

## **REPORT OF THE DEPUTY CHIEF EXECUTIVE**

### **LICENSING SUB-COMMITTEE – 21 MARCH 2013**

#### **GAMBLING ACT 2005 – CONSIDERATION OF THE GRANT OF A BETTING PREMISES LICENCE**

**CORAL, UNIT 3 SIGNAL HOUSE, 10 ATHENAEUM STREET,  
SUNDERLAND**

**CORAL RACING LTD  
GLEBE HOUSE  
VICARAGE DRIVE  
BARKING  
ESSEX  
IG11 7NS**

#### **1.0 PURPOSE OF REPORT**

- 1.1 To consider an application for the grant of a betting premises licence for the above-mentioned premises.

#### **2.0 DESCRIPTION OF DECISION**

- 2.1 When determining the application the Sub-Committee is requested to have regard to the representations referred to in paragraph 4.0 below and to take such steps as they consider appropriate for the promotion of the licensing objectives. The steps may be: -

- a) to grant the application,
- b) to modify the conditions of the licence, or
- c) to reject the whole or part of the application.

#### **3.0 INTRODUCTION/BACKGROUND**

- 3.1 Relevant representations have been received in relation to the application and these are detailed at section 4.0.
- 3.2 A copy of the application form is attached as Appendix 1.
- 3.3 When considering an application made under the Act, section 153(1) requires the Council to aim to permit the use of the premises for gambling as long as the Council thinks that it is;
- a) in accordance with any relevant code of practice issued by the Gambling Commission;
  - b) in accordance with any relevant guidance issued by the Gambling Commission;
  - c) reasonably consistent with the Licensing Objectives (subject to a) and b) above), and

- d) in accordance with the Council's own Statement of Licensing Policy (subject to a), b) and c) above).

3.4 For the information of the Committee, the Licensing Objectives 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, and
- c) protecting children and other vulnerable persons from being harmed or exploited by gambling.

3.5 However, the Council is not constrained to consider only these issues and, in fact, has a wider discretion as to how it determines applications under the Act.

3.6 The only matters that the Council may not take into consideration when determining an application are;

- a) the expected demand for the gambling facilities sought and;
- b) whether or not the proposed facilities are likely to be permitted in accordance with legislation relating to planning or building.

#### **4.0 CURRENT POSITION**

4.1 Representations have been received from an interested party in relation to this application. A copy of their representation is attached as Appendix 2.

4.2 For the information of the Committee, the applicant has not requested that the statutory default condition which limits the operating times of the premises to 07:00 to 22:00 be either amended or removed from the premises licence if granted. Therefore, unless the Committee decide otherwise, those times will frame the maximum operating hours for the premises.

4.3 For the information of the Committee and with regard to the matters outlined at 3.3 above, the Licensing Section is unaware of any information which may suggest that the gambling facilities requested would not be;

- a) in accordance with any relevant code of practice issued by the Gambling Commission;
- b) in accordance with any relevant guidance issued by the Gambling Commission;
- c) reasonably consistent with the Licensing Objectives (subject to a) and b) above), and
- d) in accordance with the Council's own Statement of Licensing Policy (subject to a), b) and c) above).

4.4 However, as mentioned at 3.5 above, the Committee is entitled to consider other issues raised by the interested party.

## **5.0 REASONS FOR THE DECISION**

5.1 In making their decision, the Committee is advised to consider the Gambling Act 2005, the Gambling Commission's Guidance on the Act and the Council's Statement of Licensing Policy, copies of which have been made available to the Committee.

## **6.0 ALTERNATIVE OPTIONS**

6.1 None submitted.

## **7.0 RELEVANT CONSIDERATIONS/CONSULTATIONS**

7.1 There are no other considerations that require the attention of the Sub-Committee.

## **8.0 GLOSSARY**

8.1 No acronyms or abbreviations have been used in this report.

## **9.0 LIST OF APPENDICES**

Appendix 1 – Application Form.

