

Notice of Meeting

Licensing Sub-Committee

Friday, 10 September 2010 at 2.00pm
in Council Chamber Council Offices
Market Street Newbury

Date of despatch of Agenda: Thursday, 3 September 2010.

For further information about this Agenda, or to inspect any background documents referred to in Part I reports, please contact Robert Alexander on 01635 503042
e-mail: RAlexander@westberks.gov.uk

Further information and Minutes are also available on the Council's website at
www.westberks.gov.uk



To: Councillors Peter Argyle, Tony Linden (Chairman) and Andrew Rowles.

Substitutes: Councillor Ieuan Tuck.

Agenda

Part I

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Andy Day
Head of Policy and Communication

West Berkshire Council is committed to equality of opportunity. We will treat everyone with respect, regardless of race, disability, gender, age, religion or sexual orientation.

If you require this information in a different format, such as audio tape, or in another language, please ask an English speaker to contact Moira Fraser on telephone (01635) 519045, who will be able to help.



Received 16/7/2010

R/N 128160

Agenda Item 3(1)

Application for a premises licence under the Gambling Act 2005

16 JUL 10

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 | <input type="checkbox"/> | Large Casino | <input type="checkbox"/> | Small Casino | <input type="checkbox"/> |
| Bingo | <input type="checkbox"/> | Adult Gaming Centre | <input type="checkbox"/> | Family Entertainment Centre | <input type="checkbox"/> |
| Betting (Track) | <input type="checkbox"/> | Betting (Other) | <input checked="" type="checkbox"/> | | |

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):

**2 Monument Close
Essex Street
Wash Common
Newbury**

Postcode: **RG14 6QW**

12. Telephone number at premises (if known): **Not 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 lock-up shop in a two-storey building with self-contained residential on the upper floor.

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 – two as listed below

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

5/7 Market Place, Newbury, Berkshire, RG14 5AA
Unit A, The Colonnade, Overdown Road, Tilehurst, Reading, Berkshire, RG31 6PR

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

Part 6 – Declarations and Checklist (Please tick)

I confirm that, to the best of my knowledge, the information contained in this application is true. I 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. ✓

I confirm that the applicant(s) have the right to occupy the premises. ✓

Checklist:

- Payment of the appropriate fee is enclosed ✓
- A plan of the premises is enclosed ✓
- I understand that if the above requirements are not complied with the application may be rejected ✓
- I understand that it is now necessary to advertise the application and give the appropriate notice to the responsible authorities ✓

Part 7 – Signatures

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:



Print name: **Kevin Hawkins**

Date: **15th July 2010**

Capacity: **Senior Development Manager (Licensing)**

22. For joint applications, signature of 2nd applicant, or 2nd applicant's solicitor or other authorised agent. If signing on behalf of the applicant, please state in what capacity:

Signature:

Print name:

Date: (dd/mm/yyyy)

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:

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: (4367)

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

Senior Licensing Officer
Countryside & Environment
West Berkshire Council
Council Offices
Faraday Road
Newbury
Berkshire, RG14 2AF

22nd July 2010

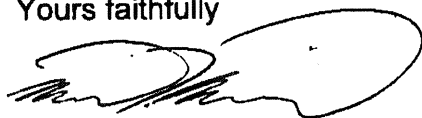
Dear Sir or Madam

Please find enclosed copy of page 12 from last Tuesday's Newbury Advertiser displaying the public notice advertising our recent application for a New Betting Premises (Other) Licence in respect of: -

Coral
2 Monument Close
Essex Street, Wash Common
Newbury
RG14 6QW

If you require any further information please do not hesitate to call me on 01708 379227.

