



AGENDA

COUNCIL MEETING

THURSDAY, 27TH JANUARY 2022
– 5.30 PM

Members of the Council are summoned to a meeting of the Mid Suffolk District Council at King Edmund Chamber, Endeavour House, 8 Russell Road, Ipswich on Thursday, 27th January 2022 at 5.30 pm.

A handwritten signature in black ink, appearing to read 'Arthur Charvonja'.

Arthur Charvonja
Chief Executive



MSDC COUNCIL	
DATE:	THURSDAY, 27 JANUARY 2022 5.30 PM
VENUE:	KING EDMUND CHAMBER, ENDEAVOUR HOUSE, 8 RUSSELL ROAD, IPSWICH

This meeting will be broadcast live to YouTube and will be capable of repeated viewing. The entirety of the meeting will be filmed except for confidential or exempt items. If you attend the meeting in person you will be deemed to have consented to being filmed and to the possible use of the images and sound recordings for webcasting/ training purposes.

The Council, members of the public and the press may record/film/photograph or broadcast this meeting when the public and the press are not lawfully excluded.

AGENDA

PART 1

MATTERS TO BE CONSIDERED WITH THE PRESS AND PUBLIC PRESENT

	<u>Page(s)</u>
1 APOLOGIES FOR ABSENCE	
To receive apologies for absence.	
2 DECLARATION OF INTERESTS BY COUNCILLORS	
3 MC/21/17 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 23 SEPTEMBER 2021	7 - 32
4 MC/21/18 TO CONFIRM THE MINUTES OF THE EXTRAORDINARY MEETING HELD ON 18 OCTOBER 2021	33 - 42
5 MC/21/19 CHAIRMAN'S ANNOUNCEMENTS	43 - 44
6 LEADER'S ANNOUNCEMENTS	
7 TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH COUNCIL PROCEDURE RULES	

In accordance with Council Procedure Rule 11, The Chief Executive will report the receipt of any petitions. There can be no debate or comment upon these matters at the Council meeting.

8 **QUESTIONS BY THE PUBLIC IN ACCORDANCE WITH COUNCIL PROCEDURE RULES**

The Chairman of the Council to answer any questions from the public of which notice has been given no later than midday three clear working days before the day of the meeting in accordance with Council Procedure Rule 12.

9 **QUESTIONS BY COUNCILLORS IN ACCORDANCE WITH COUNCIL PROCEDURE RULES**

The Chairman of the Council, the Chairmen of Committees and Sub-Committees and Portfolio Holders to answer any questions on any matters in relation to which the Council has powers or duties or which affect the District of which due notice has been given in accordance with Council Procedure Rule No. 13.

10 **MC/21/20 OVERVIEW AND SCRUTINY COMMITTEE REPORT** 45 - 48

Chair of Overview and Scrutiny Committee

11 **RECOMMENDATIONS FROM CABINET / COMMITTEES**

a **JAC/21/10 HALF YEAR REPORT ON TREASURY MANAGEMENT 2021/22** 49 - 84

Co-Chair of Joint Audit and Standards Committee

At its meeting on 29 November 2021, the Joint Audit and Standards Committee considered Paper JAC/21/10 – Half Year Report on Treasury Management 2021/22. The recommendations set out in the report were accepted.

It was RECOMMENDED TO COUNCIL:

- 1) That the Treasury Management activity for the first six months of 2021/22 as set out in report JAC/21/10 and Appendices be noted.
- 2) That it be noted that Mid Suffolk District Council's treasury management activity for the first six months of 2021/22 was in accordance with the approved Treasury Management Strategy, and that the Council has complied with all the Treasury Management Indicators for this period.

Note – It is a requirement of the Code of Practice on Treasury Management that full Council notes the Half-Year position.

b **MC/21/21 GAMBLING ACT 2005: STATEMENT OF PRINCIPLES THREE YEARLY ADOPTION** 85 - 140

Chair of Licensing and Regulatory Committee

12 **MC/21/22 THE DEVELOPMENT OF HOUSING REVENUE ACCOUNT BUSINESS PLANS** 141 - 150

Cabinet Member for Housing

13 **MC/21/23 DRAFT COMMITTEE TIMETABLE FOR 2022/2023** 151 - 154

Leader of the Council

14 **COUNCILLOR APPOINTMENTS**

15 **MOTIONS ON NOTICE**

a **TO CONSIDER THE MOTION ON NOTICE RECEIVED FROM COUNCILLOR MANSEL**

That the Constitution Working Group conducts a review of the governance arrangements at Mid Suffolk District Council, considering speed of decision making and democratic involvement of all Councillors in the decision making process. It should ensure that Babergh and Mid-Suffolk District Councils proceed in parallel as far as possible, to avoid needless governance complications, and report its findings and recommendations to the Full Council.

Proposer: Cllr Sarah Mansel
Seconder: Cllr John Matthissen

b **TO CONSIDER THE MOTION ON NOTICE RECEIVED FROM COUNCILLOR STRINGER**

This Council welcomes the progress made at the recent COP26 summit in Glasgow, and the aspirations outlined in the Government's recently published Net Zero Strategy: Build Back Greener. Given that the outcome of the COP26 summit is a commitment to quickly and substantially reduce the use of coal, oil and gas, this Council seeks to contribute to this by improving energy efficiency through raised build standards in all new-build housing. In this regard, we agree that:

1. The Chairman of the Council will write to the Minister for Housing requesting that the Government rapidly raise building regulations to at least the Code for Sustainable Homes Level 6 equivalent.
2. The Cabinet consider adopting this standard for all homes that this Council builds.
3. Council officers seek to achieve enhanced energy performance in negotiation with developers.

Proposer: Cllr Andrew Stringer
Seconder: Cllr John Field

The next meeting is scheduled for Thursday, 24 February 2022 at 5.30 pm.

For more information about this meeting, including access arrangements and facilities for people with disabilities, please contact the Committee Officer, Committee Services on: 01473 296472 or Email: Committees@baberghmidsuffolk.gov.uk

Introduction to Public Meetings

Babergh/Mid Suffolk District Councils are committed to Open Government. The proceedings of this meeting are open to the public, apart from any confidential or exempt items which may have to be considered in the absence of the press and public.

Domestic Arrangements:

- Toilets are situated opposite the meeting room.
- Cold water is also available outside opposite the room.
- Please switch off all mobile phones or turn them to silent.

Evacuating the building in an emergency: Information for Visitors:

If you hear the alarm:

1. Leave the building immediately via a Fire Exit and make your way to the Assembly Point (Ipswich Town Football Ground).
2. Follow the signs directing you to the Fire Exits at each end of the floor.
3. Do not enter the Atrium (Ground Floor area and walkways). If you are in the Atrium at the time of the Alarm, follow the signs to the nearest Fire Exit.
4. Use the stairs, not the lifts.
5. Do not re-enter the building until told it is safe to do so.

Agenda Item 3

MID SUFFOLK DISTRICT COUNCIL

Minutes of the meeting of the **MID SUFFOLK COUNCIL** held in the King Edmund Chamber, Endeavour House, 8 Russell Road, Ipswich on Thursday, 23 September 2021

PRESENT:

Councillor: Paul Ekpenyong (Chairman)
Barry Humphreys MBE (Vice-Chair)

Councillors: Oliver Amorowson Gerard Brewster
David Burn James Caston
Rachel Eburne John Field
Julie Flatman Jessica Fleming
Dr Helen Geake Peter Gould
Kathie Guthrie Lavinia Hadingham
Matthew Hicks Sarah Mansel
John Matthissen Andrew Mellen
Richard Meyer Suzie Morley
David Muller (Councillor) Mike Norris
Dr Daniel Pratt Harry Richardson
Andrew Stringer Rowland Warboys
Keith Welham John Whitehead

In attendance:

Officers: Chief Executive (AC)
Monitoring Officer (EY)
Strategic Director (KN)
Section 151 Officer (KS)
Assistant Director – Assets and Investments (EA)
Corporate Manager – Finance Operations (RH)
Corporate Manager – Communities (VM)
Corporate Manager – Strategic Planning (RH)
Corporate Manager – Governance and Civic Office (JR)
Neighbourhood Planning Officer (PB)
Licensing Officer (KG)

Apologies:

Councillors: Terence Carter
Penny Otton
Timothy Passmore
Stephen Phillips
Keith Scarff
Wendy Turner

17 DECLARATION OF INTERESTS BY COUNCILLORS

There were no declarations of interests.

18 MC/21/7 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 24 MAY 2021

It was RESOLVED:-

That the Minutes of the Annual meeting held on 24 May 2021 be confirmed and signed as a true record.

19 MC/21/8 CHAIRMAN'S ANNOUNCEMENTS

19.1 The Chairman thanked everyone that had supported his BBQ event at Cedars Park and informed Council that over £550 had been raised for the Chairman's charity.

20 LEADER'S ANNOUNCEMENTS

20.1 The Leader informed Council that she was not giving an update because of the length of the agenda and that all information had already been circulated.

20.2 Councillor Eburne asked for an update on the Afghan refugee situation and what support was being put in place for them.

20.3 In response Councillor Morley informed Council that plans were underway, and Councillors would be kept updated as more information became available from the Home Office.

21 TO RECEIVE NOTIFICATION OF PETITIONS IN ACCORDANCE WITH COUNCIL PROCEDURE RULES

21.1 There were no petitions received.

22 QUESTIONS BY COUNCILLORS IN ACCORDANCE WITH COUNCIL PROCEDURE RULES

Question 1 Councillor Penny Otton to Councillor Suzie Morley, Leader of the Council

The menopause is a natural stage of life but can lead to long term changes in physical and emotional health for women, including transgender. It is rarely discussed. What support does the council and its partners have in place to help and advice?

Response

There is guidance on Connect which details how we can support women through this stage in their lives. The guidance also offers tips and support from our people. The Employee Assist Programme which all staff and councillors can access has a section in the app that can also provide guidance and support.

As with all of our guidance, we do review and whilst this is comprehensive, it is one that we will look at as part of our policy and guidance review.

Question 2 Councillor Mellen to Councillor Morley, Leader of the Council

This Council declared a climate emergency in July 2019 and is making progress towards the goal of being a carbon neutral local authority by 2030. However, this will be futile if we do not also see a reduction in carbon emissions from all sources in the District. Given the recent “code red” warning from the IPCC and the urgency of this task, what measures is the administration taking to encourage everyone in Mid Suffolk – residents, homeowners, landowners, businesses and all other organisations - to reduce their own carbon emissions with the aim of achieving net zero by 2030?

Response

You are right to say that we are making progress. We have just switched our waste fleet to Hydrotreated Vegetable Oil, immediately reducing its carbon emissions by 90% - the first rural Council to do so.

We are installing a solar carport at our Mid Suffolk Leisure Centre in Stowmarket, enabling electric car users to charge their vehicles but also to capture clean energy for use within the leisure centre.

We will soon see the results of the extensive mapping exercise undertaken with the Suffolk Wildlife Trust to understand our habitats and enabling us to protect and enhance wildlife corridors in our District.

We are offering free trees and hedgerows to towns and parishes and have seen a fantastic take up off this offer, again increasing the infrastructure for our biodiversity.

We are a community leader in this space. We must encourage and influence our communities by setting an example. But our biggest message is simply making a conscious change. As small as it may seem – not wasting water, not wasting food, stop using plastics, avoid the car where possible, switch to a green energy tariff.

But to highlight just two areas where we are specifically encouraging change.

Firstly, our Local Energy Showcase. Businesses and community organisations are being urged to tackle climate change by joining Babergh and Mid Suffolk’s first ever showcase event celebrating sustainability and green energy.

The Local Energy Showcase, organised by Mid Suffolk District Council, along with Babergh Council, will promote how different types of energy can be used by communities and businesses help reduce their impact on the environment, lower costs and contribute to the fight against climate change.

Tickets, which are free, are now available for the two-day extravaganza, at Wherstead Park in Ipswich on 21 and 22 October. The event is open to all businesses with an interest in finding out more about local energy solutions and as well as community groups and parishes who would like to understand and explore the benefits of using local energy solutions.

The Local Energy Showcase, marks the Councils' recognition of a climate emergency and their commitment to the Suffolk-wide aim to become carbon neutral by 2030, aims to inform and update visitors on the latest in green energy. Featuring keynote speeches from specialists in the field, workshops, as well as the chance to participate in a Q&A session with a panel of experts on a range of topics.

The event will also feature a marketplace for green energy businesses and organisations to showcase their products and services, demonstrate how local energy solutions can be installed and used, and how switching energy supplies can lower greenhouse emissions and reduce energy costs.

Delegates will have the opportunity to network with and learn from leaders in the fields of carbon reduction, heat networks and solar energy.

Practical workshops will include understanding the concepts of becoming net zero, how to access green grants and funding, and how to reduce energy consumption.

I would encourage everyone to attend this exciting and informative event.

Secondly, I would like to highlight our Food Savvy campaign. This campaign led by the Suffolk Waste Partnership, helps the people of Suffolk reduce their food waste and save money at the same time.

52,000 tonnes of food get thrown away in Suffolk every year. About a third of our black bin rubbish is wasted food.

The food savvy project teaches people about planning a food shop, store food, portion control, freezing, sharing and composting.

We know for certain that each of us changing our behaviours and making environmentally friendly choices will make the biggest difference to achieving our aspiration of carbon neutrality.

Supplementary Question

We are going to have to start asking our residents to start making difficult choices in the years ahead about how live, how they travel, what they eat, and how they heat their homes. Is this administration ready to provide the leadership on this issue that Mid Suffolk needs?

Response Cllr Morley

Yes, we are.

Question 3 Councillor Stringer to Councillor Burn, Cabinet Member for Planning

Would the Portfolio Holder agree that we need to give back to local communities, a strong voice in local housing and planning policy, both to ensure development is appropriate to local need and to engage communities in shaping sustainable development.

Response

Thank you, Councillor Stringer. As you know from our conversations not just as part of the Member Working Group for the Joint Local Plan, but also from the detailed conversations we had as part of framing our Council's response to the Planning White Paper, we share a desire to see our communities having a stronger voice in the Planning process. Indeed, I have been developing a motion to present to Council that would emphasise this very point. That draft motion currently states,

"This Council applauds the Government's desire to improve and simplify the planning system, encourage greater community involvement in the plan making process and provide increased importance for neighbourhood plans. To achieve this, this council believes planning works best when developers and the local community work positively together, and do so early in the process, to shape local areas and deliver necessary new homes and related infrastructure. It therefore supports the right of communities to engage fully in the whole planning process by the full use of digital technology, participation in local and neighbourhood plans and maintaining the right to object to individual planning applications, whether they conform with the local plan or not."

Following the recent changes to Cabinet roles within government, and the subsequent news that Michael Gove is going to pause the proposed planning reform, I will be writing to him to make similar points and to emphasise the importance of community participation in the planning process.

Supplementary Question

The planning regime has been simplified over the last decade leaving communities feeling that they have less power over the system than they had a decade ago. Would the portfolio holder agree that is this government best placed to give us back this power?

Response Cllr Burn

I am not necessarily going to agree to answer that question as you put it, but I do accept what you are saying about the simplification of the planning system

has eroded the contribution that communities can provide. It may be that as a result of looking at that motion again and looking at the development as I have seen it happen over the last few weeks on the approach to the planning reforms. I may well not include the word simplify in the letter to Michael Gove. That letter has not yet been written but it will be drafted along similar lines to the one I just read out to you as a motion. The simplification element of it, I think you are probably right, does not necessarily fit to the ideal of increasing community involvement. So, I will make sure that is the principal message and nothing much more.

Question 4 Councillor Eburne to the Councillor Fleming, Cabinet Member for Environment.

Following the Local Government Association (LGA) General Assembly meeting in July please can you report to Council what initiatives were made to support local government involvement at this year's UN Climate Change Conference in Glasgow, COP26, and advise Council of the task force work towards net zero. In view of this, what will Mid Suffolk be doing to support the COP26 work?

Response

Thank you for your question, Cllr Eburne. As you point out, COP26 was high on the agenda of the recent (July) LGA General Assembly meeting where the important role local councils can play in achieving climate change goals nationally was recognised. Quote: *Councils have a significant role to play in tackling the climate emergency. They are well-placed to translate national climate ambitions into transformative action through their roles in: Place Shaping, Purchasing, Direct Delivery, managing their Assets (including social housing), and as Communicators.*

I am proud to say that this Council is being recognised as a leader in environmental initiatives and is ahead of most councils in England in this regard. Cllr Morley has mentioned the HVO and Leisure Centre projects which tackle our two highest CO2 emission sources over which the Council has influence, and other actions are in process. But I would like to make brief reference to some specific topics which the LGA has singled out in support of the COP26 objectives.

Place Shaping – Here the council as the local planning authority has perhaps the most potential to make positive changes. Given the expectations in the new NPPF that [good design](#) is 'fundamental to what [planning](#) and [development](#) should achieve', I understand that our own Planning team is fully on board with current expectations for positive change and will consider how best to put into practice the messages in the NPPF and more widely through consideration of a Local Design Code, through neighbourhood planning, work with communities. These latter actions are already being put into place as part of the Carbon Reduction Management Plan (refer to S8, Business and Communities).

Purchasing - One of the actions in our Climate Change Action Plan is to review procurement arrangements and to adopt a whole life costing approach for projects (refer to S9.3, Culture Change and Governance). We understand that there is a lot more work to be done on this area as we address the more challenging aspects of carbon management within the supply chain.

Direct Delivery - By this the LGA implies support for new technologies and putting actions in place 'on the ground' so to speak. Here the District is leading in innovations such as its HVO programme, its solar car ports, and hedge and tree planting programme. On a grander scale, I hope that Gateway 14 and the anticipated Free Port status will enable this District to really show its capacity to lead on an important national scale exemplar commercial project.

Managing Assets – We are in the process of assessing and investing in improving Council assets and assisted housing, providing grants for improvements to those needing them most (refer to S6 Council & Commercial Estate).

Communication – Here the District is also actively involved with communities and its own staff, increasing environmental awareness and training. Our 2-day Energy Showcase taking place later in October is a case in point.

Given time constraints I will stop there, but there are many areas where this Council is leading and its actions reassuringly consistent with the priorities advocated by the LGA leading up to COP26.

Regarding the Task Force for Net Zero – A Climate Change Task Group has been set up to provide strategic oversight of the LGA's political engagement in the lead up to the November summit.

- **There is a dedicated local government day on 11 November**
- **LGA is asking for a dedicated chapter for subnational governments in the official agreement reached at COP26**
- **LGA is asking for a commitment be made by Government to empower local government to work within the updated Nationally Determined Contributions (NDCs) to the United Nations Framework Convention on Climate Change (UNFCCC).**

The LGA will have an exhibition stand at [COP26](#), for one day – the Cities, Regions and Built Environment Day – on 11 November 2021. Open to all councils in the UK, Councils are invited to participate by sending a digital photograph of innovative local climate activity.

Supplementary Question

I specifically would like to know if at that meeting it was discussed that the Glasgow food and climate declaration and the UK 100 that is about energy, that we have just heard about, will Mid Suffolk be signing up to those protocols?

Response

I will have to get back to you concerning those two protocols, but I can say that Mid Suffolk is participating in the local government open day on the 11th November. We are going to be putting forward some photographs and a description of our HVO project at a COP26 exhibition.

Question 5 Councillor Field to Councillor Hadingham, Cabinet Member for Housing

Many of the population after a visit to hospital for treatment after an event require adaptations to their accommodation. The process usually commences with reference to an Occupational Therapist who determines what adaptation is appropriate then work is undertaken by our staff. Could you tell us how long it is currently taking from initial OT referral for adaptations to be implemented on average and as a maximum.

Response

Members will be aware that at the turn of the year Suffolk Authorities introduced an Independent Living Service which now provides a Disabled Facilities Grants service to residents. At present internally Babergh and Mid Suffolk are unable to report the length of time individual elements of the DFG process takes from end to end. Work is underway to introduce Key Performance Indicators that will be recorded by the systems we use. During the first nine months of this year officers have been prioritising the transfer of data from existing Orbit systems to our own. Alongside catching up on the historic OT backlog.

We can confidently advise Members this evening that the process of administering Minor Adaptations and Grants are currently completed in a matter of a few weeks. Historically for several years' Members will be conscious that a significant proportion of DFG budgets were unspent year on year. However, the outturn for 20/21 demonstrates the budget was fully committed which is ensuring the volume of works and performance of the service has improved rapidly and significantly during the past 12 months. Of course, Disabled Facilities Grants will vary in complexity and scale, so can take up to 6 months or longer.

Your question Councillor Field, refers specifically to hospital discharge, in addition to the Independent Living Service there are services within Suffolk namely Stepping Home which supports the process of hospital discharge and is aimed at reducing housing related hospital admission, and delayed discharge. The project has units of accommodation to temporarily house patients who are at imminent risk of hospital admission due to their housing or are unable to be discharged for housing reasons.

The performance of our Independent Living Service is being monitored by Suffolk Housing Board at a Countywide level whilst we expect to bring updates on performance to the Overview and Scrutiny committee in due

course.

23 QUESTIONS BY THE PUBLIC IN ACCORDANCE WITH COUNCIL PROCEDURE RULES

23.1 There were no questions received.

24 MC/21/9 OVERVIEW AND SCRUTINY COMMITTEE REPORT

24.1 Councillor Welham introduced his report which covered the last three meetings of the Committee. Details of the reviews were detailed in the report and Councillor Welham invited questions from Councillors.

24.2 Councillor Eburne asked if the review of Cabinet arrangements as detailed in the work plan would include the proposal from Babergh DC to review the governance arrangements of the Council. In response Councillor Welham informed Council that this matter would be discussed at the Chair's briefing tomorrow.

24.3 Councillor Eburne also asked if a review of GP and dentist provision in Mid Suffolk could also be added to the work plan.

24.4 In response Councillor Welham informed Council that this suggestion would be taken to the Committee for discussion.

24.5 The report was noted by Council.

25 RECOMMENDATIONS FROM CABINET / COMMITTEES

25a MC/21/10 ANNUAL TREASURY MANAGEMENT REPORT – 2020/21

25a.1 Councillor Muller introduced the report and informed Councillors that the Treasury Management 2020/21 outturn report was discussed at Joint Audit and Standards Committee on 26 July 2021.

25a.2 The report provided details of investment performance, effects of decisions taken during the period and confirmed compliance with the Council's Treasury Management Policy.

25a.3 The COVID pandemic and the impacts of a global lockdown dominated 2020/21. The start of the financial year saw many central banks cutting interest rates as lockdowns caused economic activity to grind to a halt. The UK Government provided a range of fiscal stimulus measures, the size of which had not been seen in peacetime.

25a.4 The vaccine approval and subsequent rollout programme were both positives, but there remained much uncertainty in and around the level of losses that banks and building societies would suffer due to the economic slowdown.

25a.5 The Bank of England held the Bank Rate at 0.1% throughout the year but extended its Quantitative Easing programme by £150 billion to £895 billion in November 2020.

25a.6 The UK unemployment rate was 5.0% in the three months to January 2021. Unemployment is expected to increase as the various Government job support schemes come to an end.

25a.7 Inflation has remained low over the 12-month period. Latest figures showed the annual headline rate of UK Consumer Price Inflation (CPI) fell to 0.4% year on year in February, below expectations (0.8%) and still well below the Bank of England's 2% target.

25a.8 Councillor Muller then informed Council that specifically for Mid Suffolk, the Council was able to take advantage of holding additional cash from government grants received relating to Covid 19 until they were paid out to support local businesses. This has increased treasury management investment activity during the year.

25a.9 The Council operated within the daily bank account limits.

25a.10 Mid Suffolk's short- term debt increased by £19.6m, offset by the repayment of £12.4m medium/long term borrowing to take advantage of lower rates after the PWLB rates were increased. The increase in debt was mainly due to the £19.3m of approved investments in the non-treasury investments of CIFCO Ltd and £600k to the Gateway 14 Ltd.

25a.11 All investment activities undertaken were in accordance with the approved Counter Party list.

25a.12 Investment in funding circle has reduced by 53k as unallocated funds had been reclaimed and existing loans repaid leaving the balance as at 31st March 2021 as £162K.

25a.13 The Council was compliant with the upper limits for interest rate exposure. The investment activity undertaken throughout the year was done so in priority order of security and liquidity over yield as prescribed in the Treasury Management Strategy.

25a.14 Finally, Councillor Muller drew attention to two figures in Appendix C paragraph 1.14 Table 24 in the Mid Suffolk table and informed Council that the figures should read CCL £5m and Investec £2m he confirmed that no change had been made to the investment in these funds.

25a.15 Councillor Muller then **MOVED** the recommendations in the report which Councillor Caston **SECONDED**.

25a.16 Councillor Matthissen drew Council's attention to the risk table in 8.2 of the report and said that the second risk of achieving a poorer return of investment rated as probable and asked should the Council increase their security around their

investments by divesting off their assets in fossil fuel as it risked poorer returns and capital losses if the investments became stranded assets.

25a.17 In response, the Section 151 Officer said that this had been the subject of a long debate at Joint Audit and Standards Committee and they had looked at the investment in fossil fuels in the ESG policy and ways of doing better in that regard.

25a.18 In terms of potential divestment, the current values were below what the Council originally invested so if they were divested, they could make a potential loss. Currently her advice as the Section 151 Officer was to wait for the values to come up and then consider how we can reinvest. There was also the point to consider that the Council may make a loss in order to potentially make a different investment.

25a.19 Councillor Amorowson questioned whether JASC had already made a recommendation and said that the quandary was that the Council would lose funds whenever it divested and asked what the predicted timescale was?

25a.20 In response, the Section 151 Officer said that as she recalled the recommendation from JASC to Cabinet was to go back to the fund managers to ask them to examine the potential for divestment the timescales for this had not been set.

25a.21 Councillor Field queried why the CCL investment had only dropped a small amount where others had seen a much more substantial drop and asked if any action was being taken?

25a.22 In response, the Section 151 Officer said that the markets were dependent on economic conditions and different funds had different valuations at different points. The funds that had fared worst were the ones that had equity investment. But these fluctuated and the figures were a reflection of the market at that point in time. The Section 151 Officer said that these were monitored and there was no action being taken at this time.

25a.23 Councillor Welham drew Council's attention to page 41 of the report and said that the total amount of borrowing was £142m which was approximately £2k of borrowing for each adult member of Mid Suffolk District Council.

25a.24 In response, the Section 151 Officer said that a large proportion of the figure related to the Housing Stock. In 2012 the Council had taken on approx. £80m of debt to take all the rental income from the housing stock from the government. The rest of the borrowing was related to CIFCo which will be discussed later in the agenda.

It was RESOLVED: -

1.1 That the Treasury Management activity for the year 2020/21 be noted. Further, that it be noted that performance was in line with the Prudential Indicators set for 2020/21.

1.2 That it be noted that both Councils treasury management activity for 2020/21 was in accordance with the approved Treasury Management Strategy, and that the Councils have complied with all the Treasury Management Indicators for this period.

25b MC/21/11 GAMBLING ACT 2005 'NO CASINO' RESOLUTION

25b.1 Councillor Guthrie introduced the report and informed Council that in 2018, a Councillor requested that full Council consider a “No Casino” resolution”.

25b.2 Full Council requested that Licensing and Regulatory Committee provide a full evidence base for full Council to be able to make a full deliberation on.

25b.3 Licensing and Regulatory Committee met on 16th August 2021 and recommended that full Council determine whether to adopt a “No Casino” resolution” based on the evidence that was captured in the report.

25b.4 Councillor Guthrie said that if the Council resolved not to adopt a “No Casino” resolution” this matter would not be debated again unless the allocation of casinos under the Gambling Act was increased by the Secretary of State.

25b.5 The key evidence within the report in as far as the full allocation of casinos for the country was that the allocation had already been fully utilised under the Act, of 8 small casino’s 8 large Casino’s and 1 regional Casino.

25b.6 No provision was available for a licence to be granted anywhere in England. Furthermore, as the full allocation under the Act had been granted it would need a suitable economic climate and the political will of the Government for the Secretary of State to lay legislation for a further allocation of casinos. A further allocation was highly unlikely to happen in the foreseeable future as the current Government was tightening restrictions to gambling.

25b.7 The original concern regarding casinos stemmed from a planning application for Snoasis which included plans to have a casino on site. This application has now been withdrawn and the new proposed development in this area, Valley Ridge has removed all references to the provision of a casino.

25b.8 Councillor Guthrie added that Mid Suffolk District Council had not received any applications for a casino from when the Gambling Act 2005 had come into force until present day. Research had also shown that none of the surrounding district and borough councils that border with Mid Suffolk have adopted a “No Casino Resolution.

25b.9 Councillor Guthrie informed Council that Mid Suffolk only had two betting shops and all other gambling activities were either EWP machines in amusements with prizes in licensed premises or other small lottery registrations.

25b.10 Councillor Guthrie then **MOVED** the recommendations in the report which Councillor Muller **SECONDED**.

25b.11 Councillor Mansel sought clarification on the recommendations in the report.

25b.12 Councillor Eburne asked whether the Licensing and Regulatory Committee had a view on this, what the benefits were of a “No Casino” approach and whether there were any applications in the pipeline?

25b.13 In response, Councillor Guthrie said that the “No Casino” resolution was a full Council decision, and as there were no allocation left for casinos there was little benefit to the Council. She was not aware of any applications in the pipeline.

25b.14 Councillor Stringer sought clarification on the risk management element in the report.

25b.15 Councillor Amorowson felt that despite there being conflicting evidence regarding casinos in the report, it had been proven that gambling places a greater burden on social services and felt that the Council should adopt a “No Casino” resolution.

25b.16 In response, Councillor Guthrie said that it was very unlikely that there would be any further licences issued and if the Council were to pass a “No Casino” resolution it would be an unnecessary cost to the Council. If the Council were ever to decide to increase the number of licences it could be brought back to the Council at that appropriate point.

25b.17 Councillor Humphreys stated that there were four hundred and thirty thousand people in poor debt and the detrimental effect this was having to their health and wellbeing. He was totally against gambling and felt that the Council should act and do whatever it could to protect its residents from the dangers of gambling.

25b.18 Councillor Eburne endorsed what Councillor Humphreys had said, that the Council should be sending out a strong message and that she supported the “No Casino” resolution.

25b.19 Councillor Whitehead said that he was more concerned about people buying lottery tickets and scratch cards and felt that by bringing in a “No casino” resolution could be the start of a slippery slope to restricting freedom of choice.

25b.20 Councillor Fleming said that if the Council adopted a “No Casino” resolution it would not provide any more protection from gambling in the district and instead would incur additional costs and the need to bring the resolution back to Council every three years for them to ratify.

25b.21 Councillor Morley said that she found gambling abhorrent, however there was no mechanism for a casino in this district, the original request was brought about by the Snoasis development which was not now going forward. There was therefore no need for this resolution. By having a resolution, it would mean that it would need to come back to Council every three years at a cost to the Council and

would not achieve anything.

25b.22 Councillor Stringer cautioned against saying never and said that although the threat was not imminent it could happen and although there was a cost to the Council it was an investment to stop developers going down this route and he would be supporting the “No Casino” resolution.

25b.23 Councillor Richardson agreed with Councillor Morley that gambling was abhorrent but said that if the Council did not agree to a “No Casino” resolution it would not need to be debated again unless the Secretary of State increased the number of licences. He felt that a “No Casino” resolution would have no meaningful impact in deterring gambling.

25b.24 Councillor Caston said that he did not believe in a blanket decision for the whole of the district and would want to see the detail behind any application coming forward.

25b.25 Councillor Stringer sought a point of clarification on how soon the recommendation could return to Council.

25b.26 In response, the Monitoring Officer confirmed that the six- month rule would apply however there was provision in the Constitution if a third or more of the Council wanted to bring the decision back before then.

25b.27 Councillor Welham said that casinos were glitzy places that made gambling look fun and therefore the Council should make a stand by having a “No Casino” resolution.

25b.28 Councillor Warboys gave examples of the devastating effects of gambling and that although the government were strictly limiting licences at this point in time, he felt that it was important that the Council sent out a strong message.

It was RESOLVED: -

That a ‘No Casino’ Resolution be adopted.

**26 MC/21/12 CAPITAL INVESTMENT FUND COMPANY (CIFCO CAPITAL LTD)
BUSINESS TRADING AND PERFORMANCE REPORT 2020/21 - PART 1**

26.1 The Chair welcomed Sir Christopher Howarth - Chairman of CIFCO Capital Limited, Henry Cooke – Director of CIFCO Capital Limited, Nigel Golder – Director of Asset Management at JLL, and Helen Rumsey of Ensor’s to the meeting.

26.2 Councillor Gould introduced the report which detailed CIFCO Capital’s performance for the last 12 months and the proposed business plan for the next 12 months.

26.3 Councillor Gould informed Members that since its inception in 2017, CIFCO had provided the Councils with close to £5.5m of net income and had delivered approximately £2.2m to the Councils in the last financial year. This was testament to

the strong management of the CIFCO portfolio.

26.4 The Business Plan takes a prudent approach to CIFCO's financial management over the next few years ensuring the portfolio provides income to the Councils, and a creates a long-term legacy for the Districts to benefit from in the future.

26.5 Councillor Gould provided Members with details of some of the key points in relation to CIFCO's performance.

26.6 Councillor Gould then **MOVED** the recommendations in the report.

26.7 Councillor Ekpenyong **SECONDED** the recommendations.

26.8 The Assistant Director for Assets and Investments responded to questions from Councillor Mellen on issues including the current value of the equity invested in CIFCO, the timescales for publishing the financial accounts, and the capital expenditure which has been made to improve the estate.

