



HILLINGDON
LONDON



Residents, Education and Environmental Services Policy Overview Committee

Councillors on the Committee

Wayne Bridges, (Chairman)
Michael Markham (Vice-Chairman)
Allan Kauffman
Heena Makwana
Devi Radia
Stuart Mathers
Paula Rodrigues
Jan Sweeting
Steve Tuckwell

Date: THURSDAY, 18 JULY 2019

Time: 7.00 PM

Venue: COMMITTEE ROOM 5 -
CIVIC CENTRE, HIGH
STREET, UXBRIDGE

**Meeting
Details:** Members of the Public and
Media are welcome to attend.

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Putting our residents first

Lloyd White
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London Borough of Hillingdon,
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Terms of Reference

The Following Terms of Reference are common to all Policy Overview Committees (referred to as “The overview role”):

1. To conduct reviews of policy, services or aspects of service which have either been referred by Cabinet, relate to the Cabinet Forward Plan, or have been chosen by the Committee according to the agreed criteria for selecting such reviews;
2. To monitor the performance of the Council services within their remit (including the management of finances and risk);
3. To comment on the proposed annual service and budget plans for the Council services within their remit before final approval by Cabinet and Council;
4. To consider the Forward Plan and comment as appropriate to the decision-maker on Key Decisions which relate to services within their remit (before they are taken by the Cabinet);
5. To review or scrutinise decisions made or actions taken by the Cabinet, a Cabinet Member, a Council Committee or an officer.
6. To make reports and recommendations to the Council, the Leader, the Cabinet, a Policy Overview Committee or any other Council Committee arising from the exercise of the preceding terms of reference.
7. In accordance with the Local Government and Public Involvement in Health Act 2007, to consider ‘Councillor Calls For Action’ (CCfA) submissions.

To perform the policy overview role outlined above in relation to the following matters:

1. Education Services and statutory education authority functions
2. School performance and attainment
3. School Transport
4. Relationships with Local Academies / Free Schools
5. Pre-School & Early Years Services
6. Youth Services & Careers Services
7. Juvenile justice & probation services
8. Adult Learning
9. Education and learning partnerships
10. Music & The Arts
11. Highways, traffic, parking & street environment
12. Local transport, including rail, cycling & London Underground
13. Footpaths and Bridleways
14. Road safety and education
15. Planning & Building Control
16. Libraries
17. The Borough’s heritage and history
18. Sport & Leisure services
19. Waste management & recycling
20. Green spaces, allotments, woodlands, conservation and sustainable development
21. Consumer Protection, Trading Standards & Licensing
22. Registrars & Bereavement Services
23. Local watercourses, drainage and flooding
24. Environmental Health, Air & Noise Quality
25. Local impacts of Heathrow expansion
26. Local impacts of High Speed Rail

Agenda

Chairman's Announcements

- 1 Apologies for Absence
- 2 Declaration of Interest in matters coming before this meeting
- 3 To confirm that all items marked Part 1 will be considered in Public and that any items marked Part 2 will be considered in Private
- 4 To agree the Minutes of the previous meeting 1 - 4
- 5 Gambling Policy Statement 5 - 64
- 6 Emergency Response Processes 65 - 70
- 7 Budget Planning Report for Residents Services 71 - 78
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- 10 Cabinet Forward Plan 99 - 104
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Minutes

RESIDENTS, EDUCATION AND ENVIRONMENTAL SERVICES POLICY OVERVIEW COMMITTEE

26 June 2019



Meeting held at Committee Room 6 - Civic Centre,
High Street, Uxbridge

	<p>Committee Members Present: Councillors Wayne Bridges (Chairman), Allan Kauffman, Heena Makwana, Devi Radia, Stuart Mathers, Paula Rodrigues, Jan Sweeting and Steve Tuckwell</p> <p>LBH Officers Present: Neil Fraser (Democratic Services Officer)</p>
3.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies were received from Councillor Michael Markham and Tony Little.</p>
4.	<p>DECLARATION OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>None.</p>
5.	<p>TO CONFIRM THAT ALL ITEMS MARKED PART 1 WILL BE CONSIDERED IN PUBLIC AND THAT ANY ITEMS MARKED PART 2 WILL BE CONSIDERED IN PRIVATE (<i>Agenda Item 3</i>)</p> <p>It was confirmed that all items were marked as Part I and would therefore be considered in public.</p>
6.	<p>TO AGREE THE MINUTES OF THE PREVIOUS MEETINGS (<i>Agenda Item 4</i>)</p> <p>Regarding minute 78, Councillor Sweeting requested that the minute be amended to include specific reference to the 85%-15% split in allocated funding for the repair of pavements in the north and south of the Borough.</p> <p>Regarding minute 80, Councillor Mathers asked that it be noted that the previously proposed review into Youth Services was suggested as a broad topic inclusive of youth engagement, consultation, early intervention and prevention services.</p> <p>In response to a query on minute 80, it was confirmed that the suggested review topic of 'fly tipping and recycling' had not been agreed as the next review at the meeting. An information item on the topic of 'littering and fly tipping' was included on the current meeting's agenda, for the Committee to consider as a potential next review.</p> <p>RESOLVED: That the minutes of the meetings held on 16 April and 9 May 2019 be approved as a correct record, subject to the above amendments.</p>
7.	<p>AIR QUALITY BRIEFING NOTE (<i>Agenda Item 5</i>)</p>

The briefing note was introduced, which highlighted that the Council's new Air Quality Action Plan had recently been approved for implementation by Cabinet. It was confirmed that the Committee would therefore receive a full report on the Plan's implementation later in the municipal year, once it was in place and being acted upon.

The Committee sought further information on the topic, and requested that the clerk forward a number of questions to the relevant officers. These questions were:

- How many vehicles did the Council operate and what progress had been made to improve emissions?
- What were the next steps for the replacement of vehicles? How long would it take to update the fleet in respect of satisfactory emissions?
- How was the Council promoting the use of Green Fleets for sub-contractors and partners?
- Could planning polices be reviewed so that the Council was not forced to approve applications located in areas of poor air quality simply because the application provided some form of mitigation, such as mechanical air scrubbing?
- Was the Council supporting tree planting on school land? What was the most common tree planted, and was it effective at improving air quality?
- Could the Committee be provided with a list of schools located in areas where air quality was a concern?
- Where were air quality monitoring stations? Were these in proximity to areas of poor air quality? Were these near schools, and were the stations at the appropriate height to obtain correct readings?
- Could the Committee be provided with data from the monitoring stations, in order to identify any trends?
- The review had made reference to a reduction in nitrogen dioxide. Was this statistically significant?
- Regarding the Council's cycle schemes, how often were lessons held? Were the schemes available across the Borough, and were schools encouraging their pupils to cycle to school?
- Could information on AirText be forwarded to the Committee?

With regard to the report to be brought before the Committee in the future, the Committee requested that this include specifics, data, problem areas, and a focus on pollution around schools.

RESOLVED: That the report be noted.

8. **FOR CONSIDERATION: LITTERING AND FLY TIPPING REVIEW** (*Agenda Item 6*)

Consideration was given to the proposed next review topic of Littering and Fly Tipping.

The Committee requested that, if approved, the topic be considered for widening to include waste management and civic amenity services. The importance of enforcement and punishment for offenders was highlighted, and a review of best practice from other authorities was recommended as a key focus for the review.

Members requested that the review also include a focus on actions around particular hotspots and problem areas, including current performance and response times.

It was remarked that there were a number of opportunities to encourage actions and initiatives within schools, resident associations and other groups. Members agreed that the issue was a hot topic for both Members and residents, and resolved that the topic

be progressed as the Committee's next major review.

RESOLVED: That the topic of 'littering and fly tipping' be progressed as the Committee's next major review.

9. **CABINET FORWARD PLAN** (*Agenda Item 7*)

Councillor Sweeting requested that the Committee be granted an early view of any report on the proposals for youth services, prior to its consideration as Cabinet, to enable it to submit comments.

The Chairman confirmed that, as stated previously, any such early view would be at the discretion of the relevant Cabinet Member. However, the Chairman agreed to discuss the matter with the Labour Lead outside of the meeting.

RESOLVED: That the Cabinet Forward Plan be noted.

10. **WORK PROGRAMME** (*Agenda Item 8*)

Members discussed the Work Programme.

Councillor Sweeting requested that the forthcoming item on SEN provision include information on the Council's planning for the increase of SEN capacity within special and mainstream schools. Information on the proposed new special free school in the south of the Borough would also be helpful, together with information on the purported change to Grangewood school from a secondary SLD school to an all-through SLD school, and changes to capacity at Meadow school.

In addition, the Committee requested that the report include information on how mainstream schools were coping with providing support to children who had needs but did not have, (or were in the process of obtaining), an Education and Healthcare Plan, together with how schools were coping with reduced budgets.

With regard to the forthcoming presentation on the Council's emergency planning procedure, it was requested that the officer include information on RAF Northolt and Heathrow Airport, infectious diseases, transport of patients, flood defences, and fires in high density buildings.

Councillor Mathers remarked that his suggested item on culture and heritage events within the Borough had not been included on the work programme. It was confirmed that this had been difficult to accommodate due to an already busy work schedule for information items.

It was requested that the item on youth services, currently scheduled for February 2020, be brought forward so that it was brought to the Committee prior to Cabinet determining the new budget. It was agreed that the feasibility of this would be reviewed by the clerk.

RESOLVED: That the Work Programme be noted.

The meeting, which commenced at 7.00 pm, closed at 7.40 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Neil Fraser on 01895 250692. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

GAMBLING POLICY STATEMENT CONSULTATION

Committee name	Residents, Education & Environmental Services Policy Overview Committee
Officer reporting	Stephanie Waterford, Residents Services
Papers with report	Appendix A - Overview of proposed policy changes Appendix B - Draft 2019 Gambling Policy
Ward	All

HEADLINES

This report is to consult with and invite scrutiny from the Residents, Education and Environmental Services Policy Overview Committee on the updated draft Statement of Gambling Policy (policy framework).

This Policy is deemed as 'Policy Framework' under the Council's constitution and so requires full approval by full Council.

RECOMMENDATIONS:

That the Committee considers the revisions to the Statement of Gambling Policy and offers comments to be considered by Cabinet at the end of the consultation period.

SUPPORTING INFORMATION

The Council is required to review its licensing policies at regular intervals to ensure that it is carrying out licensing functions in accordance with current legislation. During this review, consideration has been given to how changes might improve the way in which services are being delivered, to make them more efficient and customer friendly.

A draft policy has been produced which now needs to be consulted upon, prior to final consideration by Cabinet or adoption by full Council.

The Gambling Act 2005 regulates gambling activity such as betting shops, bingo halls and gaming machines. There has been little change to gambling legislation since 2016, therefore very few changes are proposed to the policy. Should substantial changes to legislation occur, the Council may review the Gambling Policy at any time.

Relevant appendices are:

- An overview document detailing the proposed changes is attached at **appendix A**.
- The draft policy, attached at **appendix B**

The proposed timetable for policy implementation is set out below:

20 th June 2019	Draft Policies to Cabinet.
27 th June 2019	Consultation period starts
11 th July 2019	Licensing Committee
18 th July 2019	Residents Education & Environmental Services POC
8 th August 2019	Consultation period ends
26 th September 2019	Final policy to Cabinet post-consultation
21 st November 2019	Statement of Gambling Policy considered at Full Council.

Implications on related Council policies

A role of the Policy Overview Committees is to make recommendations on service changes and improvements to the Cabinet who are responsible for the Council's policy and direction.

The proposed Statement of Gambling policy is a policy framework document under the Council's Constitution. As such, Cabinet is required to approve them in draft form with a timetable to include a period of formal consultation (minimum 6 weeks), to include the relevant Policy Overview Committee. Cabinet will then consider the responses of the consultation before deciding whether or not to recommend them to full Council for adoption.

How this report benefits Hillingdon residents

The regular review and adoption of the Statement of Gambling Policy ensures that the gambling licensing framework are up to date and effective in ensuring a safe and regulated environment for service users of gambling establishments. It will also ensure that there are methods for robust enforcement and review of problem gambling premises.

Financial Implications

Corporate Finance has reviewed the report and confirms that there are no direct financial implications arising from the recommendations in this report.

Legal Implications

The Borough Solicitor confirms that the consultation process outlined in the report complies with the requirements of section 349 of the Gambling Act 2005. Further legal advice will be given as necessary when the outcome of the consultation is reported to Cabinet.

BACKGROUND PAPERS

NIL.

Appendix A - Overview of proposed policy changes

The Council is required by the Gambling Act 2005 to review the Statement of Gambling Policy every three years. The current policy was adopted by full council in 2016 and therefore requires updating and adopting in 2019.

In the intervening time there have been only minor changes to legislation and as such there are very few changes proposed to this policy. Text additions and changes are identified in bold and deletions struck through.

The current policy works well and acts as a valuable framework for ensuring the principles of the legislation are upheld.

Policy amendments are shown in ~~striketrough~~ text and additions are shown in **bold**.

- Para 1.8 - List of consultees has been updated
- Para 1.19 - Update to name of Government Department for Digital Culture, Media & Sport
- Para 1.38 - Data Protection Act 2018 legislation update
- Para 2.18 - Specific reference to 'airport terminals' included when assessing impacts of gaming machines in public places
- Para 6.7 - Categories of gaming machines amended to reflect new limit on B2 Stakes which came into force April 2019.
- Appendix B - Responsible Authority contact details updated

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Statement of Gambling Policy The Gambling Act 2005

DRAFT - 2019 - 2022

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**PART 1
THE GAMBLING ACT 2005**

INTRODUCTION

1.1 The London Borough of Hillingdon Council is the Licensing Authority under the Gambling Act 2005. This means that the Council is responsible for granting Premises Licences in respect of betting premises, bingo premises, casino premises, adult gaming centres and family entertainment centres as well as issuing a range of gaming permits and other authorisations for gambling within the Borough. As Licensing Authority, we are also empowered under the Act to impose conditions and review licences, as well as take enforcement action when an offence under the Act has been committed or when premises or activities are unlicensed, or licence conditions are not complied with. This is coupled with powers of entry and inspection to ensure compliance.

The Licensing Framework

1.2 In exercising most of our decision-making functions we **must** have regard to the three Licensing Objectives set out in Section 1 of the Gambling Act, namely:

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

1.3 We are also bound by section 153 of the Act, which requires us, in making decisions concerning Premises Licences and Temporary Use Notices, to aim to permit the use of premises for gambling insofar as we think fit, subject to such decisions being:

- 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 this Statement of Licensing Principles

The Policy

1.4 Section 349 of the Act requires us to publish a *Statement of Principles* (or policy) that we will apply when exercising our various functions under the Act. This Statement of Principles fulfils that statutory requirement and details throughout

the document the Council's general approach to the making of licensing decisions.

- 1.5 Nothing in this policy will override the right of any person to make an application under the Act and have that application considered on its individual merits. Equally, nothing in this policy will undermine the right of any person to make representations on an application, or seek a review of a licence where there is a legal power to do so.
- 1.6 This document should be read in conjunction with the Act, Regulations made under the Act and Guidance issued by the Gambling Commission. Our Statement of Principles is designed to be a strategic (Gambling) Licensing Policy, not an operational guide to the Gambling Act or a guide to the application process.
- 1.7 This policy is supplemented by guidance documents for residents and the trade on the application and licensing process. These documents will assist applicants and objectors in understanding their rights and responsibilities under the Act in respect of:
 - Applying for licenses and other gambling permissions.
 - Making representations.
 - Complaints about a premises licensed under the Act and review rights.
 - Committee hearings and the decision making process.
 - The information is available on the Council's website or on request by contacting the Licensing Authority.

CONSULTATION

- 1.8 The Council has, in accordance with the section 349(3) of the Gambling Act, consulted with:
 - a. London Borough of Hillingdon Council Licensing Authority
 - b. The Gambling Commission
 - c. The Chief Officer of Police for the London Borough of Hillingdon ~~(where relevant, Chief Officer of Police for Heathrow)~~ London Fire & Emergency Planning Authority, Hillingdon Fire Station
 - d. London Borough of Hillingdon Council Planning Authority
 - e. ~~London Borough of Hillingdon Council Environmental Protection Unit (i.e. authority responsible for pollution and harm to human health)~~ Hillingdon Local Safeguarding Board
 - f. HM Revenue and Customs
 - g. Authority for Vulnerable Adults

- h. A Licensing Authority in whose area the premises are situated (*i.e. the Council itself and also any adjoining Council where premises straddle the boundaries between the two*).
 - i. Persons who appear to this authority to represent the interests of persons carrying on gambling businesses in the borough of Hillingdon and neighbouring boroughs
 - i. Persons who appear to us to represent the interests of persons who are likely to be affected by the exercise of this authority's functions under the Gambling Act 2005
- 1.9 A comprehensive list of the persons and/or bodies we have consulted is attached at Appendix A. A summary of the consultation responses can be found on the Council's website. The full list of comments made and consideration given to those responses is available on request by contacting the Authority's Licensing Service.
- 1.10 Our consultation took place between **27th June and 8th August 2019** ~~5th October and 20th November 2015~~ the ~~HM Government Code of Practice on Consultation (published July 2008)~~ was followed.
- ~~1.11 This Policy was approved by Council. It was published on our website. Copies are available from the Council's Regulatory Services Team.~~

DECLARATION

- 1.12 In producing the final Statement of Principles, this Licensing Authority declares that it has had regard to the Licensing Objectives and the Gambling Act 2005, the Guidance issued by the Gambling Commission and responses from those consulted on the policy statement.

AUTHORISED ACTIVITIES

- 1.13 Gambling' is defined in the Act as either gaming, betting or taking part in a lottery:
- (i) Gaming means playing a game of chance for a prize
 - (ii) Betting means making or accepting a bet on the outcome of a race, competition, or any other event; the likelihood of anything occurring or not occurring; or whether anything is true or not true
 - (iii) A Lottery is where persons are required to pay in order to take part in an arrangement, during the course of which one or more prizes are allocated by a process that relies wholly on chance.

- 1.14 Private gaming in private dwellings and on domestic occasions is exempt from licensing or registration providing that no charge is made for participating; only equal chance gaming takes place; and it does not occur in a place to which the public have access. Domestic betting between inhabitants of the same premises or between employees of the same employer is also exempt.
- 1.15 Non-commercial gaming and betting (where no parts of the proceeds are for private gain) may be subject to certain exemptions. Further advice should be sought from the Council's Regulatory Service Team where appropriate.

