



AGENDA

COUNCIL MEETING

TUESDAY, 2ND NOVEMBER, 2021 - 5.30 PM

Members of the Council are summoned to a meeting of the Babergh District Council at King Edmund Chamber, Endeavour House, 8 Russell Road, Ipswich on Tuesday, 2nd November, 2021 at 5.30 pm.

For those wishing to attend, there will be a time for reflection 5 minutes prior to the commencement of the Council meeting.



Arthur Charvonia
Chief Executive



BABERGH COUNCIL	
DATE:	TUESDAY, 2 NOVEMBER 2021 5.30 PM
VENUE:	KING EDMUND CHAMBER, ENDEAVOUR HOUSE, 8 RUSSELL ROAD, IPSWICH

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PART 1 MATTERS TO BE CONSIDERED WITH THE PRESS AND PUBLIC PRESENT

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1 APOLOGIES FOR ABSENCE

To receive apologies for absence.

2 DECLARATION OF INTERESTS BY COUNCILLORS

3 BC/21/19 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 21 SEPTEMBER 2021 7 - 34

4 BC/21/20 ANNOUNCEMENTS FROM THE CHAIRMAN AND LEADER 35 - 36

In addition to any announcements made at the meeting, please see Paper BC/21/20 attached, detailing events attended by the Chairman.

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

In accordance with Council Procedure Rule No. 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.

- 6 **QUESTIONS BY THE PUBLIC IN ACCORDANCE WITH COUNCIL PROCEDURE RULES**

The Chairman of the Council to answer any questions by 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 No. 12.
- 7 **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.
- 8 **OVERVIEW AND SCRUTINY COMMITTEE UPDATE**

Chair of Overview and Scrutiny Committee
- 9 **RECOMMENDATIONS FROM CABINET / COMMITTEES**
- a **BC/21/21 GAMBLING ACT 2005 – STATEMENT OF PRINCIPLES STATUTORY THREE-YEARLY REVISION** 37 - 92

Chair of Licensing and Regulatory Committee
- 10 **PRESENTATION REGARDING THE COVID RESPONSE AND RECOVERY**

Assistant Director for Economic Development & Regeneration and Assistant Director for Communities & Wellbeing
- 11 **TO RECEIVE REPORTS FROM CABINET MEMBERS** 93 - 104

CMU1 – Cabinet Member for Communities
CMU2 – Cabinet Member for Economy
- 12 **BC/21/22 POLITICAL BALANCE AND COMPOSITION OF COMMITTEES** 105 - 110

Monitoring Officer
- 13 **COUNCILLOR APPOINTMENTS**
- 14 **MOTIONS ON NOTICE**

Webcasting/ Live Streaming

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https://www.youtube.com/channel/UCSWf_0D13zmegAf5Qv_aZSg

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.

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5. Do not re-enter the building until told it is safe to do so.

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Agenda Item 3

BABERGH DISTRICT COUNCIL

Minutes of the meeting of the **BABERGH COUNCIL** held in the King Edmund Chamber, Endeavour House, 8 Russell Road, Ipswich on Tuesday, 21 September 2021 at 5.30pm

PRESENT:

Councillor: Adrian Osborne (Chair)

Councillors:	Clive Arthey	Sue Ayres
	Melanie Barrett	Simon Barrett
	Peter Beer	David Busby
	Sue Carpendale	Trevor Cresswell
	Derek Davis	Mick Fraser
	Richard Hardacre	John Hinton
	Bryn Hurren	Leigh Jamieson
	Robert Lindsay	Elisabeth Malvisi
	Margaret Maybury	Alastair McCraw
	Zachary Norman	John Nunn
	Jan Osborne	Alison Owen
	Lee Parker	Stephen Plumb
	John Ward	

In attendance:

Officers:

- Chief Executive (AC)
- Monitoring Officer (EY)
- Assistant Director – Corporate Resources (KS)
- Assistant Director – Assets and Investments (EA)
- Corporate Manager – Governance and Civic Office (JR)
- Head of HR and OD (SH)
- Corporate Manager – Strategic Planning (RH)
- Neighbourhood Planning Officer (PB)

Apologies:

Councillors:

- Siân Dawson
- Jane Gould
- Kathryn Grandon (Vice-Chair)
- Michael Holt
- Mary McLaren
- Mark Newman

32 DECLARATION OF INTERESTS BY COUNCILLORS

There were no declarations of interests.

33 BC/21/11 TO CONFIRM THE MINUTES OF THE MEETING HELD ON 29 JULY 2021

It was RESOLVED:-

That the Minutes of the meeting held on 29 July 2021 be confirmed and signed as a true record.

34 BC/21/12 ANNOUNCEMENTS FROM THE CHAIRMAN AND LEADER

The Chairman referred Council to his tabled report which was for noting.

The Chairman then invited Councillor Ward to introduce his report.

Councillor Ward introduced his report and informed Council that it was good to be back in the Council Chamber for the Council meeting and whilst there were still some guidelines in place so that everyone could feel safe, it did mark another point on a steady return to normal.

The Leader reported that Covid infection rates locally and nationally remained stubbornly at a moderate level, which was to be expected as people mixed a lot more, but hospitalisations and deaths – also stable – were reasonably low. It did mean that the message of caution and sensible use of masks and sanitisers remained.

The Leader took the opportunity to mention the two awards ceremonies at which Babergh – and Mid Suffolk – were successful.

The Leader had attended the iESE conference and awards ceremony at Church House in London where the Council had won three awards: a gold, silver and bronze. This was really an excellent achievement and the Leader was proud that officers were delivering to a high standard and that what the Council was doing for its residents was being recognised nationally.

The Leader stated that whilst winning bronze in the Council of the year category was very good, the Council shouldn't rest on its laurels and must strive for the gold award.

The Leader also reported that the Housing Solutions team was highly commended in the Community Heroes of the Year category at the Municipal Journal's Achievement Awards for their efforts in keeping vulnerable residents off the streets during the Covid-19 pandemic.

The Leader was pleased to accompany Cllr Fleming of Mid Suffolk to the Stowmarket depot to talk to Radio Suffolk about the switch of our vehicle fleet to run on HVO, which took place at the weekend. We are the first rural districts to do this and shows that the Councils are delivering real benefits for residents and their environment as part of the Councils' efforts to reach net zero by 2030.

The Leader was very pleased to announce that the Council's £180k investment in CCTV in Hadleigh and Sudbury was almost fully operational. There are 21 cameras in Sudbury and 8 in Hadleigh. Four are still to go live – Belle Vue Park and Cavendish Road in Sudbury and the cricket ground and Pykenham Way in Hadleigh. There is also one mobile camera and the Council will monitor its use to determine if more are going to be needed.

And finally, the Leader reminded Councillors that the final stage of the Women's Tour will be passing through Babergh on 9th October. The route takes it through several of our communities and will enable many of our residents to watch. It should be a great spectacle.

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

There were no petitions received.

36 QUESTIONS BY THE PUBLIC IN ACCORDANCE WITH COUNCIL PROCEDURE RULES

Question 1 - Laura Knight to Councillor Holt, Cabinet Member for Economic Growth

The council reports that have been released to date relating to the sale of Belle Vue do not reference the impact to Belle Vue House terrace and gardens. The access into that area from the current main entrance of the park is being sold to Churchill as part of the disposal site. You can also get into the gardens through a trampled clearing through the trees to gain access, but this is not suitable for many park users, including those with mobility issues or buggies etc. Please can you confirm that BDC will provide access to this area of the park; that it has been included in costings and confirm that public access will remain to the terrace and steps outside the house which was not included in the sale, which you have categorically stated that land outside the red line would not be disposed of and which is as confirmed by BDC, public accessible open space held on statutory trust for the public.

Response:

Ms Knight thank you for your question to Cllr Holt. Unfortunately, Cllr Holt is not able to join us this evening and he has asked me to respond on his behalf. As has been agreed previously at Cabinet, the capital receipt from the sale of Belle Vue House and part of the old swimming pool site (as defined by the red lined disposal area) will be directed towards the creation of a new park entrance and in fact work is already underway on this project. Plans for the new entrance, new toilets and the proposed new café will be subject to a public exhibition later this autumn alongside enhanced proposals for the park and we will welcome comments and suggestions at that time which will lead to the creation of a planning application for the park and the new access/facilities.

I can confirm that access shall remain to the whole park and in fact our aim is to improve not just the access but the movability around the park for all users. More details of our plans re landscaping will be available at the public engagement event.

Question 2 - Roger Young to Councillor Malvisi, Cabinet Member for the Environment

Would you kindly confirm the detailed brief given to the designer of the Strategic Parking Questionnaire, and the objectives sought from it, that was available on the BDC website and has now apparently been withdrawn?

When will a detailed map, showing all existing car parking facilities, including on-road parking and additional car parking opportunities needed to cater for expansion, be made available to Hadleigh's residents so that they can make a meaningful contribution to the Strategic Parking consultation exercise?

Response:

Mr Young, thank you for your question which I believe is one of many recently.

Babergh is keen to develop a Parking Strategy that provides a comprehensive route map with regard to the long-term approach to the provision of parking across the district. The strategy is at a high level and needs:

- to identify our parking requirements for the next 5-10 years,**
- to reflect national policy guidance as it applies to both the future of town centres/high streets**
- to recognise the need for sustainable transport and travel as well as patterns of demand.**

Ensuring the right level and types of car parking facilities, with the right controls in place for their use, will help to support regeneration and enable development in and around the District's town centres as well as in rural villages.

It is important to ensure that shoppers, tourists, visitors, residents, workers and commuters have access to sufficient, good quality, safe, welcoming parking opportunities. More specifically the parking strategy needs to provide a set of detailed recommendations as to the nature of future parking provision serving both town centres and rural villages, and how they will function operationally.

The parking strategy is building on work previously undertaken in the form of the Joint Area Parking Management Plan and the subsequent Babergh Car Parking Study Report which highlighted the increasing need for a parking strategy for the medium to long term. The strategy comprises of three stages as was published in the timetable and agreed by Cabinet on 2 August 2021 (BCa/21/16).

- **Stage 1 - investigation & data collection.** This includes our parking strategy survey which launched on 31st August for a period of 4 weeks. The purpose of the survey is to give everyone the opportunity to have their say / give their views / thoughts etc on what parking issues are important to them. Alongside the survey will be virtual workshops for targeted stakeholders, again an opportunity to tell us what's wrong / give their views.
- **Stage 2 - creation of the strategy.** This is expected by the end of April 2022. This stage will allow for further opportunity for consultation with stakeholders.
- **Stage 3 – the Governance process,** expected completion date of September 2022.

So, in summary, the consultation currently under way is there to collect your views on how parking, both on street and off street is affecting you right now. It is about the places you use already, what works and what doesn't. These are spaces that you know well and will have experience of that we would like to hear about. We will use all that narrative, along with that exists with regard to future housing and capacity as well as existing Traffic Regulation Order's, and all this will assist us to draft a Parking Strategy. We will then share this with all stakeholders for comment prior to any decisions.

Supplementary Question

At the Babergh District Council meeting on Thursday the 4th February Councillor Malvisi confirmed that she had attended two parking meetings about parking in Hadleigh. And the minutes confirmed that she said that the steer to us was clear, more free time and later implementation date. My supplementary question is why has an implementation date of 1st January 2022 been set before we are free of covid restrictions, because this is in direct contravention of the promises given to Hadleigh residents by this council?

Cllr Malvisi to respond in writing outside of the meeting.

37 QUESTIONS BY COUNCILLORS IN ACCORDANCE WITH COUNCIL PROCEDURE RULES

Question 1 - Councillor Beer to Councillor Malvisi, Cabinet Member for the Environment

At the February 2021 full Council Budget Meeting, we approved the maximum increase in Council Tax and increased car parking charges to be applied in our own Babergh carparks. The reasons stated at the time were due to the forecast budget position of a £1.8 million deficit. This was presented at many workshops and by finance officers and the Cabinet Member for Finance.

To help balance this position we were given several options;

Introduce the full allowed council tax increase, introduce car parking charges and close the Sudbury Advice Centre.

I voted against these charges being introduced, based on the information supplied at the time.

We now have the final 2020/21 financial outturn, which shows a rather different position, we now have a £725,000k surplus.

So, in light of this information will the Cabinet withdraw the introduction of any car parking charges?

This will give our town centres of Sudbury and Hadleigh a breathing space to recover from Covid 19, this would certainly send out the correct message to our hard pressed residents of Babergh and show that as a Council we do listen to our traders and the public at large.

