



HILLINGDON
LONDON



Residents' Services Select Committee

Councillors on the Committee

Councillor Wayne Bridges (Chairman)
Councillor Colleen Sullivan (Vice-Chairman)
Councillor Scott Farley (Opposition Lead)
Councillor Janet Gardner
Councillor Ekta Gohil
Councillor Sital Punja
Councillor Peter Smallwood

Date: WEDNESDAY, 19
OCTOBER 2022

Time: 7.00 PM

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

**Meeting
Details:** Members of the Public and
Press are welcome to attend
this meeting

**This agenda and associated
reports can be made available
in other languages, in braille,
large print or on audio tape.
Please contact us for further
information.**

Published: 11 October 2022

Contact: Liz Penny
Tel: 01895 250185
Email: epenny@hillington.gov.uk

This Agenda is available online at:

<http://modgov.hillingdon.gov.uk/ieListMeetings.aspx?CIId=118&Year=0>

Lloyd White
Head of Democratic Services
London Borough of Hillingdon,
3E/05, Civic Centre, High Street, Uxbridge, UB8 1UW
www.hillingdon.gov.uk

Useful information for residents and visitors

Travel and parking

Bus routes 427, U1, U3, U4 and U7 all stop at the Civic Centre. Uxbridge underground station, with the Piccadilly and Metropolitan lines, is a short walk away. Limited parking is available at the Civic Centre. For details on availability and how to book a parking space, please contact Democratic Services. Please enter from the Council's main reception where you will be directed to the Committee Room.

Accessibility

An Induction Loop System is available for use in the various meeting rooms. Please contact us for further information.

Attending, reporting and filming of meetings

For the public part of this meeting, residents and the media are welcomed to attend, and if they wish, report on it, broadcast, record or film proceedings as long as it does not disrupt proceedings. It is recommended to give advance notice to ensure any particular requirements can be met. The Council will provide a seating area for residents/public, an area for the media and high speed WiFi access to all attending. The officer shown on the front of this agenda should be contacted for further information and will be available at the meeting to assist if required. Kindly ensure all mobile or similar devices on silent mode.

Please note that the Council may also record or film this meeting and publish this online.

Emergency procedures

If there is a FIRE, you will hear a continuous alarm. Please follow the signs to the nearest FIRE EXIT and assemble on the Civic Centre forecourt. Lifts must not be used unless instructed by a Fire Marshal or Security Officer.

In the event of a SECURITY INCIDENT, follow instructions issued via the tannoy, a Fire Marshal or a Security Officer. Those unable to evacuate using the stairs, should make their way to the signed refuge locations.



Terms of Reference

Residents' Services Select Committee

To undertake the overview and scrutiny role in relation to the following Cabinet Member portfolio(s) and service areas:

Cabinet Member Portfolio	Cabinet Member for Residents' Services (Cllr Eddie Lavery)
Relevant service areas	<ol style="list-style-type: none">1) Community Safety, Licensing, Standards and Enforcement2) Planning & Regeneration3) Housing policy, homelessness & tenancy management4) Green Spaces, Sport & Culture5) Waste Services

Statutory Crime and Disorder Scrutiny

This Committee will act as a Crime and Disorder Committee as defined in the Crime and Disorder (Overview and Scrutiny) Regulations 2009 and carry out the bi-annual scrutiny of decisions made, or other action taken, in connection with the discharge by the responsible authorities of their crime and disorder functions. In practice, this is undertaken currently by a bi-annual review of the Safer Hillingdon Partnership, which includes senior officers from the Metropolitan Police, London Fire Brigade and Probation Service attending to answer questions from Councillors. More guidance on this important aspect of external scrutiny will be provided to the Committee.

Cross-cutting topics

This Committee will also act as lead select committee on the monitoring and review of the following cross-cutting topics:

- Climate Change
- Local impacts of Heathrow expansion
- Local impacts of High Speed 2
- Community Cohesion

Agenda

- 1 Apologies for Absence
- 2 Declarations of interest in matters coming before this meeting
- 3 To receive the minutes of the previous meeting 1 - 6
- 4 To confirm that the items of business marked as Part I will be considered in public and those marked Part II will be considered in private

Part I - Members, Public and Press

- 5 2023/24 Budget Planning Report for Services within the Remit of the Residents' Services Select Committee 7 - 14
- 6 Select Committee Minor Review - Empty Homes Council Tax Premium 15 - 22
- 7 Statement of Gambling Policy Consultation 23 - 98
- 8 Safer Hillingdon Partnership Development 99 - 104
- 9 Fly-tipping, Flyposting and To-Let Boards 105 - 110
- 10 Forward Plan 111 - 122
- 11 Work Programme 123 - 128

Minutes

RESIDENTS' SERVICES SELECT COMMITTEE

21 July 2022



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

	<p>Committee Members Present: Councillors Wayne Bridges (Chairman) Colleen Sullivan (Vice-Chairman) Scott Farley (Opposition Lead) Janet Gardner Sital Punja Peter Smallwood Heena Makwana</p> <p>LBH Officers Present: Mark Billings, Head of Housing Options, Homelessness & Standards Dan Kennedy, Corporate Director of Central Services Maureen Pemberton, Head of Revenues Liz Penny, Democratic Services Officer Iain Watters, Director - Strategic and Operational Finance Debby Weller, Housing Policy and Strategy Manager Tony Zaman, Interim Chief Executive</p>
10.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies for absence were received from Councillor Ekta Gohil with Councillor Heena Makwana substituting.</p>
11.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>There were no declarations of interest.</p>
12.	<p>TO RECEIVE THE MINUTES OF THE PREVIOUS MEETING (<i>Agenda Item 3</i>)</p> <p>RESOLVED: That the minutes of the meeting dated 15 June 2022 be agreed as an accurate record.</p>
13.	<p>TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED AS PART I WILL BE CONSIDERED IN PUBLIC AND THOSE MARKED PART II WILL BE CONSIDERED IN PRIVATE (<i>Agenda Item 4</i>)</p> <p>It was confirmed that all items of business were in Part I and would be considered in public.</p>
14.	<p>CONSULTATION ON THE COUNCIL STRATEGY 2022 - 2026 (<i>Agenda Item 5</i>)</p> <p>Tony Zaman, Interim Chief Executive, and Dan Kennedy, Corporate Director of Central</p>

Services, provided an overview of the Council Strategy 2022-2026. The strategy set out the Council's high-level objectives for the next four years and aimed to ensure services worked together across Directorates to achieve better outcomes for residents. It set out ambitions both for residents and for the Council. Five commitments to residents were incorporated within the strategy relating to: Safe and Strong Communities; Thriving, Health Households; a Green and Sustainable Borough; a Thriving Economy and a Digital-Enabled, Modern, Well-Run Council. Specific targets for the Council were not included in the Strategy but would be reflected in the annual delivery plan.

A consultation stage would actively seek the views of residents, partner organisations and businesses and would inform the final strategy which would be presented to Cabinet in October 2022. The consultation stage would also invite comments from the Select Committees.

Members enquired how the Council intended to interact with hard-to-reach communities noting that some residents would be reluctant or unable to use digital platforms. It was confirmed that community groups and faith leaders would be actively engaged. Ward Councillors would also be encouraged to promote services and assist residents in accessing help and support. Members heard that approximately 81,000 residents had already signed up to 'My Account' which was encouraging. It was hoped that this number would continue to increase; however, it was acknowledged that some residents preferred to access Council services in traditional ways.

Members noted the importance of residents having the confidence to access services independently rather than being reliant on their Ward Councillors. The Committee was informed that the NHS had been working on a project in North West London to gain a better understanding of local communities; the Council intended to 'piggy back' onto this in the future to target hard-to-reach communities. Moreover, services would be localities-based and differentiated according to the needs of local residents – this model would be included in the Council's future service plan.

In response to further questions from the Committee, it was confirmed that the Council aimed to eliminate rough sleeping by 2024 in line with Central Government objectives. A target of zero had been set; however, Central Government had been informed that this would be difficult to achieve in Hillingdon given the existence of Heathrow Airport in the Borough. Members were informed that the Council had a responsibility to ensure that all new housing developments were appropriately located. Moreover, it was committed to enabling more residential properties in the Borough in line with planning policy.

Members requested further clarification regarding 'My Account' usage. It was confirmed that a heat map by Ward had been shared with the Cabinet Member. Analysis of 'My Account' usage information would enable the Council to target those areas / community groups with lower take up. In terms of access to technology, it was acknowledged that some residents were unable to afford broadband, buy devices etc. The Council would work in collaboration with local partners and organisations to support these residents e.g. by providing access to reduced-cost broadband / free devices for families. The Council aimed to be as digital as possible in the future; however, it was acknowledged that the movement to a digital framework had to match the needs of society – some groups may not be able to access digital information, may lack technical skills or may struggle to understand due to language barriers.

In response to further questions from the Committee, Members were advised that steps were being taken to make better use of all data currently available (to include Hillingdon First data). This would facilitate studies into patterns of behaviour and would enable officers to better understand the needs of residents across the Borough.

At the request of Members, it was agreed that resident associations would be contacted regarding the strategy prior to the close of the consultation period. It was further agreed that the maintenance of trees would be included in the strategy under section 3 (A Green and Sustainable Borough). Any further questions or comments could be forwarded to Democratic Services.

Select Committee comments on the Strategy would be delegated to the Democratic Services Officer, in conjunction with the Chairman and in consultation with the Opposition Lead.

RESOLVED:

- 1. That the report be noted.**

15. **EMPTY PROPERTIES (COUNCIL TAX PREMIUM & EMPTY DWELLING MANAGEMENT ORDERS)** (*Agenda Item 6*)

Iain Watters - Head of Finance – Financial Planning, Capital, Treasury & Systems, Maureen Pemberton – Head of Revenues, Debby Weller – Housing Policy and Strategy Manager and Mark Billings – Head of Housing Options, Homelessness and Standards presented the report which provided information in relation to the use of the Council Tax Premium and Empty Dwelling Management Orders.

Members were informed that there were currently approximately 1,100 empty and exempt properties in Hillingdon. It was confirmed that, since 1 April 2013, the Council had been able to charge an empty home premium on a property that had been unoccupied and unfurnished for two years or more. At the time the premium had been up to an extra 50% of the council tax on the property. Since 2019 it had been possible to increase this premium to 100% for properties that remained empty longer than two years. Further increases were now possible for properties empty for longer than 5 years (200%) and 10 years (300%). Hillingdon charged a 150% Empty Homes Premium at present.

In terms of Empty Dwelling Management Orders, the Committee heard that these were a useful tool but were currently used as a last resort due to the risks involved – it was often difficult to recover the costs involved in getting a property up to standard. The preferred approach at present was to offer advice and persuade owners to bring properties back into use. It was acknowledged that this was an area for review; further investigation was required to better understand the options open to officers and which were most beneficial / cost effective. Enforcement action was an option but none of the enforcement options were straightforward and all would require further resource.

Members requested further clarification regarding properties exempt from Council Tax – class F (6 months exemption following the grant of probate / letters of administration after the death of an occupier). It was confirmed that such situations would be monitored carefully and appropriate action taken. There was sometimes a delay in applications for probate or there could be a dispute therefore this was at times a lengthy process. In cases where the deceased had no family, the Council would look at

land registry records or conduct other research in relation to the case.

The Committee requested further information regarding the 163 properties currently attracting the Empty Property Premium of 150%. It was confirmed that a breakdown of the banding for these properties could be obtained.

In response to further questions from the Committee, it was confirmed that, where a property was found to be unoccupied, the recovery of an outstanding tax debt was challenging; the liable party had to be identified and located first to enable recovery action to be taken. An external inspection unit would be utilised to pursue the case and a statutory process through court would ensue which could ultimately lead to a charging order or forced sale.

Members enquired whether current legislation enabled the Council to do its job effectively. It was confirmed that, although the powers were generally in place, processes were often lengthy and complex. More legislation to support the local authority would be welcomed. It was anticipated that an empty property strategy would be drafted later in the year to set out what could be done within existing resources. To date 4 of the 163 long term empty properties had been brought back in to use – it was hoped that this situation would continue to improve.

In terms of concerns re. fire safety, Members heard that the Council's ASB team had the power to clear front gardens and could put a charge on an empty property. It was likely that this work would become increasingly important given the repercussions of climate change and its impact on the environment.

In response to Members' enquiries, it was confirmed that officers already worked together to delegate tasks across departments; opportunities to improve on this would be investigated further. The Committee felt it should be easier for residents to report empty properties online (though it would not be possible to publish a full list of such properties across the Borough). It was confirmed that, at present, most of the information regarding empty properties was sourced from Council Tax records. Member enquiries in relation to empty properties were also encouraged.

Members were informed that, as part of the Housing and Homelessness and Rough Sleeping Strategies, an extensive project was underway across West London and Hillingdon regarding the best use of housing stock.

It was agreed that a potential increase in the premium chargeable on empty homes to 200% would be kept under review. Members requested sight of the new empty property strategy once available; it was agreed that this would be added to the Work Programme.

RESOLVED:

- 1. That the Residents' Services Select Committee Work Programme be updated to include the new empty property strategy; and**
- 2. That the Residents' Services Select Committee noted the position on Council Tax charges for empty properties and Empty Dwelling Management Orders.**

(Agenda Item 7)

Members were thanked for the ideas provided to date. Further suggestions for review topics / information items included:

1. Housing Repairs – Members noted that, at present, kitchens / bathrooms were only refurbished after a set period of time had elapsed; it was suggested that there should be some flexibility and frequency of repairs prioritised depending on need (potential review topic);
2. Homelessness / Clients presenting to Housing Services – the process to be as supportive as possible and all avenues to be explored to ensure people were rehomed appropriately (potential review topic);
3. The impact of HS2 on residents' services (parking, traffic etc) – information item to add to the work programme;
4. Climate Action Plan – climate change and its impact on how the Council managed services – to be followed up after October 2022;
5. Alleygating – Democratic Services to explore previous work on this topic – possible information / review item to add to work programme;
6. Enforcement of removal of 'To Let' signs / flyposting within the Borough (Members heard that the Borough Solicitor had previously written to estate agents stating that To Let signs must be removed at the appropriate time);
7. 'A Thriving Economy' (Council Strategy 2022-26) – 'support thriving multi-purpose, viable town centres, including creating a new master plan for Uxbridge' – potential longer-term review topic;
8. Enforcement of Deliveroo drivers who occupy parking spaces and are not fined for doing so. Democratic Services to ask the ASB team to incorporate this into their information report to be presented to the Committee in September 2022 or ask Roy Clark to prepare report if his area.

