

LICENSING SUB-COMMITTEE: 6th April 2018

Report of the Head of Regulatory Services

Application for an Unlicensed Family Entertainment Centre Permit

Application No: 020698

Name of Premises: Mambo, Unit 5, Vanguard Way, Cardiff

1. Background

- 1.1 Under the Gambling Act 2005, the licensing authority can grant or refuse an application for a permit, but cannot add conditions. An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an Unlicensed Family Entertainment Centre, and if the chief officer of police has been consulted on the application.
- 1.2 The application for a permit can only be made by a person who occupies or plans to occupy the premises to be used as an Unlicensed Family Entertainment Centre and, if the applicant is an individual, he or she must be aged 18 or over.

2. Details of the Application

- 2.1 An application has been received for the grant of an Unlicensed Family Entertainment Centre from Jonathan Ellis in respect of Mambo (Cardiff Soft Play Limited), Unit 5 Vanguard Way, Cardiff.

3. Relevant Representations

Consultation has been made with South Wales Police and no objection has been received.

However, the Licensing Authority has concerns with regards to the validity of the application as Section 238 of the Gambling Act 2005 specifies that

“family entertainment centre” means premises (other than an adult gaming centre) wholly or mainly used for making gaming machines available for use and

Schedule 10 states that:

A licensing authority may grant an application for a permit only if they-

(a) are satisfied that the applicant intends to use the premises as an unlicensed family entertainment centre

On the premises website www.mamboplay.com, the premises is described as follows:

"We cater for birthday parties and private events with brand new equipment with bespoke design which is built with safety first in mind.

Our kids play frames are huge with lots to do. We have crawl tubes, slides, ball pits, rope bridges, bouncing balls and spinning discs to name a few.

We have a fantastic dedicated baby and toddler section for that extra peace of mind - with its very own wiggle car track!

Our Jungle theme means lots of adventure! A four lane Astra slide will keep them busy for hours as well as a ride on Quad Bike track which goes underneath our very own Jungle tree house!

Make sure to visit Bee's cafeteria which will be serving the very best coffee from Lavazza and a range of both fresh hot and cold food available".

4. Legal Considerations.

- 4.1 All decisions taken by or on behalf of the Council must (a) be within the legal powers of the Council; (b) comply with any procedural requirement imposed by law; (c) be within the powers of the body or person exercising powers on behalf of the Council; (d) be undertaken in accordance with the procedural requirements imposed by the Council e.g. standing orders and financial regulations; (e) be fully and properly informed; (f) be properly motivated; (g) be taken having regard to the Council's fiduciary duty to its taxpayers; and (h) be reasonable and proper in all the circumstances.

5. Issues for Discussion.

- 5.1 The Sub-Committee is requested to consider the application for the grant of an Unlicensed Family Entertainment Centre.

Dave Holland
Regulatory Services

20 March 2018