26.9 Councillor Mellen then asked how the Council would continue to fund its investment at the current rate over the coming years in the current inflation environment which could lead to higher interest rates.

26.10 The Assistant Director for Corporate Resources responded that advice was taken from treasury management advisors regarding the type of borrowing, and that the Council is currently benefitting from lower rates as a result of short-term borrowing.

26.11 In response to questions from Councillor Welham, the Assistant Director for Assets and Investments advised that the equity value could not reduce to lower than zero, and that no further funds would be required to be invested as equity. The Assistant Director confirmed that the low equity value would not affect how decisions are made.

26.12 Councillor Mansel asked for clarification regarding the categories referred to in paragraph 4.11 of the report. In response, Nigel Golder confirmed that the leisure sector was included under the section of the chart titled alternatives. The Assistant Director for Assets and Investments advised that this could be amended for future reports.

26.13 The Assistant Director for Corporate Resources responded to a question from Councillor Field regarding the percentage return figures and confirmed that these were comparable to the figures previously seen from CCLA and Schroder.

26.14 Councillor Field then queried whether it was a valid assumption that values would recover, particularly in light of the impact of the Covid-19 pandemic. The Assistant Director for Assets and Investments advised that it was expected that the value of the portfolio would increase. Nigel Golder commented on the robustness of the current investments, and the changes in the market following the pandemic.

26.15 Following a question from Councillor Amorowson, the Assistant Director for Assets and Investments confirmed that she would be happy to liaise with colleagues within the Council regarding sustainable investments and divesting away from fossil fuels.

26.16 The Assistant Director for Assets and Investments responded to questions from Councillor Eburne regarding the expectations of future sales of existing properties, the purchases of new properties, and the timeframes for these, and whether there were any costs included in the budget for Energy Performance Certificate works.

26.17 Councillor Norris queried the difference in the interest paid figures for Babergh District Council and Mid Suffolk District Council as detailed under Financial Performance and Acquisition Progress in the report.

26.18 The Assistant Director for Corporate Resources explained that this was as a result of the difference in borrowing strategies of the two Councils.

26.19 In response to questions from Councillor Warboys, the Assistant Director for Assets and Investments provided clarification of the losses and how this was calculated.

26.20 Councillor Warboys then queried the risk management process undertaken. The Assistant Director confirmed that a comprehensive risk register was in place and advised that details of this could be shared with Members in future reports.

26.21 Councillor Meyer questioned CIFCO's performance when measured against industry standards. The Assistant Director for Assets and Investments commented that CIFCO had performed better than the industry standard in terms of rent collection.

26.22 The Assistant Director then responded to a question from Councillor Meyer regarding the impact on revenue in the short term once capital values improve.

26.23 A break was taken from 7:55pm to 8:09pm.

26.24 Members debated the report on issues including: whether there would be any benefit in selling the assets and spending the money on housing, the impact of the Covid-19 pandemic, the level of risk compared to the size of the Council, the principles of borrowing money to invest, and the importance of the success of CIFCO to the residents of the District.

26.25 As the meeting was fast approaching the guillotine, the Chairman called for a motion to extend the meeting.

26.26 On the proposal of Cllr Richardson and seconded by Cllr Hadingham.

It was RESOLVED:-

To extend the guillotine to 10.00pm to enable the remaining business on the Council agenda to be conducted.

26.27 Members continued to debate the report on issues including: the potential to reinvest funds from the sale of properties into building homes within the District, and the ability to make investments which are sustainable.

26.28 By 17 votes for and 11 votes against

It was RESOLVED:-

- (1) That the CIFCO Capital Ltd trading activity and performance for the year to 31st March 2021 be noted.**
- (2) That the CIFCO Capital Ltd.'s 2021/22 business plan for adoption by CIFCO Capital Limited be approved.**

27 MC/21/13 JOINT WELLBEING STRATEGY

27.1 Councillor Richardson introduced the report and said he was delighted to introduce to the Council Mid Suffolk's first Wellbeing Strategy.

27.2 By way of background, Councillor Richardson said that Members would be aware that this Strategy was conceived before the pandemic and had been in development for well over a year.

27.3 An all member workshop was held in August last year to discuss our priorities followed by an additional workshop in May to consider how the £1 Million wellbeing funding could help to deliver them.

27.4 Councillor Richardson stated that this strategy sets out the Council's priorities and objectives for wellbeing over the next 6 years. If approved it would be followed by a more detailed delivery plan that sets out how the Council would achieve those priorities and objectives and, as mentioned, would be supported by the £1 Million wellbeing funding that the Council agreed back in February. This was important as understanding the Council's wellbeing priorities would enable the Council to make the most effective use of resources.

27.5 Councillor Richardson said that simply put, the Council's wellbeing vision was that the residents of Mid Suffolk will have the best possible conditions for good wellbeing and will have lives that are healthy, happy and rewarding. It was recognised of course that the Covid-19 pandemic has had a profound impact on communities, and the Council wants to be explicitly clear that this strategy will play a central role in helping support our residents through the aftermath of this immensely challenging period.

27.6 To that end we have identified three overarching long-term outcomes which are: for families to lead active, healthy, safe and independent lives and manage their own health and wellbeing. For communities to have sustainable and inclusive places

and spaces which maximise health and wellbeing opportunities and benefits. And to achieve a reduction in health inequalities.

27.7 Councillor Richardson informed Council that the strategy spanned the period to 2027 with long term outcomes that were supported by a set of shorter-term outcomes that would focus on the next two years and which would be accompanied by more detailed objectives which were set out in the strategy and in turn would be delivered in partnership with both internal and external stakeholders.

27.8 Councillor Richardson pointed out that it was well recognised that the broader determinants of wellbeing were particularly important in ensuring a healthy and happy population and these were also the types of wellbeing issues over which councils have some control and influence, for example: through stimulating our local economy, managing our environment, developing and managing our homes, or by providing leisure facilities to our residents.

27.9 This strategy, therefore, did not aim to duplicate the wellbeing aspects contained already within the economy, housing, environment and communities' strategies. However, these other strategies would be reviewed to ensure that wellbeing outcomes were being optimised and performance in relation to those aspects would be included when reporting on performance in respect to wellbeing.

27.10 Councillor Richardson said that in particular the strategy cited the 10 measures of national wellbeing developed by the Office of National Statistics which organises nationally surveyed and gathered data into different areas of life effecting wellbeing. The Council has chosen to adopt these 10 areas with a focus on personal wellbeing, relationships, health, the communities where we live, and what we do with our time. The remaining 5 will then be incorporated into the other strategies that Councillor Richardson had already mentioned and supporting this was extensive data contained at the end of the Strategy which helped to underpin the areas of focus.

27.11 Whilst developing the Strategy, however, the Council has not stood still and have delivered a number of projects and supported many of our communities. These included the active schools and the active wellbeing programmes, Chill, Chat and Play, and the outdoor explore and family cooking days, all of which have already had a profoundly positive impact for residents.

27.12 In developing this strategy, the Council had also engaged broadly with our two clinical commissioning groups Suffolk County Council, and key community stakeholders. Councillor Richardson emphasised the importance of this as it was crucial to identify clearly the role of a district council and not duplicate the work of other statutory functions such as public health.

27.13 Instead, the Council has had an opportunity to look at health and wellbeing in a much broader sense and to enhance the role it plays in supporting residents and our communities.

27.14 Councillor Richardson was exceptionally proud of both this Strategy and the broader purpose behind it. He thanked the officers involved in producing the document in the shadow of the worst global health crisis in a century and felt this was nothing short of heroic. He also recognised the work contributed by Councillor Flatman as Cabinet Member for Communities who lead on this Strategy before his portfolio was created, and Councillor Morley who, as Leader, has been an enthusiastic supporter of the wellbeing agenda.

27.15 Finally, Councillor Richardson commended the Strategy as the means of promoting the health and wellbeing of our residents and ensuring that the resources allocated and targeted intelligently to those that need them most.

27.16 He then **MOVED** the recommendations in the report which Councillor Flatman **SECONDED**.

27.17 Councillor Mansel welcomed the Strategy and referred to paragraph 4.11 long term outcomes and asked how it was planned to measure against those outcomes?

27.18 In response, Councillor Richardson informed Council that a dedicated delivery plan would be in place, provided the long-term outcomes were agreed. The measures in the delivery plan would provide the mechanism by which we can benchmark against the specific deliverables in place.

27.19 Councillor Mansel asked if there was a baseline of where the Council was currently, and had this been benchmarked?

27.20 In response, Councillor Richardson informed Council there had been extensive analysis of the data of our performance. The Strategy was the high-level policy and as the delivery plan was brought forward the data would be included in that.

27.21 Councillor Eburne asked if it would be possible to use the Strategy in regard to determining planning applications.

27.22 In response, Councillor Richardson said that it could not be referenced in a planning determination as it would not carry any weight. However, there had already been discussions about adding aspects of it into the Joint Local Plan and also in future a possible supplementary planning document that referred to this.

27.23 Councillor Geake asked if Councillor Richardson would consider lobbying the government to get them to reverse or mitigate the cut of £20 to universal credit.

27.24 In response, Councillor Richardson said that although his portfolio was still evolving, he did not consider this to be part of his remit.

27.25 Councillor Welham welcomed the Strategy and asked if local ward Councillors would be involved in delivering the plan in their wards, he also asked if the fact that Babergh had not got as much funding available to deliver the strategy whether this would affect the delivery of the Strategy in Mid Suffolk?

27.26 In response, Councillor Richardson stated that cross party workshops had already been held and any ideas and outcomes had been fed into the delivery plan. He was happy to arrange a further workshop and work with ward members in their wards where it was appropriate. With regards to the Babergh funding this would not impact on Mid Suffolk as Mid Suffolk would do whatever it needed to do as part of this agenda.

27.27 Councillor Amorowson asked if the Council recognised that GDP was not a good measure of wellbeing and also asked if anything was being done about the detrimental effects of social media particularly on young people and their mental health?

27.28 Councillor Richardson in response, stated that the local economy was an enormously significant part of the Strategy and was contained within it. Ten indicators had been pulled out and included and he had made this clear in his introduction. There was a distinction between the role that we can play as a district council and the implementation of the broader welfare state which was not in the remit. With regard to the digital problem there was a comprehensive plan for youth social prescribing where this type of mental health crisis would be picked up and digital awareness monitored.

27.29 Councillor Warboys asked if Councillor Richardson would be prepared to exceed the budget he had available to him to meet the ideals in the strategy?

27.30 In response Councillor Richardson said he probably would.

27.31 Councillor Geake questioned the short to medium term outcomes for people to have access to affordable homes that were well built, attractive and in tune with their surroundings and asked what was in the strategies that could deliver this?

27.32 In response, Councillor Richardson said that aspects of the Strategy will interlink with other strategies and could also be embedded into documents that we do have such as the Joint Local Plan and potentially a supplementary planning document in the future. The Strategy sets out what we want to achieve, and we will go away and try to deliver that.

27.33 Councillor Eburne supported the Strategy and said that the approach used to inform the process had been very good and she hoped that it would be used for other processes. Councillor Eburne said she was concerned that the THRIVE index had just been published and Mid Suffolk had dropped in the rankings. Councillor Eburne requested that officers look at what the top councils in the rankings are doing to see if there was anything that could be replicated in Mid Suffolk.

27.34 Councillor Burn referred to the comments that had been made regarding the links between planning and the strategy and quoted from an email that the Assistant Director for Planning had sent about the Council's approach to planning and the significant impact it had on wellbeing.

27.35 Councillor Geake requested that the government was lobbied to improve the factors that underpin wellbeing.

27.36 Councillor Warboys acknowledged the huge effort that had already been made by the Communities team and the work they were already carrying out in the committee and said that demand was growing, and he was concerned that the budget would not be sufficient.

27.37 Councillor Morley said she was immensely proud of the strategy and the work that had gone into producing it and said that partnership working would be the key to achieving this Strategy.

27.38 Councillor Welham made a plea to ensure that all councillors were kept involved in the delivery of the Strategy.

27.39 In his summing up, Councillor Richardson said that he taken on board the comments of councillors and hoped he would get unanimous support to adopt the strategy.

27.40 By unanimous vote

It was RESOLVED: -

- (1) The Joint Wellbeing Strategy, attached as Appendix 1 of the report, be approved.**
- (2) That the Assistant Director for Communities and Wellbeing, in consultation with the Cabinet Member for Health & Wellbeing, be given delegated authority to make future minor amendments and updates to the Strategy in response to changing needs.**
- (3) After the Strategy has been approved, that the Assistant Director for Communities and Wellbeing in consultation with the Cabinet Member for Health & Wellbeing, be given delegated authority to develop and implement a Delivery Plan.**
- (4) That the Delivery Plan and subsequent implementation of the Strategy be supported by the £1m Wellbeing funding agreed by the Council on 18 February 2021.**

28 MC/21/14 PAY POLICY REPORT

28.1 The report was withdrawn by the Leader.

29 MC/21/15 REVISIONS TO INTERNAL NEIGHBOURHOOD PLANNING PROCEDURES

29.1 Councillor Burn introduced the report and informed Council that it had come a long way since the first few parishes began the neighbourhood planning journey. The Council's internal decision-making procedures had served us well, and the Council had continued to find ways to improve on the way we interact with our NP Groups, including placing greater emphasis on the earlier informative stages. Most importantly of all, the Council continued to think about what we can do better.

29.2 Councillor Burn said that the report before Councillors today was self-explanatory. It looked at two key regulatory processes that fall to this Council:

- decision making on the recommendations set out in the independent examiners report, and the advancement of that Plan to referendum (Regulation 17A), *and*
- subject to a majority yes vote, the adoption of the Plan (Regulation 18A).

29.3 The report proposed changes to the agreed procedures which, with appropriate checks in place, should ensure that the Council can be 'better, smarter and swifter' in the way its guided neighbourhood plans through these stages.

29.4 In Mid Suffolk to date, 15 NPs have been through the examination process. Of those, 11 have now been adopted and 4 were in the final stages of being modified prior to being made ready to go to referendum.

29.5 In all cases, no objections were raised by either the District or Parish Council to implementing in full the examiners recommendations. That would suggest that earlier and on-going engagement with these groups was working.

29.6 Councillor Burn trusted that the Council would agree with him that the proposed changes to how the Council managed Regulation 17A and 18A stages were both sensible and practical.

29.7 In simple terms, this would remove the need for Cabinet to specifically approve the progression of a neighbourhood plan to referendum and would simplify the process by which the Council adopted a Neighbourhood Plan where it has received a majority yes vote.

29.8 Councillor Burn then **MOVED** the recommendations in the report which Councillor Guthrie **SECONDED**

29.9 Councillor Mansel asked if there were any plans to speed up the earlier engagement exercises between the Neighbourhood Plan Groups and the Council.

29.10 In response the Corporate Manager for Strategic Planning confirmed that in the past six months two new members of staff had been recruited and were being trained up on the neighbourhood plan process.

29.11 Councillor Welham queried under the new arrangements where the delegation was given to officers whether the officers had sufficient capacity to deal with their additional responsibilities

29.12 In response the Chief Executive confirmed that they would have sufficient capacity and said that the recommendations actually meant less work for officers not more.

29.13 By unanimous vote

It was RESOLVED: -

- (1) That the procedure for automatically taking a post-examination Neighbourhood Plan to Cabinet seeking approval to proceed to Referendum be changed. The proposal would automatically allow a Plan to proceed to referendum where the parish and district council have agreed to implement any required modifications. Where there are other considerations, a report will still be presented to Cabinet. The revised procedures would allow prompt publication of a decision notice, reduced administrative work, and ensure closer compliance with the relevant regulations.**
- (2) That the procedure that requires taking a post-Referendum Neighbourhood Plan with a majority 'yes' vote to Council seeking formal adoption be changed. The new proposal, which would be to obtain Chief Executive approval endorsed by the Cabinet Members for Planning, would enable a Neighbourhood Plan agreed at Referendum to be formally adopted quickly, efficiently, and within the eight-week statutory time limit.**

30 COUNCILLOR APPOINTMENTS

30a TO NOTE THE FOLLOWING APPOINTMENTS

30a.1 The appointments detailed on the agenda were noted.

30b ELECTION OF VICE-CHAIRMAN OF DEVELOPMENT CONTROL COMMITTEE A

30b.1 On the proposal of Councillor Meyer and seconded by Councillor Flatman, a nomination for Councillor Humphreys to be appointed Vice-Chairman of Development Control Committee A was tabled.

30b.2 On the proposal of Councillor Matthissen and seconded by Councillor Eburne, a nomination for Councillor Mansel to be appointed Vice-Chairman of Development Control Committee A was tabled.

30b.3 The nominations were **PUT** to Council.

It was RESOLVED: -

That Councillor Barry Humphreys be appointed as Vice-Chair to Development Control Committee A.

31 ELECTION OF VICE-CHAIRMAN OF DEVELOPMENT CONTROL COMMITTEE B

31.1 On the proposal of Councillor Meyer and seconded by Councillor Flatman, a nomination for Councillor Muller to be appointed as Vice-Chair for Development Control Committee B was tabled.

31.2 This was **PUT** to the Council.

It was RESOLVED: -

That Councillor Dave Muller be appointed as Vice-Chair to Development Control Committee B.

32 APPOINTMENT TO OUTSIDE BODY - SUFFOLK JOINT EMERGENCY PLANNING POLICY PANEL

32.1 On the proposal of Councillor Richardson and seconded by Councillor Flatman,

It was RESOLVED: -

That Councillor Suzie Morley be appointed as the Council's representative on the Suffolk Joint Emergency Planning Policy Panel.

32.2 Councillor Eburne asked if Councillor Morley would report back from any meetings of the Suffolk Joint Emergency Planning Policy Panel.

32.3 In response, Councillor Morley informed Council that the Panel had not yet met but she would report back once they had met.

33 MC/21/16 DECISIONS TAKEN BY THE CHIEF EXECUTIVE UNDER DELEGATED POWERS IN ACCORDANCE WITH PART 2 OF THE CONSTITUTION

It was RESOLVED: -

That the decisions taken under delegated powers by the Chief Executive as detailed in Appendix A of the report be noted.

34 MOTIONS ON NOTICE

34a TO CONSIDER THE MOTION ON NOTICE RECEIVED FROM COUNCILLOR PRATT

34a.1 The Motion on Notice was deferred to the next Council meeting as the meeting was adjourned at 9:54 pm.

34b TO CONSIDER THE MOTION ON NOTICE RECEIVED FROM COUNCILLOR MELLEEN

34b.1 The Motion on Notice was deferred to the next Council meeting as the meeting was adjourned at 9:54pm.

35 RESOLUTION TO EXCLUDE THE PUBLIC

35.1 As Members had completed their discussion of Paper MC/21/12 Capital Investment Fund Company (CIFCO Capital Ltd) Business Trading and Performance Report 2021/21, the Chair refrained from going into closed session.

The business of the meeting was concluded at 9.54pm

.....
Chair

This page is intentionally left blank

Agenda Item 4

MID SUFFOLK DISTRICT COUNCIL

Minutes of an Extraordinary meeting of the **MID SUFFOLK COUNCIL** held in the King Edmund Chamber, Endeavour House, 8 Russell Road, Ipswich on Monday, 18 October 2021

PRESENT:

Councillor: Paul Ekpenyong (Chairman)

Councillors:	Gerard Brewster	David Burn
	Terence Carter	James Caston
	Rachel Eburne	John Field
	Julie Flatman	Jessica Fleming
	Dr Helen Geake	Peter Gould
	Kathie Guthrie	Matthew Hicks
	Sarah Mansel	John Matthissen
	Andrew Mellen	Richard Meyer
	Suzie Morley	David Muller
	Mike Norris	Penny Otton
	Timothy Passmore	Dr Daniel Pratt
	Harry Richardson	Keith Scarff
	Andrew Stringer	Wendy Turner
	Rowland Warboys	Keith Welham
	John Whitehead	

In attendance:

Officers: Strategic Director (KN)
Corporate Manager – Governance and Civic Office (JR)

Apologies:

Councillors: Lavinia Hadingham
Barry Humphreys MBE (Vice-Chair)
Stephen Phillips

A Minutes silence was held at the start of the meeting in memory of Sir David Amess MP who had died so tragically on Friday 15th October 2021

43 DECLARATION OF INTERESTS BY COUNCILLORS

None declared.

44 MOTIONS ON NOTICE

44a TO CONSIDER THE MOTION ON NOTICE RECEIVED FROM COUNCILLOR PRATT

- 44a.1 Councillor Pratt introduced his Motion and informed Council that starry skies inspired awe and wonder, they were a magical sight that brought stargazers and astronomers into the dark locations in our countryside to seek their connection with the cosmos.
- 44a.2 Light pollution prevented us from observing the night sky. It is the result of artificial lighting at night, particularly the lighting that shines or scatters upwards into the sky producing what is known as 'skyglow' over our towns. Skyglow reduces our ability to view celestial objects that would otherwise easily be seen in the contrasting backdrop of darkness.
- 44a.3 In some places, artificial lighting essentially turns night into day. Streetlighting is no longer only a feature of urban landscapes. With new development and changes in the way we use the countryside, our villages and open country are becoming more brightly lit.
- 44a.4 Climate change, alongside other environmental and economic concerns, have led to the replacement of conventional lighting such as high-pressure sodium lamps with LEDs that are more energy efficient. In addition to producing an intensely bright light, nearly all LEDs emit higher levels of light within the blue region of light spectrum than their traditional counterparts. Increased light intensity and the shift in spectral composition towards blue light has impacted wildlife, particularly bats and nocturnal insect populations, and can cause harm to human health and wellbeing.
- 44a.5 Councillor Pratt added that lighting can improve the feeling of safety for drivers and pedestrians, but there were also negative human impacts to consider. Studies suggest that direct exposure to light at night can have serious health implications. It can particularly affect our body's hormones that are responsible for maintaining sleep patterns. There is also evidence which presents a direct link to the development of known cancers, including thyroid cancer. Light entering private households can also be seen as public nuisance.
- 44a.6 Councillor Pratt said we understand that biodiversity is in peril. Some estimates predict that 1 million species, or 40% of all insects, will become extinct over the next few decades. Peer reviewed studies demonstrate how artificial lighting at night has contributed significantly to this insect apocalypse. This is because illumination not only causes disorientation in insects but affects their natural biological rhythms that control foraging, migration and reproduction that are normally synchronised with daily, monthly or yearly light cycles. This has catastrophic implications for insect populations. Studies have also shown that artificial lighting at night is extremely disturbing to bats, because bats avoid light, change their foraging paths and delay their emergence from their roosts and miss the time of peak insect abundances. Taken together, we must acknowledge the impact that

lighting is having on human health and the environment.

44a.7 Councillor Pratt went on to say that at the July 2019 Council meeting, Mid Suffolk District Council acknowledged the accelerating rate of species extinction by declaring a biodiversity emergency. We had pledged to bring forward proposals and take actions to protect and enhance wildlife in the District. To achieve this goal, we cannot ignore the need to mitigate insect declines in relation to artificial lighting.

44a.8 Conveniently, LEDs can be engineered to emit lower levels of blue light using colour filters. In particular, we could investigate using true-amber or phosphor converted amber (PCA) LEDs. Brightness can be reduced remotely and progressively dimmed. Lamps can also be timer and sensor-controlled to come on for shorter periods or only when needed. Shields and baffles can be fitted to reduce skyglow and prevent light from entering households.

44a.9 Other Councils are already taking action to reduce the impacts of lighting in wildlife sensitive areas. Worcestershire County Council installed bat-friendly lighting along an A-road nearby a Local Nature Reserve. The streetlights are designed using colour filters specially to emit light that does not affect the natural senses and rhythms of bats, yet which provides enough illumination for residents, helping make the roads and pavements safer, while being highly energy efficient. Their lighting does not affect visibility for drivers and pedestrians and is said to be fully compliant with the required standards. Similar lighting schemes have been tested in the Netherlands and proven successful in reducing light pollution impacts on bats and other wildlife.

Councillor Pratt then **MOVED** his Motion.

44a.10 Councillor Fleming **SECONDED** the Motion and informed Council that the Motion was to draw attention to the largely unintentional effects of artificial lighting, particularly given that the Council has given such firm commitments to protect and enhance biodiversity. It is also to suggest some ways of putting in reasonable measures to control light pollution.

44a.11 Recent news reports had highlighted the harmful effects of artificial light not just on bats but insects, birds, mammals, amphibians, plants and of course us. Some Councillors may have heard Lord Deben's radio interview where he advocated reducing artificial light in villages with a greater reliance on torches. He had conceded that towns needed lighting for security and went on to say the pressures to urbanise the countryside were largely antagonistic to dealing with climate change.

44a.12 Councillor Fleming went on to emphasise that this Motion was mostly about rural areas. It was not about moving streetlighting or circumventing existing safety measures. There were currently two schools being suggested. The first was the Biodiversity Planning Document SPD to increase protection for wildlife. A design code was also being prepared to reflect the new NPPF mandate to value beauty and tranquillity in the natural world.

- 44a.13 The process of developing these documents will give ample opportunity to consult further with others such as Suffolk County Council, wildlife organisations and community safety groups to unravel some of the technical aspects so that the resulting documents have clear and practical application. Councillor Fleming said she was aware that Suffolk County Council were currently implementing a programme to replace lighting with LED's but by using filters and shrouds or dimmable lighting could reduce the effects of blue white lighting range, in particular on living creatures. These types of measures, costs and other approaches could be considered and added into the SPD and design code process.
- 44a.14 Councillor Fleming also said that she would like to see a much more critical assessment process for illuminated advertising which arguably could be attributed to further unnecessary light pollution.
- 44a.15 Community safety would naturally be taken into account with any measures taken to reduce light pollution, although some studies had already indicated that in a rural setting a reduction in street lighting did not lead to an increase in crime. A balance is achievable between the benefits of dark skies and the human desire to be safe.
- 44a.16 In summary, Councillor Fleming felt that greater weight should be placed on local sensitivities both human and otherwise and that it was timely to review the entire subject and to add reasonable protection against light pollution within the means available.
- 44a.17 Councillor Guthrie said she supported Lord Deben in avoiding the urbanisation of our rural communities and supported what the Motion was trying to achieve.
- 44.a18 Councillor Passmore supported the Motion but said it was essential that there was an agreed framework to decide what lighting should be targeted and a definition of what was rural. He felt that the logic behind this should be explained to the public and that there weren't huge variations on how this was applied.
- 44a.19 Councillor Mansel supported the Motion and agreed with Councillor Passmore about getting the public on board as there was a popular misconception that lighting reduced crime. Several studies both nationally and internationally have proved that crime is actually reduced when lighting was switched off. Councillor Mansel also stated that a lot of rural areas had industrial areas that were substantially lit up and felt that any reduction in lighting in these areas would be beneficial to biodiversity.
- 44a.20 Councillor Brewster stated that the Council had a statutory duty under the Crime and Disorder Act Section 17 to consider safety implications in any decision it takes and was concerned about the safety of women, girls and some men in some areas if the decision to turn of street lighting was made.

- 44a.21 Councillor Matthissen raised the issue of the lighting in private new developments and asked that Planning ensured that the right lighting was put in these types of developments. He also made reference to his ward of Onehouse and how in the past they had voted twice not to have streetlighting on an estate and emphasised that it was important that people were actually asked to see what lighting they wanted.
- 44a.22 Councillor Welham supported the Motion and informed Council that research had shown that high standards of lighting produced deep shadows which in itself could encourage criminal activity and added that instead of adding lighting to planning applications biodiversity improvements should be added instead.
- 44a.23 Councillor Geake informed Council that research carried out in 2015 proved that while lighting may make you feel safer, only actual crime hotspots were made worse where lighting was switched off or reduced. Ultimately, she said we won't be safer if lighting was not reduced or switched off - we can live without lighting, but we can't live without pollinators.
- 44a.24 Councillor Scarff wanted to see a reduction in illuminated advertising signage and requested that if the Council wanted to be taken seriously it should lead the way with the Gateway 14 development.
- 44a.25 Councillor Field felt it was not about switching lighting off but reducing the lighting intensity to shift the colour temperature down.
- 44a.26 In his summary, Councillor Pratt thanked Councillors for their comments and agreed with Councillors that a framework needed to be developed to agree where the lights could be switched off. Councillor Pratt added that the Council should follow the evidence as it emerges as to whether streetlighting was needed.

By 29 votes for 1 vote against

It was RESOLVED: -

That the Council recognises that light pollution is increasing and that it causes harm to wildlife and insects and can increase health risks in people.

The Council therefore will seek to reduce the intensity and extent of outdoor lighting within its own public realm and housing assets and other lighting schemes where it has influence, to the extent practical. The Council will also include guidance in its Biodiversity Supplementary Planning Document to protect and enhance dark skies for the benefit of wildlife and human health and wellbeing.

44b TO CONSIDER THE MOTION ON NOTICE RECEIVED FROM COUNCILLOR MELLEN

- 44b.1 Councillor Mellen introduced his Motion and informed Councillors that the Government's Election Bill was passing through the parliamentary stages and was currently at the Committee stage. This Bill introduced a requirement to produce photo ID at a polling station in order to vote.
- 44b.2 He continued by saying at first glance this may be seen to be a good thing as of course nobody wants to encourage voter fraud. However, when you start to look at the proposal in detail then the difficulties come to light.
- 44b.3 Councillor Mellen added that this country has a long and noble tradition of resisting the compulsion to carrying an identity card around with us. Various governments have tried to bring them in for the general population and have failed. If there was a mandatory requirement for photo voter ID at an election what would we use?
- 44b.4 The two main documents that have photo ID are passports and driving licences, the government has also indicated that other documents such as blue badges would also be accepted.
- 44b.5 Councillor Mellon asked what about the rest of the population that don't carry such things. Current thinking is that the local authority would issue some kind of legitimate voting pass or similar. Would this be for everyone or just the people who applied for it?
- 44b.6 Councillor Mellen said that straight away this would become problematic. A cost would be involved, he questioned whether this would be borne by the voter or the Council. There would also be an enormous bureaucratic administrative burden that this authority would have to bear, and this Council is the authority that organises all of the elections.
- 44b.7 Councillor Mellen stated that the people who don't have a passport or a driving licence and don't travel around could potentially be some of our most poorest residents and this would put another hurdle in the way of them exercising their democratic vote at a time when voting numbers were already low.
- 44b.8 Councillor Mellen questioned what the scale of the issue was and had sought clarification on how much voter ID fraud there was. He had spoken with the Monitoring Officer who had confirmed that there had not been any cases of voter ID fraud in this district.
- 44b.9 Councillor Mellen felt that this Council should express our opinion by writing to the Secretary of State and to this end he had made a small amendment that the letter should come from the Chairman of the Council rather than the Leader.

- 44b.10 In summary Councillor Mellen said that voter ID was an answer in search of a question and was a very expensive and bureaucratic sledgehammer to crack a non-existent nut.
- 44b.11 Councillor Mellen **MOVED** the Motion and urged all Councillors to support it and that this was communicated to the Secretary of State so that hopefully he would rethink the issue.
- 44b.12 Councillor Scarff **SECONDED** the Motion including the amendment and informed Council that according to the House of Commons library, the most controversial measure in the Elections Bill 2021-2022 was voter ID. The government argued that this will improve the integrity of elections and prevent someone's vote being stolen, otherwise known as personation.
- 44b.13 Councillor Scarff said that it was proposed that a broad range of voter ID would be allowed including a free voter card available to those voters that do not have any form of ID.
- 44b.14 Councillor Scarff suggested that even having to apply for this card would put people off from exercising their democratic right to vote. As of August 2020, there had only been one conviction and one caution for personation offences for the whole of the 2019 elections, hardly an overwhelming proof of a problem.
- 44b.15 Councillor Scarff said that even the Electoral Commissions 2019 evaluation of voter ID pilots that were carried out across the country found that some groups of people would find it harder than others to show voter ID.
- 44b.16 Currently it was estimated that over 2 million people do not have an acceptable form of ID. The Chair of the Parliamentary Human Rights Committee has said the Government must prove that the need for people to get voter ID does not act as a deterrent for people exercising their democratic right to vote. In particular the Government must demonstrate an understanding of the impact of these measures on marginalised groups and show how they plan to ensure access to all at the ballot box.
- 44b.17 Furthermore, the Parliamentary Committee said the impact may fall disproportionately on some groups with protected characteristics under Human Rights Law. Older people and disabled people are less likely to have photo ID and some groups such as black and Asian groups and ethnic minority groups may be more hesitant to apply for photo ID.
- 44b.18 Councillor Scarff asked what would happen if a voter went to vote and had forgotten their photo ID. He said that currently you do not need to take your polling card. You just say who you are, and the Polling Station staff will check that you are on the electoral roll and issue you with a ballot paper. Under the new legislation they will have to go home and get their ID, or do they just give up?

44b.19 Councillor Hicks said that back in 2019, the Conservatives were elected with an overwhelming majority based on their manifesto that included the elections bill. Councillor Hicks felt that the Bill was an ambitious and timely set of plans to ensure that elections were transparent, fair and accountable. A successful small trial was undertaken and had worked well to stop personation and voter fraud. The Bill would give improved confidence to the process and would also stop party campaigners from handling postal votes and vote harvesting. It would make it an offence for a person to attempt or reveal how an absent voter had voted. If anyone does not have a photo ID from the broad range of recognised documents, they can apply for a voter card from their local authority. Councillor Hicks didn't think this was problematic but was straightforward and said that the heart of the Bill was maintaining confidence in the election process and therefore he could not support this Motion.

