

Licensing Sub Committee

Tuesday 3 May 2022

PRESENT:

Councillor Rennie, in the Chair.
Councillor Corvid, Vice Chair.
Councillors Salmon and Jordan (fourth member).

Also in attendance: Ann Gillbanks (Senior Lawyer), Catherine MacDonald (Enforcement Officer), Rachael Hind (Licensing Service Manager) and Helen Rickman (Democratic Advisor).

The meeting started at 10.00 am and finished at 11.40 am.

Note: At a future meeting, the committee will consider the accuracy of these draft minutes, so they may be subject to change. Please check the minutes of that meeting to confirm whether these minutes have been amended.

1. Appointment of Chair and Vice-Chair

It was agreed that Councillor Rennie is appointed as Chair, and Councillor Corvid is appointed as Vice Chair for this particular meeting.

2. Declarations of Interest

There were no declarations of interest made by Members in accordance with the code of conduct.

3. Chair's Urgent Business

There were no items of Chair's Urgent Business.

The Chair thanked Councillor Corvid for her service on this committee as his was her last meeting.

4. Grant of a Gambling Premises License - Hot Slots Casino, 11 The Broadway, Plymstock, Plymouth, PL9 7 AA

The Committee –

1. considered the report from the Director of Public Health;
2. noted that there had been no representations made by the Devon and Cornwall police or any other responsible authorities;
3. considered the operational standards document that had been provided by the applicant in response to the notice of hearing;
4. heard from the two Directors of Tamar Gaming Limited (the applicant) as follows:
 - this was an application for an Adult Gaming Centre (AGC);
 - the two directors had over 50 years of industry experience and knowledge and have had their own business since 2008 supplying and operating gambling machines to social clubs and pubs;

- during their time in the industry they have been through many vetting processes as this is a heavily regulated job; they provide annual regulatory returns to the Gambling Commission and have an unblemished record with them; with their recent application to operate an AGC being granted by the Gambling Commission without any difficulties;
- the company will have sole control over the product and the premises in Plymstock;
- gambling needs to be taken seriously, but equally is a form of entertainment for people who like to have a “flutter”;
- the machines will be purely gambling machines and there will be no video gambling or push a prize/seaside arcade machines with jackpots ranging from £10 to £500;
- are limited to 20% of estate to be jackpot machines that offer £500 winnings, the rest will be limited to £100 or less;
- understand that gambling can be addictive but believe that problem gambling does not lie on the high street any longer. Bookmakers used to have casino type machines with stakes up to £100, but now machines have a £2 stake which puts them on a level with AGC; as a consequence many bookmakers have decided to abort the high street leaving shops empty;
- will operate a Think 25 age policy; photo ID will be requested if required before being allowed to enter the premises;
- if licence granted, we have an experienced manager with 15 years industry experience; all staff will receive industry standard training both in terms of identifying vulnerable people who may need a time out from gambling and in maintaining the Think 25 age policy;
- both Directors have children and the last thing they would want would be for children to enter an AGC; to control this they will have a minimum of three external age verification test purchases a year, carried out in accordance with BACTA (trade body) standards; compliance results on this type of external test recorded a rate of 94% compliance for AGC compared to only 85% for other gambling industries;
- the establishment will not be busy throughout the day, rather there will be a steady footfall of clients; this allows staff to get to know their clients;
- the Directors take their social responsibility very seriously; they will operate a controlled environment; have invested in the latest technology to prevent people over extending themselves so if playing for over 30 minutes, the machine will switch off and ask the person if they should continue;
- there will be an area where clients will be able to take a break away from the machines;
- had viewed local areas of Devonport, Plympton and City Centre before making the application for this premises;
- the request for 24 hours licence provides an opportunity to build the business; having the business in Plymstock will provide increased footfall to the area which will be of benefit to the other businesses; will spend

£250,000 on the machinery and refitting the premises;

- the demographic of customers will change throughout the day. Other establishments have shown that during the day there is a family vibe with parents and older children meeting up and having complementary tea and coffee/cakes;
- don't want to see their customers walking away having a horrible experience of losing lots of money, want to provide a responsible outlet for them;
- with regard to the representations, it is felt there is a misconception and being confused with family gaming centres which are loud as they need to attract customers; these premises will have no machines visible from the high street and will not be enticing people into the premises;
- gambling has changed over the years and there are many forms of gambling from buying a scratch card to the TV competitions to phone in to win large cash prizes;
- we live in a 24 hour 7 days a week society. People will not be encouraged late at night/will not be running any late night promotions; the facility will be there if they want to be able to have access to safe gambling on their way home from a night shift; if there proves to be no demand in the early hours of the morning, then they will close the premises; we are not a heavy footfall venue and will have a steady 2 or 3 people in at any one time;
- there will be 2 staff on duty throughout the night; the whole area is covered by CCTV and all stations have alarms if staff are in fear of confrontation;
- we will not allow anyone into the premises who is drunk; being open for 24 hours will allow us to highlight to the Police any suspicious activity we notice; this is not the sort of clientele we wish to attract;
- will work with the Police and the Licensing Authority; want to build a business opportunity but not at the expense of the community;
- have a complaints procedure where we can be emailed/telephoned with any complaints and the Directors deal with these personally; would be willing to display contact details at the premises;
- staff are CRB checked and vetted as they work in an environment that requires this;
- one of the Gambling Act objectives is for operators to prevent vulnerable people coming to harm from gambling and our staff are trained to deal with this and staff will also get 6 monthly refresher training;
- controlled entry to the premises via a foyer, which is monitored by facial recognition cameras, this allows staff to assess customers where they may have to check for suitable ID or any customers who have placed themselves on a period of self-exclusion where staff can discuss this with them prior to entering;
- do not currently have staff who are SIA trained, but from a health and safety point of view, would be prepared to look at this with the licensing officer.