It was agreed that Democratic Services would explore the feasibility of the proposed Homelessness / Housing Repairs review topics and report back to the Committee in September 2022. The proposed additional information items would be added to the Work Programme.

RESOLVED: That the Residents' Services Select Committee:

1. **Noted the guidance on undertaking policy reviews in Appendix 1;**
2. **Sought to make use of the scorecard to assess any policy review topic ideas; and**
3. **Developed a shortlist of two potential topic ideas for officers to scope further and report back to the Committee on feasibility.**

17. **FORWARD PLAN** (Agenda Item 8)

Members noted that a number of the officers who appeared on the Forward Plan no longer worked at the Council, namely: James Rodger and Victoria Boorman. Democratic Services agreed to amend the Forward Plan accordingly.

RESOLVED: That the Residents' Services Select Committee noted the Cabinet Forward Plan.

18.	<p>WORK PROGRAMME (<i>Agenda Item 9</i>)</p> <p>RESOLVED: That the Residents' Services Select Committee considered the report and agreed any amendments.</p>
	<p>The meeting, which commenced at 7.00 pm, closed at 8.22 pm.</p>

These are the minutes of the above meeting. For more information on any of the resolutions please contact Liz Penny on 01895 250185 or epenny@hillington.gov.uk
 Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

2023/24 BUDGET PLANNING REPORT FOR SERVICES WITHIN THE REMIT OF THE RESIDENTS' SERVICES SELECT COMMITTEE

Committee name	Residents' Services Select Committee
Officer reporting	Iain Watters, Director – Strategic and Operational Finance
Papers with report	N/A
Ward	All

HEADLINES

This is the first opportunity for the Select Committee to discuss the current stage of development of budget planning work with regard to services within the remit of the Residents' Services committee. This paper gives a strategic context in which the detailed proposals to be discussed at Select Committee meetings in January 2023 will need to be considered.

RECOMMENDATIONS

1. **That the Committee notes the financial context in which the 2023/24 budget setting process will take place in advance of detailed savings proposals being developed and approved at Cabinet in December 2022.**

SUPPORTING INFORMATION

2. This is the first of two opportunities within the planning cycle for the Select Committee to consider issues relating to budget planning for 2023/24 and beyond. The focus of this report is the broader financial position of the Council, with the report to be considered in January 2023 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) in December 2022.

Corporate Overview – General Fund

2022/23 General Fund Revenue Monitoring & COVID-19 Impact

3. General Fund pressures totalling £14,485k are projected in relation to the impacts of the COVID-19 pandemic and the ongoing financial impacts facing the Council in 2022/23, with £9,784k added to Service Operating Budgets to cover ongoing financial pressures from the pandemic and a further £1,507k one-off items in respect of pandemic driven Collection Fund losses in the Council's budget approved by Council in February 2022, with the remaining £3,194k being driven by new and emerging pressures relating to the ongoing impact of the pandemic on demand for, and delivery of, local services.

4. With no further funding being available to ongoing COVID-19 pressures, the Council is carrying a remaining balance of Government funding of £4,302k, alongside local funds of £6,868k. Including the Service Operating Budgets for pandemic related pressures of £9,784k, this gives scope to fund reported pressures of £14,485k for the 2022/23 financial year although leaves limited headroom to manage ongoing impacts above those already factored into Service Operating Budgets.
5. As the country faces unprecedented inflationary pressures, the Council will need to deploy specific earmarked reserves to mitigate the in-year pressures that are anticipated to arise throughout the year, with actual inflation rates now expected to exceed the sums built into the MTFF. The Council is working closely with suppliers to ensure that the costs incurred by the Council reflect current market prices and that suppliers are compensated for increased costs, whilst also ensuring value for money for every pound of public money spent and temporary increases are recognised. This remains an emerging risk area which will continue to be closely monitored and managed given that economic forecasts continue to deteriorate.
6. While many of the discussions with suppliers are in the early stages of negotiations, the Council is also expecting that the final pay award will be higher than anticipated with further pressures emerging from the Month 3 monitoring process across energy, fuel and contracted services in Social Care. The latest intelligence on pay award negotiations is that the final award is unlikely to be finalised until late in the 2022 calendar year.
7. After allowing for the ongoing impact of the pandemic and the significant inflationary pressures facing the country which are to be funded from releases from Earmarked Reserves, an underspend of £46k is projected across General Fund budgets at Month 3, with this position being driven by a favourable variance from the Council's Treasury activities offsetting pressures within Adult's Social Care and Children's & Young People's Services, increased expenditure within Housing, which is largely offset by grant funding and reported pressures within the Planning service area. This position will result in unallocated General Balances totalling £26,765k at 31 March 2022.
8. Detailed updates on services that fall within the remit of this committee are included below at Cabinet Portfolio level on an exception basis:
 - a. **Residents' Services** – a net overspend of £162k is forecast representing an improvement of £82k from Month 2, with the large subjective variances largely being driven by the Housing service where high levels of demand are being mitigated through a combination of increased rental income and Government support targeting homelessness and rough sleeping. The net overspend is being driven by two key drivers, with housing forecasting a minor overspend, alongside a reduction in parking income in the early part of the financial year. The majority of the £82k improvement is similarly driven by the Housing service as demand continues to track above the budgeted position, offset by additional grant income.

2022/23 to 2026/27 General Fund Savings Requirement

9. While the focus of the discussion for the Select 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 2022/23 Budget Setting Report approved by Cabinet and Council in February 2022.
10. At the time of budget setting, the gross savings requirement for the Council's General Fund over the period 2022/23 to 2026/27 was projected to total £35,252k which was primarily driven by inflationary cost pressures, growing demand for services and the cost of servicing and repaying borrowing incurred in delivery of the capital programme which are expanded upon below. For 2022/23, the gross savings requirement was forecast to total £10,647k.

Table 1: Projected Budget Gap detail

	2022/23 £'000	2023/24 £'000	2024/25 £'000	2025/26 £'000	2026/27 £'000	Total £'000
Changes in Funding	(12,802)	(3,707)	(5,840)	(6,768)	(7,098)	(36,215)
Inflation	12,035	6,430	5,716	5,854	5,993	36,028
Contingency / Service Pressures	13,520	3,334	3,284	2,999	3,259	26,396
Corporate Items (incl. capital financing costs)	(2,106)	3,573	4,643	2,441	492	9,043
Annual Underlying Savings Requirement	10,647	9,630	7,803	4,526	2,646	35,252
Cumulative Underlying Savings Requirement	10,647	20,277	28,080	32,606	35,252	N/A

11. An uplift of £42,744k in recurrent funding was projected over the five-year MTF period, primarily driven by Council Tax increase of 1.9% in 2022/23, with a proposed increase of 2.8% per annum thereafter accounting for £18,691k of the increase, with a further £8,887k expected to be driven by increases in the taxbase. Government Grants were forecast to increase by £8,826k, with the majority of this being front loaded in 2022/23 as a result of the Spending Review announcements and increases in Social Care Funding. Furthermore, retained Business Rates income is forecast to increase by £6,340k primarily driven by inflationary increases. This position is netted down by the unwinding of £6,529k of one-off funding, predominantly linked to the release of COVID-19 funding.
12. 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 £36,028k over the MTF period. Workforce inflation through anticipated annual pay awards accounts for £15,192k of this growth, with £5,212k inflation reflecting other contracted expenditure and expenses, offset by increases in recharges and contributions to services, all of which span across all of the Select Committees.

13. Increasing demand for services linked to a growing and changing population accounts for £26,396k of the projected savings requirement, which reflects Hillingdon's growing population and the impact this has on services. Areas within the specific remit of this committee include:
- a. Waste: An uplift of £2,879k is projected on waste disposal costs, with circa 2% per annum growth in waste tonnages and 2% per annum disposal costs driving this sustained increase in costs, although there remains scope for volatility in both demand and price. Provision has been included within this budget to manage the requirement for additional vehicles and collection routes to account for population growth within the borough.
 - b. Homelessness: No additional provision for homelessness prevention has been incorporated into this budget, as current levels of specific grant funding for the service are sufficient to manage demand, although, in line with other demand-led service budgets this will continue to be closely monitored.
14. Corporate Items, which primarily relate to the ongoing costs of financing capital investment, represent the remainder of the budget gap with £9,043k growth required over the MTF period. Budgeted capital investment in the current programme is the key driver of a £7,326k growth in debt financing and repayment costs over the medium term. The remaining balance of Corporate Items relate to movements in the TfL Concessionary Fare Levy and use of capital receipts to finance transformation activity, alongside moving the Council Tax Older People's Discount to being funded from base budget rather than Earmarked Reserves, with funding coming in from Hillingdon First Limited from 2024/25.
15. The approved budget presented to Cabinet and Council in February 2022 included a saving programme of £29,572k over the five-year period, leaving a budget gap of £5,680k by 2026/27 still to be found. Within the Savings Programme, £5,000k related to Further BID Reviews that were yet to be identified.

New and Emerging Risks

16. In light of the exceptional inflation environment that economy is currently experiencing, the Council has begun to refresh its savings requirement over the budget strategy period, with inflation rates exceeding 10% in 2022. The Council has therefore reassessed the inflationary requirement associated with contracted expenditure, including within Social Care placements and SEND Transport, as well as rebasing workforce inflation based on the latest pay award offer. To this end, it is anticipated that further savings will be required by 2026/27 to fund additional inflationary demand, with this impact likely to be front-loaded.
17. Furthermore, demand-led growth continues to be monitored on a monthly basis, with the latest intelligence showing signs that elements of pandemic-driven demand for services remain high. This area will remain under close review in development of budget proposals for 20223/24 and beyond.

18. These factors are being fed into a reassessment of the savings requirement against which proposals for the 2023/24 budget and MTF to 2026/27 are being developed, with the monthly budget monitoring updates to Cabinet providing commentary on these drivers.

Strategy to deal with the Budget Gap

19. Due to the revised forecast for the new and emerging pressures, the Council is therefore undergoing a series of large-scale reviews to address this new and emerging position, with a significant review of transformational workstreams, a further review of the existing saving programme and a full review of the Council's Fees and Charges schedule and policy to bridge this gap.

20. As part of this work, the Council will also incorporate its standard approach to assessing the savings requirements strategy, including:

- a. Service Transformation, which 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, and;
- e. Income Generation & Commercialisation proposals primarily relate to amendments to Fees and Charges.

21. With the current monitoring position forecasting General Balances to be £26,765k by 31 March 2023 and the Council's reserves policy setting a minimum reserves balance of £20,000k, there is a need to deliver against these workstreams at pace, with the initial review of the revised savings requirement and savings programme to be presented at December Cabinet and will be presented to Select Committees in January 2023 alongside the public consultation on the budget for the forthcoming year.

Corporate Overview - Other Funds

22. The Housing Revenue Account (HRA) is subject to a statutory ringfence, with £61,689k of rental income in 2022/23 from the Council's social housing provision being reinvested in maintenance, improvement and expansion of housing stock. The approved capital programme includes funding to increase housing stock by 685 new dwellings over the period

to 2026/27, providing a mechanism to replace an expected 185 sales of properties to sitting tenants through the Right to Buy scheme. The financial standing of the HRA remains sound, with the 30 Year Business Plan demonstrating sustainability of the current operation over the longer-term.

MTFF Process Update and Timetable

23. The timetable for the budget process follows a similar format to previous years, with the consultation budget being considered by Cabinet in December for consideration by residents and Select Committees during January, before final budget proposals are considered by Cabinet and Council in February. Alongside this local process, the Council will receive indicative funding allocations for the forthcoming year from central government in December, which will be confirmed in advance of the new financial year starting in April.

Table 2: Budget Setting Timetable

December	Provisional Local Government Finance Settlement
	Consultation Budget Report to Cabinet
January	Public Budget Consultation
	Following year Budget Proposals to January Select Committees
February	Final Local Government Finance Settlement
	Final Budget to Cabinet and Council

Next Steps

24. The Medium Term Financial Forecast setting out the draft revenue budget and capital programme will be considered by Cabinet in December 2022 and issued for consultation during the remainder of December 2022 and January 2023. This will include detailed consideration by each of the Select Committees of the proposals relating to their respective services.
25. Key issues within the remit of this Select Committee will continue to be tracked through the Council's budget monitoring process, with monthly reports to Cabinet detailing the latest position and outlook for 2022/23.

Implications on related Council policies

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

How this report benefits Hillingdon residents

Select 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

The Council's Budget: General Fund Revenue Budget and Capital Programme 2022/23 – reports to Cabinet 17 February 2022 and Council 24 February 2022.

The Council's Budget: 2022/23 Revenue and Capital Month 3 Budget Monitoring – report to Cabinet 1 September 2022

This page is intentionally left blank

Minor Review: Empty Homes Council Tax Premium

Committee name	Residents' Services Select Committee
Officer reporting	Iain Watters, Director – Strategic and Operational Finance Debby Weller, Housing Policy and Strategy Manager
Papers with report	Scoping Report

HEADLINES

This item will encompass the witness session regarding the Committee's review into the Empty Homes Council Tax Premium.

RECOMMENDATION:

That the Residents' Services Select Committee notes the evidence heard at the witness session, reviews the findings and considers the feasibility of increasing the current Empty Homes Council Tax Premium, applicable to non-exempt properties empty for more than two years, from the current 150% to 200%.