Response to Cllr Beer from Cabinet Member for Finance

Thank you for your question Cllr Beer. Before handing over to Cllr Malvisi to answer the specific matter of our car park tariffs, I would like to correct a couple of misconceptions in your question.

Firstly, I would like to point out that we provide an Access Point, not an advice centre. We have never run an advice centre in any of our face-to-face locations. This may seem like a pedantic comment, but it is important as it gets to the nub of some of the criticism of the decision to move it. And I want to provide a further clarification and say that we have moved it, not closed it – it is still very much open and successfully serving our residents. Part of the reason for the move was that it would give us savings, but it needs to be understood also that the contract was due to expire in March and we took the opportunity to design a more appropriate service, aligned with our Customer Strategy and the changing way our residents interact with the Council.

Secondly, I did report, when I presented the budget, that we were forecasting a cumulative three-year deficit of £1.7m. This still stands and I don't expect it will improve in the foreseeable future – indeed, it may well go further in the wrong direction, but officers are currently reviewing the figures as part of the preparation for setting the budget for next year. The favourable outturn of £736k does not change this because most of it was one-off benefits that won't necessarily be repeated in future years. We have used this money to top up some reserves, most notably the Climate Change and Biodiversity Reserve and the Strategic Priorities Reserve, but reserves can only be used once and don't solve our base budget gap.

Response to Cllr Beer from Cabinet Member for the Environment

Thank you for your question Cllr Beer.

The funds generated from car parking have to be ring-fenced to pay for that provision, because as you know it is not a statutory service and currently our car parks run at a substantial loss, which cannot be sustained in the longer-

term. They are sorely in need of investment – we are providing new ticket machines, but our car parks also need resurfacing, they need remarking of bays and, crucially, improved lighting for the safety of users. We must have additional income for this.

Our economy is dependent on tourism and to encourage visitors to our towns we need car parks that are clearly marked and indicating if there is space, many is the time that I go into Girling Street Car park to find it full but nothing to tell me if there are spaces elsewhere, do I drive round wasting fuel – no I go home.

As I've mentioned earlier and as you very well know, provision of parking is not a statutory responsibility and currently it is a drain on council tax, which only forms 29% of our income, and business rates, which is =16% of income – both of which must fund our statutory services.

We most definitely are listening and have ensured that we will still be providing a very generous 1 hour free period, with only modest short-term charges for stays beyond that. We will not be introducing charges until the new year – after the busy Christmas period.

However, people's decisions on where to go for shops and other experiences are determined more by the offering and not on whether they have to pay a pound for parking. Our two towns do very well in this regard and we have supported our high street businesses with the very successful roll-out of the award winning Virtual High Street (now with over 150 businesses on the platform in Sudbury and over 60 in Hadleigh) with an accompanying digital skills for business programme.

In addition, the Welcome Back funding provided to both towns will help to put on local events, enhance the appearance of each centre and seek to draw greater footfall into our places.

These are some of the exciting events and activities that Sudbury and Hadleigh have been doing using the Welcome Back Fund and there's more in the pipeline. Also, we are working on the town centres presentation with new planters/hanging baskets etc.

Sudbury - they have used the welcome Back fund:

- Town centre ambassadors to support businesses and visitors to the town centre
- a new initiative to have "Green" Sundays which are monthly which are to encourage new businesses to attend their market area that support the green agenda
- Heritage open days over 2 weeks earlier this month that had guided tours and activities celebrate the heritage of Sudbury
- Audio trail on the silk heritage of Sudbury

Hadleigh – they have used the welcome Back fund:

- **Innovate local – market stall pilot which offered 1 stall for a new business for a free period (usually 4 weeks) which started in July and until December, the stall is now booked out till November.**
- **They have created a mini tourism info point for a redundant BT box which has been received positively**
- **They have created their own loyalty cards for the town centre which supports residents using the high street and the cards are put in for a prize once completed. The prize is a voucher of the residents chosen shop in the town centre.**

We as a Council, have also run activities including kinetic science with open spaces (Belle Vue park, Beaumont Park and Coxes Park). We have pushed out social media on the activities and supported the towns with their events.

You will know, Councillor, that the date of introduction for the new parking charges will be discussed at Cabinet in October. I would encourage you to attend that meeting, listen to the debate on that item, and of course ask any further questions on this important subject.

Supplementary Question

You have decided not to return the £725,000 surplus to the tax payer and the residents of Babergh District Council. But now instead will you be using this amount of money to help pay for the proposed massive wage increases to our senior officers, so is it more money for senior officers and more taxes for Babergh residents?

Response – Written response outside of the meeting

Question 2 - Councillor Jamieson to Councillor Malvisi, Cabinet Member for the Environment

Although we have been fairly lucky in this country so far, the extremes of weather experienced globally this summer give increased evidence that climate change is happening now. As this is our last Council meeting before cop26, will the Member for environment advise us, and concerned Babergh residents, if the Council are doing anything to encourage a favourable outcome at the conference. I realise we are but a small pebble on the beach but a letter to the government stressing how important this is would not go amiss and would be the least we could do? if every Council did the same, we could make a difference.

Response to Cllr Jamieson from Cabinet Member for the Environment

Cllr Jamieson, thank you for your question regarding COP 26 and what we as a Council are doing to encourage a favourable outcome. As you know Babergh committed to tackling the very real issues relating to Climate Change and Bio-Diversity early on in its tenure.

We are just over mid-way through our term and your question has very kindly enabled me to bring Council up to date on what we have been doing to move the District to a better natural environment all round, that is of benefit to all who live and work in the District.

Just for the record, Climate Change is real as is the damage being done to our natural world on which we depend for our own survival which is why both plans touch on a myriad of initiatives some of which are wholly environmental but many impinge on all the other Portfolios. Humans have the greatest negative impact on the planet.

We've switched the fuel used in our waste freighters, from diesel to HVO, a certificated fuel made from recycled used vegetable oil. In doing this, Babergh is one of the first local authorities to so do demonstrating yet again that we are leading not following.

This will immediately reduce the Fleet Carbon Emissions by 90% and the Council's overall Emissions by 25% and this, fellow Councillors is a big step forward, and as we move forward, we shall move the rest of the fleet to either HVO or Electric Vehicles.

We've started work on improving our planning design guide and are working very closely with BDC Planning Department and Developers to build back better and Greener in line with Government Policy. As an example, in my home village of Long Melford we have successfully negotiated with Bloors to have an area as a wildflower meadow running parallel beside the Melford Walk in a couple of years this will have had a major benefit to the LNR. Bloors are installing Swift Boxes, Hedge Hog runs, Bat Boxes and these are being made by the Scouts thus engaging more of the community. They are also installing water butts in a bid to reduce water consumption on the garden.

We have won funding to put a Solar Car Port into the Car Park at Kingfisher with multiple Electric Vehicle charging points and given that we live in a very sunny part of the country, we will be storing the unused electricity generated by the Solar Panels for onward utilisation. In fact, I do believe that the relevant planning application has been submitted to Babergh.

We are introducing new technology into the Kingfisher Centre to reduce their energy and water usage by recycling the warm water in the pool through a back-wash filtration system.

Very soon we shall see the conclusion of a mapping exercise that has been conducted in conjunction with Suffolk Wildlife Trust. When completed we, as a county as well as a district, will be able to see what nature reserves we have in relation to each other and how they can be linked to provide a 'wildlife highway' nature route. All issues that require planning guidance, which we plan to put into the Planning Supplementary Guide.

By using satellite technology, we have been able to identify what sort of tree canopy exists in our district and what types of trees exist within it.

This means that we will be better placed to plant the right tree in the right place.

We are rolling out a free tree and hedge offer to parishes which has created a lot of interest, however in Babergh we are short of our own land supply to be able to create community woodlands, but we are working on it.

I think it is very important to note that all the trees and hedges will be locally sourced. We need a lot of trees and hedging which will provide local employment.

We will be rolling out wildflower meadow verges towards the end of the year and the beginning of next.

There is more, but the important thing to remember is we are on track to achieve our Carbon Reduction Plan and our Bio Diversity action Plan.

COP26 is the 26th Climate Change Conference and I expect to see from Central Government clear actions and further support on how we can accelerate towards our climate change and biodiversity actions. We will be listening closely and will be sharing highlights of the conference throughout.

My advice to residents on how they can influence the outcomes of the conference, is to get involved. The COP26 conference website has a page on how to be involved. But you can do more than that, you can make changes at home right now. That is what will make a real difference. Decide to cut down on single use plastic, try not to waste water, cut down on your car use, only buy the food you need, switch to buying from environmentally friendly companies, switch to green energy tariffs. These are the things that will really make a difference if each, and everyone one of us committed to them, sadly some are not but I believe most are.

Supplementary Question

The Environmental Task Force was set up as part of the climate emergency motion, that you yourself delivered, was focused very much on getting the Council to carbon zero by 2030. Can we now widen the remit of the environmental task force to look to see what we can do to help the district as a whole get to carbon zero by 2030?

Councillor Malvisi to provide a written response.

38 BC/21/13 OVERVIEW AND SCRUTINY COMMITTEE REPORT

The Overview and Scrutiny Committee report was noted.

The Chairman requested that, in the absence of Councillor McLaren, any questions should be emailed directly to Councillor McLaren.

39 RECOMMENDATIONS FROM CABINET / COMMITTEES

40 BC/21/14 ANNUAL TREASURY MANAGEMENT REPORT – 2020/21

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

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

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.

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.

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.

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.

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.

Councillor Hurren then informed Council that specifically for Babergh

1. 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 investment activity during the year.
2. The Council operated within the daily bank account limits.
3. Short-term debt has increased by £15.5m.
4. The Council lent a further £19.3m to CIFCO Ltd.
5. All investment activities undertaken were in accordance with the approved counterparty list.

6. The Councils' investment activities including average returns can be found in Appendix C of the report.
7. The investment in Funding Circle has reduced by £48k as unallocated funds have been reclaimed and existing loans repaid, leaving the balance on 31st March as £166k.
8. The Council was compliant with the upper limits for interest rate exposure. The investment activity undertaken for the year was done so in priority order of security and liquidity over yield as prescribed in the Treasury Management Strategy.

Councillor Hurren then **MOVED** the recommendations in the report which Councillor Plumb **SECONDED**.

Councillor Busby queried why the General Fund borrowing had increased from £50.7m to £71.3m in the previous year?

In response, the Section 151 Officer confirmed that this was due to the finalisation of the CIFCO purchases in that year.

Councillor Ward asked if the net borrowing and total borrowing figures could be separated into the General Fund and the HRA fund and reflected in the report in the same way as the capital financing requirements was.

The Section 151 Officer confirmed that this was possible and would be implemented going forward.

It was RESOLVED: -

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.**
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.**

41 BC/21/15 CAPITAL INVESTMENT FUND COMPANY (CIFCO CAPITAL LTD) BUSINESS TRADING AND PERFORMANCE REPORT 2020/21 - PART 1

The Chairman welcomed Henry Cooke, Director, CIFCO Capital Ltd, Nigel Golder, Director Strategic Asset Management JLL, Helen Rumsey, Partner Ensors and Emily Attack, Assistant Director for Assets and Investments and Managing Director for CIFCO Capital Ltd.

Councillor Busby introduced the report and informed Council that the report detailed CIFCO Capital's performance over the last 12 months and the proposed business plan for the next 12 months. The business plan is a fundamental part of CIFCO's

governance and ensures accountability to its shareholders. He particularly valued the contributions from the Joint Overview & Scrutiny Committee in June this year, which confirmed that in their view, the business plan is robust and they have sufficient confidence in the management of CIFCO.

Since its inception in 2017, CIFCO has provided Babergh with £3.5m of net income. £1.3m was delivered during the last financial year whilst facing unprecedented challenges as a consequence of the pandemic and certainly providing the Councils with much needed income at this time. CIFCO was able to withstand the challenges of the pandemic and continue to deliver income to the Councils and this is testament to the investment approach and strong management of the CIFCO portfolio since its inception, which has seen rent collection rates above the industry norm.

The business plan identifies that the challenges of the pandemic are not behind us and takes a prudent approach to CIFCO's financial management over the next few years, ensuring that the CIFCO portfolio continues to provide income to the Councils, running about a quarter of council tax, to support the delivery of services and projects locally as well as creating a long-term legacy for the District to benefit from in the future.

Councillor Busby then **MOVED** the recommendations in the report which Councillor Ward **SECONDED**.

Councillor Barrett queried why the recommendations in the Overview and Scrutiny report were for noting only.

In response, the Monitoring Officer informed Council that Scrutiny is not provided with pre-empted recommendations. It would be for Scrutiny to make their own recommendations once the review had been undertaken.

