



HILLINGDON
LONDON



Council

To all Members of the Council

Date: THURSDAY, 16 JANUARY
2025

Time: 7.30 PM

Venue: COUNCIL CHAMBER -
CIVIC CENTRE, HIGH
STREET, UXBRIDGE UB8
1UW

**Meeting
Details:** The public and press are welcome
to attend and observe the meeting.

For safety and accessibility, security measures will be conducted, including searches of individuals and their belongings. Attendees must also provide satisfactory proof of identity upon arrival. Refusal to comply with these requirements will result in non-admittance.

This meeting may be broadcast on the Council's YouTube channel. You can also view this agenda online at www.hillingdon.gov.uk

Published: Wednesday, 8 January 2025

Contact: Lloyd White, Head of
Democratic Services

Email: democratic@hillington.gov.uk

Putting our residents first

Lloyd White
Head of Democratic Services
London Borough of Hillingdon,
Phase II, Civic Centre, High Street, Uxbridge, UB8 1UW

Useful information for residents and visitors

Watching & recording this meeting

You can watch this meeting on the Council's YouTube channel, live or archived.

Residents and the media are also welcome to attend in person, and if they wish, report on the public part of the meeting. Any individual or organisation may record or film proceedings as long as it does not disrupt proceedings.

Watch a **LIVE** broadcast of this meeting on the Council's YouTube Channel: *Hillingdon London*

Those attending should be aware that the Council will film and record proceedings for both official record and resident digital engagement in democracy.



It is recommended to give advance notice of filming to ensure any particular requirements can be met. The Council will provide seating areas for residents/public, high speed WiFi access to all attending and an area for the media to report. When present in the room, silent mode should be enabled for all mobile devices.

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 via main reception and visit the security desk to sign-in and collect a visitors pass. You will then be directed to the Chamber.



Accessibility

For accessibility options regarding this agenda please contact Democratic Services. For those hard of hearing an Induction Loop System is available for use.

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.

Agenda

Prayers

To be said by the Reverend Canon Andrew Studdert-Kennedy.

- 1** Apologies for Absence
- 2** Minutes 1 - 16
To receive the minutes of the meeting held on 28 November 2024 (*attached*)
- 3** Declarations of Interest
To note any declarations of interest in any matter before the Council
- 4** Mayor's Announcements
- 5** Public Question Time 17 - 18
To take questions submitted by members of the public in accordance with Council Procedure Rule 10.
- 6** Report of the Head of Democratic Services 19 - 30
- 7** Statement of Gambling Policy 2025 - 2028 31 - 100
To consider the recommendation of Cabinet.
- 8** Council Tax Base and Business Rates Forecast 2025 - 2026 101 - 128
To consider the calculation of the Council Tax base and the Business Rates Forecast.
- 9** Members' Questions 129 - 130
To take questions submitted by Members in accordance with Council Procedure Rule 11

This page is intentionally left blank

	<p>pecuniary interest in Agenda Item 6iv, as the item related to his role, and remained in the room during the consideration thereof.</p>
30.	<p>MAYOR'S ANNOUNCEMENTS (<i>Agenda Item 4</i>)</p> <p>The Mayor advised that she had had a busy few months, attending a variety of functions including a number of Christmas lights switch on events and 100th birthday parties. She had also had the honour of laying wreaths at memorials in Ruislip and Harefield and at the Royal Naval Association on Remembrance Sunday. The Mayor thanked those Councillors who had laid wreaths in other parts of the Borough on her behalf.</p>
31.	<p>PUBLIC QUESTION TIME (<i>Agenda Item 5</i>)</p> <p>It was noted that, in accordance with the Constitution, the Mayor had agreed to group the questions together to be answered together as follows: 5.1, 5.4 and 5.10; 5.2, 5.3, 5.5, 5.7, 5.8 and 5.9; 5.6.</p> <p>5.1 QUESTION FROM JONATHAN HAYNES OF THE GREENWAY, UXBRIDGE TO THE CABINET MEMBER FOR CORPORATE SERVICES AND PROPERTY - COUNCILLOR BIANCO:</p> <p><i>“Given that Blue Horizon have been appointed as consultants to find a new operator to run the Beck Theatre, what assurances can LBH give that they will act fast and with urgency to secure a new operator assuming one is found, and ensure the Beck’s long-term future? We are at a critical phase and have warned that if the venue closes in January, it will be very difficult for it to re-open - we need to ensure a deal is agreed in order for a seamless de-coupling with Trafalgar and keep the doors open.”</i></p> <p>5.4 QUESTION FROM HARPAL TAMBER OF GREAT PARK CLOSE, UXBRIDGE TO THE CABINET MEMBER FOR CORPORATE SERVICES AND PROPERTY - COUNCILLOR BIANCO:</p> <p><i>“Can the Council categorically confirm or deny that they are in possession of drawings showing a new residential development scheme on the Beck Theatre site?”</i></p> <p>5.10 QUESTION FROM EILISH STONE OF HATCH LANE HARMONDSWORTH TO THE CABINET MEMBER FOR CORPORATE SERVICES AND PROPERTY - COUNCILLOR BIANCO:</p> <p><i>“My relationship with the Beck goes back over 30 years when my sons performed with the Youth Theatre and in Summer Projects. This gave them ‘skills for life’ transferable to many different careers, including performing arts.</i></p> <p><i>“Our Council’s tardy response to securing the future of the theatre has caused much upset and uncertainty to the employees, service users and community groups. As a member of the community choir, I despair of our elected Council/Cabinet members who claim to put ‘residents first’. It seems you only woke from your slumber when our media campaign to Save The Beck took off! Before that it was silence!</i></p> <p><i>“Have you a new operator to take over the running of the Beck when the Trafalgar Group exits on 13 January and, if not, what is your plan to ensure the theatre does not close?”</i></p>

Councillor Bianco provided a single response in relation to Questions 5.1, 5.4 and 5.10 as they related to the same issue and advised that the Council had been surprised and disappointed that Trafalgar would not enter negotiations with the authority unless the organisation was given a subsidy. The Council had subsequently acted quickly to appoint Blue Horizon to find a new contractor to run the Beck Theatre. They had already spoken to six or seven commercial groups about taking over the running of the theatre and received four expressions of interest which were currently being evaluated. It would be important to appoint a partner that wanted to work with the Council.

The notion of delays had been perpetuated in social media but had not reflected the amount of time and energy that had been put into the negotiations with Trafalgar to try to find a workable solution. The Council could not agree to continue to pay a financial subsidy beyond the current year. As soon as it had become clear that a resolution would not be found, the Council had worked quickly to appoint Blue Horizon.

Councillor Bianco advised that a feasibility study with drawings had been prepared in early 2023. The study had stated that the site would be unsuitable for a large residential development as it was a green space and would only be sufficient to have a small-scale development which would render it unsuitable. It was noted that this study predated the contract negotiations with Trafalgar.

5.2 QUESTION FROM EMILY HOPLA OF RUISLIP COURT, RUISLIP TO THE CABINET MEMBER FOR CHILDREN, FAMILIES & EDUCATION - COUNCILLOR O'BRIEN:

"What evidence exists to support the Council's claim that there is no demand for the SRP at Coteford School when families like mine requested placements, and I have multiple emails from February — before the consultation closed—stating the SRP was no longer accepting admissions, suggesting this decision was predetermined?"

5.3 QUESTION FROM BETHANY GATES OF FORBES WAY, RUISLIP TO THE CABINET MEMBER FOR CHILDREN, FAMILIES & EDUCATION - COUNCILLOR O'BRIEN:

"Regarding the proposal to close the SRP at Coteford Infant School, how can the Council claim that children in the SRP are in a mainstream setting 100% of the time when we have clear evidence, including timetables, that show speech and language therapy, physiotherapy and other essential interventions are provided outside the classroom in a specialised setting within the school?"

5.5 QUESTION FROM GEORGINA SWAKER OF HALE END CLOSE, RUISLIP TO THE CABINET MEMBER FOR CHILDREN, FAMILIES & EDUCATION - COUNCILLOR O'BRIEN:

"The recent consultation report on the SRP at Coteford states that children with physical disabilities can have their needs met in any mainstream school. However, parents report being turned away because local schools state they lack the necessary resources. How can the council justify closing the SRP without first ensuring that all mainstream schools are adequately equipped and prepared to meet the needs of physically disabled children?"

5.7 QUESTION FROM STACY MCGOURAN OF GREEN LANE, NORTHWOOD TO THE CABINET MEMBER FOR CHILDREN, FAMILIES & EDUCATION - COUNCILLOR O'BRIEN:

"The Council states that the SRP closure at Coteford School is "in the name of inclusivity," yet this decision removes vital therapies for children with physical disabilities without clear guarantees, funding, or support to replace them. How can this be considered inclusive when it leaves families struggling and children without the specialist care they need? Is this decision truly about inclusion, or is it a cost-cutting measure?"

5.8 QUESTION FROM NIKKY HUDSON OF MOUNT PARK ROAD TO THE CABINET MEMBER FOR CHILDREN, FAMILIES & EDUCATION - COUNCILLOR O'BRIEN:

"As a parent, I'm concerned that EHCPs don't cover essential costs like therapy and equipment, leaving already deficit-hit schools to fill the gap. How will the Council ensure my child's needs are fully funded without shifting the burden onto schools?"

5.9 QUESTION FROM LEANNE FISHER OF DOVEDALE CLOSE, HAREFIELD TO THE CABINET MEMBER FOR CHILDREN, FAMILIES & EDUCATION - COUNCILLOR O'BRIEN:

"The Council claims "nothing will change" as SRP therapies move to the NHS, yet this shift risks harmful delays for children with special needs, causing developmental regression and long-term damage. How can the Council deny this harm, and what steps are being taken to address it?"

Councillor O'Brien provided a single response in relation to Questions 5.2, 5.3, 5.5, 5.7, 5.8 and 5.9 as they related to the same issue and advised that she would be unable to discuss individual cases in this public forum. There had been a recent consultation in relation to Coteford Infant School's proposal to close the physical disability specialist resource provision (SRP) as there had been reducing demand for the SRP and many children with a physical disability were having their needs met within the mainstream school with reasonable adjustments. Every mainstream school had been required to make reasonable adjustments to ensure that children with a physical disability were not discriminated against.

Currently, all children at Coteford Infant School accessed all of their lessons in inclusive mainstream classrooms. Therapeutic support was also available within the classroom as well as outside. SRPs would generally operate 15% to 50% of the child's timetable in a separate area of the school / classroom and the remainder in mainstream lessons. Coteford Infant School did not have a separate area for SRPs.

At the end of January 2024, there were 56 children and young people with a primary need of physical disability being educated and supported in mainstream schools in the Borough, compared to 30 being supported in SRPs across Hillingdon. The Council would continue to work with educational settings to ensure that they were inclusive of children and young people with additional needs. If needs were not being met because of a school's lack of resources, parents were encouraged to contact their Educational Care Coordinator as resources were provided to schools to ensure that they were able to meet the needs of a child as identified within their Education, Health and Care Plan (EHCP). Schools were also able to apply for funding for equipment.

Provision outlined in an EHCP was statutory and there had been no suggestion to change this provision as part of the proposal. Therapies were being delivered across all schools to meet the needs of the provision outlined in individual EHCPs and were delivered by CNWL (which had been jointly commissioned by the Council and the North West London Integrated Care Board). Almost all jointly commissioned therapies delivered by CNWL were undertaken in a school setting in Hillingdon. Irrespective of the decision of the school, therapies would continue to be delivered at the school to any child on roll at the SRP.

SRPs typically commissioned their own therapies so the proposed closure might mean that the therapies could be delivered by a different provider but there would be no change to the amount of contacts that a child received which would have been included in their EHCP. The level of funding for each child would not change as a result of the proposal. Coteford Infant School would have the option to keep its current therapists or opt for another service available to all other mainstream schools in Hillingdon.

No therapies, support or funding would be removed as a result of this proposal. Schools did not receive separate funding for therapies as this was commissioned centrally.

5.6 QUESTION FROM LINDA GATES OF FORE STREET, EASTCOTE TO THE LEADER OF THE COUNCIL - COUNCILLOR EDWARDS:

“The results report on the Consultation to close the SRP at Coteford Infant School state that 96% of the community wants the SRP to stay, showing overwhelming opposition to its closure. Given the fundamental purpose of a consultation is to consider community impact and opinions, does the Leader of the Council genuinely care about the views of constituents, or will this decision disregard the voices of the very people it affects most?”

Councillor Edwards confirmed that he cared about residents and advised that a decision had not yet been taken by Cabinet. The consultation had been undertaken to help the Council make better decisions and had enabled residents to draw the authority’s attention to issues that may not previously have been considered. However, there was also a need to consider the views of those residents that had not responded to the consultation but who would be affected by any decision made.

Councillor Edwards advised that it was important to ensure that disabled children were afforded the same options and choices as able-bodied children. They needed to be able to socialise at school with children from their neighbourhood and grow and learn in an inclusive setting. The formal consultation responses would be considered as part of the decision making process.

32. REPORT OF THE HEAD OF DEMOCRATIC SERVICES (Agenda Item 6)

i) URGENT IMPLEMENTATION OF DECISIONS

Members noted the urgent decisions taken since the Council meeting in September 2024, as detailed in the report.

ii) SELECT COMMITTEES’ TERMS OF REFERENCE

Councillor Edwards moved, and Councillor Bianco seconded, the motion as set out on the Order of Business and it was:

RESOLVED: That Council note the appointment of Cabinet Members and the new portfolios, and the Head of Democratic Services be authorised to make relevant changes to the Council Constitution to reflect the new Cabinet structure – including to the Terms of Reference of the Council Select Committees.

iii) CHANGES TO COMMITTEE MEMBERSHIPS 2024/25

Councillor Edwards moved, and Councillor Bianco seconded, the motion as set out on the Order of Business and it was:

RESOLVED: That the following changes to committee memberships for 2024/25 be approved:

- Registration and Appeals Committee – Councillor D Mills to replace Councillor Tuckwell.
- Pensions Committee – Councillor D Mills to replace Councillor Riley and Councillor Riley to replace Councillor Corthorne as a named substitute.

iv) APPOINTMENT OF STATUTORY OFFICERS

Councillor Edwards moved, and Councillor Bianco seconded, the motion as set out on the Order of Business and it was:

RESOLVED: That:

- a) Mr Dan Dickinson be appointed to the statutory role of Monitoring Officer of the Council; and
- b) the Constitution and the Officer Scheme of Delegations be amended, and Mr Dickinson be empowered to undertake all of the statutory functions of a Monitoring Officer and Head of Legal Services / Borough Solicitor as set out in the Constitution on an interim basis until such time as a formal appointment to the position of Head of Legal Services is made.

33. POLLING DISTRICT AND POLLING PLACES REVIEW (*Agenda Item 7*)

Councillor Edwards moved, and Councillor Bianco seconded, the motion as set out on the Order of Business and it was:

RESOLVED: That the proposed parliamentary polling arrangements within the Borough for 2025 onwards, as detailed in Appendix B of the report, be approved subject to the Returning Officer being instructed to:

- a) seek the use of alternative venues, where possible to school buildings in the following Wards:
 - Belmore,
 - Eastcote,
 - Hayes Town,
 - Hillingdon East,
 - Northwood Hills,
 - West Drayton,
 - Wood End, and
 - Yeading.
- b) seek potential additional venues in Charville and Ruislip Wards.

34.	<p>YOUTH JUSTICE PLAN 2024-2029 (<i>Agenda Item 8</i>)</p> <p>Councillor O'Brien moved, and Councillor Makwana seconded, the motion as set out on the Order of Business and it was:</p> <p>RESOLVED: That the Youth Justice Plan 2024-2029, as set out in the appendix of the report, be adopted.</p>
35.	<p>MEMBERS' QUESTIONS (<i>Agenda Item 9</i>)</p> <p>9.2 QUESTION SUBMITTED BY COUNCILLOR BANERJEE TO THE CABINET MEMBER FOR FINANCE AND TRANSFORMATION - COUNCILLOR GODDARD:</p> <p><i>“It has been widely publicised that local authorities in England & Wales are experiencing serious financial difficulties. Can the Cabinet Member please comment on the extent to which these difficulties are expected to have an impact on the London Borough of Hillingdon, particularly in the light of the budget monitoring pressures in the current financial year recently reported at Cabinet?”</i></p> <p>Councillor Goddard advised that local government funding had reduced by 70% despite significant rises in inflation and demand for services which had increased costs. In 2025/26, the local government funding gap was in the region of £2.3bn. In 2026/27, it was expected to be around £3.9bn. The cost of adult social care had increased by £3.7bn over the last five years and Home to School Transport costs had increased by 63%. All of this, along with the public sector pay settlement, had resulted in significant financial pressure on local authorities, which was likely to increase following the recent Government budget statement.</p> <p>Although the Government had promised local authorities a three-year settlement, councils had only been given a one-year settlement. Hillingdon already had one of the lowest levels of Council Tax in London which meant that it didn't have as much leeway to deal with the financial pressures it was now facing. This was a national issue which would not be resolved until the local government funding pressures were addressed by the Government.</p> <p>By way of a supplementary question, Councillor Banerjee asked what the financial implications would be of the increased Employers National Insurance (ENI) contributions.</p> <p>Councillor Goddard advised that the ENI contributions had been expected to increase in the autumn statement but the reduction in the threshold at which employers started paying contributions had not been anticipated. There was a possibility that local government could receive relief in relation to ENI but those who contracted with councils were unlikely to receive the same relief.</p> <p>9.6 QUESTION SUBMITTED BY COUNCILLOR PUNJA TO THE CABINET MEMBER FOR CHILDREN, FAMILIES & EDUCATION - COUNCILLOR O'BRIEN:</p> <p><i>“Can the Cabinet Member explain what will happen to those children with physical disabilities, that will be remaining in Coteford Infant School after the proposed closure of the SRP funding, if the percentage of children having education health and care plans falls below the threshold at which the Council provides this non-statutory funding?”</i></p>

Councillor O'Brien advised that there would be no impact on the funding for children currently on the school roll to 2025.

