

**LICENSING PANEL (310)**

**10<sup>TH</sup> APRIL 2015 at 10.00 a.m.**

**PRESENT:** Councillors HUSSAIN, LEWIS AND MEAD

**OFFICERS:** Amy Bacon - Licensing Manager's Representative  
Eunice Lewis – Democracy & Scrutiny Officer  
Clive Tobin – Clerk to the Panel (Solicitor)

**32. ELECTION OF CHAIR (REF: 1)**

**Resolved:** That Councillor Hussain be elected Chair of Panel No. 310.

**33. MINUTES**

**Resolved:** That the minutes of the meeting held on 16<sup>th</sup> March 2015 be agreed as a true record and the Chair be authorised to sign them.

**34. APPLICATION FOR GRANT OF PREMISES LICENCE GROSVENOR CASINO, LUTON, 35 PARK STREET WEST, LU1 3BE (REF: 6)**

**PRESENT:**

**APPLICANT:** Mr Richard Ware, (accompanied by Elaine Whittle, and Paula Nash-Hunt) on behalf of Grosvenor Casino, Luton, 35 Park Street West.

**APPLICANT'S REPRESENTATIVE:** None

**INTERESTED PARTY:** None

The Clerk to the Panel explained the procedure at oral hearings before the Council's Licensing Panel to those parties present.

The Licensing Manager's representative reported on an application received from Grosvenor Casino, Luton, 35 Park Street West, for the grant of a premises licence that would allow supply of alcohol for consumption on the premises and late night refreshment to take place.

The Licensing Manager's representative further reported on a representation received from interested parties, in relation to the Prevention of Public Nuisance, Public Safety and Prevention of Crime and Disorder licensing objectives.

The Panel questioned the Licensing Manager's representative and she responded in compliance with the approved procedure.

The Applicant had no questions for the Licensing Manager's representative.

The Applicant made representations in support of the application, highlighting the following points:

- Up to 90% of the Casino's income received came from the gaming act and very little income from the sale of alcohol.
- Park Street West is a main access road to other activities in the town and some disturbances may arise from people visiting or attending other restaurants or clubs in the town centre.
- The Casino operated very strict control measures and all its customers and visitors go through a membership registration system with tracking addresses and photographs. There is also a 24 hours CCTV in operation.
- The bar in the Casino currently closes at 3.00am to avoid people coming into the Casino from other clubs or restaurants to buy drinks.
- In view of the objection raised by Mr. Wilkins, Management communicated with him to address the issues raised and he was very receptive to the discussions.
- The Casino maintains good relationship with all its neighbours and will continue to do so consistently.
- The 24 hours day being requested would exclude Christmas day since, under the Gambling Act 2005, casinos may not operate on Christmas day.
- The new licence is intended to allow flexibility, e.g. for people to come and watch sports events, to allow boxing / wrestling events occasionally.

Mr. Richard Ware on behalf of the Casino further explained that the primary use of the Casino is crucial to the Panel's decision and appealed to the Panel to consider his application in the light of the primary purpose of the Casino.

Members considered whether the public interest in retiring to make their decision in private outweighed the public interest in holding their deliberations in public, in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

Following discussion by Members, the Panel determined that the public interest of retiring to make their decision in private outweighed the public interest in holding their deliberations in public.

**35. LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005 (REF: 8)**

**Resolved:** That in accordance with regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005, the public and press be excluded from the meeting during consideration of the decision in relation to the report of the Head of Environmental and Consumer Services (Ref 6) as referred to in Minute No. 34/15.

**36. LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005 (REF: 8)**

**Resolved:** That the press and public be no longer excluded from the meeting.

**37. APPLICATION FOR GRANT OF PREMISES LICENCE GROSVENOR CASINO, LUTON, 35 PARK STREET WEST, LU1 3BE (REF: 6)**

The Panel carefully considered the papers before it, which included the written representation made by Mr. Wilkins, and the oral representations made by Richard Ware, Elaine Whittle, and Paula Nash-Hunt on behalf of Grosvenor Casino, Luton, 35 Park Street West.

The Panel noted the concerns of local residents, but was satisfied there was no substantial evidence that any of the licensing objectives would be undermined.

In addition the Council had regard to the licensing objectives set out in the Licensing Act 2003 ('the 2003 Act'), the Council's Statement of Licensing Policy and the Guidance issued under the Act and resolved as follows:

**Resolved:** (i) That the application from Grosvenor Casino Luton, 35 Park Street West, LU1 3BE, for the grant of a premises licence that would allow supply of alcohol for consumption on the premises, late night refreshment and regulated entertainment to take place from 00.00 hours to 00.00 hours Monday to Sunday (that is 24 hours a day) be GRANTED.

(ii) The Panel also took account of the concession Grosvenor Casino made at the hearing in relation to the restriction in section 183 of the Gambling Act 2005 prohibiting use of premises for gambling on Christmas Day. Accordingly, the premises licence granted under the 2003 Act will not have effect on Christmas Day.

(iii) The Licence is granted in accordance with the content of the operating schedule in the application dated 17 February 2015.

**Note: The meeting ended at 10.35am**