Councillor Lindsay asked about the deferment of the £1.5m for the next three years and what would happen if the money that was owed could not be paid back?

In response, Councillor Busby stated that it was the intention of CIFCO to pay each month and if they didn't, interest would accrue.

The Assistant Director for Assets and Investments added that if the deferred income was not able to be paid back in three years' time, then the amount would be added to the existing loan and would be paid back over a longer period and would incur accrued interest.

Councillor Lindsay asked how much the loan was and when it was scheduled for repayment.

In response, the Assistant Director for Assets and Investments informed Councillor Lindsay that the schedule of loan repayments was detailed in the report. The length of the loan would depend on when the asset was purchased with the average length of the loan being between 45 to 48 years.

Councillor Maybury sought confirmation as to whether the interest on the loan would be compound interest.

In response, the Assistant Director for Corporate Resources confirmed that this was the case.

Councillor Simon Barrett queried whether the Council was receiving a cash flow advantage at the moment, as opposed to just a culmination of a capital sum as CIFCO were not in a position to pay the cash to the Council?

In response, the Assistant Director for Assets and Investments clarified that to date full repayments had been made as per the schedule of payments detailed in the report. The report however made provision for prudent financial management in view of the current pandemic situation. Even with deferred payments the Council does receive a net benefit from CIFCO.

Councillor Maybury asked what the interest rate would be on the compound interest?

In response, the Assistant Director for Finance confirmed that 2% was the figure.

Councillor McCraw stated that he had sat on many Overview and Scrutiny Committees where the business plan had been reviewed and endorsed year after year. The income that the Council had gained had gone up year after year as predicted, despite the tricky circumstances that everyone had faced. Deferment of payments was common because of the current situation. Councillors should be reassured that proper prudential arrangements had been put in place to recover the interest if needed. Councillor McCraw was confident that a robust business plan was in place.

Councillor Jamieson raised concerns about the deferment of payments.

Councillor Busby stated that there had not been any deferment of payments, all payments had been made to date. The measures had been put in place in case there was a need to defer payments at a later date.

Councillor Simon Barrett felt that although the Business Plan was robust, the business model was not sustainable.

Councillor Busby stated that the Market experts had predicted that CIFCO would be back up to full value of the portfolio within ten years.

Councillor Ward stated that CIFCO was providing regular guaranteed income to the Council. The Council was increasingly dependent on this income, four fifths of the Council's investments with CIFCO in total now accounted for 14% of the Council's income. This income allowed the Council to provide services to our residents where Council Tax and business rates only provided 45% of the income to provide them. The money made up for the loss of the Revenue Support Grant as the Council was increasingly expected to stand on its own two feet. CIFCO was doing the job it was designed for and doing it well.

It was **RESOLVED: -**

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

42 EXCLUSION OF THE PUBLIC (WHICH TERM INCLUDES THE PRESS)

As Members had completed their discussion of Item BCa/21/15 Capital Investment Fund Company (CIFCO Capital LTD.) Business Trading and Performance Report 2021/21, the Chair refrained from going into closed session.

43 CONFIDENTIAL APPENDIX C - CIFCO CAPITAL LTD BUSINESS AND INVESTMENT PLAN 2021/22 (EXEMPT INFORMATION BY VIRTUE OF PARAGRAPH 3 OF PART 1)

44 RE-ADMITTANCE OF THE PUBLIC (WHICH TERM INCLUDES THE PRESS)

45 COUNCILLOR APPOINTMENTS

46 ELECTION OF CHAIRMAN OF LICENSING AND REGULATORY COMMITTEE

On the proposal of Councillor Ward and seconded by Councillor Jan Osborne, a nomination for Councillor Dawson to be Chair of Licensing and Regulatory Committee was tabled.

On the proposal of Councillor Hinton and seconded by Councillor Plumb, a nomination for Councillor Maybury to be Chair of Licensing and Regulatory Committee was tabled.

The nominations were **PUT** to Council

It was **RESOLVED: -**

That Councillor Margaret Maybury be appointed as Chair of the Babergh Licensing and Regulatory Committee.

47 MOTIONS ON NOTICE

48 TO CONSIDER THE MOTION ON NOTICE RECEIVED FROM COUNCILLOR MALVISI

Councillor Malvisi **MOVED** her Motion and informed Council that it was recognised that streetlighting could play an important part in the Council's climate change and bio-diversity plans. Not only can it be controlled to reduce costs and reduce our carbon footprint but by installing the right type of light the Council can protect its nocturnal wildlife.

Currently LED lighting was being fitted and whilst these have reduced costs which was good on the one hand it had a very negative impact on another. As a society, we have moved towards a blue white light. This blue white light has a terrible effect on the behaviour of nocturnal wildlife leaving it confused and affecting reproduction. So much so that it is estimated that 40% of all insects will become extinct within the next decades. Councillor Malvisi asked that the Council approve her Motion so that a new bio- diversity supplementary planning guidance can be produced to help protect our nocturnal wildlife on whom our futures are so dependent.

Councillor Jamieson **SECONDED** the Motion and informed Council that a similar Motion was being put to Mid Suffolk so that both Councils could work jointly to reduce light pollution that would benefit everybody.

Councillor Hinton supported the Motion and stated that he was in favour of streetlighting being turned off as he felt it was nice to have a dark sky. He also stated that he hoped that Suffolk County Council would take account of any provisions that were made in the NPPF.

Councillor Cresswell thought it was a good idea but felt that a balance should be struck where there were areas of anti-social behaviour.

Councillor Plumb stated that his parish council had been pressurised by Suffolk County Council to install LED lighting and asked how it was intended to bring the County Council on board with this?

Councillor Busby asked if the biodiversity planning document would come back to Council? Councillor Arthey confirmed that it would.

Councillor Lindsay addressed the concerns relating to Suffolk County Council and confirmed that the County Council were looking closely at this matter. It didn't mean that the lights would all need to be replaced but would mean using some lower intensity lighting.

Councillor Malvisi confirmed that lighting filters could be installed if needed.

Councillor Fraser confirmed that Suffolk County was working to replace its street lighting with lower intensity lighting.

It was RESOLVED: -

That Babergh District Council recognises that light pollution is increasing and that it causes harm to wildlife and insects as well as being problematical for many people particularly when the light is high in intensity. Therefore, the Council seeks to reduce the intensity and extent of outdoor lighting within its public realm and housing assets as well as in other lighting schemes where it has influence, to the extent practical. The Council will also include firm guidance in its Biodiversity Supplementary Planning Document to protect and enhance dark skies for the benefit of wildlife as well as human health and wellbeing.

49 TO CONSIDER THE MOTION ON NOTICE RECEIVED FROM COUNCILLOR JAMIESON

Councillor Jamieson introduced and **MOVED** his Motion and informed Council that details of the scheme had been circulated to Councillors ahead of the meeting. If the Council were to sign up to be a client partner on the Considerate Construction Scheme, it would agree to caring about the appearance of the construction, safety, respecting the community, care for the environment and respect for the workforce.

Becoming a Client Partner is free and demonstrates that the Council is an organisation that is committed to raising standards in the construction industry. It will be recognised by the public and those working on site as an organisation that places huge importance on showing care and consideration towards the local community, the environment and the welfare of the workforce.

Client Partnership member companies agree to recommend Scheme registration to all sites under their control and are expected to encourage conformance with all aspects of the Scheme's Code on their registered sites.

Councillor Lindsay **SECONDED** the Motion.

Councillor Hinton noted that the membership related to sites being registered rather than developers and asked what powers the Council would have to say that they must sign their sites up for this if they were based outside of the county.

In response, Councillor Jamieson confirmed that wording could be put into contracts to encourage them to sign up.

Councillor McCraw asked if it was just our own sites that we could impose this on or could we impose it on developers' sites?

Councillor Jamieson confirmed that it was primarily for our own sites, but wording could be included to encourage others.

Councillor Norman asked if, when we were appointing contractors, could the Council include questions to ensure that they adhered to these principals.

Councillor Ward stated that the Council already asks contractors to sign up for this. Nine local authorities had already signed up, Babergh would be the first district council to sign up.

It was RESOLVED: -

That the Council sign up to be a Client Partner on the Considerate Constructor Scheme - <https://www.ccscheme.org.uk/about-partnership/client-partners/>

50 TO CONSIDER THE MOTION ON NOTICE RECEIVED FROM COUNCILLOR LINDSAY

Councillor Lindsay **MOVED** his Motion that Council consider returning to a Committee system at the earliest opportunity after 20th December 2021.

Councillor Jamieson **SECONDED** the Motion.

Councillor Ward **MOVED** the following amendment

After five years of the current leader/cabinet governance model, the council believes it is time to review how effectively this is working and assess it against a committee governance model. Council will therefore instruct the Constitution Working Group and officers to define the details, including benefits and disadvantages, of an improved cabinet model and a suitable committee model.

The working group should report back to the first full council meeting after 20th December 2021 with these two options to allow council to decide which it prefers, with a view to implementing any changes at the annual council meeting in May 2022.

The Chairman asked Councillor Lindsay if he accepted the amendment.

Councillor Lindsay and his seconder accepted the amendment.

It was RESOLVED: -

After five years of the current leader/cabinet governance model, the Council believes it is time to review how effectively this is working and assess it against a committee governance model. Council will therefore instruct the Constitution Working Group and officers to define the details, including benefits and disadvantages, of an improved cabinet model and a suitable committee model.

The working group should report back to the first full Council meeting after 20th December 2021 with these two options to allow Council to decide which it prefers, with a view to implementing any changes at the annual Council meeting in May 2022.

51 BC/21/16 JOINT WELLBEING STRATEGY

Councillor Davis introduced the report and informed Council that he was delighted to be presenting the first Wellbeing Strategy for Babergh to Council. The document was a high-level document developed by councillors, officers, key partners and key community stakeholders. The strategy focuses on identified needs which are and will be dealt with in the associated delivery plan.

Councillor Davis said that the wellbeing of our residents is probably the most important aspect of our role as councillors. Everything we do impacts and affects the wellbeing of our residents. The vision for this strategy will mean that our residents

will have the best possible conditions for good wellbeing and have lives that are happy, healthy and rewarding.

Developing a Wellbeing Strategy has enabled the Council to set out its strategic vision and approach to support the wellbeing priorities of its local communities. Understanding our wellbeing priorities will also enable us to make the most effective use of our resources.

Addressing the wellbeing of our communities has rarely never been more important than at present as we live in the shadow of a global pandemic.

Wellbeing, put simply, is about 'how we are doing' as individuals, within communities and society. It provides a holistic view of people's lives, taking in not just health, but our opportunities, engagement and success in other areas of life including social, civic, economic and the built and natural environment.

Councillor Davis went on to say it is well recognised that the broader determinants of health are particularly important in ensuring a healthy and happy population and these are also the types of wellbeing issues over which Councils have some control and influence; for example, stimulating our local economy, managing our environment, developing and managing our homes or providing leisure facilities. This strategy therefore does not duplicate the wellbeing impacts already contained within our Economy, Housing, Environment and Communities Strategies. These other strategies will however be reviewed to ensure wellbeing outcomes are being optimised through those strategies; and performance in relation to those aspects will be included when we are reporting on our performance in respect of wellbeing.

The Strategy sights the 10 [Measures of National Wellbeing](#), developed by the Office for National Statistics which organises nationally surveyed and gathered data into different areas of life affecting wellbeing. We have adopted the 10 areas with a focus on: personal wellbeing, relationships, Health, the local communities where we live and what we do with our time.

Our long-term outcomes will focus on enabling:

- *Families to lead active, healthy, safe, and independent lives and manage their own health & wellbeing;*
- *All communities to have sustainable and inclusive places and spaces, which maximise health & wellbeing opportunities and benefits; and*
- *A reduction in Health inequalities.*

As this strategy spans the period to 2027, our long-term outcomes are supported by a set of shorter-term outcomes that will focus on the next two years and are accompanied by more detailed objectives which are set out in the Strategy and where it makes sense to, will be delivered in partnership with both internal and external stakeholders.

While developing the strategy we haven't stood still and have delivered a number of projects and supported many of our communities.

Councillor Davis then **MOVED** the recommendations in the report which Councillor McCraw **SECONDED**.

Councillor Hinton sought clarification on what activities had taken place in his ward.

In response, Councillor Davis confirmed that Active Suffolk had held several sessions at the Constable Medical Practice.

Councillor Simon Barrett asked if free swims were planned to be reintroduced as part of this programme.