By way of a supplementary question, Councillor Punja noted that the Select Committee report had stated that nothing would change, and asked for confirmation that the funding would continue.

Councillor O'Brien advised that the Council had committed to provide the equivalent funding of £6k.

9.4 QUESTION SUBMITTED BY COUNCILLOR HIGGINS TO THE CABINET MEMBER FOR PLANNING, HOUSING & GROWTH - COUNCILLOR TUCKWELL:

“Given the high demand for housing, can the Cabinet Member please provide an update on what is being done to prevent homelessness in Hillingdon?”

Councillor Tuckwell thanked officers for their dedication and commitment to preventing homelessness in Hillingdon. They had taken a proactive approach to deal with unprecedented levels of demand (there had been a 28% increase), spiralling costs and a lack of available properties. The Council had taken action to strengthen triage, liaised with landlords and addressed arrears. 259 private sector placements had been made but there had been an increase in the cost of temporary accommodation across London (around £114m each month). Councils were not able to cope with this increasing demand alone and needed the Government to provide additional resources.

By way of a supplementary question, Councillor Higgins asked the Cabinet Member to provide an update on the work undertaken by the Council to reduce the pressures on temporary accommodation.

Councillor Tuckwell advised that officers had drafted the Temporary Accommodation Strategy which would be considered by Cabinet at its meeting in January 2025. The Strategy would help to reduce demand, increase the number of residents in settled accommodation and reduce the costs of temporary accommodation. A new Social Housing Supply Programme was also being developed to take the pressure off temporary accommodation by increasing the housing supply and financial assistance was being provided for private rentals.

The Council had been taking direct action to alleviate the pressure on temporary accommodation but costs were spiralling and the situation had become unsustainable. The Housing Team had refined its procedures to deal with residents more quickly but residents deserved a Government that treated the housing crisis as a serious issue that needed to be fixed.

9.3 QUESTION SUBMITTED BY COUNCILLOR SWEETING TO THE CABINET MEMBER FOR CHILDREN, FAMILIES & EDUCATION - COUNCILLOR O'BRIEN:

“The report to the Cabinet meeting on 7 November 2024 - agenda Item 7, page 125, paragraph 14 - states that the Designated Schools Grant cumulative deficit carried forward to 2025/26 is forecast at £68.8 million

“As the Statutory Override which currently separates this deficit from the Council's General Fund reserves is in place only until March 2026, what plan does the Council have for paying back this deficit which is greater than the Council's reserves if the

Statutory Override is not extended beyond March 2026?”

Councillor O'Brien confirmed that the Statutory Override would expire in March 2026. If the Government decided not to extend the Statutory Override, it would become a significant national issue as well as an issue in Hillingdon. As such, it was anticipated that the Government would extend the arrangement.

Consideration was being given to possible solutions and progress had been made in relation to in-year places. Councillor O'Brien thanked officers for the work that they had undertaken to meet the demand for high need places.

By way of a supplementary question, Councillor Sweeting asked what would happen if the Government did not extend the Statutory Override beyond March 2026 and asked for an account of why and how the Council had arrived in this situation when more than 88% of local authorities had not needed to seek a financial bailout.

Councillor O'Brien advised that she was unable to provide a comprehensive response. She noted that the opportunity to have a Statutory Override agreement had been withdrawn so additional local authorities in need would not now be able to sign up. The Council would continue to work with the information that was currently available.

9.5 QUESTION SUBMITTED BY COUNCILLOR DAVIES TO THE CABINET MEMBER FOR CORPORATE SERVICES AND PROPERTY - COUNCILLOR BIANCO:

“Could the Cabinet Member provide an update on the future of the Beck Theatre, confirm the Council’s commitment to retaining the theatre on its current site to continue serving the local community and, in addition, inform us on the progress with the consultants involved in this matter?”

Councillor Davies advised that Councillor Bianco’s response to the public questions had addressed the issue that he had raised and that he would therefore like to withdraw his question.

9.1 QUESTION SUBMITTED BY COUNCILLOR BURLES TO THE CABINET MEMBER FOR HEALTH & SOCIAL CARE - COUNCILLOR PALMER:

“With an ever-increasing demand and waits for GP services, can the Cabinet member please provide an update on the expenditure of funds received from the St Andrews development on the RAF Uxbridge site, for primary healthcare in Uxbridge?”

Councillor Palmer advised that NHS providers were responsible for the delivery of health services. The Council had arrangements in place to collect Section 106 money in relation to local developments and had secured £624k from the St Andrews development in June 2015, £117k of which had been used on the Uxbridge Health Centre. In August 2024, approximately £450k had been allocated towards a new Health Hub in Uxbridge – the NHS was currently looking at options and developing a business case.

There was no supplementary question.

9.7 QUESTION SUBMITTED BY COUNCILLOR BRIDGES TO THE CABINET MEMBER FOR CORPORATE SERVICES AND PROPERTY - COUNCILLOR BIANCO:

“Could the Cabinet Member please give the Council an update on the disposal of

Barra Hall in light of recent disinformation being disseminated by the Labour Group.”

Councillor Bianco advised that the Government had asked that local authorities dispose of their surplus assets. Barra Hall was one such asset which had been underutilised as only a small part had been used as a Children’s Centre but had relocated to the Hayes Family Hub in January 2024, with staff being redeployed to other Children’s Centres. Barra Hall was a listed building that needed a significant amount of investment to bring it up to a standard that would enable it to be leased out.

Harrow, Richmond and Uxbridge Colleges (HRUC) had bought Barra Hall which would be used to provide SEND services for those aged 18-25. The sale had included a requirement that the property only be used for education purposes. HRUC would be providing local education placements, supporting the safety valve agreement.

The sale of Barra Hall had been deemed to be a good news story as it had provided the Council with a financial saving and capital receipt, ensured the continued use of the building and provided an education facility.

There was no supplementary question.

9.8 QUESTION SUBMITTED BY COUNCILLOR MAKWANA TO THE CABINET MEMBER FOR CHILDREN, FAMILIES & EDUCATION - COUNCILLOR O’BIEN:

“Can the Cabinet Member please explain what has been the impact of the Council’s revised Fostering Offer since its launch?”

Councillor O’Brien advised that the revised fostering offer had been introduced in May 2024. Fostering provided a stable environment for children’s development and it was important to ensure that sufficient foster carers were available to help children in their communities. The number of people fostering had been at an all time low so the new offer had changed the recruitment approach and simplified the application form to try to recruit more foster carers. Officers had seen an increase in the number of enquiries about fostering since the launch of the new offer (around 200 enquiries since May 2024 compared to 43 in the same period last year).

The new offer included an enhanced and streamlined recruitment process that had been simplified. Foster carers were also provided with PACE training (Playfulness, Acceptance, Curiosity and Empathy) as well as a payment and benefit package.

There was no supplementary question.

36. **MOTIONS** (*Agenda Item 10*)

10.3 MOTION FROM COUNCILLOR EDWARDS

Councillor Edwards moved, and Councillor Goddard seconded, the following motion:

That this Council is greatly concerned that the government’s increase in the Employer’s National Insurance Contributions and the reduction in the threshold for payment will add further pressure on Council budgets and on our residents.

Whilst the government have said, but not yet confirmed, that Councils will be fully reimbursed for their direct cost arising from this change, financial assistance will not

be given to our care service and early year providers and charities upon which this Council relies to support our residents. The additional taxation these providers will now have to pay will most likely cause them to increase their charges and ultimately it is the hard-working families and residents of this borough that will have to pay as that cost is passed on to them.

Therefore, to mitigate this new pressure, this Council will reaffirm its commitment to sound financial management and good business practices that has enabled Hillingdon Council to deal with underfunding to date.

Those speaking in support of the motion noted that businesses would be paying for the additional burden and that the Council would be unable to absorb this new financial pressure. Inflation would be stimulated and employment stifled. Local austerity had been worsening, in the light of which the Council had reaffirmed its sound financial management. The disposal of Barra Hall and the move of Uxbridge Library would reduce costs to the Council but had been opposed by the Labour Group. An increase in fees and charges and cuts to services would be needed to fund the National Insurance increase which would impact on all working families as costs would need to be passed on to Council Tax payers.

Low margin businesses, charities and social care providers would all be impacted by the increase and smaller providers would not be able to provide as many services as it would be unaffordable. Residents had a variety of needs so required a variety of partners for personal services. Although it would be important to continue to support care providers to ensure that residents had a choice, it was suggested that no government of any party had ever followed through to meet the needs of social care. There would need to be a reliance on excellent partnership working to provide care to residents.

The majority of charity funding streams were grant based and the funds secured had to be used for the purpose that they had been given. This meant that charities would need to raise additional funds to pay for the increased staffing costs or use donated money that would be better placed supporting clients. Around 7,300 charities and voluntary organisations had urged urgent action but it was queried whether the Government would help them financially, despite having given inflation-busting pay awards to unions.

It was noted that, since 2010, the administration had renovated all of the libraries in the Borough, built new school places, improved green spaces and frozen Council Tax. Voluntary groups had been doing a brilliant job but the increased costs would have an impact on the vulnerable residents that they helped. The national living wage increase had been welcomed but had disregarded the pressure on providers and, ultimately, on residents.

The Council had a finite amount of money to mitigate the pressures that it faced and, in December 2024, Cabinet would need to consider the budget for 2025/26 to decide what action the local authority needed to take.

Those speaking against the motion queried why the administration was so concerned when it had not been concerned before. There had been no concern about the austerity measures put in place in 2010, welfare spend reductions, cuts to the police and courts and the length of NHS waiting lists. It was suggested that motions could have been submitted about these issues previously but it would have been criticising a Conservative Government. The current Labour Government was having to work

with the fragile financial situation that had been left by the previous Conservative Government.

It was suggested that the motion was being used as an opportunity to criticise the Government, even though it had only been elected six months previously. The administration had used the same argument when the minimum wage had been introduced.

It was noted that good charities and businesses would have built resilience into their finances. The previous government had put things in motion which had meant that things now needed to change. The current Government had stated that local authorities would be reimbursed so it was unclear what the impact would be on the Council at this stage.

The motion was put to the vote and it was:

RESOLVED: That this Council is greatly concerned that the government's increase in the Employer's National Insurance Contributions and the reduction in the threshold for payment will add further pressure on Council budgets and on our residents.

Whilst the government have said, but not yet confirmed, that Councils will be fully reimbursed for their direct cost arising from this change, financial assistance will not be given to our care service and early year providers and charities upon which this Council relies to support our residents. The additional taxation these providers will now have to pay will most likely cause them to increase their charges and ultimately it is the hard-working families and residents of this borough that will have to pay as that cost is passported on to them.

Therefore, to mitigate this new pressure, this Council will reaffirm its commitment to sound financial management and good business practices that has enabled Hillingdon Council to deal with underfunding to date.

10.1 MOTION FROM COUNCILLOR MATHERS

Councillor Mathers moved, and Councillor Garelick seconded, the following motion:

That this Council deeply regrets the entirely avoidable closure of the Beck Theatre in January 2025 and the significant negative impact this will have on the arts and culture provision within our borough and calls on the Cabinet to:

- a) reopen the theatre with an appropriate operator at the earliest opportunity in 2025, that maintains the quality of programming and community engagement historically delivered at this wonderful venue and*
- b) immediately conduct an independent review to investigate the delays and communications that occurred between the council and existing operator resulting in the forthcoming closure of the theatre. This review will determine what lessons can be learnt and will be conducted independently of the Council and operator.*

The scope of the review should investigate:

- negotiations between the Council and the operator including offers made informally or formally over recent years, their correspondence, negotiations and preparations for agreements.*
- the Council's and Cabinet's decision making over recent years regarding this*

tenure.

- the use of Council's external and internal communications including social media channels.
- any other relevant aspects as determined by the independent investigator.

The review to then be presented to the relevant Select Committee within the next six months.

Those speaking in support of the motion noted that there had been a lack of response at the end of the lease, despite dialogue going back to 2021. The Beck Theatre had supported charities and local initiatives which would be impacted by its closure in January 2025. The motion had requested an independent review to investigate the true cost of the decision and its impact and would offer an opportunity to pause, reflect and learn lessons.

Consultants had been appointed but it was queried whether their findings would be acted upon as the administration had been trying to sell off assets and kept letting Hillingdon residents down. There appeared to be no long-term strategy for arts and culture in the Borough despite the Council Strategy in November 2022 setting out a goal for all residents to enjoy culture and arts.

Councillor Edwards moved, and Councillor Bianco seconded, the following amendment (additional words in **bold** and deleted words ~~crossed through~~):

- i) That this Council deeply regrets **that Trafalgar Theatres have declined the Council's offer to renew the lease of the Beck Theatre and recognises the** ~~entirely avoidable closure of the Beck Theatre in January 2025 and the significant negative impact this will may have on the~~ **commercial theatre arts and culture provision** ~~within our borough.~~ **Notwithstanding the promising progress being made by Blue Horizon, the Council's consultants to help identify a new theatre operator for the Beck, this Council and calls on the Cabinet to:**
 - a) ~~reopen the theatre~~ **agree terms** with an appropriate operator at the earliest opportunity, **without the requirement for ongoing financial subsidy from the Council in 2025,** that maintains the quality of programming and community engagement historically delivered at this wonderful venue. ~~and~~
- ii) delete the remainder of the motion.

The amended motion then to read:

That this Council regrets that Trafalgar Theatres have declined the Council's offer to renew the lease of the Beck Theatre and recognises the significant negative impact this may have on the commercial theatre within our borough. Notwithstanding the promising progress being made by Blue Horizon, the Council's consultants, to help identify a new theatre operator for the Beck, this Council calls on the Cabinet to agree terms with an appropriate operator at the earliest opportunity, without the requirement for ongoing financial subsidy from the Council, that maintains the quality of programming and community engagement historically delivered at this wonderful venue.

Those speaking in support of the amendment noted that the original motion caused unnecessary concern for residents. Rumours had been circulated in relation to Barra Hall for political gain and Labour had been saying that the Council wanted to build

housing on the Beck Theatre site. Trafalgar had refused to run the Beck Theatre without the Council providing the company with a subsidy. The Council had observed Trafalgar's request for confidentiality in relation to negotiations but had been unable to agree to extend the lease based on the requirement for Trafalgar to receive a £20k subsidy each month, free rent and the Council being liable for any repairs. Trafalgar was a private profit-making company and the £648k subsidy demanded over 3½ years was not something that the Council could afford.

Conversations had been undertaken with a number of organisations that were interested in running the Beck Theatre and improving the local arts scene. It was anticipated that a new provider would be appointed in the new year.

Those speaking against the amendment suggested that it failed to address the real issue and had ignored the need for an independent review. The amendment had removed the key points and bore no resemblance to the original motion. Residents had placed their trust in the Council and deserved an answer but the amendment asked for something that was already happening.

The administration had stated that the Council could not afford to pay the subsidy to Trafalgar yet had then paid a private consultant to undertake the procurement of a new provider. There appeared to be conflicting reasons for this public debacle which ranged from issues around rent to lease to subsidy.

It had been worrying that the administration had avoided taking responsibility for the failed negotiations and continued to look at ways of selling off green spaces. Concern had also been expressed about the future of the staff currently employed at Beck Theatre. Residents had been disgusted by the way that this situation had been handled.

The amended motion was put to the vote and agreed. The substantive motion was put to the vote, and it was:

RESOLVED: That this Council regrets that Trafalgar Theatres have declined the Council's offer to renew the lease of the Beck Theatre and recognises the significant negative impact this may have on the commercial theatre within our borough. Notwithstanding the promising progress being made by Blue Horizon, the Council's consultants, to help identify a new theatre operator for the Beck, this Council calls on the Cabinet to agree terms with an appropriate operator at the earliest opportunity, without the requirement for ongoing financial subsidy from the Council, that maintains the quality of programming and community engagement historically delivered at this wonderful venue.

