

Public Document Pack



PLEASE NOTE THAT PRAYERS WILL BE HELD AT 6.50PM BEFORE THE COMMENCEMENT OF THE BUSINESS OF THE COUNCIL.

THE MAYOR REQUESTS THAT ANY MEMBER WISHING TO PARTICIPATE IN PRAYERS BE IN ATTENDANCE IN THE COUNCIL CHAMBER BY NO LATER THAN 6.45PM.

Dear Sir/Madam,

You are summoned to attend the meeting of the Borough Council of Newcastle-under-Lyme to be held in the ***Astley Room - Castle House*** on ***Wednesday, 21st November, 2018*** at ***7.00 pm***.

B U S I N E S S

- 1 APOLOGIES**
- 2 DECLARATIONS OF INTEREST**
To receive declarations of interest from Members on items contained within this agenda.
- 3 MINUTES** **(Pages 5 - 16)**
To consider the minutes of the previous meeting(s)
- 4 MAYOR'S ANNOUNCEMENTS**
- 5 APPOINTMENT OF NEW CHIEF EXECUTIVE** **(Pages 17 - 18)**
- 6 APPOINTMENT OF ACTING SECTION 151 OFFICER** **(Pages 19 - 20)**
- 7 GAMBLING POLICY** **(Pages 21 - 48)**
- 8 PUBLIC PROTECTION SUB-COMMITTEES** **(Pages 49 - 52)**
- 9 REVISED FINANCIAL REGULATIONS** **(Pages 53 - 58)**
- 10 STATEMENT OF THE LEADER OF THE COUNCIL** **(Pages 59 - 62)**
To receive a statement by the Leader of the Council on the activities and decisions of Cabinet and items included on the Forward Plan.
- 11 REPORTS OF THE CHAIRS OF THE SCRUTINY COMMITTEES** **(Pages 63 - 66)**
Reports are attached for:
 - a) Economy, Environment and Place Scrutiny Committee
 - b) Health, Wellbeing and Partnerships Scrutiny Committee

12 REPORTS OF THE CHAIRS OF THE REGULATORY COMMITTEES (Pages 67 - 68)

Reports are attached for the following:

- a) Licensing and Public Protection Committee

13 MOTIONS OF MEMBERS (Pages 69 - 70)

A notice of motion, under Appendix 7 – paragraph 12 other than those listed in Appendix 7 – paragraph 10 of the Constitution must reach the Chief Executive at least ten clear days before the relevant Meeting of the Council.

14 QUESTIONS TO THE MAYOR, CABINET MEMBERS AND COMMITTEE CHAIRS

15 RECEIPT OF PETITIONS

To receive from Members any petitions which they wish to present to the Council.

16 STANDING ORDER 18 - URGENT BUSINESS

To consider any communications which pursuant to Appendix 7 – paragraph 7 of the constitution are, in the opinion of the Mayor, of an urgent nature and to pass thereon such resolutions as may be deemed necessary.

17 DISCLOSURE OF EXEMPT INFORMATION

To resolve that the public be excluded from the meeting during consideration of the following report(s) as it is likely that there will be disclosure of exempt information as defined in paragraphs contained within Part 1 of Schedule 12A (as amended) of the Local Government Act 1972.

Yours faithfully



Acting Chief Executive / Head of Paid Service

NOTICE FOR COUNCILLORS

1. Fire/Bomb Alerts

In the event of the fire alarm sounding, leave the building immediately, following the fire exit signs. Do not stop to collect personal belongings, do not use the lifts.

Fire exits are to be found either side of the rear of the Council Chamber and at the rear of the Public Gallery.

On exiting the building Members, Officers and the Public must assemble at the car park at the rear of the Aspire Housing Office opposite to the Civic Offices. DO NOT re-enter the building until advised to by the Controlling Officer.

2. Attendance Record

Please sign the Attendance Record sheet on entering the building. This will be located at the Porter's lodge.

3. Mobile Phones

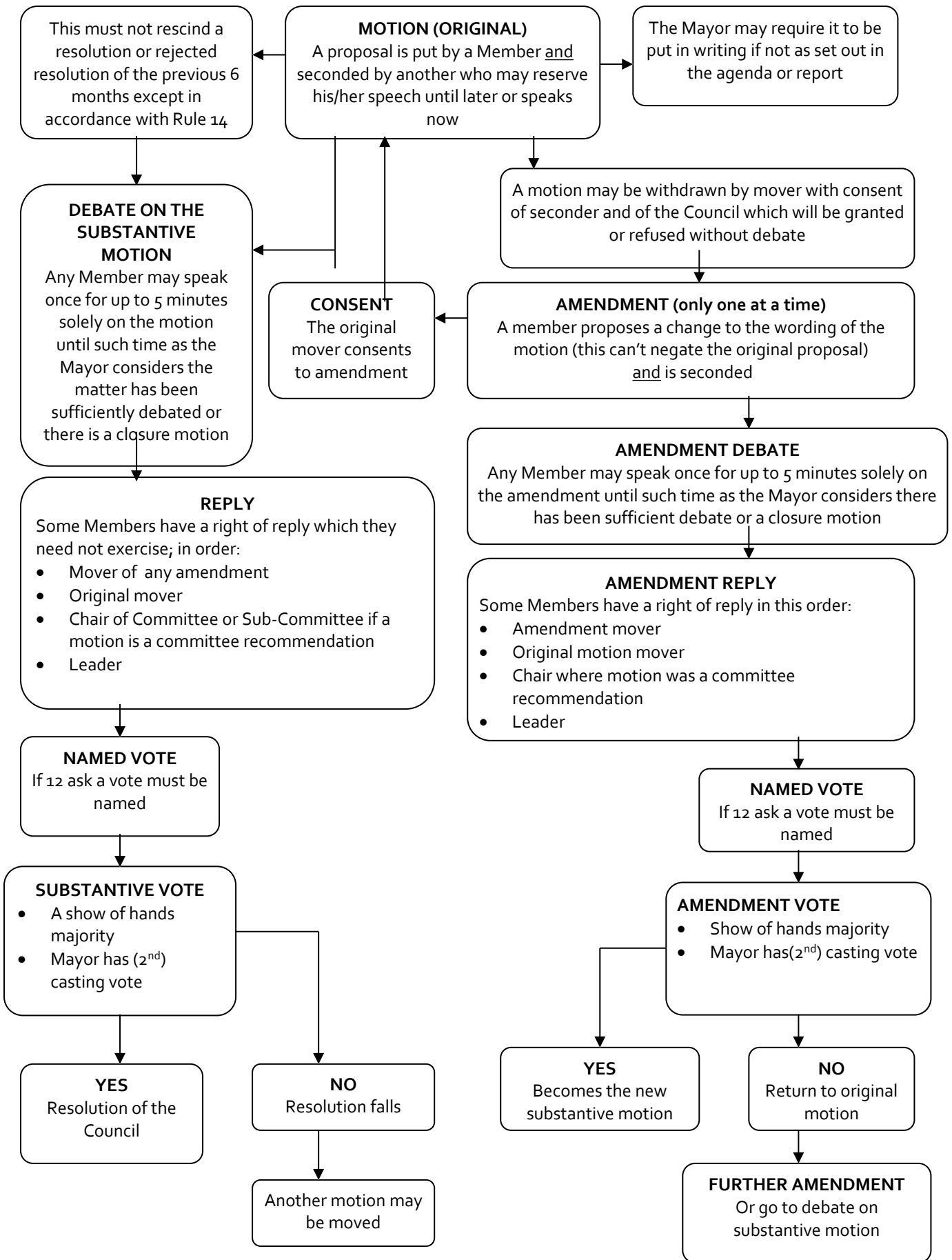
Please switch off all mobile phones before entering the Council Chamber.

4. Tea/Coffee

Refreshments will be available at the conclusion of the meeting, or in the event of a break occurring, during that break.

5. Notice of Motion

A Notice of Motion other than those listed in Standing Order 19 must reach the Chief Executive ten clear days before the relevant Meeting of the Council. Further information on Notices of Motion can be found in Section 5, Standing Order 20 of the Constitution of the Council.



COUNCIL

Wednesday, 5th September, 2018
Time of Commencement: 7.00 pm

Present:- The Mayor - Councillor Mrs Gill Heesom – in the Chair

Councillors:

Burgess	Panter
Burnett	Parker
Miss J Cooper	Pickup
Mrs J Cooper	Proctor
John Cooper	Reddish
Driver	Robinson
Dymond	Rout
Fear	Shenton
Fox-Hewitt	Spence
Gardner	Stubbs
Harrison	Sweeney
Holland	J Tagg
Horsfall	S Tagg
Johnson	Walklate
Johnson	J Waring
Jones	P Waring
Kearon	G White
Maxfield	Wilkes
Moffat	G Williams
Northcott	J Williams
Olszewski	Wright

Officers Executive Director Operational Services- David Adams, Janet Baddeley, E (Regeneration and Development) - Neale Clifton, Geoff Durham - Mayor's Officer, John Tradewell - Acting Chief Executive / Head of Paid Service and (Resources and Support Services) - Kelvin Turner

15. **ALDERMAN BARRIE CRITCHLOW**

Members stood in silent tribute to the memory of Alderman Barrie Critchlow. Members paid tribute to Alderman Critchlow for his commitment and hard work in the Borough during his time as a Councillor. Members sent their condolences to his family.