44b.20 Councillor Stringer supported the Motion and said that the only problem with the election process was not the way the ballot box system operated and the people who work in them, it was with the potential to harvest postal votes and he felt that this was where there was a small problem. He could not see how the introduction of voter ID cards would resolve this problem. He recognised that more and more people were seeing the convenience of a postal vote and felt that there was a potential inherent danger in this as nobody would know who had signed the postal vote as there was no physical check as there was at a polling booth. He felt that the human solution at a polling station was the best solution and felt that the voter ID card was a retrograde step that could be a slippery slope to require voters to take their details to places miles away similar to the situation in the USA.

44b.21 Councillor Guthrie said she had recently experienced a request from the bank when she had gone in to close a bank account and they had requested photo ID she had to drive all the way home to get it but didn't feel this was a problem as it was done with security in mind and she felt the same way about voter ID and therefore would not be supporting this Motion.

44b.22 Councillor Eburne said that she supported the Motion for the following reasons:-

4% of the population did not have any recognisable ID and would need to get this sorted out if the Bill went through and who would have to organise this, it would be the local authority.

Secondly, 87% of people according to the Electoral Commission's research feel that voting was safe from fraud, which Councillor Eburne felt was a very high figure.

Thirdly, in this country Councillor Eburne said that we have very well-run elections a fact that she was proud of and felt that nothing needed to change on that basis. Importantly this Council was the local authority that ran the elections and who would be expected to pay for the systems and staff to run this scheme.

- 44b.23 Councillor Eburne felt that this was a retrograde step and was one element that should be withdrawn from the Bill.
- 44b.24 Councillor Morley said she felt personally conflicted as a matter of general principle she felt strongly about having a single ID. However, she was concerned and worried about the ability of staff at the polling station to administer this and insist that somebody would not be able to vote without having photo ID. However as Councillor Eburne had stated only 4% of the population did not have ID she felt that she couldn't support the Motion as she felt ID was a good thing and the only people who it would disenfranchise was the people who sought to subvert the democratic system.
- 44b.25 Councillor Mansel said she had listened to both sides of the argument and to hear that the biggest problem was to do with postal votes. She felt that forcing people to take photo ID to be able to vote in person was not going to solve this problem therefore she would be supporting the Motion.
- 44b.26 Councillor Otton felt that this was the thin edge of the wedge and heading towards national ID cards. She recognised that some incidences of voter fraud had taken place but felt that the proposal discriminated against a large number of people and she therefore would be supporting the Motion.
- 44b.27 Councillor Carter said that he had recently attended a disability forum where the proposals were discussed, and it was felt that a large number of people with disabilities did not have photo ID and would struggle to fill in forms to get one. He felt that this did not solve the problems with postal voting and would just introduce another loop for people to go through to be able to vote.
- 44b.28 Councillor Field said that we were separate from other European countries who did require people to have photo ID cards and he would be wary of putting in this type of form as a principle. He also felt that by implementing this measure it would impact on disadvantaged groups of people who didn't have photo ID, and which would disenfranchise them further.
- 44b.29 Councillor Warboys felt that it was a solution in search of a problem, in 2019 there were 34 allegations of voter fraud against 58 million votes. He felt that voter ID was not a solution and instead attention should be turned to how political parties were funded.
- 44b.30 Councillor Geake emphasised the findings of the Electoral Commission's survey that a very high number of people were satisfied that the voting system was safe and secure and didn't like the idea of being stopped and asked for ID she also felt that the focus should be on how political parties were funded.
- 44b.31 Councillor Whitehead said that voting was a privilege that we should take good care of. The only weakness he felt was that currently a person could turn up at a Polling Station and did not have to provide any identification.

44b.32 Councillor Ekpenyong commented that he understood the concerns about voter ID however in the normal walks of life we were continually asked to provide photo ID from a security perspective and also in some other instances such as registering with a GP. Councillor Ekpenyong said that we had a right to vote and it should be proven that when you go to vote you are the person you say you are. Democracy should be guarded and made sure that it is delivered in the most safe and secure manner.

44b.33 Councillor Mellen in his summary said that elections could be based on just a very few votes and it was really important that nothing was done to undermine public confidence in the electoral system. Currently confidence was high, but he knew that this could take a knock. He urged Councillors to support the Motion to avoid a huge bureaucratic administrative burden, to prevent it from being an impediment to voting and that attention should be paid to much bigger problems such as the 9 million people who were currently not even on the electoral roll.

By 16 votes for 14 votes against

It was RESOLVED:-

To oppose the introduction of photo ID as a requirement to vote at polling stations.

To request the Chairman to write to the relevant minister indicating this opposition and the reasons why and requesting this measure should be excluded from the Elections Bill.

That should mandatory photo ID be passed into law, this Council will investigate low-cost and no-cost options for residents, bearing in mind the barriers outlined and focus efforts to promote the ID to those who are most likely to need it.

The business of the meeting was concluded at 6.53pm

.....
Chair

Agenda Item 5

MC/21/19

MID SUFFOLK DISTRICT COUNCIL - 27 JANUARY 2022

CHAIRMAN'S ANNOUNCEMENTS

EVENT	LOCATION	DATE	CHAIRMAN	VICE CHAIR
OCTOBER 2021				
Eye Town Council's Mayors Parade and Service	Eye Town Hall, Broad Street, Eye	03-Oct	✓	
Local Energy for Communities Showcase	Wherstead Park, Wherstead	22-Oct	✓	
NOVEMBER 2021				
Opening ceremony for Woolpit community car park	Woolpit Health Centre, Woolpit	05-Nov	✓	
Stowmarket Chorale: Fauré Requiem	Stowmarket United Reformed Church	06-Nov	✓	
Stowmarket Remembrance Parade and Service	St Peter's and St Mary's Church, Stowmarket	14-Nov	✓	✓
MSDC Chairman's Civic Service	Salvation Army Hall, Violet Hill Road, Stowmarket	21-Nov	✓	
DECEMBER 2021				
EACH Carol Service	St Edmundsbury Cathedral, Bury St Edmunds	02-Dec	✓	
Mayor of Haverhill - Civic Carol Service	St Mary's Church, Haverhill	08-Dec	✓	
Stowmarket Operatic & Dramatic Society Pantomime - Alice in Wonderland	The Regal, Stowmarket	09-Dec	✓	
The Bishop of St Edmundsbury & Ipswich - Christmas Drinks Party	The Bishops House, 4 Park Road, Ipswich	10-Dec	✓	

This page is intentionally left blank

Agenda Item 10

MID SUFFOLK DISTRICT COUNCIL

TO: COUNCIL	REPORT NUMBER: MC/21/20
FROM: Chair of Overview and Scrutiny Committee	DATE OF MEETING: 27 January 2022

OVERVIEW & SCRUTINY COMMITTEE REPORT TO MID SUFFOLK COUNCIL

The Joint Overview & Scrutiny Committee met on 20 September 2021 and considered the following items:

ANNUAL REVIEW OF JOINT HOMES AND HOUSING STRATEGY AND HOMELESSNESS AND ROUGH SLEEPING REDUCTION STRATEGY 2019-2024

The Housing Needs and Standards Manager gave a presentation to Members on the progress to date on actions identified in the strategies, the actions currently underway, and future actions planned over the remaining period of the strategies.

Queries were raised concerning redevelopment of partly redundant garage blocks, housing for rough sleepers and the effects of the pandemic on housing needs and supply. It was noted that in the last 12 months MSDC had acquired fewer housing units than BDC; Members asked whether, in Mid Suffolk, the needs for social and affordable housing were being met. In response, the Housing Needs and Standards Manager explained that more reliable figures are obtained by considering the number of acquisitions over a longer time period.

MSDC Members suggested that joint working between Citizens Advice staff and Housing Officers could be improved and further suggested consideration be given to the creation of a new post to be jointly funded by Citizens Advice and MSDC. An additional proposal to that effect was made and a separate vote of MSDC Members only was taken.

It was RESOLVED:

By Mid Suffolk Members and by 3 votes to 2 that:

This committee recommends that urgent action is taken, to build improved joined up working with Citizens Advice and recommends that this is a top priority. Furthermore, that consideration is given to creating a jointly funded post by Cabinet, in order to move this priority and critical area forward.

It was RESOLVED:

By a unanimous vote of the Joint Committee that:

The content of the action plan was noted, and the Committee asked for further information on the day-to-day activities of the action plan.

It was RESOLVED:

By 7 votes to 2 of the Joint Committee that:

The homes and housing strategy and homelessness and rough sleeping strategy be reviewed twice yearly.

INFORMATION BULLETINS

Members received two information bulletins:

Customer Service Update

Anti-Social Behaviour

These bulletins can be found in the committee agenda papers. There were questions to seek clarification of some of the details in the papers, after which each of the Information Bulletins was noted.

The Joint Overview & Scrutiny Committee met on 22 November 2021 and considered the following items:

REVIEW OF THE SHARED LEGAL SERVICE

The Shared Legal Services Manager introduced a report which outlined the way the service operates across Babergh and Mid Suffolk Councils. The Service reports to a Legal Services Steering Board made up of representatives of the two councils and to the Senior Leadership Team. There is a close working relationship between the Service Manager and the Assistant Director, Law and Governance.

There were questions around the mechanism for recharging costs to separate Services within the Districts and performance management arrangements and whether the fees paid by each authority are in the same proportion as the value of work done for each of the separate authorities. Members felt that the Steering Board should review recharging mechanisms and performance monitoring arrangements and their findings and recommendations be reported back to the Joint Overview and Scrutiny Committee.

It was RESOLVED that:

The Legal Services Steering Board review the recharging mechanism for the costs of the legal service and consider whether the performance monitoring arrangements are sufficient and that the findings of the Legal Services Steering Board be presented back to Overview and Scrutiny Committee via an information bulletin after its meeting in December;

The information bulletin referred to should also include historical and current performance monitoring data, which would enable the Committee to observe the trends in performance over time; and

A further information bulletin be presented to the Committee six months into the new financial year demonstrating the split of new legal matters between Babergh and Mid Suffolk.

SCOPING DOCUMENT – PROVISION OF TRANSPORT WITHIN THE DISTRICTS

The Chairman presented the recommendation from the Task and Finish Group set up to consider scoping of a review of provision of transport within the two districts. There was discussion around what aspects of transport provision should be scrutinised and suggestions made that the focus should be on identifying gaps in service provision.

It was RESOLVED:

That the Task and Finish Group scope and carry out the exercise.

SCOPING DOCUMENT – CITIZENS ADVICE

The Chairman explained that Committee had earlier agreed to carry out an annual review of the Citizens Advice Service provided to residents of the two Districts. In order that this year's review could focus on topical issues, rather than review all of the services provided, a scoping document needed to be agreed and provided to Citizens Advice so that at the review in December they would focus on those issues. A draft scoping document was available within the tabled papers.

The Corporate Manager, Communities undertook to meet with Citizens Advice in advance of the December meeting to explain the scope of the review and discuss performance in the key areas of service and any trends that could lead to a change in the service they provide.

Members made a number of suggestions for points to be included in the scoping document.

It was RESOLVED:

To approve the scoping document included in the tabled papers with amendments as discussed at the meeting and that delegation be given to the Monitoring Officer to complete the remainder of the scoping document.

The Joint Overview & Scrutiny Committee met on 20 December 2021 and considered the following item:

REVIEW OF LOCAL CITIZENS ADVICE

The Chief Officer of Citizens Advice (Sudbury) and The Chief Officer of Citizens Advice (Mid Suffolk) presented to the committee outlining how the Local Citizens Advice (LCA) had adapted their services since the start of the Covid-19 Pandemic.

In response to questions, the CA managers explained the relationship between the LCA and the foodbanks and how the holistic approach of the LCA could assist people referred to them with other concerns they may have, such as debt, benefits etc. They also explained that emergency Covid support funding had been used to help families, but central government timescales caused difficulties. The Cabinet Member for Communities agreed to take this up with the Leader of the Council.

A Virtual Services Project is being trialled in 2 locations in Mid Suffolk and strategies have been developed based on what has worked well. The virtual devices in parishes had helped residents to get online and allowed the LCA to monitor district data to see where there was a need for further support and advice.

In response to questions about the process for assisting people who owed debts to multiple sources, the Chief Officer of Citizens Advice (Mid Suffolk) responded that the LCA supported people with their debts and could place waits if needed, and could source financial aid where possible. The LCA had been working with the Shared Revenue Partnership to allow Council tax and housing benefit issued by SRP to be viewed jointly under a single view of debt, to see what an individual owed the Council as a whole and to advise the individual accordingly.

In response to a question on whether the recommendation from the previous Joint Overview and Scrutiny review that rolling index-linked funding of LCA had been discussed by Cabinet, the Cabinet Member for Communities stated that this recommendation had not been adopted. It was noted that Mid Suffolk LCA had been given funding that had been redirected from Diss and Thetford Citizens Advice to provide a CA service in Eye.

There was general agreement that the LCA presentation had given sufficient reassurance that there was help for residents to access services. However, the joint way of working for a single view of debt needed to be introduced at the earliest opportunity. Members also agreed that an increase in line with inflation on a three-year rolling plan should be recommended again to both Cabinets, and that Joint Overview and Scrutiny should review the LCA again in twelve months' time.

It was RESOLVED: -

To thank the LCA Chief officers and their respective staff for the work that they have carried out in the last year, particularly during the pandemic.

That the Committee are reassured that both LCAs are operating effectively and efficiently, and responded well to all questioning from Members.

That the Councils should take a single view of debt and implement an integrated system for dealing with housing rent and council tax debt.

That contact be made with foodbanks with a request that their clients are referred to the LCA for advice on nutrition and budgeting and cookery skills classes.

Remote virtual operation capability for LCA and other bodies should be provided on an accelerated programme as a matter of urgency defining locations, IT equipment and applications, training, and connectivity.

That Cabinets be asked to consider the previous resolution of Joint Overview and Scrutiny Committee that the 3 year rolling funding arrangements review be subject to indexation on an annual review basis.

That the Joint Overview and Scrutiny Committee review the Local Citizens Advice again in December 2022.

By a vote of Mid Suffolk Members only, that Mid Suffolk Cabinet confirm that funding previously allocated to Thetford and Diss LCA will be allocated to Mid Suffolk LCA.

Agenda Item 11a

BABERGH DISTRICT COUNCIL and MID SUFFOLK DISTRICT COUNCIL

TO: Joint Audit and Standards Committee	REPORT NUMBER: JAC/21/10
FROM: Katherine Steel, Assistant Director, Corporate Resources	DATE OF MEETING: 29 November 2021
OFFICER: Rebecca Hewitt, Acting Corporate Manager - Finance Operations Sue Palmer, Senior Finance Business Partner	KEY DECISION REF NO. N/A

HALF YEAR REPORT ON TREASURY MANAGEMENT 2021/22

1. PURPOSE OF REPORT

- 1.1 The report is part of the Councils' management and governance arrangements for Treasury Management activity under the CIPFA Code of Practice on Treasury Management ("the Code"). It provides Members with a comprehensive assessment of activities for the first six months of the financial year 2021/22.
- 1.2 The report specifically sets out the performance of the treasury management function, the effects of the decisions taken, and the transactions executed during the first six months of 2021/22 and any circumstances of non-compliance with the Councils' treasury management policy statement and treasury management practices.

2. OPTIONS CONSIDERED

- 2.1 This report fulfils the Councils' legal obligations to have regard to the Code and there are no other options to consider.

3. RECOMMENDATION TO BOTH COUNCILS

- 3.1 That the Treasury Management activity for the first six months of 2021/22 as set out in this report and Appendices be noted.

RECOMMENDATION TO BABERGH COUNCIL

- 3.2 That it be noted that Babergh District Council's treasury management activity for the first six months of 2021/22 was in accordance with the approved Treasury Management Strategy, and that, except for one occasion when the Council exceeded its daily bank account limit with Lloyds by £136k, as mentioned in Appendix C, paragraph 5.4, the Council has complied with all the Treasury Management Indicators for this period.

RECOMMENDATION TO MID SUFFOLK COUNCIL

- 3.3 That it be noted that Mid Suffolk District Council's treasury management activity for the first six months of 2021/22 was in accordance with the approved Treasury Management Strategy, and that the Council has complied with all the Treasury Management Indicators for this period.

REASON FOR DECISION

It is a requirement of the Code of Practice on Treasury Management that full Council notes the Half-Year position.

4. KEY INFORMATION

- 4.1 The 2021/22 Treasury Management Strategy for both Councils was approved in February 2021.
- 4.2 The Strategy and activities are affected by several factors, including the regulatory framework, economic conditions, best practice and interest rate/liquidity risk. The attached appendices summarise the regulatory framework, economic background and information on key activities for the first six months of 2021/22.
- 4.3 The Joint Treasury Management outturn report for 2020/21 was presented to Members at the Joint Audit and Standards Committee on 26 July 2021.
- 4.4 The Section 151 Officer is pleased to report that all treasury management activities undertaken in the first half of the year complied fully with the CIPFA Code of Practice and the Councils' approved Treasury Management Strategy and that, except for one occasion when Babergh exceeded its daily bank account limit with Lloyds by £136k, as mentioned in Appendix C, paragraph 5.4, the Council has complied with all the Treasury Management Indicators for this period.
- 4.5 The Treasury Management Indicators aim to ensure that the capital investments of local authorities are affordable, prudent and sustainable and that treasury management decisions are taken in accordance with good professional practice.
- 4.6 Appendix D shows the position on key Treasury Management Indicators for the first six months of 2021/22.
- 4.7 Key points relating to activity for the first half of the year are set out below:
- The economic recovery from the coronavirus pandemic continued to dominate the first half of the financial year. Government initiatives continued to support the economy but came to an end on 30 September 2021, with businesses required to either take back the 1.6 million workers on the furlough scheme or make them redundant.
 - The latest labour market data showed that in the three months to July 2021 the unemployment rate fell to 4.6%. The employment rate increased, and economic activity rates decreased, suggesting an improving labour market picture. Latest data showed growth in average total pay (including bonuses) and regular pay (excluding bonuses) among employees was 8.3% and 6.3% respectively over the period. However, part of the robust growth figures is due to a base effect from a decline in average pay in the spring of last year associated with the furlough scheme.
 - The easing of restrictions boosted activity in the second quarter of the calendar year, helping push GDP up by 5.5% quarter on quarter.

- The Bank of England (BoE) maintained the official Bank Rate at 0.1%. In its September 2021 policy announcement, the BoE noted it now expected the UK economy to grow at a slower pace than was predicted in August, as the pace of the global recovery had shown signs of slowing and there were concerns inflationary pressures may be more persistent.
- Annual CPI inflation rose to 3.2% in August, exceeding expectations for 2.9%, with the largest upward contribution coming from restaurants and hotels. The BoE now expects inflation to exceed 4% by the end of the calendar year owing largely to developments in energy and goods prices.
- Investment of surplus funds - As market conditions, credit ratings and bank ring-fencing have changed during the year, institutions that the Councils invest with and the period of the investments have been reviewed.
- Credit risk scores were within the benchmark A- credit ratings.
- Babergh's overall debt reduced by £5.4m, due to repayments made on long term PWLB loans and by repaying short-term local authority loans.
- Mid Suffolk's overall debt reduced by £9.0m, due to making repayments on long term PWLB loans and by repaying short-term local authority loans.
- Both reductions reflect the ongoing impact of Covid19 on general income and expenditure activity. COVID grants and S.31 Business Rates grants are held in reserves pending their use to offset continuing expenditure and income losses and expenditure on capital projects continues to be delayed.

4.8 Money market funds, short-term deposits and call accounts are used to make short term investments on a daily basis.

4.9 Appendix A sets out the issues that are impacting on current and future treasury management activity.

5. LINKS TO JOINT CORPORATE PLAN

5.1 Ensuring that the Councils have the resources available underpins the ability to achieve the priorities set out in the Joint Corporate Plan.

6. FINANCIAL IMPLICATIONS

6.1 As outlined in this report and appendices.

7. LEGAL IMPLICATIONS

7.1 The legal status of the Treasury Management Code derives in England from regulations issued under the Local Government Act 2003 (the 2003 Act).

7.2 Local authorities are required by regulation to have regard to the Prudential Code when carrying out their duties under Part 1 of the 2003 Act.

7.3 The latest statutory guidance on local government investments was issued under section 15(1)(a) of the 2003 Act and effective for financial years commencing on or after 1 April 2018. Under that section local authorities "shall have regard to such guidance as the Secretary of State may issue".

8. RISK MANAGEMENT

8.1 This report is most closely linked with the Councils' Significant Risk Register, Risk no.13. "We may be unable to respond in a timely and effective way to financial demands".

8.2 The key risks are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
If the Councils lose the investments this will impact on their ability to deliver services.	Highly Unlikely (1)	Bad (3)	Strict lending criteria for high credit rated institutions.
If the Councils achieve a poorer return on investments than planned, there will be fewer resources available to deliver services.	Probable (3)	Noticeable (2)	Focus is on security and liquidity, and careful cash flow management in accordance with the TM Strategy is undertaken throughout the year.
If the Councils have liquidity problems, then they will be unable to meet their short-term liabilities.	Unlikely (2)	Noticeable (2)	As above.

9. CONSULTATIONS

9.1 Regular meetings have taken place with the Councils' Treasury advisors, Arlingclose, who also provide important updates on treasury management issues as they arise.

10. EQUALITY ANALYSIS

10.1 An equality analysis has not been completed because the report content does not have any impact on the protected characteristics.

11. ENVIRONMENTAL IMPLICATIONS

11.1 All Council activities will need to be reviewed as part of the work of the Climate Change Task Group and have regard to the Councils' ambition to be carbon neutral by 2030.

11.2 Both Councils have joined Arlingclose's ESG and Responsible Investment Service. This will provide advice for ESG integration in the Councils' investment portfolios.

12. APPENDICES

Title	Location
(a) Background, Economy and Outlook	Appendix A
(b) Borrowing Strategy	Appendix B
(c) Investment Activity	Appendix C
(d) Treasury Management indicators	Appendix D
(e) Consultations on revised CIPFA Codes and MHCLG Capital Finance Framework	Appendix E
(f) Glossary of Terms	Appendix F

13. BACKGROUND DOCUMENTS

- 13.1 CIPFA's Code of Practice on Treasury Management ("the Code").
- 13.2 Joint Treasury Management Strategy 2021/22 (Paper JAC/20/10).
- 13.3 Environmental, Social and Governance (ESG) Considerations for the Councils' Joint Treasury Management Strategy (JAC/20/21)

This page is intentionally left blank

Background, Economy and Outlook

1. Introduction

- 1.1 In February 2012 both Councils adopted the Chartered Institute of Public Finance and Accountancy's *Treasury Management in the Public Services: Code of Practice* (the CIPFA Code) which requires the Councils to approve treasury management half year and annual reports.
- 1.2 The Joint Treasury Management Strategy for 2021/22 was approved at both full Councils in February 2021. Both Councils have borrowed and invested substantial sums of money and are therefore exposed to financial risks including the loss of invested funds and the revenue effect of changing interest rates. The successful identification, monitoring and control of risk are therefore central to the Councils' Treasury Management Strategy.
- 1.3 The 2017 Prudential Code includes a requirement for local authorities to provide a Capital Strategy, a summary document approved by full Council covering capital expenditure and financing, treasury management and non-treasury investments. The Councils' Capital Strategy, for the financial year 2021/22, complying with CIPFA's Code requirement, was approved by both full Councils in February 2021.
- 1.4 The Statutory Guidance on Local Government Investments (MHCLG, 2018) requires local authorities to produce an investment strategy, covering investments that are not part of treasury management activity. The Councils' Investment Strategy, for the financial year 2021/22, was also approved by both full Councils in February 2021.

2. External Context

2.1 Economic background:

- 2.1.1 The economic recovery from the coronavirus pandemic continued to dominate the first half of the financial year. By the end of the period over 48 million people in the UK had received their first dose of a COVID-19 vaccine and almost 45 million their second dose.
- 2.1.2 The Bank of England (BoE) held the Bank Rate at 0.1% throughout the period and maintained its Quantitative Easing programme at £895 billion, unchanged since the November 2020 meeting. In its September 2021 policy announcement, the BoE noted it now expected the UK economy to grow at a slower pace than was predicted in August, as the pace of the global recovery had shown signs of slowing and there were concerns inflationary pressures may be more persistent. Within the announcement, Bank expectations for GDP growth for the third (calendar) quarter were revised down to 2.1% (from 2.9%), in part reflecting tighter supply conditions. The path of CPI inflation is now expected to rise slightly above 4% in the last three months of 2021, due to higher energy prices and core goods inflation. While the Monetary Policy Committee meeting ended with policy rates unchanged, the tone was more hawkish.

- 2.1.3 Government initiatives continued to support the economy over the quarter but came to an end on 30 September 2021, with businesses required to either take back the 1.6 million workers on the furlough scheme or make them redundant.
- 2.1.4 The latest labour market data showed that in the three months to July 2021 the unemployment rate fell to 4.6%. The employment rate increased, and economic activity rates decreased, suggesting an improving labour market picture. Latest data showed growth in average total pay (including bonuses) and regular pay (excluding bonuses) among employees was 8.3% and 6.3% respectively over the period. However, part of the robust growth figures is due to a base effect from a decline in average pay in the spring of last year associated with the furlough scheme.
- 2.1.5 Annual CPI inflation rose to 3.2% in August, exceeding expectations for 2.9%, with the largest upward contribution coming from restaurants and hotels. The BoE now expects inflation to exceed 4% by the end of the calendar year owing largely to developments in energy and goods prices. The Office of National Statistics' (ONS') preferred measure of CPIH which includes owner-occupied housing was 3.0% year on year, marginally higher than expectations for 2.7%.
- 2.1.6 The easing of restrictions boosted activity in the second quarter of the calendar year, helping push GDP up by 5.5% quarter on quarter (final estimate compared with 4.8% quarter on quarter initial estimate). Household consumption was the largest contributor. Within the sector breakdown production contributed 1.0% quarter on quarter, construction 3.8% quarter on quarter and services 6.5% quarter on quarter, taking all these close to their pre-pandemic levels.
- 2.1.7 The US economy grew by 6.3% in Q1 2021 (Jan-Mar) and then by an even stronger 6.6% in Q2 as the recovery continued. The Federal Reserve maintained its main interest rate at between 0% and 0.25% over the period but in its most recent meeting made suggestion that monetary policy may start to be tightened soon.
- 2.1.8 The European Central Bank maintained its base rate at 0%, deposit rate at -0.5%, and asset purchase scheme at €1.85 trillion.

2.2 Financial markets:

- 2.2.1 Monetary and fiscal stimulus together with rising economic growth and the ongoing vaccine rollout programmes continued to support equity markets over most of the period, albeit with a bumpy ride towards the end. The Dow Jones hit another record high while the UK-focused FTSE 250 index continued making gains over pre-pandemic levels. The more internationally focused FTSE 100 saw more modest gains over the period and remains below its pre-crisis peak.
- 2.2.2 Inflation worries continued during the period. Declines in bond yields in the first quarter of the financial year suggested bond markets were expecting any general price increases to be less severe, or more transitory, than was previously thought. However, an increase in gas prices in the UK and EU, supply shortages and a dearth of HGV and lorry drivers, with companies willing to pay more to secure their services, has caused problems for a range of industries and, in some instances, lead to higher prices.

2.2.3 The 5-year UK benchmark gilt yield began the financial year at 0.36% before declining to 0.33% by the end of June 2021 and then climbing to 0.64% on 30 September. Over the same period the 10-year gilt yield fell from 0.80% to 0.71% before rising to 1.03% and the 20-year yield declined from 1.31% to 1.21% and then increased to 1.37%.

2.2.4 The Sterling Overnight Rate (SONIA) averaged 0.05% over the quarter.

2.3 Credit background:

2.3.1 Credit Default Swap spreads were flat over most of the period and are broadly in line with their pre-pandemic levels. In late September spreads rose by a few basis points due to concerns around Chinese property developer Evergrande defaulting but are now falling back. The gap in spreads between UK ringfenced and non-ringfenced entities continued to narrow, but Santander UK remained an outlier compared to the other ringfenced/retail banks. At the end of the period Santander UK was trading the highest at 53bps and Lloyds Banks Plc the lowest at 32bps. The other ringfenced banks were trading between 37-39bps and Nationwide Building Society was 39bps.

2.3.2 Over the period Fitch and Moody's upwardly revised to stable the outlook on a number of UK banks and building societies on our counterparty list, recognising their improved capital positions compared to last year and better economic growth prospects in the UK.

2.3.3 Fitch also revised the outlooks for Nordea, Svenska Handelsbanken and Handelsbanken plc to stable from negative. The rating agency considered the improved economic prospects in the Nordic region to have reduced the baseline downside risks it previously assigned to the lenders.

2.3.4 The successful vaccine rollout programme is credit positive for the financial services sector in general and the improved economic outlook has meant some institutions have been able to reduce provisions for bad loans. While there is still uncertainty around the full extent of the losses banks and building societies will suffer due to the pandemic-related economic slowdown, the sector is in a generally better position now compared to earlier this year and 2020.

2.3.5 At the end of the period Arlingclose had completed its full review of its credit advice on unsecured deposits. The outcome of this review included the addition of NatWest Markets plc to the counterparty list together with the removal of the suspension of Handelsbanken plc. In addition, the maximum duration for all recommended counterparties was extended to 100 days.

2.3.6 As ever, the institutions and durations on the Councils' counterparty list recommended by treasury management advisors Arlingclose remain under constant review.

3 Outlook for the remainder of 2021/22:

- 3.1 The Councils' treasury advisor, Arlingclose expects Bank Rate to rise in Q2 2022. They believe this is driven as much by the Bank of England's desire to move from emergency levels as by fears of inflationary pressure.
- 3.2 Investors have priced in multiple rises in Bank Rate to 1% by 2024. While Arlingclose believes Bank Rate will rise, it is by a lesser extent than expected by markets.
- 3.3 The global economy continues to recover from the pandemic but has entered a more challenging phase. The resurgence of demand has led to the expected rise in inflationary pressure, but disrupted factors of supply are amplifying the effects, increasing the likelihood of lower growth rates ahead. This is particularly apparent in the UK due to the impact of Brexit.
- 3.4 While Q2 UK GDP expanded more quickly than initially thought, the 'pingdemic' and more latterly supply disruption will leave Q3 GDP broadly stagnant. The outlook also appears weaker. Household spending, the driver of the recovery to date, is under pressure from a combination of retail energy price rises, the end of government support programmes and soon, tax rises. Government spending, the other driver of recovery, will slow considerably as the economy is taken off life support.
- 3.5 Inflation rose to 3.2% in August. A combination of factors will drive this to over 4% in the near term. While the transitory factors affecting inflation, including the low base effect of 2020, are expected to unwind over time, the MPC has recently communicated fears that these transitory factors will feed longer-term inflation expectations that require tighter monetary policy to control. This has driven interest rate expectations substantially higher.
- 3.6 The supply imbalances are apparent in the labour market. While wage growth is currently elevated due to compositional and base factors, stories abound of higher wages for certain sectors, driving inflation expectations. It is uncertain whether a broad-based increase in wages is possible given the pressures on businesses.
- 3.7 Government bond yields increased sharply following the September Federal Open Market Committee (FOMC) and MPC minutes, in which both central banks communicated a lower tolerance for higher inflation than previously thought. The MPC in particular has doubled down on these signals in spite of softer economic data. Bond investors expect higher near-term interest rates but are also clearly uncertain about central bank policy.
- 3.8 The MPC appears to be playing both sides, but has made clear its intentions to tighten policy, possibly driven by a desire to move away from emergency levels. While the economic outlook will be challenging, the signals from policymakers suggest Bank Rate will rise unless data indicates a more severe slowdown.
- 3.9 Arlingclose – Forecast rates

	Dec-21	Mar-22	Jun-22	Sep-22	Dec-22	Mar-23	Jun-23	Sep-23	Dec-23	Mar-24	Jun-24	Sep-24	Dec-24
Official Bank Rate													
Upside risk	0.00	0.15	0.00	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25	0.25
Arlingclose Central Case	0.10	0.10	0.25	0.25	0.25	0.50	0.50	0.50	0.50	0.50	0.50	0.50	0.50
Downside risk	0.00	0.00	0.15	0.15	0.15	0.40	0.40	0.40	0.40	0.40	0.40	0.40	0.40

4 Local Context

4.1 On 31 March 2021, Babergh had a net borrowing requirement of £117m and Mid Suffolk had a net borrowing requirement of £127m arising from revenue and capital income and expenditure.

4.2 The underlying need to borrow for capital purposes is measured by the Capital Financing Requirement (CFR), while usable reserves and working capital are the underlying resources available for investment. These factors are summarised in Table 1 that follows.

4.3 **Table 1: Balance Sheet Summary**

Balance Sheet Summary	31.03.21 Babergh £m	31.03.21 Mid Suffolk £m
General Fund CFR	71.311	95.260
HRA CFR	89.185	88.509
Total CFR	160.496	183.769
(Less): Usable reserves	(43.820)	(54.492)
(Less) / Add: Working capital	0.131	(1.812)
Net borrowing requirement	116.807	127.465

4.4 Lower official interest rates have lowered the cost of short-term, temporary loans and investment returns from cash assets that can be used in lieu of borrowing. The current strategy is to maintain borrowing and investments below their underlying levels, sometimes known as internal borrowing, in order to reduce risk and keep interest costs low.

4.5 The treasury management position on 30 September 2021 and the change during the half year is shown in Table 2 that follows.