LICENSING AUTHORITY FUNCTIONS

- 1.16 Under the Act, the Council will be responsible for:
- Licensing of premises where gambling activities are to take place by issuing premises licences.
 - Issuing Provisional Statements.
 - Regulating Members' Clubs and Miners' Welfare Institutes who wish to undertake certain gaming activities via issuing club gaming permits and/or club machine permits.
 - Issuing Club Machine Permits to commercial clubs.
 - Granting permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres.
 - Receiving Notifications from Alcohol Licensed premises (under the Licensing Act 2003) of the use of two or less gaming machines.
 - Granting licensed premises gaming machine permits for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where more than two machines are required.
 - Registering Small Society Lotteries below prescribed thresholds.
 - Issuing Prize Gaming Permits.
 - Receiving and endorsing Temporary Use Notices.
 - Receiving Occasional Use Notices.
 - Providing information to Gambling Commission regarding details of Licenses issued (see section on Information Exchange).
 - Maintaining Register of Licenses and Permits issued under these functions.
 - Exercising its powers of enforcement under the Act in partnership with the Gambling Commission and other relevant responsible Authorities.
- 1.17 It should be noted that licensing authorities are not involved in licensing remote gambling at all, which is regulated by the Gambling Commission via operating licenses.

RESPONSIBLE AUTHORITIES

- 1.18 These are generally public bodies that must be notified of all applications and who are entitled to make representations to the Council if they are relevant to the licensing objectives.
- 1.19 Within the meaning of Section 157 of the Act, those authorities are:
- a) London Borough of Hillingdon Council Licensing Authority.
 - b) The Gambling Commission.
 - c) The Chief Officer of Police for the London Borough of Hillingdon (where relevant, Chief Officer of Police for Heathrow).
 - d) London Fire & Emergency Planning Authority, Hillingdon Fire Station.
 - e) London Borough of Hillingdon Council Planning Authority.
 - f) London Borough of Hillingdon Council Environmental Protection Unit (*i.e. authority responsible for pollution and harm to human health*).
 - g) Hillingdon Local Safeguarding Board.
 - h) HM Revenue and Customs.
 - i) Authority for Vulnerable Adults.
 - j) A Licensing Authority in whose area the premises are situated (*i.e. the Council itself and also any adjoining Council where premises straddle the boundaries between the two*).

For Vessels only:

Section 211(4) of the Act provides that the following are Responsible Authorities in addition to the authorities listed under section 157 of the Act:

- (a) The Navigation Authority (*whose statutory functions are in relation to waters where the vessel is usually moored or berthed*)
 - (b) The Environment Agency,
 - (c) British Waterways and
 - (d) The Secretary of State for **Digital**, Culture, Media and Sport (DDCMS).
- 1.20 Subject to any other person being prescribed in Regulations by the Secretary of State. The contact addresses for these authorities are illustrated at Appendix C, or available via the Council's website.

DESIGNATED BODY PROTECTING CHILDREN FROM HARM

- 1.21 The Council 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.
- 1.22 The principles are that:

- (i) The designated body must be responsible for an area covering the whole of the Licensing Authority's area.
 - (ii) The designated body must be answerable to democratically elected persons, rather than any particular vested interest group etc.
- 1.23 In accordance with the Gambling Commission's Guidance for local authorities this authority designates the Local Safeguarding Children Board for this purpose.
- 1.24 The remit of the Board is to co-ordinate and scrutinise arrangements for safeguarding and promoting the welfare of Hillingdon's children. It operates throughout the Borough, is responsible for the area covered by the Licensing Authority and this Policy; and has specialist knowledge and experience in the protection of children to fulfil this role.

INTERESTED PARTIES

- 1.25 Interested parties can make representations about licence applications, or apply for a review of an existing licence. (see annex A with regard to Councillors making representations). For the purposes of the Gambling Act 2005 interested parties will include persons who:
- (i) Live sufficiently close to premises carrying out gambling activities.
 - (ii) Have business interests that might be affected; and
 - (iii) Represent persons listed above.
- 1.26 We are required by regulations to state the principles we will apply in exercising our powers under the Gambling Act 2005 to determine whether a person is an interested party. This Licensing Authority's principles are set out in the following paragraphs:
- 1.27 Each case will be decided upon its merits. We will not apply a rigid rule to our decision- making. In the case of doubt, the benefit will be given to the party making the representation until the contrary can be shown.
- 1.28 Interested parties can include trade associations and unions; and residents' or tenants' associations, providing that they can show they represent someone who would be classed as an interested party in their own right. Within the meaning of the Act, interested parties can also be persons who are democratically elected such as Councillors and MPs.
- 1.29 Generally, the principles we will apply when deciding whether or not a person is an interested party will include looking at the size of the premises where larger premises may be considered to affect people over a broader geographical area compared to smaller premises offering similar facilities and the nature of the

activities being conducted on the premises. As to the different elements of the definition of "Interested Party", the Licensing Authority will take into account the following specific matters of principle:

1.30 Persons living "Sufficiently Close"

The Licensing Authority recognises "sufficiently close to be likely to be affected" could have a different meaning for, for instance, a private resident, a residential school for children with problems and a residential hostel for vulnerable adults and will therefore deal with each representation on its individual merits.

1.31 In determining whether someone lives sufficiently close to a particular premises as to likely to be affected by the authorised activities the Council may take account of the:

- (i) Size of the premises.
- (ii) Nature of the premises.
- (iii) Nature of the authorised activities being proposed.
- (iv) Distance of the premises from the person making the representation.
- (v) Characteristics of the complainant.
- (vi) Potential impact of the premises.

1.32 Persons with business interests likely to be affected

With regard to those persons with business interests that could be affected, the Licensing Authority will (in addition to factors set out in paragraph 1.38 above) need to be satisfied that the relevant business is indeed likely to be affected and the following factors will therefore be taken into account:

- i) The 'catchment' area of the premises (i.e. how far people travel to visit);
- ii) Whether the person making the representation has business interests in that catchment area that might be affected.
- iii) Whether or not the representation is purely based on 'competition' as the Licensing Authority does not consider this to be a relevant representation.

1.33 Persons/bodies representing persons named above

With regard to persons representing persons living sufficiently close and persons having business interests that may be affected, the Licensing Authority will include trade associations and unions.

1.34 Where a Councillor represents an interested party, in order to avoid conflict of interest, the Councillor cannot be part of the Licensing Committee dealing with the licence application. When in doubt, Councillors are asked to contact the Council's Legal Services to gain further advice.

- 1.35 Other than Councillors and MPs, this authority will require written evidence that a person represents someone who either lives sufficiently close to the premises to be likely to be affected by authorised activities and/or business interests that might be likewise affected. A letter from one of these persons confirming their wish to be represented will be sufficient.

Exchange of Information

- 1.36 Under the Gambling Act, we will have a key role in providing information to the Gambling Commission to assist it in carrying out its functions. This Licensing Authority recognises the need to work closely with the Gambling Commission in exchanging information as and when required.
- 1.37 As Licensing Authority we are required to include in our policy statement the principles we intend to apply in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between us and the Gambling Commission, and the functions under section 350 of the Act with the respect to the exchange of information between us and the other persons listed in Schedule 6 to the Act.

Statement of Principles

- 1.38 This Licensing Authority will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act **2018** will not be contravened. The Licensing Authority will also have regard to any Guidance issued by the Gambling Commission to Local Authorities on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.
- 1.39 Details of applications and representations which are referred to a Licensing Sub-Committee for determination will be published in reports that are made publicly available in accordance with the Local Government Act 1972 and the Freedom of Information Act 2000. Personal details of people making representations will be disclosed to applicants and only be withheld from publication on the grounds of personal safety where the Licensing Authority is asked to do so.
- 1.40 The Licensing Authority will normally share the information it holds about licensed premises with the Gambling Commission, Local Police Enforcement in Hillingdon; and with other Responsible Authorities where there is a need for exchange of information on specific premises.
- 1.41 We are aware that the Gambling Commission recommends in its Guidance to Local Authorities that a Protocol for the sharing of such information should be established between, us, the Licensing Authority, the Gambling Commission

itself and relevant Responsible Authorities in order to target agreed problem and high risk premises that require greater attention while providing a lighter touch in respect of well-run, low risk premises.

Enforcement

1.42 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.

1.43 This Licensing Authority's principles are that:

- (i) It will be guided by the Gambling Commission's Guidance for local authorities and it will endeavour to be:
 - Proportionate: we will only intervene when necessary, remedies will be appropriate to the risk posed, and costs identified and minimised.
 - Accountable, with decisions being justifiable, and be subject to public scrutiny.
 - Consistent: rules and standards will be joined up and implemented fairly.
 - Transparent and Open: Licence conditions will be kept simple and user friendly.
 - Targeted: regulation will be focused on the problem, and minimise side effects.
- (ii) The Council will avoid duplication with other regulatory regimes so far as possible.
- (iii) This licensing authority will also keep itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.
- (iv) We note the Gambling Commission's guidance that: in order to ensure compliance with the law, this Licensing Authority must prepare a Risk - based Inspection Programme and that we carry out regular 'routine' day time programmed inspections, based on risk assessment in the categories High, Medium and Low; and that we also carry out 'non routine' evening programmed inspections. Where one-off events are taking place under a Temporary Use Notice or Occasional Use Notice, the Licensing Authority may also carry out inspections to ensure the Licensing Objectives are being promoted.

- (v) High-risk premises are those premises that require greater attention with low risk premises needing only a lighter touch so that resources are effectively concentrated on problem premises.
- 1.44 Enforcement may include test purchasing activities to measure compliance of licensed operators with aspects of the Gambling Act. When undertaking test purchase activities, this licensing authority will undertake to liaise with the Gambling Commission and the operator to determine what other, if any, test purchasing schemes may already be in place. Irrespective of the actions of an operator on their overall estate, test purchasing may be deemed an appropriate course of action.
- 1.45 The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 will be to ensure compliance with the Premises Licences and other permissions which is authorises.
- 1.46 The Gambling Commission will be the enforcement body for the Operator and Personal Licences. Concerns about manufacture, supply or repair of gaming machines will not be dealt with by the licensing authority but will be notified to the Gambling Commission. This authority also understands that the Gambling Commission will be responsible for compliance as regards unlicensed premises.
- 1.47 In considering enforcement action, the Licensing Authority will bear in mind the Human Rights Act 1998, in particular:
 - i) Article 1, of the First Protocol: that every person is entitled to the peaceful enjoyment of his or her possessions, including for example the possession of a licence.
 - ii) Article 6: that in the determination of civil rights and obligations everyone is entitled to a fair hearing within a reasonable time by an independent and impartial tribunal established by law.
 - iii) Article 8: that everyone has the right to respect for his or her home and private family life.
 - iv) Article 10: that everyone has the right to freedom of expression within the law.
- 1.48 Any decision to instigate legal proceedings will take account of the criteria set down in the Code of Crown Prosecution and Attorney General Guidelines.

**PART 2
PROMOTING THE LICENSING OBJECTIVES**

- 2.1 In exercising its functions under the Gambling Act 2005, London Borough of Hillingdon Council will have regard to the three statutory licensing objectives, which are:
- (i) Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
 - (ii) Ensuring that gambling is conducted in a fair and open way.
 - (iii) Protecting children and other vulnerable persons from being harmed or exploited by gambling.
- 2.2 In promoting these objectives, the Council has considered the Gambling Commission's Guidance to Local Authorities and makes the following observations as to the principles it intends to apply when considering the three objectives:

PREVENTING GAMBLING FROM BEING A SOURCE OF CRIME OR DISORDER, BEING ASSOCIATED WITH CRIME OR DISORDER OR BEING USED TO SUPPORT CRIME.

- 2.3 The Gambling Commission will play a leading role in preventing gambling from being a source of crime and will maintain rigorous licensing procedures that aim to prevent criminals from providing facilities for gambling.
- 2.4 Anyone applying to the Council for a Premises Licence will have to hold an Operating Licence from the Gambling Commission before a licence can be issued. Therefore, the Council will not generally be concerned with the suitability of an applicant. However, if during the course of considering a Premises Licence application or at any other time, the Licensing Authority receives such information that causes it to question the suitability of the applicant; those concerns will be brought to the immediate attention of the Gambling Commission.
- 2.5 If an application for a licence or permit is received in relation to premises which are in an area noted for particular problems with organised crime or crime directly associated with gambling premises, the Council will, in consultation with the Police and other relevant Responsible Authorities, consider whether specific controls need to be applied to prevent those premises from being a source of crime. In appropriate circumstances, the Licensing Authority may consider appropriate conditions to be attached to the Licence, such as Door Supervisors.

- 2.6 Issues of disorder should only be dealt with under the Act if the disorder amounts to a form of activity, which is more serious and disruptive than mere nuisance and it, can be shown that gambling is the source of that disorder. A disturbance might be serious enough to constitute disorder if police or ambulance assistance was required to deal with it. Another factor which could be taken into account is how threatening the behaviour was to those who could see or hear it, and whether those people live sufficiently close to be affected or have business interests that might be affected.
- 2.7 The Licensing Authority recognises that disorder may be focused on premises and therefore recommends an applicant takes such controls as necessary to prevent such disorder and nuisance. Examples may include thought given to the way that gambling is conducted on the premises, sighting of large payout machines, levels of noise from public address systems that should ideally be sited at the back of the premises away from residential areas.
- 2.8 Where there are persistent levels of disorder, the Licensing Authority will liaise closely with the Gambling Commission to consider the suitability of the applicant as an operator. In addition, the Licensing Authority will strive to have a good working relationship with the Police in accordance with any protocol that is currently in place.

ENSURING THAT GAMBLING IS CONDUCTED IN A FAIR AND OPEN WAY

- 2.9 All gambling should be fair in the way it is played with transparent rules such that players know what to expect. Examples may include easily understandable information being made available on the rules and probability of winning/losing, ensuring the rules are fair and that advertising is not misleading. Further recommendations would be to ensure that the results of competitions/events are made public; and that machines, equipment and software meet the required standards set by the Gambling Commission.
- 2.10 Generally, it is for the Gambling Commission to ensure this Licensing Objective is complied with through the Operating and Personal Licence regime covering the management of a gambling business and the suitability and actions of an individual.
- 2.11 However, with regard to Race Tracks, where Betting Track Operators do not need an Operator's Licence from the Gambling Commission, the role of the Licensing Authority is more significant. The Licensing Authority, in certain circumstances, may seek to impose conditions to ensure that the environment in which betting takes place is suitable. The Licensing Authority may wish to know the nature of the venue, have sight of a plan of the track which would include access to the tent where gambling is to take place, where the operators will

conduct on course betting and whether or not there are any off course betting operators.

PROTECTING CHILDREN AND OTHER VULNERABLE PERSONS FROM BEING HARMED OR EXPLOITED BY GAMBLING

- 2.12 Apart from one or two limited exceptions, the intention of the Act is that children and young person's should not be allowed to gamble and should therefore be prevented from entering gambling premises which are 'adult-only' environments.
- 2.13 This Authority notes and endorses the Gambling Commission statement that: "The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling".
- 2.14 In practice, steps will generally be taken to prevent children from taking part in, or being in close proximity to, gambling especially with regard to premises situated in areas where there may be a high rate of reported truancy. There may also 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. The advertising of Gambling services is regulated by the Gambling Commission under the Gambling (Licensing and Advertising) Act 2014. In relation to casinos only, the Gambling Commission will be issuing a code of practice about access to casino premises for children and young persons.
- 2.15 When considering whether to grant a premises licence or permit the Council will consider whether any measures are necessary to protect children or vulnerable young persons from being harmed or exploited by gambling, such as the supervision of entrances, the segregation of gambling from areas frequented by children and the supervision of gaming machines in non-adult gambling specific premises, such as pubs, clubs, betting tracks etc. These measures will be particularly relevant on mixed use premises, tracks where children have freedom of movement in betting areas on race days and in particular to the non-gambling areas of casinos. Other such measures may include appropriate signage, location of machines and numbers of staff on duty.
- 2.16 Whilst the Gambling Act does not prohibit vulnerable groups in the same manner as children and young persons, with regard to vulnerable people, the Licensing Authority will consider whether or not any measures have been taken to protect such a group. Any such considerations will be balanced against the Licensing Authority's aim to permit the use of premises for gambling; each application will be treated on its own merit. The term "vulnerable persons" has not been defined under the Act, but in seeking to protect vulnerable people the Council will consider that "vulnerable persons" include (but not limited to):

- (i) People who gamble more than they want to.
 - (ii) People who gamble beyond their means, and
 - (iii) People who may not be able to make informed or balanced decisions about gambling, perhaps due to a mental impairment, alcohol or drugs.
- 2.17 Children (defined in the Act as under 16s) and young persons (16-17s) may take part in private and non-commercial betting and gaming but the Act contains a number of restrictions on the circumstances in which they may participate in gambling or be on premises where gambling is taking place. An adult is defined as 18 and over. In summary:
- i) Betting Shops cannot admit anyone under the age of 18.
 - ii) Bingo Clubs may admit those under the age of 18 but must have policies to ensure they do not gamble, except on category D machines.
 - iii) Adult Entertainment Centres cannot admit those under the age of 18.
 - iv) Family Entertainment Centres and premises with an alcohol premises licence such as pubs) can admit under-18s, but they may not play category C machines which are restricted to those over the age 18.
 - v) Clubs with a Club Premises Certificate can admit under-18s, but they must have policies to ensure those under the age 18 do not play machines other than category D machines.
 - vi) Tracks will be required to have policies to ensure that under 18s do not participate in gambling other than on category D machines.
- 2.18 With this Licensing Objective in mind, the Licensing Authority will take particular care when considering applications for more than one licence for a building and those relating to a discrete part of a building used for other non-gambling purposes, such as shopping malls **or airport terminals**. Where relevant, applicants will be expected to take measures to ensure young persons, and children are not in close proximity to gambling. Such measures could include sighting machines at the back of a premises so as to ensure young children do not have sight of such machines, not advertising gambling so as to encourage children and ensuring there is no accidental access to observe or enter premises used for gambling.
- 2.19 The Licensing Authority recommends that measures are taken to ensure entrances and exits from parts of a building covered by one or more licences are separate and identifiable so that people do not drift into a gambling area in error.

Such measures could include appropriate signage, physically separating Family Entertainment Centres and Adult Gaming Centres, and supervision of entrances.

- 2.20 The Licensing Authority will pay particular attention to applications where access to the licensed premises is through another premises and will consider whether or not children can gain access; the compatibility of the two establishments and its ability to comply with requirements of the Gambling Act. The Licensing Authority will also consider whether the co-location of the licensed premises with other facilities will create an arrangement that is likely to be prohibited under the Act.
- 2.21 The Licensing Authority will consider multiple licences carefully and applicants are recommended to configure these buildings carefully if they seek to develop multipurpose developments and in particular consider how they will protect children from being harmed by gambling as well as preventing children from being in close proximity to gambling. Applicants are also requested to consider entrances and exits from parts of the building covered by one or more licences. These exits and entrances should be separate and identifiable to ensure children do not 'drift' into a gambling area.
- 2.22 The Licensing Authority recommends that all staff are suitably trained and aware of the Gambling laws, social responsibility and statutory requirements related to age restrictions on gaming machines. Appropriate measures should be taken to prevent under age use of such machines, including clear and appropriate signage, an approved Proof of Age scheme, a requirement for staff to be vigilant and aware at all times and ensuring the Adult Gaming area is not visible from the street.
- 2.23 The Council will always treat each case on its own individual merits and when considering whether specific measures are required to protect children and other vulnerable people it will balance its considerations against the overall principle of aiming to permit the use of premises for gambling.
- 2.24 When determining the location of proposed gambling facilities, this Licensing Authority in appropriate circumstances, will consider very carefully the following factors when considering applications for Premises Licences, permits and other permissions:
- i) Proximity of premises to local schools.
 - ii) Proximity of premises to centres that pose a high risk to vulnerable and young persons.
 - iii) Proximity of premises to residential areas where there is a high concentration of children and young people.