16. **APOLOGIES**

Apologies were received from Councillor Simon White.

17. **DECLARATIONS OF INTEREST**

There were no declarations of interest stated.

18. APPOINTMENT OF HONORARY ALDERMEN FOR THE BOROUGH OF NEWCASTLE-UNDER-LYME

Councillor Simon Tagg moved and Councillor Tony Kearon seconded that Mrs Margaret Astle, Mrs Ann Beech, Mrs Sandra Hambleton, Mr Derrick Huckfield, Mr Ian Matthews and Mrs Wenslie Naylor be appointed as Honorary Aldermen for the Borough of Newcastle under Lyme.

A correction was made to the report – adding that Wenslie Naylor had also served as a Cabinet Member.

Councillors' Reddish and Proctor were also happy to support the appointments.

Resolved: That the following be appointed as Honorary Aldermen for the Borough of Newcastle under Lyme.

Mrs Margaret Astle

Mrs Ann Beech

Mrs Sandra Hambleton

Mr Derrick Huckfield

Mr Ian Matthews

Mrs Wenslie Naylor

**THE MAYOR - COUNCILLOR MRS GILL HEESOM
Chair**

Meeting concluded at 7.30 pm

COUNCIL

Wednesday, 5th September, 2018

Time of Commencement: 7.30 pm

Present:- The Mayor - Councillor Mrs Gill Heesom – in the Chair

Councillors:

Burgess	Panter
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Johnson	J Waring
Jones	P Waring
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Maxfield	Wilkes
Moffat	G Williams
Northcott	J Williams
Olszewski	Wright

Officers Executive Director Operational Services- David Adams, Janet Baddeley, E (Regeneration and Development) - Neale Clifton, Geoff Durham - Mayor's Officer, John Tradewell - Acting Chief Executive / Head of Paid Service and (Resources and Support Services) - Kelvin Turner

1. **APOLOGIES**

Apologies were received from Councillor Simon White.

2. **DECLARATIONS OF INTEREST**

There were no declarations of interest stated.

3. **MINUTES**

Resolved: That the minutes of the meeting held on 19 July, 2018 be agreed as a correct record subject to the amendment written below:

Replacing the third to sixth paragraphs under 'Questions to the Mayor, Cabinet Members and Committee Chairs' with the following:

The Portfolio Holder, Councillor Northcott confirmed "the petitions that had been submitted in response to the Preferred Options Document consultation and would be considered in the preparation of the Draft Local Plan". At this stage it was not known when they would be going to Cabinet.

Councillor Robinson asked why there was no item for Clough Hall Playing Fields on this agenda, having received a letter saying that it would be. Councillor Robinson asked if the petition procedure could be placed on the Council's website. Councillor Northcott agreed to meet with Councillor Robinson regarding the matters raised

4. MAYOR'S ANNOUNCEMENTS

Members were reminded of the Remembrance Sunday Parade and church service on 11 November and were asked to support the Mayor.

5. CRACKLEY PLAYING FIELDS PETITION

Ms Karen Blacknell spoke as the petition organiser stating that residents wanted the site to remain as green space. The site is used by people of all ages for many pastimes.

Over the years, Chesterton and Crackley had lost shops, public houses and a community hall. Ms Blacknell stated that the land had been given by the people, to the people, for the people.

The Portfolio Holder for Planning and Growth, Councillor Paul Northcott thanked the residents for the petition and stated that all petitions were taken seriously and that all of the required criteria had been met.

Members were informed that Aspire Housing had received funding last year to undertake research on the site for a master plan. Councillor Northcott had met with Aspire and if a consultation had taken place, no results were discussed at that meeting.

Councillor Proctor referred to the petition stating that the area had a shortage of playing fields but that the Apedale Valley was nearby. In addition, the petition had been started while the consultation was in progress and felt that it would be wrong of the Council to do anything whilst the consultation was still going on.

Councillor Fear said that the petition was 'heartfelt' and should be considered in the broader process.

Councillor Gardner stated that the funding that Aspire received did not include the Crackley playing field and that the site was not included in the Local Plan. The area was under represented by greenspace and the health and wellbeing of the community needed to be taken into consideration.

Members also stated that the land was well used for a number of activities and felt that it was important to take the petition seriously as part of the consultation.

The Leader, Councillor Simon Tagg agreed that the petition should be considered as part of the Local Plan process and that the petition be forwarded to Aspire and that no decision be made until the consultation had been completed and all sites had been considered.

- Resolved:**
- (i) That the petition be considered as part of the Local Plan process and that it be forwarded to Aspire as landowners.
 - (ii) That no decision be made on the future of the council-owned land until such time that the consultation is completed and all potential sites have been considered.

6. STATEMENT OF THE LEADER OF THE COUNCIL

The Leader submitted a report providing an update to Members on the activities and decisions of the Cabinet together with the Forward Plan.

Members asked the following questions on the Leader's Statement:

Cabinet Meetings.

Cabinet had not met since the previous Full Council meeting in July.

Councillor Kearon asked the Leader what 'actions' had taken place in respect of the Ryecroft and whether the town ward Councillors' had been consulted?

The Leader, Councillor Simon Tagg stated that discussions had taken place and a full report would be given later in the meeting.

Grot Spot – Fly Tipping Removal.

Councillor John Cooper stated that this was an excellent idea which had his full support.

Councillor Julie Cooper welcomed the roll out of this and stated that the number of complaints that she had been receiving in respect of fly tipping had reduced.

Councillor Robinson asked the Portfolio Holder for Environment and Recycling, Councillor Trevor Johnson if the 'clean- up activities' would work alongside Communities to clean up?

Councillor Johnson stated that there were no plans at present to involve the community but that the scheme had been trialled in May Bank, Newcastle and Wolstanton and had had no recurrence of fly tipping in the areas that had been cleared. Sites that had been cleared had a sign put up stating that any evidence found on such sites would be pursued and the offender would be prosecuted.

Councillor Simon Tagg said that this was a good move forward and that it complimented other activities that were going on. Councillor Tagg noted and

welcomed that Parish Council's and community Groups would like to get involved and would develop the scheme in the future.

In Bloom and Champion of Champion's Finals.

Members congratulated staff on the work that had been done – especially through the very hot and dry summer.

Councillor Robinson asked the Leader who would be attending the ceremony which would be held in Belfast later in the year.

Councillor Simon Tagg Thanked officers and communities around the Borough for their hard work and stated that this was good for the Borough. In respect of the visit to Belfast, the Leader and Mayor would be attending this year, accompanied by a couple of staff members. The Leader informed Members that he was paying for his own flight to Belfast and stated that he hoped that the Borough did well at the awards.

Modern Slavery Charter.

Councillor Kearon reminded the Leader that there was an 'appetite' from the Labour Group to take an active part in this.

The Portfolio Holder for Leisure, Councillor Holland stated that, as per the Motion, a report would be taken to the appropriate Scrutiny Committee and that the process would get underway as soon as possible.

Heatwave.

Members expressed their thanks to staff who had had to work outside, in very hard working conditions.

The Leader echoed Members' comments, stating that he had sympathy for all who had to wear protective clothing as a requirement of their job. Councillor Tagg asked all Executive Directors to pass on thanks to all staff in this respect.

A new deal between Newcastle Borough Council and Staffordshire County Council.

Councillor Maxfield said that it was good to see the two Authorities working together and requested more details.

Councillor Shenton asked what was happening in respect of the Ryecroft and hoped that the site would be a priority for the new deal. Councillor Robinson asked for assurance in respect of discussion with the County Council.

Councillor Simon Tagg confirmed that meetings had been taking place and that the Borough had a good relationship with the County Council. In addition, Kidsgrove was at the centre of the strategic alliance.

Councillor Kearon stated that he was pleased to hear about collaboration where it was in the best interest of the residents. Councillor Kearon asked if there had been any discussions about Newcastle merging with other Councils?

Councillor Simon Tagg stated that he had spoken with Philip Atkins and there was no interest in any merging of Authorities as this would result in a 'North Staffordshire

Authority'. Mr Atkins wanted districts and the county to work better and would bring proposals forward on where savings could be made.

Councillor Horsfall asked if the impact of domestic violence had been discussed?

The Portfolio Holder for Health and Wellbeing, Mrs Jill Waring was involved with this, along with the Police and Crime Commissioner.