4.6 Table 2: Treasury Management Summary

Babergh	31.03.21 Balance £m	Movement £m	30.09.21 Balance £m	30.09.21 Rate %
Long-term borrowing	95.089	(0.420)	94.669	3.19%
Short-term borrowing	32.000	(5.000)	27.000	0.04%
Total borrowing	127.089	(5.420)	121.669	
Long-term investments	11.166	(0.031)	11.135	5.02%
Short-term investments	0.000	5.700	5.700	0.01%
Cash and Cash equivalents	1.840	(1.203)	0.637	0.00%
Total Investments	13.006	4.466	17.472	
Net borrowing	114.083		104.197	

Mid Suffolk	31.03.21 Balance £m	Movement £m	30.09.21 Balance £m	30.09.21 Rate %
Medium / Long-term borrowing	98.572	6.809	105.381	2.74%
Short-term borrowing	44.000	(15.800)	28.200	0.07%
Total borrowing	142.572	(8.991)	133.581	
Long-term investments	11.162	(0.031)	11.131	5.03%
Short-term investments	1.500	(1.500)	0.000	0.01%
Cash and Cash equivalents	2.018	(0.006)	2.012	0.00%
Total Investments	14.680	(1.537)	13.143	
Net borrowing	127.892		120.438	

5 Environmental, Social and Governance (ESG) considerations

- 5.1 At its meeting on 17th May 2021, the Joint Audit and Standards Committee considered a report on ESG considerations for the Councils' Joint Treasury Management Strategy and recommended that "the Cabinet pushes its fund managers to filter investments in respect of the ESG considerations, looking for positive contributions to tackling our carbon reduction priorities and that the Cabinet considers withdrawing funds from investors who do not adequately address these concerns." It was recognised that any decision to withdraw funds should be balanced against financial prudence. This recommendation will be taken forward to Cabinet in January 2022.
- 5.2 In October 2021 the Government published a report, Greening Finance: A Roadmap to Sustainable Investing: [Greening Finance: A Roadmap to Sustainable Investing \(publishing.service.gov.uk\)](https://www.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/100000/greening-finance-a-roadmap-to-sustainable-investing). Its aim is to support the financial services sector to align with the UK's net zero commitment and wider environmental goals.
- 5.3 The roadmap sets out the Governments plans to implement new Sustainability Disclosure Requirements (SDR) to create an integrated framework for decision-useful disclosures on sustainability across the economy. This will include new requirements for asset managers and investment product disclosures.
- 5.4 Updates will be provided in future reports on any developments in this area.

1 Borrowing Strategy

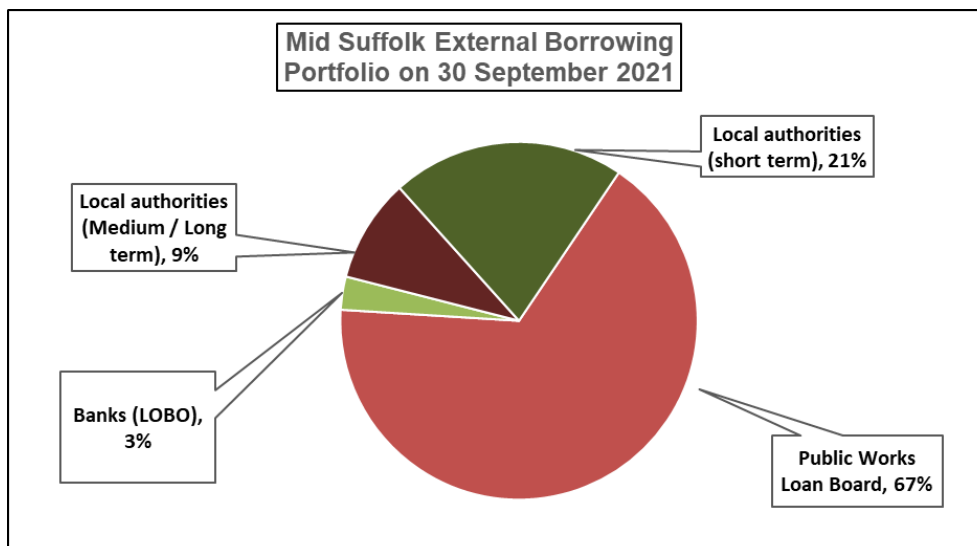
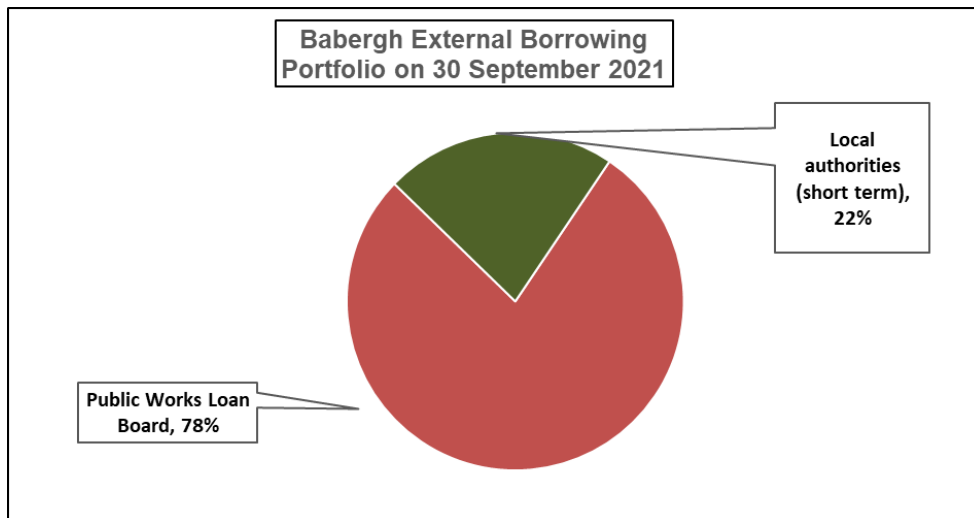
- 1.1 On 30 September 2021 Babergh held £121.7m of loans, a decrease of £5.4m and Mid Suffolk held £133.6m of loans, a decrease of £9m since 31 March 2021.
- 1.2 Babergh has reduced net overall borrowing by making repayments on long term Public Works Loan Board (PWLB) loans and by repaying short-term local authority loans.
- 1.3 Mid Suffolk has reduced net overall borrowing by making repayments on long term PWLB loans and taking up new medium-term and repaying short-term loans with other local authorities.
- 1.4 The borrowing position on 30 September 2021 is shown in Table 3 that follows.

1.5 **Table 3: Borrowing Position**

Babergh	31.03.21 Balance	Movement	30.09.21 Balance	30.09.21 Weighted Average Rate
	£m	£m	£m	%
Public Works Loan Board	95.089	(0.420)	94.669	3.19%
Local authorities (short term)	32.000	(5.000)	27.000	0.08%
Total borrowing	127.089	(5.420)	121.669	

Mid Suffolk	31.03.21 Balance	Movement	30.09.21 Balance	30.09.21 Weighted Average Rate
	£m	£m	£m	%
Public Works Loan Board	89.572	(0.691)	88.881	3.28%
Banks (LOBO)	4.000	0.000	4.000	4.21%
Local authorities (Medium / Long term)	5.000	7.500	12.500	0.74%
Local authorities (short term)	44.000	(15.800)	28.200	0.22%
Total borrowing	142.572	(8.991)	133.581	

1.6 Table 3 - Charts - The Councils' Borrowing Portfolios on 30 September 2021:



- 1.7 The Councils' chief objective when borrowing has been to strike an appropriately low risk balance between securing low interest costs and achieving cost certainty over the period for which funds are required, with the secondary objective of having flexibility to renegotiate loans should the Councils' long-term plans change.
- 1.8 With short-term interest rates remaining much lower than long-term rates, the Councils considered it more cost effective in the near term to use internal resources or short to medium-term loans instead.
- 1.9 The impact of Covid19 has caused delays in the Councils' capital expenditure plans which has resulted in a temporary lower funding requirement.

- 1.10 The Treasury Management Strategy shows that both Councils have increasing CFRs and estimated net borrowing requirements which are for capital expenditure on schemes including the HRA new build programme, the former HQ sites, Gateway 14 Ltd, solar car ports and vehicle renewals.
- 1.11 The Councils' borrowing decisions are not predicated on any one outcome for interest rates and a balanced portfolio of short and long-term borrowing was maintained.
- 1.12 Mid Suffolk took out £7.5m of new medium-term borrowing in the period.
- 1.13 PWLB funding margins have lurched quite substantially and there remains a strong argument for diversifying funding sources, particularly if rates can be achieved on alternatives which are below gilt yields plus 0.80%, i.e. the PWLB certainty borrowing rate. The Councils will evaluate and pursue these lower cost solutions and opportunities with its treasury advisor, Arlingclose.
- 1.14 LOBO loans: Mid Suffolk continues to hold £4m of LOBO (Lender's Option Borrower's Option) loans where the lender has the option to propose an increase in the interest rate at set dates, following which the Council has the option to either accept the new rate or to repay the loan at no additional cost. No banks exercised their option during the first half of 2021/22.

2 Borrowing Update

- 2.1 Local authorities can borrow from the PWLB provided they can confirm they are not planning to purchase 'investment assets primarily for yield' in the current or next two financial years, with confirmation of the purpose of the capital expenditure from the Section 151 Officer (Assistant Director, Corporate Resources). Authorities that are purchasing or intending to purchase investment assets primarily for yield will not be able to access the PWLB except to refinance existing loans or externalise internal borrowing.
- 2.2 Acceptable use of PWLB borrowing includes service delivery, housing, regeneration, preventative action, refinancing and treasury management.
- 2.3 Competitive market alternatives may be available for authorities with or without access to the PWLB. However, the financial strength of the individual authority and borrowing purpose will be scrutinised by commercial lenders. Further changes to the CIPFA Prudential Code expected in December 2021 are likely to prohibit borrowing for the primary purpose of commercial return even where the source of borrowing is not the PWLB.
- 2.4 The Councils are not planning to purchase any investment assets primarily for yield within the next three years and so are able to fully access the PWLB.

Revised PWLB Guidance

- 2.5 HM Treasury published further guidance on PWLB borrowing in August 2021 providing additional detail and clarifications predominantly around the definition of an 'investment asset primarily for yield'. The principal aspects of the new guidance are:

- Capital expenditure incurred or committed to before 26 November 2020 is allowable even for an 'investment asset primarily for yield'.
- Capital plans should be submitted by local authorities via a DELTA return. These open for the new financial year on 1 March and remain open all year. Returns must be updated if there is a change of more than 10%.
- An asset held primarily to generate yield that serves no direct policy purpose should not be categorised as service delivery.
- Further detail on how local authorities purchasing investment assets primarily for yield can access the PWLB for the purposes of refinancing existing loans or externalising internal borrowing.
- Additional detail on the sanctions which can be imposed for inappropriate use of the PWLB loan. These can include a request to cancel projects, restrictions to accessing the PLWB and requests for information on further plans.

2.6 **Changes to PWLB Terms and Conditions from 8 September 2021**

- 2.7 The settlement time for a PWLB loan has been extended from two working days (T+2) to five working days (T+5). In a move to protect the PWLB against negative interest rates, the minimum interest rate for PWLB loans has also been set at 0.01% and the interest charged on late repayments will be the higher of Bank of England Base Rate or 0.1%.
- 2.8 Municipal Bonds Agency (MBA): The MBA is working to deliver a new short-term loan solution, available in the first instance to principal local authorities in England, allowing them access to short-dated, low rate, flexible debt. The minimum loan size is expected to be £25 million. Importantly, local authorities will borrow in their own name and will not cross guarantee any other authorities.
- 2.9 If the Councils intend future borrowing through the MBA, they will first ensure that they have thoroughly scrutinised the legal terms and conditions of the arrangement and are satisfied with them.
- 2.10 UK Infrastructure Bank: £4bn has been earmarked for lending to local authorities by the UK Infrastructure Bank which is wholly owned and backed by HM Treasury. The availability of this lending to local authorities, for which there will be a bidding process, is yet to commence. Loans will be available for qualifying projects at gilt yields plus 0.6%, which is 0.2% lower than the PWLB certainty rate.

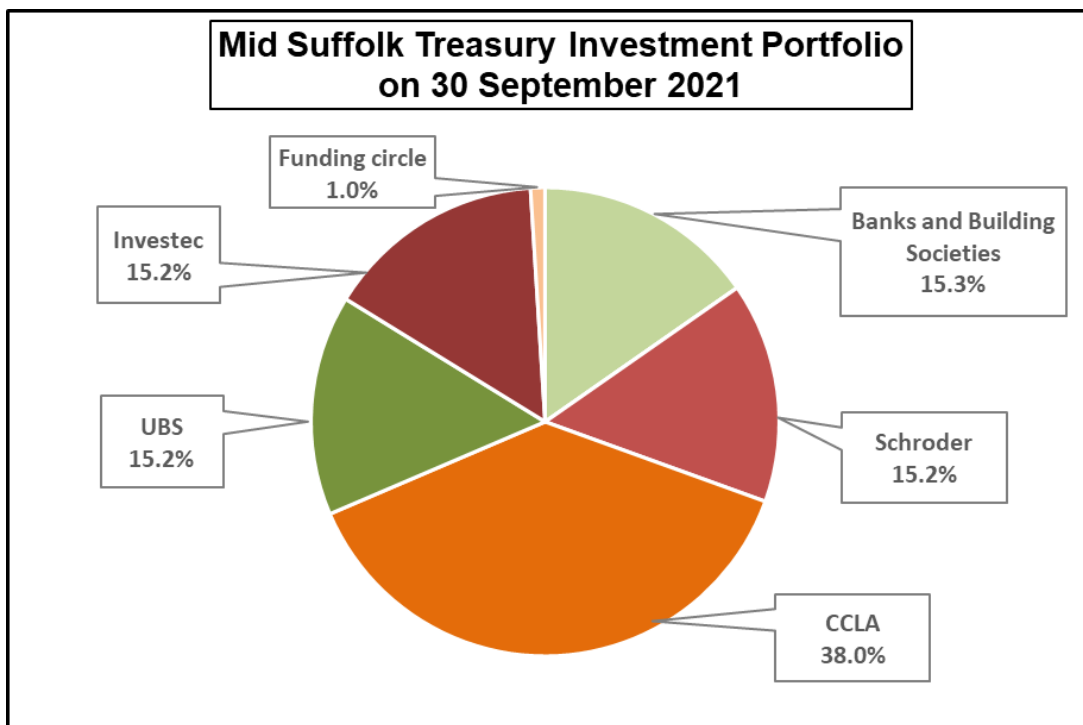
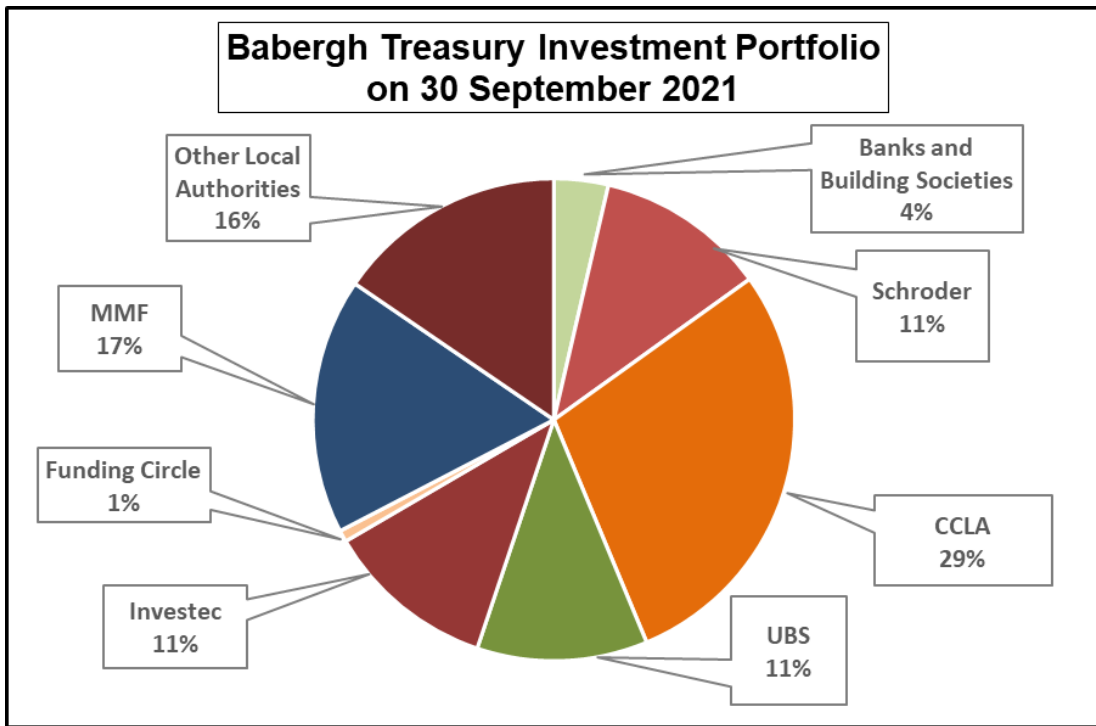
1 Treasury Investment Activity

- 1.1 Since April 2020 both Councils have received central government funding to support small and medium businesses during the coronavirus pandemic through grant schemes. At 30th September 2021 Babergh had a balance of £2.4m that was received but yet to be paid out and Mid Suffolk had a balance of £2.6m, which was temporarily invested in short-dated, liquid instruments such as Money Market Funds.
- 1.2 Babergh and Mid Suffolk hold invested funds, representing income received in advance of expenditure plus balances and reserves held. During the first half of 2021/22, Babergh's investment balances ranged between £12.4m and £24.1m. Mid Suffolk's investment balances ranged between £12.4m and £25.4m. These movements are due to timing differences between income and expenditure, in particular relating to the grant schemes discussed in paragraph 1.1 above.
- 1.3 The investment position and weighted average rates during the first six months of the year is shown in Table 4 that follows.
- 1.4 **Table 4: Treasury Investment Position**

Babergh	31.03.21	Movement	30.09.21	30.09.21
	Balance		Balance	Weighted Average Rate
	£m	£m	£m	%
Banks and Building Societies	1.840	(1.203)	0.637	0.00%
Money Market Funds	0.000	3.000	3.000	0.01%
Other Pooled Funds	11.166	(0.031)	11.135	5.02%
Other Local Authorities	0.000	2.700	2.700	0.01%
Total Investments	13.006	4.466	17.472	

Mid Suffolk	31.03.21	Movement	30.09.21	30.09.21
	Balance		Balance	Weighted Average Rate
	£m	£m	£m	%
Banks and Building Societies	2.018	(0.006)	2.012	0.00%
Money Market Funds	1.500	(1.500)	0.000	0.01%
Other Pooled Funds	11.162	(0.031)	11.131	5.03%
Total Investments	14.680	(1.537)	13.143	

1.5 The Councils' Investment Portfolios on 30 September 2021:



1.6 Both the CIPFA Code and government guidance requires the Councils to invest their funds prudently, and to have regard to the security and liquidity of their treasury investments before seeking the optimum rate of return, or yield. The Councils' objective when investing money is to strike an appropriate balance between risk and return, minimising the risk of incurring losses from defaults and the risk of receiving unsuitably low investment income.

- 1.7 Ultra-low short-dated cash rates which have been a feature since March 2020 when Bank Rate was cut to 0.1% have resulted in the return on sterling low volatility net asset value money market funds (LVNAV MMFs) being close to zero even after some managers have temporarily waived or lowered their fees. At this stage net negative returns are not the central case of most MMF managers over the short-term, and fee cuts or waivers should result in MMF net yields having a floor of zero, but the possibility cannot be ruled out.
- 1.8 Deposit rates with the Debt Management Account Deposit Facility (DMADF) are also largely around zero.
- 1.9 Neither Council made further investments in strategic pooled funds (e.g. pooled property, multi asset and equity funds) during the period.
- 1.10 The average rate of return is significantly higher than the comparable average returns of Arlingclose's other clients, as shown in Table 5 that follows. The progression of risk and return metrics are shown in the extracts from Arlingclose's quarterly investment benchmarking.
- 1.11 **Table 5: Investment Benchmarking – Treasury investments managed in-house**

Babergh	Credit Score	Credit Rating	Bail-in Exposure	Weighted Average Maturity (days)	Rate of Return
31.03.2021	5.38	A+	93%	11	4.22%
30.06.2021	4.81	A+	100%	3	3.01%
30.09.2021	4.80	A+	100%	3	3.72%

Mid Suffolk	Credit Score	Credit Rating	Bail-in Exposure	Weighted Average Maturity (days)	Rate of Return
31.03.2021	5.01	A+	99%	6	3.75%
30.06.2021	4.89	A+	100%	4	3.56%
30.09.2021	5.12	A+	99%	3	4.19%

Arlingclose Benchmarks for 30.09.21	Credit Score	Credit Rating	Bail-in Exposure	Weighted Average Maturity (days)	Rate of Return
Similar LAs	4.66	A+	69%	32	1.20%
All LAs	4.69	A+	69%	10	0.78%

- 1.12 Bail-in involves the shareholders and creditors of a failing financial institution meeting the costs, instead of the government. Babergh and Mid Suffolk have a higher proportion of investments in strategic pooled funds compared to total investments, so their bail-in exposure is proportionately higher than the local authorities in Arlingclose's benchmarking group. Babergh and Mid Suffolk have chosen to adopt a strategy of generating higher returns by investing funds available in banks and strategic pooled funds.
- 1.13 Each Council has £11.1m of externally managed strategic pooled equity, property and multi assets funds where short-term security and liquidity are lesser considerations and the primary objectives instead are regular revenue income and long-term price stability. Since the date of the initial investments, these have generated a total income return, used to support service provision, of £2.72m for Babergh and £2.57m for Mid Suffolk. Both Councils have achieved an average rate of return for the period of 4.1%.
- 1.14 These pooled funds have no defined maturity date but are available for withdrawal after a notice period. Their performance and continued suitability in meeting the Councils' investment objectives are regularly reviewed. Strategic fund investments are made in the knowledge that capital values will move both up and down on months, quarters and even years, but with the confidence that over a three to five-year period total returns will exceed cash interest rates. Investment in these funds has been maintained during the first six months of the year.
- 1.15 Since 2018/19, the International Financial Reporting Standards for pooled funds states that changes in valuations must be taken through the Comprehensive Income and Expenditure Statement. The then MHCLG granted a statutory override until 2022/23 so these changes will have no impact on the "bottom line" until 2023/24.
- 1.16 It is intended to set aside any increases in valuation to a reserve to mitigate future potential losses. These pooled funds are long term investments and the Councils would not sell the units whilst their value was less than the original investment.

2 Long Term investments – Pooled Fund Performance

- 2.1 In a relatively short period since the onset of the COVID-19 pandemic in March 2020 and the ensuing enforced lockdown in many jurisdictions, the global economic fallout has been sharp and large. Market reaction was extreme with large falls in equities, corporate bond markets and, to some extent, real estate echoing lockdown-induced paralysis and the uncharted challenges for governments, business and individuals.
- 2.2 Both Councils are invested in equity, multi-asset and property funds. The falls in the capital values of the underlying assets, in particular equities, reflected in the 31 March 2020 fund valuations, with both funds registering negative capital returns over the 12-month period had made some recovery by 31 March 2021.

2.3 The improved market sentiment in the past 6 months is reflected in equity, property and multi-asset fund valuations and, in turn, in the capital values of the Councils' equity and multi-asset income funds in their portfolios. The prospect of higher inflation and rising bond yields resulted in muted bond fund performance.

2.4 The capital value of the property fund is above that on 31 March. Market values of all the pooled funds on 31 March and 30 September 2021 are as shown in Table 6 that follows.

2.5 The Councils' objective is to retain these investments in pooled funds to generate an income return. These are long-term investments and would only be redeemed when capital growth had been achieved. Table 6 that follows is a summary of performance by fund from initial investment date until the most recent return valuation available and details of interest received.

2.6 **Table 6: Pooled Fund Performance**

2.6.1 Both Councils invested £5m each into the CCLA Local Authority Property Fund. Babergh purchased 1.657m units on 31 August 2015 and Mid Suffolk 1.632m units on 29 October 2015. The valuations are based on the number of units owned.

2.6.2 **Table 6.1 CCLA Performance**

CCLA	Babergh				
	31.3.20 Balance £m	2020/21 Movement £m	31.3.21 Balance £m	6 months Movement £m	30.9.21 Balance £m
Amount invested	5.000		5.000		5.000
Investment Valuation	4.825	(0.034)	4.791	0.334	5.125
Cumulative Net Interest received from date of initial investment	1.014	0.209	1.224	0.092	1.316
Annual Performance					
Net Interest received in year	0.216		0.209		0.092
Average Rate of Return for year	4.35%		4.19%		3.67%

CCLA	Mid Suffolk				
	31.3.20 Balance £m	2020/21 Movement £m	31.3.21 Balance £m	6 months Movement £m	30.9.21 Balance £m
Amount invested	5.000		5.000		5.000
Investment Valuation	4.750	(0.034)	4.717	0.329	5.046
Cumulative Net Interest received from date of initial investment	0.965	0.206	1.171	0.089	1.260
Annual Performance					
Net Interest received in year	0.215		0.206		0.089
Average Rate of Return for year	4.30%		4.12%		3.55%

2.6.3 Both Councils invested £2m each into the Schroder Income Maximiser Fund on 10 February 2017.

2.6.4 **Table 6.2 Schroder Performance**

Schroder Maximiser Fund	Babergh				
	31.3.20 Balance £m	2020/21 Movement £m	31.3.21 Balance £m	6 months Movement £m	30.9.21 Balance £m
Amount invested	2.000		2.000		2.000
Investment Valuation	1.253	0.288	1.540	0.046	1.586
Cumulative Net Interest received from date of initial investment	0.460	0.098	0.558	0.062	0.620
Annual Performance					
Net Interest received in year	0.143		0.143		0.062
Average Rate of Return for year	7.16%		7.16%		6.14%

Schroder Maximiser Fund	Mid Suffolk				
	31.3.20 Balance £m	2020/21 Movement £m	31.3.21 Balance £m	6 months Movement £m	30.9.21 Balance £m
Amount invested	2.000		2.000		2.000
Investment Valuation	1.253	0.288	1.540	0.046	1.586
Cumulative Net Interest received from date of initial investment	0.460	0.098	0.558	0.062	0.620
Annual Performance					
Net Interest received in year	0.143		0.103		0.062
Average Rate of Return for year	7.16%		5.16%		6.14%

2.6.5 Babergh invested £2m in the UBS Multi Asset Income Fund on 26 November 2015, whilst Mid Suffolk invested £2m on 28 March 2017.

2.6.6 **Table 6.3 UBS Performance**

UBS	Babergh				
	31.3.20 Balance £m	2020/21 Movement £m	31.3.21 Balance £m	6 months Movement £m	30.9.21 Balance £m
Amount invested	2.000		2.000		2.000
Investment Valuation	1.657	0.174	1.831	0.004	1.834
Cumulative Net Interest received from date of initial investment	0.363	0.090	0.452	0.044	0.496
Annual Performance					
Net Interest received in year	0.089		0.103		0.044
Average Rate of Return for year	4.43%		5.16%		4.35%

Appendix C cont'd

UBS	Mid Suffolk				
	31.3.20 Balance £m	2020/21 Movement £m	31.3.21 Balance £m	6 months Movement £m	30.9.21 Balance £m
Amount invested	2.000		2.000		2.000
Investment Valuation	1.654	0.174	1.828	0.004	1.831
Cumulative Net Interest received from date of initial investment	0.268	0.093	0.361	0.044	0.405
Annual Performance					
Net Interest received in year	0.090		0.103		0.044
Average Rate of Return for year	4.52%		5.16%		4.34%

2.6.7 Both Councils invested £2m each in the Investec Ninety-One Diversified Income I Fund on 24 May 2019. This fund aims to provide monthly income with the opportunity for long-term capital growth, investing in equities, fixed income investments (e.g. corporate or government bonds) as well as cash and money market funds.

2.6.8 Table 6.4 Investec Ninety-One Performance

Investec Ninety One Series i Diversified Income Fund	Babergh				
	31.3.20 Balance £m	2020/21 Movement £m	31.3.21 Balance £m	6 months Movement £m	30.9.21 Balance £m
Amount invested	2.000		2.000		2.000
Investment Valuation	1.815	0.180	1.995	(0.056)	1.939
Cumulative Net Interest received from date of initial investment	0.062	0.075	0.137	0.042	0.179
Annual Performance					
Net Interest received in year	0.062		0.075		0.042
Average Rate of Return for year	3.11%		3.75%		4.20%

Investec Ninety One Series i Diversified Income Fund	Mid Suffolk				
	31.3.20 Balance £m	2020/21 Movement £m	31.3.21 Balance £m	6 months Movement £m	30.9.21 Balance £m
Amount invested	2.000		2.000		2.000
Investment Valuation	1.815	0.180	1.995	(0.056)	1.939
Cumulative Net Interest received from date of initial investment	0.062	0.075	0.137	0.042	0.179
Annual Performance					
Net Interest received in year	0.062		0.075		0.042
Average Rate of Return for year	3.11%		3.75%		4.20%

2.6.9 Both Councils invested in Funding Circle on 1 November 2015 and has varied the amounts invested since.

2.6.10 Table 6.5 Funding Circle Performance

Funding Circle	Babergh				
	31.3.20 Balance £m	2020/21 Movement £m	31.3.21 Balance £m	6 months Movement £m	30.9.21 Balance £m
Amount Invested - National	0.214	(0.048)	0.166	(0.031)	0.135
Total Amount Invested	0.214	(0.048)	0.166	(0.031)	0.135
Bad debts to date	(0.052)	0.005	(0.046)	0.001	(0.045)
Accrued Interest	0.012	(0.007)	0.005	(0.002)	0.003
Valuation	0.174	(0.050)	0.125	(0.031)	0.093
Income received	0.113	0.006	0.119	0.001	0.120
Servicing costs	(0.013)	(0.001)	(0.014)	0.000	(0.014)
Cumulative Net Interest received from date of initial investment	0.100	0.005	0.105	0.001	0.106
Annual Performance					
Net Interest received in year	0.013		0.005		0.001
Average Rate of Return for year	4.83%		3.14%		3.33%

Funding Circle	Mid Suffolk				
	31.3.20 Balance £m	2020/21 Movement £m	31.3.21 Balance £m	6 months Movement £m	30.9.21 Balance £m
Amount Invested - National	0.215	(0.053)	0.162	(0.031)	0.131
Total Amount Invested	0.215	(0.053)	0.162	(0.031)	0.131
Bad debts to date	(0.055)	0.004	(0.050)	0.003	(0.048)
Accrued Interest	0.011	(0.006)	0.005	(0.002)	0.003
Valuation	0.172	(0.055)	0.116	(0.030)	0.086
Income received	0.115	0.005	0.120	0.001	0.121
Servicing costs	(0.014)	0.000	(0.014)	0.000	(0.014)
Cumulative Net Interest received from date of initial investment	0.101	0.005	0.106	0.001	0.107
Annual Performance					
Net Interest received in year	0.011		0.005		0.001
Average Rate of Return for year	4.85%		2.98%		2.73%

3 Non-Treasury Holdings and Other Investment Activity

- 3.1 The definition of investments in CIPFA's revised Treasury Management Code now covers all the financial assets of the Councils as well as other non-financial assets which the Councils hold primarily for financial return. This is replicated in MHCLG's Investment Guidance, in which the definition of investments is further broadened to include all such assets held partially for financial return.

Investment Property

- 3.2 On 5 August 2016 Babergh purchased Borehamgate Shopping centre in Sudbury for £3.56m. This has been classified as an investment property and on 31 March 2021, it was assessed at Fair Value of £2.7m.

Trading Companies

- 3.3 Babergh holds £5m of equity in Babergh Holdings Ltd and Mid Suffolk holds the same in Mid Suffolk Holdings Ltd.
- 3.4 The Capital Investment Fund Company (CIFCO Ltd) is a jointly owned subsidiary of both Babergh Holdings Ltd and Mid Suffolk Holdings Ltd (50% each) and both Councils have loans of £44.7m in CIFCO Ltd. These loans have generated £4.77m (gross) of investment income for each Council since the start of trading.
- 3.5 Mid Suffolk also holds £1.622m of equity and £21.6m of loans in another subsidiary of Mid Suffolk Holdings Ltd, Gateway 14 Ltd, which has generated £3m of accrued investment income since 13 August 2018.
- 3.6 Mid Suffolk holds £1m of loans in another subsidiary of Mid Suffolk Holdings Ltd, Mid Suffolk Growth Ltd.
- 3.7 Further details are shown in Table 7 that follows.

3.8 Table 7: Trading Companies activity

Babergh	Trading Companies				
	31.3.20	2020/21	31.3.21	6 months	30.9.21
	Balance	Movement	Balance	Movement	Balance
	£m	£m	£m	£m	£m
CIFCO Ltd					
Interest Receivable	2.110	1.551	3.661	1.105	4.766
Interest Payable	(0.446)	(0.264)	(0.709)	(0.049)	(0.758)
Cumulative Net Interest received from date of investments	1.664	1.287	2.952	1.056	4.007

Mid Suffolk	Trading Companies				
	31.3.20	2020/21	31.3.21	6 months	30.9.21
	Balance	Movement	Balance	Movement	Balance
	£m	£m	£m	£m	£m
Interest Receivable					
CIFCO Ltd	2.110	1.551	3.661	1.105	4.766
Gateway 14 Ltd	1.383	1.043	2.426	0.576	3.002
Total Interest Receivable	3.493	2.594	6.087	1.681	7.768
Interest Payable					
CIFCO Ltd	(0.789)	(0.494)	(1.283)	(0.108)	(1.391)
Gateway 14 Ltd	(0.360)	(0.180)	(0.540)	(0.038)	(0.578)
Total Interest Payable	(1.149)	(0.675)	(1.823)	(0.145)	(1.969)
Net Interest					
CIFCO Ltd	1.321	1.056	2.378	0.997	3.375
Gateway 14 Ltd	1.023	0.863	1.886	0.539	2.424
Cumulative Net Interest received from date of investments	2.344	1.919	4.263	1.536	5.799

4 Table 8: Debt Limits

- 4.1 Compliance with the authorised limit and operational boundary for external debt is demonstrated in the table that follows.