Appendix 2 – Representation of Interested Party.

## **10.0 BACKGROUND PAPERS**

10.1 None.

# Appendix 1

00CM GAPREM00123

**Application for a premises licence under the Gambling Act 2005**

**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
- To convert an authorisation granted under the Betting, Gaming and Lotteries Act 1963 or the Gaming Act 1968,

the application should be made on the relevant form for that type of premises or application.

**Part 1 – Type of premises licence applied for**

Regional Casino  Large Casino  Small Casino   
Bingo  Adult Gaming Centre  Family Entertainment Centre   
Betting (Track)  Betting (Other)

Do you hold a provisional statement in respect of the premises? Yes  No

If the answer is "yes", please give the unique reference number for the provisional statement (as set out at the top of the first page of the statement):

**Part 2 – Applicant Details**

If you are an individual, please fill in Section A. If the application is being made on behalf of an organisation (such as a company or partnership), please fill in Section B.  
**Section A**

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 than one person.   
*[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".]*

**Section B**

**Application on behalf of an organisation**

6. Name of applicant business or organisation: **Coral Racing Ltd**  
*[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.]*

7. The applicant's registered or principal address:

**Glebe House  
Vicarage Drive  
Barking  
Essex**

Postcode: **IG11 7NS**

8(a) The number of the applicant's operating licence (as given in the operating licence): **001- 002360 - N - 102405 - 001**

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:

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): **Coral**

11. Address of the premises (or, if none, give a description of the premises and their location):

**Unit 3 Signal House, 10 Athenaeum Street  
Sunderland**

Postcode: **SR1 3HP**

12. Telephone number at premises (if known): **Not yet known**

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 shop in a two-storey building with staff facilities and self-contained offices on the first floor. City centre location**

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

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:**

**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** [delete as appropriate] [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.

	Start	Finish	Details of any seasonal variation
Mon	hh:mm	hh:mm	
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:

**Part 5 – Miscellaneous**

17. Proposed commencement date for licence (leave blank if you want the licence to commence as soon as it is issued):

18(a). Does the application relate to premises which are part of a track or other sporting venue which already has a premises licence? **No**

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.

19(a). Do you hold any other premises licences that have been issued by this licensing authority?

**Yes - seventeen**

19(b). If the answer to question 19(a) is yes, please provide full details:

**Please see attached schedule for full address details.**

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

**Part 8 – Contact Details**

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

**Kevin Hawkins**

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

**Office: 01708 379227**

**Mobile: 07801 643621**

24. Postal address for correspondence associated with this application:

**Kevin Hawkins  
Coral  
19 – 21 Station Road  
Harold Wood  
Essex**

Postcode: **RM3 0BP**

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:

[kevin.hawkins@galacoral.com](mailto:kevin.hawkins@galacoral.com)



**Schedule of 17 Coral Licensed Betting Premises in the Sunderland City Council area.**

16 Park Lane, Sunderland, Tyne & Wear, SR1 3NX  
97 High Street, Easington Lane, Houghton-le-Spring, Tyne & Wear, DH5 0JR  
21/23 St. Lukes Terrace, Pallion, Sunderland, Tyne & Wear, SR4 6NQ  
24 The Green, Southwick, Sunderland, Tyne & Wear, SR5 2JE  
10 Ethel Terrace, Castletown, Sunderland, SR5 3BQ  
16-18 Sea Road, Fulwell, Sunderland, Tyne & Wear, SR6 9BX  
11 Front Street, Hetton Le Hole, Houghton-le-Spring, Tyne & Wear, DH5 9PF  
Adj Millview Social Club, Station Road, Fulwell, Sunderland, SR6 9AE  
Unit 1a, Pennywell Shopping Ctr, Portsmouth Road, Sunderland, Tyne & Wear, SR4 9AS  
24 Rawmarsh Road, Redhouse, Sunderland, Tyne & Wear, SR5 5HF  
77 Ryhope Street, Ryhope, Sunderland, SR5 0AR  
1 Tempest Street, Silksworth, Sunderland, Tyne & Wear, SR3 1EL  
100/102 Broadsheath Terrace, Southwick, Sunderland, Tyne & Wear, SR5 2EP  
218-219 High Street West & 69 John Street, Sunderland, Tyne & Wear, SR1 1TZ  
113 Chester Road, Sunderland, Tyne & Wear, SR4 7HG  
178 Roker Avenue, Sunderland, Tyne & Wear, SR6 0HQ  
3-5 Westbourne Terrace, Shiney Row, Houghton-le-Spring