Councillor Brian Johnson referred to 'potential investment in Knutton' and asked for assurance that any new deal would be fully consulted. Councillor Johnson was advised to speak with the Executive Director for Regeneration and Development, Mr Neale Clifton to get a fuller picture.

Councillor Moffatt asked if any discussions had taken place with the County council in respect of Universal Credit. The Leader stated that the Portfolio Holder for finance and Efficiency would speak on this later in the meeting. Members were advised that Council staff would receive training for this.

Constitution and Member Support Working Group

Councillor Shenton welcomed that the Group had now met and that the meeting had been very productive. Councillor Shenton asked if a date could be given when a draft constitution would be completed.

Councillor Holland, the Chair of the Working Group, assured members that work would take place over the next few months to assess how the 'new' (fewer Councillors) Council was functioning and that all Members would be asked to complete a questionnaire.

Guildhall

Councillor Gary White commented on the maintenance of this important building, stating that there was graffiti and a window boarded up plus weeds growing and pigeon droppings. He asked if a regular inspection could be made to ensure that the building did not fall into disrepair.

Councillor Kearon echoed Councillor White's comments stating that it was a symbol of Newcastle – used in many badges and logos. Councillor Kearon said that it was really important that it was not abandoned and that it not be empty for long. He suggested that a cross party group be formed and to work with the Friends of the Guildhall to ensure that it was back in use quickly.

The Leader stated that the graffiti had now been dealt with but that the boarded window could not simply be replaced as the Guildhall is a Listed Building and would. It would be dealt with in due course. Work would soon begin to remove the weeds and the mess left by pigeons. Work was also required by the County Council on the trees next to the building which were causing 'greening' of the masonry.

Meetings on its future use were still being held and this would be dealt with by the Cabinet and referring to the relevant Scrutiny Committee.

Forward Plan

There were no questions from Members.

7. REPORTS OF THE CHAIRS OF THE REGULATORY COMMITTEES

Councillor Fear, Chair of the Planning Committee advised Members that the Committee had met on its regular cycle and thanked officers for the 3D system that had been used for marking out at a recent site visit. Councillor Fear stated that the 3D effect should be used for all future site visits.

Resolved: That the verbal and printed reports be received.

8. MOTIONS OF MEMBERS

There were no Motions.

9. QUESTIONS TO THE MAYOR, CABINET MEMBERS AND COMMITTEE CHAIRS

- (i) Councillor Robinson asked the Leader how long the former Civic Offices would remain boarded up.

The Leader stated that Councillor Robinson will be aware of the recent Members briefing (on the Agenda) and a press release detailing the current situation relating to the HDD student & retail development.

The key issue is the 18 months 'back stop' which was agreed and signed off by the previous administration of the council that expires in September 2019. This means that the developer has until that date to start the permitted development.

During that time the Council is still responsible for the building (and therefore such things as the business rates and the security of the building) and it was envisaged in that agreement that there would be a period of boarding up to secure the building.

Officers have been in talks with the developer to gain an insight on their plans and the current position remains as previously stated in the member briefing and press coverage and they say that they would find it difficult to deliver the previous administration's 'retail aspirations' for the site.

An agreement has now been made with the County Council to work towards a back-up scheme for a mix of accommodation on the site with appropriate supportive retail.

This will hopefully enable people of all ages to live on the edge of the town centre and to contribute to footfall which will help the town centre to adapt to become a live, work and service led centre.

Updates will be reported to members and the public in due course.

- (ii) Councillor Stubbs asked the Portfolio Holder for Finance and Efficiency how much the Council would be paying each year in non-domestic rates for the empty Civic Offices.

Councillor Sweeney advised that the rates were £162,169.15p. Once empty, there would be an exemption period of three months and once the

building had been decommissioned, the Council's Property Section would put forward proposals to reduce the amount.

Councillor Stubbs asked if the rates had been budgeted for and would the amount be built into next year's budgets.

Councillor Sweeney stated that there was a budget for this and had been put onto the Medium Term Financial Strategy.

- (iii) Councillor Kearon asked the Portfolio Holder for Finance and Efficiency what impact the continued delay in obtaining a capital receipt for the sale of the Civic Offices had on budgetary pressures for the Council.

Councillor Sweeney stated that there was no impact on the budget as £200,000 had been included for 2018/19 and it was still included for 2019/20.

Councillor Kearon queried whether the former Civic Offices site would be more appealing to developers if the building was demolished and asked what the cost of such a project would be.

Councillor Sweeney would provide a written report for this.

- (iv) Councillor Burnett asked The Portfolio Holder for Finance and Efficiency whether the external auditor's final report, discussed at the previous council meeting, had been received and what the final out-turn figure was.

Councillor Sweeney confirmed that it had been received and had been taken to the Audit and Standards Committee on 30 July. There Was no change to the final outcome figure. Councillor Sweeney thanked the Finance Team for their hard work.

- (v) Councillor Gardner asked the Portfolio Holder for Finance and Efficiency what measures had been put in place for people suffering domestic violence to arrange for Universal Credit payments to be made separately.

Councillor Sweeney stated that single payments could be requested by a single member of a partnership and fully trained teams were in place at job centres and they were also trained in Safeguarding. The Department for Work and Pensions were currently considering a report on this to suggest further improvements. The Government would respond in due course. At Newcastle, there was the ability to separate Universal Credit payments if there was evidence of domestic violence. The Council would give support and advice to anyone but had no control over the actual payments.

Councillor Gardner asked what provision had been made in respect of those with 'digital exclusion' – namely the elderly and people without computer devices.

Councillor Sweeney stated that front line staff were trained and could help when it goes live. Councillor Sweeney would give a fuller, written response to this after the meeting.

- (vi) Councillor Gardner asked the Portfolio Holder for Community Safety and Wellbeing, Councillor Jill Waring what extra resources and support the Council were providing to ensure that the problems surrounding 'Monkey Dust' were tackled effectively.

Councillor Jill Waring agreed that the drug was cheap and easy to obtain. The Council supported the Police and Crime Commissioner in what had been raised and to have it reclassified as a 'Class A' drug. The Council needs to ensure that it is better informed and that people are educated and awareness be raised on the problem. A meeting on this was due to take place next week.

Councillor Gardner stated that the police and social workers had highlighted problems and asked if support was being given to officers on this. Councillor Waring would give a written response.

- (vii) Councillor Robinson asked the Portfolio Holder for Environment and Recycling, Councillor Trevor Johnson why missed waste and recycling collections were still happening.

Councillor Johnson stated that the number of missed collections had reduced and that refresher training was currently underway for staff.

Councillor Robinson stated that a resident had recently been told that his recycling would not be collected because there were too many steps to the property and had been told to bag it but it wasn't collected.

Councillor Johnson had not been made aware of this but reminded Members that they should contact himself – as Portfolio Holder if any problems were reported.

- (viii) Councillor Dymond asked the Leader what was happening in respect of the 'Memorandum of Understanding' with the County Council for Kidsgrove Sports Centre.

The Leader stated that an item on this would be going to Cabinet on 19 September and the County council would be taking a report to their Board. In addition, a Business Plan, from the community group was also ready to go.

Councillor Dymond asked the Leader if any work had been carried out prior to the Memorandum of Understanding in respect of the commitment to open within six months.

The Leader stated that, until now they were not in a position to commit to a scheme because of the reasons already stated but have been working with the community group to develop their plan.

10. RECEIPT OF PETITIONS

No petitions were received.

11. STANDING ORDER 18 - URGENT BUSINESS

There was no urgent business.

THE MAYOR - COUNCILLOR MRS GILL HEESOM
Chair

Meeting concluded at 8.55 pm

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**CHIEF EXECUTIVE'S REPORT TO THE
FULL COUNCIL**

Date 21st November 2018

1. **REPORT TITLE** **APPOINTMENT OF CHIEF EXECUTIVE**
- Submitted by:** **Acting Chief Executive – John Tradewell**
- Portfolio:** **Leader of the Council**
- Ward(s) affected:** **All**

Purpose of the Report

To seek the Council's formal agreement to the appointment of a new Chief Executive.

Recommendations

It is recommended that:

- (1) Martin Hamilton be appointed as the Council's Chief Executive (including the roles of Head of Paid Service, Returning Officer and Electoral Registration Officer) such appointment to commence from a date to be agreed between Mr Hamilton and the Leader of the Council.**
- (2) It is proposed that Mr Hamilton be appointed on a salary of £105,000 per annum (plus election expenses).**

Reasons

- 1) The appointment of the Council's Chief Executive (including the roles of Head of Paid Service, Returning Officer and Electoral Registration Officer) is a matter for decision by the full Council.
- 2) To settle the level of remuneration for the post.

1. **Update**

- 1.1 The Council has carried out an extensive recruitment campaign to recruit its new Chief Executive. There were 29 applicants who, through a thorough and rigorous selection process, were whittled down to a shortlist of candidates who were interviewed by an Interview Panel of Elected Members on the 9th November 2018.