Borrowing	Actual Maximum	30.09.21 Actual	2021/22 Operational Boundary	2021/22 Authorised Limit	Complied
Babergh	£127m	£122m	£178m	£193m	✓
Mid Suffolk	£145m	£135m	£227m	£242m	✓

- 4.2 Since the operational boundary is a management tool for in-year monitoring it is not significant if the operational boundary is breached on occasions due to variations in cash flow, and this is not counted as a compliance failure.

5 Compliance

- 5.1 The Section 151 Officer can report that, except for one occasion when Babergh exceeded its daily bank account limit with Lloyds by £136k, as mentioned in Paragraph 5.4 below, all treasury management activities undertaken complied fully with the CIPFA Code of Practice and the Councils' approved Treasury Management Strategy.

- 5.2 Compliance with specific investment limits is demonstrated in Table 9 that follows.

5.3 Table 9: Investment Limits

Babergh	Actual Maximum	30.09.21 Actual	2021/22 Limit	Complied
Lloyds Bank	£2.136m	£0.637m	£2m	☒
Money market funds	44.87%	17.14%	50%	✓
DMADF	Nil	Nil	No limit	✓
CCLA	£5m	£5m	£5m	✓
UBS	£2m	£2m	£5m	✓
Investec	£2m	£2m	£5m	✓
Schroder	£2m	£2m	£5m	✓
Funding Circle	£0.166m	£0.166m	£1m	✓

Mid Suffolk	Actual Maximum	30.09.21 Actual	2021/22 Limit	Complied
Lloyds Bank	£1.943m	£1.512m	£2m	✓
Barclays Bank	£0.500m	£0.500m	£2m	✓
Money market funds	32.10%	13.38%	50%	✓
DMADF	£3m	Nil	No limit	✓
CCLA	£5m	£5m	£5m	✓
UBS	£2m	£2m	£5m	✓
Investec	£2m	£2m	£5m	✓
Schroder	£2m	£2m	£5m	✓
Funding Circle	£0.162m	£0.162m	£1m	✓

- 5.4 It should be noted that both Council's treasury management activity for the first six months of 2021/22 was in accordance with the approved Treasury Management Strategy, and that, except for one day when Babergh exceeded its daily bank account limit with Lloyds by £136k, both Councils have complied with all the Treasury Management Indicators for this period. The Babergh exception was due to Lloyds bank online banking system being unavailable for the day and no balances could be invested, causing the limit to be exceeded.

This page is intentionally left blank

1 Treasury Management Indicators

1.1 The Councils measure and manage their exposure to treasury management risks using the following indicators.

1.2 **Security:** The Councils have adopted a voluntary measure of exposure to credit risk by monitoring the value-weighted average credit score of their investment portfolios. This is calculated by applying a score to each investment (AAA=1, AA+=2, etc.) and taking the arithmetic average, weighted by the size of each investment. Unrated investments are assigned a score based on their perceived risk.

Portfolio Average Credit Score	30.09.2021 Actual	2021/22 Target	Complied
Babergh	4.80	7.0	✓
Mid Suffolk	4.80	7.0	✓

1.3 **Liquidity:** The Councils have adopted a voluntary measure of exposure to liquidity risk by monitoring the amount they can borrow each period without giving prior notice.

Total sum borrowed in the past 3 months without prior notice	30.09.21 Actual	2021/22 Target	Complied
Babergh District Council	Nil	£5m	✓
Mid Suffolk District Council	Nil	£5m	✓

1.4 **Interest Rate Exposures:** This indicator is set to control the Councils' exposure to interest rate risk. The upper limits on the one-year revenue impact of a 1% rise or fall in interest was:

Upper impact on Revenue of a 1% increase in rates	30.09.21 Actual	2021/22 Target	Complied
Babergh District Council	£0.034m	£0.111m	✓
Mid Suffolk District Council	£0.116m	£0.210m	✓

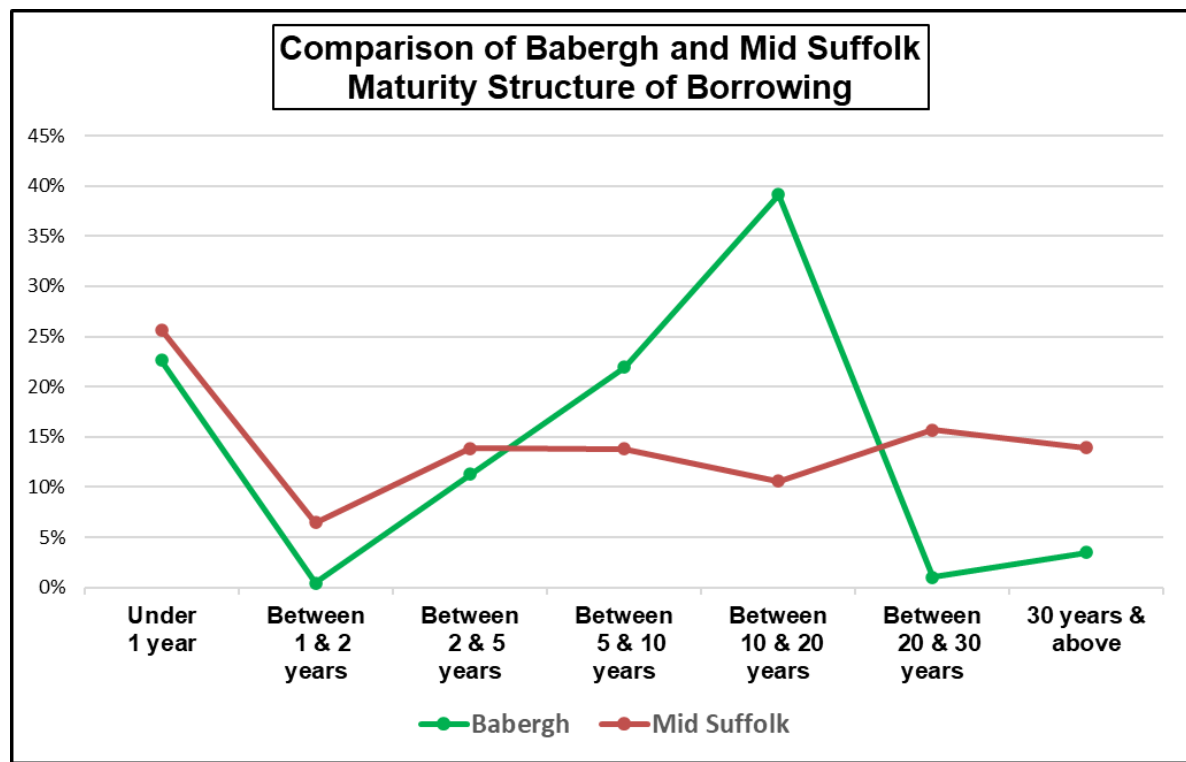
1.5 The impact of a change in interest rates is calculated on the assumption that maturing loans and investment will be replaced at current rates.

1.6 **Maturity Structure of Borrowing:** This indicator is set to control the Councils' exposure to refinancing risk. The upper and lower limits on the maturity structure of all borrowing are shown in the following table:

1.7 Table to show Maturity Structure of Borrowing:

Age Profile of Maturity	Babergh 30.09.21 Actual	Mid Suffolk 30.09.21 Actual	Lower Limit	Upper Limit	Complied
Under 1 year	22.64%	25.67%	0%	50%	✓
Between 1 & 2 years	0.46%	6.45%	0%	50%	✓
Between 2 & 5 years	11.29%	13.83%	0%	50%	✓
Between 5 & 10 years	21.97%	13.81%	0%	100%	✓
Between 10 & 20 years	39.13%	10.58%	0%	100%	✓
Between 20 & 30 years	1.03%	15.72%	0%	100%	✓
30 years & above	3.49%	13.94%	0%	100%	✓

1.8 Chart to show the Maturity Structure of Borrowing:



1.9 Time periods start on the first day of each financial year. The maturity date of borrowing is the earliest date on which the lender can demand repayment.

1.10 **Principal Sums Invested for Periods Longer than a year:** The purpose of this indicator is to control the Councils' exposure to the risk of incurring losses by seeking early repayment of their investments. The limits on the long-term principal sum invested to final maturities beyond the period end were:

Appendix D cont'd

Actual Principal invested beyond year end	2021/22	2022/23	2023/24
Babergh Actual	Nil	Nil	Nil
Mid Suffolk Actual	Nil	Nil	Nil
Limit on principal invested beyond year end	£2m	£2m	£2m
Babergh Complied	✓	✓	✓
Mid Suffolk Complied	✓	✓	✓

This page is intentionally left blank

Consultations on revised CIPFA Codes and Department of Levelling Up, Housing and Communities (DLUHC - formerly MHCLG) Capital Finance Framework

1 Revisions to the CIPFA Codes of Practice

- 1.1 In February 2021 CIPFA launched two consultations on changes to its Prudential Code and Treasury Management Code of Practice. These followed the Public Accounts Committee's recommendation that the prudential framework should be further tightened following continued borrowing by some authorities for investment purposes. In June, CIPFA provided feedback from this consultation.
- 1.2 In September CIPFA issued the revised Codes and Guidance Notes in draft form and opened the latest consultation process on their proposed changes. The changes include:
- Clarification that (a) local authorities must not borrow to invest primarily for financial return (b) it is not prudent for authorities to make any investment or spending decision that will increase the Capital Financing Requirement, and so may lead to new borrowing, unless directly and primarily related to the functions of the authority.
 - Categorising investments as those (a) for treasury management purposes, (b) for service purposes and (c) for commercial purposes.
 - Defining acceptable reasons to borrow money: (i) financing capital expenditure primarily related to delivering a local authority's functions, (ii) temporary management of cash flow within the context of a balanced budget, (iii) securing affordability by removing exposure to future interest rate rises and (iv) refinancing current borrowing, including replacing internal borrowing.
 - For service and commercial investments, in addition to assessments of affordability and prudence, an assessment of proportionality in respect of the authority's overall financial capacity (i.e. whether plausible losses could be absorbed in budgets or reserves without unmanageable detriment to local services).
 - Prudential Indicators
 - New indicator for net income from commercial and service investments to the budgeted net revenue stream.
 - Inclusion of the liability benchmark as a mandatory treasury management prudential indicator. CIPFA recommends this is presented as a chart of four balances – existing loan debt outstanding; loans CFR, net loans requirement, liability benchmark – over at least 10 years and ideally cover the authority's full debt maturity profile.
 - Excluding investment income from the definition of financing costs.
 - Incorporating ESG issues as a consideration within TMP 1 Risk Management.

- Additional focus on the knowledge and skills of officers and elected members involved in decision making.

2 DLUHC Improvements to the Capital Finance Framework

- 2.1 DLUHC published a brief policy paper in July outlining the ways it feels that the current framework is failing and potential changes that could be made. The paper found that “while many authorities are compliant with the framework, there remain some authorities that continue to engage in practices that push the bounds of compliance and expose themselves to excessive risk”.
- 2.2 The actions announced include greater scrutiny of local authorities and particularly those engaged in commercial practices; an assessment of governance and training; a consideration of statutory caps on borrowing; further regulations around Minimum Revenue Provision (MRP) and ensuring that DLUHC regulations enforce guidance from CIPFA and the new PWLB lending arrangements.
- 2.3 A further consultation on these matters is expected soon.

Appendix F cont'd

MHCLG	A Government department – The Ministry of Housing, Communities and Local Government
MiFID	The Markets in Financial Instruments Directive (2014/65/EU) (MiFID II). The EU legislation that regulates firms who provide services to clients linked to 'financial instruments' (shares, bonds, units in collective investment schemes and derivatives), and the venues where those instruments are traded.
MPC	Monetary Policy Committee. A committee of the Bank of England which decides the Bank of England's Base Rate and other aspects of the Government's Monetary Policy.
MRP	Minimum Revenue Provision. Local authorities are required to make a prudent provision for debt redemption on General Fund borrowing
NAV	Net Asset Value. The NAV is the value of a fund's assets less the value of its liabilities on a per unit basis.
PWLB	Public Works Loan Board - offers loans to local authorities below market rates.
QE	Quantitative Easing. The purchase of Government bonds by the Bank of England to boost the money supply.
Schroder	Schroder Income Maximiser Fund
T Bills	Treasury Bill. A short-term Government Bond.
UBS	UBS Multi Asset Income Fund (UK) – a pooled fund.

This page is intentionally left blank

Agenda Item 11b

MID SUFFOLK DISTRICT COUNCIL

TO: Council	REPORT NUMBER: MC/21/21
FROM: Cllr Kathie Guthrie – Chair of Licensing and Regulatory Committee	DATE OF MEETING: 27 January 2022
OFFICER: Kay Sanders – Licensing Officer	KEY DECISION REF NO. N/A

GAMBLING ACT 2005: STATEMENT OF PRINCIPLES THREE YEARLY ADOPTION

1. PURPOSE OF REPORT

- 1.1 To ask Council to adopt the amended ‘Statement of Principles’ under the Gambling Act 2005 (‘the Act’).

2. OPTIONS CONSIDERED

- 2.1 Not applicable, Statutory consultation and re-adoption of a policy document.

3. RECOMMENDATION

- 3.1 That the draft revision Gambling Act 2005 ‘Statement of Principles’ document as attached as Appendix A to this report be adopted, for publication and to take effect for three years (unless sooner revised) from 31 January 2022.

REASON FOR DECISION

Statutory requirement to review and re-adopt the Council’s Gambling Policy.

4. KEY INFORMATION

- 4.1 The Licensing and Regulatory Committee considered this matter on 3rd December 2021, in report MLR/21/9 and determined to recommend to Council that the amended ‘Statement of Principles’ be adopted.
- 4.2 As the matter is reserved for the Council of each Licensing Authority, the Council must resolve whether to adopt the ‘Statement of Principles’ version as attached as Appendix A, which sets out how the Council will exercise its functions under the Act.
- 4.3 Under section 349 of the Act, a Local Authority is required to review and republish its statement every 3 years. The latest review requires the revised document to be adopted and to take effect from 31 January 2022. The ‘Statement of Principles’ will be applied alongside the legislation and guidance published by the Gambling Commission (which in itself may be revised from time to time).
- 4.4 The decision to adopt the ‘Statement of Principles’ may only be taken by the Council and cannot be delegated to the Licensing and Regulatory Committee.

5. LINKS TO CORPORATE PLAN

- 5.1 The Council's Gambling 'Statement of Principles' is the overarching set of principles which guide the Council in carrying out its Gambling licensing functions. The policy assists in supporting businesses with regulatory compliance and also supports some of the wider social community aspects of the Gambling function.

6. FINANCIAL IMPLICATIONS

- 6.1 This is a statutory function. The Licensing Team has to date undertaken the necessary preparatory and consultation work within existing resources.
- 6.2 The discretionary (self-set) fee elements that Mid Suffolk are permitted to charge under the Gambling Act 2005, have been set at the maxima permissible under the Gambling Act 2005 fee regulations. These fee levels were re-adopted by the Licensing and Regulatory Committee for the Council on 16 August 2021, under the authority delegated to this Committee by the Council.

7. LEGAL IMPLICATIONS/RISK MANAGEMENT

- 7.1 This report is most closely linked with the Council's Significant Business Risk No. 14 - Councils may be perceived to be untrustworthy and have a poor reputation. Operational risk 2A03 & 2A04 - If licensing functions are not delivered within prescribed framework/local policy/timeframe, then businesses will be impacted and reputational harm/appeal likelihood will increase incurring financial loss.

Risk Description	Likelihood	Impact	Mitigation Measures
Failure to review, revise and re-consult upon the policy will result in legal challenge to Council decisions under the 2005 Act (including potentially by judicial review).	3 - Probable	3 - Severe	Review, revise and re-consult on the statement of principles in accordance with the requirements of the Act, regulations and statutory guidance.

8. CONSULTATIONS

- 8.1 This will be the sixth edition of the Council's 'Statement of Principles' under the Gambling Act 2005. The Licensing Team has the necessary experience, stakeholder contacts and networking in place to ensure that a wide and balanced consultation has taken place. The consultation took place over a period of 28 days, through various channels/media.
- 8.2 Following the consultation exercise Mid Suffolk received no responses.

9. EQUALITY ANALYSIS

- 9.1 There are no equality implications arising directly from this report. This is a statutory revision to an existing policy. The Council recognises its obligations under the Equality Act 2010, in the exercise of its licensing functions, and has had due regard to any comments received during the policy consultation on equality issues.

10. ENVIRONMENTAL IMPLICATIONS

- 10.1 There are no direct Environmental Implications arising from this report.

11. APPENDICES

Title	Location
(a) Statement of Principles (2022-2025) - DRAFT	Attached
(b) Summary of Changes	Attached

12. BACKGROUND DOCUMENTS

- 12.1 Report MLR/21/9
- 12.2 The Gambling Act 2005
- 12.3 Gambling Commission's Guidance to Licensing Authorities 5th Edition September 2015 (as amended April 2021)

This page is intentionally left blank

MID SUFFOLK LICENSING AUTHORITY



GAMBLING ACT 2005: STATEMENT OF PRINCIPLES



Approved by Mid Suffolk District Council on **TBC**

Effective: 31 January 2022 until 31 January-2025
(Unless Revised Sooner)

Preface:

Core contact of this '**Gambling Act 2005: Statement of Principles**' has been drafted in partnership by the five district and borough Licensing Authorities across Suffolk with an aim of creating a broadly consistent Countywide document for the benefit of all stakeholders and others with an interest in the Gambling Act 2005 functions.

Section 349 of the Gambling Act 2005 requires all Licensing Authorities to prepare and publish a statement of principles that they propose to apply in exercising their functions under the Act during the three-year period to which the policy applies. This document is the sixth such statement for this Licensing Authority and must, by order of the Secretary of State, be published to take effect from 31 January –2022.

This document has been developed with due regard to all available regulations, conditions, codes of practice, statutory guidance, practical experience of legislation and any consultee responses. Should anything in future publications, legislative/regulatory changes or case law impact upon the content of this 'Statement of Principles' document, then it will be taken into account and the document may be updated at a later stage and with due consideration to the resource implications for the Licensing Authority.

All references made within this document to the Gambling Commission's Guidance for Licensing Authorities, and any extracts quoted thereof, refer to the latest guidance document originally published in September 2015 (as amended in April 2021).

For further information please refer to:

www.gamblingcommission.gov.uk

www.gov.uk

www.midsuffolk.gov.uk

Mid Suffolk District Council's website has an on-line public register, accessible 24 hours a day 7 days a week, for all Gambling Act 2005 matters for which it has responsibility. The Gambling Commission website gives details of both licensed and pending Gambling Operators.

GAMBLING ACT 2005: STATEMENT OF PRINCIPLES (SIXTH EDITION)

CONTENTS

CONTENTS	Page
PART A - GENERAL	
1. The licensing objectives	4
2. Introduction	4
3. Declaration	6
4. Responsible authorities	6
5. Interested parties	7
6. Exchange of information	8
7. Enforcement	8
8. Licensing authority functions	9
9. Appeals	10
PART B - PREMISES LICENCES	
1. General principles	11
2. Adult Gaming Centres	17
3. (Licensed) Family Entertainment Centres	17
4. Casinos	18
5. Bingo premises	18
6. Betting premises	19
7. Tracks premises	19
8. Provisional Statements	27
9. Reviews	28
PART C - PERMITS, TEMPORARY USE NOTICES, OCCASIONAL USE NOTICES & SOCIETY LOTTERIES	
1. Unlicensed Family Entertainment Centre gaming machine permits	29
2. (Alcohol) Licensed premises gaming machine permits	30
3. Prize Gaming Permits	32
4. Club Gaming Permits	33
5. Club Machine Permits	35
6. Temporary Use Notices	36
7. Occasional Use Notices	37
8. Travelling fairs	37
9. Society Lotteries	38
SCHEDULES	
A: 'Statement of Principles' Consultee list for Mid Suffolk DC	40
B: Interpretation and reference for Gambling Act 2005 terminology	43
C: Gambling machine entitlement by premises type	45
D: Gambling Activities: Children and Young Persons	47
E: Local Area Profiles and Risk Assessments	48

PART A - GENERAL

1. The Licensing Objectives

- 1.1 In exercising most of its functions under the Gambling Act 2005, the Licensing Authority must have regard to the licensing objectives as set out in section 1 of the Gambling Act 2005 ('the Act'). The licensing objectives are:

- **Preventing gambling from being a source of crime or disorder, being associated with crime or disorder, or being used to support crime.**
- **Ensuring that gambling is conducted in a fair and open way.**
- **Protecting children and other vulnerable persons from being harmed or exploited by gambling.**

The Gambling Commission has stated, with limited exceptions, the intention of the Gambling Act 2005 is that children and young persons should not be permitted to gamble and should be prevented from entering those gambling premises which are adult only environments. The objective refers to protecting children from being 'harmed or exploited' by gambling. This means preventing them from taking part in gambling activities except limited authorised activities (see schedule D), and for there to be restrictions on advertising so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to children (excepting category D machines).

- 1.2 In accordance with section 153 of the Act, in making decisions about premises licences and temporary use notices the Licensing Authority should **aim to permit** the use of the premises for gambling purposes in so far as it thinks it is:
- in accordance with any relevant code of practice issued by the Gambling Commission;
 - in accordance with any relevant guidance issued by the Gambling Commission;
 - reasonably consistent with the licensing objectives; and
 - in accordance with the Authority's statement of principles.

2. Introduction

- 2.1 Mid Suffolk District Council is situated in the County of Suffolk, which contains five District/Borough Councils in total.

Mid Suffolk lies in the heart of the Suffolk Countryside, to the north west of Ipswich. The District covers an area of 87,107 hectares, with a population of approximately 102,500, made up of 123 parishes. It is the most sparsely populated of all five districts in the county.

There are three market towns, (Stowmarket, Needham Market and Eye) but the majority of the population lives in the 123 parishes. These communities are long

established, many with listed buildings, fine trees and open spaces. The fast growing county town of Ipswich lies on the eastern border and forms one end of the hi-tech Cambridge corridor.

Map of Mid Suffolk District



The main gambling activities noted in the district since implementation of the Gambling Act 2005 are licensed off-course betting, gaming in alcohol licensed premises and members clubs (in the form of gaming machines, exempt and prescribed gaming), non-commercial gaming and small society lottery registrations.

- 2.2 Licensing Authorities are required by the Act to publish a statement of the principles, which they propose to apply when exercising their functions. This statement must be published at least every three years. The statement must also be reviewed from “time to time” and any amended parts must be re-consulted upon. Following any amendment and consultation, the revised statement will then be re-published.
- 2.3 Mid Suffolk District Council consulted widely upon this statement of principles before it was finalised and published. The Gambling Act 2005 requires that the following parties are consulted by Licensing Authorities:
 - The Chief Officer of Police;

- One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area; and
- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005.

A list of the persons consulted by the Licensing Authority is attached to this document as **Schedule A**.

The consultation took place between **18th November 2021 to 14th November 2021**.

The full list of comments made and the consideration by the Licensing Authority of those comments is available upon request by contacting:

Mid Suffolk District Council
Licensing Team, Endeavour House, 8 Russell Road, Ipswich, Suffolk IP1 2BX
(☎ Tel: 0300 123 4000) e-mail: licensingteam@baberghmidsuffolk.gov.uk website: www.midsuffolk.gov.uk

- 2.4 The statement of principles was approved at a meeting of the full Council of Mid Suffolk District Council on 3rd December 2021 and was published on the Council website by **to be determined**. Copies were placed in the public libraries within the District as well as being available at Council's Customer Access Points in Stowmarket and Sudbury. Should you have any comments concerning this document then please send them via e-mail or letter to the Licensing Team as above.
- 2.5 It should be noted that this statement of principles shall not override the right of any person to make an application, make representation about an application, or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005.
- 2.6 Where revisions are made to the legislation or Guidance issued by the Gambling Commission, there may be a period of time when the local statement of principles is inconsistent with these revisions. In these circumstances, the Licensing Authority will have regard, and give appropriate weight, to the relevant changes, Guidance and its own statement of principles.

3. Declaration

- 3.1 In producing this statement of principles the Licensing Authority declares that it has had due regard to the licensing objectives of the Gambling Act 2005 (see 1.1 of this document above), the Guidance issued by the Gambling Commission, and any responses from those consulted on the statement of principles.

4. Responsible Authorities

- 4.1 The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the Licensing Authority about the protection of children from harm. The principles are:

- the need for the body to be responsible for an area covering the whole of the Licensing Authority's area; and
 - the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.
- 4.2 In accordance with the Gambling Commission Guidance for Licensing Authorities this Authority intends to designate the **Suffolk Safeguarding Children Board** for this purpose.
- 4.3 The contact details of all the Responsible Bodies under the Gambling Act 2005 are available via the Mid Suffolk District Council website at www.midsuffolk.gov.uk or available upon request to the Licensing Team.

5. Interested parties

- 5.1 Interested parties can make representations about licence applications, or apply for a review of an existing licence. The Gambling Act 2005 defines interested parties as persons who:
- a) live sufficiently close to the premises to be likely to be affected by the authorised activities;
 - b) have business interests that might be affected by the authorised activities; or
 - c) represent persons who satisfy paragraph (a) or (b).
- 5.2 The Licensing Authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party (including whether a person lives sufficiently close to the premises. These principles are:
- each case will be decided upon its merits; and
 - the Licensing Authority will not apply a rigid rule to its decision making. It may have regard to a number of factors, for example:
 - (i) the size of the premises;
 - (ii) the nature of the premises (including activities the applicant proposes to provide);
 - (iii) the distance of the premises from the location of the person making the representation;
 - (iv) the potential impact of the premises such as the number of customers, route likely to be taken by those visiting the establishment;
 - (v) the circumstances of the person who lives close to the premises. This is not their personal characteristics, but their interests which may be relevant to the distance from the premises; and
 - (vi) guidance from the Gambling Commission that “business interests” should be given the widest possible interpretation (see paragraph 8.14 of the Gambling Commission’s guidance).
- 5.3 Interested parties can be persons who are democratically elected such as county, parish and town councillors and MPs. Other than these persons, the Licensing Authority will normally require written evidence that a person ‘represents’ someone who either lives sufficiently close to the premises and likely to be affected by the authorised activities and/or business interests that might be affected by the authorised activities.

- 5.4 If individuals approach Councillors to ask them to represent their views then care should be taken that the Councillors are not subsequently appointed as part of a Licensing Sub-Committee who may be involved with the determination of the licence application. If any further guidance is required, generally or in individual cases, then please contact the Licensing Team at Mid Suffolk District Council.

6. Exchange of Information

- 6.1 This Licensing Authority will, when exchanging information which it holds relating to gambling premises, permits and temporary permissions, apply the following principles:
- act in accordance with the provisions of the Gambling Act 2005;
 - comply with the Data Protection Act 2018;
 - comply with any relevant requirements of the Freedom of Information Act 2000;
 - have regard to Part 13 of the Guidance issued by the Gambling Commission on this matter and the Gambling Commission's publication 'Advice to Licensing Authorities on information exchange with the Gambling Commission' (as may be periodically updated); and
 - any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.
- 6.2 Should any protocols be established pursuant to section 350 of the Act concerning information exchange with the other bodies as listed in Schedule 6(1) of the Act then these will be made available by the Licensing Authority.

7. Enforcement

- 7.1 Licensing Authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the Authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.
- 7.2 This Licensing Authority's principles are that it will be guided by the Gambling Commission's Guidance (in particular Part 36), the Regulators' Code and its own Joint Corporate Enforcement Policy. The Authority shall endeavour to regulate in the public interest and be:
- **Proportionate:** regulators should only intervene when necessary and remedies should be appropriate to the risk posed, and costs identified and minimised;
 - **Accountable:** regulators must be able to justify decisions, and be subject to public scrutiny;
 - **Consistent:** rules and standards must be joined up and implemented fairly;
 - **Transparent:** regulators should be open, and keep regulations simple and user friendly; and
 - **Targeted:** regulation should be focused on the problem, and minimise side effects.
- 7.3 In accordance with the Gambling Commission's Guidance, the Licensing Authority will endeavour to avoid duplication with other regulatory regimes so far as possible.
- 7.4 Any inspection programme, which may be adopted by the Licensing Authority, shall be risk-based and may be combined with other functions.

- 7.5 The enforcement and compliance role for the Licensing Authority under the Gambling Act 2005 is to ensure compliance with the Premises Licences and other permissions, which it authorises. The Gambling Commission is the enforcement body for Operator and Personal Licences. Manufacture, supply or repair of gaming machines is dealt with by the Gambling Commission and not the Licensing Authority.
- 7.6 This Licensing Authority will also endeavour to work in partnership with and support local businesses, having due regard to the stated principles and any best practice guidelines/codes published by the Office for Product Safety and Standards, in respect of its responsibilities under the Gambling Act 2005 and other regulatory functions of the Local Authority. This includes that Regulators should:
- carry out their activities in a way that supports those they regulate to comply and grow;
 - provide simple and straightforward ways to engage with those they regulate and hear their views;
 - base their regulatory activities on risk;
 - share information about compliance and risk;
 - ensure clear information, guidance and advice is available to help those they regulate meet their responsibilities to comply; and
 - ensure that their approach to their regulatory activities is transparent.
- 7.7 With due regard to the principle of transparency, any enforcement/compliance protocols or written agreements developed by the Licensing Authority shall be made available upon request to the Licensing Team.
- 7.8 In considering applications, and taking enforcement action, under the Gambling Act 2005 the Licensing Authority shall duly consider any Human Rights Act 1998 implications (in particular Article 1, Protocol 1 and Articles 6, 8 and 10).

8. Licensing Authority functions

- 8.1 The Act gives Licensing Authorities a number of important regulatory functions in relation to gambling, the main functions of which are to:
- Licence premises for gambling activities;
 - Consider notices given for the temporary use of premises for gambling;
 - Grant permits for gaming and gaming machines in clubs and miners' welfare institutes;
 - Regulate gaming and gaming machines in alcohol-licensed premises;
 - Grant permits to Family Entertainment Centres (FEC's) for the use of certain lower stake gaming machines;
 - Grant permits for prize gaming;
 - Consider occasional use notices for betting at tracks;
 - Register small societies' lotteries;
 - Consider applications for provisional statements;
 - Provide information to the Gambling Commission regarding details of licences, permits, notices and registrations issued (see section 6 above on 'Exchange of Information');
 - Maintain registers of the permits, notices and licences that are issued under these functions; and

- Prepare and publish, every three years (or sooner if required), a statement of the principles it proposes to apply when exercising its functions under the Gambling Act 2005.

Additions or amendments to the list above notified by the Gambling Commission will be published on the Council's Website.

- 8.2 Mid Suffolk District Council's summary of delegations adopted under the Gambling Act 2005 is available separately via the Council's website at www.midsuffolk.gov.uk or upon request to the Licensing Team.
- 8.3 It should be noted that local Licensing Authorities are not responsible for licensing remote gambling. This is the responsibility of the Gambling Commission.

9. Appeals

- 9.1 Appeals relating to premises licensing and other decisions by Licensing Authorities are covered within the relevant legislation and regulations and are referred to in Part 12 of the Gambling Commission's guidance.

PART B – PREMISES LICENCES

1. General Principles

- 1.1 Premises Licences are subject to the requirements set out in the Gambling Act 2005 and regulations. The Act provides that conditions may be attached to licences, in a number of ways:
- automatically, having been set out on the face of the Act ;
 - through regulations made by the Secretary of State;
 - by the Gambling Commission, to operating and personal licences;
 - by the Licensing Authority, to premises licences and some permits; and
 - by the Licensing Authority, by excluding certain default conditions on a premises licence.
- 1.2 When determining an application, this Licensing Authority **aims to permit** the use of premises for gambling in so far as it thinks it is:
- in accordance with any relevant code of practice issued by the Gambling Commission;
 - in accordance with any relevant guidance issued by the Gambling Commission;
 - reasonably consistent with the licensing objectives; and
 - in accordance with the Authority’s statement of principles.
- 1.3 **Definition of “premises”:**
 ‘Premises’ is defined in the Act as “any place”. A particular premises cannot be granted more than one premises licence under the Gambling Act at any one time. It is possible for a single building to be subject to more than one Premises Licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being separate premises. Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact in the circumstances. However, the Gambling Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can be properly regarded as different premises.
- 1.4 The Licensing Authority takes particular note of the Gambling Commission’s Guidance, which states that Licensing Authorities should take particular care when considering applications for more than one premises licences for a single building, and applications for a premises licence where part of the premises is used for non-gambling purposes. In particular the Licensing Authority will consider whether:
- entrances and exits from parts of a building covered by one or more licences are to be separate and identifiable so that the separation of different premises is not compromised and that people cannot ‘drift’ into a gambling area;
 - premises should be configured so that children are not invited to participate in, have accidental access to, or closely observe gambling where they are prohibited from participating; and
 - customers are able to participate in the principal gambling activity authorised by the premises licence.