**Notice of application for a Premises Licence  
under the Gambling Act 2005**

Notice is hereby given that:

**Coral Racing Ltd**

of the following address:

**Glebe House  
Vicarage Drive  
Barking  
Essex  
IG11 7NS**

is applying for a **Betting (Other)** premises licence under section 159 of the Gambling Act 2005.

The application relates to the following premises:

**Coral  
Unit 3 Signal House  
10 Athenaeum Street  
Sunderland  
SR1 3HP**

The application has been made to:

**Licensing Section, Sunderland City Council, Jack Crawford House,  
Commercial Road, Sunderland, SR2 8QR**

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: **20<sup>th</sup> February 2013**

**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.**

**Notice of application for a Premises Licence (Form A)**

This notice is issued in accordance with regulations made under section 160 of the Gambling Act 2005

Notice is hereby given that: **Coral Racing Ltd**

of the following address:

**Glebe House  
Vicarage Drive  
Barking  
Essex**

Postcode: **IG11 7NS**

the number of whose operating licence is

**001- 002360 - N - 102405 - 001**

has made an application for a

**Betting (Other)** premises licence.

The application relates to the following premises:

**Coral** (trading name to be used at the premises)

**Unit 3 Signal House  
10 Athenaeum Street  
Sunderland  
SR1 3HP**

The application for a premises licence has been made to the following licensing authority:

**Licensing Section, Sunderland City Council, Jack Crawford House, Commercial Road, Sunderland**

Postcode: **SR2 8QR**

Website: [www.sunderland.gov.uk](http://www.sunderland.gov.uk)

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

The following person connected with the applicant is able to give further information about the application:

**Kevin Hawkins**  
**Senior Development Manager (Licensing)**

Office: **01708 379227**

Mobile: **07801 643621**

Email: [kevin.hawkins@galacoral.com](mailto:kevin.hawkins@galacoral.com)

**Any representations under section 161 of the Gambling Act 2005 must be made no later than the following date:**

**20<sup>th</sup> February 2013**

# Appendix 2



Licensing Section  
Sunderland City Council  
Jack Crawford House  
Commercial Road  
Sunderland  
SR2 8QR

11 Athenaeum Street  
Sunderland  
Tyne & Wear  
SR1 3HP

Tel 0191 514 2939  
Fax 0191 514 2902  
Web [specsavers.co.uk/sunderland](http://specsavers.co.uk/sunderland)

**Andrew Garvey** BSc(Hons) MCOptom  
Optometry Director

**Dean Baldassarra**  
Retail Director

**David Laidlaw**  
Technical Director

7<sup>th</sup> February 2013

To whom it may concern

I hereby give objection by Coral Racing Ltd in the application for Betting (other) premises licence.

Due to the nature of their business we feel that another establishment of this nature will have a negative impact on our business. We already have William Hill occupying the premises next to us and we feel another betting shop will be detrimental to footfall.

As well as the proposed application there is also a further gambling establishment just a 100 yards away. Is it in the best interests of the town centre to have 3 betting shops in such close proximity?

Yours sincerely

Dean Baldassarra  
Director



Registered Company Sunderland Visionplus Limited  
Registered in England No 3675813 VAT No 720 8901 46  
Registered Office Forum 6 Parkway Solent Business Park Whiteley Fareham PO15 7PA  
Directors A list of directors is available from the Registered Office