SUPPORTING INFORMATION

At the Committee meeting held on 21 July 2022, Members discussed potential topics for a review. Further discussions with officers took place following the meeting, and it was agreed that a scoping report on the "Empty Homes Council Tax Premium" would be brought before Members for consideration. The planned September Residents' Services Select Committee meeting was subsequently cancelled following the passing of HM Queen Elizabeth II, hence the attached minor review Scoping Report was circulated to Committee Members for approval offline.

At this October witness session, Members will hear from key officers; namely Iain Watters, Director – Strategic and Operational Finance, Maureen Pemberton, Head of Revenues and Debby Weller, Housing Policy and Strategy Manager. These officers will set out the current situation in respect of the Empty Homes Council Tax Premium chargeable within Hillingdon Council. Evidence will also be received from a local Hillingdon resident of their experiences and views on the matter.

Terms of Reference

The following Terms of Reference were noted for this review, subject to any changes agreed by the Committee:

1. To fully investigate the feasibility and effect both on owners and the Council of applying the maximum Empty Homes Council Tax premiums on non-exempt properties empty for more than two years; and
2. To make any necessary recommendation to Cabinet based on the Committee's findings.

Possible Lines of Enquiry

1. How do other local authorities operate in terms of their Empty Homes Council Tax Premium rates?
2. How likely is it that any outstanding premiums will be settled in full?
3. What would be the additional income to the Council were the premium to increase from 150% to 200% as proposed?
4. Do the cost benefits of the proposed increase outweigh those of debt recovery?
5. In the case of death / probate, how can debt recovery be expedited?
6. How are long-term non-exempt properties liable for the highest premium identified?
7. What power does the Council have to seize a property / force a sale?
8. How many homes currently attract the Empty Property Premium of 150%?
9. How is the proposed increase likely to impact on housing stock?
10. Can a discretionary policy be introduced? How would this work and who would authorise it?

How this report benefits Hillingdon residents

Select Committees directly engage residents in shaping policy and recommendations from the Committees are presented to Cabinet to consider, and ultimately 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.



Residents' Services Select Committee Minor Review Scoping Report - 2022/2023

Empty Homes Council Tax Premium

1. OBJECTIVES

Aim of review

The review aims to consider the feasibility of increasing the current Empty Homes Premium, applicable to non-exempt properties empty for more than two years, from the current 150% to 200%.

Terms of Reference

1. To fully investigate the feasibility and effect both on owners and the Council of applying the maximum Empty Homes Council Tax premiums on non-exempt properties empty for more than two years; and
2. To make any necessary recommendation to Cabinet based on the Committee's findings.

2. BACKGROUND

Empty Homes Premium

From 1 April 2013, billing authorities, such as Hillingdon, have been able to charge a premium on a class of property that has been unoccupied and unfurnished for two years or more. The premium, when introduced, was up to an extra 50% of the Council

Tax on the property. Since 2019 it has been possible to increase this premium to 100% for properties that remain empty longer than 2 years.

Further increases are also now possible for properties empty for longer than 5 years (200%) and 10 Years (300%). At present Hillingdon charges a 150% Empty Homes Premium. Table 3 shows the potential yield should the Council decide to increase the premium from 150% to 200%.

Table 3

Properties	LBH Council Tax	Increase @ 50%	Increase@100%	Potential Increased Yield
163	£224,441	£336,662	£448,883	£112k

In July 2022 there were 163 properties attracting the Empty Property Premium of 150% yielding £337k of additional income for the Council; increasing this to 200% would yield an additional £112k.

The 163 properties identified in Table 3 had a total of £538k outstanding liability in July 2022 equating to an average debt of £3,033 per property. Council tax liability on a Band D property, attracting a premium, is £2,488.30, demonstrating that there are significant arrears amongst this group.

Initially during the recovery process there can be difficulties ascertaining the correct liable parties etc. Once established, recovery activity for the collection of debt accrued by the owners of empty properties follows the normal route for each year with the Council issuing statutory reminders and making application to the Magistrates Court for liability orders.

Those more difficult to collect debts may involve the Council resorting to using powers to obtain a charge on a property and, either awaiting, or forcing a sale. Such activity is resource intensive and requires a financial outlay by the Council before legal costs can be recovered from the proceeds of a sale further down the line.

Whilst increasing the Council's Empty Homes Premium from 150% to 200% will yield additional income for the Council, experience has shown that, due to the property being empty, recovery can take an extended period of time. As a result, it will likely be necessary to provide for the risk of non-payment and therefore limit the extent to which sums due through the Premium can be applied to finance services in the short term. However, in the medium-term, the additional income is more likely to be realised once recovery processes are undertaken.

Areas identified for improvement.

An increase in the Empty Homes Premium added to Council Tax liabilities will add an additional financial incentive to bring properties back into use and potentially reduce the Council's expenditure on temporary accommodation and homelessness; however, the benefit from these initiatives is likely to be over the medium term, following a period of initial investment.

Current data, best practice, and research

It is noted that neighbouring London Boroughs (Harrow, Hounslow, Brent, and Ealing) are all already applying the optimum premium of 200%.

Legislative / national context

Council Tax was introduced on 1 April 1993 enabled by the Local Government Finance Act (LGFA)1992. The LGFA 1992 specified a number of exemptions and discounts in relation to unoccupied and empty properties. Some of the statutory exemptions for empty properties have since been replaced by local discounts enabled by the Local Government Finance Act 2012, including the power to charge a premium in addition to the standard council tax for properties that have been unoccupied and substantially unfurnished for more than two years.

From 1 April 2013, billing authorities have been able to charge a premium on a class of property that has been unoccupied and unfurnished for two years or more. The premium, when introduced, was up to an extra 50% of the council tax on the property. Since 2019 it has been possible to increase this premium to 100% for properties that remain empty longer than 2 years.

Executive Responsibilities

The portfolio Cabinet Members responsible are Councillor Eddie Lavery in relation to Empty Homes as a policy area, and Councillor Martin Goddard in respect of Council Tax.

3. EVIDENCE & ENQUIRY

Potential witnesses (including service users)

Maureen Pemberton, Head of Revenues
Iain Watters, Director – Strategic and Operational Finance
Mark Billings, Head of Housing Options, Homelessness & Standards
Debby Weller, Housing Policy and Strategy Manager

Lines of Enquiry

Members will be interested in gaining a thorough understanding of the potential impact of increasing the Empty Home Premium in Hillingdon – both on the Council’s finances and in terms of housing stock in the Borough. Members will note that neighbouring boroughs are already charging the maximum premium but may be interested in learning what other local authorities are doing further afield.

As well as the clear policy reasons for looking at all available measures to tackle the number of empty homes, Members will also wish to consider the cost/benefit of any proposal to charge the maximum premium(s), i.e., the officer and internal resources required to implement this compared with the likely income that would be achieved as a result.

If Members are minded to recommend a change in the premium to charge the maximum amount, they may wish to consider whether it is feasible and legal to also introduce a discretionary policy in this regard, in exceptional circumstances – and who would authorise this.

Future information that may be required

A detailed explanation of the potential impact of the increase.

4. REVIEW PLANNING & TIMETABLE

Proposed timeframe & milestones for the review:

Meeting Date	Action	Purpose / theme	Witnesses / officers attending
8 September 2022	Agree Scoping Report	Information and analysis	Iain Watters
19 October 2022	Witness Session 1 De-brief, findings and recommendations	Information / analysis To discuss key findings and potential recommendations	Maureen Pemberton, Iain Watters, Mark Billings, Debby Weller
24 November 2022	Approval of draft final report	Proposals – agree recommendations and final draft report to Cabinet	

Resource requirements of this review

None.

Equalities impact

N/A at this stage.

Background Papers / further reading

- [Council tax : empty properties - House of Commons Library \(parliament.uk\) - May 2020](#)
- [Higher amount for long-term empty dwellings - GOV.UK](#)
- [Get in on the Act: Rating \(Property in Common Occupation\) and Council Tax \(Empty Dwellings\) Act 2018 | Local Government Association](#)

This page is intentionally left blank

STATEMENT OF GAMBLING POLICY CONSULTATION

Committee name	Residents' Services Select Committee
Officer reporting	Daniel Ferrer, Licensing Team Manager
Papers with report	Overview of proposed policy changes - Appendix A Draft Statement of Gambling Policy - Appendix B Equality Impact Assessment - Appendix C
Ward	All

HEADLINES

This report is to consult with and invite comments from the Committee on the updated draft Statement of Gambling Policy.

This Policy is deemed as 'Policy Framework' under the Council's constitution and so requires full approval by full Council and prior consultation with the relevant Select Committee.

RECOMMENDATION:

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 Statement of Gambling Policy at regular intervals to ensure 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 sets out how gambling in Great Britain is regulated. It came fully into force in September 2007, and covers arcades, betting shops, bingo premises, casinos, gaming machines, society lotteries, and remote gambling (including online gambling). It also created and set the functions and objectives of the Gambling Commission as the principal regulator. The Council is required to review the Statement of Gambling Policy every three years. The current policy was last formally reviewed in 2019 and therefore requires updating and adopting.

In the intervening time there have been only minor changes to legislation and guidance and as such there are very few changes proposed to this policy. This has been incorporated into the revised policy.

Relevant appendices are:

- An overview document detailing the proposed changes is attached at **Appendix A**.
- The draft Statement of Gambling Policy attached at **Appendix B**
- Equality Impact Assessment at **Appendix C**

The proposed timetable for policy implementation is set out below:

1 st September 2022	Draft Policy to Cabinet.
12 th September 2022	Consultation period starts
4 th October 2022	Licensing Committee
19 th October 2022	Residents Services Overview Committee
24 nd October 2022	Consultation period ends
15 th December 2022	Final policy to Cabinet post-consultation
12 th January 2023	Statement of Gambling Policy considered at Full Council.

Implications on related Council policies

A role of the Licensing Committee 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 Licensing Committee and the Residents' Services Select 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 licensing framework is up to date and effective in ensuring a safe and regulated environment for users of licensed premises. It will also ensure that there are methods for robust enforcement and review of problematic licensed premises.

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.

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

Legal Implications

The Borough Solicitor confirms that the legal implications are included in the report. Further, more detailed legal advice will be given as necessary when the outcome of the Consultation is reported back to Cabinet.

BACKGROUND PAPERS

Current Statement of Gambling Policy

Gambling Commission - Guidance to Licensing Authorities last updated May 2021

Gambling Commission – Licence Conditions & Codes of Practice last updated Oct 2020

Policy Paper – Review of the Gambling Act 2005 Terms of Reference and Call for Evidence, published December 2020

Gambling Act 2005

This page is intentionally left blank

Appendix A - Overview of proposed policy changes

Draft Statement of Gambling Policy

The Council is required by the Gambling Act 2005 to review the Statement of Gambling Policy every three years. The current policy was last formally reviewed in 2019 and therefore requires updating and adopting in 2022.

In the intervening time there have been only minor changes to legislation and as such there are very few changes proposed to this policy.

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

Policy amendments are shown at Appendix B underlined/~~strike-through~~ and an overview of those that are material in nature are set out below:

- Front page – Effective dates amended
- Para 1.1, Line 6 “a” inserted before “Licensing Authority
- Para 1.3, bullet point 1. Addition of full name and section of current codes of practice.
- Para 1.4 added – to provide more detail of the effect of the statutory aim to permit gambling
- Para 1.9 added to provide detail on duration of Policy and any Review during this period.
- Para 1.12 – updated consultation dates.
- Old Para 1.12 – removal of word “and” in Declaration section.
- Para 1.15 – Deleting of “Regulatory Service” and amended to read “Licensing”
- Para 1.42 to 1.44 – new “Partnership Working” section added.
- Para 1.46(iii) – added to take into account any guidance issued by the Better Regulation Executive
- Para 1.48 – Added to be consistent with Government guidance re. test purchases
- Para 1.49 - Added to be consistent with Government guidance re. test purchases
- Para 1.51 – Added to clarify that enforcement will be carried out by authorised officers.
- Para 1.52 and 1.53 – Added to detail various enforcement policies.
- Old para 1.48 - Deleted
- Para 1.56 to 1.58 – Added new section re. the Equality Duty
- Para 1.59 & 1.60 – Added new section re. Modern Day Slavery
- Para 1.61 & 1.62 – Added new section re. Primary Authority scheme
- Para 1.63 – Added para re. Advertising of Gambling
- Para 1.64 – Added new section re. Human Rights Act
- Para 4.1 – amending of date

- Para 4.4 – Deletion of last sentence. No longer needed.
- Para 5.5 – 1st line, “the” deleted.
- Para 5.5 (i) & (ii) – amended to name specific codes and guidance.
- Para 5.7 – amended to recommend that all relevant British Amusement Catering Trade Association (BACTA) guidance is followed.
- Para 5.8 – Deleted as now covered by amended 5.7
- Para 5.9 – Deleted as now covered by amended 5.7
- Para 5.10 – grammar correction at line 2. “machine” amended to “machines”
- Para 5.40 – Amendment for correct page number for list of categories for gaming machines. Page number to be confirmed.
- Para 5.47 - Amendment for correct page number for list of categories for gaming machines. Page number to be confirmed.
- Para 5.64 - Amendment for correct page number for list of categories for gaming machines. Page number to be confirmed.
- Annex B – updated contacted details for the Responsible Authorities
- Annex C – Delegations, these are amended to reflect the same wording approved in the remodelled Council Constitution adopted in May 2022.
- Annex D – Amended to clarify process for ‘call-in’ of applications and representations from Ward Councillors to indicate how it adversely affects the 4 licensing objectives under the Gambling Act. This will also make it consistent with the wording for any call-in of an application under the Licensing Act 2003. Subject to full Council approval of the Policy it will also be requested to update this in the relevant part of the Council Constitution.

Page and paragraph numbers will be updated on the final policy document.