Councillor Davis responded by confirming that a reduced programme had been held across the summer with a wider return planned for the future.

Councillor Busby welcomed the paper but felt that this was an ambitious strategy where several elements of it were reliant on other partners delivering the outcomes, and asked about the risk?

In response, Councillor Davis confirmed that this was an ambitious strategy but one that had been developed with the involvement of partners and stakeholders. There was recognition that the Strategy could not be delivered by the Council on its own and the delivery plan would be informed by the constant dialogue with partners. The implementation of the Strategy would be monitored closely.

Councillor Hurren was worried about the poverty within his own ward and across the district and felt that the ambition was good but that the Council needed to ensure it got the basics right.

Councillor Maybury stated that there was already a Joint Health and Wellbeing Strategy for Suffolk and asked why Babergh needed a separate one. She also felt that the free-swimming offer should be directed at the right people, as adults still needed to pay to go in to supervise their children and many could not afford to pay for this. She supported the free cookery classes and welcomed the proposals to support carers.

Councillor Melanie Barratt felt that residents could be supported better to deal with anti-social behaviour around tenancy issues and hoped that the Strategy would help that move in the right direction.

Councillor Ward informed Council that the ASB Team had been beefed up following feedback from the Stella Maris enquiry. Multi agency response for complex cases was far more robust and was initiated a lot earlier. Councillor Ward also said that the delivery plan was flexible enough to allow the Council to do what it could and what it could afford. The Strategy was ambitious and will be delivered working with partners and stakeholders.

Councillor Jan Osborne responding to the concerns about ASB, welcomed the Strategy aspirations and was looking forward to aligning the aims and aspirations with the Housing Teams, however she was concerned about the delivery plan from

a partner perspective and hoped that Suffolk County Council and the police raised their game to enable the plan to be delivered.

Councillor Beer welcomed the Strategy and hoped that both Babergh and Suffolk County Council worked together to deal with ASB issues and tenancy issues in a more timely manner.

Councillor Arthey highlighted page 11 of the Strategy and the “Where we Live” theme and our approach to planning discussions and said that the new emerging Joint Local Plan would lead this.

Councillor Davis in his summing up, said that anti-social behaviour was an issue that the Council was already working to address, using many different tools including enforcement notices, noise abatement orders and notices to seek possession. When it came to partnership working, it would be clear who would be funding the project, and partners would be expected to pay up. Councillor Davis said he recognised that this was an ambitious Strategy it was not a cut and paste job but bespoke in its own way to fit the district’s needs.

It was RESOLVED: -

- 1. That the Joint Wellbeing Strategy, attached as Appendix 1 to the report be approved.**
- 2. That the Assistant Director for Communities and Wellbeing, in consultation with the Cabinet Member for Communities, be delegated authority to make future 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 Communities, be delegated authority to develop and implement a Delivery Plan.**

52 BC/21/17 PAY POLICY REPORT

The Chairman welcomed Michelle Kirk, Director, East of England Local Government Association Government Association and Suzanne Hughes, Head of HR and OD to the meeting.

Councillor Ward introduced the report and informed Council that some Councillors had informed him that they believed that the report had been rushed so he intended to present a brief chronology by way of introduction.

Senior salaries were last reviewed ten years ago in 2011 when Babergh first started working jointly with Mid Suffolk. The levels that were set then have stood the test of time.

It was highlighted in the risk section of the Pay Policy Statement that was debated in March 2021, where it was recognised that senior salaries had fallen behind the market. No changes were proposed at that time.

Despite not having to carry out senior officer recruitment to the Senior Leadership Team in the previous two years, officers were hopeful that they could still successfully recruit to the newly formed Assistant Director for Communities and Wellbeing post within the existing pay structures. Despite extensive marketing and strong interest in the four-way shared role, it became very clear when discussing the role with candidates, many did not consider the salary level competitive or appropriate compared to similar or existing roles. Fourteen people applied, none of which were considered to have the necessary experience to undertake the role.

Based upon this feedback, EELGA were commissioned to undertake an independent review on senior leadership pay in order to determine the extent of which the Council's pay scales were uncompetitive. Finally, Councillor Ward referred to 5.2 of the report which drew directly from the Pay Policy Statement.

Councillor Ward then **MOVED** the recommendations in the report which Councillor Arthey **SECONDED**.

Michelle Kirk, Director of EELGA delivered a short presentation on the content of her report.

Councillor Melanie Barrett asked whether the Director of EELGA had been asked to give an opinion on the job design and job description or on providing a different approach or was the commissioned report based on one unfilled vacancy.

In response, the Director of EELGA informed Council that she was not asked to look at the job description but the overall job package. The package was configured correctly but the offer was too low.

Councillor Melanie Barrett sought confirmation that the figures were based on the current year and asked how many increments members of staff could progress to if they had met all of their targets?

In response, the Head of HR and OD confirmed that staff could only progress one increment point per year. Staff would start on the nearest point to their salary and progress one increment a year until they reach the top of the scale subject to them reaching their performance targets. The EELGA recommendations were based on staff naturally progressing through the incremental points.

Councillor Melanie Barrett asked why the scales had been reduced to only three incremental points rather than five.

In response, the Director for EELGA stated that five years was now very unusual for progression scales. It was assumed that staff would start at the lowest point of the scale and would as they developed into the role, naturally progress over a three-year period. A five-year period indirectly discriminated against women as they were more likely to have shorter time in the workplace compared to men.

Councillor Melanie Barrett asked if a market supplement could be applied to address the issue of attracting candidates to the post of Assistant Director of Wellbeing and Communities.

In response, the Head of HR and OD stated that when asked, candidates had indicated that the post was being advertised at least £50k below the salary indicative for this post. A market forces supplement could be applied to the post, but this would only be in place for two years before being reviewed and could be taken away at any point. This would also not address the long-term problem of the salary levels being too low.

Councillor Hinton asked what the impact would be on the rest of the work force if the cap was removed from the top salaries and what comparisons had been taken with other Councils outside of Suffolk.

In response, the Head of HR and OD stated that individual salaries on the lower scales could be reviewed at any time and individuals could move from one band to another if their job warranted an increase in salary whereas at the top of the scale there was no flexibility to be able to do this.

The Director for EELGA informed Council that benchmarking comparisons had been made with all 39 Councils in the East of England, the three examples used were the Councils' most comparable Councils. The salary levels that were currently been paid were far lower and the Council was vulnerable to having their staff head hunted.

Councillor Lindsay asked if the salaries for the rest of the work force would need to be reviewed?

In response, the Head of HR and OD stated that she could not ever rule out a review of all salaries due to the environment we were currently working in and the vulnerability to the private sector. Whilst the public sector did have a good pension scheme, the private sector were able to offer large bonuses, car allowances, private health care and other benefits. The Council did have various different bands and staff could move up these bands. The Council hasn't looked at senior pay scales since 2011 but other salaries have been regularly reviewed.

Councillor Davis sought clarification on the number of current vacancies at senior management level.

In response, the Head of HR and OD confirmed that there were currently two vacancies although the Assistant Director for Wellbeing and Communities had been filled on an interim basis. This position was funded on a four-way basis with partners.

Councillor Ayres asked what the equivalent salary would be if the post was based in Greater London, Kent or Sussex and whether the Council offered a relocation package for staff that would be willing to move here?

In response, the Director from EELGA said that the configuration for London Councils was completely different and whilst attracted a lot higher salaries, the jobs were not comparable.

The Head of HR and OD confirmed that the Council did have a relocation policy which offered payments for relocation, this was currently being reviewed as people were able to work more flexibly from a distance.

Councillor Beer asked about the challenges that were detailed in the slides and said that he expected to be undertaking those challenges already and also asked if the Council should be undertaking efficiency savings first before suggesting pay increases.

In response, the Head of HR and OD clarified that the challenges detailed in the slides were the priorities that Members had identified going forward. Currently the Council did not have all of the skill set to be able to deliver these and they would not be able to be delivered if the Council could not attract staff and retain them at a senior level. The situation that the Council was currently in was that it had two vacancies at senior level that could not be filled, and any efficiency savings could not be realised until we have those staff in place.

On the proposal of Councillor Busby and seconded by Councillor McCraw it was **MOVED** that the meeting be extended to allow all business to be conducted.

This was **PUT** to the meeting and **CARRIED**.

It was RESOLVED:-

That the meeting be extended to allow all business to be conducted.

Councillor Maybury queried whether the salary points in the recommendations included on costs?

In response, the Head of HR and OD confirmed that the recommendations did not include on costs. The details of the financials were included in the slides. The full cost was £47,856.00 which included pensions and national insurance.

Councillor Parker sought clarification on how a low paid Chief Executive depresses the wages of directors and also asked about the report that was mentioned in page 271 of the report which referred to a recent survey undertaken by EELGA on salary levels 1 to 4 and why it was not included as a background paper?

In response, the Director for EELGA informed Councillor Parker that she would be happy to share the whole report. Councillors did have in front of them the pertinent parts of the report which compared like for like salaries.

Councillor Carpendale asked about the impact and cost implications on the whole of the organisation bearing in mind that there was a salary multiplier in place?

Councillor Cresswell recognised that there had not been a pay review since 2011 but queried whether there had been an annual percentage rise for the Senior Leadership Team?

In response, the Head of HR and OD confirmed that all staff had a NJC negotiated pay rise every year but the pay scales and pay spine for the Senior Leadership Team had not been reviewed since 2011. The Chief Executive's pay had been reviewed when he came into post.

Councillor McCraw referred to pages 64 to 67 of the report and sought clarification that if the multipliers that were currently set up changed, would the Pay Policy need to be amended?

In response, the Head of HR and OD confirmed that the Pay Policy Statement would need to be amended.

Councillor Fraser asked what the increase was in percentage terms?

In response, the Head of HR and OD stated that it would depend on individual salaries but could potentially be looking at a percentage increase of 10%.

Councillor Melanie Barrett raised concerns about the figures quoted in the report and sought clarity on what the cost would be for the Council in four years' time.

Councillor Simon Barrett stated that the Council had difficulty to recruiting other jobs including planning officers and felt that the whole process should be included as part of the budgetary process.

Councillor McCraw emphasised that this was an independent report produced from EELGA and had been benchmarked against similar Councils. The risks were high for the Council if their recommendations were not carried out. One interim will cost more than a Chief Executive. Councillor McCraw felt that if we did not do this now, we will have to do it sooner or later and in the meantime the Council could lose a lot of senior staff.

Councillor Arthey asked what would happen if Babergh and Mid Suffolk came to different decisions?

In response, the Chief Executive (who had been called back into the meeting to answer the question) stated that he did not have a definitive answer at this time but it would leave both Councils in a very difficult position with a joint workforce currently on single pay scales.

Councillor Maybury was concerned about the perception from residents as she felt that as a Council, the proposals to spend more money on salaries was being done at the wrong time.

Councillor Davis felt that officers deserved as much money as they could get but was worried about the gap between the highest and the lowest paid and the perception of residents.

Councillor Lindsay stated that the ratio of the top paid to the lowest paid would mean that the Pay Policy would need to be changed to accommodate an out of proportion pay rise that would see a huge increase for people who were already some of the highest paid in the district, he was concerned about the effect of this on the moral of lower paid staff and would like to see a pay review at all levels.

Councillor Beer felt that it was morally wrong to suggest such a high increase to already highly paid staff at a time when parking charges have been introduced and council tax increased.

At the proposal of Councillor Beer and supported by four other Councillors, a request for a recorded vote was submitted.

Councillor Busby stated that it was a case of supply and demand and that when the Council ran out of staff and don't have the senior staff to deliver our objectives it would run into a lot of trouble. Councillor Busby also agreed with Councillor Lindsay that all the pay scales needed to be reviewed and asked what could be done about increasing supply through training and development.

Councillor Melanie Barrett felt that the Council should not be scared if Assistant Directors decided to move on as it would encourage more junior staff to be promoted.

In his summing up, Councillor Ward clarified the figures in the presentation and confirmed that they illustrated the costs over a period of four years and that 9.6 clearly stated the figures including on costs.

Councillor Ward said that he understood Members concerns about the figures being large, but this was because the matter had not been addressed over a number of years. Residents he knew, also shared the concerns of Members but he felt that they would be concerned more when the Council started to be unable to deliver services because of a lack of good staff.

Councillor Ward informed Council that the Council was currently struggling to fill all jobs but particularly senior jobs. He referred to the market economy of supply and demand and this was hitting the Council particularly hard. It would cost the Council more if it had to rely on interims to cover the vacancies and would blow the budget out of the window.

