

**LICENSING PANEL (408)**

**1 March 2019 at 10.00 pm**

**PRESENT:** Councillors: Keens Petts And Rivers

**OFFICERS:** Saffron Long - Licensing Officer  
Brenden Delaney - Solicitor, Clerk to the Panel  
Bert Siong - Democracy & Scrutiny Officer

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

**Resolved:** That Councillor Petts be elected Chair of Panel No.408.

(Note: All parties present introduced themselves)

**2. MINUTES (REF: 2.1 AND 2.2)**

**Resolved:** (i) That the minutes of the Licensing Panel meeting held on 14 November 2018, be agreed as a true record and the Chair be authorised to sign them.

(ii) That consideration of the minutes of the Licensing Panel meeting held on 17 December 2018 be deferred to a future Panel meeting, as not ready.

**3. APPLICATION FOR VARIATION OF PREMISES LICENSE, MECCA BINGO, SKIMPOT ROAD, LUTON (REF: 5)**

**PRESENT**

**APPLICANT'S REPRESENTATIVES:** Andrew Woods (Solicitor) and  
Bruce Gilliam (Premises Manager)

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

The Licensing Officer reported on the application from Mecca Bingo Limited, for the variation of the Premises Licence in respect of Mecca Bingo, Skimpot Road, Luton as follows:

- The extension of existing hours for regulated entertainment consisting of films, live music, recorded music, performance of dance and anything of a similar description and the sale of alcohol to 24 hours a day from Monday to Sunday;
- The extension of existing hours for the provision of late night refreshment on Monday to Sunday from 23:00 until 05:00 the following morning;

- The extension of existing opening hours to Monday to Sunday 00:00 until 24:00 (24 hours);
- The removal of all non-standard timings from the Premises Licence;
- The amendment of condition 1 of Annex 2, To read; *'No intoxicating liquor shall be sold or supplied for consumption off the premises other than to a member as a prize won at gaming on the premises or in exchange for a voucher granted by the premises, or for consumption in the first floor smoking area'*.

She drew the Panel's attention to the steps the applicant would take to promote the licensing objective, as set out in the report. She also reported on the written representations from two interested parties, as set out at Appendix D to the report, variously on the basis of all the licensing objectives.

The Licensing Officer was questioned by the Panel and responded in compliance with the approved procedure, confirming she had not heard from the interested parties, who had been invited to attend the meeting. She was not sure of the historical basis of the existing licensing hours. She also confirmed the smoking room was included in the plan, as part of the licensed premises, as shown on page 51 of the report.

There were no questions for the Licensing Officer from applicant's representatives.

Mr Woods addressed the Panel. Dealing with the Panel's query about the smoking room, he stated it was part of the application to change the condition to enable club members to take their drinks with them when going for a cigarette, because it was not clear on the current plan of the licensed premises that the smoking area was included.

He said the lay out of the premises was as bingo hall, which was different from years ago, as players did not need to wait for calls, as games were on line. He added the premises had a 24 hours licence for bingo games and the application was to enable provision of alcohol to those who wished to have a drink. He informed the Panel alcohol would not be a significant element of the business, as likely to form about 10-15% of it.

Addressing the concerns raised by the interested parties, he said the premises had not had any issues with public nuisance or crime and disorder and there had been no record of any police involvement. He said there were also a 24 hr gym and casino on the same site.

He further informed the Panel, although the Gambling Act did not require clients to be club members, Mecca Bingo had chosen to implement a membership system.

The applicant was to extend to 24 hour operation every day to cater for shift workers and test if there was a demand for it. The lay out of the premises would not be changed.

Mr Gilliam, the Bingo Hall Manager said he took the issue of supervision very seriously and re-iterated alcohol would not be a big part of the business.

Mr Woods and Mr Gilliam were questioned by the Panel and he responded in compliance with the approved procedure, providing further information and clarifications as set out in the below paragraphs.

There were sessions with a caller and automatic sessions with no caller, so that clients did not need to concentrate too much. The business marketed bingo and bingo related games, including online bingo and 24 hour provision was to provide for shift workers.

The Casino on same site was a rival business and people also needed to be members to get in.

Food was provided by waiter's service.

Entertainments events, e.g. music and comedy night, were provided once a month to show people bingo was for all types of people. Additional door staff was also provided for these nights, on top of normal trained security team,

There were no issues with parking in the evening, but during the day workers from nearby business used the car park. Notices were periodically put on cars to deter parking. There were parking restrictions on the road.

Staff used two way radios for communications. CCTV also installed.

Duty managers would recognise signs of drunkenness and would encourage people to be act responsibly. This also applied to gambling awareness to assess if people had a problem, when they would be provided information leaflets, which included how to be referred to support services. It was all part of the ethics of the organisation.

There was no evidence for use of metal body scanners, but would consider it if an issue in the future.

The smoking area was on the first floor, partially open and over 50 metres from other commercial premises. There were no residential premises on that side of the building. Staff would be responsible to control noise, if an issue in the summer.

In summing up, Mr Woods said bingo was a leisure and social activity, with alcohol being a small part of it. The premises took their responsibility very seriously, with all staff trained to monitor and keep control within the premises and on the door, to ensure adherence to the licensing objectives.

The Clerk to the Panel reminded members of the options available, as set out in the report. He added the Panel could impose further conditions to promote the licensing objectives if required, but could not reduce any of the existing hours.

There being no closing words from applicant's representatives, Members considered whether the interest in retiring to make their decision without all the parties present outweighed the interest in holding their deliberations with them present, in accordance with the Licensing Act 2003 (Hearings) Regulations 2005.

Following brief 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.

**4. LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005 (REF: 6)**

**Resolved:** That in accordance with regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005, the public and press and all parties to the application, except the Clerk and Administrators be excluded from the meeting during consideration of the decision in relation to the report of the Principal Licensing Officer's (Ref: 5) as referred to in Minute No. 3/19.

**5. LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005 (REF: 6)**

**Resolved:** That, following their deliberations, the public and press and all parties to the application be no longer excluded from the meeting.

**6. APPLICATION FOR VARIATION OF PREMISES LICENSE, MECCA BINGO, SKIMPOT ROAD, LUTON (REF: 5)**

**Resolved:** That having carefully considered the papers before it, including the written representations by the two interested parties, and the oral representations made by the applicant's representatives, Mr Woods and Mr Gilliam, and in addition, having regard to the licensing objectives set out in the Licensing Act 2003 ('the Act'), the Council's Statement of Licensing Policy and the Guidance issued under the Act, the Panel determined to **GRANT** the variation of the premises licence, in accordance with the application.

The Panel was not satisfied that the variation of the premises licence would have any negative impact of on the licensing objectives, as per the concerns raised by the interested parties.

**7. LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005 (REF: 6)**

**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 private minutes (Ref: 7.1) as referred to in Minute No.8/19.

**8. MINUTES (REF: 7.1)**

**Resolved:** (i) That the (private) minutes of the Licensing Panel meeting held on 14 November 2018, be agreed as a true record and the Chair be authorised to sign them.

**(Note: The meeting ended at 10.45 a.m.)**