sending to you?:	No	
Trading name:	Merkur Slots	
Address for the premises:	220 Erdington High Street Erdington Birmingham B23 6SJ	
Provide more details		

about your enquiry:

**Question** Response

As a resident living in close proximity to Erdington High St, I am concerned that a licensing application has been made for yet another gambling establishment. There is already a high concentration of this type of establishment. Currently there are three casino/ amusement premises in close proximity of each other:

Admiral Casino Unit 3 B23 6RG Shipleys Amusement 167 A High St B23 6SY Shipleys Amusement 243 High St B23 6SS

Additionally there are five betting establishments, also in close proximity of one another
Ladbrooks 225-227 High St
Betfred 163-165 High St
Jennings Bet 210A
William Hill 17-21 Barnabas Road
William Hill 86-88 High St

It is a well understood fact that gambling establishments target areas of deprivation, this is clearly the case in Erdington, which is one of the poorest areas in Birmingham. These establishments exacerbate poverty and also create anti-social behaviour in this area, which in turn is causing crime and addiction rates to soar. Erdington is a prime example of an over concentration of this type of business on a deprived high street. It is a high street in much need of diversity rather than another gambling shop.

6

MA RETAIL BIRMINGHAM LTD.  215 HIGH STREET  CLUINGTON  B23 6SS	
215 HIGH STLEET	
GLINATON 217 GSS	
Proposed Bingo Arcade 220 High Street Erdington	
We occupy premises in Erdington High Street.	
It is well known that there are many people at risk in the area. This end of Erdington e	xperiences
problems caused by young men gathering in the area during the day and evening.  We presently experience anti-social behaviour from the customers of gambling premis	es in the
vicinity and object to a further gambling establishment which will add to this problem problem to children and others who spend time on the street in this part of Erdington	
problem to children and others who spend time on the street in this part of Erdington	
Yours faithfully	

Dear Sirs

#### Bingo Premises Application proposal at 220 High St Erdington

Having a business in this area we are concerned about the application for another gambling arcade so close to a number of other gambling premise which already cause issues in the locality.

There has been a general decline at this end of the High Street in the last few years caused mainly by the number of gambling establishments including 2 amusement arcades and the 3 bookies - Ladbrokes, Betfred, Jennings.

This area has gone downhill and there are many deprived and vulnerable people in the area. Some gather on the street in the day and at night around the betting offices and arcades.

This would add to existing problems of anti-social behaviour in the area.

We ask Birmingham council to reject the application so the problems in the area do not make it worse for traders and to protect the many vulnerable folk who now live in this part of Erdington.

4/05/2020 Director: Printerwise 210 High street Endington BA3 65J



## 217 High St, Erdington, Birmingham B23 6SS

#### New Bingo Premises suggested at 220 High Street Erdington

We own and trade from 217 High Street Erdington almost opposite this site. Over the years I have noticed the general decline in this part of the centre and put that down partly to the number of gambling premises nearby including the Admiral and Shipleys arcades, Ladbrokes, Betfred and Jennings bookies.

This is now a deprived area where many vulnerable people have been housed who spend the day and evening gathering on the street around the gambling premises.

The proposal would add to these problems by making it more of a honeypot attracting these vulnerable people and the anti-social behaviour some get involved in. It should be refused to protect those people and to prevent more of the drinking and drug taking and other anti-social activity we now see which is caused by these existing gambling premises.

Licensing
Birmingham Council
1-3 Ashted Lock Way

BIRMINGHAM B7 4AZ

From:

Sent: 04 May 2020 15:48

To: Licensing

Subject: Gambling Act 2005 – Application at 220 High Street Erdington B23 6SJ

## RADAR PROPERTIES

PO Box 13484 Lapworth Solihull B93 3BS

Birmingham City Council Our Ref: RNJ/JW Licensing Section 1-3 Ashted Lock Way BIRMINGHAM B7 4AZ 30th April 2020

Dear Sirs,

#### Gambling Act 2005 - Application at 220 High Street Erdington B23 6SJ

Our company own the retail premises situate at 165/167a High Street Erdington occupied by GP Retail Limited – Greengrocers, and A Rasoni Hairdresser, situate opposite and close to the application site. We are an interested party in the term of the Gambling Act since the proposal will have a detrimental effect on our tenant's businesses, which in turn will affect our investment in these premises, since the proposed application will be harmful to the interests of our tenants (and other occupiers in the area) damaging business vitality and confidence. That vitality, confidence and retailer interest is already being undermined by the number of other gambling premises in this short section of the High Street including Jennings, Ladbrokes and Betfred betting offices and Shipleys and Admiral arcades.