1.5 The Licensing Authority takes particular note of the Gambling Commission's Guidance, which states that Licensing Authorities should pay particular attention to applications where access to the licensed premises is through other premises, whether licensed or unlicensed. The Licensing Authority will consider whether:

- entrances and exits from parts of a building covered by one or more licences are to be separate and identifiable so that the separation of different premises is not compromised and that people cannot 'drift' into a gambling area;
- premises should be configured so that children are not invited to participate in, have accidental access to, or closely observe gambling where they are prohibited from participating; and
- customers are able to participate in the principal gambling activity authorised by the premises licence.
- children can gain access to the premises;
- the two establishments are compatible;
- the proposed licence holder would be able to comply with the requirements of the Act, for example, mandatory operating licence conditions; and
- Gambling Commission's Guidance in relation to division, separation or splitting of premises and primary gambling activity (see Part 7 of statutory guidance).

In addition an overriding consideration for the Licensing Authority is whether, taken as a whole, the co-location of the licensed premises with other facilities has the effect of creating an arrangement that otherwise would, or should, be prohibited under the Act.

1.6 Where an application is made in respect of a premises to be constructed or altered the Licensing Authority will consider each application on its own merits having due regard to the advice given by the Gambling Commission in its Guidance (particularly sections 7.59 to 7.65). The Licensing Authority will consider whether:

- a future effective date on the licence is appropriate; or
- the licence should be issued subject to a condition that trading shall not commence until the premises have been completed in all respects and in accordance with the scale plans provided with the application.

The Licensing Authority may require inspection of the completed works or written confirmation from the applicant, their agent or surveyor to satisfy the Authority that the completed works comply with the original, or changed, plan attached to the premises licence.

1.7 **Location:** Demand or need for licensed premises cannot be considered with regard to the location of premises. In accordance with the Gambling Commission Guidance, the Licensing Authority will pay particular attention to protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. The Licensing Authority will carefully consider applications for premises licences and whether there is a need for condition(s) to mitigate risks, in respect of certain kinds of gambling located very close to a school or a centre for gambling addicts, in light of the third licensing objective. Each case will be decided on its merits and will depend to a large extent on the type of gambling that is proposed for the premises. The requirement for conditions might be determined by the operator's own risk assessment or the local area profile carried out by the licensing authority.

1.8 **Duplication with other regulatory regimes:** The Licensing Authority seeks to avoid any duplication with other statutory / regulatory systems wherever possible, including planning, building control, health and safety and fire safety. Should it come to the

attention of the Licensing Authority that planning conditions or other regulatory restrictions/controls may impact on a premises operator's ability to comply with mandatory or default conditions then it may alert the applicant accordingly. The grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building control.

- 1.9 **Licensing objectives:** Premises Licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, the Licensing Authority has considered the Gambling Commission's Guidance and provides some commentary below:

(1) Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime:

The Gambling Commission takes the leading role in preventing gambling from being a source of crime. Where a particular area is associated with criminal activity the Licensing Authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be appropriate, for example the provision of door supervisors. There is a distinction between disorder and nuisance, and Licensing Authority will consider factors such as whether police assistance was required and how threatening the behaviour was to those who could see it, so as to make that distinction. Issues of nuisance cannot be addressed when determining applications under the Gambling Act 2005. The Licensing Authority shares the view expressed by the Gambling Commission in their guidance that in the context of gambling premises licences, licensing authorities should generally consider disorder as activity that is more serious and disruptive than mere nuisance.

(2) Ensuring that gambling is conducted in a fair and open way:

The Gambling Commission states in its Guidance that it would, with the exception of tracks, generally not expect Licensing Authorities to be concerned with ensuring that gambling is conducted in a fair and open way as this is addressed via Operator and Personal licensing requirements. If the Licensing Authority suspects that gambling is not being conducted in a fair and open way then this will be brought to the attention of the Gambling Commission for its further consideration.

The Licensing Authority's role in relation to tracks will be different from other premises, in that track owners will not necessarily hold an operating licence with the Gambling Commission. In such circumstances the premises licence may need to contain conditions to ensure that the environment in which betting takes place is suitable. The Licensing Authority will have regard to the Gambling Commission's Guidance at Part 20 when considering such matters.

(3) Protecting children and other vulnerable persons from being harmed or exploited by gambling:

The Gambling Commission has stated, with limited exceptions, the intention of the Gambling Act 2005 is that children and young persons should not be permitted to gamble and should be prevented from entering those gambling premises which are adult only environments. The objective refers to protecting

children from being 'harmed or exploited' by gambling. This means preventing them from taking part in gambling activities except limited authorised activities (see schedule D), and for there to be restrictions on advertising so that gambling products are not aimed at children or advertised in such a way that makes them particularly attractive to children (excepting category D machines).

The Licensing Authority will therefore consider, as suggested in the Gambling Commission's Guidance, whether specific measures are required at particular premises, with regard to this licensing objective. Appropriate measures may include such matters as supervision of entrances/machines or segregation of areas and the Licensing Authority will also have due regard to any relevant Codes of Practice issued by the Gambling Commission concerning this licensing objective in relation to specific premises.

The Gambling Commission does not provide a definition for the term "vulnerable persons" but states that "for regulatory purposes assume that this group includes people who:

- gamble more than they want to;
- gamble beyond their means; and
- may not be able to make informed or balanced decisions about gambling due to, for example mental health, a learning disability or substance misuse relating to alcohol or drugs.

The Licensing Authority will consider this licensing objective on a case by case basis.

1.10 **Conditions:**

Since the Licensing Authority must aim to permit the use of premises for gambling, it will not attach conditions which limit the use of the premises for gambling, except where that is necessary as a result of the requirement to act:

- in accordance with the Gambling Commission's Guidance, the Commission's codes of practice or this Licensing Authority's Statement of Principles; or
- in a way that is reasonably consistent with the Licensing Objectives.

This Licensing Authority notes that conditions on premises licences should only relate to gambling, and it is not necessary, proportionate or appropriate to impose conditions on a premises licence where the Gambling Commission's Licence Conditions and Codes of Practice, or other legislation, places the same or similar duties, responsibilities or restrictions on an employer or the operator of gambling premises.

This Licensing Authority shares the view of the Gambling Commission that the mandatory and default conditions set by the Secretary of State will normally be adequate for the general good conduct of gambling premises. However, where there are specific, evidenced risks or problems associated with a particular locality, specific premises, or class of premises in its area then the Licensing Authority may be able to attach individual conditions to address this.

Any conditions attached by the Licensing Authority to a premises licence shall be in accordance with section 9.31 of Gambling Commission Guidance as follows:

- carefully considered in view of the matters mentioned above at 1.10;

- directly related to the premises (including the locality and any identified local risks) and the type of licence applied for;
- relevant to the need to make the proposed building suitable as a gambling facility;
- fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects.

Sections 169 to 172 of the Act set out certain matters that may not be the subject of Licensing Authority conditions, as set out below:

- any condition on the Premises Licence which makes it impossible to comply with an Operator Licence condition;
- conditions relating to gaming machine categories, numbers, or method of operation;
- conditions which provide that membership of a club or body cannot be required by attaching a condition to a premises licence (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated); and
- conditions in relation to stakes, fees, winning or prizes.

The Licensing Authority will have due regard to these when considering the need for conditions.

- 1.11 The Licensing Authority will also consider specific measures, which may be required for buildings, which are the subject of more than one Premises Licence. In considering these matters the Licensing Authority shall have due regard to:

- any mandatory or default conditions of licence;
- any relevant Codes of Practice (particularly social responsibility provisions linked to operator licences) issued by the Gambling Commission; and
- Gambling Commission's Guidance.

Such measures may include the supervision of entrances, segregation of gambling from non-gambling areas frequented by children and the supervision of gaming machines in specific non-adult gambling premises in order to promote the licensing objectives.

- 1.12 The Licensing Authority must be satisfied that where category C or above machines are available in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

These considerations may apply to premises including buildings where more than one Premises Licence is applicable.

1.13 'Tracks' may be subject to one, or more than one, Premises Licence provided each licence relates to a specified area of the track. In accordance with the Gambling Commission's Guidance, the Licensing Authority will consider the impact upon the protection of children licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter.

1.14 In accordance with Gambling Commission's Guidance, the Licensing Authority may consider whether door supervisors are necessary and appropriate in the particular circumstances in order to:

- prevent premises from becoming a source of crime or disorder; or
- protect children and vulnerable persons from being harmed or exploited by gambling.

Should the Licensing Authority consider that door supervisors are necessary and appropriate in the particular circumstances to promote the licensing objectives for a particular premises, it will normally expect that any person employed as a door supervisor at that premises will either:

- meet the minimum requirements necessary for that individual to be licensed by the Security Industry Authority (SIA) in normal circumstances (accepting that there is a specific exemption from the licensing of door supervisors by the SIA for in-house staff casino and bingo premises); or
- the holder of the operator licence will have recruitment criteria for their door supervisors, which may specify:
 - (i) a minimum training standard (whether within the organisation, or a nationally accredited training course); and
 - (ii) an assessment of whether that individual is fit and proper, for example by means of a subject access search, Disclosure and Barring Service (DBS) disclosure or other means.

1.15 Operators should ensure their familiarity and compliance where appropriate, with the Gambling Commission's published Licence Conditions and Codes of Practice (LCCP), which were recently updated in April 2020. These provide sector-specific advice about steps that a business should take to meet its social responsibilities and reflect the licensing objectives. In particular this relates to those business activities which fall under the responsibility of the Licensing Authority i.e. in the areas of non-remote casino, adult gaming centre, bingo, family entertainment centre, betting and remote betting intermediary (trading room only) licences. The exceptions to this are non-remote general betting (limited) and betting intermediary licences. See also **Schedule E** of this statement of principles relating to Local Area Profile and Risk Assessments.

2. Adult Gaming Centres

2.1 The Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will require applicants to demonstrate that there will be sufficient measures to ensure that under 18 year olds do not have access to the premises. Appropriate measures may also be included within mandatory/default conditions, codes of practice and cover matters such as:

- Proof of age schemes;
- CCTV;
- Supervision of entrances / machine areas;
- Physical separation of areas;
- Access and Location of entry;
- Notices / signage;
- Self-barring schemes;
- ATM location;
- Prohibition of alcohol consumption; or
- Provision of information leaflets/helpline numbers for organisations such as GamCare or Be Gamble Aware.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

The Licensing Authority may determine the opening hours for Adult Gaming Centres, on a case-by-case basis, in the absence of any default conditions addressing this matter.

3. (Licensed) Family Entertainment Centres (FEC's)

- 3.1 The Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will require applicants to demonstrate that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only Category C gaming machine areas.

The Licensing Authority will require applicants to demonstrate that there will be sufficient measures to promote the licensing objectives. Appropriate measures may also be included within mandatory/default conditions, codes of practice and cover issues such as:

- CCTV;
- Supervision of entrances / machine areas;
- Physical separation of areas;
- Access and Location of entry;
- Notices / signage;
- Challenging children or young persons attempting to play Category C machines;
- Self-barring schemes;
- ATM location;
- Prohibition of alcohol consumption;
- Provision of information leaflets/helpline numbers for organisations such as GamCare or Be Gamble Aware; or
- Measures / training for staff on how to deal with suspected truant school children on the premises.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

- 3.2 The Licensing Authority will, in accordance with the Gambling Commission's Guidance, make itself aware of any conditions that may apply to Operator licences covering the way in which the area containing the category C machines should be delineated. The

Licensing Authority will ensure that it has due regard to any mandatory or default conditions on these Premises Licences, Codes of Practice and guidance issued by the Gambling Commission when discharging its functions in relation to licensed Family Entertainment Centres.

The Licensing Authority may determine the opening hours for licensed FEC's, on a case-by-case basis, in the absence of any default conditions addressing this matter.

4. Casinos

4.1 The Licensing Authority has passed a 'no casino' resolution under Section 166 of the Gambling Act 2005 on the 23 September 2021.

4.2 This has the effect that the Licensing Authority will not consider any application for a casino premises licence. Any application received will be returned with a notification that a 'no-casino' resolution is in place.



5. Bingo premises

5.1 It is important that if children are allowed to enter premises licensed for bingo that they do not participate in gambling, other than on category D machines. Where category B or C machines are made available for use on premises to which children are admitted Licensing Authorities should ensure that:

- all such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance; and
- only adults are admitted to the area where the machines are located.



5.2 The Licensing Authority shall have due regard to relevant licence conditions and codes of practice in relation to the operation of Bingo premises, and also the Gambling Commission's guidance about the particular issues that Licensing Authorities should take into account in relation to the suitability and layout of bingo premises. This includes guidance on primary gambling activity, split premises and operating licence conditions.

6. Betting premises

6.1 **Betting machines:** The Licensing Authority will normally, in accordance with the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (It is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting



machines (self-service betting terminals) an operator wants to make available. Children and young persons will not be able to enter premises which hold a Betting Premises licence, unless the special rules applying to tracks are applicable.

6.2 The Licensing Authority shall have due regard to the Gambling Commission's guidance in relation to the suitability and layout of betting premises. This includes guidance on primary gambling activity, split premises and operating licence conditions.

6.3 Betting Machines (Self-service betting terminals) are not gaming machines under the Act, and do not accrue against the premises entitlement for gaming machines, unless the machine is designed or adapted for use to bet on **virtual** races (that is, images generated by computer to resemble races or other events) in which case it is considered a gaming machine. Where betting facilities are provided only by betting machines the number of betting machines must exceed the number of gaming machines made available for use.

7. Tracks

7.1 Tracks are defined under section 353 of the Act as "a horse racecourse, greyhound track or other premises on any part of which a race or other sporting event takes place or is intended to take place"

7.2 The Act does not give a list of premises that are officially recognised as 'tracks', but there are a number of venues that could be classed as tracks, examples of tracks may include:

- a horse racecourse
- a greyhound track
- a point to point horse race meeting
- football, cricket and rugby grounds
- an athletics stadium
- a golf course
- venues hosting darts, bowls or snooker tournaments
- premises staging boxing matches
- sections of river hosting a fishing competition
- a motor racing event



This list is not exhaustive, but gives an example of the types of venue which could accommodate the provision of betting facilities.

7.3 The different types of approval for the provision of betting facilities may be made available at a sporting event are:

- an Occasional Use Notice (OUN); and
- a Track Premises Licence.

Betting in relation to tracks may be provided either as on course, or off course betting. The different types of betting are explained in detail in the Guidance issued by the Gambling Commission, and this is available via the Gambling Commission website at www.gamblingcommission.gov.uk

- 7.4 A betting premises licence permits a premises to be used for the provision of facilities for betting, whether by:
- making or accepting bets
 - acting as a betting intermediary; or
 - providing other facilities for the making or accepting of bets.
- 7.5 Tracks are the only class of premises that may be subject to more than one premises licence, provided that each licence relates to a specific area of the track. This allows track venues to develop leisure facilities such as a casino and apply for a (casino) premises licence for that part of the track.
- 7.6 There is no special class of betting Premises Licence for a track, but the Act does contain rules which apply specifically to Premises Licences granted in respect of tracks.
- 7.7 Special rules apply to applicants for a Premises Licence in relation to a track. Most importantly the applicant need not hold an operator licence. That is because, unless the occupier of the track wishes to offer pool betting (or general betting) facilities himself (for which he will need a licence) the betting that is provided upon the track will not be provided by him, but will be provided by other operators who come on-course. Since those people will require the necessary Operator Licences, the Act allows the track operator to obtain a Premises Licence without also having to hold an Operator Licence. This 'Track Premises Licence' then authorises anyone upon the premises with a valid Operator Licence to offer betting facilities.
- 7.8 Track premises licences are distinguished from all other premises licences because children and young persons are allowed to be present on the track while betting is taking place on those licensed premises.
- 7.9 Track premises that safeguard the achievement of the three licensing objectives may generally be considered fit for gambling, and some general principles whereby licensing authorities can establish whether a track is fit for the provision of gambling facilities are as follows:

Licensing objective	Issues to consider	Reason to consider a track premises unfit for gambling purposes?
The protection of children and other vulnerable persons from being harmed or exploited by gambling	Tracks permit access to children.	No - Children are allowed access to tracks on race days.
	Self-service betting terminals in areas where there is no supervision which would allow children or young persons to use machines undetected.	No - It is a mandatory condition of the operating licence that operators ensure that self-service betting terminals are supervised. This is not an issue for the premises licence.

	Children are allowed access to areas holding category B and C gaming machines.	It is a mandatory condition of the operating licence that operators ensure that children are not allowed access to areas where category B and C gaming machines are provided. However, section 182 of the Act also creates a premises licence condition that children and young persons must be excluded from areas where any gaming machines other than category D are located.
	Betting areas adjacent to areas where children/young persons are present such as play areas	No - Children are allowed access to tracks on race days and so will be exposed to gambling areas. It is a mandatory condition of the operating licence that operators do not accept bets from children or young persons.
	Betting areas adjacent to areas where children/young persons are present such as play areas	The Commission considers that the location of betting does not generally pose a risk to this licensing objective. Licensing authorities may impose their own local conditions where they perceive problems.
Ensure gambling is conducted in a fair and open way	The rules of betting are not displayed on the premises.	No (not an issue at application stage) - it is a mandatory condition of the premises licence that the rules of betting are displayed.
	Unlicensed betting operators are allowed to operate on tracks.	No (not an issue at application stage) - it is a mandatory condition of the premises licence that licence holders make arrangements to ensure that they only allow licensed operators on track.
	Betting takes place out of approved hours.	No (not an issue at application stage) - it is a mandatory condition of the premises licence that betting only takes place within the specified hours.
Prevent gambling from being a source of crime and disorder	Betting is allowed in all parts of a track resulting in greater difficulties for track premises licence holders to identify instances of illegal Betting.	No - the Commission's view is that this does not generally pose a risk to this objective. Licensing authorities may impose their own conditions should they perceive a problem.
	No formal exit/entry points allowing easy access for unapproved operators and customers.	No - the Commission's view is that this does not generally pose a risk to this objective. Licensing authorities may impose their own conditions should they perceive a problem.

The Licensing Authority will take any such guidance into consideration when determining an application for a track premises licence.

Access to premises and other parts of the track:

- 7.10 Access between premises licensed for gambling and non-gambling areas is an important local licensing consideration, for reasons such as the following:
- to prevent operators from seeking to circumvent the Act by artificially subdividing a premises and securing separate premises licences for its composite parts;
 - to ensure that operators do not circumvent regulations governing the maximum number of gaming machines applicable to specific premises;
 - to ensure that people who have entered a premises for one type of gambling are not exposed to another, potentially harder, form of gambling;
 - to ensure that there is no direct access between gambling premises to which children have access and those which they are prohibited from entering;
 - to ensure that all gambling premises have publicly accessible entrances; and
 - to ensure that gambling premises are not developed in the backrooms of other commercial premises.

Access by children – special dispensation for tracks:

- 7.11 The Act forbids all persons under 18 years old to enter premises when betting facilities are being provided, other than at tracks. This dispensation allows families to attend premises such as greyhound tracks or racecourses on event days, and children to be permitted into areas where betting facilities are provided, such as the betting ring, where betting takes place. This dispensation does not, however, apply to:
- areas within a track where category C or above machines are provided; or
 - other premises to which under 18 year olds are specifically not permitted access.

Licensed betting operators at tracks are bound by their operating licence conditions which prevent them from accepting bets from persons who are under 18 years old. The track premises licence holder is also required through premises licence conditions to display a notice in a prominent place at every public entrance stating that no person under the age of 18 is permitted to bet on the premises.

There may be some specific considerations with regard to the protection of children and vulnerable persons from being harmed or exploited by gambling, the need to ensure entrances to each type of premises are distinct and that children are excluded from gambling or betting areas where they are not permitted to enter.

- 7.12 Children and young persons will by law be permitted to enter track areas where facilities for betting are provided on days when dog racing and/or horse racing takes place, although they are still prevented from entering areas where gaming machines (other than category D machines) are provided. The Licensing Authority will normally expect Premises Licence applicants to demonstrate suitable measures to ensure the children do not have access to adult only gambling facilities.

Appropriate measures may include:

- Proof of Age schemes
- CCTV
- Door Supervisors – registered by the Security Industry Authority
- Supervision of entrances/machine areas
- Physical separation of areas
- Location of entry
- Notices/signage
- Specific opening hours
- The location of gaming machines
- Self barring schemes
- Provision of information leaflets/helpline numbers for organisations such as GamCare or Be Gamble Aware.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

Betting on event and non-event days:

- 7.13 **Hours of betting on event days:** Premises licence holders will be expected to comply with the mandatory and default conditions applicable to them on both event and non-event days. The licensing authority will not generally expect to re-assess a licence application as a result of a change to the dates of sporting events, but would expect applicants and licence holders to make information about sporting fixtures available as part of the application.

Significant changes to the fixture/events listing have a bearing on the licence conditions in that track premises licence holders will be expected to comply with the mandatory and default conditions applicable to them on both event and non-event days.

- 7.14 **Hours of betting on non-event days:** On days when no public sporting event is taking place on a track, gambling facilities may only be provided on the track between the hours of 7am and 10pm.

Where the premises user intends to continue to offer facilities for gambling outside the proposed gambling hours on non-event days these facilities should be provided by virtue of an Occasional Use Notice (OUN).

- 7.15 On non-event days, tracks become similar to licensed betting offices on the high street. Tracks may achieve this requirement by:
- locating all betting areas inside an area of the premises that is separated from the remainder of the premises by a physical barrier, thereby preventing access other than through a designated entrance;
 - only admitting adults to the part of the track where betting areas are located, by establishing procedures for verifying customer ages and refusing entry to adult-only areas for those unable to produce an acceptable form of identification (and taking action where there are unlawful attempts to enter adult-only areas); and
 - placing prominent notices in front of and inside each entrance stating that access to the area is prohibited to persons under 18.

- 7.16 The Licensing authority may consider reducing the default gambling hours, providing any reduction is consistent with the principles set out in section 153 of the Act.

Self-service betting terminals

- 7.17 Licensed operators may install self-service betting terminals on tracks. There is no restriction on the number of self-service betting terminals that may be in use but operators must, by virtue of their operating licence conditions, supervise such terminals to prevent them being used by those under 18 years of age.

There is no formal requirement on track premises licence holders to involve themselves in the procedures used by betting operators to supervise their self-service betting terminals unless specific local conditions specifying supervisory arrangements are added to the track premises licence by the licensing authority.

Gaming machines

- 7.18 A track premises licence does not of itself entitle the holder to provide gaming machines, as this type of premises licence can be held without any corresponding operating licence.

Where a track owner holds both a track premises licence *and* a pool betting operating licence issued by the Commission (in effect, greyhound tracks only), they may site up to four gaming machines within categories B2 to D on the track.

Some tracks may also hold a premises licence under the Licensing Act 2003. As such they will be automatically entitled under section 282 of the Act to two gaming machines of category C or D.

In such scenarios the operating licence entitlement does not take precedence, and each licence has its own requirements that must be complied with.

- 7.19 Applications for permits to allow additional gaming machines are not permitted where the premises is already covered by a track premises licence. It is a condition of section 282 of the Act that alcohol-licensed premises licence holders (not necessarily the owners) must comply with any relevant provision of a code of practice under section 24 about the location and operation of a gaming machine. The gaming machine permits code of practice can be found on the Gambling Commission's website.
- 7.20 Where track premises licence holders possess a pool betting operating licence, the Commission places a mandatory licence condition on such operators that they must:
- have and put into effect documented policies and procedures to prevent underage gambling; and
 - monitor the effectiveness of these.

Track administration:

- 7.21 **Administration of betting:** Administrative and quasi-regulatory arrangements in place to ensure that activities held on tracks run smoothly for paying customers, track operators and betting operators are considered to be outside the remit of the Act unless they affect the licensing objectives.
- 7.22 **The role of track premises licence holders:** The responsibilities of track premises licence holders are established by the mandatory and default licence conditions attaching to their premises licence.

The licensed betting operators authorised by track owners to provide betting facilities at tracks must comply with their operating licence conditions and codes of practice issued by the Commission.

Track premises licence holders have a responsibility to report regulatory breaches or potential breaches relating to the premises itself or to betting operators.

- 7.23 **Acceptance of bets:** Track premises licences for greyhound tracks and racecourses are subject to mandatory licence conditions requiring access to be offered at the track-side to betting operators generally. This prevents track premises licence holders who are also pool betting operators from becoming a monopoly supplier of betting on tracks.

While this does not mean that there must be independent betting operators on tracks, on event days, track premises licence holders cannot hold event days without at least making places available to licensed operators. This matter is the responsibility of the Gambling Commission and not the Licensing Authority.

Pool betting:

- 7.24 Under the Act, holders of track premises licences on licensed greyhound tracks are given exclusivity to offer pool betting facilities on greyhound racing. They may also authorise other people to conduct such pool betting on their behalf, although in all cases a relevant operating licence will be required to license this activity.

A totalisator on a licensed greyhound track will only be permitted while the public are admitted to the track for the purpose of attending greyhound races, and no other sporting events are taking place. A mandatory condition is attached to the premises licence to this effect.

Admission of betting operators:

- 7.25 It is a mandatory premises licence condition of track premises licences that the licence holder makes arrangements to ensure that the betting operators they admit to their track operate under valid operating licences.

Track premises licence holders are responsible for determining their own arrangements for the verification of betting operators. As part of this process, the track premises licence holder should make arrangements for ensuring that the betting operator holds an operating licence. Additionally, both parties should agree a procedure for assessing that persons accepting bets on behalf of a betting operator either themselves hold operating licences in their own right, or are employed by the operator under a written contract of employment.

Removal of illegal betting operators:

- 7.26 Track premises licence holders are required by a mandatory licence condition to take reasonable steps to remove from the racecourse anybody found to be providing facilities for gambling without authorisation. Failure to uphold this requirement could result in action being taken against the premises licence holder.

Track premises licence holders should have policies and procedures for identifying illegal gambling in addition to the mandatory requirement to verify that betting operators offering betting facilities on their track hold suitable operating licences.

Display of rules:

- 7.27 It is a mandatory condition of premises licences that clear and accessible information about the terms on which a bet may be placed must be displayed at betting premises, including tracks.

The track premises licence holder should make the necessary arrangements to ensure that betting rules are accessible to all customers, regardless of which area of the track they are in. If certain areas are restricted to certain customers (such as different stands within a football ground) then rules could be displayed at various parts of the track. Other measures could be taken to ensure that they are made available to the public, such as printing them in the race-card or programme. The requirement could also be met by making a copy of the rules available in leaflet form from the main track office, and customers could be given a copy if they request one.

Betting operators offering betting facilities on racecourses and at greyhound tracks are required through the conditions of their operating licence to clearly display any of their own rules that differ from those that the track premises licence holder elects to display, and their rules concerning voids, late bets, and maximum payouts. For racecourses and greyhound tracks, the maximum payout will vary according to the rules of individual on-course operators.

Approved betting areas:

- 7.28 **Betting areas:** In considering applications, the licensing authority will take into account the licensing objectives and assess whether these objectives are compromised by proposed betting arrangements. The location of betting areas (other than those for gaming machines and self-service betting terminals) is not considered a threat to the licensing objectives and therefore no additional conditions would normally be imposed by licensing authorities, unless the circumstances are such that the Licensing Authority considers that the licensing objectives would be undermined.
- 7.29 **Multiple licences:** The Act permits a Licensing Authority to issue more than one premises licence for a track provided that each licence relates to a distinct specified area of the track (although there cannot be more than one premises licence covering the same area of the track.) This enables track owners to extend existing facilities to provide other gambling facilities such as a casino on their existing tracks, whereby these additional gambling activities are covered by separate premises licences. Where an application is made for an additional premises licence, the Licensing Authority will consider the following matters when determining an application:

- access issues in particular whether access to the desired premises will be allowed directly from the track. Direct access between a track and other betting premises (other than a track betting shop) is not permitted. The track owner would need to make arrangements so that access to a casino or bingo hall would be via a street, not via the track itself.

Where a particular area of a track is already subject to a premises licence, and a person wishes to apply for a licence to offer another type of activity in that area, an application must be made to the Licensing Authority to vary the original premises licence. The new track premises licence can only be granted at the same time as, or after, the original licence has been varied.

Where the Licensing authority receives an application indicating separate betting areas that may not necessarily have clear physical boundaries, such as walls or fencing, it may grant the licence where it is satisfied that the area is clearly delineated, both in terms of making it clear to the public that they are entering a 'betting office', and to keep out persons aged under 18.

Where the Licensing Authority is not satisfied that a new activity in an existing area is clearly delineated, it may consider refusing the application.

Social responsibility considerations for tracks:

- 7.30 The Act places a condition on the track premises licence that the licensee shall ensure that children and young persons are excluded from any area where facilities for betting are provided (unless on race days at racetracks and at greyhound tracks).

8. Provisional Statements

- 8.1 An applicant may apply for a full premises licence where the premises are uncompleted or unaltered. However an applicant for a provisional statement does not need the right of occupation or an operator licence (granted or applied for), which are required in order to apply for a premises licence.
- 8.2 An application may be made to the Licensing Authority, under section 204 of the Act, for a provisional statement in respect of premises that the applicant expects to;
- be constructed;
 - be altered; or
 - acquire a right to occupy.

An application may also be made for a provisional statement for premises, which already has a premises licence (either for a different type of gambling or the same type).

- 8.3 When considering an application for a provisional statement the Licensing Authority shall have due regard to the guidance issued by the Gambling Commission (in particular Part 11). Subject to any necessary modifications, the process for considering an application for a provisional statement is the same as that for a premises licence, including the rights of interested parties and responsible authorities to make representations and rights of appeal.
- 8.4 If representations about Premises Licence applications, following the grant of a Provisional Statement are received, they may not be taken into account unless they concern matters which could not have been addressed when determining the Provisional Statement, or they reflect a material change in the circumstances of the application. The Licensing Authority must determine the Premises Licence, referring only to matters:
- which could not have been raised by way of representations at the Provisional Statement stage;
 - which in the Licensing Authority's opinion reflect a change in the operator's circumstances; or
 - where the premises has not been constructed in accordance with the plan and information submitted with the provisional statement application. If there are substantial changes to the plan the Licensing Authority will discuss any concerns with the applicant before making a decision.

- 8.5 In accordance with section 210 of the Act (which applies to premises licences and provisional statements), the Licensing Authority must not have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with planning or building law.

9. Reviews

- 9.1 An application for review of a premises licence may be made by:

- an interested party;
- a responsible authority; and
- the Licensing Authority, for :
 - a particular class of premises licence; or
 - in relation to a particular premises.

It is for the Licensing Authority to determine whether the review is to be carried-out.

- 9.2 Any request for a review should normally relate to matters relevant to one or more of the following:

- any relevant code of practice issued by the Gambling Commission;
- any relevant guidance issued by the Gambling Commission;
- the licensing objectives; and
- the Licensing Authority's statement of principles.

When considering any review request, or whether to instigate its own review, the Licensing Authority will have due regard to the guidance issued by the Gambling Commission and consider;

- each application on its merits;
- whether matters raised in the application are frivolous or vexatious;
- whether the application 'will certainly not' cause it to revoke or suspend a licence, or remove, amend or attach conditions on the licence; or
- whether the request is substantially the same as any previous representations or requests made for a review or previous application for the same premises.

Officers of the Authority may attempt informal mediation or dispute resolution techniques, where practicable, prior to a review being conducted.

- 9.3 A review application must only be determined by a Licensing Sub-Committee, and not by an officer. The purpose of a review is to determine whether the Licensing Authority should take any action in relation to the licence. The Licensing Authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations. If action is justified, the options are to:

- add, remove or amend a licence condition imposed by the Licensing Authority;
- exclude a default condition imposed by the Secretary of State (relating to, for example, opening hours) or remove or amend such and exclusion;
- suspend the premises licence for a period not exceeding 3 months; or
- revoke the premises licence.

PART C PERMITS/TEMPORARY USE NOTICES, OCCASIONAL USE NOTICES & SOCIETY LOTTERIES

1. **Unlicensed Family Entertainment Centre (unlicensed FEC's) gaming machine permits**

- 1.1 Unlicensed Family Entertainment Centres (FEC's) are commonly located at seaside resorts, in airports and at motorway service stations, catering for families - including unaccompanied children and young persons. Where a premises does not hold a Premises Licence but there is an intention to provide gaming machines (category D only), an application may be made to the Licensing Authority for the grant of this permit. The applicant must be an individual aged 18 or over, and he/she must occupy or plan to occupy the relevant premises. The Licensing Authority may only grant a permit where it is satisfied that the applicant intends to use the premises as an unlicensed FEC and where it has consulted the Chief Officer of Police on the application. Any duties on the applicant to comply with other legislation such as fire regulations or Health and Safety are not issues for the Licensing Authority under the Gambling Act 2005.
- 1.2 If the operator of a Family Entertainment Centre intends to make category C machines available, in addition to category D machines, then an application must be made for an Operator Licence from the Gambling Commission and a Premises Licence from the Licensing Authority (see Part B Section 3 of this document on (Licensed) Family Entertainment Centres).
- 1.3 Details of up to date application requirements, including any supporting documentation, is made available on the Council's website at www.midsuffolk.gov.uk or direct from the Licensing Team.
- 1.4 It should be noted that a Licensing Authority cannot attach conditions to this type of permit.
- 1.5 **Statement of Principles:**

The Licensing Authority will expect the applicant to satisfy it that they and their employees can demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FEC's. The applicant is expected to demonstrate that he has considered appropriate measures to promote the licensing objectives, and training for staff on issues such as:

- suspected truant school children on the premises;
- how staff would deal with unsupervised very young children being on the premises;
- children causing problems on or around the premises; and
- maximum stakes and prizes of the gambling that is permissible in unlicensed FEC's

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

- 1.6 The Chief Officer of Police is a statutory consultee for all such permit applications, and any representations made by him/her will be considered by the Licensing Authority.
- 1.7 The Licensing Authority may also require the applicant to provide details of any relevant convictions, (those that are set out in Schedule 7 of the Act), and the following documents would be acceptable for such purposes:
- disclosure and barring service - basic disclosure; or
 - a police subject access search.

