

## Minutes

### LICENSING SUB-COMMITTEE

7 May 2024

Meeting held at Committee Room 6 - Civic Centre, High Street,  
Uxbridge UB8 1UW



	<p><b>Committee Members Present:</b> Councillors Roy Chamdal Barry Nelson-West Becky Haggar</p> <p><b>LBH Officers Present:</b> Daniel Ferrer, Licensing Team Manager Chantelle McLeod, Legal Officer Liz Penny, Democratic Services Officer</p> <p><b>Also Present:</b> Darren Hughes, Chongie Entertainment UK Ltd Paddy Whur and Amanda Usher, Woods Whur 2014 Ltd</p>
31.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>There were no apologies for absence.</p>
32.	<p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (<i>Agenda Item 2</i>)</p> <p>There were no declarations of interest.</p>
33.	<p><b>TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART I WILL BE CONSIDERED IN PUBLIC AND ITEMS MARKED PART II WILL BE CONSIDERED IN PRIVATE</b> (<i>Agenda Item 3</i>)</p> <p>It was confirmed that all items of business were marked Part I and would be considered in public.</p>
34.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 4</i>)</p> <p>None.</p>
35.	<p><b>APPLICATION FOR A NEW ADULT GAMING CENTRE (AGC) PREMISES LICENCE</b> (<i>Agenda Item 5</i>)</p> <p><b>Introduction</b></p> <p>Daniel Ferrer, Licensing Team Manager, introduced the application for a new Adult Gaming Centre (AGC) premises licence for 'Little Vegas', 14-16 Station Road, Hayes, UB3 4DA.</p> <p>It was noted that the application from Chongie Entertainment UK Limited had been</p>

received on 9 February 2024. The period for consultation and the making of representations in respect of the application had ended on 7 March 2024.

The Sub-Committee heard that, during the consultation period, no representations had been received from responsible authorities. However, four representations had been received from interested parties - Cllr Janet Gardner, Ward Councillor; Mr David Brough, Hayes Town Partnership; Fr. Matthew Cashmore of St Anselm's Church, Hayes; and Mr Habib Khaled.

It was confirmed that additional information provided by the applicant's representative had been received on 19 April 2024 and had been circulated to all parties. This documentation had incorporated additional written submissions and further details of the applicant's policies and procedures.

In response to questions from the Sub-Committee, it was confirmed that no Cumulative Impact Policy was in place and no representations had been received from any of the responsible authorities.

### **The Applicant/The Applicant's Representative**

The applicant's legal representative, Mr Paddy Whur, addressed the Sub-Committee confirming that the applicant's case summary and additional information in respect of their policies and procedures had been provided to all parties in advance of the hearing.

The Sub-Committee was advised that a Local Area Risk Assessment (LARA) had been carried out to consider any local risks and how these could be mitigated. The applicant had reached out to all responsible authorities before submitting the application; said authorities had raised no concerns given the Company's excellent track record and the detailed LARA. The applicant had indicated his willingness to meet with the interested parties who had submitted representations, but none had accepted the offer.

The Panel was informed that the applicant, Chongie Entertainment UK Limited, currently had 26 Adult Gaming Centres in operation. Some of the applications had attracted opposition initially but all had been granted. Members heard that all 26 AGCs had been trading successfully with no issues; this could be attributed to the company's excellent training programme and policies. It was confirmed that the applicant, Darren Hughes, had significant experience in the sector. The Sub-Committee was reminded that the Gambling Act was liberal and permissive; local authorities should aim to permit applications wherever possible.

It was confirmed that Adult Gaming Centres differed from betting shops in a number of ways. AGCs appealed more to a female audience than betting shops did, and customers tended to stay at AGCs for a shorter period of time. Moreover, in AGCs staff were always on hand to engage with customers.

The Sub-Committee was reassured that Chongie offered an excellent training package to all staff. A few times each year, representatives of 'Serve Legal' made unannounced visits to ensure that underaged people were not being allowed to access the facilities. Mystery shoppers also visited regularly to ensure the establishments were being run correctly and in line with policy. On each occasion, Chongie had proven to be 100% compliant with all licensing objectives.