1.2 The Interview Panel, chaired by the Leader of the Council, and representing all four political groups on the Council, reached the unanimous decision to recommend to full Council that Martin Hamilton be appointed as the new Chief Executive of the Council.

1.3 The Council is now asked to formally agree to the appointment of Mr Hamilton as its new Chief Executive.

2. **Equality Impact Assessment**

2.1 An open and fair selection process was followed.

3. **Financial and Resource Implications**

3.1 As set out in the report. In addition there are national insurance and, potentially, superannuation and relocation costs.

4. **Risks**

4.1 The Council needs a Chief Executive/Head of Paid Service to support the elected members and provide clear and effective managerial leadership to its officers.

5. **Sustainability and Climate Change Implications**

5.1 Nil

6. **Background Papers**

6.1 None

NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

**CHIEF EXECUTIVE'S REPORT TO THE
FULL COUNCIL**

Date 21st November 2018

1. **REPORT TITLE** **APPOINTMENT OF ACTING S151 OFFICER**

Submitted by: **Acting Chief Executive – John Tradewell**

Portfolio: **Leader of the Council**

Ward(s) affected: **All**

Purpose of the Report

To seek Council approval to the appointment of an acting s151 Officer.

Recommendations

It is recommended that:

- (1) Jan Willis be appointed as the Council's acting S151 Officer while the permanent post holder remains suspended**
- (2) That for the purposes of the Council's Financial Regulations, Jan Willis be authorised to take any decisions or actions or issue any authorisations that would normally be carried out by the Executive Director for Finance and Resources or that may normally only be undertaken by an employee of the Council.**

Reasons

- 1) The Council needs to appoint a s151 Officer
- 2) To make sure the acting s151 Officer is able to carry out the duties of the post in accordance with Financial Regulations.

1. **Update**

- 1.1 In light of the suspension of the Council's Executive Director for Finance and Resources the Council has appointed Jan Willis as its acting Executive Director for Finance and Resources. The purpose of this report is to ask the Council to designate Jan Willis as being the Council's officer for the purposes of section 151 of the Local Government Act 1972 and associated legislation ("Section 151 Officer") on an acting basis until the issues involving the Executive Director of Finance and Resources are resolved.

1.2 Every Council must have a section 151 Officer. Dave Roberts, the Head of Finance, is the Deputy s151 Officer and has been fulfilling the role since the Director's suspension.

1.3 Jan Willis has the CIPFA qualifications necessary to hold this post.

2. **Equality Impact Assessment**

2.1 No implications.

3. **Financial and Resource Implications**

3.1 None directly, but this will support the Council in managing its finances and preparing its Budget for next year.

4. **Risks**

4.1 The Council needs to ensure that it has sound arrangements in place for the management of its Finances.

5. **Sustainability and Climate Change Implications**

5.1 Nil

6. **Background Papers**

6.1 None

Gambling Act 2005 – Review of Statement of Licensing Principles (Gambling Policy)

Submitted by: Head of Environmental Health/Licensing Administration Team Manager

Portfolio: Finance & Efficiency

Wards Affected: All

Purpose of the Report

To consider the Council's Gambling Policy.

Recommendations

That the Gambling Policy 2019-21 be approved.

Reasons

Under section 349 of the Gambling Act 2005 the Council has a statutory duty to review its Gambling statement set out in the Gambling Policy every 3 years.

1. Background

- 1.1 Under section 349 of the Gambling Act 2005 ("the Gambling Act") the Council has a statutory duty to review its Gambling statement (set out in the Gambling Policy) every 3 years. It must be published by 3rd January and in force by 31st January to ensure there is a 28 day period between publication and implementation.
- 1.2 The Council last published its Gambling Policy in January 2016 and it remains in place until January 2019.
- 1.3 Section 154 of the Gambling Act provides that certain decisions are delegated to the licensing committee of the authority that has been established under section 6 of the Licensing Act 2003, except:
 - A resolution not to issue casino licences, which must be taken by the whole authority. The Council have made a resolution that there will be no casinos in the authority's administrative area;
 - Functions in relation to the Licensing Authority Statement of Policy, which must be taken by the whole authority. Once this policy is approved by the Licensing Committee it must be agreed by Full Council;
 - Setting fees (to the extent that a licensing authority has delegated power in relation to fees) is the responsibility of the full council – the full council can delegate decisions to the licensing committee, but there is no automatic delegation, so each authority must decide its approach to setting fees.
- 1.4 Licensing authorities in England and Wales also have responsibilities under the Licensing Act 2003. There are some inter dependencies between the Licensing Act 2003 and the Gambling Act 2005 in terms of the framework for decision making and the procedures that must be followed. But licensing authorities must take care to ensure that in dealing with applications under the Gambling Act they follow the procedures that this Act requires and only take into account issues that are relevant to this piece of legislation. Particular care should be taken to distinguish Gambling Act considerations from those relevant to alcohol licensing, public entertainment or late night refreshment.

2. Issues

2.1 A number of amendments have been made to the Policy implemented in 2016. The main amendments are summarised below:

- The appendix relating to Gaming Machines, their stakes and prizes and location has been removed. This is under advice from the Gambling Commission as the information is subject to change and if it did so then a review of the Council Policy would be required;
- The local area profile section of the Policy (section 5) has been reduced. The Gambling Commission have advised that if a Council wishes to create a Local Area Profile it is best doing so as a separate 'live' document so it can be updated without the need to review the Policy and can readily address a change in circumstances of a particular area;
- The local risk assessments section of the Policy (section 4) has been improved to set down specific considerations that premises licence holders/applicants must include in their premises risk assessments. These risk assessments must be readily available at each premises for officers to inspect;
- A section on data protection (section 10) has been included to set out the Council position in respect of how we will process the data that we hold;
- Paragraph 19.3 is obsolete and has been removed following a response from the Gambling Commission;
- The dates of the consultation period have been included in paragraph 1.4 and;
- The proposed date for approval by Full Council has been included at paragraph 1.6.

2.3 The legislation specifies certain groups and organisations that must be consulted regarding the revised policy under Section 349 (3) of the Gambling Act 2005. Licensing & Public Protection committee at its meeting on 31st July 2018 reviewed the policy and agreed a 10-week consultation.

2.4 The consultation period ended on 12th October 2018 and the Council received four responses. Licensing & Public Protection Committee at the meeting of 23rd October reviewed the consultations and resolved to recommend to Council the approval of the Policy.

2.5 A copy of the proposed Policy following consultation is attached as **Appendix A**.

3. Recommendation

3.1 To approve the Gambling Policy for Newcastle-under-Lyme.

4. Decision Required

4.1. The Council has a statutory duty consult on, publish and implement a Gambling Policy every 3 years as required by the Gambling Act 2005.

5. Outcomes Linked to Sustainable Community Strategy and Corporate Priorities

5.1 The contents of this report relate to the following corporate priorities:

- Growing our people and places.
- A healthy, active and safe borough.
- A town centre for all.

6. Legal and Statutory Implications

- 6.1 The Council have a statutory duty consult on, publish and implement a Gambling Policy every 3 years as required by the Gambling Act 2005.

7. Financial and Resource Implications

- 7.1 There are no financial implications for the Council relating to the revision and publication of a Gambling Policy.
- 7.2 The resources for developing the policy and its implementation have been met from existing resources.

8. Earlier Cabinet/Committee Resolutions

- 8.1. No Casino Resolution in 2007.
- 8.2. To implement a Gambling Policy in 2016, 2013, 2010, 2007

9. Appendices

- 9.1 Draft Council Gambling Policy 2019-21.

10. Background Papers

- 10.1 The Council Gambling Policy 2016-2018.

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PART A – THE GAMBLING ACT 2005

1. Introduction

1.1 Under the Gambling Act 2005 (the Act), the Borough Council of Newcastle-under-Lyme is the licensing authority for Newcastle-under-Lyme and licences premises for gambling activities as well as granting various other gambling permits. In this document unless otherwise stated any references to the Council are to the Borough Council of Newcastle-under-Lyme Licensing Authority

1.2 Licensing authorities are required by the Gambling Act 2005 to publish a statement of the principles which they propose to apply when exercising their functions under the Act. This document fulfils this requirement. Such statement must be published every three years. The statement can also be reviewed from time to time and any amendments must be consulted upon. The statement must then be re-published

1.3 The Council consulted widely upon this Policy Statement before finalising and publishing it. A list of the consultees is given below:

- Staffordshire Police
- Staffordshire County Council
- Neighbouring Local Authorities
- Representatives of local businesses
- Local residents and their representatives
- Town and Parish Councils in the Borough
- Local Members of Parliament
- National bodies representing the gambling trade
- National charities concerned with the social impact of gambling
- Representatives of existing licence holders
- Newcastle Partnership
- Department of Regeneration and Planning Services, Newcastle Borough Council
- Staffordshire County Council Trading Standards
- Aspire Housing
- Members of the Public (via the website)

Should you have any comments as regards this policy please send them via e-mail or letter to the following contact:

Licensing Department
Environmental Health
Castle House
Barracks Road
Newcastle-under-Lyme
ST5 1BL
or via email: licensing@newcastle-staffs.gov.uk
tel: 01782 717717

1.4 The consultation took place between 7th August 2018 and 12th October 2018 and followed the Government's Consultation Principles updated in March 2018. This document is available from the www.gov.uk website at <https://www.gov.uk/government/publications/consultation-principles-guidance>www.cabinetoffice.gov.uk

1.5 A copy of the consultation report containing a summary of the comments received and the consideration by the Council of those comments is available on request

1.6 The original Policy was approved at a meeting of the Full Council on 20th December 2006 (resolution 563/06) and the most recent Policy is to be considered for approval at the meeting of Full Council on 21st November 2018.