2. (Alcohol) Licensed Premises Gaming Machine Permits

- 2.1 The Act makes provision for premises licensed to sell alcohol for general consumption on the premises to be entitled to make available up to 2 gaming machines, of categories C and/or D. The Licensing Act 2003 premises licence holder needs only to notify the Licensing Authority of this intention and pay the prescribed fee. The Licensing Authority may remove the automatic authorisation in respect of any particular premises only if it is satisfied that:



- provision of the machines is not reasonably consistent with the pursuit of the licensing objectives;
- gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act for example the gaming machines have been made available in a way that does not comply with requirements on the location and operation of gaming machines;
- the premises are mainly used for gaming; or
- an offence under the Gambling Act has been committed on the premises.

Before making any such order the Licensing Authority shall give the licensee at least 21 days prior notice and consider any representations made by the applicant (at a hearing if requested by the Licence holder).

- 2.2 If a Licensing Act 2003 premises licence holder wishes to use more than 2 gaming machines, then (s)he will need to apply to the Licensing Authority for a permit and the Licensing Authority must consider that application based upon:

- the licensing objectives;
- any guidance issued by the Gambling Commission; and
- “such matters” as they think relevant.

This Licensing Authority considers that “such matters” will be assessed on a case-by-case basis. Generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling.

This permit replaces, and is not in addition, to the automatic entitlement notification.

- 2.3 The Licensing Authority expects the applicant to satisfy it that there will be sufficient measures in place to ensure that persons under the age of 18 do not have access to the adult only category C gaming machines. The applicant may consider appropriate measures to comply with the Gambling Commission’s Code of Practice and monitor access to machines. This may include:

- ensuring that the adult gaming machines are within sight of the bar, or within the sight of staff who can monitor that the machines are not being used by persons under the age of 18;
- notices and signage may also be an appropriate measure/safeguard; and
- the provision of information leaflets / helpline numbers for organisations that give support to vulnerable persons such as GamCare and Be Gamble Aware.

2.4 The holder of a permit to must comply with any code of practice issued under section 24 of the Act by the Gambling Commission concerning the location and operation of the gaming machines.

2.5 It should be noted that the Licensing Authority can and may decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached to the grant of this permit.

There is a similar mechanism for applying to vary the number and category of machines specified on an existing permit.

3. Prize Gaming and Prize Gaming Permits

3.1 Statement of principles:

The prize gaming conditions in the Act are:

- the limits on participation fees, as set out in regulations, must be complied with;
- all chances to participate in the gaming must be allocated on the premises on which the gaming is taking place and on one day; the game must be played and completed on the day the chances are allocated; and the result of the game must be made public in the premises on the day that it is played;
- the prize for which the game is played must not exceed the amount set out in regulations (if a monetary prize), or the prescribed value (if non-monetary prize); and
- participation in the gaming must not entitle the player to take part in any other gambling.

It should be also noted that this permit cannot be issued in respect of a vessel or vehicle.

An application may only be made by an individual over the age of 18, who occupies or plans to occupy the relevant premises. An application for a permit cannot be made if a premises licence or club gaming permit is already in effect for the same premises.

- 3.2 The Licensing Authority will expect the applicant to satisfy the Authority that they and their employees can demonstrate a full understanding of the maximum stakes and prizes for the gaming offered and that the type of gaming offered is within the law. The applicant will normally be required to set out the types of gaming that he/she is intending to offer, and may wish to consider appropriate measures to promote the licensing objectives, and training for staff on:
- the type of gaming which they intend to provide; and
 - the stakes and prizes which apply under the regulations relevant to the type of gaming they intend to offer.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

- 3.3 In making its decision on an application for this permit the Licensing Authority may have regard to the licensing objectives and must have regard to any Gambling Commission Guidance. Given that the premises may be particularly appealing to children and young persons, the Licensing Authority will give appropriate weight to the consideration of child protection issues.
- 3.4 The Chief Officer of Police is a statutory consultee for all such permit applications. Any representations made by the Chief Officer of Police which are relevant to the licensing objectives will be considered by the Licensing Authority, relevant considerations may include:
- whether the applicant has any convictions that would render them unsuitable to operate prize gaming, or
 - the suitability of the location of the premises in relation to any disorder issues.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

- 3.5 It should be noted that whilst there may be conditions in the Gambling Act 2005 and Gambling Commission's codes of practice (including on social responsibility) with which the permit holder must comply, the Licensing Authority cannot attach conditions

to this permit. Where the Authority is minded to refuse a permit application it will notify the applicant and allow the opportunity for the applicant to make representations (which may be considered at a hearing).

4. Club Gaming Permits

4.1 Members' Clubs and (but not Commercial Clubs) may apply for a Club Gaming Permit which authorises the premises to:

- make available for use up to 3 gaming machines of categories B3A to D (only one B3A can be made available as part of this entitlement);
- equal chance gaming (without restriction on the stakes and prizes); and
- games of chance as prescribed by regulations (namely pontoon and chemin de fer).



The gaming which a club gaming permit allows is subject to the following conditions:

In respect of equal chance gaming:

- The club must not deduct money from sums staked or won;
- The participation fee must not exceed the amount prescribed in regulations; and
- The game takes place on the premises and must not be linked with a game on another set of premises. Two games are linked if:
 - (i) The result of one game is, or may be, wholly or partly determined by reference to the result of the other game; or
 - (ii) The amount of winnings available in one game is wholly or partly determined by reference to the amount of participation in the other game, and a game which is split so that part is played on one site and another part is played elsewhere is treated as two linked games.
 - (iii) Only club members and their genuine guests participate.

In respect of other games of chance:

- (i) the game must be pontoon and chemin de fer only;
- (ii) no participation fee may be charged otherwise than in accordance with the regulations; and
- (iii) no amount may be deducted from sums staked or won otherwise than in accordance with the regulations.

4.2 Members' clubs must have at least 25 members and be established and conducted 'wholly or mainly' for purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made such regulations covering bridge and whist clubs. A members' club must be permanent in nature and established and conducted for the benefit of its members and not as a commercial enterprise. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations.

A club gaming permit may not be granted in respect of a vehicle or a vessel.

4.3 The Licensing Authority may only refuse an application on the grounds that:

- a) the applicant does not fulfil the requirements for a members' club and therefore is not entitled to receive the type of permit for which it has applied;
- b) the applicant's premises are used wholly or mainly by children and/or young persons;
- c) an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- d) a permit held by the applicant has been cancelled in the previous ten years; or
- e) an objection has been lodged by the Gambling Commission or the Suffolk Constabulary.

Where the Licensing Authority is satisfied that (a) or (b) is the case, it must refuse the application. In determining an application the Licensing Authority shall have regard to the relevant guidance issued by the Gambling Commission and, subject to that guidance, the licensing objectives.

4.4 Where a permit is granted, the permit holder must comply with statutory conditions:

- no child or young person may use a category B or C machine on the premises; and
- the permit holder must comply with any relevant provision of a code of practice regarding the location and operation of gaming machines.

Clubs do not have to have a permanent premises or alcohol licence.

4.5 There is a 'fast-track' procedure available for premises where the club holds a Club Premises Certificate under section 72 of the Licensing Act 2003. Where an application is made under the fast track procedure, there is no opportunity for objections to be made by the Commission or the Suffolk Constabulary, and the grounds upon which an Authority can refuse a permit are limited as below:

- the club is established primarily for gaming, other than gaming of a prescribed kind
- in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled.

5. Club Machine Permits

5.1 Members' Clubs and Commercial Clubs may apply for a Club Machine Permit, which enables the premises to make available for use up to 3 gaming machines of categories B3A to D (only one B3A can be made available as part of this entitlement (Members clubs and only (i.e. not commercial clubs))).

- 5.2 Members' clubs must have at least 25 members and be established and conducted 'wholly or mainly' for purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made such regulations covering bridge and whist clubs. A members' club must be permanent in nature and established and conducted for the benefit of its members and not as a commercial enterprise. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations.

Commercial clubs must have at least 25 members, but may be established with a view to making a profit, which is not returned to the members, but the proprietor(s) of the club. Examples of commercial clubs include snooker clubs, clubs established for personal profit and most clubs established as private companies.

- 5.3 The Gambling Commission's Guidance advises that Licensing Authorities may only refuse an application on the grounds that:

- the applicant does not fulfil the requirements for a members' or commercial club or and therefore is not entitled to receive the type of permit for which it has applied;
- the applicant's premises are used wholly or mainly by children and/or young persons;
- an offence under the Act or a breach of a permit has been committed by the applicant while providing gaming facilities;
- a permit held by the applicant has been cancelled in the previous ten years; or
- an objection has been lodged by the Gambling Commission or the Police.

It should be noted that either type of permit may not be issued in respect of a vessel or vehicle.

- 5.4 There is also a 'fast-track' procedure available for premises where the club holds a Club Premises Certificate under section 72 of the Licensing Act 2003. Under the fast-track procedure there is no opportunity for an objection to be made by the Commission or the Police, and the grounds upon which an Authority can refuse a permit are reduced. The grounds on which an application under the process may be refused are that:

- the club is established primarily for gaming, other than gaming of a prescribed kind;
- in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- a club machine permit issued to the applicant in the last ten years has been cancelled.

- 5.5 There are statutory conditions concerning Club Machine Permits that no child or young person may use a category B or C machine on the premises and that the permit holder complies with any relevant provision of a code of practice regarding the location and operation of gaming machines.

6. Temporary Use Notices

- 6.1 Temporary Use Notices (TUNS) allow the use of premises for gambling where there is no Premises Licence but where a licensed gambling operator wishes to use the premises for providing facilities for equal chance gaming. The Gambling Commission's

Guidance suggests that premises that might be suitable for TUNS include hotels, conference centres and sporting venues, and that equal chance gaming may include games such as backgammon, mah-jong, rummy, kalooki, dominoes, cribbage, bingo and poker (but may not be provided by means of a machine).

- 6.2 There are a number of statutory limits that apply in respect of Temporary Use Notices, including that a TUN may only be granted to a person or company holding a relevant Operator Licence, in effect a non-remote Casino Operating licence, and limitations on the number of times a 'set of premises' can be used under these provisions.
- 6.3 A 'set of premises', as referred to in section 218 of the Act, is the subject of a Temporary Use Notice if any part of the premises is the subject of a notice. This reference to 'premises' is not the same as that in Part 8 of the Act (see Part 7 of the Gambling Commission Guidance) and prevents one large premises from serving TUNS for different parts of the premises and exceeding the statutory limit of 21 days in any 12 month period.
- 6.4 The Licensing Authority will take into account the Gambling Commission's Guidance when considering whether a place falls within the definition of a 'set of premises'. This consideration may include looking at the ownership, occupation and control of the premises. The Gambling Commission's Guidance advises that being a new type of permission, Licensing Authorities should be ready to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises.
- 6.5 Where a notice of objection is received in respect of a Temporary Use Notice, the Licensing Authority will hold a hearing and consider representations from:
- the person who gave the notice;
 - any person who objected to the notice; and
 - any party who was entitled to receive a copy of the Temporary Use Notice.
- Where all parties agree that a hearing is unnecessary, the hearing may be dispensed with.
- 6.6 Where objections are made, a modification to the Temporary Use Notice may be proposed, which could include a:
- reduction in the number of days when gambling occurs; and/or
 - restriction on the type of gambling which may take place.
- 6.7 Where, following a hearing, or after a hearing has been dispensed with, the Licensing Authority considers that the temporary use notice should not have effect, it must issue a counter notice which may:
- prevent the temporary use notice from taking effect;
 - limit the activities that are permitted;
 - limit the time period of the gambling; and/or
 - allow the activity to take place subject to a specified condition.
- 6.8 The principles which the licensing authority will apply in determining a TUN are those which it will apply when determining a premises licence, subject to its view as to whether it accords with:

- a Gambling Commission’s code of practice;
- the Guidance issued by the Gambling Commission;
- this Licensing Authority’s statement of principles; and
- is reasonably consistent with the licensing objectives.

7. Occasional Use Notices

- 7.1 Occasional Use Notices (OUNS) permit licensed betting operators (with appropriate permission from the Gambling Commission) to use tracks for short periods for conducting betting, where the event upon which the betting is taking place is of a temporary, infrequent nature. The OUN dispenses with the need for a Betting Premises Licence for the track in these circumstances.
- 7.2 The OUN must be served by a person who is responsible for the administration of events on the track or by an occupier of the track.
- 7.3 The Licensing Authority will ensure that the statutory limit of 8 days in a calendar year is not exceeded. The Licensing Authority must consider the definition of a ‘track’, which need not be a permanent fixture, and whether the applicant is eligible to serve the notice.

8. Travelling Fairs

- 8.1 It is the duty of the Licensing Authority to decide whether, where category D machines and / or equal chance prize gaming without a permit are made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.
- 8.2 The Licensing Authority will carefully consider whether an operator falls within the statutory definition of a travelling fair (provided by section 286 of the Act) and be ‘wholly or principally’ providing amusements.
- 8.3 The 27-day statutory maximum for the land being used as a fair, is per calendar year, and that this applies to the piece of land on which the fairs are held, regardless of whether it is the same or different travelling fairs occupying the land. The Licensing Authority shall endeavour to work with neighbouring authorities to ensure that land, which crosses district/borough boundaries, is monitored so that the statutory limits are not exceeded.



9. Society Lotteries

- 9.1 The Council as the Licensing Authority is responsible for registering small society lotteries. A lottery is defined under the Act and in the guidance as:

A **simple lottery** if:

- persons are required to pay to participate;

- one or more prizes are allocated to one or more members of a class; or
- the prizes are allocated by a process which relies wholly on chance.

A **complex lottery** if:

- persons are required to pay to participate;
- one or more prizes are allocated to one or more members of a class;
- the prizes are allocated by a series of processes; or
- the first of those processes relies wholly on chance.

A society, or any separate branch of such a society, may be registered by the council to promote a small lottery where it is established and conducted for:

- charitable purposes (as defined in section 2 of the Charities Act 2006);
- the purpose of enabling participation in, or of supporting, sport, athletics or a cultural activity; or
- any other non commercial purpose other than private gain.

The proceeds of the lottery must be devoted to the purposes above. The society must not be established for the sole purpose of facilitating lotteries.

A small lottery is defined in the Act and the current limits are published on the Council website at www.midsuffolk.gov.uk Definitions of exempt lotteries are also published at the above address.

- 9.2 The Council may only register a society which wishes to promote a small lottery where the society's principal office is located within its area. If the Council believes that the society's principal office does not fall within its boundaries it will inform the society at the earliest opportunity.

If the society's status is unclear, the Council may ask for the society applying to register with it to supply a copy of its terms of reference or constitution to enable it to establish that the society is non-commercial, together with a declaration to the effect that it is non-commercial.

- 9.3 Registration of small society lotteries is a function which the Council has delegated to officers. Details of societies registered by the council will be published in a register maintained by the Council.

The registration is for an indefinite period unless the registration is cancelled by:

- the society; or
- the council on failure of the society to pay the annual charge.

- 9.4 The council may refuse to register a small society lottery where:

- an operating licence held by the applicant for registration has been revoked or an application for an operating licence made by the applicant for registration has been refused within the past five years;
- the society cannot be deemed non-commercial;
- a person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence; or

- information provided in or with the application for registration is found to be false or misleading.

Where the Council proposes to refuse to register a small society lottery it will give the society an opportunity to make representations in writing or at a hearing. The Council will notify the society in writing of the outcome of the hearing and the reasons for the decision.

- 9.5 The Council may revoke a society lottery registration where it considers that it would have had to, or would be entitled to refuse an application if it were to be made at that time.

Draft

SCHEDULE A**GAMBLING ACT 2005 STATEMENT OF LICENSING PRINCIPLES:**
CONSULTEE LIST FOR MID SUFFOLK DISTRICT COUNCIL

1. All parish and town hall clerks in Mid Suffolk	2. All responsible authorities under the Gambling Act 2005
3. ADFAM Families Drugs and Alcohol 2 nd Floor,120 Cromer Street London WC1H 8BS	4. Age UK Tavis House 1 – 6 Tavistock Square London WC1H 9NA
5. Age UK Suffolk Unit 14 Hillview Business Park Old Ipswich Road Claydon Ipswich IP6 0AJ	6. Alcoholics Anonymous PO Box 1 10 Toft Green York South Yorkshire YO1 7NJ
7. Association of British Bookmakers Ground Floor Warwick House 25 Buckingham Palace Road London SW1W 0PP	8. BACTA 29-30 Ely Place London EC1N 6TD
9. Bingo Association Lexham House 75 High Street North Dunstable Bedfordshire LU6 1JF	10. British Association of Leisure Parks, Piers & Attractions Ltd 29-30 Ely Place London EC1N 6TD
11. British Casino Association Vicarage House 58-60 Kensington Church Street London W8 4DB	12. Greyhound Board Of Great Britain Genesis House 17 Godliman Street London EC4V 5BD
13. British Horseracing Authority 75 High Holburn London SW1V 1EJ	14. Business in Sport and Leisure 17A Chartfield Avenue Putney London SW15 6DX
15. Casino Operators Association UK 86 Jermyn Street London SW1Y 6JD	16. Chilvers Automatics Ltd Unit H1-H2 The Seedbed Centre Wyncolls Road Severalls Industrial Park Colchester CO4 9HT
17. Citizens Advice Bureau 66 Devonshire Road Cambridge CB1 2BL	18. Claremont Automatics Ltd Unit 13 Flitch Industrial Estate Great Dunmow Essex CM6 1XJ

APPENDIX A

19. Crown Leisure Unit 1 Hillridge Road Martland Mill Industrial Estate Martland Park Wigan WN5 0LS	20. Essex Leisure Essex House 21 Eastways Witham Essex CM8 3YQ
21. Gamblers Anonymous The Wellness Centre 45 Montrose Avenue Intake Doncaster DN2 6PL	22. Gamcare 1st Floor 91-94 Saffron Hill London EC1N 8QP
23. Gamestec Leisure Ltd Wira Business Park Ring Rd Leeds LS16 6EB	24. Horserace Betting Levy Board 21-27 Lambs Conduit Street London WC1N 3NL
25. Independent Betting Adjudication Service PO Box 62639 London EC3P 3AS	26. Learning Disability Partnership Board Partnership Board Administrator Adult and Community Services Endeavour House 8 Russell Road Ipswich IP1 2BX
27. Mencap 123 Golden Lane London EC1Y 0RT	28. Mid Suffolk Citizens Advice Bureau 5 Milton Road South Stowmarket IP14 1EZ
29. Mid & West Suffolk Home Start 20 Broad Street Eye IP23 7AF	30. Narcotics Anonymous UK Service Office 202 City Road London EC1V 2PH
31. National Association of Bookmakers Ltd 19 Culm Valley Way Uffculme Devon EX15 3XZ	32. National Youth Agency 9 Newarke Street Leicester LE1 5SN
33. Select Gaming) Suite 16 Cavendish House Plumpton Road Hoddesdon Herts EN11 0HU	34. Racecourse Association Ltd Racecourse Services Executive Racecourse Association Ltd Winkfield Road Ascot Berkshire SL5 7HX
35. Responsibility in Gambling Trust 35 Piccadilly London W1J 0DW	36. Society for Study of Gambling Secretary – Faith Freestone 114 Wellington Road Dudley West Midlands DY1 1UB Email – faith.freestone@gordonhouse.org.uk
37. Suffolk Safeguarding Childrens Board Endeavour House Floor 3 Block 3 8 Russell Road Ipswich IP1 2BX	38. Suffolk Adult Safeguarding Board Endeavour House 8 Russell Road Ipswich IP1 2BX

APPENDIX A

39. The Lotteries Council 66 Lincoln's Inn Road London WC2A 3LH	40. The National Casino Industry Forum Carlyle House 235 – 237 Vauxhall Bridge Road London SW1V 1EJ
41. Gordon Moody Association 186 Mackenzie Road BECKENHAM BR3 4SF	42. All Premises Licence Holders and Gaming Machine Permit Holders under the Gambling Act 2005
43. Mencap Suffolk West Suffolk DRC 4 Bunting Road Bury St Edmunds Suffolk IP32 7BX	44. Suffolk County Council Social Care Services Endeavour House 8 Russell Road IPSWICH IP1 2BX
All Libraries within Mid Suffolk	All 6 th Form Schools and Colleges within Mid Suffolk

SCHEDULE B**Section 353 of the Gambling Act 2005 gives some general interpretation and reference for some of the main terminology used within the Act and contained within this Statement of Principles document. Except where the context otherwise requires:**

"adult" means an individual who is not a child or young person,
 "adult gaming centre" has the meaning given by section 237,
 "alcohol licence" has the meaning given by section 277,
 "authorised local authority officer" has the meaning given by section 304,
 "authorised person" has the meaning given by that section,
 "betting" has the meaning given by sections 9 to 11, 37 and 150,
 "betting intermediary" has the meaning given by section 13,
 "bingo" means any version of that game, irrespective of by what name it is described,
 "casino" has the meaning given by section 7,
 "casino game" has the meaning given by that section,
 "Category A gaming machine" (or B, C or D) means a gaming machine falling within Category A (or B, C or D) as prescribed under section 236,
 "chief constables of police forces" has the same meaning in relation to England and Wales as in the Police Act 1996 (c. 16),
 "child" has the meaning given by section 45,
 "club gaming permit" has the meaning given by section 271,
 "club machine permit" has the meaning given by section 273,
 "commercial club" has the meaning given by section 267,
 "the Commission" means the Gambling Commission,
 "director"-
 (a) has the meaning given by section 741 of the Companies Act 1985 (c. 6), and
 (b) includes a shadow director within the meaning of that section,
 "dog track" means premises which are designed, used or adapted for use for dog-racing,
 "draw", in relation to a lottery, has the meaning given by section 255,
 "EEA State" means a State which is a contracting party to the Agreement on the European Economic Area signed at Oporto on 2nd May 1992 (as it has effect from time to time),
 "enactment" includes an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament,
 "enforcement officer" means a person designated or appointed as an enforcement officer under section 303,
 "equal chance gaming" has the meaning given by section 8,
 "exempt lottery" has the meaning given by section 258,
 "external lottery manager" has the meaning given by section 257,
 "fair" has the meaning given by section 286,
 "family entertainment centre" has the meaning given by section 238,
 "family entertainment centre gaming machine permit" has the meaning given by section 247,
 "football pools" means an arrangement whereby-
 (a) people compete for prizes by forecasting the results of association football games, and
 (b) each entry to the competition must forecast the results of at least four games,
 "gambling" has the meaning given by section 3,
 "gambling software" has the meaning given by section 41,
 "game of chance" has the meaning given by section 6,
 "gaming" has the meaning given by that section,
 "gaming machine" has the meaning given by section 235,
 "horse-race course" means premises which are designed, used or adapted for use for horse-racing,
 "horse-race pool betting" has the meaning given by section 12,
 "large casino" has the meaning given by regulations under section 7(5),
 "licensed family entertainment centre" has the meaning given by section 238,
 "licensed premises gaming machine permit" has the meaning given by section 283,
 "the licensing objectives" has the meaning given by section 1,
 "licensing authority" has the meaning given by section 2,
 "lottery" has the meaning given by section 14 (and section 256),
 "lottery manager's operating licence" has the meaning given by section 98,
 "lottery ticket" has the meaning given by section 253,
 "machine" has the meaning given by section 235(3)(a),
 "members' club" has the meaning given by section 266,
 "miners' welfare institute" has the meaning given by section 268,
 "the National Lottery" has the meaning given by section 1 of the National Lottery etc. Act 1993 (c. 39),

APPENDIX A

- "non-commercial betting" has the meaning given by section 302,
"non-commercial gaming" has the meaning given by section 297,
"non-commercial society" has the meaning given by section 19,
"occasional use notice" means a notice given under section 39,
"operating licence" means a licence issued under Part 5,
"on-premises alcohol licence" has the meaning given by section 277,
"participant", in relation to a game of chance, includes a person who discharges an administrative or other function in relation to the game,
"participation fee" has the meaning given by section 344,
"passenger vessel" means a vessel which is carrying or expected to carry at least one passenger,
"personal licence" means a licence issued under Part 6,
"pool betting" has the meaning given by section 12,
"premises" includes any place and, in particular-
 (a) a vessel, and
 (b) a vehicle,
"premises licence" means a licence issued under Part 8,
"private betting" has the meaning given by section 295 and Part 2 of Schedule 15,
"private gaming" has the meaning given by section 295 and Part 1 of Schedule 15,
"private gain" is to be construed in accordance with section 19(3),
"prize" in relation to gaming (except in the context of a gaming machine) has the meaning given by section 6,
"prize" in relation to a gaming machine has the meaning given by section 239,
"prize" in relation to a lottery has the meaning given by section 14,
"prize gaming" has the meaning given by section 288,
"prize gaming permit" has the meaning given by section 289,
"proceeds", in relation to a lottery, has the meaning given by section 254,
"profits", in relation to a lottery, has the meaning given by that section,
"profits", in relation to non-commercial prize gaming, has the meaning given by section 299,
"racecourse" means premises on any part of which a race takes place or is intended to take place,
"real", in relation to a game, event or process means non-virtual,
"relevant offence" has the meaning given by section 126 and Schedule 7,
"remote communication" has the meaning given by section 4,
"remote gambling" has the meaning given by that section,
"remote gambling equipment" has the meaning given by section 36,
"remote operating licence" has the meaning given by section 67,
"rollover", in relation to a lottery, has the meaning given by section 256,
"small casino" has the meaning given by regulations under section 7(5),
"society" includes a branch or section of a society,
"stake" means an amount paid or risked in connection with gambling and which either-
 (a) is used in calculating the amount of the winnings or the value of the prize that the person making the stake receives if successful, or
 (b) is used in calculating the total amount of winnings or value of prizes in respect of the gambling in which the person making the stake participates,
"supply" includes-
 (a) sale,
 (b) lease, and
 (c) placing on premises with permission or in accordance with a contract or other arrangement,
"temporary use notice" has the meaning given by section 215,
"track" means a horse-race course, dog track or other premises on any part of which a race or other sporting event takes place or is intended to take place,
"travelling fair" has the meaning given by section 286,
"vehicle" includes-
 (a) a train,
 (b) an aircraft,
 (c) a seaplane, and
 (d) an amphibious vehicle (other than a hovercraft within the meaning of the Hovercraft Act 1968 (c. 59)),
"vessel" includes-
 (a) anything, other than a seaplane or an amphibious vehicle, designed or adapted for navigation or other use in, on or over water,
 (b) a hovercraft (within the meaning of the Hovercraft Act 1968), and,
 (c) anything, or any part of any place, situated in or on water,
"virtual" has the meaning given by subsection (3) below,
"winnings", in relation to a bet, means anything won, whether in money or in money's worth, and
"young person" has the meaning given by section 45.

SCHEDULE C**Summary of machine provisions by premises**

Premises Type	Machine Category						
	A	B1	B2	B3	B4	C	D
Large casino (machine/ table ratio of 5:1 up to maximum)		Maximum of 150 machines Any Combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio)					
Small casino (machine/ table ratio of 2:1 up to maximum)		Maximum of 80 machines Any Combination of machines in categories B to D(except B3A machines), within the total limit of 80 (subject to machine/table ratio)					
Pre-2005 Act casino (no machine/table ratio)		Maximum of 20 machines categories B to D (except B3A machines) Or any number of C or D machines instead					
Betting premises and tracks occupied by pool betting				Maximum of 4 machines categories B2 to D (except B3A machines)			
Bingo premises				Maximum of 20% of the total number of gaming machines which are available for use on the premises categories B3 or B4 *	No limit on category C or D Machines		
Adult Gaming Centre				Maximum of 20% of total number of gaming machines which are available for use on the premises categories B3 or B4 *	No limit on category C or D Machines		
Family Entertainment Centre (with premises licence)						No limit on Category C or D machines	
Family Entertainment Centre (with permit)							No limit on Category D machines
Clubs or miners' welfare institutes (with permit)				Maximum of 3 machines In categories B3A or B4 to D **			
Qualifying alcohol licensed premises						1 or 2 machines of category C or D automatic upon notification	
Qualifying alcohol licensed premises (with gaming machine permit)						Number of category C-D machines as specified on permit	
Travelling fair							No limit on category D machines
	A	B1	B2	B3/B3A	B4	C	D
Maximum stake	Unlimited No category A gaming machines are currently permitted	£5		£2 (B3) £2 (B3A)	£2	£1	Variable see table below

APPENDIX A

Maximum prize	Unlimited No category A gaming machines are currently permitted	No more than £10, 000 ***	£500	£500	£400	£100	Variable see table below
----------------------	--	---------------------------------	------	------	------	------	--------------------------------

Note: Machine category stakes/prizes may be subject to periodic regulatory amendment .

* Adult gaming centre and bingo premises are entitled to make available a number of Category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises. Premises in existence before 13 July 2011 are entitled to make available four (adult gaming centre premises) or eight (bingo premises) category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Adult gaming centre premises and bingo premises licences granted on or after 13 July 2011 but before 1 April 2014 are entitled to a maximum of four or eight category B gaming machines or 20% of the total number of gaming machines, whichever is the greater; from 1 April 2014 these premises will be entitled to 20% of the total number of gaming machines only. But not B3A machines.

** It should be noted that members' clubs and are entitled to site a total of three machines in categories B3A to D but only one B3A machine can be sited as part of this entitlement. Commercial clubs are entitled to a total of three machines in categories B4 to D.

*** Or – Where the prize value available through its use is wholly or partly determined by reference to use made of one or more other sub-category B1 machines, no more than £20,000.

D non-money prize (other than crane grab machine or a coin pusher or penny falls machine)	30p	£8
D non-money prize (crane grab machine)	£1	£50
D money prize (other than a coin pusher or penny falls machine)	10p	£5
D combined money and non-money prize (other than coin pusher or penny falls machines)	10p	£8 (of which no more than £5 may be a money prize)
D combined money and non-money prize (coin pusher or penny falls machine)	20p	£20 (of which no more than £10 may be a money prize)

SCHEDULE D

Gambling Activities: Children and Young Persons

A **Child** means an individual who is less than 16 years old (section 45(1)).

A **Young Person** is an individual aged 16 or 17 years old (section 45(2)).

With limited exceptions, the intention of the Gambling Act 2005 is that children and young persons should not be permitted to gamble and should be prevented from entering those gambling premises which are adult only environments.

Part 4 of the Gambling Act 2005 states the requirements in relation to protection of children and young persons, principle offences and any exceptions.

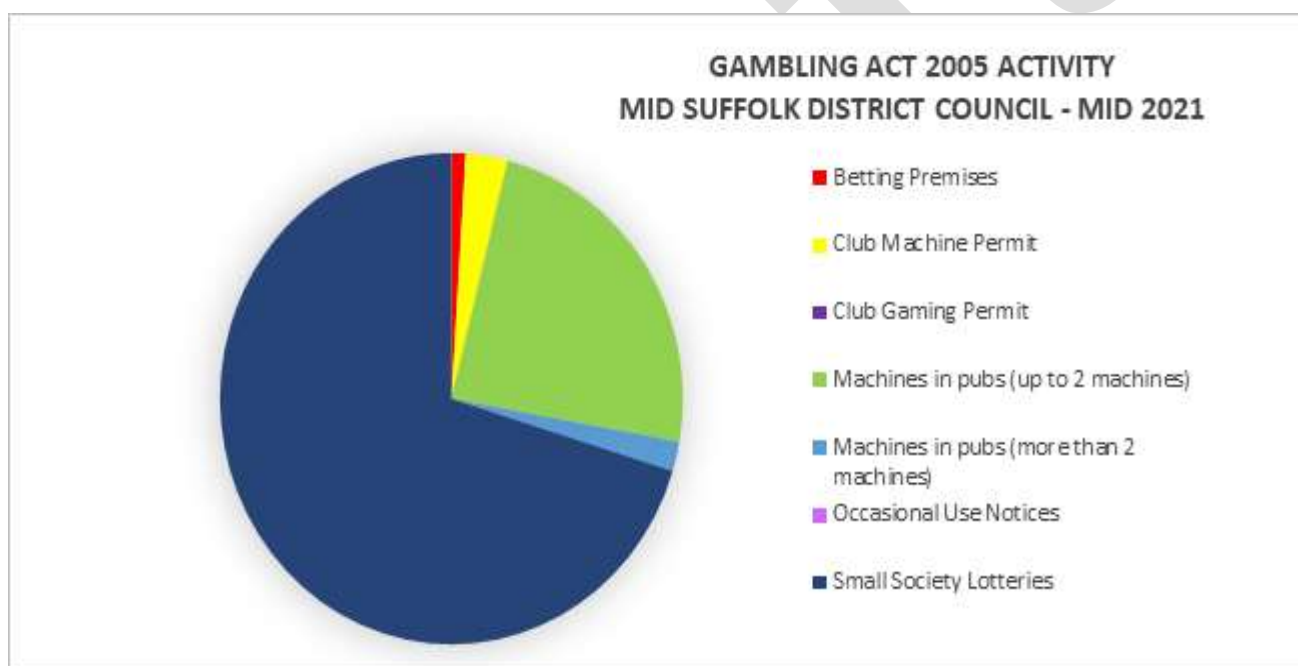
Draft

SCHEDULE E

Local Area Profile and Risk Assessments

Licensing authorities are already familiar with a risk-based approach to compliance, and targeting resources and effort where risk is greatest. The local area profile is simply a way of describing a process of gathering and presenting information about a locality and any particular areas of concern within that, to explain and underpin the approach that the licensing authority will apply. It gives clarity to operators as to the licensing authority’s view of risk and the relevant factors in its decision making.