The recommendations were **PUT** to the Council and were **LOST**

FOR	AGAINST	ABSTAIN
Cllr C Arthey	Cllr S Ayres	Cllr D Busby
Cllr S Carpendale	Cllr M Barrett	
Cllr B Hurren	Cllr S Barrett	
Cllr E Malvisi	Cllr P Beer	
Cllr A McCraw	Cllr T Cresswell	
Cllr A Osborne	Cllr D Davis	
Cllr J Osborne	Cllr M Fraser	

Cllr J Ward	Cllr R Hardacre	
	Cllr J Hinton	
	Cllr L Jamieson	
	Cllr R Lindsay	
	Cllr M Maybury	
	Cllr Z Norman	
	Cllr J Nunn	
	Cllr A Owen	
	Cllr L Parker	
	Cllr S Plumb	
Total	8	Total 17
		Total 1

53 BC/21/18 REVISIONS TO INTERNAL NEIGHBOURHOOD PLANNING PROCEDURES

Councillor Arthey introduced the report and informed Council that it had come a long way since the first few parishes began the neighbourhood planning journey. Our internal decision making procedures have served us well, and the Council had continued to find ways to improve on the way we interact with Neighbourhood Planning, including placing greater emphasis on the earlier informative stages. Most importantly of all, we continue to think about what we can do better.

The report before Council looked at two key regulatory processes that fall to this Council:

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

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 it guides neighbourhood plans through these stages.

In Babergh to date, 10 NPs have been through the examination process. Of those, 5 have now been adopted and 5 are in the final stages of being modified prior to being made ready to go to referendum.

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 our earlier and on-going engagement with these groups is working.

Councillor Arthey hoped that the Council would agree that the proposed changes to how Regulation 17A and 18A stages were managed were both sensible and practical.

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

Cllr Arthey **MOVED** the recommendations in the report which Councillor Busby **SECONDED**.

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.

The business of the meeting was concluded at 9.46pm

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Chair

Agenda Item 4

BC/21/20

BABERGH DISTRICT COUNCIL - 2 NOVEMBER 2021

CHAIRMAN'S ANNOUNCEMENTS

EVENT	LOCATION	DATE	CHAIRMAN	VICE CHAIR
OCTOBER 2021				
Local Energy for Business Showcase	Wherstead Park, Wherstead	21-Oct	✓	

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Agenda Item 9a

BABERGH DISTRICT COUNCIL

TO: Council	REPORT NUMBER: BC/21/21
FROM: Licensing and Regulatory Committee	DATE OF MEETING: 2 November 2021
OFFICER: Katherine Green – Licensing 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 readoption 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 readopt the Council's Gambling Policy.

4. KEY INFORMATION

- 4.1 The Licensing and Regulatory Committee considered this matter on 15 October 2021, in report BLR/21/8 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 published on or by 3 January 2022, 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 Babergh 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 2AO3 & 2AO4 - 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 Babergh received one response. From the response received there are no further necessary changes which need to be made to the draft 'Statement of Principles'.

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 BLR/21/8](#)
- 12.2 The Gambling Act 2005
- 12.3 Gambling Commission's Guidance to Licensing Authorities 5th Edition September 2015 (as amended April 2021)

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Babergh District Council

Gambling Act 2005

Statement of Principles

2022-2025 (unless sooner revised)



Working Together

6th EDITION: Adopted by Council on **TBC**

GAMBLING ACT 2005 - STATEMENT OF PRINCIPLES

Preface:

Core content 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 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 the 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 the 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 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.babergh.gov.uk

Babergh 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)

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PART A: GENERAL MATTERS

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 and 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 that, 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:
- 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.

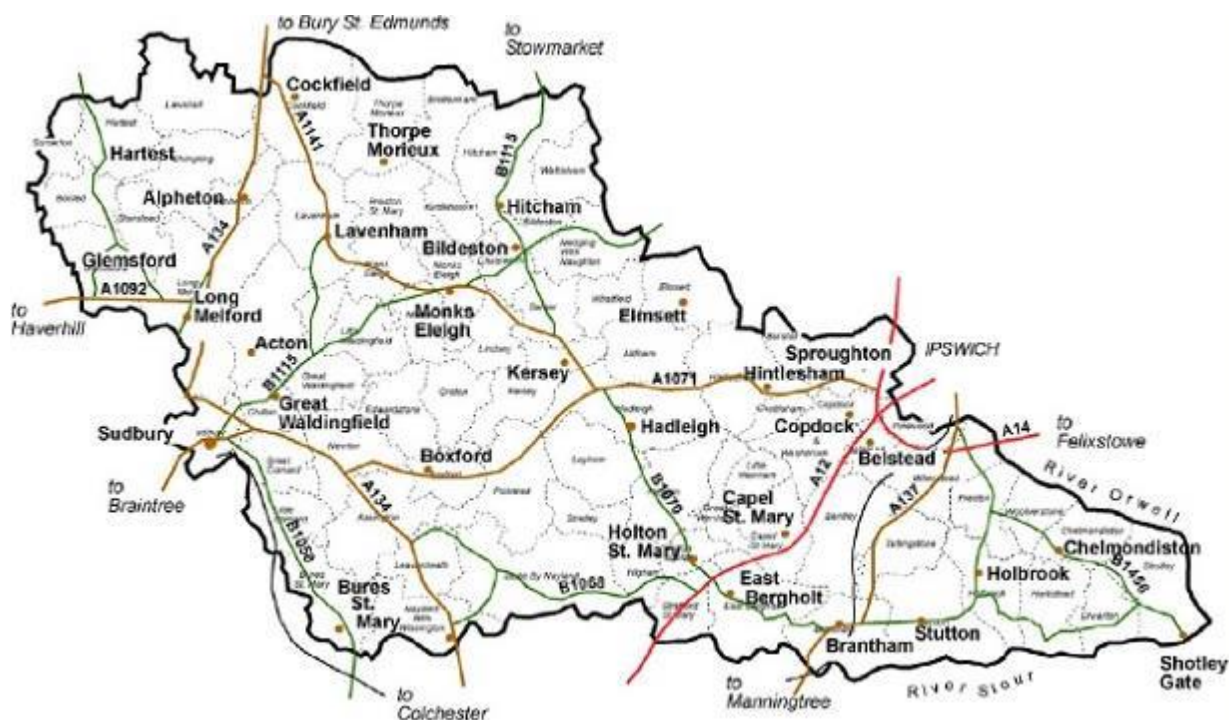
2. Introduction

- 2.1 Babergh District Council is situated in the County of Suffolk, which at the time this document was published, contains five District / Borough Councils in total.

Whilst the Babergh District remains very rural, it is within close and convenient distance of London and the Continent. The District has a population of approximately 91,500. It covers an area of 230 square miles and contains several small towns and villages which still retain much of their original outstanding character and

appearance, including the nationally recognised villages of Lavenham and Long Melford.

The largest town in Babergh is Sudbury which combined with its neighbouring village of Great Cornard has a population of approximately 33,200. The other market town of Hadleigh has a population of approximately 8,700. Ipswich (10 miles from Hadleigh) is now spilling over into the District and has a population in excess of 130,400 people. These areas are shown in the map below:



Ease of communications, the many seaside resorts along the east coast and picturesque towns, villages and countryside make South Suffolk a very popular place to live, work and to visit.

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, occasional use notices for point-to-point track betting 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 Babergh 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 20 August 2021 and 16 September 2021

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

Babergh 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.babergh.gov.uk

2.4 The statement of principles was approved at a meeting of the full Council of Babergh District Council on 23 November 2021 and was published on the Council website by 31 January 2022. Copies were placed in the public libraries within the District as well as being available at the 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 document shall not override the rights of any person to make an application, make representations 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), 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 Babergh District Council website at www.babergh.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 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.
 - 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, routes 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 (paragraph 8.14 of the guidance refers).
- 5.3 Interested parties can include 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 to be 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 to ensure that the Councillors are not subsequently appointed as part of a Licensing Sub-Committee who may be involved with determination of the licence application. If any further guidance is required, generally or in individual cases, then please contact the Licensing Team at Babergh District Council.

6. Exchange of Information

- 6.1 This Licensing Authority will, when exchanging information it holds relating to gambling premises, permits, registrations and temporary permissions, apply the following principles:
- (a) act in accordance with the provisions of the Gambling Act 2005;
 - (b) comply with the Data Protection Act 2018;
 - (c) comply with any relevant requirements of the Freedom of Information Act 2000;
 - (d) have regard to Part 13 of the Guidance issued by the Gambling Commission on this matter (as may be periodically updated); and
 - (e) any relevant regulations issued by the Secretary of State under the powers provided by 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 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 regulation 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 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 website.

- 8.2 The Babergh District Council summary of delegations adopted under the Gambling Act 2005 is available separately via the Council website at www.babergh.gov.uk or upon request direct 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 guidance.

PART B: PREMISES LICENSING

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 licences may be subject to conditions in a number of ways:
- (a) automatically, having been set out on the face of the Act;
 - (b) through regulations made by the Secretary of State;
 - (c) by the Gambling Commission, to operating and personal licences;
 - (d) by the Licensing Authority, to premises licences and some permits; and
 - (e) 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 by the Act as 'any place'. A particular premise 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 Guidance which states that Licensing Authorities should take particular care when considering applications for more than one premises licence 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 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;
- 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 Guidance in relation to division, separation or splitting of premises and primary gambling activity (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) a future effective date on the licence is appropriate; or
- (b) 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 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 the 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 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 (except category D machines).

The Licensing Authority will therefore consider, as suggested in the Gambling Commission 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 assumes 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 Guidance, the Commission's codes of practice or this Licensing Authority's Statement of Policy; 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 the 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, and these are 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 matters 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 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 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 Guidance, the Licensing Authority may consider whether door supervisors are appropriate in 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 particular circumstances to address specific risks regarding the licensing objectives for an individual 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 of casino and bingo premises); or
- the holder of the operator licence will have recruitment criteria for their door supervisors, which may specify:
 - (a) a minimum training standard (whether within the organisation, or a nationally accredited training course); and
 - (b) 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 October 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. Reviews

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

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

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

2.2 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 would certainly not cause it to amend/suspend or revoke the licence; or
- whether the request is substantially the same as any previous representations, 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.

2.3 A review application must only be determined by a 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:

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

3. Provisional Statements

- 3.1 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.
- 3.2 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;
 - acquire a right to occupy.

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

- 3.3 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.
- 3.4 If representations about a premises licence application, following the grant of a provisional statement, are received then 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:
- (a) which could not have been raised by way of representations at the provisional statement stage;
 - (b) which in the Licensing Authority's opinion reflect a change in the operator's circumstances; or
 - (c) 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.
- 3.5 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.

4. Temporary Use Notices

- 4.1 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 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 machine).

- 4.2 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.
- 4.3 A 'set of premises', as referred to by 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.
- 4.4 The Licensing Authority will take into account Gambling Commission 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 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.
- 4.5 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.

- 4.6 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.
- 4.7 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;
 - allow the activity to take place subject to a specified condition.
- 4.8 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 code of practice;
 - the Guidance issued by the Gambling Commission;

- the Licensing Authority's statement of principles; and
- is reasonably consistent with the licensing objectives.

5. Occasional Use Notices

- 5.1 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.
- 5.2 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.
- 5.3 The Licensing Authority must ensure that the statutory limit of 8 days in a calendar year is not exceeded. The Licensing Authority will consider the definition of a 'track', which need not be a permanent fixture, and whether the applicant is eligible to serve the notice.

6. Casinos

- 6.1 This Licensing Authority has not passed a 'no casino' resolution under Section 166 of the Gambling Act 2005, but retains the power to do so. Any change will be published in this Statement of Principles and on the Council's website during any intervening period.
- 6.2 Where a Licensing Authority has the power to determine a premises licence application for a new style casino, it will do so following any regulations under Section 175 of the Gambling Act 2005 published by the Secretary of State.
- 6.3 The Act lays down a framework for a two-stage process for considering applications in circumstances where the number of applications exceeds the number of licences available, and this will be followed by the Licensing Authority.
- 6.4 **Licence considerations/conditions:** The Licensing Authority shall have due regard to Gambling Commission guidance in relation to the suitability and layout of casino premises, and also the guidance issued by the Commission on primary gambling activity at casino premises.

Conditions may be attached to casino operator licences by the Gambling Commission to restrict the types of casino games that may be made available, or specifying rules for casino or equal chance games played in a casino. The Licensing Authority will make itself aware of any operating, mandatory and default conditions, codes of practice and Gambling Commission guidance when considering applications, and attachment of any conditions, for casino premises licences.