HILLINGDON

LONDON

Statement of Gambling Policy The Gambling Act 2005

Effective –
2023-25

Formatted: Indent: Left: 1.89 cm, Right: 2.86 cm, Space Before: 0.05 pt

Contents

Page

PART 1: The Gambling Act 2005	
Introduction	3
Consultation	4
Declaration	5
Authorised Activities	5
Licensing Authority Functions	6
Responsible Authorities	7
Designated Body Protecting Children from Harm	7
Interested Parties	8
Exchange of Information	10
Enforcement	11
PART 2: Promoting the Licensing Objectives	14
Preventing gambling from being a source of crime or disorder	15
Ensuring that gambling is conducted in a fair and open way	16
Protecting children and vulnerable persons from being harmed	
PART 3: Integrating Strategies and Other Regulatory Regimes	20
Integrating Strategies	
PART 4: Local Risk Assessments and Local Area Profiles	22
Local Risk Assessments	23
Local Area Profiles	
PART 5: Premises Licences	24
General Principles	25
Definition of Premises	27
Provisional Statements	27
Location	28
Conditions	28
Door Supervisors	29
Casino Premises	29
Bingo Premises	31
Members Clubs and Commercial Clubs	31
Betting Premises	32
Tracks	35
Adult Gaming Centres	36
(Licensed) Family Entertainment Centres	37
Travelling Fairs	
Review of Premises Licences	
PART 6: Gaming and Gaming Machine Permits	39
Introduction to Permits	39
Gaming Machines	42
(Unlicensed) Family Entertainment Centre Gaming Machine Permits	44
	45

Club Gaming and Club Machine Permits	46
Alcohol Licensed Premises Gaming Machine Permits	
Prize Gaming Permits	49
PART 7: Notices	50
Temporary Use Notices	
Occasional Use Notices	51
PART 8: Registration of Small Society Lotteries	51
Definition of Small Society Lottery	
Licensing and Registration Scheme	54
PART 9: Decision Making	54
The Licensing Committee	
Delegation of decision-making responsibilities	55
PART 10: Appendices Annexes	57
Appendix Annex: A: Schedule of Consultees	58
Appendix Annex: B: Schedule of Responsible Authorities and Contact details	
Appendix Annex: C: Summary of Delegations	
Annex: D Clarification on Ward Councillors making representations- Ward Councillor Call-in	

**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 a 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 under Section 24 of the Act, the Licence Conditions and Codes of Practice (LCCP)~~
- 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

◆1.4 The effect of this duty is that the Licensing Authority must approach our functions in a way that seeks to regulate gambling by using our powers to moderate its impact on the licensing objectives rather than initially starting out to preventing it all together.

The Policy

4.41.5 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

Formatted: Not Expanded by / Condensed by

Formatted: Indent: Left: 2.72 cm, No bullets or numbering

Formatted

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

4.51.6 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.

4.61.7 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.

4.71.8 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.

1.9 The licensing authority's policy will have effect for a maximum of three years and must be reviewed thereafter, but the licensing may review and alter the Policy at any time during the three year period. Where the Policy is reviewed and changes proposed the licensing authority must consult on any revision.

Formatted: Indent: Left: 2.72 cm, No bullets or numbering

Formatted

CONSULTATION

4.81.10 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
- d. London Fire & Emergency Planning Authority, Hillingdon Fire Station
- e. London Borough of Hillingdon Council Planning Authority
- f. Hillingdon Local Safeguarding Board
- g. HM Revenue and Customs
- h. Authority for Vulnerable Adults
- i. 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*).
- j. Persons who appear to this authority to represent the interests of persons carrying on gambling businesses in the borough of Hillingdon and neighbouring boroughs

- k. 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

~~4.91.11~~ A comprehensive list of the persons and/or bodies we have consulted is attached at ~~Annex~~~~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.

~~4.101.12~~ Our consultation took place between ~~27th June~~, ~~12th September~~ and ~~24th October~~ ~~2022~~ ~~8th August 2019~~

Formatted: Superscript

Formatted: Superscript

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 ~~Licensing 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 [Annex Appendix C B](#), 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 the 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 the 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

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 General Data Protection Regulations 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.

Partnership Working

- 1.42 The local authority shall work in partnership with the Gambling Commission to regulate gambling. In doing so the Commission will tend to focus on operators and issues of national or regional significance whilst the Licensing Authority will take the lead on regulating gambling locally.
- 1.43 The Commission and licensing authorities may work directly together on particular issues. By working in collaboration jointly we are able to prevent such risks growing into a more widespread problem and to ensure that both the Commission and Licensing Authority resources are used efficiently.
- 1.44 Licensing authorities should aim to work with local businesses to reduce the risk to the licensing objectives to acceptable levels. The Act does not envisage regulation by either the Commission or licensing authorities being aimed at preventing legitimate gambling.

- Formatted: Font: 12 pt
- Formatted: Indent: Left: 0.81 cm, Hanging: 1.27 cm, Right: 0 cm, No bullets or numbering, Tab stops: Not at 2.08 cm
- Formatted: Indent: Left: 2.08 cm, No bullets or numbering
- Formatted: Font: 12 pt
- Formatted: Indent: Left: 0.81 cm, Hanging: 1.27 cm, Right: 0 cm, No bullets or numbering, Tab stops: Not at 2.08 cm
- Formatted: Indent: Left: 2.08 cm, No bullets or numbering
- Formatted: Font: 12 pt
- Formatted: Font: 12 pt
- Formatted: Font: 12 pt
- Formatted: Indent: Left: 2.08 cm, No bullets or numbering
- Formatted: Font: 12 pt

Enforcement

[4.421.45](#) 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.

[4.431.46](#) 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. Furthermore, the licensing authority will take into account any guidance issued by the Better Regulation Executive.
- (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.

1.47 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.

1.48 The Licensing Authority, should consult with operators in the first instance where they have concerns about the underage access and age verification policies or whose premises they plan to test purchase. This will enable the Licensing Authority to identify what programmes are in place to manage the business risk and take these into account in planning a test purchase exercise.

4.441.49 The Licensing Authority should consult with the Gambling Commission before

Formatted: Indent: Left: 2.08 cm, No bullets or numbering

Formatted: Font: 12 pt

Formatted: Font color: Auto

Formatted: Font: 12 pt

Formatted: Indent: Left: 0.81 cm, Hanging: 1.27 cm, Right: 0 cm, Space Before: 0 pt, No bullets or numbering, Tab stops: Not at 2.08 cm

undertaking any test purchasing operations. This is to ensure that there is no conflict between any ongoing investigation or enforcement activity related to either the premises or the operator. Furthermore, the Licensing Authority shall share any test purchasing results with the Gambling Commission.

Formatted: Font: 12 pt

Formatted: Font: 12 pt

1.50 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.

Formatted: Font: 12 pt

1.51 Authorised persons of the licensing authority exercise their inspection powers in accordance with the Act, the guidance and the principles set out in the licensing authority's policy.

Formatted: Indent: Left: 0.81 cm, Hanging: 1.27 cm, Right: 0 cm, No bullets or numbering, Tab stops: Not at 2.08 cm

1.52 Any enforcement action taken in relation to the duties of this Licensing Authority under the Gambling Act 2005 will comply with the London Borough of Hillingdon Council's current 'Prosecutions and Sanctions Policy'.

Formatted: Font: 12 pt

Formatted: Font: 12 pt

Formatted: Font color: Auto

Formatted: Font: 12 pt

1.53 Enforcement Officers will also comply with 'The Code for Crown Prosecutors published by the Crown Prosecution Service which can be accessed at:

Formatted: Indent: Left: 0.81 cm, Hanging: 1.27 cm, Right: 0 cm, No bullets or numbering, Tab stops: Not at 2.08 cm

4.45 <https://www.cps.gov.uk/publication/code-crown-prosecutors>

Formatted: Font: 12 pt

4.461.54 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

Formatted: Indent: Left: 0.81 cm, Hanging: 1.27 cm, Right: 0 cm, No bullets or numbering, Tab stops: Not at 2.08 cm

Formatted: Font: 12 pt

Formatted: Indent: Left: 0.81 cm, Hanging: 1.27 cm, Right: 0 cm, No bullets or numbering, Tab stops: Not at 2.08 cm

Field Code Changed

Gambling Commission. This authority also understands that the Gambling Commission will be responsible for compliance as regards unlicensed premises.

~~4.47~~1.55 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 enforcement action and/or legal proceedings will take account of the criteria set down in the Regulators Code, Code of Crown Prosecution and Attorney General Guidelines.

Equality Duty

~~1.56~~ The Licensing Authority have a public sector equality duty to the following protected characteristics:

- Age
- Disability
- Sex, gender reassignment, sexual orientation
- Pregnancy and maternity
- Race, religion or belief
- Marriage and civil partnership

~~1.57~~ Under the Equality Act 2020 (S.149) a Public Authority must, in the exercise of its functions, have due regard to the need to:-

- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the 2010 Act
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it

~~1.58~~ The Licensing Authority has considered the Equality and Diversity issues that may

Formatted: Indent: Left: 2.08 cm, No bullets or numbering

Formatted: Indent: Left: 1.27 cm

Formatted: Font: 12 pt

Formatted: Indent: First line: 0 cm

Formatted: Font: 12 pt

arise from the Policy. The Local Authority considers that this policy does not raise any concerns with regards to equality and diversity.

Formatted: Font: 12 pt

Modern Day Slavery

1.59 The Licensing Authority acknowledges the implementation of the Modern Day Slavery Act 2015 and will therefore fully take on their responsibilities and statutory duties under the Act.

1.60 This Licensing Authority recognises the role it can play in proactively preventing modern slavery, which includes consideration of:-

Formatted: Font: (Default) Arial

Formatted: Indent: Left: 1.27 cm

- Identification and referral of victims during inspections and visits
- Reporting and referring for investigation via the National Crime Agency's national referral mechanism any of its licence holders or managers of premises as a cause for concern
- Assisting partners with Community safety services and disruption activities.

Formatted: Indent: Left: 2.54 cm, No bullets or numbering

Primary Authority

1.61 The Primary Authority (PA) scheme, administered by the Office for Product Safety and Standards provides for a statutory partnership to be formed between a business and a single authority. That single authority, the PA, can provide a national inspection strategy within which other local regulators can operate (Primary Authority statutory guidance), to improve the effectiveness of visits by local regulators and enable better sharing of information between them. The PA scheme therefore aims to ensure that local regulation is consistent at the national level.

Formatted: Font: 12 pt

1.62 Since October 2013, the PA scheme has been extended to include age-restricted sales of gambling in England and Wales. It does not apply to any other aspect of the Act. This means that the Licensing Authority must follow any age restricted sales of gambling national inspection plans and strategies that are published on the PA register when considering proactive age restricted sales (gambling) activity including testing.

Formatted: Font: 12 pt

Formatted: Font: 12 pt

Formatted: Font: 12 pt

Formatted: Font: 12 pt

Advertising

1.63 The Act permits the advertising of gambling in all forms, provided that it is legal and there are adequate protections in place to prevent such advertisements undermining the licensing objectives. The Advertising Standards Authority (ASA) is the UK's independent regulator of advertising. It enforces the UK Advertising Codes (the Codes), written by the Committees of Advertising Practice. The Codes cover the content and placement of advertising and are designed to ensure that advertisements for gambling products are socially responsible, with particular regard to the need to protect children, young persons under 18 and other vulnerable persons from being harmed or exploited. The Codes also require that

advertisements for gambling products or services do not mislead. Any complaint about the content and placement of advertising or marketing communications should be sent directly to the ASA.

Human Rights

1.64 When considering applications and taking enforcement action, the Licensing Authority will be subject to the Human Rights Act 1998 and should bear in mind:

- Article 1 – peaceful enjoyment of possessions.
- Article 6 – right to a fair hearing
- Article 8 – respect for private and family life
- Article 10 – right to freedom of expression

Formatted: Bulleted + Level: 1 + Aligned at: 1.9 cm + Indent at: 2.54 cm

Formatted: Font: 12 pt

Formatted: Indent: Left: 1.27 cm, No bullets or numbering

Formatted: Indent: Left: 1.27 cm

**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.

2.5
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

Formatted: Font: 12 pt

Formatted: Indent: Left: 0.81 cm, Hanging: 1.27 cm, Right: 0 cm, Space Before: 0 pt, No bullets or numbering, Tab stops: Not at 2.08 cm

Formatted: Indent: Left: 2.08 cm, No bullets or numbering

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.

Formatted: Indent: Left: 0 cm

- 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, where they are not legally permitted to do so, 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 Gambling operators will be expected to demonstrate that they have adequate training and staffing procedures in place to ensure that vulnerable persons are

protected from gambling related harm. Staff working at gambling premises will also need to be aware of challenges present in the local area and vicinity of the licensed premises which may impact on the protection of children and vulnerable persons.

- 2.18 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 of 18.
 - v) Clubs with a Club Premises Certificate can admit under-18s, but they must have policies to ensure those under the age of 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.
- 2.19 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.
- 2.20 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.
- 2.21 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 the 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.

- 2.22 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.
- 2.23 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.
- 2.24 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.
- 2.25 When determining the location of proposed gambling facilities, this Licensing Authority in appropriate circumstances, will have regard to any Local Risk Assessment detailed in this policy and 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.

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 in February 2015~~ October 2020 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. ~~There~~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 the licensing authority and operators would be in having a better awareness of 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~~[Act 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~~ the 'Licence Conditions and Codes of Practice', issued by the Gambling Commission.
 - ii) In accordance ~~with any relevant Guidance with the~~ 'Guidance to Licensing Authorities', 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 relevant guidance published by the British Amusement Catering Trade Association (BACTA)~~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

~~5.145.8~~ The Council will act in accordance with the gambling commission guidance on ensuring the primary activity of the licensed premises. Gaming machines 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.

~~5.145.9~~ 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.

~~5.125.10~~ 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?

[5.135.11](#) 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.

[5.145.12](#) 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

[5.155.13](#) Under the Act an applicant may apply for a Provisional Statement where a premises is under construction. 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 **or are intended to be used for gambling.**

[5-165.14](#) 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.

[5-175.15](#) 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.

[5-185.16](#) 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

[5-195.17](#) 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.

[5-205.18](#) 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.

[5-245.19](#) 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.

[5-225.20](#) 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.

[5-235.21](#) If an applicant can demonstrate appropriate measures to overcome concerns, that will be taken into account by the Council.

Conditions

5.245.22 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~~[43](#)

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.

5.40 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 [to 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.

