

**MINUTES OF A MEETING OF THE LICENSING SUB-COMMITTEE HELD
AT FOLLATON HOUSE, TOTNES, MONDAY 16 JUNE 2008**

Present: Councillors Carson, Cook and Squire
Mr G Munson, Licensing Officer
Mr C Miles, Legal Executive, South Hams District Council
Cllr Stone, Local Ward Member
33 Interested Parties
1 Member of the Press

LSC.1/08 APPOINTMENT OF CHAIRMAN

RESOLVED

That Cllr Squire be appointed Chairman for the duration of the meeting.

LSC.2/08 DECLARATIONS OF INTEREST

Members were invited to declare any interests in the items of business to be considered during the course of the meeting but none were made.

**LSC.3/08 DETERMINATION OF AN APPLICATION FOR A NEW
PREMISES LICENCE UNDER THE GAMBLING ACT 2005:
24 DUKE STREET, DARTMOUTH, TQ6 9PZ**

1. Procedure to be followed

The procedure to be followed at the hearing was outlined, although it had previously been circulated to interested parties as part of the Notice of Hearing.

2. Licensing Officer's Report

The Licensing Officer presented the report and outlined the application before the Sub-Committee. It was noted that representations had been received in relation to the original application. The Licensing Officer informed the Group that the application for a new licence was received on 19 March 2008. There was a subsequent 28 day consultation period, during which 35 letters of representation had been received. 90% of those letters received referred to the location of the proposed betting shop, an issue which was not a licensing objective and was dealt with under planning legislation.

3. Address by the Applicants

The applicants' representative informed those present that the gambling legislation held the presumption in favour of granting permission, which was made clear in the Licensing Officers report. The Group was advised that it should only be concerned with the objectives of the gambling legislation and determine the application based upon fact, and not be swayed by the fears and concerns which were not related to the objectives.

The applicants' representative made reference to the letters of representation highlighting that many were irrelevant, whilst those that mentioned children and the vulnerable had some relevance. The applicants' representative tried to reassure those present that they were aware of their concerns.

The applicants' representative also informed the Group that the existing Ladbrokes office in Dartmouth was an example of outdated gambling premises and did not reflect well on the industry as a whole. The intention was to provide quality facilities which would be part of the street scene and service the needs of both local residents and the tourist industry.

The applicants representative highlighted that under 18s were not permitted to enter gambling premises and staff were trained to follow the 'under 21 policy'. As an organisation Ladbrokes also had procedures in place to deal with irresponsible gambling.

A Member questioned how staff would know that a customer was betting irresponsibly. In response, the applicant's representative informed the Group that staff were provided with internal training which taught them to look out for warning signs, for example, if a customer was expressing concern at the amount they had lost. In essence, the responsibility rested with the individual, but they could also be aided by advice that was provided in the premises. This was an approach that was approved and sanctioned by the Gaming Commission.

4. Address by Concerned Parties

Objectors in attendance addressed the Committee with their concerns over the application. Particular reference was made to:-

- a) concerns for family and businesses. An objector informed the Group that, when accompanied by his children, he would avoid the existing Ladbrokes premises because of the behaviour displayed by those loitering outside. Avoidance of the new premises would be difficult due to its proposed prominent location. A further objector also informed the Group that Foss Street was a pedestrianised, commercial area, and an asset to Dartmouth. It was a child friendly street and therefore concern was expressed over what children could be exposed to both inside and outside the premises;

- b) people gathering outside the premises. An objector informed the Group that customers currently gathered outside the existing premises. In relocating to Foss Street, concern was raised in relation to Groups of people forming outside the proposed premises, which could have a detrimental impact on neighbouring businesses;
- c) tourism. An objector informed the Group that the majority of income generated in Dartmouth was from the tourism industry and the town had spent decades enhancing the street scene to encourage greater numbers of tourists. The objector proceeded to inform the Group that Ladbrokes had shown little interest in the state of the current premises, and felt that tasteless window advertising could detract from the overall street scene in Dartmouth, concluding that granting the license would have a detrimental impact on the town of Dartmouth. Whilst appreciating these concerns, the Chairman informed those present that these issues were of a planning concern, over which the Licensing Sub-Committee had no jurisdiction.
- d) increasing financial pressures. An objector informed the Group that whilst running a mother and toddler group, concerns had been raised that gambling habits were already placing a strain on relationships and lifestyles of some of her clientele. With Ladbrokes making the premises more prominent, accessible and comfortable, this could further impinge upon family life.

5. Questions

Members then proceeded to seek clarity on the following issues:-

- a) Whether Ladbrokes would contribute to community events and competitions such as Britain in Bloom. In response, the applicants' representative informed the Group that they would contribute to local events and local office managers had a fund that could be accessed to support such events. In response to this statement, an objector informed the Group that the current Ladbrokes premise had been asked to contribute towards various local events, but nothing had ever been forthcoming.
- b) Whether the number of customers increased during the summer months due to the number of tourists visiting the area. In response, the applicants' representative informed the Group that customer levels had increased during the summer months. This could however, be due to the quality of the racing, as opposed to the increase in tourists.

6. Committee Adjourned

At this stage, the Committee adjourned to deliberate. It was joined by the Legal Officer who gave advice on legal matters and wording only but did not take an active role in the deliberations.

The Decision

Upon returning from its deliberations, the Chairman announced that the Group was encouraged by Ladbrokes giving assurances that it would engage with community activities. The Chairman recognised and appreciated the concerns of the objectors, but upon considering the gambling objectives, the Sub-Committee granted the license without additional conditions.

LSC.4/08 DETERMINATION OF AN APPLICATION FOR A NEW PREMISES LICENCE UNDER THE LICENSING ACT 2003: DEER PARK INN, DARTMOUTH ROAD, STOKE FLEMING, DARTMOUTH, TQ6 ORF

1. Licensing Officer's Report

The Licensing Officer presented the report and outlined the application before the Sub-Committee. It was noted that representations had been received in relation to the original application. The operating schedules had been amended after mediation with interested parties and it had been agreed by all parties that a hearing was unnecessary.

The following application was considered:

Deer Park Inn, Dartmouth Road, Stoke Fleming, Dartmouth, TQ6 ORF

2. The Decision

The Chairman proceeded to announce the decision, as follows:

“We have considered the application to grant a new premises licence.

We have considered the Statement of Licensing Policy, the government guidance and our obligations that relate to the promotion of the four licensing objectives.

We note the revised operating schedules submitted, and that all parties are in agreement that a hearing is not necessary.

It is our decision therefore to grant the licence subject to the amended operating schedule”.

Chairman