- iv) Proximity of premises to places of worship, particularly where Sunday Schools are in operation.

PART 3
INTEGRATING STRATEGIES AND OTHER REGULATORY REGIMES

INTEGRATING STRATEGIES

- 3.1 The Council considers that the Licensing Statement of Principles should provide clear indications of how we, as Licensing Authority, will secure the proper integration of this policy with local crime prevention, planning, transport, tourism, equalities and diversity schemes together with other Council plans introduced for the management of town centres and the night-time leisure economy. Many of these strategies are not directly related to the promotion of the three licensing objectives, but indirectly impact upon them. Coordination and integration of such policies, strategies and initiatives, so far as is possible and consistent with the licensing objectives, is therefore important to us. We will liaise with the relevant authorities or its directorates with regard to this and in doing so adopt a multi-disciplinary approach to ensure proper integration of local and national strategies to promote the licensing objectives, including making arrangements for the Council's Licensing Committee to receive reports from time to time on the:
- i) Needs of the local tourist economy;
 - ii) Cultural strategy for the area;
 - iii) Employment situation in the area and the need for new investment and employment where appropriate;
 - iv) Local Crime Prevention Strategies;
 - v) Race Equality Schemes;
 - vi) Enforcement Policy.
- 3.2 Reports to the Licensing Committee from other relevant departments should enable the various agencies or departments with their own strategies, aims and objectives to keep the Licensing Committee aware of the wider picture in pursuance of the licensing objectives. It is our intention that we will, through the Council's Licensing Committee, monitor how the matters above set out impact on the licensing of gambling activities and facilities and other functions in order to achieve seamless integration of our licensing function with other relevant strategies and initiatives.
- 3.3 In order to avoid duplication with other statutory regimes, the Licensing Authority will not attach conditions to a licence unless they are considered necessary for the promotion of the licensing objectives. Conditions will generally be considered unnecessary if they are already adequately covered by other legislation.
- 3.4 Similarly, where other legislation confers powers on inspection and enforcement agencies in relation to separate activities and concerns relating to licensed premises, this policy does not affect the continued use of such powers by the relevant agency.

- 3.5 This authority will seek to avoid any duplication with other statutory or regulatory systems where possible, including the statutory planning regime.
- 3.6 We emphasise that under section 210 of the Act this Licensing Authority is not entitled to have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with the law relating to planning or building control.
- 3.7 The Planning Department are a Responsible Authority under this Act and have the opportunity to make representations should they desire so to do. The Licensing Authority will therefore consider relevant representations from the local planning authority about the effect of the grant of a premises licence on an extant planning permission where this relates to the licensing objectives, a Commission code of practice, or this Statement of Policy. This authority will also listen to, and consider carefully, any concerns about conditions that cannot be met by licensees due to planning restrictions, should such a situation arise. Otherwise the two regimes will be treated as completely separate.

PART 4
LOCAL RISK ASSESSMENTS
AND
LOCAL AREA PROFILE

Local Risk Assessments

- 4.1 The Gambling Commission's Licence Conditions and Code of Practice (LCCP) which were revised and published in February 2015 formalised the need for operators to consider local risks.
- 4.2 Social Responsibility (SR) code 10.1.1 requires licensees to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and to have policies, procedures and control measures to mitigate the risks. In undertaking the risk assessments, they must take into account the relevant matters identified in this policy statement.
- 4.3 Licensees are required to undertake a local risk assessment when applying for a new premises licence. Their risk assessment must also be updated:
 - When applying for the variation of a premises licence.
 - To take account of significant changes in local circumstances, including those identified in this policy statement.
 - Where there are significant changes licensee's premises that may affect their mitigation of local risks.
- 4.4 The SR provision is supplemented by an ordinary code provision that requires licensees to share their risk assessment with the licensing authority when applying for a premises licence or applying for a variation to existing licensed premises, or otherwise at the request of the licensing authority. Both provisions take effect from 8 May 2015
- 4.5 Where concerns do exist, perhaps prompted by new or existing risks, the licensing authority will request that the licensee share a copy of its own risk assessment which will set out the measures the licensee has in place to address specific concerns. This practice should reduce occasions on which a premises review and the imposition of licence conditions are required.
- 4.6 Where this policy statement sets out its approach to regulation with clear reference to local risks, the licensing authority will facilitate operators being able to better understand the local environment and therefore proactively mitigate risks to the licensing objectives. In some circumstances, it might be appropriate to offer the licensee the opportunity to volunteer specific conditions that could be attached to the premises licence.

Local Area Profile

- 4.7 The licensing authority can complete their own assessment of the local environment as a means of 'mapping out' local areas of concern, which will be reviewed and updated to reflect changes to the local landscape. Such an assessment is known as the local area profile. There is no statutory duty on the licensing authority to complete a local area profile; however benefits for both licensing authority and operators would be in having a better awareness the local area and risks. Importantly, risk in this context includes potential and actual risk, thereby taking into account possible future emerging risks, rather than reflecting current risks only.
- 4.8 There is no mandatory requirement to have a local area profile and the licensing authority will, where appropriate, engage with responsible authorities ensure any new or variation application assessed taking the local area profile and any risks into account.

PART 5 PREMISES LICENCES

GENERAL PRINCIPLES

- 5.1 Premises Licences authorise the provision of gambling facilities on the following:
- i) Casino Premises.
 - ii) Bingo Premises.
 - iii) Betting Premises, including race tracks used by betting intermediaries
 - iv) Adult Gaming Centres.
 - v) Family Entertainment Centres.
- 5.2 Except in the case of Tracks (where the occupier may not be the person offering gambling), Premises Licences will only be issued to people with the relevant Operating Licences.
- 5.3 Premises Licences will be subject to the permissions/restrictions set out in the Gambling Act 2005 and regulations, as well as specific mandatory and default conditions which will be detailed in regulations issued by the Secretary of State.
- 5.4 We as the Licensing Authority will be able to exclude default conditions and also attach other conditions, where we believe it to be appropriate.
- 5.5 Under the Act the Hillingdon Council has no discretion to grant Premises Licences in circumstances where that would mean departing from the Gambling Commission Guidance and Codes of Practice and this Licensing Authority's own Statement of Licensing Principles. Therefore, our primary focus shall be to aim to permit the use of premises for gambling in so far as we think it is:
- i) In accordance with any relevant Code of Practice issued by the Gambling Commission.
 - ii) In accordance with any relevant Guidance issued by the Gambling Commission.
 - iii) Consistent with the Licensing Objectives.
 - iv) In accordance with this Statement of Licensing Principles.
- 5.6 The Council appreciates that gambling can be an emotive subject but acknowledges and endorses the Gambling Commission Guidance that "moral objections to gambling are not a valid reason to reject applications for premises licences " (except as regards any "no casino resolution") and also that unmet demand is not a criterion for a Licensing Authority.
- 5.7 We recognise that the responsibility for an individual's gambling is his or her own and that the responsibility to exercise a duty of care lies with the site operator.

However, the Licensing Authority recommend applicants for Adult Gaming and Family Entertainment Centres to consider adopting BACTA's *Code of Social Responsibility and Good Practice* and where gaming machines are concerned, applicants are recommended to adopt BACTA's *Code of Practice for AWP's* in Family Entertainment Centres and Adult Gaming Centres.

- 5.8 Where there are age restrictions on entry to certain premises, the Licensing Authority recommends applicants consider and adopt BACTA's and GamCare's joint training initiative on a *Site Age-of-Entry Control Policy*.
- 5.9 We also recognise that most customers are able to enjoy and control their gambling, however, where there are those who are unable to control gambling, the Licensing Authority recommends that applicants adopt BACTA's and GamCare's *Site Self-Exclusion Policy* for those particular clients to request their exclusion for a fixed period.

Definition of Premises

- 5.10 The Council will act in accordance with the gambling commission guidance on ensuring the primary activity of the licensed premises. Gaming machine may be available in licensed betting premises only at times when there are also sufficient facilities or betting operators. They will also need to demonstrate that betting will continue to be the primary activity of a premise when seeking variations to licences.

In making this determination, the licensing authority will have regard to the six indicators on betting as a primary gambling activity:

- The offer of established core product (including live events pictures and its range).
 - The provision of information on products and events.
 - The promotion of gambling opportunities and products.
 - The actual use made of inspecting facilities.
 - The size of premises.
 - The delivery of betting facilities.
- 5.11 Premises are defined in the Act as "any place". Different premises licences cannot apply in respect of a single premise at different times. It is however possible for a single building to be subject to more than one premises licence, providing that each licence is for a different part of the building and such different parts can reasonably be regarded as different premises.
- 5.12 The Council will judge each case on its individual merits to decide as a matter of fact, whether different parts of a building can be properly regarded as being separate premises.

In addition to other relevant factors, the Council will have regard to the Gambling Commission guidance which lists the following factors which may be taken into account:

- Do the premises have a separate registration for business rates?
- Is the premises' neighbouring premises owned by the same person or someone else?
- Can each of the premises be accessed from the street or public passageway?
- Can the premises only be accessed from another gambling premises?

5.13 We note that the Gambling Commission, in their guidance, do not consider that areas of a building that are artificially or temporarily separate can be properly regarded as different premises. We support this view.

5.14 This licensing authority takes particular note of the Gambling Commission's Guidance for Local Authorities, which states that:

- i) Licensing Authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular, they should be aware that entrances and exits from parts of a building covered by one or more licences should be separate and identifiable so that the separation of different premises is not compromised and that people do not 'drift' into a gambling area.
- ii) Licensing authorities should pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed). Clearly there will be specific issues that authorities should consider before granting such applications, for example, whether children can gain access; compatibility of the two establishments; and the ability to comply with the requirements of the Act. But in addition an overriding consideration should be 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.

Provisional Statement

5.15 Under the Act an applicant cannot obtain a full premises licence until the premises in which it is proposed to offer the gambling are constructed. The Gambling Commission has advised that reference to the term, "the premises" are to the premises in which gambling may now take place. Therefore a licence to use premises for gambling will only be issued in relation to premises that are ready to be used for gambling.

- 5.16 It is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence. The Gambling Commission emphasises that requiring the building to be complete ensures that the Licensing Authority can, if necessary, inspect it fully, as can other responsible authorities, with inspection rights under the Act.
- 5.17 In deciding whether a premises licence can be granted where there are construction works, at existing premises, the Council will determine applications on their merits, applying a two-stage consideration process:
- First, whether the premises ought to be permitted to be used for gambling.
 - Second, whether appropriate conditions can be put in place to cater for that situation.
- 5.18 Applicants should note that the Council is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

Location

- 5.19 The Gambling Commission Guidance stipulates that demand issues cannot be considered in relation to the location of premises but that considerations made in terms of the licensing objectives can.
- 5.20 In accordance with the Gambling Commission's Guidance for Local Authorities, this Licensing Authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.
- 5.21 This authority has not adopted any specific policy in relation to areas where gambling premises should not be located. Should any such policy be decided upon, this policy statement will be updated accordingly. It should be noted that any such future policy will not preclude any application being made with the onus upon the applicant showing how any potential concerns can be overcome.
- 5.22 Each case will be decided on its merits and will depend, to a large extent, on the type of gambling that it is proposed will be offered on the premises.
- 5.23 If an applicant can demonstrate appropriate measures to overcome concerns, that will be taken into account by the Council.

Conditions

- 5.24 Any conditions attached to licences will be proportionate and will be:
- i) Relevant to the need to make the proposed building suitable as a gambling facility.

- ii) Directly related to the premises and the type of licence applied for;
- iii) Fairly and reasonably related to the scale and type of premises: and
- iv) Reasonable in all other respects.

5.28 Decisions upon individual conditions will be made on a case-by-case basis, although there will be a number of control measures this licensing authority will consider utilising should there be a perceived need, such as the use of door supervisors, supervision of adult gaming machines, appropriate signage for adult-only areas etc. There are specific comments made in this regard under each of the licence types below.

5.29 This policy acknowledges that there are conditions that the licensing authority cannot attach to premises licences:

- i) Any condition on the premises licence which makes it impossible to comply with an operating licence condition.
- ii) Conditions relating to gaming machine categories, numbers, or method of operation.
- iii) Conditions which provide that membership of a club or body be required (the Gambling Act 2005 specifically removes the membership requirement for casino and bingo clubs and this provision prevents it being reinstated).
- iv) Conditions in relation to stakes, fees, winning or prizes.

Door Supervisors

5.30 The Gambling Commission advises in its Guidance for local authorities that Licensing Authorities may consider whether there is a need for door supervisors in terms of the licensing objectives of protection of children and vulnerable persons from being harmed or exploited by gambling, and also in terms of preventing premises becoming a source of crime.

5.31 This policy recognises that door supervisors at bingo or casino premises cannot be licensed by the Security Industry Authority (SIA). This Licensing Authority does not have specific requirements for door supervisors working at bingo or casino premises. Each case will be determined on its individual merits.

5.32 It is noted that for premises other than casinos and bingo premises, operators and licensing authorities may decide that supervision of entrances or machines is appropriate for particular cases but it will need to be decided whether these need to be SIA licensed or not. It will not be automatically assumed that they need to be.

CASINO PREMISES

5.33 To date, the Licensing Authority has chosen not to pass a resolution under section 166 (5) of the Gambling Act to prohibit casinos in the Borough.

- 5.34 Should the Council choose to make such a resolution, this will be a resolution of full Council following considered debate and the reasons for making the resolution will be given.

BINGO PREMISES

- 5.35 Bingo is a class of equal chance gaming and is permitted in alcohol licensed premises and in clubs provided it remains below a certain threshold, otherwise it will be subject to a bingo operating licence which will have to be obtained from the Gambling Commission.
- 5.36 The holder of a Bingo Operating Licence will be able to provide any type of bingo game including cash and prize bingo. Where bingo is permitted in alcohol licensed and non-gambling premises, this must not become a predominant commercial activity; otherwise a bingo operating licence will be required.
- 5.37 Commercial bingo halls will require a bingo premises licence from the Council. Amusement arcades providing prize bingo will require a prize gaming permit from the Council.
- 5.38 In each of the above cases it is important that where children are allowed to enter premises licensed for bingo, in whatever form, they are not allowed to participate in any bingo game, other than on category D machines. When considering applications of this type the Council will therefore take into account, among other things, the location of the games or machines, access to those areas, general supervision of the premises and the display of appropriate notices.
- 5.39 The Licensing Authority recognises that there is no ban on children or young people having access to Bingo premises, that it is illegal for Under 18s to play or use Category B and C machines and that they cannot be employed in providing facilities for gambling or bingo premises. In any event, children under 16 cannot be employed in any capacity at a time when facilities for playing bingo are being offered. 16 and 17 year olds may be employed while bingo is taking place provided the activities on which they are employed are not connected with the gaming or gaming machines. Where children aged 16 and 17 are employed in bingo premises, the Licensing Authority would expect to see sufficient controls restricting access to Category B and C machines.
- 5.40 A limited number of gaming machines may also be made available at Bingo licensed premises. A list of categories of gaming machines is on page 32. Where category C or above machines are available in premises to which children are admitted, the licensing authority will seek to ensure that:

- i) All such machines are located in an area of the premises separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance.
- ii) Only adults are admitted to the area where these machines are located.
- iii) Access to the area where the machines are located is supervised.
- iv) The area where the machines are located is arranged so that it can be observed by staff of the operator or the licence holder and
- v) At the entrance to, and inside any such area there are prominently displayed notices indicating that access to the area is prohibited to persons under the age of 18.

5.41 With regard to segregation of Category B and C machines from Category D machines, there is a requirement that there must be clear segregation between these types of machine so that children do not have access to Category B or C machines and the Licensing Authority will take into account any guidance issued by the Gambling Commission in the light of any regulations made by the Secretary of State.

Members' Clubs and Commercial Clubs

5.42 Bingo may be provided at clubs and institutes either in accordance with a permit or providing that the limits in section 275 of the Act are complied with. These restrictions limit the aggregate stake or prizes within any seven days to £2000, and require the Commission to be notified as soon as is reasonably practicable if that limit is breached. Stakes or prizes above that limit will require a Bingo Operators Licence and the corresponding Personal and Premises licences.

5.43 With regard to turnover, where the Licensing Authority is suspicious that a licensee or club exceeds the turnover in the required 7-day period, the Licensing Authority will inform the Gambling Commission accordingly.

5.44 The Licensing Authority will take into account any additional guidance issued by the Gambling Commission in relation to the suitability and layout of bingo premises.

BETTING PREMISES

5.45 The Licensing Authority is responsible for issuing and monitoring Premises Licences for all betting premises. Anyone wishing to operate a betting office will require a Betting Premises Licence from the Council.

5.46 Children and young people will not be able to enter premises with a betting premises licence.

- 5.47 Betting premises will be able to provide a limited number of gaming machines and some betting machines. A table showing the number and category of gaming machines permitted in betting premises is on page 33.
- 5.48 In premises licensed for alcohol consumption, the Council has the power to restrict the number of betting machines, their nature and the circumstances in which they are made available. It will not generally exercise this power though unless there are good reasons to do so taking into account, among other things: the size of the premises, the level of management, supervision and ability of staff to monitor the use of machines especially where children and young or vulnerable people are concerned; and the number of counter positions available for person-to-person transactions.

TRACKS

- 5.49 Only one Premises Licence can be issued for any particular premises at any time unless the premises is a 'track'. A track is a site where races or other sporting events take place.
- 5.50 Track operators are not required to hold an 'Operators Licence' granted by the Gambling Commission. Therefore, premises licences for tracks, issued by the Council are likely to contain requirements for premises licence holders about their responsibilities in relation to the proper conduct of betting. Track operators will have an important role to play, for example in ensuring that betting areas are properly administered and supervised.
- 5.51 Although there will primarily be a betting premises licence for the track, there may be a number of subsidiary licences authorising other gambling activities to take place. Unlike betting offices, a betting premises licence in respect of a track does not give an automatic entitlement to use gaming machines.
- 5.52 Licensing authorities have a power under the Gambling Act 2005 to restrict the number of betting machines, their nature and the circumstances in which they are made available, by attaching a licence condition to a betting premises licence. When considering whether to exercise its power to restrict the number of betting machines at a track the Council will consider the circumstances of each individual application and, among other things will consider the potential space for the number of machines requested, the ability of track staff to supervise the machines, especially if they are scattered around the site, and the ability of the track operator to prevent children and young persons and vulnerable people betting on the machines.
- 5.53 This Licensing Authority is aware that the Gambling Commission may provide further specific guidance as regards tracks. We have taken note of the Guidance

from the Gambling Commission which highlights that tracks are different from other premises in that there may be more than one premises licence in effect and that the track operator may not be required to hold an operator licence as there may be several premises licence holders at the track which will need to hold their own operator licences.