The Committee also considered the written representations (1 supporting and 20 objecting) from Interested Parties and the various points raised which are summarised and grouped as follows:

INTERESTED PARTY	LICENSING AUTHORITY'S RESPONSE
Objecting representations(summarised)	
Gambling is a serious addition problem throughout the UK causing misery and ruin to thousands of adults and children.	Not a relevant consideration for the Committee as this is an issue dealt with by the Gambling Commission codes of practice
Scores of Plymstock and Coombe Dean school children pass through the Broadway every day many looking 18 years or over. Having a casino slots business on their route to and from school would encourage some of them to gamble which could eventually ruin their young lives.	Relevant consideration under the objective of protecting children and other vulnerable persons from being harmed or exploited by gambling. The Committee considered that the applicant's policy of Think 25 and the explanations during committee regarding control/checking of ID would prevent children from entering the premises
Will encourage and prey upon financially vulnerable people with the potential to cause hardship. Gambling addiction causes crime In a time when people are struggling with financial difficulties we shouldn't be adding to peoples difficulties by encouraging gambling/making it easier for them to gamble	Whilst the Committee recognise that gambling has the potential to cause hardship/addiction, this is not a relevant consideration for the Committee for the purposes of this application. These issues are deal with by the Gambling Commission codes of practice
A casino slots business would not be beneficial to the Plymstock community/this is not a suitable establishment to have on Plymstock Broadway as it will encourage people to get into debt. The shopping precinct is not somewhere to come for what is usually seen in a seaside resort The Broadway is the family shopping area and his business would change that dynamic There is already one gambling premises on the Broadway there is no need for a second one. It is an inappropriate use of a shop unit The Broadway has a lovely feel to it, a venue of this type will detract from its attraction	These representations are not relevant considerations for the Committee in respect of this application as they relate to Planning considerations.
People live above the shops and will suffer from the noise if it is open for 24 hours a day. There will be noise from inside the premises and outside when people are leaving. There is a risk of public nuisance in an area which already has rowdy behaviour	This is a relevant consideration for the committee under the licensing objective of Preventing gambling from being source of crime or disorder, being associated with crime or disorder, or being used to support crime. The Committee consider that the applicant demonstrated during the meeting, and by way of their operating risk assessment that they have procedures in place to manage any problems, but the Committee will place a condition on the licence for signs to be displayed with contact details to be able to make complaints if there are problems with such noise.
The Broadway has had many incidents of Anti-Social behaviour over the past year reported by	These representations would fall under the Licensing Objective of preventing gambling from

<p>our social media. These primarily occur later in the day and if businesses began opening 24 hours this would inevitably increase traffic within the area during the evening and night. Subsequently this could lead to an increase in this behaviour</p> <p>There have been several muggings in the last 6 months without an all-night establishment</p> <p>There have been the various incidents of nuisance on the Broadway I fear that this type of premises will increase those.</p>	<p>being a source of crime or disorder, being associated with crime or disorder or being used to support crime.</p> <p>The Committee consider the representations relevant as there is a potential for people to be drawn into the area by the proposed premises, but as there had been no representations from the Police or other responsible authorities, in addition to the fact that these incidents have occurred before the premises are trading so cannot be attributed to this business, the Committee cannot take these comments into consideration.</p>
<p>Plymstock Broadway has no other late night venues.</p> <p>Plymstock no longer has a the local police station or any form of late night warden, with just one community police officer during the day.</p> <p>The proposed use is also alien to the rest of the neighbouring businesses; with the customer profile that it currently attracts the local elderly community may be uncomfortable with the clients of a business such as this</p> <p>The surrounding businesses will not benefit from granting this licence</p>	<p>The Committee consider that the safety of all (in addition to the local elderly community) is of concern, however, there is no evidence of any of the issues expressed being linked to the premises as they are not trading. It is also noted that the Police or other Responsible Agencies have made no objections.</p> <p>The applicant did offer to consider having one SIA trained member of staff on the premises and although the Committee could not make this a condition at this particular time, would hope that this is something that the applicant will adopt; as having such a trained member of staff would help deal with a lot of these perceived problems.</p>
<p>There is already one gambling concern on The Broadway, adult gambling is provided for under safe gambling regulations and guidelines.</p> <p>The betting shop opening hours are 9 until 10pm only.</p>	<p>This is not a relevant representation for the Committee as demand cannot be taken into consideration.</p>
<p>Supporting representation:</p>	
<p>The premises will be no more of a nuisance than other outlets, there is no alcohol to be served, it's not the sort of place that young people will hang around and the hours will not be unsociable.</p>	<p>This is noted by the Committee</p>

The Committee noted the concerns that had been expressed in the representations about the potential for late night disturbance being of concern to the local elderly community and would hope that the applicant will work with the Licensing Officers (as volunteered) with regard to provision of a SIA trained member of staff on the premises to deal with any such issues.

In considering all of the above, the Committee considered that the applicant had demonstrated that the premises would be operated:

- in accordance with the Gambling Commission guidance under ss. 24 and 25 of the Gambling Act 2005;;
- would be reasonable consistent with the licensing objectives
- in accordance with the Council's own statement of licensing policy

The Committee therefore agreed to grant the licence subject to the following conditions:

- the Gambling Act 2005 mandatory conditions and the following additional condition:
- the Premises Licence Holder shall ensure a notice is prominently displayed providing email and telephone contact details for local residents to contact in the case of noise nuisance or anti-social behaviour by persons or activities associated with the premises. A record will be kept by management of all such contact, including the time, date and information of the caller, including action taken following the contact. Records will be made available for inspection by any responsible authority.

5. **Exempt Business**

There were no items of exempt business.