Our company's objections are as follows:-

The effect on these premises will continue to cause large number of vacancies in the centre, particularly this part of it of the High Street.

It would fail to protect the vulnerable who are in this area in substantial numbers as is apparent from the number of charity shops nearby, including very large 'branches' of Shelter and the British Heart Foundation.

Erdington Constituency is the  $3^{rd}$  most deprived in the city. The extent of deprivation is acute. It is, with the adjacent Hodge Hill and Ladywood constituencies, the bottom three most deprived in the city. All three are among the 10% most deprived areas in the country.

The Birmingham City Council's recent survey of residents and shoppers records that 29.6% felt unsafe in the day time, rising to 85.1% at night time.

It would add to the decline of the centre identified by the council This decline has been associated by the council with an increase in anti-social behaviour including begging, gang activity, drug taking and street drinking taking place on the High Street. It reports that many residents have communicated that crime and anti-social behaviour in the town centre puts them off spending more time there. These are increasingly a feature of this part of Erdington as a result of the growth of the kinds of premises mentioned above and the displacement of regular shops.

In the terms of the guidance the proposal would fail to protect children and other vulnerable persons from being harmed or exploited by gambling.

We as Directors invite you to decline this application.

Yours faithfully

Our ref: IS/LA

Birmingham City Council Licensing Section 1-3 Ashted Lock Way Birmingham B7 4AZ

Email:

4th May 2020

**Dear Sirs** 

#### Re: Gambling Act 2005 - Licence Application at 220 High Street Erdington B23 6SJ

Johnson Fellows act as managing agents to Radar Properties Ltd, who are the owners of 165-167a High Street, Erdington. The occupiers include GP Retail Limited (Greengrocer) and Masoud Bahaddin Mohammed (Hairdresser).

We are an interested party in this application due to our Client's ownership. We believe that it will have a detrimental effect on their tenant's business, lead to the continued decline of the High Street and affect the investment value of their property.

We believe that the proposed application will be damaging to the local business vitality and confidence, which is being undermined by the number of other gambling premises in this short section of the High Street including Jennings, Ladbrokes, Betfred, Shipleys and Admiral.

The likely impact will be an increase in anti-social behaviour and the further displacement of traditional retailers.

On our client's behalf we invite you to decline this application.

Yours faithfully

For and on behalf of Johnson Fellows

April 27 2020 My address is as overleaf. Dear Sir/Madan, write to slight to the application by Carshino Ganny Ltd, to take on the premises MEKUR SLOTS at 220 High Street, Erdington, B23 65 (objections to be raised per Notice by May 5.). I live at 160 paces lates from the site. There are greatisely 120 Justices (retail sites (including Walk-In Gentre) on Erdington High Street. There will be a total of 10 betting Office (slot madrine sites on the High Street, if the application is granted. That is over 8 %. If banks are excluded, that rises to 9%. Erdizator is classed as a deprived area (6 lowest, economically in this Region). Other Justieurs are more urgently needed. To provide extra means for residents to gantle is not good. Littor Cold Bield, the next town over, richer has a far lower botting shap concentration, not







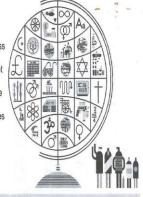
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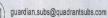


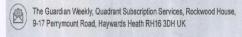
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17 February 2017 5387







From: Sharon Watts Sent: 15 April 2020 12:32

To: Licensing

Cc:

Subject: Bingo Application Merkur Slots, 220 High Street, Erdington, B23 6SJ

#### Hello

I refer to the above application. I have been out to the premises and the notice is displayed. I cannot confirm if the plans are accurate due to having no access to the property. I have reviewed the local risk assessment and do not have any objection to the licence being granted.