The Licensing Authority understands the need for ongoing engagement with other prescribed statutory bodies, defined as Responsible Authorities under the Act. The Licensing Authority will seek to draw upon the expertise and knowledge of responsible authorities and others to ensure its approach is informed by all relevant sources of local knowledge and expertise, when developing local area profiles.



1. (a) As of mid-2018 Mid Suffolk District Council authorises 2 licensed gambling premises. These premises consist of betting premises (non-track) and are based within the main market town of Stowmarket.
- (b) The majority of non-premises licensed gambling activity in the district relates to notifications and permits for gaming machines, gaming in members clubs and pubs. The Licensing Authority also deals with a significant number of enquiries around non-commercial equal chance gaming and enquiries made for activities not requiring any

gambling authorisation – subject to limitations. Small society lottery registrations are also a main area of activity (with around 176 registered societies in Mid Suffolk mid-2018) mostly for the benefit of (non-private gain) good causes within the district.

- (c) At the time of preparing this edition of the statement of principles there has been no evidence, or intelligence, presented to Mid Suffolk District Council to support any assertion that any part of the district had or is experiencing problems from gambling activities. This position will be kept under review and, in the event that it changes, further research will be carried out to discover the extent of the problems and to prepare an area profile accordingly which will identify, quantify and map the vulnerabilities and other relevant features of the local area. The statement of principles may be revised as a consequence.
- (d) Gambling premises have not featured on any night time economy police statistics/hot-spots and the Licensing Authority has received no representations at the time of applications or variations, beyond comments from residents relating to ‘commercial need’ or ‘demand’ for gambling premises (see 1.7 of this statement of principles).
- (e) The Licensing Authority will monitor any local concerns brought to its attention in the future, along with any linked crimes, and/or representations; with a view to identifying areas of concern and mapping vulnerabilities.
2. (a) The Gambling Commission issue codes of practice under section 24 of the Gambling Act 2005, about the manner in which facilities for gambling are provided to ensure that:
- gambling is conducted in a fair and open way;
 - children and other vulnerable people are protected from being harmed or exploited by gambling; and
 - assistance is made available to people who are, or may be, affected by problems related to gambling.
- (b) Codes of practice are either:
- Social responsibility code** provisions - which must be adhered to by all licence holders; or
- Ordinary code** provisions – these do not have the status of licence conditions but failure to take account of them can be used as evidence in criminal or civil proceedings.
- (c) New code provisions covering risk assessments and local authority area profiles are due to come into force in April 2016 (outside of the timeframe of this statement of principles revision). More detail can be found by going to the Gambling Commission website at www.gamblingcommission.gov.uk

The following are extracts relating to this aspect:

- Operators will be required to prepare a risk assessment for their business which takes into account the nature and characteristics of the locality in which they are situated. For example the proximity of schools, churches, etc. and/or whether the business is located on a walking route for local schools.
- Licensees must assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies,

procedures and control measures to mitigate those risks. In making risk assessments, licensees must take into account relevant matters identified in the licensing authority's statement of principles.

- Licensees must review (and update as necessary) their local risk assessments:
 - to take account of significant changes in local circumstances, including those identified in a licensing authority's statement of licensing policy;
 - when there are significant changes at a licensee's premises that may affect their mitigation of local risks;
 - when applying for a variation of a premises licence; and
 - in any case, undertake a local risk assessment when applying for a new premises licence.
- (d) For all non-remote casino, adult gaming centre, bingo, family entertainment centre, betting and remote betting intermediary (trading room only) licences, except non-remote general betting (limited) and betting intermediary licences, licensees should share their risk assessment with licensing authorities when applying for a premises licence or applying for a variation to existing licensed premises, or otherwise on request.
- (e) Such risk assessments can make reference to the Local Authority Area profile which may be compiled with respect to reported gambling-related problems in an area.

APPENDIX B

GAMBLING ACT 2005 ‘Statement of Principles (Sixth Edition) for 2022-2025’ - Summary of changes (post-consultation draft)

Amendments made in respect of dates, Guidance reference numbers and Statement of Principles edition throughout this document.

1. Introduction

- The local picture has been updated to reflect the increases in the area and population. The section relating to parish’s having a population below 500 has been removed as not deemed relevant. Changes in the number of District/Borough Councils within Suffolk.
- The consultation, approval and published dates are yet to be determined but will be updated prior to implementation after full council.

2. Exchange of Information

- Removal of the reference to ‘*Advice to Licensing Authorities on information exchange with the Gambling Commission*’ as this document is no longer in circulation. Exchange of information is extensively covered by Part 13 of the Gambling Commission’s Guidance to Licensing Authorities and this reference has been retained.

3. General Principles

- Under 1.10 the following has been added to give clarity on which section of the Gambling Commission’s guidance has been referred to.
- Under 1.15 the Licence Conditions and Code of Practice document has been updated and the date amended.

4. Track Premises:

- Under 7.12, for access by children – special dispensation for tracks, clarification has been added regarding door supervisors.

5. Part C: Club Gaming Permits and Club Machine Permits

- This amendment has been made, even though this is what the Permits can cover, reference to Miner’s welfare institutes has been removed under 4.1, 4.3 and 5.1 as this is not applicable within the Mid Suffolk District Council Area.

6. Schedule C

- The maximum stake has been altered under category B2 Gaming Machines. A further statement has been added to category A Gaming Machines for both Maximum Stake and Maximum Prize.

7. Schedule E

- Under E1 (b) the number of Small Society Lotteries currently active there is a reduction in registrations, however the system had not been routinely updated with those that had been lapsed, therefore this was not considered during the last revision of this Statement of Principles. The figure is also indicative of the current COVID-19 pandemic as several societies have lapsed due to not being in operation at this time. The figure will fluctuate from time to time and the total is as of August 2021 but will be updated prior to implementation after full council.

.....

8. Inclusion of the No Casino Resolution – 23 September 2021

- Full Council resolved on the 23 September 2021 to adopt a No Casino Resolution and this has been included under Section 4.1 and all references to the ability to adopt a casino if the Council were able to have been removed.

Agenda Item 12

BABERGH DISTRICT COUNCIL and MID SUFFOLK DISTRICT COUNCIL

TO:	BDC Council MSDC Council	REPORT NUMBER: MC/21/22
FROM:	Cllr Jan Osborne BDC Cabinet Member for Housing Cllr Lavinia Hadingham MSDC Cabinet Member for Housing	DATE OF MEETING: 25 January 2022 27 January 2022
OFFICER:	Gavin Fisk – Assistant Director Housing	KEY DECISION REF NO. N/A

THE DEVELOPMENT OF HOUSING REVENUE ACCOUNT BUSINESS PLANS

1. PURPOSE OF REPORT

- 1.1 This report sets out the work that has taken place to date to develop robust and financially sustainable Housing Revenue Account (HRA) Business Plans for the period 2022 - 2052 for both Babergh and Mid Suffolk District Councils. It provides an oversight of the consultation with key stakeholders and how this feedback and insight has shaped and developed the plan to date.
- 1.2 This report provides an initial evidence base highlighting the priorities that have been defined for the forthcoming HRA Business Plans. The final plan will be presented to Council in April 2022 along with evidence the plan has been robustly stress tested and which is deliverable both in the medium and longer term.
- 1.3 This report seeks approval to develop plans based on the priorities set out in this report.

2. OPTIONS CONSIDERED

- 2.1 To continue with the current version of the HRA Business Plans, which were adopted in 2017. However, it is felt this would prevent us managing the HRA effectively as many changes have occurred since 2017, including the Climate Emergency declared by both Councils in 2019.
- 2.2 To develop HRA Business Plans that both individually and collectively support both Babergh and Mid Suffolk District Councils Vision for the Housing Revenue Accounts. These business plans will take into consideration the changing external factors, as well as the Councils own aspirations. It will seek to consider opportunities to not only review the financial capacity within the HRA, but the approach and direction to the delivery of Council Housing Services, including meeting the requirements set out in the Social Housing White Paper.

3. RECOMMENDATIONS	
3.1	It is recommended that Full Council note the approach that has been taken and the progress that has been made in developing the HRA Business Plans along with the overarching aims as set out in this report.
3.2	It is recommended that Full Council approve the creation of a new HRA Business Plan.
3.3	A final draft of the plan including any financial costings will be presented to Full Council in April 2022, after the 2022/23 budget setting process has been completed.
REASON FOR DECISION	
3.4	To provide oversight of the work to date, to develop a financially sustainable HRA Business Plan, including the results of consultation.

4. KEY INFORMATION

- 4.1 The Housing Revenue Account (HRA) Business Plans set out the priorities, plans and actions for council housing over the next 30 years. The HRA Business Plans for both Councils were last revised in May 2017, therefore, it is pertinent that after five years, a fundamental review of the plans and its priorities takes place.
- 4.2 The purpose of such plans is to show that we can maintain our existing housing assets and deliver a quality customer-focused service, as well as improve homes and neighbourhoods, whilst supporting and endeavouring to achieve the visions of the current organisations' key strategies.
- 4.3 An effective HRA Business Plan has become ever more crucial since central government announced the reform of the rules governing local authority housing finance and the introduction of the self-financing system a decade ago.
- 4.4 Work to date on the development of the HRA Business Plans has been focussed heavily on research, this includes ensuring the final version of the plans are specific, measurable, realistic, achievable, and timed.
- 4.5 To do so, research and development has been invested in the organisations proposed '*New Build Design Guide*' and '*Technical Specification*'. Along with far greater intelligence and insight on the energy performance of our existing stock portfolio. This specific piece of work has led to working with the Energy Saving Trust to produce individual reports on every council owned home, which is based on more than 80 separate measures. This work has allowed us to accurately predict the levels of future expenditure and investment required to ensure every Council owned home meets the Government target of EPC C, by 2030.
- 4.6 To ensure the plan is achievable it has required officers to produce a baseline position taking into account actual income and expenditure including planned works.

- 4.7 Summer 2021 saw both tenant, staff and member consultation with more than 2,000 separate survey responses to three separate consultations that is evidenced in section nine of this report. As a direct result of this feedback, we intend that the final version of the HRA Business Plans which will be fully costed will provide the following outcomes for all stakeholders, associated with the Housing Revenue Accounts.

What will our Plans deliver?

4.8 Investing in our Homes

- 4.9 It is intended that we will see significant investment in retrofitting of existing homes to make them energy efficient (EPC Level C), and compliant with existing legislation. With an aspiration to provide additional investment in existing homes to support them reaching a higher level of energy performance above EPC C during the lifespan to these plans.
- 4.10 We will need to make decisions in the future in relation to our stock profile, this could include making decisions on which HRA assets to develop, redevelop, or dispose of to ensure we consistently provide homes which are cost effective to maintain and provide the highest levels of quality for tenants.
- 4.11 Ensure our homes exceed tenants' expectations, this includes the fabric and condition of the home as well as the services they receive. In the future this is likely to include investment in 'smart' technology to allow homes to be monitored for future repair or maintenance or standards e.g. Smart sensors to monitor the boiler or moisture within the home.
- 4.12 Enhanced 'Void' standards which ensure that when empty homes are returned to the Council as a landlord, we are focussed on quality rather than cost and time. In the longer term it is envisaged this will lead to savings on repairs and maintenance and improved levels of tenant satisfaction.
- 4.13 Climate Change**
- 4.14 Investment in all homes to improve overall energy efficiency will be a key focus and will require long term investment beyond historic and existing levels of investment in capital improvements.
- 4.15 This will be led through retrofitting and improved energy efficiency of homes. Supported by practical education for tenants on how to best use and manage the home to gain the greatest benefits, leading to lower energy costs for tenants.
- 4.16 This work will support both organisational and Suffolk wide Climate change ambitions, which will be complemented by greater levels of Biodiversity within our estates and neighbourhoods. A practical example of this approach could be community allotments, which provide a sense of place and belonging, and which exceed tenants needs.

4.17 Building and Buying New Council Homes

4.18 There will continue to be ambition to build or acquire additional new homes, through the development of the HRA Business Plans, the Councils will be able identify how many new homes it can build and develop over the medium term. These new homes will be developed by using the New Build Design Guide and Technical Specification. Whilst the Councils will continue to work with Homes England to obtain funding through the Affordable Homes Programme, which will enable more homes to be developed than solely funding development via the HRA.

4.19 An emphasis on good quality design, energy efficiency, low running costs, sustainability, and the use of modern methods of construction, where appropriate.

4.20 Right to Buy receipts will be used efficiently ensuring they are maximised and contribute effectively to any affordable housing programme.

4.21 Whilst there will continue to be a focus on new homes, the Business Plans will focus on how the HRA's and the council housing service makes efficient use of existing homes through for example, incentives to downsize.

4.22 Within the housing portfolio opportunities will continue to be reviewed through acquisition, disposal, and remodelling, of existing HRA assets to maximise revenues and minimise the cost of maintenance, repair and renewal of stock which is poorly performing.

4.23 Improving the service we provide to our tenants

4.24 It is imperative that we continually improve on existing levels of service and performance. We must ensure that every single tenant feels listened to and satisfied with the service they receive, whilst identifying BMSDC Landlord services as being exemplar in its approach to placing Tenants at the 'Heart' of what we do including decision making.

4.25 This will require a greater emphasis on performance, scrutiny, and satisfaction ensuring building safety and compliance at all times with regulation and Housing law.

4.26 We will learn from every complaint. Measuring satisfaction in real time and ensure we do not only meet the new regulatory framework and standards as set by the Regulator of Social Housing but exceed them.

4.27 Improving our Neighbourhoods

4.28 We know all stakeholders identified improvements that could or should be made through the consultation. Therefore, this is an area that we will identify and target to ensure improvements for which tenants identify and benefit from. To support this important work and to take account for the variety of neighbourhoods throughout the two districts a Neighbourhoods Strategy will be developed to provide an overarching approach.

4.29 We will develop a programme to reduce the number of garages in areas where there is low demand and utilise this space for alternative uses e.g., additional parking, housing solutions or amenity land.

- 4.30 Improve existing car parking provision and develop the opportunities for Electrical Vehicle (EV) charging.
- 4.31 Increased Biodiversity and Environmental Improvements.
- 4.32 Improved quality of estates through enhanced standards and quality which may be achieved through effective service charging, where appropriate.
- 4.33 These and other measures and improvements will aim to ensure neighbourhoods are identified as being safe, secure, pleasant, enjoyable and fun to live within, which leads to increases in tenant satisfaction as a direct result.
- 4.34 **Involving Tenants in running of the service**
- 4.35 We will ensure that through the business plans there are opportunities for active decision making for tenants through a person-centred approach.
- 4.36 Development of an innovative Governance model that could introduce a Housing Board (equivalent to our Companies or a Housing Association Board) with officers, tenant/s, members and key specialists actively involved and part of decision making, performance and the development of the service in the long term.
- 4.37 Delivery of an action plan that supports a model of engagement that places tenants at the heart of decision making (in line with Tenant Participatory Advisory Service (TPAS) accreditation).
- 4.38 **Digital Transformation**
- 4.39 The service will move to a cloud-based software system, which enables greater flexibility for staff and tenants and creates efficiencies.
- 4.40 We will support more tenants with both the skills and tools to embrace digital methods as a result of direct feedback from our digital skills survey. This will enable and encourage users of the service to self-serve 'on the go'. For those that desire, we will provide digital tenancies that are more intuitive and that negate the need to use traditional communication channels to engage with the landlord service, providing a greater level of self-serve on the go than is currently available.
- 4.41 Whilst the use of digital tools and technology will support staff to manage the service effectively e.g., Using digital dashboards to provide a clear picture of performance in 'real time' along with greater functionality using tablets and software.

5. LINKS TO CORPORATE PLAN

- 5.1 Homes and Housing is one of the six key priorities within the Joint Corporate Plan and plays a significant role in achieving the Council's overarching vision to build 'great communities with bright and healthy futures that everyone is proud to call home'.
- 5.2 The intention is to ensure that the Councils own Housing stock and its tenants are supported through the Business Plan to maintain our housing stock and continue providing good quality, sustainable council homes, which meet a range of needs for today and for future generations. We will do this by:

- 5.2.1 Achieving and maintaining high standards of housing management and effective tenant involvement;
- 5.2.2 Assisting people in housing need to access social housing; Support vulnerable tenants in maintaining their tenancy and living independently;
- 5.2.3 Responding to and pre-empting changing demand patterns by maintaining a balanced portfolio of housing which addresses a wide range of needs;
- 5.2.4 Increasing the environmental sustainability of our housing stock
- 5.3 Our work is inherently about the provision of safe, affordable and decent homes, which support people’s quality of life, sense of place and identity. The HRA Business plans must therefore prioritise the way all of its Housing services operate and how we can influence others to play their part.
- 5.4 The Housing Revenue Account Business Plans will signpost to the other strategies in the Corporate Plan that play a key role in delivering Council Housing outcomes and which enables our tenants to feel empowered to have their say in how their homes are managed and to ensure everyone has accommodation they are proud to call home.

6. FINANCIAL IMPLICATIONS

- 6.1 There are no direct financial implications associated with this report. However, the implementation of the HRA Business Plans will have financial implications for both Councils.
- 6.2 The plans coming forward in April will include actual income and expenditure both now and projected going forward, along with evidence to support the plans as to what is and what is not affordable and how the finite income associated to the HRA Accounts will be apportioned to meet both the medium term aims of these plans for the period 2022 – 2027 and the long term aims for the period 2022 – 2052.

7. LEGAL IMPLICATIONS

- 7.1 There are no legal implications of this report.

8. RISK MANAGEMENT

- 8.1 This report is most closely linked with the Council’s Corporate / Significant Business Risk No. 13. We may be unable to react in a timely and effective way to financial demands. Key risks are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
Failure to develop a financially sustainable HRA Business plan could lead to in year deficits and an inability to provide an effective Housing service in the long term	1 – Highly Unlikely	4- Disaster	Regular monitoring of the HRA Business Plan through effective budget monitoring and budget setting. Approved by Cabinet.

			<p>The use of specialist external consultancy to act as a critical friend and business support.</p> <p>The use of a independent business model which ensures all medium and long-term income and expenditure is recorded</p>
<p>Failure to accurately identify and plan for all future investment and expenditure could lead to the Councils being unable to provide both the quality of accommodation and landlord services that everyone expects</p>	2 - Unlikely	4 - Disaster	<p>Research, profiling and insight into future costs of investment and expenditure have been conducted using specialist support.</p> <p>The plan articulates where legislation requires a specific approach going forward</p> <p>Budgets are monitored on a monthly basis and monitored through quarterly outturn reports with a robust budget setting process</p>
<p>The HRA Business Plan is not relatable to by its stakeholders and hence does not achieve the outcomes and goals desired</p>	2 - Unlikely	3 – Bad/Serious	<p>Consultation has taken place with all stakeholders. Research has taken place on what the plan needs to achieve to provide the highest levels of service to tenants and to be an exemplar.</p>

9. CONSULTATIONS

- 9.1 During a period in the second half of 2021 there were a total of 619 consultees that responded to an online survey (584 tenants, 27 Staff and 8 Members). A further 14 took part in a virtual workshop.
- 9.2 The following seven areas were identified in priority order with details of the key issues identified during the consultation.
- 9.3 Investing in our current homes
- 71% of respondents did not feel we invested enough in existing homes.
 - Improving home insulation, installing environmentally friendly heating systems and upgrading doors and windows were the priority investment items identified for all existing homes.

- 9.4 Climate change
- 70% of respondents felt we should be doing more to address climate change.
 - Improving the energy efficiency of homes should be the top priority.
- 9.5 Building and buying new Council housing
- Consultees were concerned about a lack of local affordable housing.
 - Building more homes and encouraging under occupiers were considered the most effective ways to increase supply of affordable homes.
- 9.6 Improving the services, we provide our tenants
- Staff thought Housing Officers should visit tenants in their home once a year; tenant preference was for only when requested.
 - 83% of tenant respondents did not want the Housing Service to provide non-housing advice
- 9.7 Improving our neighbourhoods
- 87% of tenants like the neighbourhoods they live in. The friendliness of existing communities was particularly highly valued.
 - Lack of car parking was the issue tenants were most unhappy about.
 - Staff and Members felt neighbourhoods looked untidy or unkempt and poorly maintained.
- 9.8 Involving tenants in the running of the housing service
- 56% felt tenants should be given more opportunities to be involved.
 - 61% of tenants did not feel listened to.
 - Digital surveys were the preferred method for tenants to have their say (however, this may be because this consultation exercise was digital, therefore, those without digital access were not as represented).
- 9.9 Digital Transformation
- There was generally a low awareness of the online 'My Home' portal amongst tenants and Members
 - Only 28% of tenants had signed up to the 'My Home' portal
 - Tenants mainly use it to contact a member of the housing service
 - 46% of staff said they actively promote Digital channels to tenants
 - Not being aware of the My Home portal was the main reason for not signing up
 - Being able to book and track repairs was the favoured feature to add to the My Home Portal.
- 9.10 A further 1,500 separate surveys were received in relation to Sheltered Housing and Digital Access and Skills of tenants. These results will help shape further changes to our 'offer'.

10. EQUALITY ANALYSIS

- 10.1 There are no equality and diversity implications arising directly from this report, at this stage. When specific projects are identified as part of the final version of the HRA Business Plan screening, and where necessary, full Equality Impact Assessments will be carried out.

10.2 It should be noted that a key component of the Business Plans will be to ensure equality and diversity as well as ensuring anyone with a protected characteristic is supported whilst as a tenant of Babergh or Mid Suffolk District Councils.

11. ENVIRONMENTAL IMPLICATIONS

11.1 There are no environmental implications arising directly from this report, at this stage.

11.2 It is intended that there will be positive environmental implications associated with the HRA Business Plans, specifically, that of our existing Carbon Reduction Management Plan and Bio-Diversity Plan and the emerging wider Environmental Strategy.

11.3 This will include:

11.3.1 Improving the existing energy efficiency of all council owned homes ensuring that every home meets an Energy Performance Certificate (C) by 2030;

11.3.2 All existing council owned homes are carbon neutral (wherever possible) by 2050;

11.3.3 New affordable housing built in the future by the Councils will be delivered to the highest levels of energy performance and standards achievable (on a scheme-by-scheme basis);

11.3.4 Along with ensuring HRA amenity land provides greater levels of biodiversity which will support and enhance the natural environment and the wellbeing of local communities.

12. APPENDICES

12.1 None

13. BACKGROUND DOCUMENTS

13.1 None

14. REPORT AUTHORS

14.1 Gavin Fisk – Assistant Director Housing

This page is intentionally left blank

Agenda Item 13

MID SUFFOLK DISTRICT COUNCIL

TO: COUNCIL	REPORT NUMBER: MC/21/23
FROM: Councillor Suzie Morley, Leader of the Council	DATE OF MEETING: 27 January 2022

TIMETABLE OF COMMITTEE MEETINGS 2022-23

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to agree the Timetable of Committee meetings for 2022/23 to ensure that Members and officers can plan accordingly.

2. RECOMMENDATIONS

- 2.1 That the draft Committee Timetable for 2022/23 be approved.
- 2.2 That the Chief Executive calls the meetings in accordance with the agreed Timetable unless there is insufficient business for the meeting to go ahead.

3. KEY INFORMATION

- 3.1 The draft Timetable is attached at Appendix A and Members are asked to check the proposed Committee dates to ensure that there are no reasons why the Committees should not go ahead on these dates.

4. LINKS TO JOINT STRATEGIC PLAN

- 4.1 Good governance and democratic, sound and transparent decision-making support the delivery of the Joint Strategic Plan.

5. FINANCIAL IMPLICATIONS

There are no financial implications arising from this report.

6. LEGAL IMPLICATIONS

- 6.1 Approval of the recommendation will ensure that Committee dates are placed well in advance into Member and officer diaries and the appropriate meeting rooms are booked. This will help to ensure that the Council complies with the statutory requirements for the summons to meetings and publication of papers.

7. RISK MANAGEMENT

- 7.1 Key risks are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
Dates are not booked in advance and the Committee is inquorate and unable to take decisions	1 – Highly unlikely	3 - Bad	Early approval of draft timetable of meetings will ensure that dates are placed into diaries as soon as possible.

8. CONSULTATIONS

8.1 SLT and Committee Chairs have been consulted.

9. EQUALITY ANALYSIS

9.1 An Equality Impact Assessment is not required as none of the protected characteristics will be affected by the recommendations within this report.

10. ENVIRONMENTAL IMPLICATIONS

10.1 There are no environmental implications associated with this report.

11. APPENDICES

Title	Location
(a) Draft Timetable of Meetings 2022/23	Attached

12. BACKGROUND DOCUMENTS

12.1 None.

DRAFT TIMETABLE OF MEETINGS 2022-23

May-22										
M	2	BANK HOLIDAY	9	MSDC CABINET (10.30) BDC CABINET (2pm)	16	JOINT AUDIT (9.30)	23	BDC OVERVIEW & SCRUTINY (9.30)	30	
T	3		10		17		24		31 Suffolk Show	
W	4	DEVELOPMENT CONTROL A (9.30)	11	PLANNING (9.30)	18	DEVELOPMENT CONTROL B (9.30)	25	BDC ANNUAL COUNCIL (5.30)		
T	5		12		19	MSDC OVERVIEW & SCRUTINY (9.30) (SCC Annual Council 2pm)	26	MSDC ANNUAL COUNCIL (5.30)		
F	6		13		20		27			
Jun-22										
M			6	MSDC CABINET (10.30) BDC CABINET (2pm)	13		20	BDC OVERVIEW & SCRUTINY (9.30)	27	
T			7		14		21	BDC COUNCIL (5.30) Provisional	28	
W	1	Suffolk Show	8		15	PLANNING (9.30)	22	DEVELOPMENT CONTROL A (9.30)	29	PLANNING (9.30)
T	2	BANK HOLIDAY	9		16	MSDC OVERVIEW & SCRUTINY (9.30)	23		30	
F	3	BANK HOLIDAY	10	MSDC LICENSING & REG (10.30)	17	BDC LICENSING & REG (9.30)	24			
Jul-22										
M			4	MSDC CABINET (10.30) BDC CABINET (2pm)	11		18	BDC OVERVIEW & SCRUTINY (9.30)	25	JOINT AUDIT (9.30)
T			5		12		19	BDC COUNCIL (5.30)	26	
W			6	DEVELOPMENT CONTROL B (9.30)	13	PLANNING (9.30)	20	DEVELOPMENT CONTROL A (9.30)	27	PLANNING (9.30)
T			7	(SCC 2pm)	14	MSDC OVERVIEW & SCRUTINY (9.30)	21	MSDC COUNCIL (5.30)	28	
F	1		8		15		22		29	
Aug-22										
M	1	MSDC CABINET (10.30) BDC CABINET (2pm)	8		15		22	BDC OVERVIEW & SCRUTINY (9.30)	29	BANK HOLIDAY
T	2		9		16		23	BDC COUNCIL (5.30) Provisional	30	
W	3	DEVELOPMENT CONTROL B (9.30)	10	PLANNING (9.30)	17	DEVELOPMENT CONTROL A (9.30)	24	PLANNING (9.30)	31	DEVELOPMENT CONTROL B (9.30)
T	4		11		18	MSDC OVERVIEW & SCRUTINY (9.30)	25			
F	5	MSDC LICENSING & REG (10.30)	12	BDC LICENSING & REG (9.30)	19		26			
Sep-22										
M			5	MSDC CABINET (10.30) BDC CABINET (2pm)	12		19	BDC OVERVIEW & SCRUTINY (9.30)	26	JOINT AUDIT (9.30)
T			6		13		20	BDC COUNCIL (5.30)	27	
W			7	PLANNING (9.30)	14	DEVELOPMENT CONTROL A (9.30)	21	PLANNING (9.30)	28	DEVELOPMENT CONTROL B (9.30)
T	1		8		15	MSDC OVERVIEW & SCRUTINY (9.30)	22	MSDC COUNCIL (5.30)	29	
F	2		9		16		23		30	
Oct-22										
M	3	MSDC CABINET (10.30) BDC CABINET (2pm)	10		17		24	BDC OVERVIEW & SCRUTINY (9.30)	31	
T	4		11		18		25	BDC COUNCIL (5.30) Provisional		
W	5	PLANNING (9.30)	12	DEVELOPMENT CONTROL A (9.30)	19	PLANNING (9.30)	26	DEVELOPMENT CONTROL B (9.30)		
T	6		13		20	MSDC OVERVIEW & SCRUTINY (9.30) (SCC 2pm)	27			
F	7	MSDC LICENSING & REG (10.30)	14	BDC LICENSING & REG (9.30)	21		28			
Nov-22										
M			7	MSDC CABINET (10.30) BDC CABINET (2pm)	14		21	BDC OVERVIEW & SCRUTINY (9.30)	28	JOINT AUDIT (9.30)
T	1		8		15		22	BDC COUNCIL (5.30)	29	
W	2	PLANNING (9.30)	9	DEVELOPMENT CONTROL A (9.30)	16	PLANNING (9.30)	23	DEVELOPMENT CONTROL B (9.30)	30	PLANNING (9.30)
T	3		10		17	MSDC OVERVIEW & SCRUTINY (9.30)	24	MSDC COUNCIL (5.30)		
F	4		11		18		25			

Dec-22						
M		5	MSDC CABINET (10.30) BDC CABINET (2pm)	12	19	BDC OVERVIEW & SCRUTINY (9.30) BANK HOLIDAY
T		6		13	20	BDC COUNCIL (5.30) Provisional BANK HOLIDAY
W		7	DEVELOPMENT CONTROL A (9.30)	14	21	PLANNING (9.30) DEVELOPMENT CONTROL B (9.30)
T	1 (SCC 2pm)	8		15	22	MSDC OVERVIEW & SCRUTINY (9.30)
F	2	9	MSDC LICENSING & REG (10.30) BDC LICENSING & REG (9.30)	16	23	30
Jan-23						
M	2	9	BANK HOLIDAY MSDC CABINET (10.30) BDC CABINET (2pm)	16	23	BDC OVERVIEW & SCRUTINY (9.30) JOINT AUDIT (9.30)
T	3	10		17	24	BDC COUNCIL (5.30)
W	4	11	PLANNING (9.30)	18	25	DEVELOPMENT CONTROL A (9.30) PLANNING (9.30)
T	5	12		19	26	MSDC OVERVIEW & SCRUTINY (9.30) MSDC COUNCIL (5.30)
F	6	13		20	27	
Feb-23						
M		6	MSDC CABINET (10.30) BDC CABINET (2pm)	13	20	BDC OVERVIEW & SCRUTINY (9.30)
T		7		14	21	BDC COUNCIL (5.30)
W	1	8	DEVELOPMENT CONTROL B (9.30) PLANNING (9.30)	15	22	DEVELOPMENT CONTROL A (9.30) PLANNING (9.30)
T	2	9	(SCC pm)	16	23	MSDC OVERVIEW & SCRUTINY (9.30) MSDC COUNCIL (5.30)
F	3	10	MSDC LICENSING & REG (10.30) BDC LICENSING & REG (9.30)	17	24	
Mar-23						
M		6	MSDC CABINET (10.30) BDC CABINET (2pm)	13	20	BDC OVERVIEW & SCRUTINY (9.30) MSDC COUNCIL (5.30) JOINT AUDIT (9.30)
T		7		14	21	BDC COUNCIL (5.30)
W	1	8	DEVELOPMENT CONTROL B (9.30) PLANNING (9.30)	15	22	DEVELOPMENT CONTROL A (9.30) PLANNING (9.30) DEVELOPMENT CONTROL B (9.30)
T	2	9		16	23	MSDC OVERVIEW & SCRUTINY (9.30) (SCC pm)
F	3	10		17	24	31
Apr-23						
M	3	10	MSDC CABINET (10.30) BDC CABINET (2pm) BANK HOLIDAY	17	24	BDC OVERVIEW & SCRUTINY (9.30)
T	4	11		18	25	BDC COUNCIL (5.30) Provisional
W	5	12	PLANNING (9.30) DEVELOPMENT CONTROL A (9.30)	19	26	PLANNING (9.30) DEVELOPMENT CONTROL B (9.30)
T	6	13		20	27	MSDC OVERVIEW & SCRUTINY (9.30)
F	7	14	BANK HOLIDAY MSDC LICENSING & REG (10.30)	21	28	BDC LICENSING & REG (9.30)
May-23						
M	1	8	BANK HOLIDAY MSDC CABINET (10.30) BDC CABINET (2pm)	15	22	BDC OVERVIEW & SCRUTINY (9.30) MSDC ANNUAL COUNCIL (5.30) BANK HOLIDAY
T	2	9		16	23	BDC OVERVIEW & SCRUTINY (9.30)
W	3	10	PLANNING (9.30) DEVELOPMENT CONTROL A (9.30)	17	24	PLANNING (9.30) Suffolk Show
T	4	11	Elections	18	25	MSDC OVERVIEW & SCRUTINY (9.30) (SCC Annual Council 2pm)
F	5	12		19	26	