- 5.54 There may be some specific considerations with regard to the protection of children and vulnerable persons from being harmed or exploited by gambling and this authority would expect the premises licence applicants to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young person's will 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.
- 5.55 Measures such as the use of self-barring schemes, provision of information leaflets and helpline numbers for organisations such as GamCare will be considered suitable in relation to the protection of children and vulnerable people.
- 5.56 Where appropriate, in order for the Licensing Authority to gain a proper understanding of what it is being asked to licence, applicants will be asked to:
- i) Provide a detailed plan of the grounds indicating where the betting is to take place and the location of the race track;
 - ii) In the case of dog tracks and horse racecourses, indicate the location of any fixed and mobile pool betting facilities operated by the Tote or track operator as well as any other proposed gambling facilities;
 - iii) Evidence measures taken to ensure the third Licensing Objective will be complied with;
 - iv) Indicate what arrangements are being proposed for the administration of the betting; the Gambling Commission and Licensing Authority recommend that betting takes place in areas reserved for, and identified as being for, that purpose.
 - v) Define the areas of the track that will be used by on course operators visiting the track on race days.
 - vi) Define any temporary structures erected on the track for providing facilities for betting.
 - vii) Define the location of any gaming machines (if any).
- 5.57 Plans should make clear what is being sought for authorisation under the track betting premises licence and what, if any, other areas are to be subject to a separate application for a different type of premises licence.

Betting Machines at Tracks

- 5.58 In addition to the comments above at betting machines in betting premises, similar considerations apply in relation to tracks, where the potential space for such machines may be considerable, bringing with it significant problems in relation to the proliferation of such machines, the ability of track staff to supervise them if they are scattered around the track and the ability of the track operator to comply with the law and prevent children betting on the machine. The licensing authority may consider restricting the number and location of betting machines, in the light of the circumstances of each application for a track betting premises licence.
- 5.59 This licensing authority notes the Commission's view, that it would be preferable for all self-contained premises operated by off-course betting operators on tracks to be the subject of separate premises licences. This would ensure that there was clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.

Condition on rules being displayed

- 5.60 In line with guidance from the Gambling Commission the Council will attach a condition to track premises licences requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. For example, the rules could be printed in the race-card or made available in leaflet form from the track office.

ADULT GAMING CENTRES

- 5.61 As no one under the age of 18 is permitted to enter an Adult Gaming Centre, this Licensing Authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the Licensing Authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the premises. Applicants are recommended to consider this Licensing Objective very carefully when applying for an Adult Gaming Centre.
- 5.62 The Council will expect applicants to offer their own measures to meet licensing objectives however appropriate measures / licensing conditions may cover issues such as:
- Proof of age schemes.

- CCTV – this should be of sufficient quality that it will use evidence.
- the provision of entrances/machine areas
- physical separation areas
- location of entry
- notices/signage
- specific opening hours
- self exclusion schemes - these are schemes whereby individuals who acknowledge they have a gambling problem ask be barred from certain premises
- provision of information leaflets/helpline numbers for organisations such as GamCare

This list is not mandatory, nor exhaustive, and is merely indicative of example measures that the Council can consider implementing.

- 5.63 Where the Adult Gaming Centre is situated in a complex such as an airport, shopping area or motorway services station, the Licensing Authority will pay particular attention to the location of entry so as to minimise opportunities for children gaining access.
- 5.64 A table showing the number and category of gaming machines permitted in adult gaming centres is on page 33.

FAMILY ENTERTAINMENT CENTRES (FECs)

- 5.65 There are two classes of family entertainment Centres. Licensed FECs provide Category C and D machines and require a Premises Licence. Unlicensed FECs provide Category D machines only and are regulated through FEC Gaming Machine Permits.

(Licensed) Family Entertainment Centres

- 5.66 Children and young persons may enter FECs but are not permitted to play Category C machines. This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to ensure that there will be sufficient measures to prevent under 18 year olds having access to the adult only gaming machine areas.
- 5.67 With regard to vulnerable persons, the Licensing Authority will consider measures such as the use of self barring schemes, provision of information leaflets/help line numbers for organizations such as GamCare as appropriate measures.
- 5.68 With regard to segregation of Category C machines in licensed FECs, there is a requirement that there must be clear segregation between the two types of

machine so that children do not have access to Category C machines and the Licensing Authority will take into account any guidance issued by the Gambling Commission in the light of any regulations made by the Secretary of State.

- 5.69 Applicants are recommended to visit the Gambling Commission's web site in order to familiarise themselves with the conditions applicable to these premises.

Statement of Principles

- 5.70 As these premises are open to children and young persons, the Licensing Authority will wish to see additional information, such as:
- i) A plan of the premises showing clear segregation of Category C and D machines.
 - ii) Clear Notices excluding under 18 year olds from the designated areas where Category C machines are located;
 - iii) Age Restriction Policy;
 - iv) Evidence of ongoing staff training in administering all aspects of age restriction policy;
 - v) Solid physical barriers separating adult gaming area from the main floor, i.e. the barriers to be a min. of 1 metre in height from the floor;
 - vi) Completion of a training programme in social awareness in respect of gambling
 - vii) Evidence of compliance with BACTA's Code of Practice

TRAVELLING FAIRS

- 5.71 Travelling fairs do not require any permit to provide gaming machines but must comply with the legal requirements on the way the machine operates. They may provide an unlimited number of Category D gaming machines and it will fall to the licensing authority to decide whether, where category D machines and/or equal chance prize gaming without a permit is to be 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.
- 5.72 The Licensing Authority will consider whether or not a travelling fair falls within the statutory definition of a travelling fair and recognises that the 27 day statutory maximum for the land being used as a fair, is per calendar year, and that it 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 will work with the neighbouring authorities to

ensure that land that crosses joint boundaries is monitored so that the statutory limits are not exceeded.

REVIEW OF PREMISES LICENCES

- 5.73 A premises licence may be reviewed by the Licensing Authority of its own volition or following receipt of an application for a review, which is essentially a request by a third party to the Licensing Authority to review a particular licence.
- 5.74 However, it is for the Licensing Authority to decide whether or not the review is to be carried out. This will be on the basis of whether the request for the review is relevant to the matters listed below as well as consideration as to whether the request is frivolous, vexatious, will certainly not cause the Authority to wish to alter/revoke/suspend the licence or whether it is substantially the same as previous requests for review.
- 5.75 The review will be:
- i) In accordance with any relevant Code of Practice issued by the Gambling Commission.
 - ii) In accordance with any relevant Guidance issued by the Gambling Commission.
 - iii) Reasonably consistent with the Licensing Objectives and
 - iv) In accordance with the Licensing Policy Statement.
- 5.76 Licensing Authority officers may be involved in the initial investigations of complaints leading to a review, or may try informal mediation or dispute resolution before a full review is conducted. An application for review must be granted, unless it decides to reject the application in accordance with the act.
- 5.77 The Licensing Authority can also initiate a review of a licence on the basis of any reason that it thinks is appropriate with regard to the licensing objectives. This can extend to a review of a class of licences where it considers particular issues have arisen.

PART 6 GAMING PERMITS

INTRODUCTION TO PERMITS

- 6.1 Permits are required when premises provide a gambling facility but either the stakes and prizes are very low or gambling is not the main function of the premises. The permits regulate gambling and the use of gaming machines in a specific premises.
- 6.2 The Licensing Authority is responsible for issuing the following permits:
- Family Entertainment Centre (FEC) Gaming Permits
 - Club Gaming Permits and Club Machine Permits
 - Alcohol –licensed Premises Gaming Machine Permits
 - Prize Gaming permits
- 6.3 The Licensing Authority may only grant or reject an application for a permit and cannot impose or attach any conditions.
- 6.4 There are different considerations to be taken into account when considering the different types of permit applications. Please refer to the relevant parts of this below.

GAMING MACHINES

- 6.5 A gaming machine can cover all types of gambling activity, which can take place on a machine, including betting on virtual events. A machine is not a gaming machine if the winning of a prize is determined purely by the player's skill. However, any element of chance imparted by the action of the machine would cause it to be a gaming machine.
- 6.6 Where the Licensing Authority is uncertain of whether or not a machine is a gaming machine as defined under the Act, it will seek the advice of the Gambling Commission.
- 6.7 There are four classes of gaming machines: Categories A, B, C and D, with category B further divided in sub-categories B1, B2, B3, B3A and B4. The table below sets out the current maximum stakes and prizes that apply to each category:

CATEGORIES OF GAMING MACHINES

CATEGORY	MAXIMUM STAKE	MAXIMUM PRIZE
A	Unlimited	Unlimited
B1	£5	£10,000*
B2	£100 (in multiples of £10) £2 effective April 2019	£500
B3	£2	£500
B3A	£2	£500
B4	£2	£400
C	£1	£100
D**	-	-
D non-money prize (other than crane grab 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)

*** Category B1 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**

****Category D machines with a 10p stake are entitled to offer prizes of up to £5 in cash, or up to £5 in cash and £3 in non-monetary prizes. Category D machines with a 30p stake can offer £8 in non-monetary prizes only.**

- 6.8 The Gambling Act also prescribes the maximum number and category of gaming machines that are permitted in each type of gambling premises. This includes premises with permit entitlements, as well as licensed premises (see table on page 35):

NUMBER OF GAMING MACHINES BY PREMISES TYPE

TYPE	GAMING MACHINES
BINGO PREMISES	<p>MAXIMUM OF 20% OF THE TOTAL NUMBER OF GAMING MACHINES WHICH ARE AVAILABLE FOR USE ON THE PREMISES FOR CATEGORIES B3 AND B4.</p> <p>NO LIMIT ON CATEGORY C AND CATEGORY D MACHINES</p>
BETTING PREMISES	<p>MAXIMUM OF 4 GAMING MACHINES CATEGORIES B2 TO D (EXCEPT B3A MACHINES)</p>
TRACK BETTING PREMISES WHERE POOL BETTING LICENCE HELD	<p>MAXIMUM OF 4 GAMING MACHINES CATEGORIES B2 TO D (EXCEPT B3A MACHINES)</p>
ADULT GAMING CENTRE	<p>MAXIMUM OF 20% OF THE TOTAL NUMBER OF GAMING MACHINES WHICH ARE AVAILABLE FOR USE ON THE PREMISES FOR CATEGORIES B3 AND B4.</p> <p>NO LIMIT ON CATEGORY C AND CATEGORY D MACHINES</p>
FAMILY ENTERTAINMENT CENTRE WITH PREMISES LICENCE	<p>NO LIMIT ON CATEGORY C AND CATEGORY D MACHINES</p>
FAMILY ENTERTAINMENT CENTRE WITH GAMING PERMIT	<p>NO LIMIT ON CATEGORY D MACHINES</p>
MEMBERS CLUB PREMISES	<p>MAXIMUM OF 3 GAMING MACHINES IN CATEGORIES B3A OR B4 TO D (ONLY ONE B3A MACHINE CAN BE SITED AS PART OF THIS ENTITLEMENT)</p>
COMMERCIAL CLUBS	<p>MAXIMUM OF THREE GAMING MACHINES IN CATAGORIES B4 TO D</p>
ON SALES ALCOHOL LICENSED PREMISES	<p>MAXIMUM OF 2 GAMING MACHINES IN CATEGORIES C TO D BY NOTIFICATION NUMBER OF</p>
ON SALES ALCOHOL LICENSED PREMISES WITH GAMING MACHINE PERMIT	<p>CATEGORY C TO D MACHINES AS SPECIFIED ON PERMIT</p>

(UNLICENSED) FEC GAMING MACHINE PERMITS

- 6.9 Where Premises do not hold a Premises Licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that under section 238 the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use.
- 6.10 The Act states that a licensing authority may prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit. In preparing that statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under section 25.
- 6.11 A FEC gaming machine permit may be granted only satisfied that the premises will be used as an unlicensed FEC, and if the Chief Officer of Police has been consulted on the application. The Licensing Authority may grant or refuse a permit but cannot impose conditions upon the grant of a permit. Therefore the licensing authority will wish to be satisfied as to the applicant's suitability before granting a permit. Unlicensed FECs, by definition, will not be subject to scrutiny by the Gambling Commission as no operating (or other) licences will be applied for and issued.

Statement of Principles

- 6.12 Applicants will be expected to show that there are policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits. However, they may include background checks on staff, training for staff in dealing with unsupervised very young children being on the premises, or children causing perceived problems on or around the premises.
- 6.13 Applicants will be expected to demonstrate:
- i) A full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs.
 - ii) That the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act).
 - iii) That staff are trained to have a full understanding of the maximum stakes and prizes; and
 - iv) An awareness of local school holiday times and how to identify the local education office should truants be identified.

- 6.14 Compliance with the Code of Practice in relation to FECs, issued by BACTA, will be taken by the Licensing Authority as evidence that (apart from the criteria relating to criminal convictions) the applicant has met the above.
- 6.15 As these premises are open to children and young persons, the Licensing Authority will require additional information when an applicant applies for this Permit, as follows:
- (i) A plan of the premises to a scale of 1:100. If a 1:100 scaled plan cannot be submitted the plans must be clear and legible in all material respects. All plans must show the exits/entrances to the premises, location of gaming machines, and the location of safety equipment such as fire extinguishers and indicating the location of appropriate clear and prominent notices and barriers, such Notices to state:
 - (a) That no unaccompanied child will be permitted to remain on the premises if that person is required by law to attend school;
 - (b) Highlighting the need to play responsibly;
 - (c) The number and location of Category D machines;
 - (ii) Evidence of staff training by way of a Premises Log Book, covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on/around the premises;
 - (iii) The amount of space around gaming machines to prevent jostling of players or intimidation;
 - (iv) Location and supervision of Automated Teller Machines;
 - (v) Proof of Age scheme;
 - (vi) Evidence that the applicant has complied with Health and Safety and Fire Safety legislation;
 - (vii) Details of opening hours;
 - (viii) Details of external appearance of premises;
 - (ix) Numbers of staff employed;
 - (x) Insurance documents and any other such information the Licensing Authority will from time to time require;
 - (xi) Any other policies or procedures in place to protect children from harm.
- 6.16 The above statement of principles will apply in relation to initial applications only and not to renewals.
- 6.17 With regard to renewals, the Licensing Authority may refuse an application for renewal of a permit only on the grounds that an authorised local authority officer has been refused access to the premises without reasonable excuse, or that renewal would not be reasonably consistent with pursuit of the licensing objectives.

- 6.18 Where an applicant fails to comply with the above requirements, the Licensing Authority may refuse the application. Where there is such a refusal, the Licensing Authority will notify the applicant of its intention to refuse and the reasons for the refusal. The applicant will then have an opportunity to make representations orally, in writing or both and will have a right of appeal against any decision made.
- 6.19 Where the Permit has been granted the Licensing Authority will issue the permit as soon as is reasonably practicable and in any event in line with the Regulations issued by the Secretary of State. The permit will then remain in effect for 10 years unless surrendered or lapsed.
- 6.20 As these premises particularly appeal to children and young persons, the Licensing Authority will give weight to child protection issues and will also consider an applicant's suitability for FEC permits and factors taken into account will include the Applicant's criminal record and previous history and experience of running similar premises, if any.

CLUB GAMING AND CLUB MACHINES PERMITS

- 6.21 Members Clubs and Miners' Welfare Institutes (not Commercial Clubs) may apply for a Club Gaming Permit or Club Gaming Machine Permit.
- 6.22 **Club Gaming Permit**
Club gaming permits allow the premises to provide:
- i) Up to three machines of categories B, C or D.
 - ii) Equal chance gaming; and
 - iii) Games of chance as set out in regulations.
- 6.23 **Club Gaming Machine Permit**
A club gaming machine permit will enable the premises to provide up to three machines of categories B, C or D.
- 6.24 Before granting a permit, the Licensing Authority will wish to be satisfied that applicants for these permits meet the statutory criteria for members' clubs contained in sections 266 and 267 of the Gambling Act and may grant the permit provided the majority of members are over 18 years of age.
- 6.25 The Licensing Authority recognises that there is a 'fast track' procedure for premises holding a Club Premises Certificate under the Licensing Act 2003 and that there is no opportunity for objections to be made by the Commission or the Police and the grounds upon which the Licensing Authority can refuse a permit are reduced.

ALCOHOL LICENSED PREMISES GAMING MACHINE PERMITS

- 6.26 There is provision in the Act for premises licensed to sell alcohol for consumption on the premises, to automatically have two gaming machines, of categories C and/or D. The premises licence holders merely need to notify the Licensing Authority that they intend to exercise their automatic entitlement to gaming machines in their premises.
- 6.27 Under section 284 the Licensing Authority can remove the automatic authorisation in respect of any particular premises if:
- i) Provision of the machines is not reasonably consistent with the pursuit of the licensing objectives.
 - ii) Gaming has taken place on the premises that breaches a condition of section 282 of the Gambling Act (i.e. that written notice has been provided to the Licensing Authority, that a fee has been provided and that any relevant code of practice issued by the Gambling Commission about the location and operation of the machine has been complied with).
 - iii) The premises are mainly used for gaming; or
 - iv) An offence under the Gambling Act has been committed on the premises.
- 6.28 Should it necessary to issue section 284 order, the licence-holder will be given at least twenty-one days' notice of the intention to make the order, and consider any representations which might be made. The authority will hold a hearing if the licensee requests it.
- 6.29 If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the licensing authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and "such matters as they think relevant."

Statement of Principles

- 6.30 This Licensing Authority considers that such matters will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under-18 year olds do not have access to the adult-only gaming machines.
- 6.31 Measures which will satisfy the authority that there will be no access may include the adult machines being in sight of the bar, or in the sight of staff that will monitor that the machines are not being used by those under 18. Notices and signage may also be help.

As regards the protection of vulnerable persons applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.