2. The Licensing Objectives

2.1 The Council will carry out its functions under the Act with a regard to the three licensing objectives set out at Section 1 of the Act. The licensing objectives are:

- Preventing gambling from being a source of crime or disorder, being associated with crime 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.

2.2 More information can be found about how the Council will promote the licensing objectives in Parts B and C of this document

2.3 The Council will also follow any regulations and statutory guidance issued in accordance with the Act and have regard to any Codes of Practice issued by the national gambling regulator, the Gambling Commission

2.4 The Council is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling insofar as it thinks it is:

- In accordance with any relevant Code of Practice issued by the Gambling Commission;
- In accordance with any relevant guidance issued by the Gambling Commission;
- Reasonably consistent with the licensing objectives; and
- In accordance with the Council's Statement of Gambling Policy.

3. The Licensing Framework

3.1 The Gambling Act 2005 brought about changes to the way that gambling is administered in the United Kingdom. The Gambling Commission is the national gambling regulator and has a lead role in working with Central Government and local authorities to regulate gambling activity

3.2 The Gambling Commission issues operators' licences and personal licences. Any operator wishing to provide gambling at certain premises must have applied for the requisite personal licence and operator's licence before they can approach the Council for a premises licence. In this way, the Gambling Commission is able to screen applicants and organisations to ensure they have the correct credentials to operate gambling premises. The Council's role is to ensure premises are suitable for providing gambling in line with the three licensing objectives and any Codes of Practice issued by the Gambling Commission. The Council also issues various permits and notices to regulate smaller scale and/or ad hoc gambling in other locations such as pubs, clubs and hotels

3.3 The Council does not licence large society lotteries, remote gambling through websites or the National Lottery. These areas fall to the Gambling Commission.

4. Local Risk Assessments

4.1 The Gambling Commission's Licence Conditions and Code of Practice (LCCP) which were revised and published in February 2015 formalised the need for Operators to consider local risks. The LCCP was most recently revised in April 2018

4.2 The Social Responsibility (SR) code requires licensees to assess the local risk to the licensing objectives posed by the provision of gambling facilities at each of their premises, and have policies, procedures and control measures to mitigate those risks. In undertaking their risk assessments, they must take into account 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 a 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 at a licensee's premises that may affect their mitigation of local risks.

4.4 The Council 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. It must also be kept at each premises that holds a licence with the authority and produced to officers upon request.

4.5 The risk assessment should set out the measures the licensee has in place to address specific concerns. This practice should reduce the occasions on which a premises review and the imposition of license 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.

4.7 An example of a risk assessment is attached at Appendix 1.

4.8 The Council will expect the local risk assessment to include the below considerations as a minimum:

- The location of services for children such as schools, playgrounds, leisure/community centres and other areas where children will gather;
- The demographics of the area in relation to vulnerable groups;
- Whether the premises is in an area subject to high levels of crime and/or disorder;
- How vulnerable people, including those with gambling dependencies are protected;
- Any information held regarding self-exclusions and incidences of underage gambling;
- Gaming trends that reflect pay day or benefit payments;
- Known problems in the area such as problems arising from street drinkers, individuals involved in areas such as ASB, drug dealing etc

- Areas or premises where children are known to congregate including bus stops, cafes etc;
- Areas or premises that may be frequented by vulnerable adults such as hospitals, residential care homes, medical facilities, addiction clinics, places where alcohol or drug dependant individuals may congregate.

5. Local area profile

5.1 The Licensing Authority will complete an assessment of the local environment as a means of 'mapping out' local areas of concern, which can 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 an 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. The Local Area Profile document will be available on the Council's website alongside this Statement of Principles.

5.2 The Borough is the second largest district in Staffordshire and has a population of 126,000. The majority of the population live in the urban centres of Newcastle-under-Lyme and Kidsgrove which are located in close proximity to the City of Stoke-on-Trent and form part of the North Staffordshire Conurbation. The areas around the urban centre to the north, south and west are mainly rural comprising mostly Green Belt and Areas of Special Landscape where new development is restricted and population density is low. A map of the Borough can be found at Appendix 2.

6. Declaration

6.1 This Policy Statement will not override the right of any person to make an application, make representations about an application or apply for a review of a licence, as each will be considered on its own merits and according to the statutory requirements of the Gambling Act 2005

6.2 In producing the final Statement of Gambling Policy, the Council declares that it has had regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission and any responses from those consulted on the Policy Statement.

7. Responsible Authorities

7.1 The Act empowers certain agencies to act as responsible authorities so that they can employ their particular area of expertise to help promote the licensing objectives. Responsible authorities are able to make representations about licence applications or apply for a review of an existing licence. Responsible authorities will also offer advice and guidance to applicants

7.2 The Council is required by regulations to state the principles it will apply to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:

- The need for the body to be responsible for an area covering the whole of the licensing authority's area;

- The need for the body to be answerable to democratically elected persons, rather than any particular vested interest group etc.

7.3 In accordance with the regulations, the Council designates the Staffordshire Safeguarding Children Board for this purpose

7.4 The contact details of all the responsible authorities under the Gambling Act 2005 can be found on the Council's website at www.newcastle-staffs.gov.uk and are listed below:

- The Licensing Authority itself
- The Gambling Commission;
- The chief officer of police/chief constable for the area in which the premises is wholly or partially situated
- The fire and rescue authority for the same area
- The local planning authority;
- An authority with functions in relation to pollution of the environment or harm to human health
- A body designated in writing by the Licensing Authority as competent to advise about the protection of children from harm (see paragraphs 11.3 and 11.4 set out below)
- HM Revenue & Customs; and
- Any other person prescribed in regulations by the Secretary of State.

The Act also provides that in relation to a vessel, but no other premises, responsible authorities also include navigation authorities within the meaning of section 221(1) of the Water Resources Act 1991 that have statutory functions in relation to the waters where the vessel is usually moored or berthed or any waters where it is proposed to be navigated at a time when it is to be used for licensable activities.

8. Interested Parties

8.1 Interested parties are certain types of people or organisations that have the right to make representations about licence applications or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as set out below.

8.2 For the purposes of this part, a person is an interested party in relation to an application for or in respect of a premises licence if, in the opinion of the licensing authority which issues the licence or to which the application is made, the person:

- (a) lives sufficiently close to the premises to be likely to be affected by the authorised activities;
- (b) has business interests that might be affected by the authorised activities, or
- (c) represents persons who satisfy paragraphs (a) or (b).

8.3 The Council is required by regulations to state the principles it will apply to determine whether a person is an interested party. The principles are:

- Each case will be decided upon its merits. The Council will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission's Guidance to Local Authorities. Within this framework, the Council will accept representations made on behalf of residents and tenants' associations
- In order to determine if an interested party lives or has business interests sufficiently close to the premises to be likely to be affected by the gambling activities,

the Council will consider factors such as the size of the premises and the nature of the activities taking place.

9. Exchange of Information

9.1 Licensing authorities are required to include in their Policy Statement the principles to be applied by the Authority with regard to the exchange of information between it and the Gambling Commission, as well as other persons listed in Schedule 6 to the Act

9.2 The principle that the Council applies is that it will act in accordance with the Gambling Act 2005 in its exchange of information, which includes the provision that the Data Protection legislation will not be contravened. The Council will also have regard to any guidance issued by the Gambling Commission to local authorities on this matter when it is published, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

10. Data Protection

10.1 When an individual or an organisation provides information to the Council, it is held in accordance with the Data Protection legislation. Data provided to the Council is used for processing applications, recording licence holders and for regulatory and enforcement purposes.

10.2 The Council may share data with other departments and partners of the Council and other agencies where required by the licensing/registration procedure and for regulation /enforcement but data will not otherwise be passed on to any other party.

10.3 While certain information may be disclosed under the Freedom of Information Act, some information will be held on a publicly available register, and may be posted onto the Council website; personal data will be protected unless it is also official business data (eg. a trader whose registered business address is also his home).