Yours faithfully



Kevin Hawkins
Senior Development Manager (Licensing)



INVESTOR IN PEOPLE

Coral Estates Limited, 19 - 21 Station Road, Harold Wood, Essex, RM3 0BP

Senior Development Manager 01708 379 509 Senior Development Manager 01708 379 227 Estates Manager 01708 379 264 Project Manager 01708 378 977

Gala Coral Group Limited Registered Office: 71 Queensway, London W1 4QH
Web: www.galacoral.com Registered in England 7254686



**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
2 Monument Close
Essex Street, Wash Common
Newbury
RG14 6QW**

The application has been made to:

**Senior Licensing Officer, Countryside & Environment, West Berkshire
Council, Council Offices, Faraday Road, Newbury, Berkshire, RG14 2AF**

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

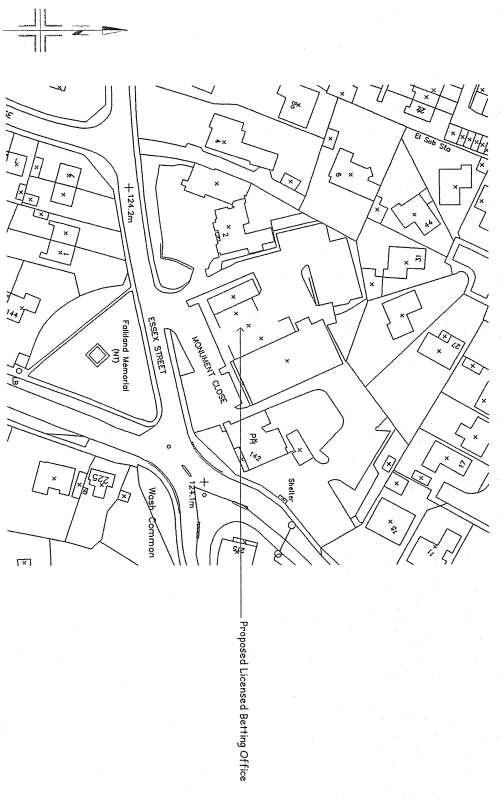
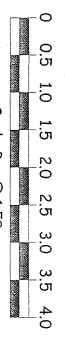
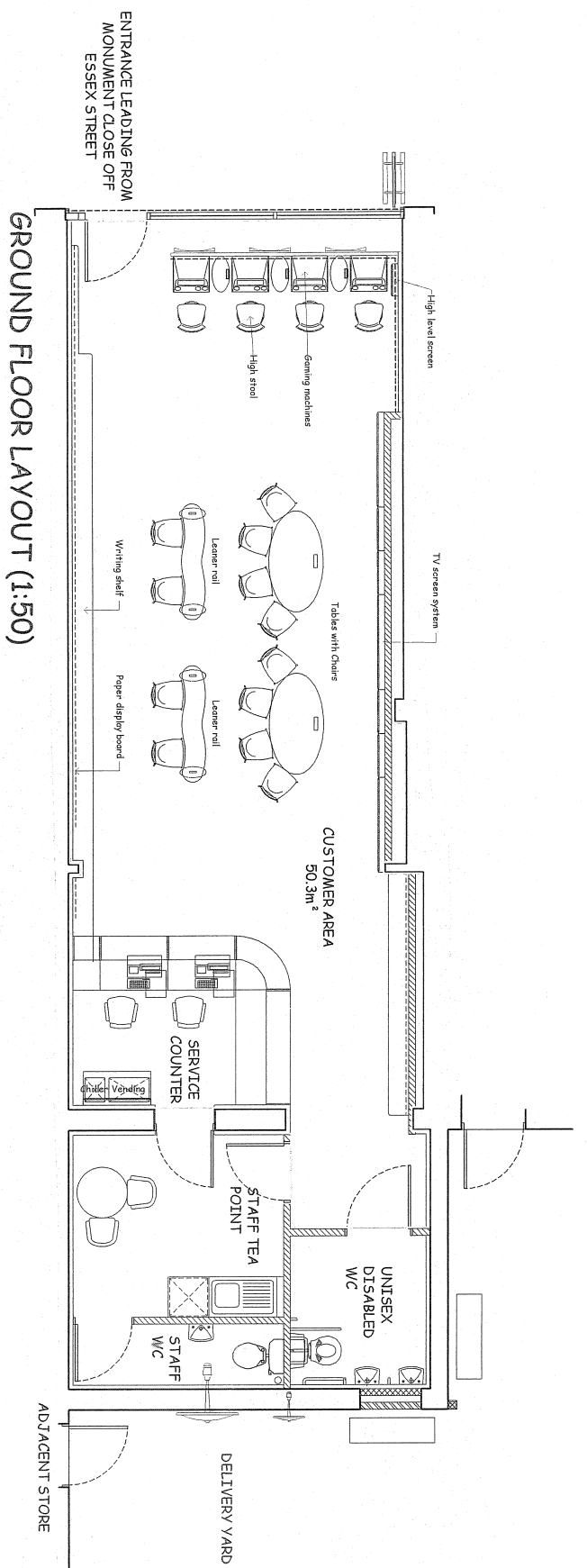
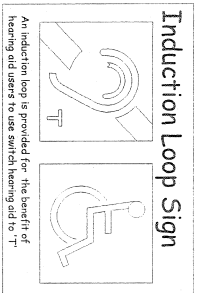
Any of the following persons may make representations in writing to the licensing authority about the application:

- 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: **13th August 2010**

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.

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SITE LOCATION PLAN (Scale 1:1250)
 Ordnance Survey, Crown Copyright © 2008, All Rights Reserved License No. 100035607
 0 10 50m
 Scale Bar @ 1:1250

GALA CORAL GROUP

GENERAL NOTES
 COPYRIGHT © 2007 GALA CORAL GROUP
 DO NOT SCALE FROM THIS DRAWING. ALL DIMENSIONS TO BE CHECKED ON SITE.

Rev	Amendment	Date

Company Name & Address:
 GALA CORAL GROUP LTD.
 Glebe House,
 Vicarage Drive,
 Banking, Essex,
 IG11 7NS

Project Name & Address:
 Proposed Licensed Betting Office at
 2 Monument Close,
 Essex Street,
 Wash Common,
 Newbury, Berks, RG14 6QW.

Drawn by: RBD/S
Date: 17 May 2010
Scale: 1:50 @ A2
Drawing No: COR1401/LP1

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Emilia Matheou

From: LESLIE COOPER [l.cooper49@btopenworld.com]
Sent: 21 July 2010 17:06
To: Licensing
Subject: Betting License - Coral, 2 Monument Close,Rg14 6QW

Dear Sir /Madam

I would like to make a representation against the application by Coral Racing Ltd for a Betting License at 2 Monument Close, Essex Street, Wash Common, Newbury, RG14 6QW.

My details are Leslie Cooper, 11 Glendale Avenue, Wash Common, Newbury, RG14 6SG.
Tel :

The parade of shops in Monument Close are my local shops which I use nearly every day as do a lot of 6th Formers and other children from Park House School. I think it is inappropriate for there to be a betting / gambling shop which is so close to the school. There is no avoiding this betting shop as this is the only parade of shops which are used by the children from Park House School,(except for the Total garage shop literally opposite the school which to my knowledge is banned for School Years 7 to 11.) However, there is no such ban on children using the parade of shops, especially 6th Formers, at lunch time and after school. There is also a Fish & Chip shop which attracts the children anyway and so I emphasise the point again that there is no avoiding this location by saying that school children under 18 shouldn't be there in the first place.

As for the gambling itself, this is a temptation too far I suspect for some of the under 18s who are in Park House 6th Form and indeed the over 18s who will be in the Upper Sixth. Gambling can be addictive, as we know, by certain individuals who are susceptible to it. I know that once gambling takes a hold it is very difficult to stop. I do not think it is right to ask the older children who are at school (both under and over 18) to make a decision about whether to gamble or not just because the opportunity to do so presents itself in the form of this close proximity premises. The opportunity should not be there in the first place.

Based on this concern about children's' welfare with respect to gambling I would urge the Licensing committee to turn down this application.

Yours faithfully

Les Cooper.

22/07/2010

10 August 2010



C O U N C I L

Mr Leslie Cooper
l.cooper49@btopenworld.com

Environmental Health and Licensing
West Berkshire District Council
Council Offices
Faraday Road Newbury
Berkshire RG14 2AF

Our Ref: 10/00993/LGF
Your Ref:

Please ask for: Emilia Matheou
Direct Line: 01635 503242
Fax: 01635 519172
e-mail: licensing@westberks.gov.uk

Dear Mr Cooper,

Coral Racing Ltd
2 Monument Close, Newbury, Berkshire, RG14 6QW

I acknowledge receipt of your letter of representation received on the 21 July 2010 in respect of the above application for a new premises licence.