5.41 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 ~~33-44~~
- 5.48 In premises licensed for alcohol consumption, the Council has the power to restrict the number of gaming 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.
- 5.49 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~~ self-exclusion schemes - these are schemes whereby individuals who acknowledge they have a gambling problem ask to 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.

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~~ self-exclusion schemes - these are schemes whereby individuals who acknowledge they have a gambling problem ask ~~to 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 service 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 ~~33-44~~

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-barrings~~ 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 website 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 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 into 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 subcategory 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	MAXIMUM OF 4 GAMING MACHINES CATEGORIES B2 TO D (EXCEPT B3A MACHINES)
TRACK BETTING PREMISES WHERE POOL BETTING LICENCE HELD	MAXIMUM OF 4 GAMING MACHINES CATEGORIES B2 TO D (EXCEPT B3A MACHINES)
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	NO LIMIT ON CATEGORY C AND CATEGORY D MACHINES
FAMILY ENTERTAINMENT CENTRE WITH GAMING PERMIT	NO LIMIT ON CATEGORY D MACHINES
MEMBERS CLUB PREMISES	MAXIMUM OF 3 GAMING MACHINES IN CATEGORIES B3A OR B4 TO D (ONLY ONE B3A MACHINE CAN BE SITED AS PART OF THIS ENTITLEMENT)
COMMERCIAL CLUBS	MAXIMUM OF THREE GAMING MACHINES IN CATEGORIES B4 TO D
ON SALES ALCOHOL LICENSED PREMISES	MAXIMUM OF 2 GAMING MACHINES IN CATEGORIES C TO D BY NOTIFICATION NUMBER OF
ON SALES ALCOHOL LICENSED PREMISES WITH GAMING MACHINE PERMIT	CATEGORY C TO D MACHINES AS SPECIFIED ON PERMIT

(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 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 helpful. 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 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 of 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 email.
- 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 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 advice 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 relation 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

- 9.5 The Council will be involved in a wide range of licensing decisions and functions and has established a Licensing Committee to administer them.
- 9.6 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. Annex C.](#)
- 9.7 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 ANNEX 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 ANNEX 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 e/o
The Licensing Service Residents-
Services
London Borough of Hillingdon
Civic Centre, Uxbridge
UB8 1UW
licensing@hillington.gov.uk~~

~~Hillingdon Planning Authority
Head of Planning and Enforcement Residents-
Services
London Borough of Hillingdon Civic Centre,
Uxbridge
UB8 1UW
Head of ~~Planning~~Development Planning
London Borough Of Hillingdon
Civic Centre
Uxbridge
UB8 1UW
Planning@hillington.gov.uk~~

~~The Gambling Commission
4th Floor
Victoria Square House
Victoria Square
Birmingham
B2 4BP~~

~~Police Licensing Chief Officer of
Police, London Borough of
Hillingdon
e/o Licensing Sergeant
Uxbridge Police Station 4
1 Warwick Place
Uxbridge
UB8 1PG
xh@met.pnn.police.uk~~

~~London Fire Brigade and
Emergency Planning Authority
169 Union Street
London Hillingdon Fire
SE1 0LL Safety Team
Hillingdon Fire Station
Uxbridge Road
Hillingdon UB10 0PH
Attn: North West Area Team~~

~~[FSR-AdminSupport@london-
fire.gov.uk](mailto:FSR-AdminSupport@london-fire.gov.uk)~~

Formatted: Font: 11 pt

Formatted: Font: 11 pt

Formatted: Font: 11 pt

Formatted: Font: 11 pt

Formatted: Indent: Left: 0.18 cm, First line: 1.27 cm

Formatted: Indent: First line: 1.27 cm

Formatted: Font: 11 pt

Formatted: Superscript

Formatted: Font: 11 pt

Formatted: Indent: First line: 1.27 cm

Field Code Changed

Formatted: Font: 11 pt

Formatted: Indent: Left: 0.18 cm, First line: 1.27 cm

Field Code Changed

Formatted: Font: 11 pt

Formatted: Indent: Left: 0 cm

Formatted: Font: 11 pt

Formatted: Indent: Left: 0.18 cm, First line: 1.27 cm

Formatted: Right: 1.33 cm, Space Before: 0 pt

Formatted: Font: 11 pt

~~London Borough of
Hillingdon Civic Centre,
Uxbridge
UB8 1UW~~

Authority for Pollution &
Harm to Human Health
c/o Antisocial Behaviour
& Environment Team
London Borough of
Hillingdon Civic Centre,
Uxbridge
UB8 1UW

asbinvestigations@hillingdon.gov.uk

Local Safeguarding

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

safeguardingchildrenadmin@hillingdon.gov.uk

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

~~Authorities for Vessels: Navigation-
Authority~~

~~The Enforcement Agency The
Canal and River Trust The
Secretary of State~~

Appendix ANNEX C

SUMMARY OF DELEGATION OF POWERS AS ALSO SET OUT IN THE COUNCIL'S
CONSTITUTION

FUNCTION	COUNCIL / CABINET	SUB- COMMITTEE	OFFICER
<u>Approval of the three year Statement of Gambling Policy</u>	<u>Cabinet and Full Council</u>	-	-
<u>Policy not to permit casinos</u>	<u>Full Council</u>	-	-
<u>Fee Setting - when appropriate</u>	<u>Cabinet</u>	-	
<u>Application for premises licences</u>	-	<u>If representation made</u>	<u>If no representation made</u>
<u>Application for a variation to a licence</u>	-	<u>If representation made</u>	<u>If no representation made</u>
<u>Application for a transfer of a licence</u>	-	<u>Where representations have been received from the Commission</u>	<u>Where no representations received from the Commission</u>
<u>Application for a provisional statement</u>	-	<u>If representation made</u>	<u>If no representation made</u>

Formatted: Right: 2.08 cm, Space Before: 4.6 pt

Formatted: Indent: Left: 1.45 cm

Field Code Changed

Formatted: Font: 11 pt

Formatted: Font: 11 pt

Formatted: Indent: Left: 0.18 cm, First line: 1.27 cm

Field Code Changed

Formatted: Font: 11 pt

Review of a premises licence	-	X	-
Application for club gaming / club machine permits	-	If representation made	If no representation made
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
	COUNCIL / CABINET	SUB-COMMITTEE	OFFICER
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	-	By way of a report	-
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-ANNEX DA~~

Ward Councillor Call-in

Where a Ward Councillor makes representations upon an application within their ward, in writing, to the relevant Head of Service for Administrative, Licensing, Technical and Business Services within the appropriate statutory period of consultation for the application, and this representation has been forwarded to the Licensing Authority, that application shall be submitted scheduled to be heard by 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 and how the application adversely affects the licensing objectives.-

This page is intentionally left blank



HILLINGDON
LONDON

Equality Impact Assessment

STEP A) Description of what is to be assessed and its relevance to equality

What is being assessed? Please tick

Review of a service Staff restructure Decommissioning a service

Changing a policy Tendering for a new service A strategy or plan

The review of the Council's Statement of Gambling Policy which takes place every 3 years and must be in place by the end of 2022.

Who is accountable? E.g. Head of Service or Corporate Director

London Borough of Hillingdon – 'The Licensing Authority'

Date assessment completed and approved by accountable person

1st August 2022

Names and job titles of people carrying out the assessment

Daniel Ferrer, Licensing Team Manager

A.1) What are the main aims and intended benefits of what you are assessing?

Comprehensive review and consultation to implement the Council's new Statement of Gambling Policy. As a result, it is intended that this assessment will support effective and efficient delivery of licensing functions and the Council's objectives and allow for stakeholders views to be taken into account.

A.2) Who are the service users or staff affected by what you are assessing? What is their equality profile?

The main users of the service that will be affected will be the actual applicants. Looking at previous applications and licences granted for premises licence holders, it is clear that they are mainly limited companies such as William Hill, Ladbrokes and Jennings. Therefore, we do not foresee and issues as their relevant applications and documentation will be dealt with by agents or their solicitors.

However, service users who may be affected are potentially staff and customers who work and use certain licenced premises and their services. For example, there are a large number of betting shops in the south parts of the Borough such as Hayes. From inspections and visits to these premises, the equality profile of staff and customers come from a Black, Asian, Minority and Ethnic Background.

Furthermore, another relevant key service user will be residents. Again, residents who are generally based geographically in the south may be affected. They will be made from a Black, Asian, Minority and Ethnic background and have always played an important role when submitting representations/objections and therefore providing a voice for the local community.

A.3) Who are the stakeholders in this assessment and what is their interest in it?

Stakeholders	Interest
Applicants and licence holders	Ensure that they are supported by the Authority in making their applications and kept fully informed of the process and the implications of the reviewed Statement of Gambling Policy.
Residents and Businesses	Ensuring that specific requirements have been met by the applicant/licence holder and they are able to submit their objection/representation if it is valid under the legislation.
Licensing Committee, Cabinet & Council	Ensuring processes are followed in accordance with licensing legislation and that all information is presented to them in full so appropriate, reasonable and proportionate decisions can be made.
Chief Executive, Corporate Directors & Staff	Ensuring processes are followed in accordance with licensing legislation and that all information is presented to them in full so appropriate, reasonable and proportionate decisions can be made.

A.4) Which protected characteristics or community issues are relevant to the assessment? ✓ in the box.

Only tick the boxes which relate to the data you have in A2.

Age	✓	Religion or belief	✓
Disability	✓	Sex	✓
Gender reassignment	✓	Sexual Orientation	✓
Marriage or civil partnership	✓	Community Cohesion	✓
Pregnancy or maternity	✓	Community Safety	✓
Race/Ethnicity	✓	Other – please state	

STEP B) Consideration of information; data, research, consultation, engagement

B.1) Consideration of information and data - what have you got and what is it telling you?

The main source of data and information are the current records kept by the Licensing Authority such as applications for premises licences and gambling permits. In addition, there is the information and feedback received from officers who engage with applicants on the phone or with Management and staff face to face during site visits. It is noted that a number of staff and customers at licenced gambling premises in the geographical south of the borough are from a Black, Asian, Minority and Ethnic Background. This is particularly the case with premises in areas such as Hayes. This is evident when inspections have been carried out to premises such as betting shops.

Consultation

B.2) Did you carry out any consultation or engagement as part of this assessment?

Please tick ✓ NO ✓ YES

If no, explain why:

It was not felt necessary to complete consultation as part of this assessment however, in the implementation of the policy, there will be ongoing engagement

with relevant parties during formal consultation.

B.3) Provide any other information to consider as part of the assessment

The new Statement of Gambling Policy is not anticipated to have a significant impact as there is a strong degree of consistency between the old and new document, it is merely reflecting minor updates to legislation and guidance.

On the whole, the amendments proposed have been drafted to clarify, formalise and, in some cases, simplify the processes in relation to applications under the Gambling Act 2005. The principles governing the Statement of Gambling Policy remain consistent with the previous policy statement and recognise the wider community impacts that the Licensing Authority, residents, business community and other stakeholders must be aware of when participating in the licensing process. The new Statement of Gambling Policy recognises the need for a balance between the rights of businesses and the community.

The Licensing Authority have a public sector equality duty to the following protected characteristics:

- Age
- Disability
- Sex, gender reassignment, sexual orientation
- Pregnancy and maternity
- Race, religion or belief
- Marriage and Civil Partnership

Under the Equality Act 2020 (S.149) a public authority must, in the exercise of its functions, have due regard to the need to:-

- (a) Eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the 2010 Act
- (b) Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
- (c) Foster good relations between persons who share a relevant protected characteristic and persons who do not share it

C) Assessment

What did you find in B1? Who is affected? Is there, or likely to be, an impact on certain groups?

C.1) Describe any **NEGATIVE** impacts (actual or potential):

Equality Group	Impact on this group and actions you need to take
Applications from a Black, Asian, Minority and Ethnic background	<p>There will be some staff at Gambling premises from a Black, Asian and Minority Ethnic background whose first language may not be English and who will therefore require some assistance and clarification when Licensing Officers are carrying out their enforcement role. For example, this could mean Officers taking their time and carefully explaining what requirements they are checking, what documents are to be produced and any follow up measures that are needed to comply.</p> <p>In regards to residents and potential difficulties with submitting representations, the Licensing Team will offer advice on the telephone and will accommodate appointments during office hours. In addition, consideration will be given to officers carrying out site visits to meet potential objectors so they are able to gain a better understanding of any proposed application.</p>

C.2) Describe any **POSITIVE** impacts

Equality Group	Impact on this group and actions you need to take
Applications from a Black, Asian, Minority and Ethnic background	<p>Better quality of applications and reports being submitted and as a result residents, responsible authorities and members of the Licensing Committee being well informed to make decisions in considering applications. Residents will feel valued and felt heard when they will be able to communicate their views on behalf of their community. Furthermore, better relationships will be formed with Council Officers and staff and so there will be higher standards of compliance when the applicants operate.</p>

D) Conclusions

The Licensing Team has identified that there a number of gambling premises that have staff and customers from a Black, Asian, Minority and Ethnic background. This will be particularly the case where premises are located in the south of the Borough. In addition, residents in this geographical area will be of a similar background.

Literacy issues may be an issue within these communities and will therefore need to be considered. Local residents will require some assistance with applications, supporting documentation and explanation of Government guidance and the Council's Statement of Gambling Policy.

Licensing Officers will take appropriate steps to explain their enforcement role whilst carrying out inspections and compliance visits to staff and all management. There is already a requirement for authorised officers to leave a formal notice after their inspection fully explaining the reason for their visit and information to full access to records of any inspection. The Licensing Team will offer telephone advice to residents and consideration will be given to meeting residents at Council Offices to assist them in clarifying relevant application forms.

A handwritten signature in black ink, appearing to read 'D. Ferrer', is positioned at the top left of the page. The signature is stylized and written over a light gray rectangular background.