It was confirmed that the three applicable Licensing Objectives under the Gambling Act

2005 were:

- 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.

Licensing Objectives a) and c) were the most relevant in this case. In respect of crime and disorder, it was noted that no representations had been received from the Police. AGCs did not tend to experience high levels of crime and disorder due to the mixed demographic of customers and their physical layout which ensured exceptional sight lines. CCTV also covered all areas, both internally and externally.

With regard to protecting children and vulnerable people, Members heard that no representations from the Child Protection Agency had been received. Strict age verification procedures were in place and British Amusement Catering Trade Association (BACTA) independent testing was also carried out regularly. Chongie's AGCs had never failed these tests. In respect of vulnerable people, it was confirmed that Chongie had robust training policies in place and offered refresher training to all staff. Customer behaviour was monitored – any change in the pattern of a customer's behaviour would be challenged accordingly.

The Sub-Committee was advised that the applicant had attempted to address the concerns raised by the interested parties in their representations. The applicant would be happy to reach out to Councillor Gardner regarding any local issues of concern.

In response to questions from the Sub-Committee regarding challenging locations, it was noted that robust policies were in place to address issues such as addiction, homelessness and crime and disorder. Members were informed that 'Little Vegas' would operate on one floor – a retail space on the first floor was run by a separate company.

Members sought clarification regarding the location of the gaming machines. It was confirmed that they would mainly be positioned around the walls. There would be no high pay out machines therefore a separate area for these would not be required.

In response to further questions regarding staff training, Members were advised that staff were trained on all the information set out in the additional pack provided to the Sub-Committee. The training was broken down into manageable sections to ensure staff were able to fully understand what was being presented to them. They were also tested on the content of the training materials during audits to check comprehension.

The Panel sought clarification as to any local issues identified in the LARA. It was confirmed that a local Mental Health Centre (MIND) had been identified therefore steps would be taken to ensure vulnerable people were not affected by/able to access the AGC.

Members queried the meaning of the term 'Maglock' (page 27 of the agenda pack) and were informed that this was a magnetic locking device for the front door which could be controlled by staff by means of a remote button. The front door of the premises was extremely important and would be monitored at all times.

With regard to 'regular patrols to identify any vulnerable people' as set out on page 23

of the agenda pack, it was confirmed that these would be regulated very strictly.

The Chair confirmed that, although the interested parties were not in attendance, their submissions had been noted and given due consideration.

## **Discussion**

Members, the Licensing Officer, the Applicant and the Applicant's representative discussed the following points:

- Further clarification was sought regarding the highlighted text on page 2 of the additional information pack. It was confirmed that this section had been highlighted to assist the Committee by demonstrating that all Chongie's applications had been granted to date and no regulatory concerns raised regarding any of the premises thereafter.
- Sole working was not permitted and there would always be a minimum of two staff on the premises.
- Staff ages ranged between 19 years and 64 years at present.
- There would always be a senior experienced member of staff in charge at a new premises.
- To stop large groups of people surging in, lobbies were fitted to the front of the premises. There were two sets of doors for extra security – the first set of doors was maglocked and the second set was automatic.
- With regard to security staff, this was addressed on a need's basis. Members were advised that SIA qualified staff had been recruited at other sites as necessary. The situation at any new premises would be monitored for the first month and security staff recruited if required. If local intelligence demonstrated a need for SIA staff, this would be noted in the LARA and acted upon accordingly.
- CCTV footage could be viewed immediately if required. Chongie had excellent CCTV and a good relationship with the Police who often asked them to share their footage.
- There were no face recognition cameras in the lobby, but CCTV monitors were placed directly above the door.
- The outside of all premises was monitored. Information was often shared with other outlets etc but not as a matter of policy.
- Staff money floats on site were minimal.
- If the application were granted, the applicant would be happy to provide the Sub-Committee with a plan detailing the locations of CCTV cameras and gaming machines.
- Subject Access Requests (SARs) were received very rarely.
- With regard to test purchases, BACTA worked closely with the Gambling Commission. BACTA acted independently and no notification was given prior to a visit. The applicant had always subscribed to this service even when it had not been mandatory to do so.
- Large posters were displayed outside the premises stating that alcohol was not to be consumed outside and under 18s would not be admitted.
- The applicant produced prevention leaflets and formed a good relationship with local charities. If the licence were granted, the applicant would be happy to work with the Local Ward Councillors.
- Staff were fully trained to deal with antisocial behaviour incidents. A conversation with the offender was often sufficient but, if necessary, an individual could be barred from the premises.