- 6.32 The Licensing Authority will usually expect holders of gaming machine permits to ensure that the gaming machines are sited in accordance with any relevant code of practice issued by the Gambling Commission and to ensure that they can be adequately supervised whilst in use.
- 6.33 It is recognised that some alcohol-licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would need to be applied for, and dealt with as an adult entertainment centre premises licence.
- 6.34 It should be noted that the Licensing Authority is empowered to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than those restricting the number or category of machines) cannot be attached.
- 6.35 It should also be noted that the holder of a permit to must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

PRIZE GAMING PERMITS

- 6.37 The licensing authority may prepare a statement of principles which they propose to apply in exercising their functions which may, in particular, specify matters that the licensing authority proposes to consider in determining the suitability of the applicant for a permit.
- 6.38 Prize gaming may be provided in bingo premises as a consequence of their bingo operating licence. Any type of prize gaming may be provided in adult gaming centres and licensed family entertainment centres. Unlicensed family entertainment centres may offer equal chance prize gaming under a gaming machine permit. Prize gaming without a permit may be provided by travelling fairs providing none of the gambling facilities at the fair amount to more than an ancillary amusement. Children and young people may participate in equal chance gaming only.
- 6.39 In making its decision on an application for this permit the Licensing Authority does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance.
- 6.40 Applicant should set out the types of gaming they are intending to offer and should be able to demonstrate:
 - i) That they understand the limits to stakes and prizes that are set out in Regulations; and
 - ii) That the gaming offered is within the law.

- 6.41 It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the Licensing authority cannot attach conditions. The conditions in the Act are:
- i) The limits on participation fees, as set out in regulations, must be complied with.
 - ii) 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.
 - iii) The prize for which the game is played must not exceed the amount set out in regulations (if a money prize), or the prescribed value (if non-monetary prize); and
 - iv) Participation in the gaming must not entitle the player to take part in any other gambling.
- 6.42 Applications may only be made by people who occupy or plan to occupy the premises, are aged 18 or over (if an individual), and no premises licence or club gaming permit under the Gambling Act 2005 may be in force.

Statement of Principles

- 6.43 This licensing authority considers that such matters will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under-18 year olds do not have access to unequal chances prize gaming.
- 6.44 A plan must accompany applications indicating where, and what type, of prize gaming is to be provided.
- 6.45 The grounds for decision making as regards renewals are the same as for initial applications.
- 6.46 Where the Licensing Authority intends to refuse the application for a permit, it will notify the applicant of its intention to refuse it stating the reasons and offering the applicant an opportunity to make representations orally or in writing or both.

**PART 7
TEMPORARY AND OCCASIONAL USE NOTICES**

TEMPORARY USE NOTICES (TUN)

- 7.1 A Temporary Use Notice (“TUN”) is a notice which authorises a person or an organisation to conduct gaming activities for a temporary period of time, at a particular premises. However, a TUN may only be granted if the premises user is already in possession of a relevant Operating Licence. The London Borough of Hillingdon is bound by a number of statutory limits as regards TUNs. Section 218 of the Act refers to a ‘set of premises’ and provides that a set of premises is the subject of a temporary use notice if ‘any part’ of the premises is the subject to a TUN.
- 7.2 The reference to a ‘set of premises’ prevents one large premise from having a temporary use notice in effect for more than 21 days in a year by giving notification in relation to different parts of the premises and re-setting the clock.
- 7.3 The Licensing Authority will decide what constitutes a ‘set of premises’ where Temporary Use Notices are received relating to the same building/site.
- 7.4 In considering whether a place falls within the definition of a ‘set of premises’ the Licensing Authority will look at the ownership/occupation and control of the premises and the Licensing Authority will consider whether different units are in fact different ‘sets of premises’. An example would be a large exhibition centre with different exhibition halls. This would be considered properly as one premise and would not be granted a temporary use notice for each of its exhibition halls.
- 7.5 A TUN must be lodged with the Licensing Authority not less than three (3) months and one (1) day before the day on which the gambling event will begin. The person who is giving the TUN must ensure that the notice and copies are with the Licensing Authority and named responsible authorities within seven (7) days of the date of the notice.
- 7.6 On receipt of a TUN the Licensing Authority will send a written acknowledgement as soon as is reasonably practicable and this may be by way of e-mail.
- 7.7 If no objections are made within 14 days of the date of the temporary use notice, the Licensing Authority will grant and return the notice with an endorsement of validity.
- 7.8 If objections are received within 14 days of the date of notice, a hearing will be held to consider the issue of a TUN. Those who raise objections may offer modifications to the notice that will resolve their objections.

If all participants to a hearing agree that a hearing is unnecessary, the hearing may be dispensed with.

- 7.9 The Licensing Authority may 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. The Licensing Authority and other bodies to which the notice is copied may give notice of objection but they must have regard to the Licensing Objectives and where there are such objections, they must give a notice of objection to the person who gave the TUN, such notice will be copied to the Licensing Authority.

OCCASIONAL USE NOTICES (OUN)

- 7.10 An Occasional Use Notice may be used where there is betting on a track on 8 days or less in a calendar year. The OUN dispenses with the need for a Betting Premises Licence for a track and the Licensing Authority will maintain a register of all applications.
- 7.11 The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. The licensing authority will though need to consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice.
- 7.12 Tracks are normally thought of as permanent race courses, but the meaning of track not only covers horse racecourses or dog tracks, but also any other premises on any part of which a race or other sporting event takes place or is intended to take place. Although the track need not be a permanent fixture, land used temporarily as a track providing races or sporting events may qualify.

**PART 8
REGISTRATION OF SMALL SOCIETY LOTTERIES**

DEFINITION OF SMALL SOCIETY LOTTERY

- 8.1 The Gambling Act repeals the Lotteries and Amusements Act 1976. The Licensing Authority will register and administer smaller non-commercial lotteries. Promoting or facilitating a lottery will fall within 2 categories:
- i) Licensed Lotteries (requiring an Operating Licence from the Gambling Commission); and
 - ii) Exempt Lotteries (registered by the Licensing Authority).
- 8.2 Exempt Lotteries are lotteries permitted to run without a licence from the Gambling Commission and these are:
- i) Small Society Lotteries;
 - ii) Incidental Non-Commercial Lotteries;
 - iii) Private Lotteries;
 - iv) Private Society Lottery;
 - v) Work Lottery;
 - vi) Residents' Lottery;
 - vii) Customer Lotteries.
- 8.3 Societies may organise lotteries if they are licensed by the Gambling Commission or fall within the exempt category, and therefore registered by the Licensing Authority, because their proceeds are below specified levels. The Licensing Authority recommends those seeking to run lotteries take their own legal advice on which type of lottery category they fall within. However, guidance notes with regard to all lotteries, limits placed on small society lotteries and information setting out financial limits will be made available on the Council's website or by contacting the Licensing Authority.

THE LICENSING AND REGISTRATION SCHEME

- 8.4 Applicants for lottery licences must apply to the Licensing Authority in the area where their principal office is located. Where the Licensing Authority believes that the Society's principal office is situated in another area it will inform the Society as soon as possible and where possible, will inform the other Licensing Authority.
- 8.5 Lotteries will be regulated through a licensing and registration scheme, conditions imposed on licences by the Gambling Commission, Codes of Practice and any Guidance issued by the Gambling Commission. In exercising its functions with regard to small society and exempt lotteries, the Licensing Authority will have due regard to the Gambling Commission's Guidance.

- 8.6 The Licensing Authority will keep a Public Register of all applications and will provide information to the Gambling Commission on all lotteries registered by the Licensing Authority. As soon as the entry on the Register is completed, the Licensing Authority will notify the applicant of his registration. In addition, the Licensing Authority will make available for inspection by the public; the financial statements/returns submitted by societies in the preceding 18 months and will monitor the cumulative totals for each society to ensure the annual monetary limit is not breached. If there is any doubt, the Licensing Authority will notify the Gambling Commission in writing, copying this to the Society concerned.
- 8.7 The Licensing Authority will refuse applications for registration if in the previous five years, either 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. Where the Licensing Authority is uncertain as to whether or not an application has been refused, it will contact the Gambling Commission to seek advice.
- 8.8 The Licensing Authority may refuse an application for registration if in their opinion:
- i) The applicant is not a non-commercial society;
 - ii) A person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence; or
 - iii) Information provided in or with the application for registration is false or misleading.
- 8.9 The Licensing Authority will ask applicants to set out the purposes for which the Society is established and will ask the Society to declare that they represent a bona fide non-commercial society and have no relevant convictions. The Licensing Authority may, however, seek further information from the Society.
- 8.10 Where the Licensing Authority intends to refuse registration of a Society, it will give the Society an opportunity to make representations and will inform the Society of the reasons why it is minded to refuse registration and supply evidence on which it has reached that preliminary conclusion. In any event, the Licensing Authority will make available on its website its procedures on how it handles representations.
- 8.11 The Licensing Authority may revoke the registered status of a society if it thinks that they would have had to, or would be entitled to; refuse an application for registration if it were being made at that time. However, no revocations will take place unless the Society has been given the opportunity to make representations. The Licensing Authority will inform the society of the reasons why it is minded to revoke the registration and will provide an outline of the evidence on which it has reached that preliminary conclusion.

- 8.12 Where a Society employs an external lottery manager, they will need to satisfy themselves that they hold an Operator's Licence issued by the Gambling Commission and the Licensing Authority will expect this to be verified by the Society.
- 8.13 The Licensing Authority will expect registered small society lottery societies to renew their registrations each year. It is not the responsibility of the Licensing Authority to issue reminders to small society lottery societies to advise of renewals. Registrations will expire if they are not renewed in a timely way. Cancellation of a small society lottery will be confirmed in writing by the Licensing Authority.

**PART 9
DECISION MAKING**

THE LICENSING COMMITTEE

- 9.1 The Licensing Committee will consist of at least 10 Members. Licensing Sub-committees consisting of 3 Committee Members will hear any relevant representations from Responsible Authorities and interested parties. Any of these individuals or groups may specifically request a representative to make representations on the applicant's behalf. This could be a legal representative, a friend, an MP or a Ward Councillor.
- 9.2 Where a Councillor who is a member of the Licensing Sub-Committee is making or has made representations regarding a licence on behalf of an interested party, in the interests of good governance they will disqualify themselves from any involvement in the decision-making process affecting the licence in question.
- 9.3 Licensing Authorities must have regard to the licensing objectives when exercising their functions in relations to premises licences, temporary use notices and some permits.
- 9.4 The decision determined by the Sub-Committee will be accompanied with clear, cogent reasons for that decision, having had due regard to being reasonably consistent with the Licensing Objectives; the Human Rights Act 1998; any relevant code of practice under Section 24 of the Gambling Act 2005; any relevant guidance issued by the Commission under Section 25 of the Gambling Act 2005; and this Statement of Policy. The decision and the reasons for that decision will be sent to the Applicant and those who have made relevant representations as soon as practicable.

DELEGATION OF DECISION MAKING RESPONSIBILITIES

- 9.6 The Council will be involved in a wide range of licensing decisions and functions and has established a Licensing Committee to administer them.
- 9.7 Appreciating the need to provide a speedy, efficient and cost-effective service to all parties involved in the licensing process, decisions on all licensing matters will be taken in accordance with an approved scheme of delegation, as attached at Appendix D.
- 9.8 Many of the decisions and functions will be purely administrative in nature and the grant of non-contentious applications, including for example, those licences and permits where no representations have been made, will be delegated to Council Officers.

PART 10

APPENDIX A

SCHEDULE OF CONSULTEES TO DRAFT POLICY

PERSONS OR BODIES
REPRESENTING THE
INTERESTS OF THOSE
CARRYING ON GAMBLING
BUSINESSES IN THE BOROUGH

Association of British Bookmakers
Association of Licensed Multiple Retailers
British Amusement Catering Association
British Beer and Pub Association
National Casino Industry Forum
British Holiday & Home Parks Association
Greyhound Board of Great Britain
British Institute of Inn keeping
Business in Sport and Leisure Ltd
Casino Operators Association, UK
Community Trade Union
Federation of Licensed Victuallers
Gamcare
AGE UK
Hillingdon Chamber of Commerce
Remote Gambling Association
Responsibility in Gambling Trust
Rugby Football Union
The Bingo Association
The Football Association
The Lotteries Council
The Working Men's Club & Institute Union

PERSONS OR BODIES
REPRESENTING THE
INTERESTS OF THOSE WHO
ARE LIKELY TO BE AFFECTED
BY THE EXERCISE OF THE
AUTHORITY'S FUNCTIONS

All Elected (Ward) Councillors,
London Borough of Hillingdon Council
All "Responsible Authorities" as defined under the Gambling Act

(see Appendix C for list and contact details)

Alcoholics Anonymous (AA)
Gamblers Anonymous
Government Organisations: (LGA, ODPM, LACORS)
Hillingdon Action Group for Addiction Management (HAGAM)
Hillingdon Association of Voluntary Services
Hillingdon's Children and Young People's Partnership Board (CYPSPB)
Hillingdon Community and Police Consultative Group
Hillingdon Drug and Alcohol Services
Hillingdon Law Centre
Hillingdon Mind
Hillingdon NHS
Hillingdon Salvation Army
Hillingdon Samaritans
Hillingdon Youth Offending Service
Hillingdon Tenants and Residents Associations
Hillingdon Federation of Community Associations & similar bodies
Local Licensing Solicitors in Hillingdon
Local Strategic Partnership
Uxbridge Initiative
Uxbridge Magistrates Court

NEIGHBOURING LONDON,
COUNTY AND DISTRICT
COUNCIL'S

London Boroughs of: Brent, Ealing, Hammersmith & Fulham, Harrow and Hounslow
(West London Alliance Members)
And:
Slough Borough Council

Spelthorne Borough Council
Hertfordshire County Council
South Bucks District Council

Three Rivers District Council

Note: This list was not intended to be exhaustive. Comments and observations were welcomed from anyone affected by this policy.

APPENDIX B

SCHEDULE OF RESPONSIBLE AUTHORITIES

For the purposes of the Act, Responsible Authorities are public bodies that must be notified of all applications and who are entitled to make representation in relation to Premises

Hillingdon Licensing Authority
~~c/o Regulatory Services~~**Licensing Service**
 Residents Services
 London Borough of Hillingdon
 Civic Centre, Uxbridge
 UB8 1UW

Hillingdon Planning Authority
 Head of Planning and Enforcement
 Residents Services
 London Borough of Hillingdon
 Civic Centre, Uxbridge
 UB8 1UW

The Gambling Commission
 Victoria Square House
 Victoria Square
 Birmingham
 B2 4BP

Authority for Pollution & Harm to
 Human Health
~~c/o Divisional Environmental Health Officer~~**Antisocial Behaviour & Environment Team**
~~Environmental Protection Unit~~
 London Borough of Hillingdon
 Civic Centre, Uxbridge
 UB8 1UW

Chief Officer of Police, London
 Borough of Hillingdon
 c/o Licensing Sergeant
 Uxbridge Police Station
 1 Warwick Place
 Uxbridge
 UB8 1PG

Local Safeguarding Children Board
 c/o Director of Children Services
 London Borough of Hillingdon
 Civic Centre, Uxbridge
 UB8 1UW

~~Chief Officer of Police, Heathrow
 Metropolitan Police,
 East Ramp
 London Heathrow Airport
 TW6 2DG~~

HM Revenue & Customs
 Betting and Gambling Department
 Portcullis House
 21 India Street
 Glasgow
 G2 4PZ

London Fire and Emergency
 Planning Authority
 Hillingdon Fire Safety Team
 Hillingdon Fire Station
 Uxbridge Road
 Hillingdon
 UB10 0PH

Authorities for Vessels:
 Navigation Authority
 The Enforcement Agency
 The Canal and River Trust
 The Secretary of State

Appendix C SUMMARY OF DELEGATION OF POWERS

MATTER TO BE DEALT WITH	FULL COUNCIL	SUB-COMMITTEE	OFFICERS
Three year licensing policy	X		
Policy not to permit casinos	X		
Fee Setting - when appropriate	Cabinet		
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Commission	Where no representations received from the Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Review of a premises licence		X	
Application for club gaming /club machine permits		Where representations have been received and not withdrawn	Where no representations received/ representations have been withdrawn
Cancellation of club gaming/ club machine permits		X	
Applications for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Notifications and applications for two or three gaming machines			X
Applications for four to five gaming machines			Officers in consultation with the Chairman of the Licensing Sub-Committee
Applications for more than five gaming machines		X	
Decision to give a counter notice to a temporary use notice		X	
Section 284 Order to revoke the automatic entitlement for 2 gaming machine notifications		X	

Annex A

Clarification added by full Council on 7 September 2017 with respect to ward councillors making representations:

Where a Ward Councillor makes representations upon an application within their ward, in writing, to the Head of Administrative, licensing, Technical and Business Services within the appropriate statutory period of consultation for the application, that application shall be submitted to the Licensing Sub-Committee for determination. The Ward Councillor must include in their representations the reasons why they wish the application to be determined by the Sub-Committee.

EMERGENCY RESPONSE PROCESSES

Committee name	Residents, Education and Environmental Services Policy Overview Committee
Officer reporting	Debbie Lewis, Emergency Management and Response Manager
Papers with report	None
Ward	All

HEADLINES

This report provides the Committee with an update on the Council's emergency response processes required in the event of a major incident, emergency or situation.

RECOMMENDATIONS:

That the Committee:

- 1. Notes the resilience activities undertaken within the report.**

SUPPORTING INFORMATION

The Council, as a local authority, has been classified as a Category 1 responder under the Civil Contingencies Act 2004 along with all the emergency services, receiving hospitals and a number of government agencies. The Council has a statutory responsibility to undertake the following duties:-

- Assess the risk of emergencies occurring and use this to inform contingency planning
- Put in place emergency plans
- Put in place business continuity management arrangements
- Put in place arrangements to make information available to the public about civil protection matters and maintain arrangements to warn, inform and advise the public in the event of an emergency
- Share information with other local responding organisations to enhance coordination
- Cooperate with other local responding organisations to enhance coordination and efficiency
- Provide advice and assistance to businesses and voluntary organisations about business continuity management

Under the Act, an emergency is defined as:

'An event or situation which threatens serious damage to human welfare in a place in the United Kingdom, the environment of a place in the UK, or war or terrorism which threatens serious damage to the security of the UK'

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Emergency Management and Response Service

The Emergency Management and Response Service, (EMRS) comprising the Emergency Management and Response Manager, London Standardisation Project Officer and the on call duty staff, sits within the Anti-social Behaviour and Environment Team under the Service Manager, Nathan Welch. The Director with responsibility for Resilience Preparedness is Perry Scott, Director of Infrastructure, Procurement, Business Improvement, Communications, Waste Services & ICT as part of the Residents Services Directorate with Jean Palmer as the Corporate Director.

The Emergency Management and Response Manager leads on emergency planning for the Council and provides the secretariat function for the statutory, multi-agency Hillingdon Resilience Forum, the group through which this duty is discharged. Resilience partners include the emergency services, Public Health England, NHS England, the Environment Agency, utility companies, local businesses, Heathrow Travel Care, RAF Northolt, Heathrow Airport, Hillingdon Hospital, Hillingdon CCG and the London Resilience Group who work together to prepare plans and procedures for responding to, dealing with and recovering from incidents which could occur in Hillingdon or the surrounding Boroughs.