We have received a telephone call from the Solicitors acting on behalf of the applicant disputing the validity of your representation and have asked us to reconsider the matter.

Firstly any party who makes a representation must be an interested party. The Gambling Act 2005 s158 defines an interested party is a person who:

- Lives sufficiently close to the premises to be likely to be affected by the authorised activities
- Has business interests that might be affected by the authorised activities, or
- Represents person who satisfy the above.

As you do not fall within any of these categories, for the purposes of making a representation, you are not considered an interested party.

Additionally, the contents of your letter state that you think it's inappropriate for a betting premises to be close to a school and that you suspect gambling itself is a temptation for under 18's and as such your representations are considered to be 'moral objections'.

Moral or ethical objections to gambling are not valid reasons for licensing authorities to reject applications for premises licences. In exercising their functions under the 2005 Act local authorities must rely on reasons that demonstrate that the licensing objectives are not being, or are unlikely to be, met. Those objectives are:

- preventing gambling from being a source of crime and disorder, being associated with crime or disorder, or being used to support crime;
- ensuring that gambling is conducted in a fair and open way; and



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Switchboard: (01635) 42400
Document Exchange: DX 30825 Newbury
Minicom: (01635) 519001
Website: www.westberks.gov.uk



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11/01/07
16
10/202 55 391



Coral Racing Ltd
Glebe House
Vicarage Drive
Barking
IG11 7NS

Environmental Health and Licensing
West Berkshire District Council
Council Offices
Faraday Road Newbury
Berkshire RG14 2AF

Our Ref: 10/00993/LGF
Your Ref:
Please ask for: Emilia Matheou
Direct Line: 01635 503242
Fax: 01635 519172
e-mail: licensing@westberks.gov.uk

Dear Mr Hawkins

**Licensing Act 2003 - Betting Premises Licence
2 Monument Close, Newbury, Berkshire, RG14 6QW**

With reference to your application for a premise licence for the above location.

I have to inform you that following the submission of your application the following representations have been received:

Local resident - Mr Leslie Cooper

I enclose for your information copies of the relevant letter/fax/email(s) detailing the nature of the representations.

You will be notified in due course of the date and time when a hearing will take place before the Licensing Committee at the Council Offices.

You are advised that mediation, should you wish, must be directly through the representee and not via the Licensing Authority.

Yours sincerely

Emilia Matheou
Technical Officer



Switchboard: (01635) 42400
Document Exchange: DX 30825 Newbury
Minicom: (01635) 519001
Website: www.westberks.gov.uk



Attachments can contain viruses that may harm your computer. Attachments may not display correctly.

Jeff Beck

From: LESLIE COOPER [l.cooper49@btopenworld.com] **Sent:** Tue 10/08/2010 23:10
To: Jeff Beck
Cc: Gwen Mason
Subject: Objection to Licence for Coral Racing Ltd
Attachments: Licence-Coral Racing Ltd.doc(43KB)

My Details : Leslie Cooper, 11 Glendale Avenue, Wash Common, Newbury, RG14 6SG.
Tel No:

To : Chairman of the Licensing Committee

Dear Cllr Beck,

I originally made an objection to the application by Coral Racing Ltd for a gambling licence at 2 Monument Close, Wash Common, RG 14 6QW. I was given a date for the hearing which was 10th September 2010. This was rescinded by Emilia Matheou after she had a telephone call from the Solicitors representing Coral Racing Ltd.

I have once more requested that my objection stands and have sent Ms Matheou an e-mail letter to this effect.

I enclose this letter as an attachment to both yourself and Gwen Mason out of courtesy since I have also requested that if my objection is still turned down then it was with your approval or that of your Vice Chairman.

Unfortunately I did not inform Ms Matheou that I was sending you the letter as well and I apologise for not doing so.