## **Closing remarks**

The Chair affirmed that the representations submitted by interested parties would be taken into account in their absence. In closing submissions, the Applicant and the Applicant's representative reiterated that they were willing to work with the Local Councillor and the other interested parties who had objected to the application. Chongie Entertainment UK Ltd was a reputable and responsible company which took regulatory guidance very seriously. The Sub-Committee was reminded of the Gambling Commission Guidance which stated that licensing authorities should aim to permit adult gaming centre applications when possible. Additional conditions should only be applied when necessary and should be proportionate. The Sub-Committee was requested to grant the premises licence with the mandatory conditions only.

There were no further submissions from the Licensing Team Manager.

## **Committee Deliberation**

All parties were asked to leave the room while the Sub-Committee considered its decision.

All parties were invited back to the meeting for the Chair to announce the decision of the Sub-Committee.

## **THE DECISION**

The Sub-Committee in their decision were mindful of their duty to aim to permit the use of premises for gambling under s.153 Gambling Act 2005 and in doing so considered all representations made both oral and written and also took the following into account:

- Licensing Objectives, Gambling Act 2005
- Licensing Objectives, Licensing Act 2003
- Guidance issued by the Secretary of State under S.182 of the Licensing Act 2003
- The guidance issued by the Gambling Commission under section 25 of the Gambling Act 2005
- Hillingdon's Licensing Policy

The decision of the Sub-Committee is to GRANT the application for the premises licence subject to the mandatory conditions and default conditions pursuant to sections 167 and 168 Gambling Act 2005.

## **Reasons**

Having considered all the information put before it, the Sub-Committee were satisfied that the Applicant would comply with the licensing objectives. The Sub-Committee determined that the Applicant's operating schedule, processes, and procedures in addition to their verbal representations were robust and outlined how they would operate within the remits of the law both in theory and in practice.

Whilst the Sub-Committee note that there were four objections from interested parties, there have been no further objections particularly from Responsible Authorities nor members' enquiries logged by councillors in respect of this application.

Whilst the committee are sympathetic to the concerns raised by the interested parties particularly surrounding the protection of children and other vulnerable persons from

being harmed or exploited and crime and disorder, the sub-committee have considered this application on its on merit and on the basis of the evidence presented. The Sub-Committee were not persuaded that there was any substantial evidence that would undermine the licensing objectives.

The Sub-Committee considered the 24-hour operation schedule, however determined that there was no material evidence to justify a reduction of the proposed hours in addition to there being no cumulative impact policy currently in operation within the Borough. The Sub-Committee were reassured by the applicant providing a fully comprehensive risk assessment and were impressed by their willingness to engage with interested parties, locally elected members, and their eagerness to work together with responsible authorities going forward.

**Right of Appeal**

The relevant applicant for the premises licence or any other person who made relevant representations to the application may appeal against the Council's decision to the Justices Clerk at the Uxbridge Magistrates Court. Such an appeal may be brought within 21 days of receipt of this Notice of Decision.

No decision made by the Council will have effect during the time period within which an appeal may be brought and until such time that any appeal has been determined or abandoned.

The Sub-Committee advises as a comfort to residents and a warning to the licensee that the licence may be reviewed and could potentially be revoked if the licence conditions are not adhered to and/or if the premises are managed in a manner which does not uphold the licensing objectives.

You will be deemed to have received this decision letter, two days after the date on the accompanying letter, which will be posted by 1st class mail.

The meeting, which commenced at 10.02 am, closed at 11.02 am.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Liz Penny on [epenny@hillingdon.gov.uk](mailto:epenny@hillingdon.gov.uk) Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

**The public part of this meeting was filmed live on the Council's YouTube Channel to increase transparency in decision-making; however, these minutes remain the official and definitive record of proceedings.**