For the elements outside of the Council's responsibility, such as:- RAF Northolt and Heathrow Airport; infectious diseases; the transportation of patients; flood defences and fires in high density buildings the Council liaises very closely with our resilience partner agencies.

With regard to RAF Northolt and Heathrow Airport, the Squadron Leader and Business Resilience partners, respectively, regularly attend the Hillingdon Resilience Forum and participate in exercises. Both year and this year the Council participated in two Heathrow exercises. In May 2018 Exercise Raptor was held to test the response arrangements to a marauding terrorist incident requiring the evacuation of Terminals 2 and 3 and the activation of the Council's rest centre and humanitarian response capability in addition to working with the neighbouring London Boroughs of Hounslow and Hammersmith and Fulham with regard to the arrangements required for mass fatalities.

This year's Exercise Gator took place on 2nd July and involved the release of Hydrogen Sulphide on a Heathrow Express Train on Platform 1 at Terminal 3. In the response the Council was requested to support the Metropolitan Police Service (MPS) and Border Force (BF) with the processing of passengers in the Survivor Reception Centre and to assist with the registration of the friends and relatives in the Families and Friends Reception Centre in addition to providing humanitarian assistance to the survivors, their relatives and friends for several days and weeks.

Although, infectious diseases and the transport of patients are NHS responsibilities the Council liaises very closely with NHS partner organisations in minimising the risk to our relatives and staff ensuring that any outbreaks are contained within the community in order to minimise the spread of infection. The Council does have a Pandemic Influenza Plan which has been included as a background paper for members of the committee to scrutinise. If, and as, required to do so, the Council also has the capability and the capacity to transport residents.

Where fires in high density buildings are concerned the responsibility for fire-fighting and

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making the decision to evacuate the residents is at the behest of the London Fire Brigade. The Council is responsible for looking after displaced residents and providing welfare support to those affected by the incident. As such the Council may be required to provide overnight accommodation in a rest centre and to establish a Humanitarian, or Community Assistance Centre.

Under the Flood and Water Management Act (2010) the Council is designated as a Lead Local Flood Authority and is responsible for local sources of flooding which is defined as surface water, groundwater or ordinary watercourses. The Environment Agency retains the lead for main-river flooding and providing a national flood warning service. The 'riparian' (a person who owns land on the bank of a natural watercourse or body of water) is responsible for clearing any blockages or damage.

With regard to flood defences, although reference is made to the provision of sandbags within the Council's Flood Plan, given the risk of flooding within the Borough consideration could be given to having a more robust solution in place with the procurement of barriers specifically designed for flood rescue operations in order to contend with difficult conditions.

Local Authorities Panel

The Local Authorities Panel (LAP) of the London Resilience Forum (LRF) provides a pan-London local authority approach to core standards for major emergency and business continuity planning. The Chief Executives London Committee (CELC) and the London Council's Leaders Committee have received and agreed a number of proposals for enhancing the emergency response capabilities and capacities at Borough, sub regional and pan-London levels. These include the introduction of the Resilience Standards for London (replacing the previous Minimum Standards for London) a new Concept of Operations for Emergency Response and Recovery (CONOPS) which sets out a range of requirements to be observed by all 33 London local authorities, and a range of new, standardised procedures and training for a number of emergency response roles.

Standardisation Project

The requirement to have a pan-London, standardised approach arose as a result of the lessons that were identified during the responses to both exercise Unified Response in February 2017 which involved a building collapse onto a tube train which caused mass casualties and mass fatalities, and from the Grenfell Tower Tragedy in June 2017. Having a standardised approach to emergency response also supports the concept of Mutual Aid which ensures that all London Borough staff are trained to the same standard.

The pan-London Standardisation Project has resulted in a new command and control structure comprising the Council Gold Group, Council Silver Group along with two new roles, namely Council Silver and the BECC Manager, which have replaced the Emergency Coordination Officer (ECO) and BECC Supervisor. In order to enable the Council to fully implement the pan-London Standardisation Project, additional senior officers were required to fulfil these two new roles, and as a result of these formal call-out rotas have been in place since February 2019 along with the Council Gold and Emergency Response Officer (ERO) rotas.

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All of these roles are supported by clear plans for responding to an emergency event and to enable the on call duty staff to fulfil their roles. Action Cards have been produced for Council Gold, Council Silver, BECC Manager and BECC staff along with a Council Silver Handbook. To date the Council has fifteen executive and senior officers performing the on call Council Gold role, thirty on call Council Silver and BECC Manager Duty staff and fifteen Emergency Response Officers.

The Corporate Emergency Response Plan, BECC Management Operating Procedures and the Recovery Management Plan have also been updated and produced and are available to Council officers responsible for performing the on call duty.

Also included within the Standardisation Project are the Emergency Centres Plan which incorporates the standard operating procedures for Rest Centre, Survivor Reception Centre, Family and Friends Reception Centre, and the Humanitarian Assistance Centre. This plan is due to be ratified by the Corporate Management Team on July 17th and the Council's cohort of Rest Centre Managers and Officers will be trained accordingly by a visiting lecturer from the Cabinet Office Emergency Planning College.

Overview of Emergency Response Staffing Levels

The table below shows the roles and the training undertaken to date.

Role	Trained
Council Gold	14
Council Silver	30
Borough Emergency Control Centre Managers	29
Borough Emergency Control Centre Officers	12
Local Authority Liaison Officers	11
Loggist	21

The Role of Members in an Emergency

Following recent high profile incidents, the Local Authorities Panel commissioned a project to design bespoke guidance and a suite of associated training packages for all Councillors in London. These training packages aim to provide knowledge and awareness of London's response arrangements, as well as more specific information on local arrangements within each of the Boroughs. However, the main focus of the next training is on the political role of councillors in preparedness, response and recovery.

The training packages for Councillors are positioned to enhance existing local briefing and training initiatives at the same time as instilling greater consistency of approach. Guidance on how to provide assurance, how to respond to, and support recovery from the types of emergency events that are likely to occur both within the Borough; as well as providing guidance on relevant emergency planning protocols and procedures.

Additionally there are clear differences between the roles of Leaders, Mayors and Cabinet Members, which are distinct from ward members or scrutiny panel members. Therefore these training packages will better reflect this division of roles and responsibilities.

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The purpose of the training packages is to ensure that the approach is proportionate and enhances Members effectiveness in order to ensure their actions during the response to a major incident complements the activities underway by the Council's senior officers.

The guidance and the overarching training programme have been approved by the Local Authorities Panel, with strong endorsement from Chief Executives. The project has progressed into a pilot phase in order to tailor the training packages and test deliverability.

- During June 2019, the first round of the Pilot Phase 1 In House Ward Member Training took place in two of the four pilot boroughs only, with the second round taking place in July 2019 with the remaining two boroughs.
- For the Pilot Phase 2 Central Ward Councillor Training the first round will take place in September 2019 and the second round in October 2019.
- The first round of The Leader, Mayor and Cabinet Member Training will take place during September/October 2019 and the second round in October.
- The final course that emerges from the pilots will be available for delivery from the beginning of 2020.

Emergency Planning Exercises

Emergency planning exercises provide an opportunity to test the plans and procedures in place, as well as enabling trained staff to practice their roles. The Council held an internal emergency planning and business continuity exercise on 14th March 2019 in response to an explosion of a high pressure gas pipeline within the Borough. Fifteen council staff participated in the exercise which tested the new command and control roles and the Council's Corporate Emergency Response and the Pipeline Emergency Plans.

The Council participated in the pan-London local authority Exercise Safer City, which is designed to test the London Local Authority Gold (LLAG) arrangements and the supporting mechanisms including the London Local Authority Coordination Centre (LLACC) and Borough response arrangements. The 2019 exercise also provided the first opportunity for the Council to test elements of the new Standardisation Project. The exercise, which was based around a water contamination incident, was held over two days on 1st and 2nd May 2019.

Hillingdon Resilience Forum held the multi-agency Exercise Amberoid which took place with partner agencies and organisations, including Cadent Gas, on the 4th June 2019 in order to test the multi-agency response and the Council's Pipeline Emergency Plan.

The Council will also be participating in two Control of Major Accident Hazards (COMAH) exercises on 7th October and 12th November 2019.

Terrorist Incidents - Planning, Preparing and Responding

The UK faces a variety of terrorist threats. These are classed into three distinct groups:

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International Terrorism, Northern Ireland Related Terrorism and Domestic Extremism. Due to the wide range of scenarios which could now be considered terrorist incidents and which may result in an increase in threat level, it is almost impossible to produce a definitive planning assumption. As a result of the threat posed the Council provided a number of Action Counters Terrorism (ACT) Training sessions which were delivered by an MPS Counter Terrorism Officer during 2018. To date 195 Council staff have attended this training and more training sessions will be provided later on in the year.

Additionally a further session was delivered to the post room staff with regard to suspect packages and the Council's emergency procedures are being reviewed as a result.

Incidents in 2018/2019

There have been a number of incidents in the community since May 2018. Those that required the attendance at the scene of a Local Authority Liaison Officer, the evacuation of residents, and/or the support of the Borough Emergency Control Centre or Emergency Management and Response Manager and rest centre activation are listed below. All these incidents have served to validate the call out arrangements, rotas and for managing information and situational awareness. The response to each incident is reviewed to identify any lessons for improvements which are then used to inform operational procedures.

Incidents:-

- 24/05/18 House fire West Drayton
- 10/09/18 Burst water main, Falling Lane
- 29/06/19 Back garden fire Hayes
- 01/07/19 Flat fire West Drayton

Implications on related Council policies

There are no implications are current Council policies.

How this report benefits Hillingdon residents

The work outlined in this report supports the Council's aim of putting our residents first during the response to major incidents, emergency events or situations.

Financial Implications

There are no financial implications of this report.

Legal Implications

Under the Civil Contingencies Act 2004, the Council has a statutory duty to maintain arrangements to warn the public and to provide information and advice to the public, if an emergency is likely to occur or has occurred.

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2020/21 BUDGET PLANNING REPORT FOR SERVICES WITHIN THE REMIT OF RESIDENTS, EDUCATION AND ENVIRONMENTAL SERVICES POLICY OVERVIEW COMMITTEE

Committee name	Residents, Education and Environment Services Policy Overview Committee
Officer reporting	Peter Malewicz
Papers with report	N/A
Ward	All

HEADLINES

This is the first opportunity for the Policy Overview Committee to discuss the current stage of development of budget planning work with regard to services within the remit of Residents, Education and Environment Services Policy Overview Committee. This paper gives a strategic context in which the detailed proposals to be discussed at Policy Overview Committee meetings in January 2020 will need to be considered.

RECOMMENDATIONS

1. **That the Committee notes the financial context in which the 2020/21 budget setting process will take place in advance of detailed savings proposals being developed and approved at Cabinet in December 2019.**

SUPPORTING INFORMATION

2. This is the first of two opportunities within the planning cycle for the Policy Overview Committee to consider issues relating to budget planning for 2020/21 and beyond. The focus of this report is the broader financial position of the Council, with the report to be considered in January 2020 setting out the detailed budget proposals for relevant services, those proposals having been included in the report to Cabinet on the Medium Term Financial Forecast (MTFF) on 12 December 2019.

Corporate Overview – General Fund

3. While the focus of the discussion for the Policy Overview Committee should be the specific services within its remit, it is important that this discussion is conducted in the context of the overall corporate financial position. The following paragraphs outline the medium term financial position presented in the 2019/20 Budget Setting Report approved by Cabinet and Council in February 2019.
4. The budget gap and savings requirement for the three years to 2022/23 stands at £28,467k or 12% of the Council's current £229,928k budget requirement after allowing for an assumed

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2.99% per annum increases in Council Tax, with the budget gap front-loaded as a result of the heavy reliance on use of reserves in the current financial year.

- This position is expanded upon below, but in broad terms £11,837k of the budget gap reflects 'business as usual' inflation and demand-led pressures off-set by increased funding, £8,854k is driven by capital financing costs and other investment decisions, with the final £7,776k savings effectively deferred from earlier periods through use of reserves.

Table3: Projected Budget Gap detail

Headline MTFF Assumptions	2019/20 £'000	2020/21 £'000	2021/22 £'000	2022/23 £'000	Total £'000
Changes in Recurrent Funding	(457)	(4,326)	(2,848)	(3,515)	(10,689)
Changes in One-Off Funding	375	7,636	0	0	7,636
Inflation	7,352	5,889	6,029	6,175	18,093
Corporate Items (90% Capital Financing Costs)	1,200	3,257	3,065	2,972	9,294
Contingency (Service Pressures)	6,207	2,545	3,006	3,090	8,641
Priority Growth	1,442	(440)	0	0	(440)
Underlying Savings Requirement	16,119	14,561	9,252	8,722	32,535

- An uplift of £10,689k in recurrent funding is projected over the three-year MTFF period, primarily driven by an expected £10,000k uplift arising from a combination of additional investment in the local government sector from Spending Review 2019 and distributional gains from the Fair Funding Review combined with a smaller net favourable movements across the local taxbase.
- This uplift in recurrent funding is expected to be damped through the falling out of £7,636k one-off funding available in 2019/20, primarily relating to the budgeted £6,600k additional income available through the pilot London Business Rates Pool which will end with the implementation of the Fair Funding Review and £1,036k of Collection Fund surpluses to be secured in 2018/19 and 2019/20.
- Inflation represents the single largest element of the underlying savings requirement, reflecting the growing cost of maintaining current service provision, with a headline pressure of £18,093k over the MTFF period. Workforce inflation through anticipated annual 2% pay awards and an expected 0.5% per annum increase in employers' pension contributions accounts for £8,915k of this growth, with £6,656k increases on the cost of care provision where annual pay inflation of around 4% is expected to keep pace with growth in the London Living Wage. The remaining £2,522k inflation reflects other contracted expenditure, energy costs and other expenses.
- Corporate Items, which primarily relate to the ongoing costs of financing capital investment, represent the second largest contributor to the budget gap with £9,294k growth required over the MTFF period. The £142,949k capital investment without a specific financing strategy in the current capital programme is the key driver of a £7,000k growth in debt financing and repayment costs over this three-year period, with each £10,000k capital investment requiring approximately £540k ongoing revenue support. Alongside capital financing charges and a number of minor items, £1,274k growth would be required to maintain current investment in service transformation should current powers to use capital receipts end in 2022/23 and

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£1,095k growth in the net cost of the Older People's Discount Scheme following one-off use of earmarked reserves in 2019/20 make up the remainder of this total.

10. Increasing demand for services linked to a growing and changing population accounts for £8,641k of the projected savings requirement, which reflects a continuation of current trends across Waste disposal, Adult Social Care, SEN Transport and Children's Social Care. Annual growth of approximately 5.5% in the cost of waste disposal due to a combination of population growth and price increases is expected to require £2,650k growth, with £2,576k increase in demand for Adult Social Care reflecting growing demand across the full range of care provision. Provision of £2,319k is included to manage growing demand across Children's Services, with £1,428k uplifts on SEN Transport partially driven by the ongoing impact of the 2014 Children's and Families Act. These specific growth items are partially offset by stepping down the level of General Contingency to £500k.
11. Taken together with the release of £440k of one-off Priority Growth allocated to Ward Budgets in 2019/20, this would result in a net increase of £32,535k in the cost of delivering services to residents. However, the reliance upon £7,776k of General Balances to deliver a balanced budget in 2019/20 increases the budget gap to £40,311k. The following table sets out the outline budget strategy presented to Cabinet in February 2019 over the three-year period 2020/21 – 2022/23 to manage this savings requirement, approved by Cabinet in February 2019.

Table 3: Savings Requirement (February 2019) 2020/21-2022/23

Outline Budget Strategy	2019/20	2020/21	2021/22	2022/23	3 year Total
	£'000	£'000	£'000	£'000	£'000
Underlying Savings Requirement	16,119	14,561	9,252	8,722	32,535
Proposed Council Tax Increase	(2,684)	(3,509)	(3,689)	(3,884)	(11,082)
Approved Savings Proposals	(6,609)	259	(20)	(1)	238
<i>Proposed Savings Programme</i>	<i>0</i>	<i>(14,087)</i>	<i>(8,543)</i>	<i>(5,837)</i>	<i>(28,467)</i>
Unwind call on General Balances	950	7,776	5,000	2,000	N/A
In-year Call on General Balances	(7,776)	(5,000)	(2,000)	(1,000)	(8,000)
Closing General Balances	33,863	28,863	26,863	25,863	N/A

12. Inflationary Council Tax increases of 2.99% per annum have been reflected in the outline budget strategy, providing a mechanism to offset £11,082k of the inflationary growth in the cost of services while remaining lower than the average level of growth across London since 2016/17. This additional income provides a mechanism to finance an element of inflationary and demand-led growth in cost of current service provision, reducing growth in the net cost of 'business as usual' to £11,837k or 42% of the budget gap. The remaining budget gap consists of £8,854k financing for local investment decisions and Priority Growth, primarily linked to capital financing costs, alongside £7,776k savings effectively deferred from earlier periods through the use of balances.

Corporate Overview - Other Funds

13. The Housing Revenue Account (HRA) is subject to a statutory ringfence, with £56,186k of rental income from the Council's social housing provision being reinvested in maintenance, improvement and expansion of housing stock. The approved capital programme includes

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funding to acquire 428 new dwellings over the period to 2023/24, providing a mechanism to replace an expected 300 sales of properties to sitting tenants through the Right to Buy. The financial standing of the HRA remains sound, with the 30 Year Business Plan demonstrating sustainability of the current operation over the longer-term.

14. The Council receives funding for Schools' Budgeted Expenditure through the Dedicated Schools Grant (DSG), which is a ring fenced grant. The DSG funds both the delegated individual schools budget and items which the School and Early Years Finance (England) Regulations allow to be retained centrally by the Council, including Special Educational Needs, Alternative Education provision and Early Years provision.
15. As highlighted in the monthly budget monitoring reports to Cabinet throughout 2018/19, funding provided by the Department for Education through the DSG has failed to keep pace with growing demand on High Needs following the introduction of the 2014 Children's and Families Act. At the time of budget setting this was expected to contribute towards a £3,499k deficit for 2019/20, which would result in the cumulative deficit on the DSG reaching £10,880k by 31 March 2020. The Council was successful in securing authority from the Secretary of State for Education to transfer 1.6% of funding from individual schools budgets to High Needs, on a one-off basis, to mitigate the majority of the emerging pressure in 2019/20.
16. Following new direction from the Department for Education, the Council was required to submit a Deficit Recovery Plan by 30 June 2019. While the Deficit Recovery Plan outlines a comprehensive programme of activity, including investment in additional SEND provision, a significant remodelling of support for SEND across the Council's education functions and proposals around redistribution of individual schools' balances it is unlikely that this will be sufficient to mitigate the growing in-year pressure, let alone make good the cumulative deficit. This plan was jointly approved by the Council and Schools Forum, with the response supportive of the broader lobbying effort to secure additional resources from government to recognise this unfunded burden.