10.4 The Council has a duty to protect the public funds it administers and to this end, may use the information provided for the prevention and detection of fraud. It may also share information with other bodies responsible for auditing or administering public funds for these purposes, eg. National Fraud Initiative.

10.5 The Council holds and uses data in accordance with Data Protection legislation. Stakeholders should be aware that information provided may be used and shared with other departments and agencies in order to assist in the prevention and detection of crime and to protect public funds.

11. Licensing Authority Functions

11.1 Licensing authorities are responsible under the Act for:

- Licensing 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 (for tracks)
- Providing information to the Gambling Commission regarding details of licences issued (see section above on information exchange)
- Maintaining registers of the permits and licences that are issued under these functions

11.2 The Council will not be involved in licensing remote gambling at all. This will fall to the Gambling Commission via operators' licences.

12. Definition of Children and Young Persons

12.1 In this policy "child" means an individual who is less than 16 years old. In this policy "young person" means an individual who is not a child but who is less than 18 years old.

PART B –THE LICENSING OBJECTIVES

13. Preventing Gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime

13.1 The Gambling Commission will take a lead role in keeping gambling crime-free by vetting all applicants for personal and operators' licences. The Council's main role is to try and promote this area with regard to actual premises. So, where an area has known high levels of organised crime the Council will consider carefully whether gambling premises are suitable to be located there and whether conditions may be required such as the provision of door supervision

13.2 There is a distinction between disorder and nuisance. In order to make the distinction when incidents of this nature occur, the Council will consider factors such as whether Police assistance was required and how threatening the behaviour was to those who could see it

13.3 Issues of nuisance cannot be addressed by the Gambling Act provisions. However, problems of this nature can be addressed through other legislation as appropriate.

13.4 Examples of the specific steps the Council may take to address this area can be found in the various sections covering specific premises types in Part C of this document and also in Part D which covers permits and notices.

14. Ensuring that Gambling is conducted in a fair and open way

14.1 The Council is aware that the Gambling Commission does not generally expect licensing authorities to become concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences.

14.2 The Council will however familiarise itself with operator licence conditions and will communicate any concerns to the Gambling Commission about misleading advertising or any absence of required game rules or other information.

14.3 Examples of the specific steps the Council may take to address this area can be found in the various sections covering specific premises types in Part C of this document, and also in Part D which covers permits and notices.

15. Protecting children and other vulnerable persons from being harmed or exploited by gambling.

15.1 This licensing objective means preventing children from taking part in gambling (as well as restriction of advertising so that gambling products are not aimed at or are particularly attractive to children). The Council will therefore consider whether specific measures are required at particular premises with regard to this licensing objective. Appropriate measures may include supervision of entrances/machines, segregation of areas etc.

15.2 Regarding the term 'vulnerable persons', the Council is not seeking to offer a definition but will, for regulatory purposes, assume that this group includes people who gamble more than they want to; people who gamble beyond their means and people who may not be able to make informed or balanced decisions about gambling due to mental health needs, learning disability or substance misuse relating to alcohol or drugs. The Council will consider this licensing objective on a case by case basis having regard to any guidance issued by the Gambling Commission. Should a practical definition prove possible in future then this policy statement will be updated with it, by way of a revision.

15.3 The Council will pay particular attention to any Codes of Practice which the Gambling Commission issues regarding this licensing objective in relation to specific premises

15.4 The Council will promote this objective by publishing information on the Council website about the symptoms of problem gambling and the various support organisations which are available to help problem gamblers. These web pages will be prepared in conjunction with these support agencies

15.5 The Council will also familiarise itself with operator licence conditions related to this objective which may include a requirement for operators to provide information to their customers on how to gamble responsibly and how to access information about problem gambling. The Council will communicate any concerns to the Gambling Commission about any absence of this required information

15.6 Examples of the specific steps the Council may take to address this area can be found in the various sections covering specific premises types in Part C of this document and also in Part D which covers permits and notices.

PART C – PREMISES LICENCES

16. Introduction to Premises Licensing

16.1 The Council will issue premises licences to allow those premises to be used for certain types of gambling. For example, premises licences will be issued to amusement arcades, bingo halls, bookmakers and casinos

16.2 Premises licences will be subject to the provisions set out in the Gambling Act 2005 and regulations as well as specific mandatory and default conditions which are detailed in regulations issued by the Secretary of State. Licensing authorities are able to exclude default conditions and also attach other conditions, where it is believed to be necessary and proportionate.

Definition of 'Premises'

16.3 Premises is defined in the Act as 'any place'. Different premises licences cannot apply in respect of a single premises at different times. However, it is possible for a single building to be subject to more than one premises licence, provided they are for different parts of the building and the different parts of the building can be reasonably regarded as being different premises. Whether different parts of a building can properly be regarded as being separate premises will always be a question of fact in the circumstances

16.4 The Council will 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, the Council will assess entrances and exits from parts of a building covered by one or more licences to satisfy itself that they are separate and identifiable so that the separation of different premises is not compromised and that people do not 'drift' into a gambling area

16.5 The Council will pay particular attention to applications where access to the licensed premises is through other premises (which themselves may be licensed or unlicensed). Issues that the Council will consider before granting such applications include whether children can gain access; compatibility of the two establishments and the ability to comply with the requirements of the Act. In addition, an overriding consideration will 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

16.6 An applicant cannot obtain a full premises licence until the premises in which it is proposed to offer the gambling are constructed. The Gambling Commission has advised that references to 'the premises' are to the premises in which gambling may now take place. Thus a licence to use premises for gambling will only be issued by the Council in relation to premises that are ready to be used for gambling. Whether a premises is finished to a degree that it can be considered for a premises licence will always be a question of fact in the circumstances. Requiring a building to be complete ensures that the Council can, if necessary, inspect it fully, as can other responsible authorities with inspection rights

16.7 Where a premises is not yet built or is about to be altered for the purpose of providing gambling and ultimately a premises licence will be required, the applicant should in the first instance consider making an application for a provisional statement

Location

16.8 The Council is aware that demand issues (e.g. the likely demand or need for gambling facilities in the area) cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives can. The Council 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

16.9 With regard to these objectives, it is the Council's policy, upon receipt of any relevant representations, to look at specific location issues including:

- The proximity of the premises to schools and vulnerable adult centres
- The proximity of the premises to residential areas where there may be a high concentration of families with children
- The size of the premises and the nature of the activities taking place
- Any levels of organised crime in the area.

Such information may be used to inform the decision the Council makes about whether to grant the licence, to grant the licence with special conditions or to refuse the application

16.10 This policy does not preclude any application being made and each application will be decided on its merits, with the onus being upon the applicant to show how the concerns can be overcome.

Duplication with other regulatory regimes

16.11 The Council will seek to avoid any duplication with other statutory/regulatory systems where possible, including planning. The Council will not consider whether a licence application is likely to be awarded planning permission or building regulations approval in its consideration of it. It will listen to and consider carefully any concerns about conditions which are not able to be met by licensees due to planning restrictions, should such a situation arise.

Conditions

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

- Relevant to the need to make the proposed building suitable as a gambling facility
- Directly related to the premises and the type of licence applied for, and/or related to the area where the premises is based
- Fairly and reasonably related to the scale and type of premises and
- Reasonable in all other respects

16.13 Decisions about individual conditions will be made on a case by case basis, although there will be a number of control measures the Council will consider using, 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. The Council will also expect the applicant to offer his/her own suggestions as to the way in which the licensing objectives can be met effectively

16.14 There are conditions which the Council cannot attach to premises licences which are:

- Any condition on the premises licence which makes it impossible for the applicant to comply with an operating licence condition
- Conditions relating to gaming machine categories, numbers or method of operation
- 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) and
- Conditions in relation to stakes, fees, winnings or prizes.

Door supervision

16.15 The Council will consider whether there is a need for door supervision 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. It should be noted that the Gambling Act 2005 has amended the Private Security

Industry Act 2001 and that door supervisors at casinos or bingo premises are not required to be licensed by the Security Industry Authority. Where door supervisors are required at these premises, it is the operator's responsibility to ensure that any persons employed in this capacity are fit and proper to carry out such duties. Normally door supervisors will only be required in betting offices if there is clear evidence from the history of trading that it is necessary and proportionate. Possible ways to achieve this could be to carry out a criminal records (DBS) check on potential staff and also to ensure that staff members have attended Security Industry recognised training

17. Adult Gaming Centres (AGCs) and Licensed Family Entertainment Centres (LFECs)

17.1 Adult Gaming Centres (AGCs) are a category of premises introduced by the Act that are most closely related to what are commonly known as adult only amusement arcades, seen in many city centres. Licensed Family Entertainment Centres (LFECs) are those premises which usually provide a range of amusements such as computer games and penny pushers and may have a separate section set aside for adult only gaming machines with higher stakes and prizes.