#### Kind regards

Sharon Watts Licensing Enforcement Officer Birmingham City Council From: Vajid Mahmood Sent: 12 May 2020 02:32

To: Licensing

Subject: RE: RE: Licensing Enquiry - 2020/001054/ENQ

Hello Arvinder,

Apologies for the delay in responding, this enquiry relates to site address 220 High Street, Erdington, Birmingham B23 6SL and the planning application seeks full planning permission for the change of use from a former Pawnbrokers shop (Sui Generis) use to an Adult Gaming Centre (AGC) (Sui Generis) use to allow Cashino Gaming LTD (trading as 'Merkur Slots') to occupy the unit. Please note that permission has not been granted as of yet as it is still being considered, the determination date for the application is 09/06/2020.

Kind Regards,

Vajid

From: Arvinder Layal On Behalf Of Licensing Sent: Thursday, May 07, 2020 3:00 PM

To: Vajid Mahmood

Subject: RE: RE: Licensing Enquiry - 2020/001054/ENQ

Afternoon Vajid

Thank you for your e-mail.

Would it be possible for you to give more details for the application this e-mail message relates to eg. An address or name of the premises.

Kind Regards

Arvinder Layal Licensing Officer

Licensing I Regulation & Enforcement Department Neighbourhoods Directorate Birmingham City Council

"Locally accountable and responsive fair regulation for all - achieving a safe, healthy, clean, green and fair trading city for residents, business and visitors"

**From:** Vajid Mahmood **Sent:** 07 May 2020 12:26 **To:** Licensing Online

Subject: RE: Licensing Enquiry - 2020/001054/ENQ

Hello Licensing,

Currently there is a planning application submitted for the change of use from pawnbrokers shop to an adult gaming centre under planning reference 2020/02817/PA and the decision is still pending.

However from looking through the existing planning history for this site there are no restriction on allowing the premises a license to operate as a Bingo premises given the primary shopping area location. I therefore have no objections to make for the proposed Bingo licensing enquiry.

Kind Regards,

#### Vajid Mahmood

Senior Planning Officer East Team Birmingham City Council 1 Lancaster Circus

# NOTICE OF APPLICATION FOR A PREMISES LICENCE UNDER THE GAMBLING ACT 2005

Notice is hereby given that: Cashino Gaming Limited

of the following address:

Seebeck House 1A Seebeck Place Milton Keynes MK5 8FR

is applying for a **Bingo Premises Licence** under section 159 of the Gambling Act 2005.

The application relates to the following premises:

Merkur Slots 220 High Street Erdington B23 6SJ

The application has been made to: Birmingham City Council

Information about the application is available from the licensing authority, including the arrangements for viewing the details of the application.

Any of the following persons may make representations in writing to the licensing authority about the application:

- A person who lives sufficiently close to the premises to be likely to be affected by the authorised activities
- A person who has business interests that might be affected by the authorised activities
- A person who represents someone in any of the above two categories.

Any representations must be made by the following date: 6 May 2020

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.

## Application for a premises licence under the Gambling Act 2005 (standard form)

#### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

If you are completing this form by hand, please write legibly in block capitals using ink. Use additional sheets if necessary (marked with the number of the relevant question). You may wish to keep a copy of the completed form for your records.

Where the application is—						
	In respect of a vessel, or					
<ul> <li>To convert an authorisation granted under the Betting, Gaming and Lotteries Act 1963 or the Gaming Act 1968,</li> </ul>						
the application	should be made on	the relevant form for t	hat type o	of premises or application.		
Part 1 – Type o	f premises licenc	e applied for	4 1 14			
Regional Casin	ο 🗆 L	arge Casino 🗌		Small Casino □		
Bingo ☑	-	Adult Gaming Centre		Family Entertainment Centre		
Betting (Track)	□ E	Betting (Other) $\square$				
"yes", please gi				Yes ☐ No ☑If the answer is I statement (as set out at the top		
Part 2 - Applic	ant Details		HR9176			
If you are an incorganisation (su	lividual, please fill ich as a company	in Section A. If the apport partnership), please	olication is fill in Sec	s being made on behalf of an ction B.		
Individual applicant						
1. Title: Mr ☐ Mrs ☐ Miss ☐ Ms ☐ Dr ☐ Other (please specify)						
2. Surname: Other name(s):						
[Use the names given in the applicant's operating licence or, if the applicant does not hold an operating licence, as given in any application for an operating licence]						
3. Applicant's address (home or business – [delete as appropriate]):						
Postcode:						
4(a) The number of the applicant's operating licence (as set out in the operating licence):						
4(b) If the applicant does not hold an operating licence but is in the process of applying for one, give the date on which the application was made:						
5. Tick the box	if the application is	being made by more t	han one i	person. $\square$		
[Where there all on additional sl	[Where there are further applicants, the information required in questions 1 to 4 should be included on additional sheets attached to this form, and those sheets should be clearly marked "Details of further applicants".]					