10.2 MOTION FROM COUNCILLOR KAUR

Councillor Kaur moved, and Councillor Curling seconded, the following motion:

That this Council recognises that Assets of Community Value (ACVs) such as theatres, community centres, libraries, pubs, and other spaces, provide vital services and activities for residents. This Council believes that it has a pivotal role in supporting and encouraging local communities to nominate ACVs, ensuring that valuable assets are protected for future generations. Therefore, this Council resolves to:

- *publicly identify and list ACVs*
- *actively promote the ACV nomination process and provide necessary support*

- *launch a targeted communication campaign to raise awareness of the ACV process among residents and community groups*

Those speaking in support of the motion noted that residents had had sleepless nights about ACVs and the failure to consult on issues such as Yiewsley recreation ground and Uxbridge Library. Residents had felt silenced, cheated and excluded from the decision-making process as they found out about plans when it was too late to have any influence. Inclusion had to be the foundation of the Council's approach. Concern was expressed that assets such as Winston Churchill Theatre and Uxbridge Golf Course would also be at risk.

It was noted that, although Hillingdon did not have any, neighbouring boroughs did have ACVs. Communities needed to be empowered and the Council was urged to work with residents to nominate ACVs, produce a communications plan and provide the tools for residents to save the assets that they loved. It was suggested that nominations be seen as an opportunity rather than a threat.

Supporters of the motion stated that £75m of assets needed to be sold for the Council to avoid bankruptcy and asked which assets would be stripped to meet this. It was suggested that it would be valuable to compile a register of community assets

Initiatives such as Community Asset Transfers could also be considered. Communities were built on people and places and this motion would act as a promise to future generations. The motion asked that the Council supported assets for future use because, once they were sold off, they were lost forever.

The Council had a part to play in securing future assets and didn't need to spend money if it came up with innovative ways forward. The local authority was the custodian of Council assets and could transfer the ownership to community groups. If assets needed to be sold, the Council should put safeguards on the property's future use (similar to the action taken in relation to the sale of Barra Hall). The motion asked that the Council took the lead role in generating a list of assets and that it worked with the community to secure those assets for the future.

Those speaking against the motion valued the ACV process but stated that the motion was flawed and unnecessary and asked that the Council act unlawfully. The community needed to identify ACVs and the Council would then act as an arbiter if it met the requirements for inclusion on the list.

A page was available on the Council website which set out information about the ACV process and provided links. There would be no need to spend money launching a communications plan as information was already publicly available and Councillors should be fulfilling their community leadership role by helping residents.

It was important that, once a building had been appointed as an ACV, it fulfilled a use / purpose and had funds available to run it as this would not be something that the Council would be able to do.

The motion was put to the vote and lost.

The meeting, which commenced at 7.30 pm, closed at 9.46 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Lloyd White, Head of Democratic Services on democratic@hillingdon.gov.uk. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

QUESTIONS FROM MEMBERS OF THE PUBLIC

5.1 QUESTION FROM ANAND PUNJA OF ELMBRIDGE AVENUE, RUISLIP, ON BEHALF OF THE RUISLIP WOODS TRUST TO THE CABINET MEMBER FOR COMMUNITY & ENVIRONMENT - COUNCILLOR LAVERY:

At the July 2024 Council Meeting the Cabinet member advised, and I quote from the minutes, that *"the document was now in the final stages of drafting so would be published shortly"*. Ruislip Woods Trust, along with many of our members are now getting impatient with the Council and we further believe that the Council are currently in breach of their statutory duty, due to a lack of a 5-year management plan as the management authority for the Ruislip Woods NNR and SSI.

Will the Cabinet member please provide a more specific timeline as to when an updated management plan will be consulted on and published, and, also, commit to a follow up meeting within six weeks, with the relevant council officers to provide a more specific update on the overall management of Ruislip Woods as a follow up?

5.2 QUESTION FROM STEVE GARELICK OF STOWE CRESCENT, RUISLIP TO THE CABINET MEMBER FOR COMMUNITY & ENVIRONMENT - COUNCILLOR LAVERY:

Hillingdon Council has failed in its handling of flood mitigation issues, particularly in relation to the recent flooding events in Ruislip and West Drayton as well as other parts of the borough.

Residents have expressed concerns about the Council's slow response to flooding emergencies, inadequate drainage systems, and lack of long-term planning to address the increasing risk of flooding due to climate change.

Why has the Council's allocation of resources to flood mitigation projects funding not kept pace with the growing need for flood protection measures. Surely with the claimed sound financial management on countless occasions more could have been done.

Given the fact that only now Hillingdon is asking for evidence on how September 2024 flooding has affected residents it seems there has been a past failure to take this matter seriously.

What is the Council prepared to do to protect residents and help environmental groups reach their goals especially as more needs to be done to protect communities from the devastating effects of flooding?

This page is intentionally left blank

REPORT OF THE HEAD OF DEMOCRATIC SERVICES

Reporting Officer: Head of Democratic Services

i) URGENT IMPLEMENTATION OF DECISIONS

RECOMMENDATION: That the Urgency decisions detailed below be noted.

Information

1. The Constitution allows a Cabinet or Cabinet Member decision to be implemented before the expiry of the 5-day scrutiny call-in period, provided the decision is deemed urgent and agreement is given from the Chairman of the relevant Select Committee that the matter is urgent and to waive the scrutiny call-in period. All such decisions are to be reported for information only to the next full Council meeting.
2. Since last reported to Council, the following decisions have been made using urgency procedures:

Date of Decision	Nature of Decision	Reason for Urgency	Decision-Maker
29/11/24	Civic Centre Transformation Project – Uxbridge Library, Museum & Registrars - remaining works and fees.	To complete this key part of the project, including the new Library, new Register Office and Museum builds, on time.	Leader of the Council and on behalf of the Cabinet Member for Finance & Transformation and Cabinet Member for Corporate Services & Property
28/11/24	Corporate Insurance Contract Extension	To retain insurance cover in place.	Leader of the Council and on behalf of the Cabinet Member for Finance & Transformation
26/11/24	Platinum Jubilee Leisure Centre - Platinum Jubilee Leisure Centre – Remaining Works to Completion - Capital Release No.7	For ensuring critical suppliers were appointed to keep the project on track for delivery.	Leader of the Council, and on behalf of the Cabinet Member for Finance & Transformation and the Cabinet Member for Corporate Services & Property

Background Papers: Decision Notices

ii) PROGRAMME OF MEETINGS 2025/26

RECOMMENDATION: That the programme of meetings for 2025/26 as set out in Appendix A, be approved and the Head of Democratic Services in consultation with the Chief Whip of the Majority Party be authorised to make any amendments that may be required throughout the course of the year.

Members are asked to note that during the year some meeting dates / times may change, or additional meetings may be called for the effective conduct of the Council's business.

Background Papers: None

iii) AUDIT COMMITTEE ANNUAL REPORT

Introduction

1. In line with good governance, it is essential that the Audit Committee not only meets and considers the reports and information within its remit, but also ensures that the wider Council is aware of the breadth and extent of the work it does on its behalf. The Annual Report of the Audit Committee 2023/24 contains information to be presented to Council, so that it can be assured that the Committee is acting appropriately on its behalf by providing independent assurance over the governance, risk management and the system of internal control in operation at the Council.

RECOMMENDATION: That the Annual Report of the Audit Committee 2023/24, as attached, be noted.

Information

2. The Annual Report summarises, for the Council, the work of the Audit Committee during 2023/24 and how it has undertaken its responsibilities for reviewing the key areas within its remit. Specifically, these include:
 - Internal Audit
 - External Audit
 - Counter Fraud
 - Risk Management
 - Financial reporting process of the Statement of Accounts.
3. The Annual Report also provides an opportunity for Members to review the work of the Committee and comment on its contribution and performance. The terms of reference of the Committee are detailed in the Annual Report.
4. Alongside the Councillors on the Committee, it is chaired by an independent Co-opted Member, with substantial experience in the public and private sector working in the internal audit, risk management, business improvement and governance fields.
5. In compliance with the Accounts and Audit (Amended) (England) Regulations 2021 the Audit Committee has reviewed the effectiveness of the systems of

internal control by receiving regular reports from these areas above that contribute to the control framework.

6. The Annual Report also concludes that the Audit Committee considers that it has continued to make a significant contribution to ensuring that the key elements of the governance framework are given proper consideration and are appropriately challenged. Going forward, the Committee will continue to develop this role and contribute to strengthen internal control, risk management and governance throughout the authority.

FINANCIAL & LEGAL IMPLICATIONS

There are no financial or legal implications arising directly from this report.

BACKGROUND PAPERS: Nil

This page is intentionally left blank

Programme of Meetings - 2025/26- London Borough of Hillingdon

Published Version Date: for full Council on 16 January 2025

	Standard Start Time	2025					2026							
		May	June	July	Aug'	Sept'	Oct'	Nov'	Dec'	Jan'	Feb	Mar'	April	May
Council	7:30PM	8 (AGM)		10		25		27		22	26			14 (AGM)
Whips Meeting	5PM	6		8		23		25		20	24			19
Cabinet	7PM	22	26	24		18	23	20	18	15	19	19	23	28
Petition Hearings - Planning, Housing & Growth	6PM	28		16		10		12			4		15	
Petition Hearings - Community & Environment	6PM		4			3				21		18		
Hillingdon Planning Committee	7PM	7	11	17		4	2	5	3	14	11	11	8	
Pensions Committee	5PM		3			24			9			24		
Audit Committee	5:10PM	14 (6PM)			28			18			10			28
Health & Wellbeing Board	2:30PM		10			9		4				3		
Licensing Committee	10AM			3 (Training)			8						9	
Licensing Sub-Committee - dates TBC	TBC													
Children, Families and Education Select Committee	7PM		18	30		11		13		7	5	12	14	
Residents' Services Select Committee	7PM		12	15		9		6		8	18	10	22	
Corporate Resources and Infrastructure Select Committee	7PM		17	23		17		19		6	12	5	7	
Health and Social Care Select Committee	6:30PM		19	22		16		11		20	17	26	21	
Corporate Parenting Panel	5:30PM	20		29			28			27			28	
Standards Committee	7PM		24		27				10		16			
Hillingdon Standing Advisory Council on Religious Education	6PM		25					26				25		
Member Development Day	1PM - 9PM						1							

This page is intentionally left blank

ANNUAL REPORT OF THE AUDIT COMMITTEE

2023/24



HILLINGDON
LONDON

1. INTRODUCTION

- 1.1 In line with best practice guidance, the Audit Committee is required to submit an annual report to Council outlining the Committee's activities over the previous year. This report summarises the work of the Audit Committee during 2023/24 and how it has undertaken its responsibilities for reviewing the key areas within its remit. Specifically, these include:
- Internal Audit
 - External Audit
 - Counter Fraud
 - Risk Management
 - Financial reporting process of the Statement of Accounts.
- 1.2 In compliance with the Accounts and Audit (Amended) (England) Regulations 2021 the Audit Committee has reviewed the effectiveness of the systems of internal control by receiving regular reports from these areas above that contribute to the control framework. This report provides an opportunity for Council Members to review the work of the Audit Committee and comment on its contribution and performance.

2. Key Activities of the Audit Committee

- 2.1 The Terms of Reference (ToR) of the Committee are attached at [Appendix A](#). These were last amended at the Council meeting held on 11 May 2017, following an Internal Audit review of the Effectiveness of the Audit Committee.
- 2.2 During the 2023/24 municipal year the Audit Committee met on four occasions: 27 April 2023, 8 August 2023, 22 November 2023 and 12 February 2024.
- 2.3 Membership and attendance of the Audit Committee comprised as follows:

Member Name	Member Appointment	2023/24 Meeting Attendance
Mr John Chesshire (Independent Chairman)	Initially appointed on 2 November 2017 to present	Attended all four meetings
Cllr Reeta Chamdal	Appointed May 2022 to present	Attended all four meetings
Cllr Tony Burles	Appointed May 2022 to present	Attended all four meetings
Cllr Nick Denys	Appointed May 2022 to present	Attended April 23, November 23 and February 24
Cllr Henry Higgins	Appointed August 2023 – present	Attended all four meetings (April 2023 as a Substitute)
Cllr June Nelson	Appointed August 2023 - present	Attended November 23 and February 24
Cllr Stuart Mathers	Non-Member	Attended in April 2023 as a Substitute
Cllr Kishan Bhatt	Non-Member	Attended in August 2023 as a Substitute

- 2.4 The current Independent Chairman has over 24 years' experience in the public and private sectors working in the internal audit, risk management, business improvement and governance fields.

2.5 The role delegated by the Council to the Audit Committee is to provide independent assurance over the governance, risk management and the system of internal control in operation at the Council. The Audit Committee has fulfilled this role by undertaking the following key activities:

a) Oversight of Internal Audit

- The Audit Committee oversaw the activity of the Council's Internal Audit service to assist it in its role of monitoring the internal control, risk management and governance arrangements of the Council's operations. During 2023/24, the Audit Committee reviewed the 2022/23 Annual Internal Audit Report and Head of Internal Audit Opinion Statement, the 2023/24 Annual Internal Audit Plan, and quarterly progress reports and operational plans;
- The Audit Committee also reviewed the key findings from Internal Audit reviews and sought explanations from the Head of Internal Audit about the recommendations emanating from 'Limited' or 'No' assurance audits.
- The Audit Committee continued to monitor the performance of the Internal Audit Service. The Committee has received assurances from the Head of Internal Audit that all actions from the External Quality Assessment of the Internal Audit Service, completed at the end of 2022/23, were confirmed to have been completed during 2023/24.

The Audit Committee is satisfied that Internal Audit is effective and adds value to the Council.

b) Oversight of External Audit

- The Committee has reviewed the activity of the Council's External Auditors (Ernst & Young) to assist it in its role of monitoring the internal control, risk management and governance arrangements of the Council's operations. The Committee has received and considered the external audit plan, progress updates and reviewed EY performance.
- The Committee confirmed the completion of the 2021/22 annual accounts audit and acknowledged the ongoing national delays in relation to the 2022/23 accounts audit which are consistent with other local authorities. The Committee also monitored the completion of the draft Value for Money and Pension Fund audit results for 2022/23, which were presented in April 2024.

The Audit Committee is satisfied with the Council's External Audit arrangements during 2023/24

c) Prevention and Detection of Fraud and Corruption

- The Council operates a zero-tolerance policy towards all fraud and corruption. The Counter Fraud Team (CFT) is embedded into all major fraud risks across the three largest areas of expenditure Revenues, Social Care and Housing. The team conducts proactive and reactive counter fraud activity to highlight fraud, loss and error. This minimises the Council's exposure to fraud and maximises its preventative savings.
- The National Fraud Initiative (NFI), is embedded in practice in the CFT through detecting potential fraud by matching electronic data sets within and between public and private sector bodies. Relevant service areas across the Council review

the initial data matches and then refer them to the CFT for investigation (where appropriate to do so).

- The Audit Committee has received consolidated quarterly progress reports from the CFT, a detailed 2023/24 Annual Plan and Annual Report for 2022/23. The team has responsibility for the oversight of the effectiveness of the Council's policies and procedures to prevent and detect fraud and corruption.
- In 2023/24 the CFT had achieved a number of successful outcomes including a total of c£11.2m in loss prevention savings across Council services. These savings included the recovery of 103 council properties due to tenancy fraud.

The Audit Committee is satisfied with the effectiveness of the Council's counter fraud arrangements during 2023/24.

d) Risk Management & Corporate Governance

- The Audit Committee monitored the implementation of the new Risk Management system and processes throughout 2023/24 as part of the Committee's role to independently assess the Council's corporate risk management arrangements.
- They received quarterly risk management reports, including the Corporate Risk Register, and a new Strategic Risk Report in February 2024. These provided assurance that action was being taken on risk related issues.
- The Audit Committee also oversee the production of the Council's Annual Governance Statement (AGS). The AGS for 2022/23 was drafted and submitted to External Audit during the year, however as the 2022/23 audit of the annual accounts has been delayed the final accounts were not presented to the Committee during the year.

The Audit Committee is satisfied that the Risk Management arrangements enable it to provide sufficient challenge to officers around the identification and management of the key risks to the Council.

e) Approval of Financial Accounts

- Throughout 2023/24 the Audit Committee was provided with audit progress reports on the Council's annual statement of accounts for 2021/22. This included considering whether appropriate accounting policies have been followed in relation to the 2022/23 accounts.
- Due to national delays finalising the audit of the 2022/23 annual accounts the Audit Committee had not received the final audit of the accounts by the end of 2023/24. This will be taken forward during 2024/25.

3. Conclusion

- 3.1 The Audit Committee considers that it has continued to make a significant contribution to ensuring that the key elements of the governance framework are given proper consideration and are appropriately challenged. It will continue to develop this role and contribute to strengthen internal control, risk management and governance throughout the authority.

APPENDIX A: AUDIT COMMITTEE TERMS OF REFERENCE

The Constitution defines the Terms of Reference for the Audit Committee as:

The Audit Committee's role is to:

- Review and monitor the Council's audit, governance, risk management framework and the associated control environment, as an independent assurance mechanism;
- Review and monitor the Council's financial and non-financial performance to the extent that it affects the Council's exposure to risk and/or weakens the control environment;
- Oversee the financial reporting process of the Statement of Accounts.

Decisions in respect of strategy, policy and service delivery or improvement are reserved to the Cabinet or delegated to Officers.