17.2 Under the Act a premises holding an adult gaming centre licence will be able to make certain numbers of category B, C and D gaming machines available and no-one under 18 will be permitted to enter such premises. LFECs will be able to make available a certain number of category C and D machines where there is clear segregation in place so children do not access the areas where the category C machines are located.

17.3 The Council will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling in the above premises. The Council will expect applicants to satisfy the Authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the premises or in the case of LFECs to the adult only gaming machine areas

17.4 The Council will expect applicants to offer their own measures to meet the licensing objectives. However, appropriate measures/licence conditions may cover issues such as:

- Proof of age schemes (e.g. PASS schemes)
- The use of Challenge 25 policy
- The use of 'No ID No Entry' policy
- To train staff in the law and challenge people as to their age
- CCTV
- Door supervision
- Supervision of machine areas
- Physical separation of areas
- Location of entry
- Notices/signage
- Specific opening hours
- The appointment of a single senior named point of contact to assist in compliance.

This list is not mandatory nor exhaustive and is merely indicative of examples

17.5 The Council will refer to the Gambling Commission's website to familiarise itself with any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. The Council will also make itself aware of any mandatory or default conditions on these premises licences when they have been published.

18. Casinos

18.1 The Gambling Act states that a casino is an arrangement whereby people are given the opportunity to participate in one or more casino games whereby casino games are defined as a game of chance which is not equal chance gaming. This means that casino games offer the chance for multiple participants to take part in a game competing against the house or bank at different odds to their fellow players

Casino Resolution

18.2 Each local authority is required to publish information in its Statement of Gambling Policy about how the Authority has taken or will take a decision to pass (or not to pass) a casino resolution. A casino resolution is a judgment made by a local authority about whether it will allow any small, large or the regional casino to be located in its authority area. The Council has passed a resolution that there will be no casinos in the Newcastle-under-Lyme town centre.

19. Bingo Premises

19.1 There is no official definition for bingo in the Gambling Act 2005. However, from a licensing point of view there will be a new category of premises licence specifically for bingo premises which will be used by traditional commercial bingo halls for both cash and prize bingo. In addition, they will also be able to provide a limited number of gaming machines in line with the provisions of the Act.

19.2 The Council is aware that it is important that if children are allowed to enter premises licensed for bingo that they do not participate in gambling, other than on category D machines. Where category C or above machines are available in premises to which children are admitted then the Council will ensure that:

- All such machines are located in an area of the premises separate from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance
- Only adults are admitted to the area where the machines are located
- Access to the area where the machines are located is supervised
- 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
- 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 18.

20. Betting Premises

20.1 Betting premises are premises such as bookmakers where various types of gambling are authorised to take place. The Act contains a single class of licence for betting premises. However, within this single class there are different types of premises which require licensing such as normal high street bookmakers, bookmakers located in self-contained facilities at racecourses as well as the general betting premises licences that track operators will require

20.2 **Betting machines** – the Council is aware that Section 181 of the Act contains an express power for licensing authorities to restrict the number of betting machines and the nature and circumstances in which they are made available by attaching a licence condition

to a betting premises licence. When considering whether to impose a condition to restrict the number of betting machines in particular premises the Council, amongst other things, will take into account the size of the premises, the number of counter positions available for person to person transactions and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people.

20.3 Tracks

20.4 Tracks are sites where races or other sporting events take place. Betting is a major gambling activity on tracks, both in the form of pool betting (often known as the 'totaliser' or 'tote'), and also general betting, often known as 'fixed odds' betting. Multiple betting outlets are usually located on tracks such as 'on course' betting operators who come on to the track just on race days to provide betting for the races taking place on that track. There can also be 'off course' betting operators who may operate self-contained facilities at the tracks which offer customers the chance to bet on other events, not just those taking place on the track. All tracks will require an overriding 'general betting premises licence' that the track operator will hold

20.5 The Council is aware that tracks may be subject to one or more than one premises licence, provided each licence relates to a specified area of the track. The Council is also aware that the track operator may not be required to hold an operator licence as there may be several premises licence holders at the track who will need to hold their own operator licences. The Council will consider the impact upon the protection of children licensing objective and the need to ensure that entrances to each type of premises are distinct and that children are excluded from gambling areas where they are not permitted to enter

20.6 Children and young persons will be permitted to enter track areas where facilities for betting are provided on days when racing takes place, although they are still prevented from entering areas where gaming machines (other than Category D machines) are provided

20.7 The Council will expect applicants to offer their own measures to meet the licensing objectives. However, appropriate measures/licence conditions may cover issues such as:

- Proof of age schemes (e.g. PASS schemes)
- The use of Challenge 25 policy
- The use of 'No ID No Entry' policy
- To train staff in the law and challenge people as to their age
- CCTV
- Door supervision
- Supervision of machine areas
- Physical separation of areas
- Location of entry
- Notices/signage
- Specific opening hours
- The appointment of a single senior named point of contact to assist in compliance.

This list is not mandatory nor exhaustive and is merely indicative of examples.

20.8 **Betting machines** – the Council is aware that Section 181 of the Act contains an express power for licensing authorities 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 impose a condition to restrict the number of betting machines in particular premises, the Council, amongst other

things, will take into account the size of the premises, the number of counter positions available for person to person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people. The Council will also consider the special implications that may arise at a track due to the size of the premises and the possibility that machines may be scattered around the site making it more difficult for the track operator to comply with the law and prevent children from betting on the machines

20.9 The Council agrees with the Commission's view that it is preferable for all self-contained premises operated by off-course betting operators on track to be the subject of separate premises licences. This ensures that there is clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises

20.10 **Condition on rules being displayed** – the Council will consider any Gambling Commission guidance about the application of conditions regarding rules being displayed. The Council may require the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that the rules are displayed in the race card or made available in leaflet form from the track office.

21. Travelling Fairs

21.1 Travelling fairs have traditionally been able to provide various types of low stake gambling without the need for a licence or permit provided that certain conditions are met and this provision continues in similar fashion under the new Act

21.2 Travelling fairs have the right to provide an unlimited number of category D gaming machines and/or equal chance prize gaming (without the need for a permit) as long as the gambling amounts to no more than an ancillary amusement at the fair (see Appendix 1)

21.3 The Council will consider whether any fairs which take up the above entitlement fall within the statutory definition of a travelling fair

21.4 The Council is aware 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 Council will work with its neighbouring authorities to ensure that land which crosses its boundaries is monitored so that the statutory limits are not exceeded.

22. Provisional Statements

22.1 A provisional statement application is a process which allows a developer to examine the likelihood of whether a building which has yet to be constructed or is about to be altered for the purpose of gambling would be granted a premises licence when the building work is complete. A provisional statement is not a licence and merely gives the holder some form of guarantee that a premises licence would be granted so the project can be started. Once works are complete a full premises licence would still be required

22.2 In terms of representations about premises licence applications, following the grant of a provisional statement, no further representations from relevant authorities or interested parties can be taken into account unless they concern matters which could not have been addressed at the provisional statement stage or they reflect a change in the applicant's

circumstances. In addition, the Council may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- a) which could not have been raised by objectors at the provisional licence stage; or
- b) which in the Authority's opinion reflect a change in the operator's circumstances

22.3 When determining a provisional statement application the Council will operate in accordance with the Act and will not have regard to any issues related to planning consent or building regulations, e.g. the likelihood that planning consent will be granted.

PART D – PERMITS, TEMPORARY/OCCASIONAL USE NOTICES AND SMALL SOCIETY LOTTERY REGISTRATIONS

23. Unlicensed Family Entertainment Centre Gaming Machine Permits (Statement of Principles on Permits)

23.1 The term 'Unlicensed Family Entertainment Centre' (uFEC) is one defined in the Act and refers to premises which provides category D gaming machines along with various other amusements such as computer games and penny pushers. The premises are 'unlicensed' in that they do not require a premises licence but do require a permit to be able to provide category D machines. It should not be confused with a 'Licensed Family Entertainment Centre' which does require a premises licence because it contains both category C and D gaming machines

23.2 The Gambling Act 2005 contains a provision for local authorities to prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit. Schedule 10, paragraph 7 of the Act states: "In preparing this Statement and/or considering applications, it [the Council] 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"

23.3 In accordance with Gambling Commission guidance, the Council will give weight to child protection issues when considering applications for permits

23.4 The Council will expect the applicant 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 Council will assess these policies and procedures on their merits. However, they may include appropriate measures/training for staff regarding suspected truant schoolchildren on the premises, measures/training covering how staff would deal with unsupervised children being on the premises, or children causing problems on or around the premises. The Council will also expect applicants to demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs, that the applicant has no relevant convictions (those that are set out in Schedule 7 of the Act), and that staff are trained to have a full understanding of the maximum stakes and prizes

23.5 The Council is aware that an application for a permit may only be granted if the Chief Officer of Police has been consulted on the application

23.6 In line with the Act the Council cannot attach conditions to this type of permit and the statement of principles only applies to initial applications and not to renewals.