14(b). If the answer to question 14(a) is yes, please give the names of all the licensing authorities within whose area the premises are partly located, other than the licensing authority to which this application is made:
N/A

### Part 4 - Times of operation

15(a). Do you want the licensing authority to exclude a default condition so that the premises may be used for longer periods than would otherwise be the case? **No** 

[Where the relevant kind of premises licence is not subject to any default conditions, the answer to this question will be no.]

15(b). If the answer to question 15(a) is yes, please complete the table below to indicate the times when you want the premises to be available for use under the premises licence. **N/A** 

	Start	Finish	Details of any seasonal variation
Mon			
Tue			
Wed			
Thurs			
Fri			
Sat			
Sun			

16. If you wish to apply for a premises licence with a condition restricting gambling to specific periods in a year, please state the periods below using calendar dates:  $\mathbf{No}$ 

Section B Application on behalf of an organisation
6. Name of applicant business or organisation: Cashino Gaming Limited
7. The applicant's registered or principal address:
Seebeck House 1A Seebeck Place Milton Keynes Postcode: MK5 8FR
8(a) The number of the applicant's operating licence (as given in the operating licence): 000-003266-N-103444
8(b) If the applicant does not hold an operating licence but is in the process of applying for one, give the date on which the application was made: <b>N/A</b>
9. Tick the box if the application is being made by more than one organisation.
[Where there are further applicants, the information required in questions 6 to 8 should be included on additional sheets attached to this form, and those sheets should be clearly marked "Details of further applicants".]

#### Part 3 – Premises Details

- 10. Proposed trading name to be used at the premises (if known): Merkur Slots
- 11. Address of the premises (or, if none, give a description of the premises and their location):

## 220 High Street

Erdington

Postcode: B23 6SJ

- 12. Telephone number at premises (if known): N/A
- 13. If the premises are in only a part of a building, please describe the nature of the building (for example, a shopping centre or office block). The description should include the number of floors within the building and the floor(s) on which the premises are located.

#### Ground floor premises, high street location

14(a) Are the premises situated in more than one licensing authority area? No

application may be rejected

 We understand that it is now necessary to advertise the application and give the appropriate notice to the responsible authorities

 $\sqrt{}$ 

Part 7 – Signa	atures					
21. Signature of applicant or applicant's solicitor or other duly authorised agent. If signing on behalf of the applicant, please state in what capacity:  Signature:						
	Poplos	toAllen				
Print Name:	Poppleston Allen					
Date:	6 <sup>th</sup> April 2020	Capacity:	Solicitors for & on behalf of the applicant			
	pplications, signature of 2 ng on behalf of the applica		plicant's solicitor or other authorised t capacity:			
Print Name:						
Date:		Capacity:				

[Where there are more than two applicants, please use an additional sheet clearly marked "Signature(s) of further applicant(s)". The sheet should include all the information requested in paragraphs 21 and 22.]

[Where the application is to be submitted in an electronic form, the signature should be generated electronically and should be a copy of the person's written signature.]