Strategy to deal with the Budget Gap

17. The Council is well placed to respond to the on-going financial challenge, with a solid track record of delivering balanced budgets and retaining £40,344k unallocated General Balances at 31 March 2019. Over the five year period since 2015/16, the Council has successfully implemented (or in the case of 2019/20 are expected to be delivered in full) a £53,633k savings programme, responding to the combined challenges of reducing funding and growing demand for services while minimising the impact on services to Residents.
18. A thematic overview of the savings programmes for 2015/16 to 2018/19 is presented below, with the following themes continuing to form the basis of development of savings proposals for 2019/20 and future years:
 - a. Service Transformation represents the single largest category of savings, with items presented in this category primarily linked to implementation of the BID Programme;

- b. Savings proposals from Zero Based Reviews represent budgets which have been identified as being surplus to requirements through the line-by-line review of outturn and similar exercises being undertaken by Finance;
- c. Effective Procurement savings capture the benefits secured from efficiency savings from contracted services and reviews of delivery models in a number of areas;
- d. Preventing Demand - initiatives such as the Supported Living Programme where investment in early intervention and other support can avoid more costly intervention at a later date;
- e. Income Generation & Commercialisation proposals primarily relate to amendments to Fees and Charges; and,
- f. Changes of Responsibility & Funding Streams relates to mechanisms such as the New Homes Bonus, Troubled Families Grant and the synergies / efficiencies arising from transfers of functions to and from Local Government such as Education and Public Health.

Table 2: 2015/16 to 2018/19 Savings Programme

	2015/16	2016/17	2017/18	2018/19	2019/20	Total
	£'000	£'000	£'000	£'000	£'000	£'000
Service Transformation	(1,269)	(3,864)	(7,222)	(3,936)	(2,816)	(19,107)
Zero Based Reviews	(1,863)	(3,705)	(4,691)	(2,536)	(638)	(13,433)
Effective Procurement	(2,002)	(1,388)	(2,171)	(1,385)	(1,281)	(8,227)
Preventing Demand	(2,231)	(1,171)	(407)	(2,695)	(1,874)	(8,378)
Commercialisation & Maximising Income	(493)	(854)	(1,017)	(103)	0	(2,467)
Change of Responsibility & Funding Streams	(742)	(1,279)	0	0	0	(2,021)
Savings Programme	(8,600)	(12,261)	(15,508)	(10,655)	(6,609)	(53,633)

MTFF Process Update and Timetable

19. The timetable for the budget process has been refreshed and the first MTFF sessions with Groups took place during early July to review the detailed budget proposals developed by each group. Progress on the development and delivery of these proposals will be monitored monthly by the Corporate Management Team, HIP Steering Group and the Leader of the Council throughout the remainder of the year.

Table 3: MTFF Timetable

2020/21 Budget Setting and Medium Term Financial Forecast	
March 2019 to February 2020	Monthly Updates to the Corporate Management Team and HIP Steering Group
July 2019	Zero Based Review of 2019/20 Budgets
	Summer Challenge Sessions
	Summer Budget Report to Members
	Budget Scoping Reports to July POCs
October 2019	Autumn Challenge Sessions
November 2019	Autumn Budget Report to Members
December 2019	Provisional Local Government Finance Settlement
	Consultation Budget Report to Cabinet
January 2020	Public Budget Consultation
	2020/21 Budget Proposals to January POCs
February 2020	Final Local Government Finance Settlement
	Final Budget to Cabinet and Council

Next Steps

20. The Medium Term Financial Forecast setting out the draft revenue budget and capital programme will be considered by Cabinet on 12 December 2019 and issued for consultation during the remainder of December 2019 and January 2020. This will include detailed consideration by each of the Policy Overview Committees of the proposals relating to their respective services.

21. Key issues within the remit of Residents, Education and Environment Services Policy Overview will continue to be tracked through the Council's budget monitoring process, with monthly reports to Cabinet detailing the latest position and outlook for 2019/20.

Implications on related Council policies

A role of the Policy Overview Committees is to make recommendations on service changes and improvements to the Cabinet who are responsible for the Council's policy and direction.

How this report benefits Hillingdon residents

None at this stage, pending any findings approved by Cabinet.

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Financial Implications

None at this stage.

Legal Implications

None at this stage.

BACKGROUND PAPERS

The Council's Budget: General Fund Revenue Budget and Capital Programme 2019/20 – reports to Cabinet 14 February 2019 and Council 21 February 2019.

The Council's Budget: 2019/20 Revenue and Capital Month 2 Budget Monitoring – report to Cabinet 25 July 2019

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Quarterly School Places Planning Update

Committee name	Residents, Education and Environmental Services Policy Overview Committee
Officer reporting	Dan Kennedy, Residents Services Sarah Phillips, Residents Services
Papers with report	None
Ward	All

HEADLINES

This report updates the Committee on primary and secondary school places, noting that all pupils starting school in September 2019 have been offered a place. At secondary level, five schools offered extra places for September 2019, equating to 82 additional places. The current primary school rolls and offers for September 2019 Reception suggest the reduction in demand for primary places is now a steady trend and therefore it is time to consider the option to reduce the number of primary places at some schools across the Borough, in a managed way. Discussions with schools are underway and proposals are being developed for Member consideration, and subject to agreement, will be brought to Cabinet in the Autumn.

RECOMMENDATIONS:

The Committee note that:

- 1. all children starting secondary school in September 2019 have been offered a school place, despite a record number of applications being received;**
- 2. detailed secondary school places planning is underway to ensure there are sufficient places for the period to September 2023;**
- 3. primary school rolls have stopped rising and in some areas are beginning to decline. Proposals are being drawn up, led by schools, to reduce some primary Published Admissions Numbers, for Member consideration.**

SUPPORTING INFORMATION

Secondary School Places

- 4. As previously reported to the Committee, rising demand for secondary school places is evident, as forecast. For September 2019, all children have been offered a school place. There are still some late applications coming in but it is anticipated that all will be accommodated. Nearly all secondary schools will be full or close to being full. The exception is Harefield Academy, where a number of offers of places were declined by parents.**

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5. Since this increase in demand is set to continue for the next five years, detailed work is underway to review options for meeting this need and make recommendations to Members. This includes the new Free School north of the A40, approved by the Department for Education (DfE). It is predicted that there will also be a need for some more places in the next five years in the south of the Borough, which may be accommodated in temporary or permanent expansions of existing schools. Feasibility studies are underway and will be reported to Members in the first instance.

Primary School Places

6. Overall primary school rolls peaked in 2013-2015 and from 2016-19 are on a slow decline (about -1% year) which is supported by the latest available data on primary admission offers for September 2019. There are no signs yet of either significant population growth or sharp decline.
7. In the table below, the 2019 reception offers are as at May 1.

Table 1 reception capacity, roll and surplus places 2012 - 2019

October / start of school year	2012	2013	2014	2015	2016	2017	2018	2019
Total Reception Capacity	4086	4431	4581	4527	4581	4581	4551	4551
Total Reception Roll	3994	4132	4063	4240	4181	3960	3993	3911
spare places	92	299	518	287	400	621	558	640
% vacant	2.25%	6.75%	11.31%	6.34%	8.73%	13.56%	12.26%	14.06%

8. As an education authority, the Borough must plan for a sufficiency of places and efficient use of resources. The table shows that the demand and capacity across the primary sector has been variable from year to year since 2012. Now, after some fluctuations, it is clear that the level of surplus in the primary sector continues to be too high, pooling in a few schools. There is the opportunity therefore to review the number of primary places and potentially reduce Published Admission Numbers (PAN) in some schools to ensure schools and the authority best meet the needs of all pupils across the Borough, and make effective use of resources in schools and between them. Importantly, though the process to reduce PAN requires considerable data and consultation, it is easy to reverse, so admissions authorities can quickly respond to a rise in demand and decide to admit over PAN on a temporary or permanent basis.
9. The autumn census determines each school’s budget share and the number of classes needed to meet the legal Infant class size limit of 30 pupils per teacher. A mismatch between the total roll and the need for classes and teachers across the seven primary year groups can create financial pressures for schools. As funding levels are so tight, schools need nearly all the classes to be of the order of 25 pupils, ideally full. Schools with declining or volatile rolls face big changes in their annual budget.

10. Most London Authorities have agreed, or are planning, reductions in primary capacity and some also have informal 'caps' on admissions. The volatility requires more regular changes, especially since school finances are so challenging. New pupil roll growth will be from new housing and migration into different year groups, not just reception.
11. Most primary schools in the Borough are graded good or better by Ofsted, with better buildings (many having been improved by the Council), more trained staff, and more pupils than ever. Improved buildings and facilities give a good basis to flex the offer through this period of volatility. Planning for school places is closely linked to the SEND review of places to optimise the use of school budgets.
12. Reception numbers overall remain at a similar level since 2016. There are big variations in how full to capacity schools are and the pockets of surplus places in a few schools continue to grow. The press has recently reported on the movement of young families out of London to the rest of the country. It is clear that in Hillingdon private sector rents have risen and there are some changes to housing tenure which have decreased the number of families - as some houses are being rented to adults only / single persons households.
13. Hillingdon is one of the largest London Boroughs and some schools serve relatively isolated 'village' communities or specific faith groups, others are urban but most serve 'suburban' residential areas. Primary schools are larger than the national or London average - most are PAN 90 (3FE) or 4FE or 5FE, with fewer 1FE and 2 FE. The 70 primary schools have rolls ranging from 165 to 933.
14. Proposals are being prepared that still need final checking in September and discussion with schools and then consideration by Cabinet, for some reductions in Planned Admissions Numbers. Because rolls are so volatile the final decision on a few of these schools will be taken in September after it is clear exactly how many pupils have started in Reception. The relevant governors are each very supportive and keen for these changes. These schools are all evenly spread across the Borough and all are graded Good by Ofsted except one which requires improvement. Several have high mobility of pupils moving in and out.
15. The emerging proposals for Member consideration and agreement would reduce the surplus capacity to about 6% in areas where there will be other places nearby in 'good' schools for parents.
16. The process of reduction has legal status and requires governors of schools to formally agree, and Cabinet to agree the changes in respect of the community schools. Proposed changes would be subject to consultation. If agreed, changes will take effect from September 2021. Should an Academy school decide to reduce their PAN then they have to submit their proposals to the DfE but must consult the local authority.
17. In those few cases where there are clearly places in nearby schools, officers are investigating criteria for applying some 'temporary caps' to reduce the capacity until demand rises, or a permanent change is agreed. Capping is used in other authorities to provide an immediate but temporary means of withdrawing some places until the need increases and the Planned Admission Number can be restored. It cannot be applied to the Reception year.

18. This is temporary, often in advance of a legal variation to the PAN. The admissions team would promote places at an alternative nearby school - particularly when there are places nearer to the pupil's home. In most cases, parents will be anxious that their child would be joining a class going through upheaval with an unknown new teacher and will accept the advice and accepted the diverted offer. Should a cap be applied, it will be lifted when there is an upturn in applications, or a legal variation in the PAN takes effect.
19. The LA Admissions team would monitor and manage the need for removing the caps in joint partnership with other admission authorities to identify which school could most easily absorb more pupils in a specific year group.

New projections to 2026

20. The GLA has processed all our demographic and housing data and has drafted revised projections for schools places in each area which are currently being checked and tested. They will be submitted at the end of July as the council's formal data return to the DfE on future capacity and demand. They highlight the number of pupils in our primary schools is stable so the changes to reduce surplus places are needed - and that the totals for year groups already in our primary schools exceed our secondary school capacity and so reinforce the need for more permanent school places.

Implications on related Council policies

21. The actions noted in the report support the council's desire and statutory responsibility to ensure sufficient school places.

How this report benefits Hillingdon residents

22. The recommendations set out in this report ensures that there is effective scrutiny of the school place planning process, thereby contributing to ensuring that there are sufficient school places for Hillingdon residents.

Financial Implications

23. There are no direct financial implications arising from the recommendations set out in this report.

Legal Implications

24. Actions underway will help ensure schools and the council meet the legal framework governing school places and admissions arrangements.

BACKGROUND PAPERS

25. None.

SCOPING REPORT FOR REVIEW

Committee name	Residents, Education and Environmental Services Policy Overview Committee
Officer reporting	Neil Fraser, Democratic Services Officer
Papers with report	Draft Scoping Report for Review
Ward	All

HEADLINES

At the last meeting of the Committee it was agreed that the next major review of the Residents, Education and Environmental Services Policy Overview Committee would focus on the topic of littering and fly tipping within the Borough. Officers have produced a draft scoping report for the Committee's consideration.

It is envisaged that there will be three witness sessions, with a suggested schedule set out in the attached scoping report and on the Committee's Multi-Year Work Programme.

RECOMMENDATION:

That the Committee comment on and consider the scoping report to initiate the review.

SUPPORTING INFORMATION

The draft scoping report for the review is attached.

Implications on related Council policies

A role of the Policy Overview Committees is to make recommendations on service changes and improvements to the Cabinet, who are responsible for the Council's policy and direction.

How this report benefits Hillingdon residents

None at this stage, pending any findings approved by Cabinet.

Financial Implications

It is important that the Committee considers cost effective proposals that benefit resident taxpayers in relation to this review, which would ultimately be determined by Cabinet as part of the Council's broader budget planning process.

Legal Implications

None at this stage.

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BACKGROUND PAPERS

NIL.



Residents, Education & Environmental Services Policy Overview Committee

Review Scoping Report (DRAFT)

Working title: “Tackling anti-social fly-tipping and littering
across Hillingdon”

1. REVIEW OBJECTIVES

Aim and background to review

At its meeting on 26 June 2019, the Residents, Education and Environmental Services Committee approved as its next major review the topic of littering and fly tipping within Hillingdon.

The Committee has previously received an information report detailing fly tipping from the perspective of the Council’s Anti-Social Behaviour and Environment (ASBET) team. However, the issues have implications for a variety of Council departments, including the Contact Centre, Enforcement teams, Waste Services, Environmental Health, and even ICT Teams (for example, under the Council’s recently approved digital transformation project, fly tipping reporting tools are under consideration for inclusion in the first wave of integrated updates to the Council’s new website.) The Council’s current website reporting tool can be found here: <https://archive.hillingdon.gov.uk/article/18327/Fly-tipping>

This is a topical issue, with a large number of Member and resident contacts with the Council regarding fly-tipping and anti-social littering. The Committee will aim to

understand the extent of the issue within the Borough; including how residents can report instances of littering and fly tipping, how those instances are addressed, and what the Council's plans are for future actions and improvements.

However, the main focus for the review will be the exploration of new ideas and best practice outside the Council such as other local authorities, as well as local and national volunteer groups and campaigns. Additionally, the Council may wish to see how it can improve the identification and prosecution of offenders, noting that the Council agreed additional funds for 2019/20 on fly-tipping prosecution.

The proposed Terms of Reference for the review are set out below for Members to consider, and amend as they see fit. These set out the review's objectives.

Terms of Reference

1. To understand the current policies and procedures in place in relation to fly-tipping and anti-social littering within Hillingdon and how the Environmental Enforcement Team and Waste Services, in particular, are deployed to respond. To further understand how Council teams work together to tackle fly-tipping and litter.
2. To understand the reasons why individuals, businesses and others choose to be anti-social and litter and fly-tip in local communities.
3. To better understand the ways residents currently report instances of littering and fly tipping, and how the Council is working to improve these reporting tools;
4. To review current and future plans by the Council to enforce the issue of fly-tipping and littering, including education, fines and prosecution action;
5. To explore in-depth new practical, cost-effective and innovative ways that other local authorities, nationally and internationally, are doing to tackle fly-tipping and littering and to assess the effectiveness of their possible use within Hillingdon.
6. To review the current policies, legislation, research and activity by Government, national charities, volunteer groups and campaigns that are working to reduce instances of littering and fly tipping and to explore national guidance and advice that could be adopted by Hillingdon;
7. To better understand the impact on the street scene, civic pride, environment and wildlife as a result of littering and fly tipping;
8. To make any findings along with feasible and affordable recommendations to Cabinet based on the outcome of the Committee's review.

2. INFORMATION AND ANALYSIS

Context

As with other areas of the UK, effectively dealing with fly-tipping and littering is a priority matter to Hillingdon residents. A review of the number of enquiries logged by the Council's Contact Centre for the period 1 July 2018 – 1 July 2019, shows those enquiries relating to littering and fly tipping (by residents and Members) totalled 19,704. A more detailed breakdown of the type of fly-tipping and littering query is shown in Table 1 below:

Table 1: Enquiries logged with the Council's Contact Centre, by type.

Description	Number of Enquiries by Residents and Members
SC - Fly Tipping on Highway - Not Witnessed	6989
SC - Litter on highway/footpath	4645
ME - Fly Tipping	3288
ASBIT Fly Tipping	1284
Fly Tipping on Council Land CARETAKERS ONLY	984
SC - Litter Bin Full	709
ME - ASBIT - Fly Posting	485
ME - Refuse/Litter on Street/Pavement	451
SC - Dog Litter Bin Full	214
GS - Fly Tipping	211
SC - Request for Litter Bin	123
SC - Fly Tipping on Private Road	100
Litter Bin Full In Park	84
SC - Drug Related Litter - Highway	31
SC - Request for Dog Litter Bin	31
ME - ASBIT Fly Posting	26
SC - Drug Related Litter - Other Areas	24

Drug Related Litter	15
Recycling - Litter Bins	5
SC - Removal of Fly Posting - Pasted	2
CCTV – Fly Tipping - Witnessed on Camera	1
ME - Build Up of Litter	1
Recycling - Siting Litter Bins	1

Key: ME = Member's Enquiry, SC = Street Cleansing, GS = Green Spaces, ASBIT = now Anti-Social Behaviour and Environment Team (ASBET)

Littering

The act of leaving litter, whether from a person or a vehicle, could also be determined to be an offence under section 87 of the Environmental Protection Act 1990. Offenders can be issued fines if caught in the act of littering. As of September 2018, the Fixed Penalty for dropping litter within Hillingdon was increased from £80 to £100.

Instances of littering and fly tipping can result in a perception that the Borough is untidy or unsightly, and has significant implications for the wellbeing of the environment, including the Borough's wildlife.

Littering statistics:

- According to the Ministry of Housing, Communities and Local Government, in 2016/17 it cost local authorities £682 million, or £29 per household, to keep the nation's streets clean.
- In 2016, the RSPCA received over 5,000 phone calls about litter-related incidents affecting animals.
- Perceptions of littering - 4 in 10 people think that leaving a newspaper on the train is not littering and 3 in 10 believe that placing items on the floor next to a full bin is not littering (Keep Britain Tidy 2012).
- The Department for Environment, Food and Rural Affairs (DEFRA) 'Litter Strategy for England' is a national campaign working to change people's behaviour and make littering socially unacceptable. During the Great British Spring Clean (3-5 March 2017) spearheaded by DEFRA, 3,226 items of litter were recorded on mobile phone apps, and included food and food packaging, alcoholic and non-alcoholic drinks, smokers litter, and other items.