- 6.5 **Betting machines:** Where betting is permitted in a casino the Licensing Authority will normally, in accordance with Gambling Commission 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.

7. Bingo premises

- 7.1 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.
- 7.2 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.

8. Betting premises

- 8.1 **Betting machines:** The Licensing Authority will normally, in accordance with Gambling Commission 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.
- 8.2 The Licensing Authority shall have due regard to the Gambling Commission Guidance in relation to the suitability and layout of betting premises. This includes guidance on primary gambling activity, split premises and operating licence conditions.
- 8.3 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.

9. Track premises

- 9.1 Tracks are defined under section 353 of the Act as a 'horse race course, greyhound track or other premises on any part of which a race or other sporting event takes place or is intended to take place'.

9.2 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:

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

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

9.2 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

9.3 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.

9.4 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.

9.5 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.

9.6 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 licence(s), 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.

- 9.7 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.
- 9.8 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 outlined 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 siting 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 or 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	The Commission

Ensure gambling is conducted in a fair and open way	areas where children or young persons are present such as play areas.	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.
	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:

9.9 Access between premises licensed for gambling and non-gambling areas is an important local licensing consideration, for reasons that include the following:

- (a) to prevent operators from seeking to circumvent the Act by artificially subdividing a premises and securing separate premises licences for its composite parts;
- (b) to ensure that operators do not circumvent regulations governing the maximum number of gaming machines applicable to specific premises;
- (c) to ensure that people who have entered a premises for one type of gambling are not exposed to another, potentially harder, form of gambling;
- (d) to ensure that there is no direct access between gambling premises to which children have access and those which they are prohibited from entering;
- (e) to ensure that all gambling premises have publicly accessible entrances;
- (f) to ensure that gambling premises are not developed in the backrooms of other commercial premises.

Access by children - special dispensation for tracks:

9.10 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.

9.11 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:

- 9.12 **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.

- 9.13 **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 means of an Occasional Use Notice (OUN).

- 9.14 On non-event days, tracks become similar to licensed betting offices on the high street. Tracks may achieve this requirement by:

- (a) 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;
- (b) 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);
- (c) placing prominent notices in front of and inside each entrance stating that access to the area is prohibited to persons under 18.

- 9.15 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

- 9.16 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 terminals.

Gaming machines

- 9.17 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 Gambling 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.

- 9.18 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 website.
- 9.19 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:

- 9.20 **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.
- 9.21 **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.

- 9.22 **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:

- 9.23 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:

- 9.24 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 whether 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:

- 9.25 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:

- 9.26 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:

- 9.27 **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.
- 9.28 **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:

- 9.29 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).

10. Adult Gaming Centres

- 10.1 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 and 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
- 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.

11. (Licensed) Family Entertainment Centres

- 11.1 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 and codes of practice and cover matters 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
- 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.

- 11.2 The Licensing Authority will, in accordance with the Gambling Commission 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 and Codes of Practice and guidance issued by the Gambling Commission when dispensing 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.

PART C: PERMITS & 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 11 on (Licensed) Family Entertainment Centres).
- 1.3 Detail of any up to date application requirements, including any supporting documentation required, is available via the Council website at www.babergh.gov.uk or from the Licensing Team direct.
- 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 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. Club Gaming Permits

- 2.1 Members Clubs (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:

- (a) The club must not deduct money from sums staked or won;
- (b) The participation fee must not exceed the amount prescribed in regulations;
- (c) 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:

- (a) The game must be pontoon or chemin de fer only;
 - (b) No participation fee may be charged otherwise than in accordance with the regulations;
 - (c) no amount may be deducted from sums staked or won otherwise than in accordance with the regulations.
- 2.2 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.

2.3 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.

2.4 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.

2.5 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:

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

3. Club Machine Permits

- 3.1 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 only (i.e. not commercial clubs))).
- 3.2 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 may include snooker clubs, clubs established for personal profit and most clubs established as private companies.

- 3.3 The Gambling Commission Guidance advises that Licensing Authorities may only refuse an application on the grounds that:
- (a) the applicant does not fulfil the requirements for a members' or commercial 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 Police

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

- 3.4 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:
- (a) the club is established primarily for gaming, other than gaming of a prescribed kind;
 - (b) in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
 - (c) a club machine permit issued to the applicant in the last ten years has been cancelled.

- 3.5 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.

4. (Alcohol) Licensed Premises Gaming Machine Permits

- 4.1 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).

- 4.2 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 it thinks 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.

- 4.3 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 Gambling Commission Codes 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;
- the provision of information leaflets / helpline numbers for organisations that give support to vulnerable persons such as GamCare and Be Gamble Aware.

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

- 4.5 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.

5. Prize Gaming and Prize Gaming Permits

5.1 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 can not be made if a premises licence or club gaming permit is already in effect for the same premises.

- 5.2 The Licensing Authority will expect the applicant to satisfy the Authority that 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.

- 5.3 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.

- 5.4 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.

- 5.5 It should be noted that whilst there may be conditions in the Gambling Act 2005 and Gambling Commission 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).

6. Travelling Fairs

- 6.1 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.
- 6.2 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.
- 6.3 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.

7. Society Lotteries

- 7.1 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;
- 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;
- 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;
- 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 limitations are published on the Council website at www.babergh.gov.uk Definitions of exempt lotteries are also published at the above address.

- 7.2 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.

- 7.3 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.

- 7.4 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 can not 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;
- 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.

- 7.5 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.

SCHEDULE A

GAMBLING ACT 2005 STATEMENT OF PRINCIPLES:
CONSULTEE LIST FOR BABERGH DISTRICT COUNCIL
(AS MAY HAVE BEEN MODIFIED/UPDATED DURING CONSULTATION)

1. All Town and Parish Councils in Babergh	2. All Premises Licence Holders and Gaming Machine Permit Holders under the Gambling Act 2005
3. All responsible authorities under the Gambling Act 2005	4. ADFAM Families Drugs and Alcohol 2nd Floor 120 Cromer Street London WC1H 8BS
5. Age UK Tavis House 1 – 6 Tavistock Square London WC1H 9NA	6. Age UK Suffolk Unit 14 Hillview Business Park Old Ipswich Road Claydon Ipswich IP6 0AJ
7. Alcoholics Anonymous PO Box 1 10 Toft Green York South Yorkshire YO1 7NJ	8. Association of British Bookmakers Ground Floor Warwick House 25 Buckingham Palace Road London SW1W 0PP
9. BACTA 29-30 Ely Place London EC1 6TD	10. Bingo Association Lexham House 75 High Street North Dunstable Bedfordshire LU6 1JF
11. British Association of Leisure Parks, Piers & Attractions Ltd 29-30 Ely Place London EC1 6TD	12. British Horseracing Authority 75 High Holborn London WC1V 6LS
13. Business in Sport and Leisure 17A Chartfield Avenue Putney London SW15 6DX	14. Casino Operators Association UK 86 Jermyn Street London SW1Y 6JD
15. Chilvers Automatics Ltd Unit H1-H2 The Seedbed Centre Wyncolls Road Severalls Industrial Park Colchester CO4 9HT	16. Citizens Advice Bureau (Cambridge Field Office) 66 Devonshire Road Cambridge CB1 2BL
17. Crown Leisure Unit 1 Hillridge Road Martland Mill Industrial Estate Martland Park Wigan WN5 0LS	18. Essex Leisure Essex House 21 Eastways Witham Essex CM8 3YQ
19. Gamblers Anonymous Doncaster CVS Intake Wellness Centre	20. Gamble Aware 2a Charing Cross Road London

Doncaster DN2 6PL	WC2H 0HF
21. Gamcare 91-94 Saffron Hill London EC1N 8QP	22. Gamestec Leisure Ltd Wira House Ring Road West Park Leeds LS16 6EB
23. Greyhound Board of Great Britain Genesis House 17 Godliman Street London EC4V 5BD	24. Gordon Moody Association 47 Maughan Street Dudley West Midlands DY1 2BA
25. Home Start in Suffolk 8a The Square Martlesham Heath Ipswich IP5 3SL	26. Horserace Betting Levy Board 21-27 Lambs Conduit Street London WC1N 3NL
27. Independent Betting Adjudication Service PO Box 62639 London EC3P 3AS	28. Learning Disability Partnership Board Partnership Board Administrator Adult and Community Services Endeavour House 8 Russell Road Ipswich IP1 2BX
29. Mencap 123 Golden Lane London EC1Y 0RT	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. Orwell Mencap 6 Wright Road Ipswich IP3 9JG	34. Racecourse Association Ltd Racecourse Services Executive Racecourse Association Ltd Winkfield Road Ascot Berkshire SL5 7HX
36. Society for Study of Gambling Secretary – Faith Freestone	37. Sudbury & District Citizens Advice Keyse House Acton Lane Sudbury CO10 1QN
38. Suffolk County Council Social Care Service Endeavour House 8 Russell Road Ipswich IP1 2BX	39. Suffolk Safeguarding Adult Board Endeavour House 8 Russell Road Ipswich IP1 2BX

40. Suffolk Safeguarding Children's Board Endeavour House 8 Russell Road Ipswich IP1 2BX	41. The Lotteries Council 66 Lincoln's Inn Fields London WC2A 3LH
42. The National Casino Industry Forum Carlyle House 235 – 237 Vauxhall Bridge Road London SW1V 1EJ	43. The National Stud Newmarket CB8 0XE
44. Trident Machines Limited Unit 6 Motorway Industrial Estate Forstal Road Aylesford Kent ME20 7AF	45. All Sixth Form Schools and Colleges in Babergh District Council

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))
- "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

"young person" has the meaning given by section 45

SCHEDULE C

Summary of machine provisions by premises

Machine Category							
Premises Type	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	£5	£2	£2 (B3) £2 (B3A)	£2	£1	Variable see table below

	are currently permitted						
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 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)

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)).

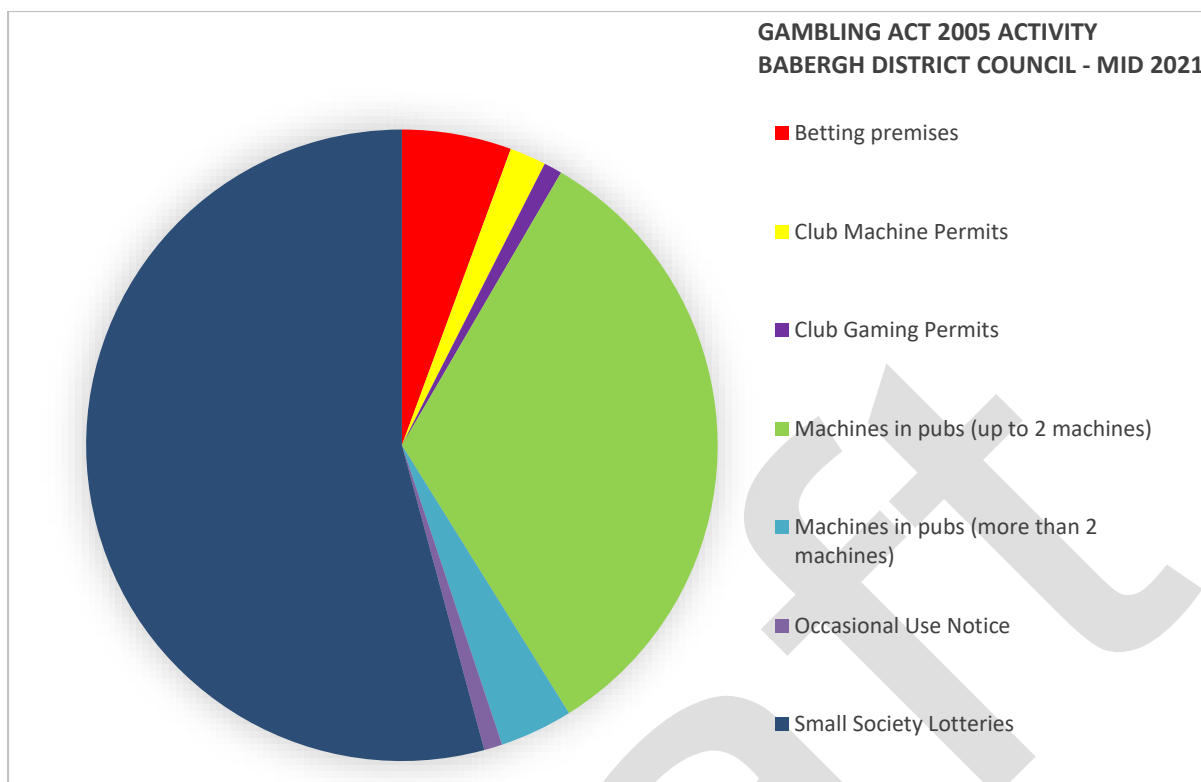
With limited exceptions, the intention of the Gambling Act 2005 is that children and young persons should not be permitted to gamble and should be prevented from entering those gambling premises which are adult only environments.