Internal Audit

- 1) Review and approve (but not direct) the Internal Audit Strategy to ensure that it meets the Council's overall strategic direction.
- 2) Review, approve and monitor (but not direct) Internal Audit's planned programmes of work, paying particular attention to whether there is sufficient and appropriate coverage.
- 3) Through quarterly Internal Audit summary reports of work done, monitor progress against the Internal Audit Plan and assess whether adequate skills and resources are available to provide an effective Internal Audit function. Monitor the main Internal Audit recommendations and consider whether management responses to the recommendations raised are appropriate with due regard to risk, materiality and coverage.
- 4) Make recommendations to the Leader of the Council and Cabinet Member for Finance on any changes to the Council's Internal Audit Strategy and plans.
- 5) Review the Annual Report and Opinion Statement and the level of assurance this provides over the Council's corporate governance arrangements, risk management framework and system of internal controls.
- 6) Consider reports dealing with the activity, management and performance of internal audit services.
- 7) Following a request to the Corporate Director of Finance and, subject to the approval of the Leader of the Council or Cabinet Member for Finance, to request work from Internal Audit.

External Audit

- 8) Receive and consider the External Auditor's annual letter, relevant reports and the report to those charged with governance.
- 9) Monitor management action in response to issues raised by External Audit.
- 10) Receive and consider specific reports as agreed with the External Auditor.
- 11) Comment on the scope and depth of External Audit work and ensure that it gives value for money, making any recommendations to the Corporate Director of Finance.

- 12) Be consulted by the Corporate Director of Finance over the appointment of the Council's External Auditor.
- 13) Following a request to the Corporate Director of Finance and, subject to the approval of the Leader of the Council or Cabinet Member for Finance, to commission work from External Audit.
- 14) Monitor arrangements for ensuring effective liaison between Internal Audit and External Audit, in consultation with the Corporate Director of Finance.

Governance Framework

- 15) Maintain an overview of the Council's Constitution in respect of contract procedure rules and financial regulations and, where necessary, bring proposals to the Leader of the Council or the Cabinet for their development.
- 16) Review any issue referred to it by the Chief Executive, Corporate or Executive Director, any Council body or external assurance providers including inspection agencies.
- 17) Monitor and review (but not direct) the authority's risk management arrangements, including regularly reviewing the corporate risk register and seeking assurances that appropriate action is being taken on managing risk.
- 18) Review and monitor Council strategy and policies on anti-fraud and anti-corruption including the 'Raising Concerns at Work' policy making any recommendations on changes to the Leader of the Council and relevant Corporate / Executive Director.
- 19) Oversee the production of the authority's Annual Governance Statement and recommend its adoption.
- 20) Review the Council's arrangements for corporate governance and make recommendations to the Corporate Director of Finance on suggested actions to improve alignment with best practice.
- 21) Where requested by the Leader of the Council, Cabinet Member for Finance or Corporate Director of Finance, provide recommendations on the Council's compliance with its own and other published standards and controls.

Accounts

- 22) Review and approve the annual statement of accounts. Specifically, to consider whether appropriate accounting policies have been followed and whether there are concerns arising from financial statements or from the external auditor that need to be brought to the attention of the Council.
- 23) Consider the external auditor's report to those charged with governance on issues arising from the external audit of the accounts.

Review and reporting

- 24) Undertake an annual independent review of the Audit Committee's effectiveness and submit an annual report to Council on the activity of the Audit Committee.

STATEMENT OF GAMBLING POLICY 2025-2028

Reporting Officer: Head of Democratic Services

Summary

- 1.1 At a meeting on 12 December 2024, Cabinet recommended to Council the adoption of a revised Statement of Gambling Policy. The revised version has been subject to statutory consultation and includes minor updates based on changes in guidance and to reflect updated working practices. The document will provide local businesses and residents with an up-to-date and fit-for-purpose policy on gambling matters in the Borough.
- 1.2 This report, therefore, seeks Council's agreement to adopt the revised Policy, as one of the Council's policy framework documents.

RECOMMENDATION: That the revised Statement of Gambling Policy be adopted as a policy framework document.

SUPPORTING INFORMATION

- 2.1 During 2024, a review of the Council's Statement of Gambling Policy was undertaken, as required every 3 years under legislation. Cabinet on 12 September 2024 agreed to consult on a revised version. The formal consultation period commenced on 13 September 2024 and ended on 25 October 2024 and included responsible authorities, other stakeholders, the Licensing Committee and Residents' Services Select Committee.
- 2.2 Since 12 January 2023, 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.

In summary, the changes relate to:

- Sentence Structure: Improved in various paragraphs.
 - Terminology Updates: Words like "empowered" replaced with "authorised", "not complied with" replaced with "breached".
 - Additions: New sentences and sections added, such as Representations, Direct Marketing, and Duty to Protect/Martyn's Law.
 - Authority References: "Council" replaced with "Licensing Authority"
 - Guidance Inclusions: New paragraphs added for 'Think 25' guidance and Appeals section.
 - Equality Act: Added reference to the Equality Act 2010 and the Public Sector Equality Duty.
 - Contact Details: Updated for Responsible Authorities
- 2.3 The Licensing Authority received three submissions during the consultation. These were from Gamble Aware, the Lotteries Council and Gamcare.
 - 2.4 The revised Policy continues to provide the Council with a local licensing framework that is up-to-date and effective in ensuring a safe and regulated environment for service users of gambling establishments. It also ensures that there are methods for robust enforcement and review of problem gambling premises.

- 2.5 The Cabinet report and Policy, setting out the rationale for the document's adoption, are attached including the comments from the Licensing Committee and Select Committee.

Financial Implications

The costs to the Council of implementing the Statement of Gambling Policy are met from gambling licence fees and contained within the existing revenue budgets. The Council's Licensing Service is able to recover costs through fees and charges relating to gambling licences. The rates of Gambling Licences are defined by statute.

Legal Implications

The consultation process followed by the Council has complied with section 349 of the Gambling Act 2005 and the Licensing Authority Policy Statement (England and Wales) Regulations 2006. There are no legal impediments to Full Council agreeing the recommendation set out in the report.

Background Papers: Statement of Gambling Policy 2025-2028

STATEMENT OF GAMBLING POLICY

Cabinet Member & Portfolio	Councillor Eddie Lavery, Cabinet Member for Community and Environment
Responsible Officer	Dan Kennedy, Corporate Director of Homes & Communities
Report Author & Directorate	Daniel Ferrer, Licensing Team Manager Homes & Communities
Papers with report	Appendix A – Proposed Statement of Gambling Policy (circulated separately) Appendix B - Equalities Impact Assessment

HEADLINES

Summary	The Council is obliged under s.349 Gambling Act 2005 to publish its Statement of Principles (Statement of Gambling Policy) to be applied when exercising various functions under the Act. The policy has been reviewed following consultation and in line with the Council's objectives. This report seeks a recommendation to be made to full Council for the adoption of the updated Statement of Gambling Policy for 2025-2028 which is a Policy Framework document.
Putting our Residents First Delivering on the Council Strategy 2022-2026	This report supports our ambition for residents/the Council of: An efficient, well-run, digital-enabled council working with partners to deliver services to improve the lives of all our residents This report supports our commitments to residents of: Modern, Well-Run Council
Financial Cost	There are no financial implications anticipated in relation to the recommendation to this report.
Select Committee	Residents' Services Select Committee.
Ward(s)	All

RECOMMENDATION

That Cabinet, following consideration of the consultation responses, recommends to Full Council the adoption of the updated Statement of Gambling Policy.

Reasons for recommendation

To ensure the Council has an up-to-date Gambling Policy, which has been subject to public consultation and views sought from relevant stakeholders.

The revised Statement of Gambling Policy has been drafted to include updates in legislation, Government guidance and to reflect current working practices. This will provide residents and service users with an up to date and fit for purpose policy document.

Alternative options considered / risk management

To not make a recommendation for adoption of the Statement of Gambling Policy would mean the Council would not be able to meet its statutory obligations and legal challenges may follow.

Democratic compliance / previous authority

On 12th September 2024, Cabinet agreed to a public consultation for the draft Statement of Gambling Policy to take place from 13 September 2024 to 25 October 2024.

SUPPORTING INFORMATION

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

In the intervening time, since 12 January 2023, 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.

In summary, the changes relate to:

- Sentence Structure: Improved in various paragraphs.
- Terminology Updates: Words like “empowered” replaced with “authorised”, “not complied with” replaced with “breached”.
- Additions: New sentences and sections added, such as Representations, Direct Marketing, and Duty to Protect/Martyn’s Law.
- Authority References: “Council” replaced with “Licensing Authority”
- Guidance Inclusions: New paragraphs added for ‘Think 25’ guidance and Appeals section.
- Equality Act: Added reference to the Equality Act 2010 and the Public Sector Equality Duty.
- Contact Details: Updated for Responsible Authorities

The Statement of Gambling Policy is a Policy Framework document and, therefore, under the law and the Council's Constitution, it requires final approval by full Council.

The proposed Policy being recommended for approval is attached in **Appendix A**.

Financial Implications

Any costs associated with the proposed adoption of the Statement of Gambling Policy will be funded from gambling licence fees (as set out in Appendix 1) and therefore contained within existing revenue budgets. There have been no legislative changes to the set licensing fees for Gambling licence applications. The fees remain statutory and have not been amended since the Gambling Act was brought into force in September 2007.

RESIDENT BENEFIT & CONSULTATION

The benefit or impact upon Hillingdon residents, service users and communities

The effect of the updated Statement of Gambling Policy will be that firstly residents will have further clarity regarding how they are able to submit valid representations to applications that they are concerned with. Service users can be confident that additional safeguarding measures such as 'Think 25' and those in relation to Direct marketing will be followed by businesses. Finally, communities, can be reassured that the Licensing Authority are committed to Public Health initiatives and strategies and also focusing on wider issues such as Counter Terrorism and Martyn's Law.

An Equalities Impact Assessment was carried out on 25th July 2024. The Licensing Authority identified that there are a number of gambling premises whose customers are from a Black, Asian, Minority and Ethnic background. Licensing Officers will take appropriate steps to support customers of these licensed premises and members of the public when it comes to Gambling queries and relevant applications. The Licensing Team will offer telephone advice to residents and customers and consideration will be given to meeting residents and customers at Council Offices to assist them in clarifying relevant application forms.

The Equalities Impact Assessment is attached in **Appendix B**.

Consultation Carried Out

A six-week consultation period took place from 13 September 2024 to 25 October 2024. The Licensing Authority consulted with the Responsible Authorities under the Gambling Act 2005, residents' associations, trade representatives, all Members and neighbouring Licensing Authorities.

The Licensing Authority received three submissions during the consultation. These were from Gamble Aware, the Lotteries Council and Gamcare.

Gamble Aware comments

Gamble Aware provided the Licensing Authority useful links to interactive maps showing prevalence of problem gambling in each local authority. Also, they provided links to publications from the Local Government Association which set out a range of options available to local authorities to deal with gambling related harm. They stated that they are fully supportive of local authorities which conduct an analysis to identify areas with increased levels of risk.

The Lotteries Council comments

The Lotteries Council responded stating that they have reviewed the draft Policy and had no comment.

Gamcare comments

Gamcare welcomed the position Hillingdon Council is taking to go beyond the mandatory and default conditions of the Gambling Act 2005. They stated that Local Authorities can play a role in reducing gambling harm, particularly for those who experience harm in land-based gambling venues. They stated that the Council should develop a local picture of the level of gambling harms and pursue a Local Area Profile approach. This topic is referred to in Section 4 of the existing current Policy. Gamcare stated that changes to Hillingdon Council's statement of principles should be viewed in the context of the Gambling Act Review and subsequent process of white paper consultations, so as to take account of the rapidly changing regulatory environment. In addition, they have stated that they would like to see a commitment to a public health approach to gambling. Therefore, an additional, specific 'Public Health Approach' section shall be added to the draft policy at sections 1.70 and 1.71 to read:

"The Licensing Authority will endeavour to support all initiatives and strategies which lead the way for local public health approaches to reduce gambling harms and health inequalities across Great Britain".

This will involve close working with the Council's own Public Health Team but also collaborating with relevant external partners and organisations to share best practices across local authorities."

Residents' Services Select Committee comments

The draft Policy was considered by the Residents' Services Select Committee on 24 September 2024. Members sought further clarification regarding possible saturation in some areas noting the existence of six gambling establishments within a small area of Hayes. The Select Committee heard that all applications were considered on their individual merits – all of the relevant data and the impact on the local area were taken into account. It was noted that the number of complaints received in relation to gambling establishments was low compared to those received regarding alcohol-related premises.

Members noted the importance of safeguarding and sought further clarification as to how officers ensured that the Gambling Policy was being adhered to. In response to this, it was confirmed that risk-related inspections were carried out proactively by the enforcement team. Recent visits with the Gambling Commission had also been undertaken.

Licensing Committee comments

The Licensing Committee met on 9 October 2024 and the Licensing Team Manager outlined the changes. A Member expressed that the Gambling Policy together with its amendments were sufficient in terms of safeguarding. There was a query in relation to how many consultation submissions had been received so far it was reminded that it was within everyone's remit to share

that the consultation was taking place with residents and resident associations. Finally, questions were asked around the Council's role in relation to the prevention of 'on-line' gambling and it was noted that the whilst the Gambling Commission were the main regulator for 'on-line' gambling, the Licensing Authority were responsible for land-based gambling. However, it was put forward that the Licensing Authority could work closer with the Gambling Commission and make arrangements to provide useful guidance and support for residents on the Council's website page.

CORPORATE CONSIDERATIONS

Corporate Finance

Corporate Finance has reviewed this report and concurs with the Financial Implications set out above, noting that any costs associated with the proposed adoption of the Statement of Gambling Policy will be funded from gambling licence fees and therefore contained within existing revenue budgets, with a full set of Gambling Fees & Charges included in Annex A in line with the approved values in Cabinet and Council in February 2024.

Legal

Legal Services are satisfied that the Council has discharged its duty under the Gambling Act 2005. Legal Services has reviewed this report and confirms that following the consultation, there are no specific legal implications arising at the current time. It should be noted that all policies are subject to challenge and will be dealt with accordingly should this arise.

BACKGROUND PAPERS

Current Statement of Gambling Policy
<https://www.hillingdon.gov.uk/gambling>

Gambling Commission - Guidance to Licensing Authorities last updated May 2021
<https://www.gamblingcommission.gov.uk/guidance/guidance-to-licensing-authorities>

Gambling Commission – Licence Conditions & Codes of Practice last updated Oct 2020
<https://www.gamblingcommission.gov.uk/licensees-and-businesses/lccp>

Summer 2023 Consultation – proposed changes to LCCP and RTS:
<https://www.gamblingcommission.gov.uk/consultation-response/summer-2023-consultation-proposed-changes-to-lccp-and-rts-consultation>

High Stakes: Gambling Reform for the Digital Age, April 2023
<https://www.gov.uk/government/publications/high-stakes-gambling-reform-for-the-digital-age>

Annex A: Gambling Fees & Charges	Type	Current Charge Residents £	Current Charge Non-Residents £	Vat Status	Proposed Charge Residents £	Increase %	Proposed Charge Non residents £	Increase %	Date of last change to charge
The Gambling Act 2005									
Registration of small society lottery	B	40.00	40.00	NB	40.00	0.00%	40.00	0.00%	01-Apr-10
Renewal of registration of small society lottery	B	20.00	20.00	NB	20.00	0.00%	20.00	0.00%	01-Apr-10
Application for a premises licence - Bingo	B	3,500.00	3,500.00	NB	3,500.00	0.00%	3,500.00	0.00%	01-Apr-10
Application for a premises licence - Adult Gaming Centre	B	2,000.00	2,000.00	NB	2,000.00	0.00%	2,000.00	0.00%	01-Apr-10
Application for a premises licence - Family Entertainment Centre	B	2,000.00	2,000.00	NB	2,000.00	0.00%	2,000.00	0.00%	01-Apr-10
Application for a premises licence - Betting Premises (Track)	B	2,500.00	2,500.00	NB	2,500.00	0.00%	2,500.00	0.00%	01-Apr-10
Application for a premises licence - betting Premises (Other)	B	3,000.00	3,000.00	NB	3,000.00	0.00%	3,000.00	0.00%	01-Apr-10
Annual fee for a premises licence - Bingo	B	1,000.00	1,000.00	NB	1,000.00	0.00%	1,000.00	0.00%	01-Apr-10
Annual fee for a premises licence - Adult Gaming Centre	B	1,000.00	1,000.00	NB	1,000.00	0.00%	1,000.00	0.00%	01-Apr-10
Annual fee for a premises licence - Family Entertainment Centre	B	750.00	750.00	NB	750.00	0.00%	750.00	0.00%	01-Apr-10
Annual fee for a premises licence - Betting Premises (Track)	B	1,000.00	1,000.00	NB	1,000.00	0.00%	1,000.00	0.00%	01-Apr-10
Annual fee for a premises licence - betting Premises (Other)	B	600.00	600.00	NB	600.00	0.00%	600.00	0.00%	01-Apr-10
Application for a variation of premises licence - Bingo	B	1,750.00	1,750.00	NB	1,750.00	0.00%	1,750.00	0.00%	01-Apr-10
Application for a variation of premises licence - Adult Gaming Centre	B	1,000.00	1,000.00	NB	1,000.00	0.00%	1,000.00	0.00%	01-Apr-10
Application for a variation of premises licence - Family Entertainment Centre	B	1,000.00	1,000.00	NB	1,000.00	0.00%	1,000.00	0.00%	01-Apr-10

