

Licensing Sub Committee

Wednesday 8 May 2024

PRESENT:

Councillor Allen, in the Chair.
Councillor Hendy, Vice Chair.
Councillors Tippetts.

Also in attendance: Councillor Aspinall, Councillor Dann, Rosie Brookshaw-Williams (Democratic Advisor), Marie Price (Senior Enforcement Officer) and Ian Wills (Senior Lawyer).

The meeting started at 12.01 pm and finished at 1.49 pm.

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.

54. **Appointment of Chair and Vice-Chair**

The Committee agreed to appoint Councillor Allen as Chair and Councillor Hendy as Vice-Chair for this meeting.

55. **Declarations of Interest**

No declarations of interest were made.

56. **Chair's Urgent Business**

There were no items of Chair's urgent business.

57. **Premises Licence Grant Report - Moneyking Casino**

The Committee having:

- a) Considered the report from the Director of Public health, including the guidance and policy referred to therein;
- b) Heard from the applicant as follows:
 - i) He was a Co-Director of Moneycasino Ltd and both Directors were taxi drivers who had a passion for gambling and wanted to establish a gambling business;
 - ii) The company had been granted an Operator's Licence by the Gambling Commission which had been a two year process with various courses being completed;

- iii) The premises would have CCTV (inside and outside the premises) and there would be a strict 'Challenge 25' to policy to prevent under 18 year olds from entering the premises;
 - iv) The company would use the British Amusement Catering Trade Association (BACTA) training courses to train staff;
 - v) The premises used to be a sport betting establishment which would have had a higher footfall than an Adult Gambling Centre;
 - vi) The application for 24 hour opening was to enable the business to cover rent/wages and to cater for night workers. The applicant was flexible regarding the hours the premises are open. Also the premises being open 24 hours a day would prevent the likelihood of robbery;
 - vii) The applicant was aware of his 'social responsibility' as an Adult Gambling Centre operator as he had been a gambler and was aware of the dangers of excessive gambling and would intervene where necessary and would provide a 'cooling off area' if customers were spending too much money or becoming stressed. He commented in his experience, most customers were not a problem and on his premises the stakes were relatively low;
 - viii) The applicant outlined there would be two members of staff on duty, and the applicant intended to be present 12 hours a day on site but would continue to be a taxi driver focusing on the school run journeys;
 - ix) The front of the premises would be neutral and would not encourage children to enter;
 - x) The applicant accepted the plotted map is wrong because there was an ATM at the Co-Op which had not been included.
- c) Considered the representations from the objectors Councillor Dann and Councillor Aspinal who were the Councillors for the ward where the premises was located:
- i) Anti-Social Behaviour (ASB) was rife in the area of the proposed premises which had caused the Police and Councillors concern.
 - ii) An all-night Adult Gaming Premises would potentially increase the footfall/gathering in the area and increase ASB;
 - iii) The area was a high-density residential area, with a number of HMOs in the immediate area, therefore the noise from people coming/going and smoking outside would disturb families;
 - iv) The ward was a deprived area and there were issues with people with alcohol and drug addictions and there was a concern a new Adult Gaming Premises would add to the problem;

- v) With regards to Prevention of Harm or Exploitation of Children there were a number of schools in the area so the premises would be tempting to children. The Councillor's acknowledged the applicant would adopt the 'Challenge 25' Policy and there would be security on site;
- vi) In general, the Councillor's expressed concern over the lack of consultation and knowledge of the application. Notices had been displayed outside the immediate vicinity of the premises and there was the required advertising of the notice in the local press;
- vii) The Councillor outlined they had received in the last 48 hours, a petition signed by 40 people opposing the application;
- viii) The applicant and objectors noted the opening hours of the nearby licensed premises and this was an area of few licensed premises due to the Astor Covenant;
- d) Considered the following licensing objective:

Crime and Disorder Licensing Objective:

Gambling could be a source of crime and disorder, was associated with crime and disorder or could be used to support crime.

The Committee found in general there was no conflict between the premises operating schedule and this licensing objective if the opening hours replicated other nearby licenced premises. It was noted the application would be installing CCTV (inside and outside the premises); staff would be trained to recognise and address customers who are aggravated; there was a cool down area; the company understand the social responsibility requirement it had to customers to ensure they were gambling safely and within their means and it was noted the Police and Environmental Health had raised no objections.

The Committee accepted the concerns of the Councillors regarding 24 hour opening and the associated ASB and noise. This would be a significant issue in a highly dense residential area therefore the following default condition was imposed which mirrors the opening hours of other licenced premises in the area.

The opening hours of:

Monday 07.00 - 23.00

Tuesday 07.00 - 23.00

Wednesday 07.00 - 23.00

Thursday 07.00 - 00.00

Friday 07.00 - 00.00

Saturday 07.00 - 00.00

Sunday 07.00 - 23.00

The Committee noted that the applicant was content to have restricted opening hours to ensure there was no conflict with this gambling licensing objective.

Protection of Children from being harmed and exploited by gambling:

The Committee found that there were no conflicts with this gambling objective. The front of the premises would not display images which encouraged under 18s to enter; there would be a robust policy to challenge persons who look under 25 to provide a document with a date of birth and there was a better shop on the same site for a number of years.

The Committee agreed to grant the application for an Adult Gaming Centre Premises Licence to Moneycasino LTD in respect of premises at Unit 2, 52-56 Embankment Road, Plymouth:

- Subject to the mandatory conditions (as specified in the Gambling Act 2005);
- Default condition in respect of opening hours (see above).