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

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.



- E1. (a) As of mid- 2021 Babergh District Council authorises 6 licensed gambling premises. All are betting premises (non-track) and all in the two main market towns of Sudbury and Hadleigh.
- (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 and point-to-point racing authorised by occasional use notices (OUNs). 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 58 registered societies in Babergh mid-2021) 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 Babergh 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.

- E2. (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
- 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 came into force in April 2016 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:
 - i) to take account of significant changes in local circumstances, including those identified in a licensing authority's statement of licensing policy;
 - (ii) when there are significant changes at a licensee's premises that may affect their mitigation of local risks;
 - iii) when applying for a variation of a premises licence; and

- iv) 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.

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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 population and 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 point 3 protecting Children and other vulnerable persons from being harmed or exploited by gambling, amendment made altering ‘excepting’ to ‘except’
- 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 9.11, for access by children – special dispensation for tracks, clarification has been added regarding door supervisors.

5. Part C

- The Title of this section has been amended as this was an oversight in previous revisions as the Occasional Use Notices and Temporary Use Notices have been relocated to Part B.

6. 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 2.1, 2.3, 3.1 and 3.3 as this is not applicable within the Babergh District Council Area.

7. 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.

8. Schedule E

- Under E1 (b) the number of Small Society Lotteries currently active seems like a rather dramatic reduction, 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.

Agenda Item 11

BABERGH DISTRICT COUNCIL

TO: Council	REPORT NUMBER: CMU1
FROM: Councillor Derek Davis, Cabinet Member for Communities	DATE OF MEETING: 2 November 2021
OFFICER: Nadeem Murtuja, Assistant Director, Communities & Wellbeing	KEY DECISION REF NO. N/A

UPDATE FROM THE CABINET MEMBER FOR COMMUNITIES

1. PURPOSE OF REPORT

- 1.1 This report provides an update on the work of the Communities and Wellbeing Portfolio and an outline of plans for the next 6 months.
- 1.2 The areas within the scope of this portfolio include the wellbeing of communities, leisure, sport and physical activity, community development, community grants, community safety and anti-social behaviour.
- 1.3 Over the last 19 months, a major focus of the work of this portfolio has been on supporting communities through the Covid pandemic and also working with them on recovery.
- 1.4 The work of this portfolio is primarily directed by the Communities Strategy, Wellbeing Strategy and Local Sport and Physical Activity Strategy and their associated Delivery Plans.

2. RECOMMENDATION

- 2.1 This information report is for noting only.

3. KEY ACTIVITIES TO DATE

Covid Response

- 3.1 Over the last 19 months we have been at the heart of the Covid-19 response to communities, contacting more than 6,000 Clinically Extremely Vulnerable residents to offer support and making over 25,000 calls to our housing tenants to support their needs during the lockdowns.
- 3.2 We also dealt with over 1,500 calls into the Home But Not Alone Service, with many cases presenting complex challenges that required ongoing support.

Community Grants

- 3.3 In 2020/21 we provided community grants for 107 projects with a total value of £600k. This included financial and other support for 48 community organisations that were

directly providing Covid response in their local communities. In addition, we administered 63 Member Locality Grant awards, totalling £47k.

- 3.4 At the end of September 2021, half way through this financial year, £308k in community grants had been allocated to 45 projects.
- 3.5 In addition, we have been working with partners to support community groups with advice and Restart Grants to enable them to get back up and running following the easing of Covid-19 restrictions. Since May 2021, 9 sports clubs have been awarded a combined total of £15k from the Babergh allocation of Community Restart Funding and 18 Community Groups have been awarded a combined total of £21k.
- 3.6 The grants application process has also now been digitised.

Community Safety

- 3.7 27 CCTV cameras have been installed in Belle View, Sudbury and Hadleigh, supported by 24 hour monitoring delivered through a contract with West Suffolk Council. We have also agreed to lease a mobile CCTV camera, fully dedicated to Babergh, from West Suffolk Council.
- 3.8 The Council has carried out a thorough review of its own approach to anti-social behaviour, while also playing a key role in a system-wide multi-agency review with partners. As a result we increased our officer capacity to respond to anti-social behaviour work as part of the Council's budget setting for 2021/22, introduced a new case management system that is shared with partners, drew up a new multi-agency information sharing protocol and revised our approach to Victim Impact Assessments and the Community Trigger. Training has also been provided for Members and for officers. During Anti-Social Behaviour Awareness Week officers held information stalls in town centres.
- 3.9 Reported incidents of domestic abuse have increased during the pandemic. We have been involved in domestic abuse awareness raising campaigns, have received additional Government funding for a dedicated Domestic Abuse Officer in the Housing Solutions Team and continue to contribute grant funding to Lighthouse Womens Aid. In addition staff are being trained as Domestic Abuse Champions in order to recognise the signs and know where to signpost to specialist support.

Activities under the Communities, Wellbeing and Leisure, Sport & Physical Activity work strands

- 3.10 The Leisure Sport and Physical Activity Strategy and the Wellbeing Strategy have been developed in consultation with Members and partners and were agreed in July and September 2021 respectively. Delivery Plans will now be developed to support these strategies and will build on existing work set out below.
- 3.11 Hadleigh Pool was refurbished and modernised, supported by £2.4m of investment by the Council, £200k provided by Hadleigh Town Council and a Sports England grant of £150k. The refurbishment includes:
- a new pool with five 25 metre lanes of Sport England competition standard;
 - a sauna;
 - spectator seating;

- improved disabled access to the pool via easy access steps and handrail and pool pod lift;
- Changing Places toilet and shower facility;
- exterior sunshade and artwork designed by community groups and a local artist;
- access through to the existing changing facilities; and
- a new plant room and storage for swimming club and pool equipment.

3.12 The £2.4m extension and refurbishment of Kingfisher Leisure Centre included:

- a two-storey extension to house a new community and exercise room and dance studio;
- extended and refurbished 100 station gym, increasing capacity from 40 stations;
- improved fitness changing rooms;
- new poolside wet changing and toilet facilities;
- improved lighting, décor, and mechanical equipment; and
- New cycle storage.

Separate to the refurbishment scheme, a 40 bay solar carport will soon be erected on the site, creating a new sustainable power source, which when combined with battery storage will feed into the leisure centre, leading to reduced energy costs.

3.13 Free school holiday swims for children and young people continue at our leisure centres.

3.14 The Active Schools programme aims to reduce obesity and inactivity in children and has been delivered in 8 locations in Babergh; these were Acton, St Gregory & St Peter (Sudbury), Gt Waldingfield, Woodhall (Sudbury), Hadleigh Beaumont, Bures, Wells Hall (Gt Cornard) and Pot Kiln (Gt Cornard).

3.15 The Active Well-Being Project supports older adults to stay active and is currently running in Glemsford and Shotley, with plans to expand further.

3.16 The extended school holiday programme offered 11 projects in Babergh including swimming, drama, cookery, dance, football camp, arts activity days and science workshops.

3.17 We are piloting the 'Our Parks' project, which runs at the recreation ground beside the Stevenson Centre in Great Cornard until the end of October and was developed to target inactivity by providing free activity sessions led by an instructor in outdoor spaces. There has been a total of 543 attendances at these sessions since April 2021.

3.18 We were delighted to once again host the Women's Cycling Tour with stage 6 coming through Glemsford and Long Melford in Babergh on Saturday 9th October. Amongst the activities we organised were: 'The Design a Jersey' competition in schools; work with partners to promote cycling through the 'September Cycle Competition' and well as offering funding to local areas to run activities.

3.19 Dementia Action Alliance have restarted face-to-face activities, such as bowls club, activity classes and music. Dementia Friendly awareness sessions have delivered to both internal staff and partners.

- 3.20 We have supported Chill Chat and Play in partnership with Home Start Mid in both Hadleigh and Sudbury to support parents with perinatal mental health concerns using arts therapy in home and group sessions.
- 3.21 The Hadleigh Food Project addresses social isolation and overall wellbeing by delivering a healthy eating cookery skills programme, which also connects people to an ongoing friendship network in their locality.
- 3.22 We have also been working closely with the multi-agency Integrated Neighbourhood Teams on the wider determinants of community health on a variety of projects, most involving social prescribing, whether linked to mental health, aging well, isolation and loneliness, dementia and work with young parents.

4. KEY ACTIVITIES PLANNED FOR THE NEXT SIX MONTHS

- 4.1 Develop a Delivery Plan to support the Wellbeing Strategy.
- 4.2 Develop a Delivery Plan to support the Leisure Sport and Physical Activity Strategy, with a strong focus on local, community-based activities, including work with schools on shared use of sports facilities.
- 4.3 Continue to work internally within the Council and with partners to develop an intelligence-led approach to place-based delivery.
- 4.4 Implement the Locality Officer model in the Communities Team to support this place-based model of working.
- 4.5 Continue to work closely with the multi-agency Integrated Neighbourhood Teams to address the wider determinants of health and continue adult social prescribing.
- 4.6 Agree the business case for Youth Social Prescribing with partner agencies and agree a joint funding strategy, outcomes and priorities.
- 4.7 Develop a programme of Holiday Activity Fund activities for Christmas and Easter holidays and, subject to funding, for half terms.
- 4.8 Work with our Leisure providers to extend the Active Schools and Active Wellbeing projects, which come to an end in December 2021.
- 4.9 Develop community outreach programmes with our Leisure providers, working with Schools, Parish Councils and Health providers to deliver GP referral schemes and activities in care homes.
- 4.10 Continue to support and work with groups to access grants for community projects and improvements to local facilities.
- 4.11 Build on the community volunteering experienced during the pandemic with a focus on supporting already established groups and volunteers and helping create new groups in areas where there are none.

Conclusion

- 5.1 There is little doubt that we continue to operate in a challenging environment because of Covid early research predicts the impact on some communities could be significant. Therefore, we are working at pace with partners to target resources where they are most needed now and working on influencing systems that will aide recovery and “up the ante” on preventive services and interventions in the short to mid-term.
- 5.2 We have a lot to be proud of, and cannot be complacent, community resilience, the response of our leisure providers, coupled with vision, priorities and direction of our Communities and Wellbeing strategies provide us with a sound basis to deliver for our communities.

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BABERGH DISTRICT COUNCIL

TO: Council	REPORT NUMBER: CMU2
FROM: Councillor Michael Holt, Cabinet Member for Economy	DATE OF MEETING: 2 November 2021
OFFICER: Fiona Duhamel, Assistant Director, Economy	KEY DECISION REF NO. N/A

UPDATE FROM THE CABINET MEMBER FOR ECONOMY

1. PURPOSE OF REPORT

- 1.1 This report provides an update on the work of the Economy Portfolio and an outline of future plans.
- 1.2 The areas within the scope of this portfolio include:
- Developing a narrative for the District which supports place making, inward investment and inclusive growth.
 - Delivering against three themes of inclusive growth: Connected and Sustainable; Innovative and Creative; and Skilled and Successful.
 - Supporting the number of jobs, productivity and helping businesses to thrive and grow post covid.
 - Building relationships with businesses, stakeholders and funders including regional and national.
- 1.3 Over the last 19 months, a major focus of the work of this portfolio has been on supporting businesses through the Covid pandemic and with recovery.

2. RECOMMENDATION

- 2.1 This information report is for noting only.

3. Key Activities Over the Past Six Months

3.1 Government Covid Grants

8475 have been grants paid out, worth £42,683,734 to 2477 individual businesses through a mix of mandatory and discretionary payments.

The only Government grant remaining is the Welcome Back Fund which has seen over £146k distributed to key towns and parishes to bring people back into town centres and high streets. This funding has supported over 30 events and activities such as Green Sundays on Sudbury Market Place, Love Explore digital trails to promote culture walking and the successful Innovate Local market stall pop up in Hadleigh.

3.2 Council Grants

In September 2021 the Council launched its own grant support scheme focussed on 4 strands: growth and increased productivity; enterprise and innovation; enhancement of high street premises; and environmental sustainability. The grants are part of the wider recovery programme to help our businesses to be more resilient, grow, innovate and embrace green technologies. The programme will run over 3 years with a total allocation of £50k per year, with grants ranging from £2,500 to £5000.