Appendix 1: Gambling Fees & Charges	Type	Current Charge Residents	Current Charge Non-Residents	Vat Status	Proposed Charge Residents	Increase	Proposed Charge Non residents	Increase	Date of last change to charge
		£	£		£	%	£	%	
Application for a variation of premises licence - Betting Premises (Track)	B	1,250.00	1,250.00	NB	1,250.00	0.00%	1,250.00	0.00%	01-Apr-10
Application for a variation of premises licence - Betting Premises (Other)	B	1,500.00	1,500.00	NB	1,500.00	0.00%	1,500.00	0.00%	01-Apr-10
Application for a transfer of premises licence - Bingo	B	1,200.00	1,200.00	NB	1,200.00	0.00%	1,200.00	0.00%	01-Apr-10
Application for a transfer of premises licence - Adult Gaming Centre	B	1,200.00	1,200.00	NB	1,200.00	0.00%	1,200.00	0.00%	01-Apr-10
Application for a transfer of premises licence - Family Entertainment Centre	B	1,200.00	1,200.00	NB	1,200.00	0.00%	1,200.00	0.00%	01-Apr-10
Application for a transfer of premises licence - Betting Premises (Track)	B	950.00	950.00	NB	950.00	0.00%	950.00	0.00%	01-Apr-10
Application for a transfer of premises licence - betting Premises (Other)	B	1,200.00	1,200.00	NB	1,200.00	0.00%	1,200.00	0.00%	01-Apr-10
Application for an Unlicensed Family Entertainment Centre Gaming Machine Permit	B	300.00	300.00	NB	300.00	0.00%	300.00	0.00%	01-Apr-10
Licensed premises gaming machine permit	B	150.00	150.00	NB	150.00	0.00%	150.00	0.00%	01-Apr-10
Annual fee for licensed premises gaming machine permit	B	50.00	50.00	NB	50.00	0.00%	50.00	0.00%	01-Apr-10
Application for club gaming / gaming machine permit	B	150.00	150.00	NB	150.00	0.00%	150.00	0.00%	01-Apr-10
Annual fee for club gaming / gaming machine permit	B	50.00	50.00	NB	50.00	0.00%	50.00	0.00%	01-Apr-10
Transfer of gaming machine permit	B	25.00	25.00	NB	25.00	0.00%	25.00	0.00%	01-Apr-10
Notification of 2 x gaming machines	B	50.00	50.00	NB	50.00	0.00%	50.00	0.00%	01-Apr-10

This page is intentionally left blank



HILLINGDON

LONDON

Statement of Gambling Policy The Gambling Act 2005

Effective – 2025-2028

PART 1: The Gambling Act 2005

Introduction	4
Consultation	5
Declaration	6
Authorised Activities	6
Licensing Authority Functions	7
Responsible Authorities	7
Designated Body Protecting Children from Harm	8
Interested Parties	9
Representations	10
Exchange of Information	11
Enforcement	12
Equality Duty	14
Modern Day Slavery	14
Primary Authority	14
Advertising	15
Human Rights	15
Counter Terrorism	16
Public Health Approach	16

PART 2: Promoting the Licensing Objectives

Preventing gambling from being a source of crime or disorder	17
Ensuring that gambling is conducted in a fair and open way	18
Protecting children and vulnerable persons from being harmed	19

PART 3: Integrating Strategies and Other Regulatory Regimes

Integrating Strategies	22
------------------------	----

PART 4: Local Risk Assessments and Local Area Profiles

Local Risk Assessments	24
Local Area Profiles	25

PART 5: Premises Licences

General Principles	26
Definition of Premises	27
Provisional Statements	28
Location	29
Conditions	30
Door Supervisors	30
Casino Premises	30
Bingo Premises	32
Members Clubs and Commercial Clubs	33
Betting Premises	33
Tracks	34
Adult Gaming Centres	36
(Licensed) Family Entertainment Centres	37
Travelling Fairs	38
Review of Premises Licences	38
Appeals	39

PART 6: Gaming and Gaming Machine Permits	
Introduction to Permits	40
Gaming Machines	40
(Unlicensed) Family Entertainment Centre Gaming Machine Permits	41
Club Gaming and Club Machine Permits	45
Alcohol Licensed Premises Gaming Machine Permits Prize	45
Gaming Permits	47
PART 7: Notices	
Temporary Use Notices	49
Occasional Use Notices	50
PART 8: Registration of Small Society Lotteries	
Definition of Small Society Lottery Licensing and Registration Scheme	51
PART 9: Decision Making	
The Licensing Committee	54
Delegation of decision-making responsibilities	54
PART 10: Annexes	
Annex: A: Schedule of Consultees	55
Annex: B: Schedule of Responsible Authorities and Contact details	57
Annex: C: Summary of Delegations	59
Annex: D - Ward Councillor Call-in	60

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. The Licensing Authority also issues a range of gaming permits and other authorisations for gambling within the Borough. As a Licensing Authority, we are also authorised under the Act to impose conditions and review licences, as well as take enforcement action when an offence under the Act has been committed. This includes when premises or activities are unlicensed, or licence conditions are breached. This is coupled with powers of entry and inspection to ensure compliance and the promotion of the Licensing Objectives under the Act.

The Licensing Framework

1.2 In exercising most of our decision-making functions the Licensing Authority 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 The Licensing Authority is 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 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

- 1.5 Section 349 of the Act requires the Licensing Authority to publish a *Statement of Principles* (or policy) that we will apply when exercising our various functions under the Act. This Statement of Principles fulfils that statutory requirement and details throughout the document the Council's general approach to the making of licensing decisions.
- 1.6 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.
- 1.7 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.
- 1.8 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 Authority 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.

CONSULTATION

- 1.10 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.
- 1.11 A comprehensive list of the persons and/or bodies we have consulted is attached at Annex A. A summary of the consultation responses can be found on the Council's website. The full list of comments made and consideration given to those responses is available on request by contacting the Authority's Licensing Service.
- 1.12 Our consultation took place between 13th September 2024 and 25th October 2024.

DECLARATION

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

AUTHORISED ACTIVITIES

- 1.14 Gambling' is defined in the Act as either gaming, betting or taking part in a lottery:
- Gaming means playing a game of chance for a prize
 - 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
 - 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.
- 1.15 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.
- 1.16 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 Team where appropriate.

LICENSING AUTHORITY FUNCTIONS

1.17 Under the Act, the Licensing Authority 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.

1.18 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

1.19 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.

1.20 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).

- 1.21 Subject to any other person being prescribed in Regulations by the Secretary of State. The contact addresses for these authorities are illustrated at Annex B, or available via the Council's website.

DESIGNATED BODY PROTECTING CHILDREN FROM HARM

- 1.22 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.

- 1.23 The principles are that:

- The designated body must be responsible for an area covering the whole of the Licensing Authority's area.
- The designated body must be answerable to democratically elected persons, rather than any particular vested interest group etc.

- 1.24 In accordance with the Gambling Commission's Guidance for local authorities this authority designates the Local Safeguarding Children Board for this purpose.

- 1.25 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

1.26 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:

- Live sufficiently close to premises carrying out gambling activities.
- Have business interests that might be affected; and
- Represent persons listed above.

1.27 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:

1.28 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.

1.29 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.

1.30 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:

1.31 **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.

1.32 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:

- Size of the premises.
- Nature of the premises.
- Nature of the authorised activities being proposed.
- Distance of the premises from the person making the representation.
- Characteristics of the complainant.

- Potential impact of the premises.

1.33 **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.

1.34 **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.

1.35 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.

1.36 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.

Representations

1.37 'Interested Parties' and 'Responsible Authorities' may make comments to an application in the form of a Representation. Representations must be 'relevant' and should therefore include one or more of the following:

- relate to the licensing objectives
- relate to this gambling policy
- relate to Gambling Commission's Guidance
- relate to the Gambling Commission's Codes of Practice
- relate to the premises concerning that application
- are not frivolous nor vexatious

Exchange of Information

- 1.38 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.
- 1.39 As the 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

- 1.40 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.
- 1.41 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.
- 1.42 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.
- 1.43 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

- 1.44 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.
- 1.45 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.

- 1.46 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.

Enforcement

- 1.47 Licensing authorities are required by regulation under the Gambling Act 2005 to state the principles to be applied by the authority in exercising the functions under Part 15 of the Act with respect to the inspection of premises; and the powers under section 346 of the Act to institute criminal proceedings in respect of the offences specified.

- 1.48 This Licensing Authority's principles are that:

- 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.
- The Council will avoid duplication with other regulatory regimes so far as possible.
- 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.
- 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' daytime 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.
- 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.

- 1.49 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.
- 1.50 The Licensing Authority should consult with operators in the first instance where they have concerns about the underage access and age verification policies or who 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.
- 1.51 The Licensing Authority should consult with the Gambling Commission before 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.
- 1.52 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 authorised.
- 1.53 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.
- 1.54 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'
- 1.55 Enforcement Officers will also comply with 'The Code for Crown Prosecutors published by the Crown Prosecution Service which can be accessed at:

<https://www.cps.gov.uk/publication/code-crown-prosecutors>
- 1.56 The Gambling Commission will be the enforcement body for the Operator and Personal Licences. Concerns about manufacture, supply or repair of gaming machines will not be dealt with by the licensing authority but will be notified to the Gambling Commission. This authority also understands that the Gambling Commission will be responsible for compliance as regards unlicensed premises.
- 1.57 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.

Equality Duty

1.58 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

1.59 Under s.149 of the Equality Act 2010 a Public Authority must in the exercise of its function 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

1.60 The Licensing Authority has considered the Equality and Diversity issues that may arise from the Policy. The Licensing Authority considers that this policy does not raise any concerns with regard to equality and diversity

Modern Day Slavery

1.61 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.

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

- 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.

Primary Authority

- 1.63 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.
- 1.64 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.

Advertising

- 1.65 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.

Direct Marketing

- 1.66 Gambling premises are required to provide customers with options to opt-in to direct marketing based on the product types (for example betting, bingo and casino) they are interested in and the channels (for example email, SMS) through which they wish to receive marketing.

Human Rights

- 1.67 When considering applications and taking enforcement action, the Licensing Authority will be subject of 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

Counter- Terrorism

1.68 Applicants for gambling premises are encouraged to consider:

- Undertaking a terrorism threat risk assessment to ensure that any security related concerns are identified and, appropriate reasonable and proportionate steps are taken to reduce any risks from a terrorist attack, and
- Undertaking an ACT security plan, including completion of a preparedness plan, information sharing and training.

1.69 More relevant information and advice regarding counter terrorism measures can be found on the Protect UK Website:

www.protectuk.police.uk

Public Health Approach

1.70 The Licensing Authority will endeavour to support all initiatives and strategies which lead the way for local public health approaches to reduce gambling harms and health inequalities across Great Britain

1.71 This will involve close working with the Council's own Public Health Team but also collaborating with relevant external partners and organisations to share best practices across local authorities.

2.1 In exercising its functions under the Gambling Act 2005, London Borough of Hillingdon Council will have regard to the three statutory licensing objectives, which are:

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

2.2 In promoting these objectives, the Council has considered the Gambling Commission's Guidance to Local Authorities and makes the following observations as to the principles it intends to apply when considering the three objectives:

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

2.3 The Gambling Commission will play a leading role in preventing gambling from being a source of crime and will maintain rigorous licensing procedures that aim to prevent criminals from providing facilities for gambling.

2.4 Anyone applying to the Council for a Premises Licence will have to hold an Operating Licence from the Gambling Commission before a licence can be issued. Therefore, the Council will not generally be concerned with the suitability of an applicant. However, if during the course of considering a Premises Licence application or at any other time, the Licensing Authority receives such information that causes it to question the suitability of the applicant; those concerns will be brought to the immediate attention of the Gambling Commission.

2.5 If an application for a licence or permit is received in relation to premises which are in an area noted for particular problems with organised crime or crime directly associated with gambling premises, the Council will, in consultation with the Police and other relevant Responsible Authorities, consider whether specific controls need to be applied to prevent those premises from being a source of crime. In appropriate circumstances, the Licensing Authority may consider appropriate conditions to be attached to the Licence, such as Door Supervisors.

2.6 Issues of disorder should only be dealt with under the Act if the disorder amounts to a form of activity, which is more serious and disruptive than mere nuisance and it can be shown that gambling is the source of that disorder. A disturbance

might be serious enough to constitute disorder if police or ambulance assistance was required to deal with it. Another factor which could be taken into account is how threatening the behaviour was to those who could see or hear it, and whether those people live sufficiently close to be affected or have business interests that might be affected.

- 2.7 The Licensing Authority recognises that disorder may be focused on premises and therefore recommends an applicant takes such controls as necessary to prevent such disorder and nuisance. Examples may include thought given to the way that gambling is conducted on the premises, sighting of large payout machines, levels of noise from public address systems that should ideally be sited at the back of the premises away from residential areas.
- 2.8 Where there are persistent levels of disorder, the Licensing Authority will liaise closely with the Gambling Commission to consider the suitability of the applicant as an operator. In addition, the Licensing Authority will strive to have a good working relationship with the Police in accordance with any protocol that is currently in place.

ENSURING THAT GAMBLING IS CONDUCTED IN A FAIR AND OPEN WAY

- 2.9 All gambling should be fair in the way it is played with transparent rules such that players know what to expect. Examples may include easily understandable information being made available on the rules and probability of winning/losing, ensuring the rules are fair and that advertising is not misleading. Further recommendations would be to ensure that the results of competitions/events are made public; and that machines, equipment and software meet the required standards set by the Gambling Commission.
- 2.10 Generally, it is for the Gambling Commission to ensure this Licensing Objective is complied with through the Operating and Personal Licence regime covering the management of a gambling business and the suitability and actions of an individual.
- 2.11 However, with regard to racetracks, 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 persons 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 underage 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 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. 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.
- 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 persons, including limited companies with the relevant Operating Licences.
- 5.3 The Gambling premises fees are set out in The Gambling (Premises Licence Fees) (England and Wales) Regulations 2007 and can be viewed at:
- www.hillingdon.gov.uk/gambling.**
- 5.4 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 issues by the Secretary of state.
- 5.5 We as the Licensing Authority will be able to exclude default conditions and also attach other conditions, where we believe it to be appropriate.
- 5.6 Under the Act, the Licensing Authority 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 the 'Licence Conditions and Codes of Practice', issued by the Gambling Commission.
 - ii) In accordance 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.
- 5.7 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.

- 5.8 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 recommends applicants for Adult Gaming and Family Entertainment Centres consider adopting relevant guidance published by the British Amusement Catering Trade Association (BACTA)

Definition of Premises

- 5.9 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 premises 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.
- 5.10 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.
- 5.11 The Licensing Authority 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.
- 5.12 In addition to other relevant factors, the Licensing Authority will have regard to the Gambling Commission guidance which lists the following factors which may be taken into account:
- Do the premises have a separate registration for business rates?
 - Is the premises' neighbouring premises owned by the same person or someone else?
 - Can each of the premises be accessed from the street or public

passageway?

- Can the premises only be accessed from another gambling premises?

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

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

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

Provisional Statement

5.15 Under the Act an applicant 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.

5.16 It is a question of fact and degree whether premises are finished to a degree that they can be considered for a premises licence. The Gambling Commission emphasises that requiring the building to be complete ensures that the Licensing Authority can, if necessary, inspect it fully, as can other responsible authorities, with inspection rights under the Act.

5.17 In deciding whether a premises licence can be granted where there are construction works, at existing premises, the Licensing Authority will determine applications on their merits, applying a two-stage consideration process:

- First, whether the premises ought to be permitted to be used for gambling.
- Second, whether appropriate conditions can be put in place to cater for that situation.

5.18 Applicants should note that the Council is entitled to decide that it is appropriate to grant a licence subject to conditions, but it is not obliged to grant such a licence.

Location

5.19 The Gambling Commission Guidance stipulates that demand issues cannot be considered in relation to the location of premises but that considerations made in terms of the licensing objectives can.

5.20 In accordance with the Gambling Commission's Guidance for Local Authorities, this Licensing Authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder.

5.21 This authority has not adopted any specific policy in relation to areas where gambling premises should not be located. Should any such policy be decided upon, this policy statement will be updated accordingly. It should be noted that any such future policy will not preclude any application being made with the onus upon the applicant showing how any potential concerns can be overcome.

5.22 Each case will be decided on its merits and will depend, to a large extent, on the type of gambling that it is proposed will be offered on the premises.

5.23 If an applicant can demonstrate appropriate measures to overcome concerns, that will be taken into account by the Council.

Conditions

5.24 Any conditions attached to licences will be proportionate and will be:

- i) Relevant to the need to make the proposed building suitable as a gambling facility.
- ii) Directly related to the premises and the type of licence applied for;
- iii) Fairly and reasonably related to the scale and type of premises: and
- iv) Reasonable in all other respects.

5.25 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.

- 5.26 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

- 5.27 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.
- 5.28 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.
- 5.29 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

- 5.30 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.
- 5.31 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

- 5.32 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.