Signed and dated: 01.08.22

Name and position: Daniel Ferrer, Licensing Team Manager

Safer Hillingdon Partnership Development

Committee name	Residents' Services Select Committee
Officer reporting	Ian Billham, Interim Director - Community Safety and Enforcement
Papers with report	None
Ward	All

HEADLINES

The report outlines the changes to the Safer Hillingdon Partnership structure, governance and delivery to ensure compliance with its statutory functions under the Crime and Disorder Act 1998 (section 5-6, 17a,115). Following a review of the current Safer Hillingdon Partnership model and given that new duties have been imposed on the partnership (such as Drug Strategy 2022, Domestic Abuse Act 2021 and the upcoming Serious Violence Duty), new arrangements for effective coordination, collaboration and delivery to tackle these issues have been proposed as outlined in the supporting information of this report.

RECOMMENDATIONS

That the Committee:

- 1. Notes the content of the report and the proposals for SHP; and**
- 2. Endorses the new arrangements for SHP as outlined in this report.**

SUPPORTING INFORMATION

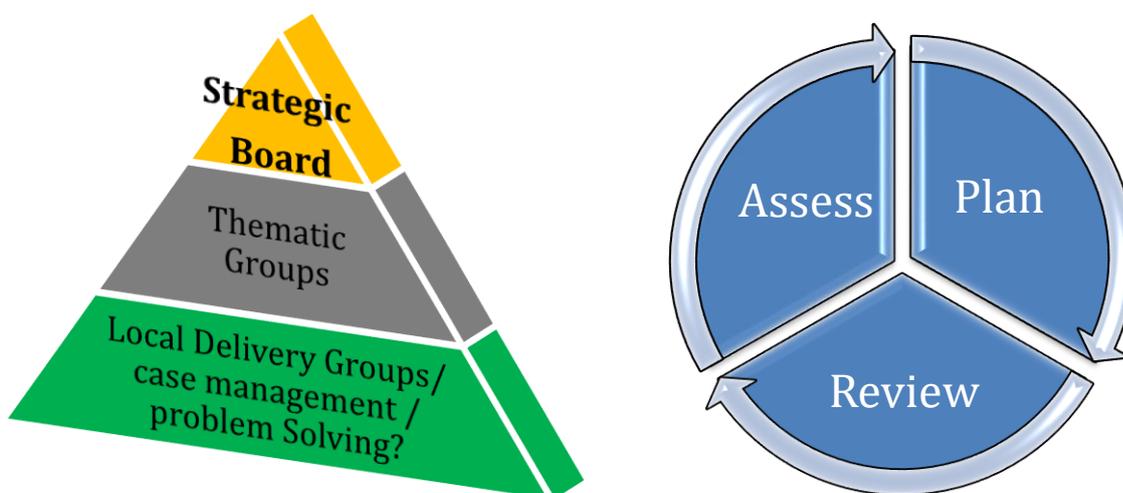
The Safer Hillingdon Partnership (SHP) is the statutory Community Safety Partnership (CSP) for Hillingdon. Sections 5 and 6 of the Crime and Disorder Act 1998 determine the requirement for Responsible Authorities: Police; Local Authority; Health (CCG/ICB); Probation Services and Fire Authority in the defined area (Council Borough in this instance) to work together to tackle crime, disorder, substance misuse and have a plan to tackle offending and re-offending. Each area must also have a Strategy Group whose minimum duty is to commission an annual Strategic intelligence assessment and produce a 3-year Strategy or Plan refreshed annually which should also contain a clear delivery approach and priorities. Figure 1 below shows the core membership of a CSP.

Figure 1: Typical Community Safety Partnership Membership:

Responsible Authorities	Hillingdon Council (Which Departments?)
	Police
	Fire and Rescue
	Health – Clinical Commissioning group/ICS
	National Probation Service
Co-opted members	Community Rehabilitation Company
	Public Health
In Attendance	Safeguarding Partnership?
	Thematic Leads
	Partnership Advisors

In order to discharge its statutory obligations and to work as an effective partnership, a new governance and tiered structure has been proposed. This tiered approach ensures the effective strategic oversight and operational delivery of the partnership priorities (see figures 2 and 3 below):

Figure 2: Partnership Pyramid and Strategic Partnership Cycle



The thematic groups will be defined by Safer Hillingdon based on priorities and demand recommended in the Strategic Intelligence Assessment and subsequently outlined in the refreshed Safer Hillingdon Partnership Strategy and Delivery Plans.

Figure 3: Example of Priorities



Defining Community Safety and Role of Community Safety Partnerships:

Community safety is about feeling safe, whether at home, in the street or at work. It relates to quality of life and being able to pursue and obtain the fullest benefits from your domestic, social and economic lives without fear or hindrance from crime and disorder. The role of the Community Safety Partnership is to coordinate the responses of all key stakeholders and take a collective responsibility to ensure this undertaking is fulfilled to the best of their ability through shared priorities, collaborative actions and initiatives.

The new proposed reset and structure for Safer Hillingdon will fully support this and ensure strategic accountability, drive delivery and collaboration across all priorities.

Key Processes and Timescales:

Strategic Intelligence Assessment (SIA)

- Format (restricted main & Summary)
- problem solving methodology
- PESTOLEM

Public Consultation

- Legislative Requirement
- Consult on draft identified priorities
- Ask Public for any others not identified

Timescales

- SIA Data Collection Sept 2022 (already Started)
- SIA Complete November 2022
- Revised 3 Year Partnership Strategy and Delivery Plan Complete Feb 2023
- Publish Partnership Strategy / Delivery Plan April 2023

Safer Hillingdon Partnership Annual Review

- Performance against Priorities
- Annual report
- Development Action Plan
- Are the **Strategic** Priorities still fit for purpose
- Are the underpinning Themes still appropriate
- Identify Emerging themes
- Review membership, structure and format
- Review annually June 2023/24/25/26

PERFORMANCE DATA

Perception of feeling safe in the Borough – percentage. New performance indicators to be agreed by the SHP in line with the new arrangements and identified partnership priorities, in line with the refreshed Partnership Strategy and Delivery Plan.

A revised Performance framework to appropriately support the agreed priorities and delivery plans will be agreed by Safer Hillingdon Partnership and will be supported within all thematic delivery plans.

RESIDENT BENEFIT

Improve the service to residents to create a safer and stronger community. A more effective community safety partnership will create more joined up services, greater opportunity for co-production of future strategies to help to build more resilient communities across the Borough.

FINANCIAL IMPLICATIONS

No financial implications.

LEGAL IMPLICATIONS

Crime and Disorder Act 1998
Domestic Abuse Act 2021
Antisocial Behaviour, Crime and Policing Act 2014
Police, Crime, Sentencing and Courts Act 2022

BACKGROUND PAPERS

[Crime and Disorder Act 1998 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/1998/37)

[Anti-social Behaviour, Crime and Policing Act 2014 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2014/12)

[Domestic Abuse Act 2021 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2021/1)

[Police, Crime, Sentencing and Courts Act 2022 \(legislation.gov.uk\)](https://www.legislation.gov.uk/ukpga/2022/1)

This page is intentionally left blank

Environmental Enforcement - Fly-tipping and Flyposting

Committee name	Residents' Services Select Committee
Officer reporting	Joanne Howells, Place Directorate
Papers with report	None
Ward	All

HEADLINES

This report outlines the legislative information, process and guidance used by the ASB Team for investigating offences related to fly tipping and fly posting (which includes To Let Boards).

RECOMMENDATIONS

That the Residents' Services Select Committee notes the content of this report and seek clarifications from officers, as necessary.

SUPPORTING INFORMATION

Fly-tipping is defined as the 'illegal deposit of any waste onto land that does not have a licence to accept it' and is an offence under s.33(1) (a) Environmental Protection Act 1990.

'Waste' is defined as *'any substance or object which the holder discards or intends or is required to discard.'*

Controlled waste is defined as household, industrial and commercial waste or any such waste. Industrial waste means waste from a premises used for agriculture. Commercial waste is that which is produced by a premises used wholly or mainly for the purposes of a trade or business.

All residents have a duty of care to take all reasonable measures available to ensure they only transfer household waste produced on their property to an authorised person/carrier. When a resident appears to have failed to comply with their duty of care, knowingly causes or knowingly permits the deposit of their waste, they commit an offence.

For example:

- Where fly-tipped waste can be traced back to a householder who is found to have failed to take reasonable steps to ensure that they transferred the waste to an authorised person;
- Where an unauthorised carrier is found to be carrying waste that was directly transferred to them by a householder;
- Where a householder is found to be transferring their waste to an unauthorised

person at a site that does not have a permit or exemption.

An authorised person may still fly-tip waste, so tracing fly-tipped waste to a household does not necessarily demonstrate a breach of the duty of care and residents should be given an opportunity to demonstrate they took reasonable steps to determine the person that took their waste was authorised to do so.

A householder giving their waste to a friend or family member to dispose of would be in breach of the duty of care. However, it would only be appropriate and in the public interest to issue an FPN/prosecute in this and similar circumstances where there is evidence the friend or family member has disposed of the waste illegally. A householder's waste can still be found fly-tipped or in the possession of an unauthorised carrier, even if they meet their duty of care.

However, if a resident proves they took all reasonable precautions and exercised all due diligence to avoid the commission of the offence then enforcement action cannot be taken.

All such offences are required to be proved to the criminal standard, with the burden of proof being beyond all reasonable doubt. Therefore, evidence from a sighting, property within a black bag or a label on property on its own is insufficient evidence on which to proceed.

However, where there is sufficient evidence, officers can issue Fixed Penalty Notices (FPN) of £400 or, in circumstances which include deliberate transfer of waste to an unauthorised person in the knowledge that it would be fly-tipped, or when someone is a persistent offender with a record of not paying fixed penalties then a prosecution through Court is appropriate.

A person who commits such offences is liable

(a) on summary conviction, to imprisonment for a term not exceeding 12 months or a fine or both;

(b) on conviction on indictment, to imprisonment for a term not exceeding five years or a fine or both

Estate Agent Boards

On the Public Highway, and / or fixed to street furniture –

- Breach of the Highways Act 1980 sec.132
- Issue an FPN (£100) and request the agent remove the sign within 48 hours. If the sign is not removed we would remove the sign ourselves.
- Repeat offenders (that is 3 or more FPN's issued to the same Estate Agent) we would prosecute under the above Highways Act (maximum fine £2500).
- Non-payment of FPN results in a prosecution.

On private land or LBH Housing Land –

- Contact the agent and request they remove the board within 48 hours

- If the board is not removed issue an FPN (£60/£100) under the Town & Country Planning Act 1990 s224 (3)
- Repeat offenders that is 3 or more FPN's issued to the same Estate Agent we would prosecute under the Town & Country Planning Act 1990 s224 (3) (maximum fine £1000).
- Non-payment of FPN results in a prosecution.

Fly posting

On the Public Highway, and or fixed to street furniture –

- A tasking form to EET to remove the fly-post and issue an FPN as appropriate.
- Breach of the Highways Act 1980 sec.132
- Repeat offenders that is 3 or more FPN's issued to the same Company/person we would prosecute under the above Highways Act (maximum fine £2500).
- Non-payment of FPN results in a prosecution.

However, if the flyposting is a phone number i.e. 'cash for cars' it is very difficult with our current method of checks to identify names & addresses for prosecution. We call the number, and the person answering can often be very vague, refuse to divulge personal details, and officers, therefore, will only agree to visit the caller or to meet at a neutral location.

Other types of fly post would involve a desk top search to try to identify the company/person and issue either words, of advice and or an FPN as appropriate.

On private land or LBH Housing Land –

If the sign has been placed on the land without permission from the landowner then it is a fly-post. If the land or premises owner has consented to the poster or sign, then this is not a fly post. It may contravene Planning regulations which we would then refer to Planning Enforcement Team.

If permission has not been sought -

- If the land owner is the local authority, i.e. Housing land a tasking form to EET to remove the fly-post an FPN (£60/£100) under the Town & Country Planning Act 1990 s224 (3)
- Repeat offenders that is 3 or more FPN's issued to the same company/person we would prosecute under the Town & Country Planning Act 1990 s224 (3) (maximum fine £1000).
- Non-payment of FPN results in a prosecution.

PERFORMANCE DATA

The normal method of reporting Fly tipping and fly posting is through the contact centre where a task is raised and responded to by an ASBET officer. Where multiple offences of aggravating factors such as type, or quantity of fly tips/fly posts are identified then a complex case officer is identified to assist and take on a prosecution case

Fly tipping

The ASBET team has had success in this area with large scale fly tips gaining convictions this year amounting to 24 months of prison time and compensation to the tune of £5750 plus court fines of £900.

In addition, proactive action is undertaken, which involves work with the Boroughs CCTV unit to identify offences together with the utilisation of ASBET officers and uniformed enforcement officers (EET) to identify offenders.

Not all CCTV footage is actionable, however, ASBET has introduced a system of intelligence target packages to assist with the identification and enforcement of fly tipping offences. This involves EET Officers visiting addresses identified from CCTV evidence to identify offenders and issue on the spot FPN's.

Using this system, has resulted in an increase in detected offences and the issue of 50 Fixed Penalty Notices so far this year. Fines range from £100 for littering to £400 for Fly tipping. ASBET has set a target to identify 13 offences and offenders per month which could achieve an annual income generation of £60,000, which does not include Court prosecution or compensation orders.

Fly posting

From September 2021 to date the ASB Team has processed 74 court cases related to non-payment of fines for Fly posting, which includes 'To Let' Boards.

RESIDENT BENEFIT

- Clear message that Hillingdon Council takes a zero-tolerance approach
- Reduction offences
- Cleaner and healthier environment

FINANCIAL IMPLICATIONS

No financial implications.

LEGAL IMPLICATIONS

Unlawful deposit of controlled waste – Section 33(1) (a) Environmental Protection Act 1990

Resident appears to have failed to comply with their duty of care, knowingly causes or knowingly permits the deposit of their waste - Section 34(2A) of the Environmental Protection Act 1990.

Highways Act 1980 sec.132

Town & Country Planning Act 1990 s224 (3)

BACKGROUND PAPERS

Nil.