3.3 Other activities under regeneration, economic and recovery workstreams

Connected and Sustainable Outcomes: To be one of the best-connected places in the East of England and be a testbed for new innovation in clean growth industries.

Work continues to improve sustainable travel and last month the public consultation came to an end for cycling and walking route improvements with 1146 responses received. These will now be scored and assessed by a cross-party Action Group to lead to the creation of a new Walking and Cycling Infrastructure Plan for the District (LCWIP). This will mean that Babergh is well placed for future national funding bids to improve our walking and cycling infrastructure. Over the last 6 months we have helped to install new cycle parking in Sudbury and Hadleigh.

Work on sustainability projects continues with the Sudbury Solar car port scheme. The scheme now has planning consent and we have selected specialist contractors, Polysolar, to carry out the works to the car park site adjacent to the Kingfisher Leisure centre. The scheme, which will create a 40 bay solar car port, delivers a new sustainable power source (capable of powering up to 16.5% of the Centre's total electricity demand and offsetting 682 tonnes of carbon over 25 years), which combined with battery storage, will feed into the leisure centre leading to reduced energy costs. The scheme is 50% funded by Government funding through the Getting Building Fund programme and is one of the first of this kind nationally.

We continue with plans to create new workspace in Hadleigh, with detailed design work shortly to commence and work to secure a retail occupier for the local food store unit on the site. The study we completed in 2019 which identified a need for more workspace, particularly smaller "grow on" spaces, has just been updated to reflect current market conditions and the findings have been fed into the feasibility work on this project. The scheme will construct ten flexible light industrial (B1c) units for generating a positive return on investment from either a rental income or capital receipt for any disposals.

We secured sponsorship of over £10,000, keynote speakers and a free venue from the Coop for our first ever Local Energy Showcase event which took place on 21/22 October. The event which saw over 200 people attend over the 2 days brought together leaders in local energy and sustainability with businesses and communities from the district to help support and promote increased use of local energy in our places. The feedback from the event and stronger connections made with businesses will be used to create a better understanding of employment, growth and skills needs for the sector.

We have recently completed a 2-day public engagement exercise in Belle Vue Park to show plans to open up the park entrance, create new toilets and a café and a new masterplan for the park itself. The feedback from this engagement, which also saw the plans fully available online and in a vacant shop in Borehamgate, will help us to improve the proposals in order to further enhance the park and its connectivity to the wider town.

Together with Suffolk County Council we have submitted a £6.363m Levelling Up Fund bid for Sudbury to improve the town's connectivity through on street and improved bus route services, junction improvements to reduce congestion and sought external funding support to bring forward the Hamilton Road Quarter regeneration scheme, which has already had high level master planning undertaken. We should hear about the bid around the time of the Autumn Statement. Although the district is in a lower dependency tier, as set by Government, we submitted a robust and well evidenced bid. The work we are doing on a masterplan for the Hamilton Road Quarter will lead to delivery of more homes and jobs in the heart of the town centre.

Innovative and Creative Outcomes: We will become a growing area for Innovation, Enterprise and Creativity in the East

We have continued to focus on a programme of innovation to bring forward a range of initiatives to support businesses and economic growth during and post covid. These include the Virtual High Street, an online platform developed and delivered in partnership with a local entrepreneur and Sudbury Town Council. The platform has been hugely successful at providing many businesses with a shop window to enable them to carry on trading even during the lockdowns. Over 70% of businesses had no online presence before the Virtual High Street and, using external funding, we are now able to also offer free digital skills training sessions for all of these businesses. To date we have over 180 businesses on the Virtual High Street in Hadleigh and Sudbury and are looking to see how we can extend it more widely across the district.

We held the very first Innovation Awards in November 2020 and due to Covid had to switch to an online event which had over 130 attendees. This meant that all of the sponsors supporting the event were able to provide a free range of services to award winners as “prizes”. These ranged from mentoring, to free work clothing, to a day at a product testing lab. One year on we will shortly be producing a set of case studies from the event with a focus on how businesses have benefited from their awards.

We have also developed a Business Innovation Network with over 1300 businesses listed and a new Innovation Board which spans both Babergh and Mid Suffolk and has a mix of local authorities and fast growth innovative businesses working together on a range of initiatives. These include developing a funding bid for a Knowledge Transfer Lite programme for small businesses in partnership with the University of Essex and we await the outcome of this bid.

Last month, working alongside the developer and owner of the site together with Suffolk County Council, we were able to commission a study into how we can develop plans for a new screen and creative hub in Brantham across that brownfield site. This is a key employment site for the District which could deliver hundreds of jobs when it comes forward for development.

Work on our town centres programmes continues in Sudbury and Hadleigh with a range of shared projects and initiatives coming forward. These include St. Peter's redevelopment, which secured funding from a range of national and local partners including Babergh and the Sudbury Creative Wayfinding project, which we are working on with the Town Council. In Sudbury we have also established a Cultural Group which brings together a number of cultural leaders in the town to work collaboratively.

Successful and Skilled : We will raise levels of aspiration and ambition in our districts and recognise and celebrate our success

We continue to promote aspiration and development of higher level skills in our district and have been working with a range of partners including schools and the Local Cultural Education Partnership to explore new ways to inspire our communities.

The Innovate Local market programme seeks to offer free space to "try" a new business alongside a business support programme. This has led to currently 5 different businesses having received support in Hadleigh Market. 4 more businesses are on the waiting list.

We have been working with Innovation Labs to develop a "pop up" innovation space in a vacant unit in Borehamgate, providing a blend of affordable workspace, mentoring and business support in the heart of Sudbury Town Centre. The Innovation Labs in Stowmarket have already supported a number of entrepreneurs and start up businesses based in Babergh and we hope a new site in Sudbury can lead to further growth. We hope this will be up and running by Christmas.

Following the Careeriosity skills festival in Stowmarket which was also open to all young people in Babergh, plans are already underway for a similar event in our key venues across Babergh. The event which will be held over a week in the Easter holidays seeks to promote a range of new career options alongside skills advice from many industry experts, for example, in film, music and technology.

The Welcome Back Fund has been used to support projects across both districts with funding given to over 30 events which saw 5670 total participants, 1340 of those were children under 12. The funding has led to 6 guided walks which were part of Heritage Open Day activity in September. These were themed as 'Weaving / Wool Town Walks' as part of Heritage Open Days and in spite of Covid the walks still went ahead under Welcome Back Funding by hosting all activity outdoors so it was more COVID secure. In addition 6 new staff have been employed to help town centres and the visitor economy recover from Covid, this includes support for public realm and town cleaning and for the AONB.

4. Future Key Activities

- 4.1 Officers will continue to progress all of the above to the next stage of delivery. We will continue to develop a 'bid ready' set of pipeline schemes which will help to secure future investment, new jobs, delivery of strategic priorities and build momentum and credibility into the place programmes.

- 4.2 Business as usual work is now getting back to pre covid levels as we engage with partners such as the Growth Hub to support our businesses and provide economic development comments for planning applications. However, we have now developed the Economy Covid Recovery Plan which sets out service actions over the coming months and years to support and build resilience in our local companies and help them to look to the future.
- 4.3 We are continuing to work with developers to ensure land for employment uses is delivered. The recent success of GCB investing in the Avent site in Glemsford was delivered in partnership between the District Council and the Local Enterprise Partnership and our work with Ipswich Borough Council in Sroughton has led to most of that site now being developed. We are continuing to work with the developers on Chilton Wood in Sudbury in respect of new employment space, are looking at how we can support the employment allocation site in Hadleigh to come forward and are keen post covid to explore our ambitions for more space along the A12.
- 4.4 We are growing the profile of Babergh through enhancing existing partnerships e.g. the Local Enterprise Partnership and building new ones e.g. with Government Department for Business, Energy and Industrial Strategy(BEIS), UK Power Networks (UKPN), University of Suffolk and we have also been successful at securing large and small pots of funding to support the Council's ambition. These include funding for decarbonisation of Council assets, funding to support Innovate Local and the Virtual High Street (circa £150k) The success of these bids means that we can make existing funding go further and deliver more for the District. Currently we have over £6.8m funding bids into government to support our priorities.
- 4.5 Following the success of the Innovation Awards in 2020 we are already planning the next awards in 2022.

5. Conclusion

- 5.1 Covid 19 has been devastating for our businesses and communities and has meant 80% of key staff in the team have had to be diverted into direct response work over the last 18 months. In spite of this, it can still be seen that good progress has been achieved across the three key economy themes and the focus now moves towards recovery and stimulating new growth in the District.
- 5.2 The service has recently completed a comprehensive economic evidence base which will lead to the development of a new Economic Strategy that continues to build upon the narrative for Babergh of inclusive and innovative growth. Developing closer links between our communities and the places they live and work is vital at addressing some of the inequalities which exist in the District. We will need to continue to expand our partnership working and collaboration not just at a local scale but also regional and national.

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Agenda Item 12

BABERGH DISTRICT COUNCIL

TO: Council	REPORT NUMBER: BC/21/22
FROM: Monitoring Officer	DATE OF MEETING: 2 November 2021
OFFICER: Janice Robinson, Corporate Manager – Governance and Civic Office	KEY DECISION REF NO. N/A

POLITICAL BALANCE AND COMPOSITION OF COMMITTEES

1. PURPOSE OF REPORT

- 1.1 The purpose of this report is to review the allocation of seats following Councillor Malvisi's move to the Independent Party from the Conservative Group to ensure that the Council complies with the provisions of the Local Government and Housing Act 1989 which require a Local Authority to review the allocation of seats to Political Groups following any changes.

2. RECOMMENDATION

- 2.1 That the Committees' size and numerical allocation of seats be approved as detailed in Appendix A to this report.

3. KEY INFORMATION

Political Composition and Appointments to Committees

- 3.1 Under the provisions of the Local Government and Housing Act 1989 where a local authority is grouped for Committee composition purposes, the Authority is required to make arrangements to ensure that its Committees share the same political balance as the full Council.
- 3.2 The Local Government (Committees and Political Groups) Regulations 1990 allow ungrouped members to receive Committee seats if any are left over once allocations have been made to the political groups in proportion to their membership of the authority. Babergh has one ungrouped member of the Council.

The current Committee structure has 35 available seats.

- 3.3 The first step, therefore, is for the Council to approve the numerical allocation of Committee seats, and the calculation in accordance with the provisions of the Local Government and Housing Act 1989 is shown in Appendix A to this report. The calculation provides for 35 Committee seats to the various groups as follows:-

- Conservative 14 seats
- Independent 12 seats

- Green Party 5 seats
- Liberal Democrats 3 seats
- Ungrouped member 1 seat

4. LINKS TO CORPORATE PLAN

- 4.1 Strong and effective governance underpins all the key priorities contained within the Corporate Plan.

5. FINANCIAL IMPLICATIONS

- 5.1 There are no financial implications arising from this report.

6. LEGAL IMPLICATIONS

- 6.1 The approval of the recommendations will ensure compliance with the Local Government and Housing Act 1989 and the Local Government (Committees and Political Groups) Regulations 1990.

7. RISK MANAGEMENT

- 7.1 Key risks are set out below:

Risk Description	Likelihood	Impact	Mitigation Measures
Sufficient members are not appointed and the Committee is inquorate and unable to take decisions	1 – Highly unlikely	3 - Bad	Early discussions with Group Leaders regarding Committee placements

8. CONSULTATIONS

- 8.1 The Group Leaders have been consulted on the relevant aspects of this report.

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. Numerical allocation of Committee places	Attached

12. BACKGROUND DOCUMENTS

- 12.1 None.

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Babergh District Council – Allocation of Committee Placements 2021-22 (35 positions)

COMMITTEES	NO. OF SEATS	CONSERVATIVE (13 MEMBERS)		INDEPENDENT (11) MEMBERS)		GREEN PARTY (4 MEMBERS)		LIBERAL DEMOCRATS (3 MEMBERS)		UNGROUPE D MEMBER	
OVERVIEW AND SCRUTINY	6	2.44	3	2.06	2	0.75	1	0.56	0	0.18	0
JOINT AUDIT AND STANDARDS	5	2.03	2	1.72	1	0.625	1	0.47	1	0.15	0
PLANNING	11	4.47	4	3.78	4	1.38	1	1.03	1	0.34	1
LICENSING & REGULATORY	10	4.06	4	3.43	4	1.25	1	0.94	1	0.31	0
JOINT APPOINTMENTS	3	1.21	1	1.03	1	0.38	1	0.28	0	0.09	0
TOTAL TARGET	35	14.21	14	12.02	12	4.38	5	3.28	3	0.98	1

19/10/2021 – changes highlighted

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