Yours Faithfully
Leslie Cooper
Your

2nd rep accepted.
Solicitor informed.
Acknowledged 13/8/10

Copied to applicant 13/8/10

Reference : Licence for Coral Racing Ltd , 2 Monument Close, RG14 6QW

11 Glendale Avenue
Wash Common
Newbury
RG14 6SG
Date : 10th August 2010-08-10 Tel 01635 43429

Dear Emilia Matheou

Thank you for your e-mail reply. I am a bit surprised that you did not contact me first before cancelling the September 10th hearing for this licence application. I wish to clarify some mistakes and blatant assumptions you have made which (you think) gave you the right to say that my objections were not valid under the Gambling Act 2005.

Firstly, I am not surprised that you have been telephoned by the solicitors for Coral Racing Ltd about my objection but what I am surprised about is that you now deny me my right to speak at a hearing based on what their solicitor said. Of course they (Coral Racing Ltd) will say that I have a moral objection to betting; as I understand it that's always their first line of attack against objectors. Nowhere in my letter of objection do I use the word 'moral' or 'morality' or 'crusade' or 'morally corrupt' in the context of betting so I am at a loss as to where you have decided that part of the sentence " this is a temptation too far I suspect for some of the under 18s who are in Park House 6th Form" constitutes in your view an overwhelming 'moral' stand against gambling.

For the record, I am not against gambling in general or gambling shops in particular that are for adults. I have never made an objection before against any licence application by this firm or any other organisation lest it be said by them that in their opinion I am on a 'crusade' to stop under age gambling. I am not, but what I am about is my right to object to a betting shop which is likely to affect me by their activities for the reasons stated in my original letter.

I live close to the premises which are a ten minute walk away from my house. There are no other shops in this area for at least a 1 ½ mile radius. I cannot avoid this proposed betting shop when I visit this parade of shops on practically a daily basis and I have good reason to believe that I will be affected by their activities sooner rather than later. The reason why is based on the potential for 'young people' to bet there based on its close proximity to the school. Last year the gambling commission found that a staggering 98% of betting shops allowed under-age gambling. The Coral organisation does not have a good record of stopping 'young people' from entering their premises and placing a bet. The gambling commission found that over 43% of Coral shops surveyed allowed under 18 year olds to place a bet.

I have been a teacher for over 35 years, eleven of them in West Berkshire so I know that it is very difficult for betting shops to judge the age of 'young people' between the ages of 15 years and 18 years. I am also not a policeman so am I to say nothing when I see young people who I know are under 18 going into this betting shop?

One of the reasons why applications come under public scrutiny is that it gives ordinary people, like me, a chance to object on reasonable grounds. Now we come to the crunch! The reasonableness of my case is not up to you or the solicitor from Coral Racing to decide between you that I don't have a case for objection. That is surely up to the Licensing Committee to decide. I cannot predict what they may or may not think about my objection until I have put it to them. At the very least they may decide that the proximity of this betting establishment is so close to a school that it may well set a horrible precedent for later applications. I don't know how they will think and with respect neither do you.

Emilia Matheou

From: Emilia Matheou on behalf of Licensing
Sent: 13 August 2010 15:24
To: LESLIE COOPER
Subject: <v9_SmartSaved/> Coral Racing Licence
Categories: SmartSaved

Dear Mr Leslie Cooper

Representation concerning Betting Premises Licence 2 Monument Close, Newbury, Berkshire, RG14 6QW

Thank you for re-submitting your representation in respect of the above application. Your comments have again been made available to the applicant and their Solicitors and as discussed with you earlier today, the hearing previously set for the 10th September will take place, unless all parties involved agree otherwise.

Regards

Emilia Matheou
Property and Public Protection
Environmental Health & Licensing
Tel: 01635 519184 Ext: 3208

From: LESLIE COOPER [mailto:l.cooper49@btopenworld.com]
Sent: 10 August 2010 17:01
To: Licensing
Subject: Coral Racing Licence (attn Emilia Matheou)

Dear Emilia,
Sorry but I sent you my research on the topic instead of my letter.
Please find this attached.
Regards
Les Cooper

13/08/2010