This page is intentionally left blank

CABINET FORWARD PLAN

Committee name	Residents' Services Select Committee
Officer reporting	Liz Penny, Democratic Services Officer
Papers with report	Appendix A – Latest Forward Plan
Ward	As shown on the Forward Plan

HEADLINES

To monitor the Cabinet's latest Forward Plan which sets out key decisions and other decisions to be taken by the Cabinet collectively and Cabinet Members individually over the coming year. The report sets out the actions available to the Committee.

RECOMMENDATION

That the Residents' Services Select Committee notes the Cabinet Forward Plan.

SUPPORTING INFORMATION

The Cabinet Forward Plan is published monthly, usually around the first or second week of each month. It is a rolling document giving the required public notice of future key decisions to be taken. Should a later edition of the Forward Plan be published after this agenda has been circulated, Democratic Services will update the Committee on any new items or changes at the meeting.

As part of its Terms of Reference, each Select Committee should consider the Forward Plan and, if it deems necessary, comment as appropriate to the decision-maker on the items listed which relate to services within its remit. For reference, the Forward Plan helpfully details which Select Committee's remit covers the relevant future decision item listed.

The Select Committee's monitoring role of the Forward Plan can be undertaken in a variety of ways, including both pre-decision and post-decision scrutiny of the items listed. The provision of advance information on future items listed (potentially also draft reports) to the Committee in advance will often depend upon a variety of factors including timing or feasibility, and ultimately any such request would rest with the relevant Cabinet Member to decide. However, the 2019 Protocol on Overview & Scrutiny and Cabinet Relations (part of the Hillingdon Constitution) does provide guidance to Cabinet Members to:

- Actively support the provision of relevant Council information and other requests from the Committee as part of their work programme;
- Where feasible, provide opportunities for committees to provide their input on forthcoming executive reports as set out in the Forward Plan to enable wider pre-decision scrutiny (in addition to those statutorily required to come before committees, *i.e. policy framework documents – see para. below*).

As mentioned above, there is both a constitutional and statutory requirement for Select Committees to provide comments on the Cabinet's draft budget and policy framework proposals after publication. These are automatically scheduled in advance to multi-year work programmes.

Therefore, in general, the Committee may consider the following actions on specific items listed on the Forward Plan:

	Committee action	When	How
1	To provide specific comments to be included in a future Cabinet or Cabinet Member report on matters within its remit.	<p>As part of its pre-decision scrutiny role, this would be where the Committee wishes to provide its influence and views on a particular matter within the formal report to the Cabinet or Cabinet Member before the decision is made.</p> <p>This would usually be where the Committee has previously considered a draft report or the topic in detail, or where it considers it has sufficient information already to provide relevant comments to the decision-maker.</p>	<p>These would go within the standard section in every Cabinet or Cabinet Member report called "Select Committee comments".</p> <p>The Cabinet or Cabinet Member would then consider these as part of any decision they make.</p>
2	To request further information on future reports listed under its remit.	<p>As part of its pre-decision scrutiny role, this would be where the Committee wishes to discover more about a matter within its remit that is listed on the Forward Plan.</p> <p>Whilst such advance information can be requested from officers, the Committee should note that information may or may not be available in advance due to various factors, including timescales or the status of the drafting of the report itself and the formulation of final recommendation(s). Ultimately, the provision of any information in advance would be a matter for the Cabinet Member to decide.</p>	<p>This would be considered at a subsequent Select Committee meeting. Alternatively, information could be circulated outside the meeting if reporting timescales require this.</p> <p>Upon the provision of any information, the Select Committee may then decide to provide specific comments (as per 1 above).</p>
3	To request the Cabinet Member considers providing a draft of the report, if feasible, for the Select Committee to consider prior to it being considered formally for decision.	<p>As part of its pre-decision scrutiny role, this would be where the Committee wishes to provide an early steer or help shape a future report to Cabinet, e.g., on a policy matter.</p> <p>Whilst not the default position, Select Committees do occasionally receive draft versions of Cabinet reports prior to their formal consideration. The provision of such draft reports in advance may depend upon different factors, e.g., the timings required for that decision. Ultimately any request to see a draft report early would need the approval of the relevant Cabinet Member.</p>	<p>Democratic Services would contact the relevant Cabinet Member and Officer upon any such request.</p> <p>If agreed, the draft report would be considered at a subsequent Select Committee meeting to provide views and feedback to officers before they finalise it for the Cabinet or Cabinet Member. An opportunity to provide specific comments (as per 1 above) is also possible.</p>
4	To identify a forthcoming report that may merit a post-decision review at a later Select Committee meeting	<p>As part of its post-decision scrutiny and broader reviewing role, this would be where the Select Committee may wish to monitor the implementation of a certain Cabinet or Cabinet Member decision listed/taken at a later stage, i.e., to review its effectiveness after a period of 6 months.</p> <p>The Committee should note that this is different to the use of the post-decision scrutiny 'call-in' power which seeks to ask the Cabinet or Cabinet Member to formally re-consider a decision up to 5 working days after the decision notice has been issued. This is undertaken via the new Scrutiny Call-in App members of the relevant Select Committee.</p>	<p>The Committee would add the matter to its multi-year work programme after a suitable time has elapsed upon the decision expected to be made by the Cabinet or Cabinet Member.</p> <p>Relevant service areas may be best to advise on the most appropriate time to review the matter once the decision is made.</p>

Page 112

BACKGROUND PAPERS

- [Protocol on Overview & Scrutiny and Cabinet relations adopted by Council 12 September 2019](#)
- [Scrutiny Call-in App](#)

This page is intentionally left blank

Ref	Upcoming Decisions	Further details	Ward(s)	Final decision by Full Council	Cabinet Member(s) Responsible	Relevant Select Committee	Directorate / Lead Officer	Consultation related to the decision	NEW ITEM	Public or Private (with reason)
SI = Standard Item each month Council Directorates: AS = Adult Services & Health P = Place CS = Central Services R = Resources CY = Children & Young People ES = Education & SEND										
Cabinet meeting - Thursday 13 October 2022 (report deadline 26 September)										
061	Playground Refurbishment Contract	To award a contract following a competitive tender process for the refurbishment of playgrounds within the Borough.	Various		Cllr Eddie Lavery - Residents' Services	Residents' Services	P - Jamie Bell and Neil O'Connor		NEW ITEM	Private (3)
053b	Council Strategy 2022-2026 - POLICY FRAMEWORK	Following consultation, Cabinet will consider recommending to the full Council a new Council Strategy. It will set out the Council's proposed vision, direction and the overarching policies as a framework to deliver excellent services to residents in the Borough and monitor their performance and delivery.	All	Proposed Full Council adoption - 17 November 2022	All Cabinet Members	All Select Committees	CS - Dan Kennedy / Naveed Mohammed	Statutory consultation and select committees		Public
SI	Public Preview of matters to be considered in private	A report to Cabinet to provide maximum transparency to residents on the private and confidential matters to be considered later in Part 2 of the Cabinet meeting and agenda.	TBC		All Cabinet Members	All	CS - Democratic Services			Public
SI	Reports from Select Committees	Reports, findings and recommendations for consideration by the Cabinet, when referred from the appropriate Committee.	All		All	TBC	CS - Democratic Services	TBC		Public
Cabinet Member Decisions expected - October 2022										
SI	Standard Items taken each month by the Cabinet Member	Cabinet Members make a number of non-key decisions each month on standard items - details of these are listed at the end of the Forward Plan.	Various		All	TBC	CS - Democratic Services	Various		Public
Cabinet meeting - Thursday 10 November 2022 (report deadline 24 October)										
SI	Public Preview of matters to be considered in private	A report to Cabinet to provide maximum transparency to residents on the private and confidential matters to be considered later in Part 2 of the Cabinet meeting and agenda.	TBC		All Cabinet Members	All	CS - Democratic Services			Public
SI	Reports from Select Committees	Reports, findings and recommendations for consideration by the Cabinet, when referred from the appropriate Committee.	All		All	TBC	CS - Democratic Services	TBC		Public
Cabinet Member Decisions expected - November 2022										
SI	Standard Items taken each month by the Cabinet Member	Cabinet Members make a number of non-key decisions each month on standard items - details of these are listed at the end of the Forward Plan.	Various		All	TBC	CS - Democratic Services	Various		Public
Cabinet meeting - Thursday 15 December 2022 (report deadline 28 November)										

Ref	Upcoming Decisions		Further details	Ward(s)	Final decision by	Cabinet Member(s)	Relevant Select	Directorate /	Consultation related	NEW ITEM	Public or Private (with reason)
					Full Council	Responsible	Committee	Lead Officer	to the decision		
SI = Standard Item each month Council Directorates: AS = Adult Services & Health P = Place CS = Central Services R = Resources CY = Children & Young People ES = Education & SEND											
040a	The Council's Budget - Medium Term Financial Forecast 2023/24 - 2027/28 (BUDGET FRAMEWORK)	This report will set out the Medium Term Financial Forecast (MTFF), which includes the draft General Fund reserve budget and capital programme for 2023/24 for consultation, along with indicative projections for the following four years. This will also include the HRA rents for consideration.	All	Proposed Full Council adoption - 23 February 2023	Cllr Ian Edwards - Leader of the Council / Cllr Martin Goddard - Finance	All	R - Andy Evans	Public consultation through the Select Committee process and statutory consultation with businesses & ratepayers		Public	
014b	Statement of Public Preview of matters to be considered in private	Subject to Cabinet's consideration of this in July, and following A report to Cabinet to provide maximum transparency to residents on the private and confidential matters to be considered later in Part 2 of the Cabinet meeting and agenda.	All	Proposed	Cllr Eddie All Cabinet Members	Residents'	P - Daniel Ferrer / CS - Democratic Services	Licensing Committee &		Public	
SI	Reports from Select Committees	Reports, findings and recommendations for consideration by the Cabinet, when referred from the appropriate Committee.	All		All	TBC	CS - Democratic Services	TBC		Public	
Cabinet Member Decisions expected - December 2022											
SI	Standard Items taken each month by the Cabinet Member	Cabinet Members make a number of non-key decisions each month on standard items - details of these are listed at the end of the Forward Plan.	Various		All	TBC	CS - Democratic Services	Various		Public	
Cabinet meeting - Thursday 5 January 2023 (report deadline 12 December)											
060	Rough Sleeper Services Contract Award	Cabinet will consider the award a contract for support services for Rough Sleepers in the Borough.	All		Cllr Eddie Lavery - Residents' Services	Residents' Services	P - Mark Billings / Debbie Weller		NEW ITEM	Private (3)	
043	Local Flood Risk Management Strategy	Following approval of the Flood Action Plan in May 2021, Cabinet will consider consultation on an updated Local Flood Risk Management Strategy detailing the Council and partner's approach to tackling local flooding. The Strategy is a statutory requirement.	All		Cllr Eddie Lavery - Residents' Services	Residents' Services	P - Ian Thynne	Select Committee and public consultation.		Public	
SI	Public Preview of matters to be considered in private	A report to Cabinet to provide maximum transparency to residents on the private and confidential matters to be considered later in Part 2 of the Cabinet meeting and agenda.	TBC		All Cabinet Members	All	CS - Democratic Services			Public	
SI	Reports from Select Committees	Reports, findings and recommendations for consideration by the Cabinet, when referred from the appropriate Committee.	All		All	TBC	CS - Democratic Services	TBC		Public	
Cabinet Member Decisions expected - January 2023											
SI	Standard Items taken each month by the Cabinet Member	Cabinet Members make a number of non-key decisions each month on standard items - details of these are listed at the end of the Forward Plan.	Various		All	TBC	CS - Democratic Services	Various		Public	

Upcoming
Decisions

Further details

Ward(s)

Final decision by Full Council	Cabinet Member(s) Responsible	Relevant Select Committee	Directorate / Lead Officer	Consultation related to the decision	NEW ITEM	Public or Private (with reason)
--------------------------------	-------------------------------	---------------------------	----------------------------	--------------------------------------	----------	---------------------------------

SI = Standard Item each month Council Directorates: AS = Adult Services & Health P = Place CS = Central Services R = Resources CY = Children & Young People ES = Education & SEND

Cabinet meeting - Thursday 16 February 2023 (report deadline 30 January 2023)

040b	The Council's Budget - Medium Term Financial Forecast 2023/24 - 2027/28 (BUDGET FRAMEWORK)	Following consultation, this report will set out the Medium Term Financial Forecast (MTFF), which includes the draft General Fund reserve budget and capital programme for 2023/24 for consultation, along with indicative projections for the following four years. This will also include the HRA rents for consideration.	All	Proposed Full Council adoption - 23 February 2023	Cllr Ian Edwards - Leader of the Council / Cllr Martin Goddard - Finance	All	R - Andy Evans	Public consultation through the Select Committee process and statutory consultation with businesses & ratepayers		Public
SI	Public Preview of matters to be considered in private	A report to Cabinet to provide maximum transparency to residents on the private and confidential matters to be considered later in Part 2 of the Cabinet meeting and agenda.	TBC		All Cabinet Members	All	CS - Democratic Services			Public
SI	Reports from Select Committees	Reports, findings and recommendations for consideration by the Cabinet, when referred from the appropriate Committee.	All		All	TBC	CS - Democratic Services	TBC		Public

Cabinet Member Decisions expected - February 2023

SI	Standard Items taken each month by the Cabinet Member	Cabinet Members make a number of non-key decisions each month on standard items - details of these are listed at the end of the Forward Plan.	Various		All	TBC	CS - Democratic Services	Various		Public
----	--	---	---------	--	-----	-----	--------------------------	---------	--	--------

Cabinet meeting - Thursday 23 March 2023 (report deadline 6 March 2023)

SI	Public Preview of matters to be considered in private	A report to Cabinet to provide maximum transparency to residents on the private and confidential matters to be considered later in Part 2 of the Cabinet meeting and agenda.	TBC		All Cabinet Members	All	CS - Democratic Services			Public
SI	Reports from Select Committees	Reports, findings and recommendations for consideration by the Cabinet, when referred from the appropriate Committee.	All		All	TBC	CS - Democratic Services	TBC		Public

