

NORTH DEVON COUNCIL

Minutes of a meeting of Licensing and Community Safety Committee held in the Barum Room - Brynsworthy on Tuesday, 10th September, 2024 at 10.30 am

PRESENT: Members:

Councillor York (Chair)

Councillors Biederman, Cann, Denton, Hunt, Jusef, Lethaby, Maskell, Milton, Norman and Quinn

Officers:

Solicitor, Public Protection Manager and Community Protection Officer

16. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Haworth-Booth, Renshaw, Whitehead and Williams.

17. TO APPROVE AS A CORRECT RECORD THE MINUTES OF THE MEETING HELD ON 14 MAY 2024

RESOLVED that the minutes of the meeting held on 14 May 2024 (circulated previously) be approved as a correct record and signed by the Chair.

18. ITEMS BROUGHT FORWARD WHICH IN THE OPINION OF THE CHAIR SHOULD BE CONSIDERED BY THE MEETING AS A MATTER OF URGENCY

The Chair brought the following items to the Committee's attention:

Boxphish Training

A reminder to Members to complete the cyber security training sessions online, there were two modules currently to complete.

Crime and Disorder Sub-Committee

The next Crime and Disorder Sub-Committee was scheduled for Wednesday 13 November 2024 at 10 am in Bideford.

Webinar Health outcomes for those persons who are street attached

There was a link to the recording of the webinar for those in receipt of the invite to view.

19. DECLARATIONS OF INTERESTS

There were no declarations of interest announced.

20. COMMUNITY SAFETY UPDATES

The Committee received an update from the Community Safety Partnership Officer.

The Community Safety Partnership Officer introduced two Devon and Cornwall Police Officers to give an update on the night bus service as follows:

- The introduction of the night bus covered a ten-week period and ran every hour on the hour from midnight until 4am from Barnstaple to Bideford.
- The fare was £2 and over the ten-week period, 1060 passengers had used the service.
- Night-time economy workers many of whom used the bus to travel from Bideford back to Barnstaple also used the service.
- Over the Christmas period, there were no incidents on the bus.
- The summer service, July to August, had 620 passengers use the Barnstaple to Ilfracombe route.
- For the same period, 822 passengers used the Barnstaple to Bideford route.
- Funding for the summer campaign came from Devon County Council, North Devon Council, Torrington District Council, and Crime Stoppers.
- The night bus service has helped reduce drink driving.
- The Bus drivers have been trained to keep an eye out for female passengers travelling alone and notice if a male passenger departs at a stop behind a female passenger.
- The viability of running the service over Christmas 2024 was currently being looked into.
- It was hoped the service would run from 2 November 2024 on Saturdays including Factory Friday and New Year's Eve.
- The possibility of running a service to South Molton from 12:30, 2am and 3:30 am was being considered.
- Currently only around 46 passengers used a late night bus to South Molton the costings for running this service were higher as a result.
- With the £2 bus fare cap coming to an end next year, the increase in cost to buy a ticket would help cover the cost of the service and was still cheaper for passengers than getting a taxi.

In response to the cut in services just announced by Stagecoach, Mr Butler responded that he knew the Stagecoach manager and would enquire with him about the new timetables and report back to the Committee.

Chair requested the outcome be reported back as if there was no change the Committee would write a letter to make representation against the changes.

The Community Safety Officer continued with his update and highlighted the following:

- A campaign to protect vulnerable people from scams was being launched

- A series of events would be run where booklets would be handed out containing information on how to stay safe online.
- Hard to reach communities had been identified such as Lynton and Torrington but if any Members were aware of any areas that might benefit from this event they should contact the Community Safety Officer.

21. REVIEW OF GAMBLING ACT STATEMENT OF LICENSING PRINCIPLES

The Committee considered a report by the Lead Officer Commercial Regulation (circulated previously) regarding the Review of Gambling Act Statement of Licensing Principles.

The Lead Officer Commercial Regulation highlighted the following:

- The review of the Gambling Act Statement of Licensing Principles was last discussed at this committee in April 2024.
- Since then a public consultation had been run over an eight-week period from May to July 2024.
- 13 individuals responded to the consultation and a summary of responses could be seen at Appendix A of this report.
- 82% agreed a No-Casino Resolution should be made (as seen at 4.9 of the report) the various reasons given were listed as:
 - Casinos not seen as socially responsible operations;
 - Lack of appropriateness to the area;
 - The addictive nature of gambling;
 - Potential damage to individuals and others;
 - A perception that this will not assist the area; and
 - Links to increase in crime in areas surrounding a casino.
- The remaining 18% of respondents did not support a resolution being adopted citing the following:
 - Casinos provided a form of adult entertainment that creates an alternative choice and if managed and run correctly could be much more than solely gambling; and
 - Each application should be viewed on merit and, if/when permitted; attendance should be a matter of individual choice.
- There was general support for the proposals in terms of the other questions asked in the consultation which included whether there were any comments on the proposed new sections on 'Gambling Prevalence and Social Responsibility' and 'Gaming in Alcohol Licensed Premises'. No suggestions were made which were believed by officers to generate any further need for amendment to the proposed draft version (as seen at Appendix B of the report).
- It was worth noting that there were some comments in the consultation such as:
 - The number of gambling establishments should be capped at a low number;
 - Slot machines should be banned. They are addictive and harmful to society; and
 - Can we ban all gambling advertising as well?

- The Council was unable to regulate these concerns as they were not within the powers available under the Gambling Act 2005.
- The revised Statement of Principles focuses on the on-going responsibilities of the licensed premises to proactively uphold the licensing objectives. The proposed changes for which consultation was undertaken included:
 - Insertion of hyperlinks to legislation, and codes of practice – e.g. Social Responsibility Code; Code of Practice for Machines and Pubs, Code of Practice of Equal Chance Gaming.
 - Insertion of hyperlinks to categories of machines; the inspection templates used by the Council etc.
 - Update to population estimates, demographic information; numbers of gambling premises and permits in the 'Geographical Area' Section.
 - Addition of new consultees on proposed policy revision.
 - Link to the Council's new Corporate Enforcement Policy.
 - New section on 'Gambling Prevalence and Social Responsibility', which outlines gambling related harm; the necessity for policies, procedures, and marketing communications to promote/be socially responsible.
 - Amendment to the general points on gaming machines to cite that machines are to be made available in accordance with relevant Codes of Practice; to recognise concerns about unlawful siting of machines; to outline enforcement actions available to the Council.
 - New section on gaming in alcohol licensed premises to provide detail in respect of exempt gaming, and outline relevant limits, for example for low turn-over bingo; detail pertaining the requirements for Category C machines, their use by children and associated supervision; and need for compliance with Codes of Practice. Provision of new links for further information on poker and race nights.
 - Improvement to section on three or more machines in alcohol licensed premises to better outline the basis under which applications are considered and the factors that the Licensing Authority will consider relevant, for example comments from responsible authorities; gross turnover of the gaming machines when compared to the premises turnover; and confidence in premises management.
 - Clarification that in some instances where applicants are proposing to use premises as an Unlicensed Family Entertainment Centre that proof of right to occupy may not yet be available.

The Chair advised the Committee that adopting a No-Casino Resolution provided the Council with a level of security/protection and that it could be revisited and changed if needed.

In response to questions the Lead Officer Commercial Regulation advised the following:

- No applications had been received for a Casino. North Devon was not within the National area for permitted new casinos.
- A No-Casino Resolution would only affect new casinos.
- There would need to be a change made under Government legislation to allow a Casino to be permitted in the area.

- The likelihood of such an amendment to legislation was unlikely.

Decision

The Committee considered a report by the Lead Officer for Commercial Regulation regarding the review of the Gambling Act Statement of Principles and the possibility of a No-Casino Resolution, as well as information provided by the officer to the Committee which highlighted the following:

- The results of the consultation including that 82% of the responses believed the Council should introduce a No-Casino Resolution;
 - The previous discussions which took place at April 2024 Committee; and
- That in line with that above, the Committee believed that the adoption of a No-Casino Resolution would be in line with:
- The Council's Corporate Plan objectives to achieve 'financial security', 'pride of place and prosperity' and 'people matter'; and
 - The fact that 11% of the population in North Devon was income deprived and of the 316 local authorities in England, North Devon was ranked 150th most income – deprived. Moreover, seven Neighbourhoods in the district were in the 20% most income deprived areas in the country (2019 Deprivation estimates published by Office for National Statistics).

RESOLVED

- (a) That after consideration the feedback gained from the consultation exercise be noted; and
- (b) That a No-Casino Resolution be recommended to Strategy and Resources Committee for adoption by Council

RECOMMENDED

- (c) That Strategy and Resources Committee in turn recommend to Full Council that the revised Gambling Statement of Licensing Principles (as seen at Appendix B of the report) be adopted.

22. LICENSING AND COMMUNITY SAFETY SUB-COMMITTEES

RESOLVED that the minutes of the Licensing and Community Safety Sub-Committee A (circulated previously) be approved as a correct record and signed by the Chair of that Sub-Committee A.

Chair

The meeting ended at 11.52 am

NOTE: These minutes will be confirmed as a correct record at the next meeting of the Committee.