- 5.33 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.
- 5.34 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.
- 5.35 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.
- 5.36 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.
- 5.37 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 57 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.
- 5.38 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.

- 5.39 Licensees should have procedures that require their staff to check the age of any customer who appears to be under 25.
- 5.40 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

- 5.41 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.
- 5.42 With regard to turnover, where the Licensing Authority has concerns that a licensee or club exceeds the turnover in the required 7-day period, the Licensing Authority will inform the Gambling Commission accordingly.
- 5.43 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

- 5.44 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.
- 5.45 Children and young people will not be able to enter premises with a betting premises licence.
- 5.46 Licensees should have procedures that require their staff to check the age of any customer who appears to be under 25.
- 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 44
- 5.48 In premises licensed for alcohol consumption, the Licensing Authority 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 Licensing Authority will expect applicants to offer their own measures to meet the 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.

TRACKS

- 5.50 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.
- 5.51 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.
- 5.52 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.
- 5.53 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.
- 5.54 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.
- 5.55 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.
- 5.56 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.

5.57 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).

5.58 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

5.59 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.

5.60 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

- 5.61 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 racecard or made available in leaflet form from the track office.

ADULT GAMING CENTRES

- 5.62 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.
- 5.63 Licensees should have procedures that require their staff to check the age of any customer who appears to be under 25.
- 5.64 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.

- 5.65 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.
- 5.66 A table showing the number and category of gaming machines permitted in adult gaming centres is on page 44

FAMILY ENTERTAINMENT CENTRES (FECs)

5.67 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

5.68 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.

5.69 Licensees should have procedures that require their staff to check the age of any customer who appears to be under 25.

5.70 With regard to vulnerable persons, the Licensing Authority will consider measures such as the use of self-barring schemes, provision of information leaflets/help line numbers for organizations such as GamCare as appropriate measures.

5.71 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.

5.72 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

5.73 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

- 5.74 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.
- 5.75 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

- 5.76 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.
- 5.77 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.
- 5.78 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.
- 5.79 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.

5.80 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.

APPEALS

5.81 Appeals against decisions by a licensing authority are set out in s.206-209 of the Act and relate to decisions made under Part 8 of the Act. These include:

- Applications for a premises licence
- Applications to vary or transfer a premises licence
- Applications for provisional statements
- Reviews of premises licences

5.82 On appeal against a decision of the Licensing Authority has to be made to the Magistrates' Court.

5.83 The appellant must give notice of their appeal within 21 days of their having received notice of the relevant decision. During that period, and until any appeal that has been brought has been finally determined, a determination or other action by the licensing authority will not have effect unless the licensing authority so directs.

5.84 The Magistrates' may decide to:

- Dismiss the appeal
- Substitute the decision with any other decision that could have been made by the Licensing Authority
- Remit the case back to the licensing authority to deal with the appeal in accordance with the direction of the Court.

5.85 Once the appeal decision has been notified to all parties, the Licensing Authority shall not delay its implementation. Therefore, necessary action should be taken immediate on receipt of the decision.

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

(UNLICENSED) FEC GAMING MACHINE PERMITS

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

Statement of Principles

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

- 6.15 As these premises are open to children and young persons, the Licensing Authority will require additional information when an applicant applies for this Permit, as follows:
- (i) A plan of the premises to a scale of 1:100. If a 1:100 scaled plan cannot be submitted the plans must be clear and legible in all material respects. All plans must show the exits/entrances to the premises, location of gaming machines, and the location of safety equipment such as fire extinguishers and indicating the location of appropriate clear and prominent notices and barriers, such Notices to state:
 - (a) That no unaccompanied child will be permitted to remain on the premises if that person is required by law to attend school;
 - (b) Highlighting the need to play responsibly;
 - (c) The number and location of Category D machines;
 - (ii) Evidence of staff training by way of a Premises Log Book, covering how staff would deal with unsupervised very young children being on the premises, or children causing perceived problems on/around the premises;
 - (iii) The amount of space around gaming machines to prevent jostling of players or intimidation;
 - (iv) Location and supervision of Automated Teller Machines;
 - (v) Proof of Age scheme;
 - (vi) Evidence that the applicant has complied with Health and Safety and Fire Safety legislation;
 - (vii) Details of opening hours;
 - (viii) Details of external appearance of premises;
 - (ix) Numbers of staff employed;
 - (x) Insurance documents and any other such information the Licensing Authority will from time to time require;
 - (xi) Any other policies or procedures in place to protect children from harm.
- 6.16 The above statement of principles will apply in relation to initial applications only and not 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

- 6.36 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.
- 6.37 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.
- 6.38 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.
- 6.39 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.
- 6.40 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.
- 6.41 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

- 6.42 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.
- 6.43 A plan must accompany applications indicating where, and what type, of prize gaming is to be provided.
- 6.44 The grounds for decision making as regards renewals are the same as for initial applications.
- 6.45 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 regarding 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 E-mail.
- 7.7 If no objections are made within 14 days of the date of the temporary use notice, the Licensing Authority will grant and return the notice with an endorsement of validity.
- 7.8 If objections are received within 14 days of the date of notice, a hearing will be held to consider the issue of a TUN. Those who raise objections may offer modifications to the notice that will resolve their objections. If all participants to a hearing agree that a hearing is unnecessary, the hearing may be dispensed with.

- 7.9 The Licensing Authority may object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises. The Licensing Authority and other bodies to which the notice is copied may give notice of objection but they must have regard to the Licensing Objectives and where there are such objections, they must give a notice of objection to the person who gave the TUN, such notice will be copied to the Licensing Authority.

OCCASIONAL USE NOTICES (OUN)

- 7.10 An Occasional Use Notice may be used where there is betting on a track on 8 days or less in a calendar year. The OUN dispenses with the need for a Betting Premises Licence for a track and the Licensing Authority will maintain a register of all applications.
- 7.11 The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. The licensing authority will 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; the Equality Act 2010, the Public Sector Equality Duty; 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 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

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*)

:
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.

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 Premise

Hillingdon Licensing Authority
The Licensing Service
London Borough of Hillingdon Civic Centre,
Uxbridge
UB8 1UW
licensing@hillington.gov.uk

The Gambling Commission
4th Floor
Victoria Square House
Birmingham
B2 4BP
info@gamblingcommission.gov.uk

Police Licensing Uxbridge Police Station 1
Warwick Place
Uxbridge
UB8 1PG
Licensing-xh@met.pnn.police.uk

London Fire Brigade
169 Union Street London
SE1 0LL
Attn: North West Area Team
FSR-AdminSupport@london-fire.gov.uk

Head of Development Planning
London Borough Of Hillingdon
Civic Centre
Uxbridge
UB8 1UW
Planning@hillington.gov.uk

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

Local Safeguarding Children Board
c/o Director of Childrens Services
London Borough of Hillingdon Civic
Centre, Uxbridge
UB8 1UW
safeguardingchildrenadmin@hillington.gov.uk

HM Revenue & Customs
Betting and Gambling Department Portcullis
House
21 India Street Glasgow
G2 4PZ
nru.betting&gaming@hmrc.gsi.gov.uk

Food, Health & Safety
London Borough of Hillingdon Civic Centre,
Uxbridge
UB8 1UW
foodhealthandsafety@hillington.gov.uk

ANNEX C

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

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

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 Licensing, within the appropriate statutory period of consultation for the application, and this representation has been forwarded to the Licensing Authority, that application shall be 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.

COUNCIL TAX BASE AND BUSINESS RATES FORECAST 2025/26

Reporting Officer: Corporate Director of Finance

SUMMARY

This report sets out the proposed Council Taxbase and Business Rates Forecast for 2025/26 in accordance with the legislation for approval by the Council. The Council is required to calculate both its Council Taxbase as at 30 November 2024 by 31 January 2025 and the Business Rates forecast for the forthcoming year by 31 January 2025.

RECOMMENDATIONS: That:

- a) **The report of the Corporate Director of Finance for the calculation of the Council Taxbase and the Business Rates Forecast be approved.**
- b) **In accordance with the Local Authorities (Calculation of Council Taxbase) (England) Regulations 2012 the amount calculated by the London Borough of Hillingdon as its Council Taxbase for 2025/26 shall be 105,422.**
- c) **Authority be delegated to the Corporate Director of Finance to submit the 2025/26 NNDR1 return to the Ministry of Housing, Communities and Local Government (MHCLG) and the Greater London Authority (GLA).**
- d) **The continuation of the Council's policy of passporting Government discounts and reliefs applied to Business Rates to the ratepayer be approved.**
- e) **Having due regard to the Review Of Working Age Council Tax Reduction Scheme for 2025/26 at Appendix 2 and the Equalities Impact Assessment at Appendix 2a, approve the following amendments to the Council's local Council Tax Reduction Scheme to reform the scheme with effect from 1 April 2025:**
 - i. **Align the vulnerable group percentage reduction with the rest of the scheme over a phased approach lasting 4 years.**
 - ii. **Remove the war widow pension group from the scheme.**
 - iii. **Remove Transitional Protection.**
 - iv. **Increase the minimum weekly award to £3.**
 - v. **Reduce the absence abroad to 4 weeks in line with Pensioner CTR scheme change.**
 - vi. **Cap the amount of Council Tax liability to be used in the calculation to Band D (non-vulnerable households only).**
 - vii. **Increase the non-dependant deduction from £8 to £10 per week.**
 - viii. **Introduce additional support for care leavers.**

COUNCIL TAXBASE

The calculation of the Council Taxbase is prescribed under the Local Authorities (Calculation of Council Taxbase) (England) Regulations 2012 and represents the equivalent number of Band D Properties within the Borough. The calculation of the Council Taxbase is based upon the following formula:

((H-Q+E+J)-Z) x (F divided by G)

Where:

H is the number of chargeable dwellings for the band on the relevant day less the number of exempt dwellings on that day;

Q is a factor to take account of the discounts to which the amount of council tax payable was subject on the relevant day;

E is a factor to take account of premiums, if any, to which the council tax payable, was subject on the relevant day;

J is the amount of any adjustment in respect of changes in the number of chargeable dwelling or premiums calculated by the authority;

Z is the total amount that the authority estimates will be applied as a result of the introduction of the Council Tax Reduction Scheme expressed as an equivalent number of chargeable dwellings in that band;

F is the number appropriate to that band which is used in determining the Band D equivalent (i.e., Band A = 6, Band B = 7, Band C =8, Band D = 9, Band E = 11, Band F = 13, Band G = 15 and Band H = 18;

G is the number applicable to Band D i.e., 9.

Table 1 sets out a summary of the Council Taxbase for 2025/26 including the estimated collection rate and allowance made for contributions in lieu of Council Tax in respect of Forces Barracks and Married Quarters. The detailed calculation is set out in Appendix 1 to this report.

Table 1: Total Number of Band D equivalent properties

Band	Number of properties
A	663
B	3,328
C	19,095
D	40,374
E	20,437
F	13,167
G	7,735
H	920
Total Equivalent	105,719
Equivalent number adjusted for the estimated collection rate (99%)	(1,057)
Plus, the contribution in Lieu of Council Tax in respect of Forces Barracks and Married Quarters	760
Council Taxbase for 2025/26	105,422

Changes in the Council Taxbase since 2024/25

In calculating the Council Taxbase for 2025/26, the authority has to estimate the various changes that will occur during the financial year, which are expected to result in a net increase of 754 Band D equivalent properties from the 2024/25 Taxbase.

Spend on the Council Tax Reduction Scheme (CTRS) has continued to track above pre-pandemic levels in 2024/25, while case load has been declining at a rate of 6% compared to 2% in 2023/24. The rise in spend is being driven by the relatively stable number of Pensioners receiving increased reductions from year to year in line with Council Tax increases, along with a rise in Working Age Vulnerable cases which are generally entitled to additional support compared to the Pensioner and Working Age

Other groups. The decrease in case load is due to fewer Working Age Other cases, where the unit cost for each case is lower than for the other two groups; however, there is a possibility that a proportion of these cases are moving into the Working Age Vulnerable category.

While current data indicates that this decline in case numbers will continue, based on the current spend we are projecting that the costs of the CTRS will also continue to rise. However, the proposals for revising the CTRS currently out for consultation are projected to reduce the overall cost of the scheme by around £1m in 2025/26, and therefore for planning purposes this has been factored into our projections. The Council will continue to closely monitor spend and demand for this service going forward.

Impact on 2025/26 General Fund Budget

The actual impact of the new Council Taxbase on Hillingdon's General Fund budget for 2025/26 is an increase of 754 Band D equivalents properties, increasing Council Tax revenue by £1,050k. This position will be compounded by the proposed increases in Council Tax and the Adult Social Care Precept. This position reflects the outlook presented within the draft budget considered by Cabinet on 12 December 2024.

Section 106 of the Local Government Finance Act 1992

It is noted that this report falls within the provisions of the Local Government Finance Act 1992. Any member who is two or more months in arrears with his/her Council Tax must declare the fact and not vote on the recommendations in this report.

BUSINESS RATES INCOME FORECAST

The Local Government Finance Act 2012 introduced a mechanism whereby local authorities retain a proportion of business rates as a revenue funding stream and as a result, the business rates income forecast for 2025/26 has a direct impact upon the Council's finances and is therefore submitted to Council for approval alongside the Council Taxbase.

For 2025/26 the Small Business Rate multiplier is being frozen at 49.9p with the standard multiplier set to increase to 55.5p. The freeze on the lower multiplier will be fully funded by the Government via an under-indexation grant paid to local authorities.

The Business Rates Income forecast for 2025/26 has been derived from the local rating list. Following allowance for the current levels of both mandatory and discretionary reliefs, the Council anticipates a gross yield of £405,774k made up of a combination of rate payers' liabilities and Section 31 Grant income paid by Government to fund national reliefs.

The Local Government Act 2012 permitted the retention of 30% of revenues generated by London Boroughs, with the remainder being split between Central Government (33%) and the Greater London Authority (37%). This retained sum is reduced through tariff and levy mechanisms, with Hillingdon's share of projected 2025/26 income amounting to £72,129k, which is made up of the baseline rates income of £51,887k plus retained growth of £20,242k.

The Council is required to submit a certified NNDR1 return, containing a more detailed analysis of this business rates forecast, to both MHCLG and GLA by 31 January 2025. A recommendation to delegate authority to the Corporate Director of Finance to submit this return is included in this report, with the return to be based on the latest available intelligence.

Impact on 2025/26 General Fund Budget

The £72,129k income retained by the Council will be reflected in the budget presented to Cabinet for approval in February 2025, an increase of £3,103k from 2024/25 due to the Council releasing much of the remaining benefit of the 2023/24 revaluation that was previously held back to fund appeals against the new list, with this position now more firmed up, but this will continue to be reviewed throughout 2025/26. This position reflects the outlook presented within the draft budget considered by Cabinet on 12 December 2024.

Proposed Retail Rate Relief

In the Autumn Statement the Chancellor announced her intention to introduce permanently lower multipliers for businesses within the retail, hospitality and leisure sectors with an RV under £500,000 from 2026/27, with interim support of 40% relief in 2025/26 of up to £110,000 per business. An estimate for the local cost of this scheme along with all other Government reliefs will be included in the NNDR1 returned to MHCLG on this basis. In line with other Government-directed discounts, the Council will be reimbursed for lost income through a Section 31 Grant.

COUNCIL TAX REDUCTION SCHEME

This report sets out eight changes to the Council Tax Reduction Scheme for working age households, with no impact from any proposed changes on pension age claimants as they are subject to separate nationally defined rules. As CTRS operates as a discount on Council Tax bills, the GLA bear the cost of the scheme against their share of the overall bill.

Over the four years since 2020/21, the cost of the overall scheme has grown by 13% or £1.4m with increased caseloads within the “vulnerable” category, in which eligible households receive a flat 90% discount regardless of income levels. Vulnerable status is determined by receipt of certain DWP benefits – (including Disability Living Allowance and Personal Independence Payments). The most significant proposals for reform of the CTRS are based around aligning levels of support for this group with those for other working age claimants which are aligned to income levels in order to better target support to the lowest income households.

Proposed reforms of the scheme are intended to meet two policy objectives, in the context of competing demands on finite funding available to support local services:

- i. Improving the targeting of support to those households in greatest need, and;
- ii. Reducing the administrative burden of the scheme to deliver efficiency savings within the Revenues & Benefits Service.

Having due regard to the Equalities Impact Assessment at Appendix 2a, it is recommended that Council approve the proposed reforms to the local Council Tax Reduction Scheme with a view to reforming the scheme with effect from April 2025:

- i. Align the vulnerable group percentage reduction with the rest of the scheme over a phased approach lasting 4 years.
- ii. Remove the war widow pension group from the scheme.
- iii. Remove Transitional Protection.
- iv. Increase the minimum weekly award to £3.
- v. Reduce the absence abroad to 4 weeks in line with Pensioner CTR scheme change.
- vi. Cap the amount of Council Tax liability to be used in the calculation to Band D (non-vulnerable households only).
- vii. Increase the non-dependant deduction from £8 to £10 per week.
- viii. Introduce additional support for care leavers.

The proposals recommended are projected to reduce the overall cost of the scheme by £1.2m in 2025/26, with circa £1.0m of the benefit accruing to Hillingdon and the remainder to the GLA. These projections are predicated on successful collection of the additional amounts to be billed from 1 April 2025.