#### Part 8 - Contact Details

23(a) Please give the name of a person who can be contacted about the application:

#### **Richard Bradley**

23(b) Please give one or more telephone numbers at which the person identified in question 23(a) can be contacted:

24. Postal address for correspondence associated with this application:

**Richard Bradley** 

Poppleston Allen

37 Stoney Street

The Lace Market

**Nottingham** 

Postcode: NG1 1LS

25. If you are happy for correspondence in relation to your application to be sent via e-mail, please give the e-mail address to which you would like correspondence to be sent:

Part 5 – Miscellaneous
17. Proposed commencement date for licence (leave blank if you want the licence to commence as soon as it is issued): (dd/mm/yyyy)
18(a). Does the application relate to premises which are part of a track or other sporting venue which already has a premises licence? <b>No</b>
18(b). If the answer to question 18(a) is yes, please confirm by ticking the box that an application to vary the main track premises licence has been submitted with this application. $\Box$
19(a). Do you hold any other premises licences that have been issued by this licensing authority?  Yes
19(b). If the answer to question 19(a) is yes, please provide full details:

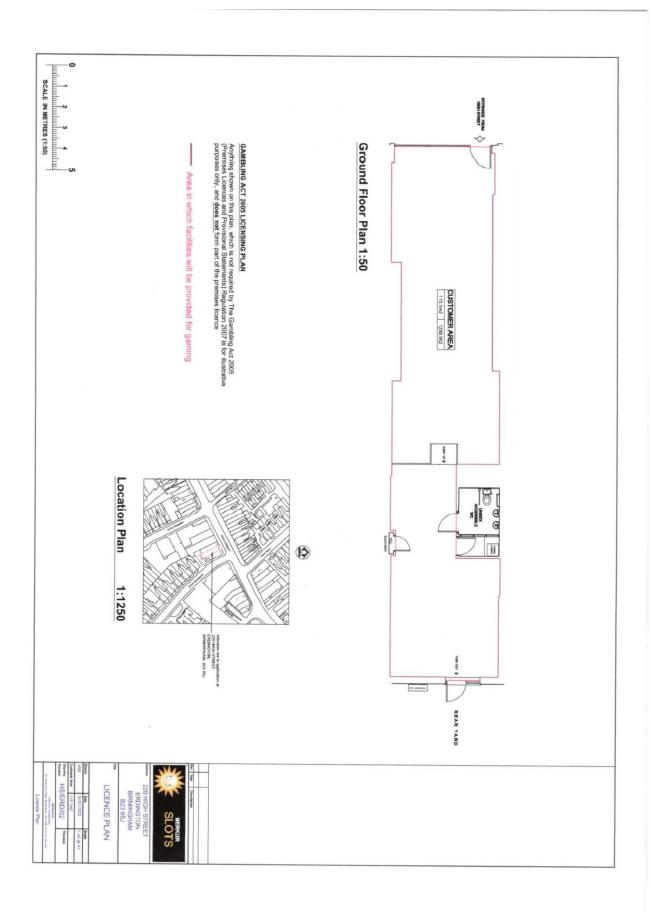
Address:	Postcode:	Permission:	Licence Number:
73 Bull Street, Birmingham	B4 6AD	BINGO	319
13 Watford Road, Cotteridge	B30 1JB	BINGO	306/2
53 New Street, Birmingham	B2 4EG	BINGO	377/1
157 Weoley Castle Road, Weoley Castle	B29 5QH	BINGO	325/3
121 The Parade, Sutton Coldfield	B72 1PU	AGC	324/2
Unit 19, Fox & Goose Shopping Centre	B8 2EP	AGC	175/4

20. Please set out any other matters which you consider to be relevant to your application:

The Applicant operates a national estate of licensed bingo premises which include the provision of Bingo Plus and Bingo Express terminals.

The operator has full authority to provide licensed bingo by the provision of an Operating Licence granted by the Gambling Commission. The UK's Gambling Regulator has therefore approved the measures implemented to ensure that effective anti-money laundering procedures are implemented and our policies have been developed to ensure responsible trading in accordance with the gambling legislation, the licensing objectives and the licence conditions and code of practice.

Part 6 – Declarations and Checklist (Please tick)				
We confirm that, to the best of our knowledge, the information contained in this application is true. We understand that it is an offence under section 342 of the Gambling Act 2005 to give information which is false or misleading in, or in relation to, this application.				
We confirm that the applicant(s) have the right to occupy the premises.				
Checklist:				
<ul> <li>Payment of the appropriate fee is enclosed</li> </ul>	$\checkmark$			
A plan of the premises is enclosed	$\checkmark$			
<ul> <li>We understand that if the above requirements are not complied with the</li> </ul>	$\checkmark$			



# FOR ILLUSTRATION PURPOSES ONLY



**Ground Floor Plan 1:50** 