Cabinet Member Decisions expected - March 2023

SI	Standard Items taken each month by the Cabinet Member	Cabinet Members make a number of non-key decisions each month on standard items - details of these are listed at the end of the Forward Plan.	Various		All	TBC	CS - Democratic Services	Various		Public
----	--	---	---------	--	-----	-----	--------------------------	---------	--	--------

Cabinet meeting - Thursday 20 April 2023 (report deadline 3 April 2023)

SI	Public Preview of matters to be considered in private	A report to Cabinet to provide maximum transparency to residents on the private and confidential matters to be considered later in Part 2 of the Cabinet meeting and agenda.	TBC		All Cabinet Members	All	CS - Democratic Services			Public
----	--	--	-----	--	---------------------	-----	--------------------------	--	--	--------

Ref	Upcoming Decisions	Further details	Ward(s)	Final decision by Full Council	Cabinet Member(s) Responsible	Relevant Select Committee	Directorate / Lead Officer	Consultation related to the decision	NEW ITEM	Public or Private (with reason)
SI	Reports from Select Committees	Reports, findings and recommendations for consideration by the Cabinet, when referred from the appropriate Committee.	Various		All	TBC	CS - Democratic Services	Various		Public
Cabinet Member Decisions expected - April 2023										
SI	Standard Items taken each month by the Cabinet Member	Cabinet Members make a number of decisions each month on standard items - details of these standard items are listed at the end of the Forward Plan.	Various		All	TBC	CS - Democratic Services	Various		Public
Cabinet meeting - Thursday 4 May 2023 (report deadline 17 April)										
SI	Public Preview of matters to be considered in private	A report to Cabinet to provide maximum transparency to residents on the private and confidential matters to be considered later in Part 2 of the Cabinet meeting and agenda.	TBC		All Cabinet Members	All	CS - Democratic Services			Public
SI	Reports from Select Committees	Reports, findings and recommendations for consideration by the Cabinet, when referred from the appropriate Committee.	All		All	TBC	CS - Democratic Services	TBC		Public
Cabinet Member Decisions expected - May 2023										
SI	Standard Items taken each month by the Cabinet Member	Cabinet Members make a number of decisions each month on standard items - details of these standard items are listed at the end of the Forward Plan.	Various		All	TBC	CS - Democratic Services	Various		Public
Cabinet meeting - June 2023 (date TBC)										
SI	Public Preview of matters to be considered in private	A report to Cabinet to provide maximum transparency to residents on the private matters to be considered later in Part 2 of the Cabinet meeting and agenda.	TBC		All Cabinet Members	All	CS - Democratic Services			Public
SI	Planning Obligations and Community Infrastructure Levy Annual Monitoring report	Cabinet will receive an annual update report to monitor spending on section 106 (developer contribution) monies along with the Community Infrastructure levy.	All		Cllr Eddie Lavery - Residents' Services	Residents' Services	P - Nicola Wyatt			Public
SI	Reports from Select Committees	Reports, findings and recommendations for consideration by the Cabinet, when referred from the appropriate Committee.	All		TBC	TBC	CS - Democratic Services	TBC		Public
Cabinet Member Decisions expected - June 2023										
SI	Standard Items taken each month by the Cabinet Member	Cabinet Members make a number of non-key decisions each month on standard items - details of these are listed at the end of the Forward Plan.	Various		All		CS - Democratic Services	Various		Public

Upcoming Decisions Further details

Ref

Ward(s)

Final decision by Full Council	Cabinet Member(s) Responsible	Relevant Select Committee	Directorate / Lead Officer	Consultation related to the decision	NEW ITEM	Public or Private (with reason)
--------------------------------	-------------------------------	---------------------------	----------------------------	--------------------------------------	----------	---------------------------------

SI = Standard Item each month Council Directorates: AS = Adult Services & Health P = Place CS = Central Services R = Resources CY = Children & Young People ES = Education & SEND

Cabinet meeting - July 2023 (date TBC)

SI	Strategic Climate Action Plan	Hillingdon Council passed a Climate Change Declaration at its full Council meeting on 16 January 2020 which set out targets to become carbon neutral and achieve 100% clean energy across the Council's services by 2030. It will also set out the Council's approach to low carbon procurement. Cabinet in July 2021 approved the Council's Climate Action Plan to achieve this and also agreed to review progress annually. This is the first annual progress review of the Plan to Cabinet.	All		Cllr Eddie Lavery - Residents' Services	Residents' Services	P / R - Ian Thynne	Residents' Services Select Committee		Public
SI	Public Preview of matters to be considered in private	A report to Cabinet to provide maximum transparency to residents on the private and confidential matters to be considered later in Part 2 of the Cabinet meeting and agenda.	TBC		All Cabinet Members	All	CS - Democratic Services			Public
SI	Reports from Select Committees	Reports, findings and recommendations for consideration by the Cabinet, when referred from the appropriate Committee.	All		All	All	CS - Democratic Services	TBC		Public

Cabinet Member Decisions expected - July 2023

SI	Standard Items taken each month by the Cabinet Member	Cabinet Members make a number of non-key decisions each month on standard items - details of these are listed at the end of the Forward Plan.	Various		All		CS - Democratic Services	Various		Public
----	--	---	---------	--	------------	--	---------------------------------	---------	--	--------

AUGUST 2023 - NO CABINET MEETING

SI	Interim or urgent executive decision-making by the Leader of the Council	As there is no Cabinet meeting in August, the Leader of the Council may take interim or urgent key decisions, and if so required, on behalf of the full Cabinet. These will be reported to Cabinet at a later date for ratification and public record.	Various		Cllr Ian Edwards - Leader of the Council	TBC	CS - Democratic Services	Various		Public / Private - TBD
SI	Standard Items taken each month by the Cabinet Member	Cabinet Members make a number of non-key decisions each month on standard items - details of these are listed at the end of the Forward Plan.	Various		All	TBC	CS - Democratic Services	Various		Public

CABINET MEMBER DECISIONS: Standard Items (SI) that may be considered each month

Ref **Upcoming Decisions** Further details

Ref	Upcoming Decisions	Further details	Ward(s)	Final decision by Full Council	Cabinet Member(s) Responsible	Relevant Select Committee	Directorate / Lead Officer	Consultation related to the decision	NEW ITEM	Public or Private (with reason)
SI = Standard Item each month Council Directorates: AS = Adult Services & Health P = Place CS = Central Services R = Resources CY = Children & Young People ES = Education & SEND										
SI	Urgent Cabinet-level decisions & interim decision-making (including emergency decisions)	The Leader of the Council has the necessary authority to make decisions that would otherwise be reserved to the Cabinet, in the absence of a Cabinet meeting or in urgent circumstances. Any such decisions will be published in the usual way and reported to a subsequent Cabinet meeting for ratification. The Leader may also take emergency decisions without notice, in particular in relation to the COVID-19 pandemic, which will be ratified at a later Cabinet meeting.	Various		Cllr Ian Edwards - Leader of the Council	TBC	CS - Democratic Services	TBC		Public / Private
SI	Release of Capital Funds	The release of all capital monies requires formal Member approval, unless otherwise determined either by the Cabinet or the Leader. Batches of monthly reports (as well as occasional individual reports) to determine the release of capital for any schemes already agreed in the capital budget and previously approved by Cabinet or Cabinet Members	TBC		Cllr Martin Goddard - Finance (in conjunction with relevant Cabinet Member)	All - TBC by decision made	various	Corporate Finance		Public but some Private (1,2,3)
SI	Petitions about matters under the control of the Cabinet	Cabinet Members will consider a number of petitions received by local residents and organisations and decide on future action. These will be arranged as Petition Hearings.	TBC		All	TBC	CS - Democratic Services			Public
SI	To approve compensation payments	To approve compensation payments in relation to any complaint to the Council in excess of £1000.	n/a		All	TBC	various			Private (1,2,3)
SI	Acceptance of Tenders	To accept quotations, tenders, contract extensions and contract variations valued between £50k and £500k in their Portfolio Area where funding is previously included in Council budgets.	n/a		Cllr Ian Edwards - Leader of the Council OR Cllr Martin Goddard - Finance / in conjunction with relevant Cabinet Member	TBC	various			Private (3)
SI	All Delegated Decisions by Cabinet to Cabinet Members, including tender and property decisions	Where previously delegated by Cabinet, to make any necessary decisions, accept tenders, bids and authorise property decisions / transactions in accordance with the Procurement and Contract Standing Orders.	TBC		All	TBC	various			Public / Private (1,2,3)

Upcoming Decisions		Further details	Ward(s)	Final decision by Full Council	Cabinet Member(s) Responsible	Relevant Select Committee	Directorate / Lead Officer	Consultation related to the decision	NEW ITEM	Public or Private (with reason)
SI = Standard Item each month Council Directorates: AS = Adult Services & Health P = Place CS = Central Services R = Resources CY = Children & Young People ES = Education & SEND										
SI	Chrysalis Programme of Environmental Improvements	The Cabinet Member will be asked to consider the approval of projects.	Various		Cllr Eddie Lavery - Residents' Services	Residents' Services	P - Helena Webster			Public
SI	External funding bids	To authorise the making of bids for external funding where there is no requirement for a financial commitment from the Council.	n/a		All	TBC	various			Public
SI	Response to key consultations that may impact upon the Borough	A standard item to capture any emerging consultations from Government, the GLA or other public bodies and institutions that will impact upon the Borough. Where the deadline to respond cannot be met by the date of the Cabinet meeting, the Constitution allows the Cabinet Member to sign-off the response.	TBC		All	TBC	various			Public

The Cabinet's Forward Plan is an official document by the London Borough of Hillingdon, UK

This page is intentionally left blank

RESIDENTS' SERVICES SELECT COMMITTEE - WORK PROGRAMME

Committee name	Residents' Services Select Committee
Officer reporting	Liz Penny, Democratic Services Officer
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

- 1. That the Residents' Services Select Committee considers the Work Programme report and agrees any amendments; and**
- 2. Following the current Empty Homes Premium minor review, that the Residents' Services Select Committee considers undertaking a major review of alleygating in the Borough.**

SUPPORTING INFORMATION

1. The Committee's meetings will start at 7pm and the witnesses attending each of the meetings may include representatives from external organisations, some of whom travel from outside of the Borough. Forthcoming meeting dates are as follows:

Meeting Date	Room
21 July 2022	CR6
08 September 2022	CR5
19 October 2022	CR5
24 November 2022	CR5
19 January 2023	CR5
15 February 2023	CR5
15 March 2023	CR6
12 April 2023	CR5

Site Visits

Members of the Residents' Services Select Committee have undertaken a number of site visits in recent months to include the CCTV room in the Civic Centre, Harlington Road Depot and Heathrow Imported Food Office. These have proved to be extremely interesting and informative.



A recent Select Committee visit to the Council's CCTV control room to review operations

Left - Cllr Sullivan and Cllr Smallwood
 Above - Cllr Farley and Cllr Punja



Recent site visits to Heathrow Imported Food Office and Harlington Road Depot

Left – Cllr Bridges, Cllr Farley and Cllr Sullivan (accompanied by officers)
 Above – Cllr Farley, Cllr Gardner, Cllr Smallwood and Cllr Sullivan

Implications on related Council policies

The role of the Select 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

Select Committees directly engage residents in shaping policy and recommendations and 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.

This page is intentionally left blank

MULTI-YEAR WORK PROGRAMME 2022 - 2026

	2022/23						2023/24					
Residents' Services Select Committee	June 15	July 21	August No meeting	Cancelled - Sept 8	October 19	November 24	December No meeting	January 19	February 15	March 15	April 12	May No meeting
Minor Review: Empty Homes Council Tax Premium (tbc) Topic selection / scoping stage Witness / evidence / consultation stage Findings, conclusions and recommendations Final review report agreement Target Cabinet reporting				Selection / Scoping	Witness Session Findings	Cabinet						
Major Review: Alleygating (tbc) Topic selection / scoping stage Witness / evidence / consultation stage Findings, conclusions and recommendations Final review report agreement Target Cabinet reporting					Scoping		Witness Session	Witness Session	Findings	Final report		
Regular service & performance monitoring CIL Expenditure Monitoring - Annual Report & S106 Quarterly Performance Monitoring Mid-year budget / budget planning report Strategic Climate Action Plan: Annual Update Cabinet's Budget Proposals For Next Financial Year Cabinet Forward Plan Monthly Monitoring	X	X		X	X	X		X	X	X	X	
One-off information items Scrutiny Introduction (Democratic Services) ASB Service Development Toilet signs/flyposting/fly-tipping Local Flood Risk Management Strategy Community Cohesion / Prevent Update Statement of Gambling Policy (POLICY FRAMEWORK) Council Strategy 2022-2026 consultation Empty Properties (Council Tax Premium & EDMOs) Allotments Update Policy Review Discussion & Guidance Update on housing transformation project Parking and modern enforcement (delivery drivers) The impact of HS2 (parking and traffic) High Street Regeneration post-Covid	X			X	X	X		X				
Crime & Disorder - Statutory Scrutiny (themed) Safer Hillingdon Partnership Development Safer Hillingdon Partnership Performance & Theme 1 - TBC Safer Hillingdon Partnership Performance & Theme 2 - TBC				X	X	X				X		
Past review delivery Engagement with Tenants and Leaseholders 2021/22									X			
Internal use only Date deadline confirmed to report authors Report deadline Agenda published	13 Jun 15 Jun	11 Jul 13 Jul		26 Aug	7 Oct	14 Nov		9 Jan	3 Feb	3 Mar	31 Mar	

Committee Site Visits (dates tbc)
CCTV Control Room, Civic Centre (25 July 2022)
Uxbridge or Botwell Leisure Centre
Harlington Road Depot (28 September 2022)
Rapid Response Team
Weed Killing Contractor
Heathrow Airport (Imported Food Office) (4 October 2022)
Noise Team
Fire Station
Graffiti Removal
Breakspear Crematorium (25 January 2023)

Topics for inclusion in 2023/2024 Work Programme
Weed Spraying
Monitoring of 'Master Plan for Uxbridge' (as referenced in Council Strategy 2022-26)
Update on Empty Property Strategy - tbc

This page is intentionally left blank