FINANCIAL IMPLICATIONS

The forecasts outlined in this report for both Council Tax and NNDR revenues in 2025/26 were included within the draft budget published for public consultation in December 2024, with the recommendation in this report to delegate authority to the Corporate Director of Finance to submit an NNDR1 being on the basis of the position presented in this report, which mirrors the position presented to December Cabinet. Income collected during 2025/26 will be closely monitored and any variation from the projections outlined above captured through future refreshes of the Medium Term Financial Forecast process.

LEGAL IMPLICATIONS

The legal implications are contained in the body of the report.

BACKGROUND PAPERS: The Council's Budget: MTF 2025/26 - 2029/30 - 12 December 2024.

CALCULATION OF 'H' (The number of chargeable dwellings on valuation list)	Band A	Band B	Band C	Band D	Band E	Band F	Band G	Band H	Total
Number of properties in the valuation list as at 13.12.23	1,257	6,541	28,259	47,444	18,805	10,047	5,324	492	118,169
Exempt Properties	(71)	(301)	(642)	(964)	(472)	(326)	(475)	(8)	(3,259)
Properties re Disabled Persons relief - Drop a Band		(7)	(60)	(206)	(129)	(93)	(46)	(21)	(562)
Properties re Disabled Persons relief - Drop a Band	7	60	206	129	93	46	21		562
Value of 'H'	1,193	6,293	27,763	46,403	18,297	9,674	4,824	463	114,910
CALCULATION OF 'Q' (the value of discounts allowed)									
Equivalent number of properties entitled to single occupancy discount/ Disregard (i.e. actual number x 25%)	(118)	(879)	(2,856)	(2,436)	(934)	(468)	(182)	(7)	(7,880)
Equivalent number of properties entitled to 50% discount as all residents disregarded (i.e. actual number x 50%)	(1)	(13)	(20)	(13)	(8)	(7)	(12)	(3)	(76)
Empty Property Discount	0	0	0	0	0	0	0	0	0
Value of 'Q'	(119)	(892)	(2,876)	(2,449)	(942)	(475)	(194)	(10)	(7,956)
CALCULATION of 'E' (Any premiums payable on empty properties)									0
Calculation of Premiums applicable	10	18	71	57	16	23	11	7	213
Value of 'E'	10	18	71	57	16	23	11	7	213
CALCULATION OF 'J' (Expected adjustments to number of properties on valuation list)									
New properties added to valuation list since 13.12.22									0
Properties completed but not yet shown on valuation list	99	16	29	15	11	17	14	0	201
Properties known to be on valuation list but to be taken out of list as demolished	(5)	(1)	(2)	(14)	(5)	(4)	(5)	0	(36)
Assumed increase in no of properties over year	11	56	244	411	162	87	46	4	1,020

Estimated in year changes to discounts	(2)	(17)	(54)	(46)	(18)	(9)	(4)	(0)	(150)	
Estimate change in Empty Property Premium									0	
Estimated in year changes to exemptions	(1)	(5)	(11)	(18)	(8)	(6)	(8)	(0)	(56)	
Value of J	101	49	206	348	142	85	43	4	979	
Value of (H+Q+E+J)	1,185	5,469	25,164	44,359	17,514	9,307	4,685	464	108,147	
CALCULATION of 'Z' (Band adjustment due to Council Tax Reduction (CTR) Scheme)										
Equivalent Band reduction based upon estimated monetary values of Council Tax Support Grant	(206)	(1,288)	(3,986)	(4,314)	(858)	(207)	(47)	(4)	(10,910)	
Estimated in year changes	16	98	304	329	65	16	4	0	832	
Value of 'Z'	(190)	(1,190)	(3,682)	(3,985)	(793)	(191)	(43)	(4)	(10,078)	
Value of H+Q+E+J-Z	995	4,279	21,482	40,374	16,721	9,116	4,641	460	98,069	
Convert to band D equivalent properties (F/G) where G = 9 and F = number shown in column.	6	7	8	9	11	13	15	18		
Band D Equivalent properties by Band Value of ((H+Q+E+J)-Z)*(F/G)	663	3,328	19,095	40,374	20,437	13,167	7,735	920	105,719	
Collection rate allowance 2022/23	99.0%							1.0%		(1,057)
Estimated Collectable Band D Properties									104,662	
Ministry of Defence properties									760	
COUNCIL TAX BASE 2025/26									105,422	

This page is intentionally left blank

APPENDIX 2 REVIEW OF WORKING AGE COUNCIL TAX REDUCTION SCHEME FOR 2025/26

Context

1. In order to adopt changes to the Council Tax Reduction Scheme (CTRS), these changes must be approved as part of the Council Taxbase for the forthcoming year which is presented to Council annually at the January meeting.
2. There are currently 12,637 households being supported through the working age element of CTRS at a gross cost of £12.2m, with no impact from any proposed changes on pension age claimants as they are subject to separate nationally defined rules. As CTRS operates as a discount on Council Tax bills, circa 25% of the total cost is borne by the GLA against their share of the overall bill.
3. Over the four years since 2020/21, the cost of the overall scheme has grown by 13% or £1.4m with increased caseloads within the 'vulnerable' category, in which eligible households receive a flat 90% discount regardless of income levels. Vulnerable status is determined by receipt of certain DWP benefits – (including Disability Living Allowance and Personal Independence Payments). The most significant proposals for reform of the CTRS are based around aligning levels of support for this group with those for other working age claimants which are pegged to income levels in order to better target support to the lowest income households.

Proposals for Reform

4. Proposed reforms of the scheme are intended to meet two policy objectives, in the context of competing demands on finite funding available to support local services:
 - a. Improving the targeting of support to those households in greatest need, and;
 - b. Reducing the administrative burden of the scheme to deliver efficiency savings within the Revenues & Benefits Service.
5. The specific proposals being recommended by officers to meet these objectives are:
 - a. Align the vulnerable group percentage reduction with the rest of the scheme over a phased approach lasting 4 years (decreased cost £0.9m affecting 6,800 households, rising to £1.9m by year 4 once phased transition has completed);
 - b. Increase the minimum weekly award to £3 (decreased cost up to £0.1m affecting 72 households);
 - c. Increase the non-dependant deduction from £8 to £10 per week (decreased cost up to £0.2m affecting 1617 households)
 - d. Cap the amount of Council Tax liability to be used in the calculation to Band D (decreased cost of less than £0.1m affecting 436 households);
 - e. Introduce additional support for care leavers (increased cost of less than £0.1m);
 - f. Remove the war widow pension group from the scheme (administrative benefit only);
 - g. Remove Transitional Protection (decreased cost of less than £0.1m), and;
 - h. Reduce the absence abroad to 4 weeks in line with Pensioner CTR scheme change (primarily administrative benefit)

6. As a result of the proposed changes, the overall scheme framework for 2025/26 will be updated to remove the 'Band 1' grouping and see the support for 'Band 2' vulnerable stepped down to 80% as set out below:

Household type:	Single		Couples		Family 1 child		Family 2 or more children		
CTR Banding	Lower Limit	Upper Limit	Lower Limit	Upper Limit	Lower Limit	Upper Limit	Lower Limit	Upper Limit	CTR %
Band 2 (6800 customer)	£0.00	£180.00	£0.00	£250.00	£0.00	£330.00	£0.00	£500.00	80% (was at 90%)
Band 3	£0.00	£90.00	£0.00	£130.00	£0.00	£150.00	£0.00	£260.00	75%
Band 4	£90.01	£120.00	£130.01	£170.00	£150.01	£210.00	£260.01	£340.00	55%
Band 5	£120.01	£150.00	£170.01	£210.00	£210.01	£270.00	£340.01	£420.00	35%
Band 6	£150.01	£180.00	£210.01	£250.00	£270.01	£330.00	£420.01	£500.00	15%

Impact Assessment

7. The proposals developed for consultation are projected to reduce the overall cost of the scheme by £1.2m in 2025/26, with circa £1.0m of the benefit accruing to Hillingdon and the remainder to the GLA. These projections are predicated on successful collection of the additional amounts to be billed from 1 April 2025.
8. Looking beyond 2025/26, transitioning the existing Band 2 cohort of claimants onto the stepped levels of support on the basis of income levels has been modelled over three years from 2026/27 to 2027/28 with the following impact on the overall cost of the scheme. Changes to scheme will require approval by Council on an annual basis and therefore the pace of future reforms could be accelerated or otherwise altered through this mechanism.

	2025/26 £'000	2026/27 £'000	2027/28 £'000	2028/29 £'000	Total £'000
Projected Change in CTR Awards	1,200	500	250	250	2,200
Of which: GLA Share	240	100	50	50	440
Of which: LBH Share	960	400	200	200	1,760
Provision for non-collection	TBC	TBC	TBC	TBC	TBC

9. It should be noted that the Section 13a discretionary relief mechanism, whereby households experiencing financial hardship can apply for exceptional relief from Council Tax payments will be in place as an ultimate safety net.

Consultation Responses

Background

Over the summer various changes to the Council Tax Reduction scheme were considered for April 2025. After some consideration and discussion, it was agreed that we would consult with the public on eight proposals. The Council Tax Reduction consultation went live on 31/10/24 for 6 weeks and closed at midnight on 11/12/24. During the 6 weeks we received 45 responses to our proposals. To promote the consultation, we contacted CAB and DASH so that they could discuss the consultation with their customers. We also put a banner on the Revenues and Benefits webpages with a link to the consultation and used social media to increase awareness. The Capita contact centre advertised the consultation through their initial greeting on the phone line and the customer advisors promoted it when speaking to residents. The GLA were also sent details of the consultation.

Details of respondents

Out of the 45 responses 22 were from females, 17 were from males and 6 preferred not to state their sex:

Sex	
Male	17
Female	22
Prefer not to say	6

The majority of responses were from the 45-54 age range:

Age range	
25-34	6
35-44	10
45-54	14
55-64	8
65+	4
Prefer not to say	3

Most of the responses were from within Hillingdon with only 1 being out of borough (and 3 not providing their postcode):

Postcode	
HA4	9
HA5	4
HA6	2
TW19	1
UB10	4
UB3	6
UB4	2
UB7	4
UB8	10
Blank	3

Out of the 45 responses 13 confirmed they had a disability:

Disability Yes/No	
Yes	13
No	29
Prefer not to say	3

The majority of respondents were from a white group or background:

Ethnicity group or background	
Asian or Asian British	5
Black, Black British, Caribbean or African	3
Mixed or multiple ethnic group or background	3
Other ethnic group or background	1
Prefer not to say	11
White group or background	22

Only 10 customers that responded to the consultation confirmed they were in receipt of Council Tax Reduction:

CTR Yes/No	
Yes	10
No	27
Don't know	8

One third of the responses were from customers who had a non-dependant living with them:

Non-dependant Yes/No	
Yes	15
No	30

Responses to each Proposal

The 8 proposals that we consulted on were to

1. Align the vulnerable group percentage reduction with the rest of the scheme over a phased approach lasting 4 years.
2. Remove the war widow pension group from the scheme.
3. Remove Transitional Protection.
4. Increase the minimum weekly award to £3.
5. Reduce the absence abroad to 4 weeks in line with Pensioner CTR scheme change.
6. Cap the amount of Council Tax liability to be used in the calculation to Band D (non-vulnerable households only).
7. Increase the non-dependant deduction from £8 to £10 per week.
8. Introduce additional support for care leavers.

Table 1 - Breakdown of responses

Response	Strongly agree	Agree	Neither agree or disagree	Disagree	Strongly disagree	Total
Align the vulnerable group	11	9	10	3	12	45
Remove the war widow pension group	11	14	11	3	6	45
Remove transitional protection	11	18	6	3	7	45
Increase the minimum weekly award to £3.00	9	13	10	6	7	45
Reduce the absence abroad to 4 weeks	14	14	4	4	9	45
Cap the amount of CTAX liability to Band D	8	12	10	3	12	45
Increase the non dep deduction to £10.00	8	19	10	1	7	45
Introduce additional support for carers	16	15	7	1	6	45
Total	88	114	68	24	66	360
Percentage	24%	32%	19%	7%	18%	100%

The table above reports that the response to all proposals was mostly positive with strongly agree and agree being the combined highest score.

Table 2 - Breakdown of responses from the 10 residents in receipt of Council Tax Reduction

Response	Strongly agree	Agree	Neither agree or disagree	Disagree	Strongly disagree	Total
Align the vulnerable group	2	3	1	1	3	10
Remove the war widow pension group	2	3	3	2	0	10
Remove transitional protection	2	4	2	1	1	10
Increase the minimum weekly award to £3.00	2	4	2	2	0	10
Reduce the absence abroad to 4 weeks	3	4	1	0	2	10
Cap the amount of CTAX liability to Band D	3	3	1	0	3	10
Increase the non dep deduction to £10.00	2	6	2	0	0	10
Introduce additional support for carers	3	6	1	0	0	10
Total	19	33	13	6	9	80
Percentage	24%	41%	16%	8%	11%	100%

As in Table 1 the overall response to the proposals is still positive with strongly agree and agree being the combined highest score amongst the Council Tax Reduction customers.

GLA response

The GLA sent an email on 11/12/2024 in response to our consultation. The GLA understand that the final scheme design is a local decision for Hillingdon but considers any changes to the scheme should be based on a comprehensive analysis of household capability to pay increased obligations. They advise that changes to the scheme should be designed to safeguard against non-collection, minimise household debt and ensure optimal revenue generation. They recommend that we consider the impact on various socio-economic populations and that this could assist us with identifying household most vulnerable to increases in household debt.

The GLA note that proposals 1 and 6 could result in significant increases in bills for a limited number of households and that if implemented would need to be monitored. They express their specific support for proposal 8 which is the additional support for care leavers up to age 21.

The GLA welcomes the fact we have published scenarios setting out the impact of the changes and advise it is important that this is replicated when we publish our final scheme. They have advised that we should also publish a clear analysis of additional costs and savings we expect to materialise from the final scheme.

Recommendation

As we only had 45 people respond to the consultation and out of those only 10 are in receipt of Council Tax Reduction the findings cannot be viewed as a clear representation of the views of the people that could be affected by these proposals. However, due to the lack of interest in people having their say despite the consultation being advertised through various methods we cannot know how other people would have responded to the proposals. Therefore, the recommendation is for all 8 proposals to be introduced in April 2025 to allow the Council to reduce the cost of the scheme and better target limited resources to those households in most need.

An Equalities Impact Assessment has been carried out and is included in Appendix 2a to this report.



HILLINGDON

LONDON

Equality and Human Rights 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

Hillingdon Council's Working Age Council Tax Reduction Scheme changed to a banding scheme in April 2020. Since then, it was updated in 2023 with changes to the weekly non-dependent deduction and the minimum weekly award amount. No further changes have been made to the scheme other than prescribed legal amendments.

The banding scheme has helped to simplify the assessment of Council Tax Reduction and allows for minimal income changes that do not necessarily change the award of Council Tax Reduction. This creates less uncertainty over what the Council Taxpayer must pay, and fewer bills with amended instalment amounts.

There are 8 proposals to change the banding scheme which are intended in a balanced and proportionate way to help reduce the overall cost of the scheme as the continued increase in demand has put immense pressure on an already limited budget.

This assessment considers the proposed changes to the Council Tax Reduction scheme from an equality and human rights impact perspective.

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

Richard Ennis, Corporate Director of Finance

Date assessment completed and approved by accountable person

06/01/25

Names and job titles of people carrying out the assessment

Tiffany Boreham, Head of Revenues and Benefits

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

Proposed reforms of the scheme are intended to meet two policy objectives, in the context of competing demands on finite funding available to support local services:

1. Improving the targeting of support to those households in greatest need, and;
2. Reducing the administrative burden of the scheme to deliver efficiency savings within the Revenues & Benefits Service.

The Council Tax Reduction scheme proposals are -

1. Align the vulnerable group percentage reduction with the rest of the scheme over a phased approach lasting 4 years.
2. Remove the war widow pension group from the scheme.
3. Remove Transitional Protection.
4. Increase the minimum weekly award to £3.
5. Reduce the absence abroad to 4 weeks in line with Pensioner CTR scheme change.
6. Cap the amount of Council Tax liability to be used in the calculation to Band D (non-vulnerable households only).
7. Increase the non-dependant deduction from £8 to £10 per week.
8. Introduce additional support for care leavers

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

Those currently in receipt of Council Tax Reduction could be impacted by any changes to the scheme.

Our current caseload is 17,257 which includes 12,637 working age households. Our pensioner caseload is protected and will not be affected by any of these changes.

Caseload equalities data

Sex

Male	4301	34%
Female	8336	66%
Total	12637	100%

66% of the claimants within the working age scheme are female.