Table 2: Litter recorded on mobile phone apps during the Great British Spring Clean 3 - 5 March 2017 (DEFRA, 2018)

Type of Litter	Percentage of litter recorded (3,226 items in total)
Food and food packaging	23%
Alcoholic drinks	22%
Non-alcoholic drinks	20%
Other, including tissues	13%
Smokers' litter	12%
Dog faeces	5%
Chewing Gum/Wrappers	5%

Fly Tipping

Fly tipping is a criminal offence, under section 33 of the Environmental Protection Act 1990. Current national fly-tipping statistics include:

- In 2017/18, local authorities in England dealt with 998,000 fly-tipping incidents, a slight decrease of 1% from the 1,011,000 reported in 2016/17, following annual increases since 2013/14.
- The most common place for fly-tipping to occur was on highways, which accounted for almost half (47%) of total incidents in 2017/18. The number of highway incidents has decreased by 7% from 2016/17.
- The most common size category for fly-tipping incidents in 2017/18 was equivalent to a 'small van load' (33% of total incidents), followed by the equivalent of a 'car boot or less' (28%).
- In 2017/18 34,000 or 4% of total incidents were of 'tipper lorry load' size or larger, which is similar to 2016/17. For these large fly-tipping incidents, the cost of clearance to local authorities in England in 2017/18 was £12.2 million, compared with £9.9 million in 2016/17.
- Local authorities carried out 494,000 enforcement actions in 2017/18, an increase of 18,000 actions (4%) from 2016/17.
- The number of fixed penalty notices issued in 2017/18 was 69,000, up 20% from 2016/17. This is the second most common enforcement action (after investigations), and accounted for 14% of all enforcement actions in 2017/18.

Details of instances of illegal dumping in London in 2017/18 are set out in Appendix A.

Recent CCTV upgrades

As referenced in the recent Corporate Services, Commerce and Communities Policy Overview Committee review into policing and community safety, the use of the Council's upgraded state-of-art CCTV system is starting to reap results in terms of anti-social behaviour. Between the 6th May 2019 and the 12th June 2019, 6 incidents of Fly Tipping were handed to the ASBET Team for further investigation.

Additional budget funding

Council approved an additional £140k for 2019/20 in respect of funding for fly-tipping response and prosecution.

Relevant policies and legislation

The Committee may wish to have due regard to the relevant legislative policies set out within, (among others):

- The Clean Neighbourhoods and Environment Act 2005
- The Environmental Protection Act 1990
- The Waste (England and Wales) Regulations 2011
- The Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016
- The Clean Neighbourhoods and Environment Act 2005

Cabinet Member Responsibilities

This review topic would come under the portfolio of Councillor Keith Burrows, Cabinet Member for Planning, Transportation and Recycling predominantly. It may also touch on the other portfolios of Councillor Jonathan Bianco (parks and open space), Councillor Douglas Mills (anti-social behaviour) and Cllr Ray Puddifoot MBE (enforcement policies).

Further information

Throughout the review, Members will be made of aware of existing and emerging research, publications and studies.

3. EVIDENCE & ENQUIRY

Possible lines of enquiry and witness testimony

As the review progresses, and Members seek information and witness evidence, possible lines of enquiry (at this stage) could include:

Possible witnesses

- Officers from key service areas, such as ASBET, Enforcement, Legal services, CCTV, Waste Services, Green Spaces etc...
- Councillor experiences
- Officers from the Digital Transformation Team
- External witnesses from national charities and volunteer groups, e.g. Keep Britain Tidy, National Fly-tipping Prevention Group
- External local authority witnesses
- Other private sector witnesses as appropriate
- Waterway and wildlife representatives, e.g. Canal & River Trust
- Schools, i.e. to see what more can be done to education about litter to pupils, e.g. litter around schools.

Likely evidence required

- Problem areas/locations for littering and fly tipping
- Likely reasons for offending
- Current Council actions being taken to resolve issues
- Council's future plans for addressing the issues
- Prosecution action taken by the Council
- Action being taken by other local authorities, nationally and internationally
- Current and future reporting tools for residents and Councillors

Areas to explore further (if feasible)

The Committee could examine options to:

1. Improve reporting tools for Councillors and residents;
2. Raise awareness of issues and promote/instigate group actions, such as litter picking drives, throughout the Borough;
3. Consider and recommend best practices and other innovations and initiatives being spearheaded by other local authorities

4. Review of penalties for offenders, including 'naming and shaming'.
5. Increased use of CCTV cameras;
6. Other innovative ways to enable the collection of fly-tipping

Appendix B below provides further information and reading.

Emerging conclusions or themes for development

These will emerge and become apparent as the review progresses.

4. REVIEW PLANNING & ASSESSMENT

As Policy Overview Committees now operate under a multi-year work programme, the Committee has scope to undertake a more detailed review.

It is advised that witnesses attend themed sessions, e.g. service areas, best practice etc.

Draft time-frame & milestones are set out below and this review can be extended or reduced as the Committee sees fit:

Meeting Date	Review Phase	Indicative Witness Sessions by Theme	Key evidence / information
18 July 2019	Scoping stage		
04 September 2019	Witness / evidence / consultation stage	<p><u>THEME: Hillingdon Council's current response and upcoming activity</u></p> <p>Waste Services (removal of fly-tipping and collection of litter)</p> <p>Legal Services / ASBET</p> <p>CCTV manager</p>	<p>Key service areas/ baseline</p> <p>Collection and removal of litter and fly-tipping</p> <p>Reporting process and planned improvements</p> <p>Prosecutions</p> <p>Planned use of CCTV</p>

15 October 2019	Witness / evidence / consultation stage	<p><u>THEME: Best practice and innovation</u></p> <p>External best practice witnesses (TBC)</p> <p>Digital Transformation Manager</p>	<p>Other local authority innovation, procedures and practices</p> <p>Planned improvements in online reporting in Hillingdon for residents and Members</p>
Site visits to other local authorities			
04 November 2019	<p>Witness / evidence / consultation stage</p> <p>Findings, conclusions and recommendations</p>	<p><u>THEME: National campaigns, wildlife and the environment</u></p> <p>Government, National charity and campaign representatives,</p> <p>e.g. Keep Britain Tidy, National Fly-tipping prevention group, DEFRA</p> <p>Local volunteers, e.g. Uxbridge Green Gym Volunteers:</p> <p>Green Spaces</p> <p>Canal & River Trust</p> <p>Street Champions</p> <p>Chamber of Commerce</p>	<p>National picture, policies, campaigns and best practice</p> <p>Volunteer perspective</p> <p>Fly-tipping in parks and open spaces & wildlife</p> <p>Effect on local waterways</p>
21 January 2020	Agreement of findings, conclusions and recommendations of review		

25 February 2020	Agreement of Review Final Report		
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Resource requirements

These will emerge and become apparent as the review progresses.

Equalities impact

TBC.

Associated legislation and national policies

Department for the Environment and Rural Affairs (DEFRA) guidance to Councils
<https://www.gov.uk/guidance/fly-tipping-council-responsibilities>

June 2019 Parliamentary Research Briefing on Fly-tipping
<http://researchbriefings.files.parliament.uk/documents/SN05672/SN05672.pdf>

The Clean Neighbourhoods and Environment Act 2005:
<http://www.legislation.gov.uk/ukxi/2015/425/contents/made>

The Environmental Protection Act 1990:

Part IV (Sections 86 - 99) of the act pertains to littering.
<https://www.legislation.gov.uk/ukpga/1990/43/part/IV>

Section 88 (6A) regarding fixed penalty notices.
<https://www.legislation.gov.uk/ukpga/1990/43/section/88>

Section 33 of the act is enforceable by both the Environment Agency and the local authorities.
<http://www.legislation.gov.uk/ukpga/1990/43/section/33>

Anyone who produces waste has a duty of care under section 34 of the act.
<http://www.legislation.gov.uk/ukpga/1990/43/section/34>

The Waste (England and Wales) Regulations 2011:
<http://www.legislation.gov.uk/ukxi/2011/988/regulation/35/made>

The Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016:
<http://www.legislation.gov.uk/ukxi/2016/334/note>

The Clean Neighbourhoods and Environment Act 2005:
<http://www.legislation.gov.uk/ukxi/2015/425/contents/made>

APPENDIX A - Illegal Dumping Incidents in London 2017/18

Area	Total Incidents	Total Action Taken	Warning Letters	Fixed Penalty Notices	Statutory Notices	Formal Cautions	Injunctions	Prosecutions
City of London	1,826	2,579	0	559	221	0	0	0
Barking and Dagenham	2,628	1,066	7	970	27	0	0	0
Barnet	6,153	503	7	496	0	0	0	0
Bexley Council	2,105	327	28	68	0	0	0	0
Brent	18,609	7,483	372	2,531	708	0	0	253
Bromley	3,067	258	17	34	3	0	0	3
Camden	12,170	12,671	0	832	337	0	0	0
Croydon	19,198	2,684	19	520	10	0	0	49
Ealing	13,610	5,471	150	5,021	100	0	0	0
Hackney	9,821	11,172	112	119	245	5	0	17
Hammersmith and Fulham	18,652	2,982	0	194	262	6	0	8
Haringey	23,549	3,171	0	1,235	469	8	0	27
Harrow	9,626	1,622	77	17	60	0	0	5
Havering	4,655	10,463	3,986	295	611	0	0	2
Hillingdon	7,181	4,393	0	4,393	0	0	0	0
Hounslow	17,063	4,334	2,074	765	4	0	0	0
Islington	2,588	7,231	964	5,393	254	0	0	5
Kensington and Chelsea	9,852	10,165	0	181	0	0	0	1
Kingston Upon Thames	1,349	3	0	3	0	0	0	0
Lambeth	3,433	959	0	181	0	0	0	0
Lewisham	3,562	1,330	32	365	249	0	0	0
Merton	8,878	6,299	191	5,641	18	0	0	0
Newham	15,206	3,615	0	1,290	119	0	0	0
Redbridge	:	5,670	889	523	607	435	0	16
Richmond Upon Thames	4,701	2,615	288	25	0	0	0	0

Southwark	15,741	2,255	113	309	439	0	0	6
Sutton	2,683	450	57	6	56	0	0	0
Tower Hamlets	7,465	13,316	821	1,179	161	0	0	0
Waltham Forest	7,678	17,036	236	9,566	1,005	202	0	45
Wandsworth	5,000	9,735	1,453	2,064	0	158	0	0
Westminster	13,890	7,111	1,882	5,098	131	0	0	0

APPENDIX B

Local Authority actions:

1. Don't Mess With Croydon - Croydon's 'naming and Shaming' policy: <https://www.croydon.gov.uk/environment/dontmess/dont-mess>
2. Approach in Walsall to address fly-tipping: <https://cmispublic.walsall.gov.uk/>
3. Link here to Ballot Bin initiative: <https://ballotbin.co.uk/#page>

National Groups and Campaigns

1. Keep Britain Tidy: <https://www.keepbritaintidy.org/local-authorities/reduce-litter/general-litter>
2. DEFRA's Keep It, Bin It anti-littering campaign, started in 2018: <https://www.gov.uk/government/collections/keep-it-bin-it-anti-littering-campaign>
3. Reducing litter caused by 'Food On The Go': https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/221084/pb10243-fastfoodcop.pdf
4. Government's 'Litter Strategy for England': https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/630999/litter-strategy-for-england-2017-v2.pdf
5. National Fly Tipping Prevention Group: <http://www.tacklingflytipping.com/home>
6. Fix My Street - A nationwide reporting service for incidents of fly tipping, graffiti, etc. Often used by councils to map incidents: https://www.fixmystreet.com/reports/Hillingdon?status=open&filter_category=Flytipping&zoom=12&lat=51.54257&lon=-0.44315

Local Groups

1. Litter Action: An archive of local groups dedicated to litter picking. (Most are individuals who occasionally organise litter picks.) <https://www.litteraction.org.uk/findgroup?location=uxbridge>
2. Uxbridge Green Gym Volunteers: A community volunteer group dedicated to conservation around Uxbridge (specifically the greenery around Hillingdon Leisure Centre). Focussed more on conservation, but they are known to work with the Council on community litter picks. <https://www.tcv.org.uk/london/green-gym-london/uxbridge-green-gym>
3. London Waste and Recycling Board: <https://www.lwarb.gov.uk/>

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CABINET FORWARD PLAN

Committee name	Residents, Education and Environmental Services Policy Overview Committee
Officer reporting	Neil Fraser, Democratic Services Officer
Papers with report	Appendix A – Forward Plan
Ward	All

HEADLINES

The Committee is required by its Terms of Reference to consider the Forward Plan and comment as appropriate to the decision-maker on key decisions which relate to services within its remit (before they are taken by the Cabinet or by the Cabinet Member).

RECOMMENDATIONS

That the Residents, Education and Environmental Services Policy Overview Committee notes and comments on items going to Cabinet.

SUPPORTING INFORMATION

The latest published Forward Plan is attached.

Implications on related Council policies

Policy Overview Committees are at the heart of how the Council shapes policy at Member level.

How this report benefits Hillingdon residents

Policy Overview Committees directly engage residents in shaping policy and recommendations from the Committees seek to improve the way the Council provides services to residents.

Financial Implications

None at this stage.

Legal Implications

None at this stage.

BACKGROUND PAPERS

NIL.

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Ref	Upcoming Decisions	Further details	Ward(s)	Final decision by Full Council	Cabinet Member(s) Responsible	Officer Contact for further information	Consultation on the decision	NEW ITEM	Public / Private Decision & reasons
SI = Standard Item each month									
Council Departments: RS = Residents Services SC = Social Care AD = Administration FD= Finance									
Cabinet Meeting – 25 July 2019									
025	Collection and Recycling of Highways arisings, assorted rubble and hardcore materials	Cabinet will consider a tender for the collection and recycling of highways arisings, assorted rubble and hardcore materials.	Al		Cllr Keith Burrows	RS - Nicola Herbert / Allison Mayo			Private (3)
Cabinet Meeting – 26 September 2019									
031b	Gambling Policy - POLICY FRAMEWORK	Following a six week period of public consultation, Cabinet will consider recommending to full Council adoption of the Council's Statement of Gambling Policy.	All	21 Nov 19	Cllr Douglas Mills	RS - Stephanie Waterford	Policy Overview Committee, Statutory consultees and Licensing Committee	NEW	Public
026	Transport for London Local Implementation Plan 3	Cabinet will consider the Council's	All		Cllr Keith Burrows	RS - Alan Tilly			Public

	Annual Spending Submission 2019/20	submissions to Transport for London for funding on local transport infrastructure projects.							
Cabinet Meeting – 24 October 2019									
027	Managed Services Contract for the Borough's Leisure Centres	The approval of the Cabinet will be sought to accept a tender to provide managed services for Leisure Centres in the Borough.	All		Cllr Richard Lewis	RS / FD - Paul Richards / Melissa Sage			Private (3)
Cabinet Meeting – 12 December 2019									
026a	The Council's Budget - Medium Term Financial Forecast 2020/21 - 2024/25 BUDGET & POLICY FRAMEWORK	This report will set out the Medium Term Financial Forecast (MTFF), which includes the draft General Fund reserve budget and capital programme for 2020/21 for consultation, along with indicative	All	20 Feb 20	Cllr Ray Puddifoot MBE & Cllr Jonathan Bianco	FD - Paul Whaymand	Public consultation through the Policy Overview Committee process and statutory consultation with businesses & ratepayers		Public

		projections for the following four years. This will also include the HRA rents for consideration.							
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RESIDENTS, EDUCATION AND ENVIRONMENTAL SERVICES POLICY OVERVIEW COMMITTEE - WORK PROGRAMME

Committee name	Residents, Education and Environmental Services Policy Overview Committee
Officer reporting	Neil Fraser, Chief Executive's Office
Papers with report	Appendix A – Work Programme
Ward	All

HEADLINES

To enable the Committee to note future meeting dates and to forward plan its work for the current municipal year.

RECOMMENDATIONS

That the Residents, Education and Environmental Services Policy Overview Committee considers the report and agrees any amendments.

SUPPORTING INFORMATION

- The Committee's meetings will start at 7pm and the witnesses attending each of the meetings are generally representatives from external organisations, some of whom travel from outside of the Borough. The meeting dates for this municipal year are as follows:

Meetings	Room
26 June 2019 meeting	CR5
18 July 2019 meeting	CR5
4 September 2019 meeting	CR5
15 October 2019 meeting	CR5
4 November 2019 meeting	CR5
21 January 2020 meeting	CR5
25 February 2020 meeting	CR5
19 March 2020 meeting	CR5
14 April 2020 meeting	CR5

Implications on related Council policies

The role of the Policy Overview Committees is to make recommendations on service changes and improvements to the Cabinet, who are responsible for the Council's policy and direction.

Classification: Public

Residents, Education and Environmental Services Policy Overview Committee – 18 July 2019

How this report benefits Hillingdon residents

Policy Overview Committees directly engage residents in shaping policy and recommendations from the Committees seek to improve the way the Council provides services to residents.

Financial Implications

None at this stage.

Legal Implications

None at this stage.

BACKGROUND PAPERS

NIL.

Multi year work programme

Residents, Education & Environmental Services

2020

Meeting Month	June	July	September	October	November	January	February	March	April
Date	26	18	4	15	4	21	25	19	14
REVIEW A: Tackling Littering and Fly Tipping Within Hillingdon									
Topic selection / scoping stage	Agree topic		Scoping report						
Witness / evidence / consultation stage			Witness Session	Witness Session	Witness Session				
Findings, conclusions and recommendations						Findings			
Final review report agreement								Final Report	
Target Cabinet reporting									CABINET
Post review monitoring									

Title of Review B

Topic selection / scoping stage
 Witness / evidence / consultation stage
 Findings, conclusions and recommendations
 Final review report agreement
 Target Cabinet reporting
 Post review monitoring

Regular business items

Quarterly School Places Planning Update
 Annual complaints & service update report
 Standards & Quality in Education (Attainment) report (incl. School Improvements)
 Budget Planning Report for Residents Services
 Cabinet's budget proposals for next financial year
 Cabinet Forward Plan monitoring

One-off business items

Youth services
 Home Schooling
 SEN Service Provision
 Adult Learning
 Council's Emergency Response procedures (presentation)
 Road Safety around schools
 Parking Management Schemes
 Gambling Policy Statement

Past review monitoring

Air Quality Action Plan
 Disposal of Charity Shop Waste
 Review into the Council's current and future relationship with Academies and Free Schools

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