Ethnicity

Not completed/Any other	7622	60.3%
White British	2954	23.4%
European other	127	1%
Asian and White	37	0.3%
Black African and White	29	0.2%
Black Carribean	66	0.5%
Black Carribean and White	72	0.6%
Black African	342	2.7%
Black other	93	0.7%
Irish	90	0.7%
Indian	112	0.9%
Pakistani	108	0.8%
Bangladeshi	45	0.4%
Chinese	13	0.1%
Asian or Asian British: Bangladeshi	48	0.4%
Asian or Asian British: Indian	154	1.2%
Asian or Asian British: Pakistani	130	1%
Asian or British: Any other Background	207	1.6%
Black-Black British: African	281	2.2%
Black-Black British: Caribbean	102	0.8%
Travellers	5	0.04%
Total	12637	100%

We do not have ethnicity data for over half of the working age caseload as this information has not been completed on the form or the customer has selected 'any other group' which is not an ethnicity. This is something we are looking to improve as based on current data we are unable to properly determine whether the proposed changes will have an impact on a particular ethnicity.

Disability

Disabled	6800	54%
Not disabled	5837	46%
Total	12637	100%

Over half of the customers within our working age scheme are disabled.

We do not hold information regarding other protected characteristics.

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

Stakeholders	Interest
Hillingdon residents	To ensure the council has a robust, transparent and fair Council Tax Reduction scheme. That the Council Tax Reduction scheme delivers value for money. To ensure that residents who need financial support have access to the scheme.
Corporate Director of Finance	To ensure the council has a robust, transparent and fair Council Tax Reduction scheme. That the Council Tax Reduction scheme delivers value for money. To ensure that residents who need financial support have access to the scheme.
Cabinet Member for Finance and Transformation	To ensure the council has a robust, transparent and fair Council Tax Reduction scheme. That the Council Tax Reduction scheme delivers value for money. To ensure that residents who need financial support have access to the scheme.
Council Cabinet and Leader of the Council	To ensure the council has a robust, transparent and fair Council Tax Reduction scheme. That the Council Tax Reduction scheme delivers value for money. To ensure that residents who need financial support have access to the scheme.
Voluntary and Third Sector partners	To ensure the council has a robust, transparent and fair Council Tax Reduction scheme. That the Council Tax Reduction scheme delivers value for money. To ensure that residents who need financial support have access to the scheme.

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

Age	✓	Sex	✓
Disability	✓	Sexual Orientation	
Gender reassignment		Socio-economic status	
Marriage or civil partnership		Carers	
Pregnancy or maternity		Community Cohesion	

Race/Ethnicity	✓	Community Safety	
Religion or belief		Human Rights	

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 data presented in this assessment is of the claimant rather than of the household. We acknowledge that the changes may have an impact on the household as a whole, but it is not possible to determine what those impacts may be.

We understand that women are more likely to claim benefits and more likely to be in a single parent household. This potentially has an impact on income and socio-economic status.

We acknowledge that in the absence of 60% of data for ethnicity, it is not possible to determine any disproportionate impacts of the proposals based on those grounds.

The impact of each of the proposals has been assessed using the data which is available.

Proposal 1 - Align the vulnerable group percentage reduction with the rest of the scheme over a phased approach lasting 4 years.

This proposal would have a negative impact on the 6800 households where someone has a disability which equates to 54% of our caseload.

Of those claimants who have a disability:

Male	2311	34%
Female	4489	66%
Total	6800	100%

The percentage of females with a disability is in line with the proportion of females in the scheme.

Proposal 2 - Remove the war widow pension group from the scheme

This proposal would have an administrative benefit to the Local Authority and there are currently no residents that would be affected by this proposal as no one falls into this scheme.

The war widows are covered by the Pension Age version of the Council Tax Reduction Scheme.

Proposal 3 - Remove Transitional Protection

This proposal would have an administrative benefit to the Local Authority.

Transitional Protection has been awarded to eligible Households since the Banding Scheme went live in April 2020. There are less than 20 households left that receive this support which equates to 0.15% of the total scheme. If we decide to remove the protection they will be written to and offered to apply for help under Section 13a if they feel they still require some support.

Proposal 4 - Increase the minimum weekly award to £3

159 Claimants would be impacted by this change.

1 Claimant is in the Vulnerable Passported Scheme

Of those 159 claimants:

Male	48	30%
Female	111	70%
Total	159	100%

Slightly more females are affected by this change when compared to the total number of female claimants of 66%.

Proposal 5 - Reduce the absence abroad to 4 weeks in line with Pensioner CTR scheme change.

This proposal would also have an administrative benefit to the Local Authority.

Residents would only be affected after 01/04/25 if they were to be absent abroad for more than 4 weeks. It is estimated that this would equate to less than 1% of the scheme who would be affected by this proposal during 2025.

Proposal 6 - Cap the amount of Council Tax liability to be used in the calculation to Band D (non-vulnerable households only)

This proposal is for non-vulnerable households only and would affect households in larger properties. We have 436 working age households in Council Tax Bands E-H in receipt of Council Tax Reduction.

Of those 436 households, the claimants are:

Male	187	43%
Female	249	57%
Total	436	100%

The split by sex is more even than the overall caseload for this change.

Proposal 7 - Increase the non-dependant deduction from £8 to £10 per week

1617 claimants would be impacted by this change.

Of those 1617 claimants:

Male	383	24%
Female	1234	76%
Total	1617	100%

Of those 1617 claimants:

Disabled	602	37%
Not disabled	1015	63%
Total	1617	100%

More females are impacted by this change than the overall split. Based on our caseload, this could be because females are more likely to have older children living with them, or elderly family members who the females are caring for.

Fewer disabled customers are affected by this change when compared with the overall caseload split. This is because the non-dependant deduction is not applied where the claimant or their partner are in receipt of a disability benefit. It only applies where the dependant is the one receiving a disability benefit.

Proposal 8 - Introduce additional support for care leavers

This proposal would have a positive impact for Care Leavers up to the age of 21. Based on information from Children's Social Services this additional financial support would be provided to approx. 50 Care Leavers per year.

Consultation

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

Please tick NO YES

The Council Tax Reduction consultation went live on 31/10/24 for 6 weeks and closed at midnight on 11/12/24.

During the 6 weeks we received 45 responses to our proposals.

To promote the consultation, we contacted CAB and DASH so that they could discuss the consultation with their customers. We also put a banner on the Revenues and Benefits webpages with a link to the consultation and used social media to increase awareness.

The Capita contact centre advertised the consultation through their initial greeting

on the phone line and the customer advisors promoted it when speaking to residents. The GLA were also sent details of the consultation.

Details of respondents

Out of the 45 responses 22 were from females, 17 were from males and 6 preferred not to state their sex.

Sex	
Male	17
Female	22
Prefer not to say	6

The majority of responses were from the 45-54 age range

Age range	
25-34	6
35-44	10
45-54	14
55-64	8
65+	4
Prefer not to say	3

Most of the responses were from within Hillingdon with only 1 being out of borough

Postcode	
HA4	9
HA5	4
HA6	2
TW19	1
UB10	4
UB3	6
UB4	2
UB7	4
UB8	10
Blank	3

Out of the 45 responses 13 confirmed they had a disability.

Disability Yes/No	
Yes	13
No	29
Prefer not to say	3

The majority of respondents were from a white group or background

Ethnicity group or background	
Asian or Asian British	5
Black, Black British, Caribbean or African	3
Mixed or multiple ethnic group or background	3

Other ethnic group or background	1
Prefer not to say	11
White group or background	22

Only 10 customers that responded to the consultation confirmed they were in receipt of Council Tax Reduction.

CTR Yes/No	
Yes	10
No	27
Don't know	8

One third of the responses were from customers who had a non-dependant living with them

Non-dependant Yes/No	
Yes	15
No	30

Responses to each Proposal

The 8 proposals that we consulted on were to

1. Align the vulnerable group percentage reduction with the rest of the scheme over a phased approach lasting 4 years.
2. Remove the war widow pension group from the scheme.
3. Remove Transitional Protection.
4. Increase the minimum weekly award to £3.
5. Reduce the absence abroad to 4 weeks in line with Pensioner CTR scheme change.
6. Cap the amount of Council Tax liability to be used in the calculation to Band D (non-vulnerable households only).
7. Increase the non-dependant deduction from £8 to £10 per week.
8. Introduce additional support for care leavers.

Table 1 - Breakdown of responses

Response	Strongly agree	Agree	Neither agree or disagree	Disagree	Strongly disagree	Total
Align the vulnerable group	11	9	10	3	12	45
Remove the war widow pension group	11	14	11	3	6	45
Remove transitional protection	11	18	6	3	7	45
Increase the minimum weekly award to £3.00	9	13	10	6	7	45
Reduce the absence	14	14	4	4	9	45

abroad to 4 weeks						
Cap the amount of CTAX liability to Band D	8	12	10	3	12	45
Increase the non dep deduction to £10.00	8	19	10	1	7	45
Introduce additional support for carers	16	15	7	1	6	45
Total	88	114	68	24	66	360
Percentage	24%	32%	19%	7%	18%	100%

As you can see from the table the response to all proposals was mostly positive with strongly agree and agree being the combined highest score.

Table 2 - Breakdown of responses from the 10 residents in receipt of Council Tax Reduction

Response	Strongly agree	Agree	Neither agree or disagree	Disagree	Strongly disagree	Total
Align the vulnerable group	2	3	1	1	3	10
Remove the war widow pension group	2	3	3	2	0	10
Remove transitional protection	2	4	2	1	1	10
Increase the minimum weekly award to £3.00	2	4	2	2	0	10
Reduce the absence abroad to 4 weeks	3	4	1	0	2	10
Cap the amount of CTAX liability to Band D	3	3	1	0	3	10
Increase the non dep deduction to £10.00	2	6	2	0	0	10
Introduce additional support for carers	3	6	1	0	0	10
Total	19	33	13	6	9	80
Percentage	24%	41%	16%	8%	11%	100%

As in Table 1 the overall response to the proposals is still positive with strongly agree and agree being the combined highest score amongst the Council Tax Reduction customers.

As we only had 45 people respond to the consultation and out of those only 10 are in receipt of Council Tax Reduction the findings cannot be viewed as a clear representation of the views of the people that could be affected by these proposals.

The GLA sent an email on 11/12/24 in response to our consultation. The GLA understand that the final scheme design is a local decision for Hillingdon but considers any changes to the scheme should be based on a comprehensive analysis of household capability to pay increased obligations. They advise that changes to the scheme should be designed to safeguard against non-collection, minimise household debt and ensure optimal revenue generation. They recommend that we consider the impact on various socio- economic populations and that this could assist us with identifying household most vulnerable to increases in household debt.

The GLA note that proposals 1 and 6 could result in significant increases in bills for a limited number of households and that if implemented would need to be monitored. They express their specific support for proposal 8 which is the additional support for care leavers up to age 21.

The GLA welcomes the fact we have published scenarios setting out the impact of the changes and advise it is important that this is replicated when we publish our final scheme. They have advised that we should also publish a clear analysis of additional costs and savings we expect to materialise from the final scheme.

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

Legal context

The council has a public duty to pay due regard to the need to eliminate discrimination, advance equality of opportunity and foster good relations (Equality Act 2010)

Financial context

Since 2010, the Business Improvement Delivery (BID) Programme has driven transformation across the Council, reducing costs and improving efficiency to ensure that in an environment of increased expenditure from population growth and inflationary uplifts we continue to deliver high quality services that put residents first.

Hillingdon's approach to maintaining sound financial management ensures that our finances are in a robust position, and therefore the Council is well placed to respond to Government funding not increasing at the same pace as the combined impact of a growing demand for services and increased market forces. Our latest projections indicate that further savings of £35m will be required by 2026/27 to bridge the resulting budget gap.

The Council Tax Reduction Scheme is costing more than expected due to the increase in households falling within the vulnerable band.

As the pension age scheme is governed nationally, we are unable to make any amendments to this part of the scheme.

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
People with a disability	<p>Proposal 1 directly affects this group as it aims to align the support given to disabled households with that of households where there is no disability.</p> <p>We will monitor the effect of this change and any impact it has on these households.</p> <p>Section 13a will be considered for those that are struggling financially because of this proposal.</p>
Women	<p>66% of our caseload is women and therefore any changes to the scheme generally have more of an impact on this group.</p> <p>The impact of some of the changes are proportionate to the overall split but proposal 7 to increase the non-dependant from £8.00 to £10.00 effects an extra 10% of women when compared with the overall split.</p> <p>We will monitor the effect of this change and any impact it has on these households.</p> <p>Section 13a will be considered for those that are struggling financially because of this proposal.</p>
Men	<p>34% of our working age caseload is men. Most of the changes affect this group proportionately, however, proposal 6 impacts 44% of men. This is an increase of 10%.</p> <p>We will monitor the effect of this change and any impact it has on these households.</p> <p>Section 13a will be considered for those that are struggling financially because of this proposal.</p>

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

Equality Group	Impact on this group and actions you need to take
Service users who are care leavers	<p>The change in proposal 8 will have a positive impact on this group as more financial support will be provided up to the age of 21 to help these care experienced young</p>

	people have more time to learn how to budget and manage their finances.
--	---

D) Conclusions

Whilst the proposed changes to the scheme may have a detrimental impact on various groups based on disability and sex, the changes are intended to align the scheme and aim to reduce the overall cost.

The proposals will have a positive impact on care leavers who will gain more financial support up to the age of 21.

Due to the limitations of what is governed nationally, a variety of local scheme options were considered. These included removing the older person’s discount and increasing the Council Tax reduction percentage for the out of work band. Although these options were rejected at the time, they may be considered in the future.

Information regarding the changes will be published on our website and support will be available and provided to all service users when the new Council Tax Reduction is calculated.



Signed and dated:

06/01/25

Name and position: Tiffany Boreham, Head of Revenues and Benefits

This page is intentionally left blank

QUESTIONS FROM MEMBERS

9.1 QUESTION SUBMITTED BY COUNCILLOR SWEETING TO THE CABINET MEMBER FOR FINANCE AND TRANSFORMATION - COUNCILLOR GODDARD:

The previous Director of Finance assessed that general reserves of between £32 to £55 million were needed to ensure the Council has financial resilience to address both foreseen and unforeseen risks. The current projected levels of reserves for 2025/26 and beyond as illustrated by the chart 11 on page 38 of the budget report presented to the Children, Families and Education Select Committee of 7 January 2025, show assumed levels of reserves hovering just above £20 million until 2027/28.

How confident is the Cabinet member that, given the Council's significant underestimates of delivering savings in the past, and over inflation as to the level of reserves, that levels of reserves will not need to be supported by Government Intervention as mentioned in paragraph 22 on page 38 of the aforementioned report?

9.2 QUESTION SUBMITTED BY COUNCILLOR DENYS TO THE CABINET MEMBER FOR HEALTH AND SOCIAL CARE - COUNCILLOR PALMER:

Can the Cabinet member please give an update on the outcome of the recent Care Quality Commission's inspection of Hillingdon Council's Adult Social Care Services?

9.3 QUESTION SUBMITTED BY COUNCILLOR BENNETT TO THE CABINET MEMBER FOR PLANNING, HOUSING & GROWTH - COUNCILLOR TUCKWELL:

Can the Cabinet member please provide an update to the Council on the anticipated impact of the Labour government's planning reforms announced in December, particularly in terms of how these changes might affect housing delivery, local control over development, and the protection of green spaces in Hillingdon?

9.4 QUESTION SUBMITTED BY COUNCILLOR MARTIN TO THE CABINET MEMBER FOR HEALTH AND SOCIAL CARE - COUNCILLOR PALMER:

It has been reported that the savings anticipated by the Labour government accruing from the cancellation of the pensioners' winter fuel payment have failed to be delivered, largely due to the surge in successful applications for Pension Credit.

Can the Cabinet member please advise what action has been taken in Hillingdon to mitigate the loss of the winter fuel payment to our pensioner residents?

9.5 QUESTION SUBMITTED BY COUNCILLOR DAVIES TO THE CABINET MEMBER FOR COMMUNITY & ENVIRONMENT- COUNCILLOR LAVERY:

Can the Cabinet member please update Council on the positive progress being made to secure an exciting new future for the much-valued Beck Theatre?

9.6 QUESTION SUBMITTED BY COUNCILLOR KAUR TO THE CABINET MEMBER FOR CORPORATE SERVICES AND PROPERTY - COUNCILLOR BIANCO:

Would the Cabinet member kindly agree to make public the list of any potential assets that are likely to be disposed of or put up for sale to balance the books, so as not to leave Hillingdon residents feeling angry and deeply concerned about the potential lack of transparency and its impact on their community?

9.7 QUESTION SUBMITTED BY COUNCILLOR PUNJA TO THE CABINET MEMBER FOR CHILDREN, FAMILIES & EDUCATION - COUNCILLOR O'BRIEN:

Will the Cabinet Member for Children and Families offer her congratulations to the Save our Nurseries campaign which successfully overturned the closures resulting in keeping all three Early Years Centres open under new management?

9.8 QUESTION SUBMITTED BY COUNCILLOR SMALLWOOD TO THE CABINET MEMBER FOR CHILDREN, FAMILIES & EDUCATION - COUNCILLOR O'BRIEN:

Can the Cabinet member provide an update for our residents on the future provision of childcare at the council's early years centres?

9.9 QUESTION SUBMITTED BY COUNCILLOR R.MILLS TO THE CABINET MEMBER FOR CORPORATE SERVICES AND PROPERTY - COUNCILLOR BIANCO:

In light of much previous negative publicity concerning the future of the Uxbridge library site, can the Cabinet member please update the Council on the current position?