24. Gaming Machine Permits in premises licensed for the sale of alcohol

24.1 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 merely need to notify the Council. The Council can remove the automatic authorisation in respect of any particular premises if:

- Provision of the machines is not reasonably consistent with the pursuit of the licensing objectives
- Gaming has taken place on the premises that breaches a condition of Section 282 of the Gambling Act (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)
- The premises are mainly used for gaming; or
- An offence under the Gambling Act has been committed on the premises.

24.2 If a premises wishes to have more than two machines, then it needs to apply for a permit and the Council must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission under Section 25 of the Gambling Act 2005, and 'such matters as it thinks relevant'. The Council considers that 'such matters' will be decided on a case by case basis, but generally regard will be had to the need to protect children and vulnerable persons from harm or being exploited by gambling. The Council will also 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

24.3 Measures which may satisfy the Council that there will be no access could include the adult machines being situated in close proximity to the bar, or in the sight of staff who will monitor that the machines are not being used by those under 18 years of age. Notices and signage may also help. Regarding the protection of vulnerable persons, applicants may wish to consider the provision of information leaflets/helpline numbers for organisations such as GamCare.

24.4 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 dealt with under the relevant provisions of the Act

24.5 The Council can decide to grant the application with a smaller number of machines and/or a different category of machines from that applied for. Conditions (other than these) cannot be attached

24.6 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

25. Prize Gaming Permits – Statement of Principles on Permits

25.1 The Council will expect the applicant to set out the types of gaming that he or she is intending to offer and be able to demonstrate:

- That they understand the limits to stakes and prizes that are set out in regulations;
- That the gaming offered is within the law.

25.2 In making its decision on an application for prize gaming permits, the Council does not need to have regard to the licensing objectives but must have regard to any Gambling Commission guidance

25.3 There are conditions in the Gambling Act 2005 with which the permit holder must comply, but the Council cannot attach conditions. The conditions in the Act are:

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

26. Club Gaming and Club Machines Permits

26.1 Members' clubs and miners' welfare institutes (but not commercial clubs) may apply for a club gaming permit or a club gaming machines permit. The club gaming permit will enable the premises to provide gaming machines (three machines of categories B, C or D), equal chance gaming and games of chance as set out in forthcoming regulations. A club gaming machine permit will enable the premises to provide gaming machines (three machines of categories B, C or D)

26.2 To qualify for these special club permits, a members' club must have at least 25 members and be established and conducted wholly or mainly for purposes other than gaming, unless the gaming is permitted by separate regulations. It is anticipated that this will cover bridge and whist clubs, which will replicate the position under the Gaming Act 1968. A members' club must be permanent in nature, not established to make commercial profit, and controlled by its members equally. Examples include workingmen's clubs, branches of the Royal British Legion and clubs with political affiliations

26.3 Before granting the permit, the Council will need to satisfy itself that the premises meet the requirements of a members' club and that the majority of members are over 18 years of age

26.4 The Council may only refuse an application on the grounds that:

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

27. Temporary Use Notices

27.1 Temporary use notices allow the use of premises for gambling where there is no premises licence but where a gambling operator wishes to use the premises temporarily for

providing facilities for gambling. Premises that might be useful for a temporary use notice would include hotels, conference centres and sporting venues

27.2 The Act makes a special reference, in the context of temporary use notices, to a 'set of premises' to try and ensure that large premises which cannot reasonably be reviewed as separate are not used for more temporary use notices than permitted under the Act. The Council considers that the determination of what constitutes a 'set of premises' will be a question of fact in the particular circumstances of each notice that is given. In considering whether a place falls within the definition of a 'set of premises', the Council will look at, amongst other things, the ownership/occupation and control of the premises. The Council will be ready to object to notices where it appears that their effect would be to permit regular gambling in a place that could be described as one set of premises.

28. Occasional Use Notices (for Tracks)

28.1 There is a special provision in the Act which provides that where there is betting on a track on eight days or less in a calendar year, betting may be permitted by an occasional use notice without the need for a full premises licence. Track operators and occupiers need to be aware that the procedure for applying for an occasional use notice is different to that for a temporary use notice

28.2 The Council has very little discretion regarding these notices apart from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. The Council will however consider the definition of a 'track' and whether the applicant is entitled to benefit from such notice.

29. Small Society Lottery Registrations

29.1 The Act creates two principal classes of lotteries - licensed lotteries and exempt lotteries. Licensed lotteries are large society lotteries and lotteries run for the benefit of local authorities. These will be regulated by the Gambling Commission. Within the class of exempt lotteries, there are four sub classes, one of which is small society lotteries

29.2 A small society lottery is a lottery promoted on behalf of a non-commercial society as defined in the Act which also meets specific financial requirements set out in the Act. These may be administered by the Council for small societies who have a principal office in the area and wish to run such a lottery

29.3 A lottery is small if the total value of tickets put on sale in a single lottery is £20,000 or less and the aggregate value of the tickets put on sale in a calendar year is £250,000 or less

29.4 To be 'non-commercial', a society must be established and conducted:

- For charitable purposes
- For the purpose of enabling participation in, or supporting, sport, athletics or a cultural activity; or
- For any other non-commercial purpose other than that of private gain.

29.5 The other types of exempt lotteries are 'incidental non-commercial lotteries', 'private lotteries' and 'customer lotteries'

PART E – ENFORCEMENT

30. Enforcement Principles

30.1 The Council will work closely with the responsible authorities in accordance with a locally established joint enforcement protocol and will aim to promote the licensing objectives by targeting known high risk premises following Government guidance around better regulation

30.2 In carrying out its enforcement duties with regard to the inspection of premises and the powers to institute criminal proceedings in respect of certain offences under the Act, the Council will try to be:

Proportionate:

Regulators should only intervene when necessary. Remedies should be appropriate to the risk posed, and costs identified and minimised

Accountable:

Regulators must be able to justify decisions, and be subject to public scrutiny

Consistent:

Rules and standards must be joined up and implemented fairly

Transparent:

Regulators should be open and keep regulations simple and user friendly

Targeted:

Regulation should be focused on the problem and minimise side effects

30.3 The Council will endeavour to avoid duplication with other regulatory regimes as far as possible

30.4 The Council has adopted a risk-based inspection programme for Gambling premises

30.5 The main enforcement and compliance role for the Council in terms of the Gambling Act 2005 will be to ensure compliance with the premises licences and other permissions which it authorises. The Gambling Commission will be the enforcement body for the operator and personal licences. Concerns about the manufacture, supply or repair of gaming machines will not be dealt with by the Council but will be notified to the Gambling Commission. In circumstances where the Council believes a premises requires a premises licence for gambling activities and no such licence is in force, the Council will notify the Gambling Commission

30.6 The Council's enforcement policy is available at: <https://www.newcastle-staffs.gov.uk/all-services/your-council/policies-and-strategies-z/corporate-enforcement-policy>

31. Reviews

31.1 A review is a process defined in the legislation which ultimately leads to a licence being reassessed by the Licensing Committee with the possibility that the licence may be revoked or suspended or that conditions may be amended or new conditions added

31.2 Requests for a review of a premises licence can be made by interested parties or responsible authorities. However, it is for the Council to decide whether the review is to be carried out. This will be on the basis of whether the request for the review is:

- In accordance with any relevant Code of Practice issued by the Gambling

Commission

- In accordance with any relevant guidance issued by the Gambling Commission
- Reasonably consistent with the licensing objectives; and
- In accordance with this Authority's Statement of Gambling Policy.

In addition the Council may also reject the application on the grounds that the request is frivolous, vexatious, will not cause the Authority to wish to alter, revoke or suspend the licence, or is substantially the same as previous representations or requests for review

31.3 The Council can also initiate a review of a licence on the basis of any reason which it thinks appropriate.

APPENDIX 1 - Licensing Authority's Guidance to Operators with Regards to Local Area Risk Assessments - SAMPLE

Premises Name:	Premises Licence Number (If Applicable):
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Premises Address:
Post Code:
Category of gambling premises licence:
Name of person completing the assessment:
Date original assessment carried out:

This risk assessment must be completed for all new premises or when the premises licence is varied. The assessment must also be reviewed when there are any significant changes to either the local circumstances and/or the premises.

Complete **a) - c)** with areas that may pose a risk to the licensing objectives by virtue of the provision of gambling facilities at the premises having regard to Local Area, Gambling Operation and premises design.

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

b) Ensuring that gambling is conducted in a fair and open way

c) Protecting children and other vulnerable persons from being harmed or exploited by gambling.

d) Control measures (based on the information above for a) – c), state the control measures you will put in place, e.g. systems, design and physical)

Describe the steps you intend to take to promote the three licensing objectives:

ACTIONS FOLLOWING ASSESSMENT

AREA e.g local area, gambling operation, premises design	PERSON/DEPT TASKED	DATE TASKED	DATE TASK COMPLETED

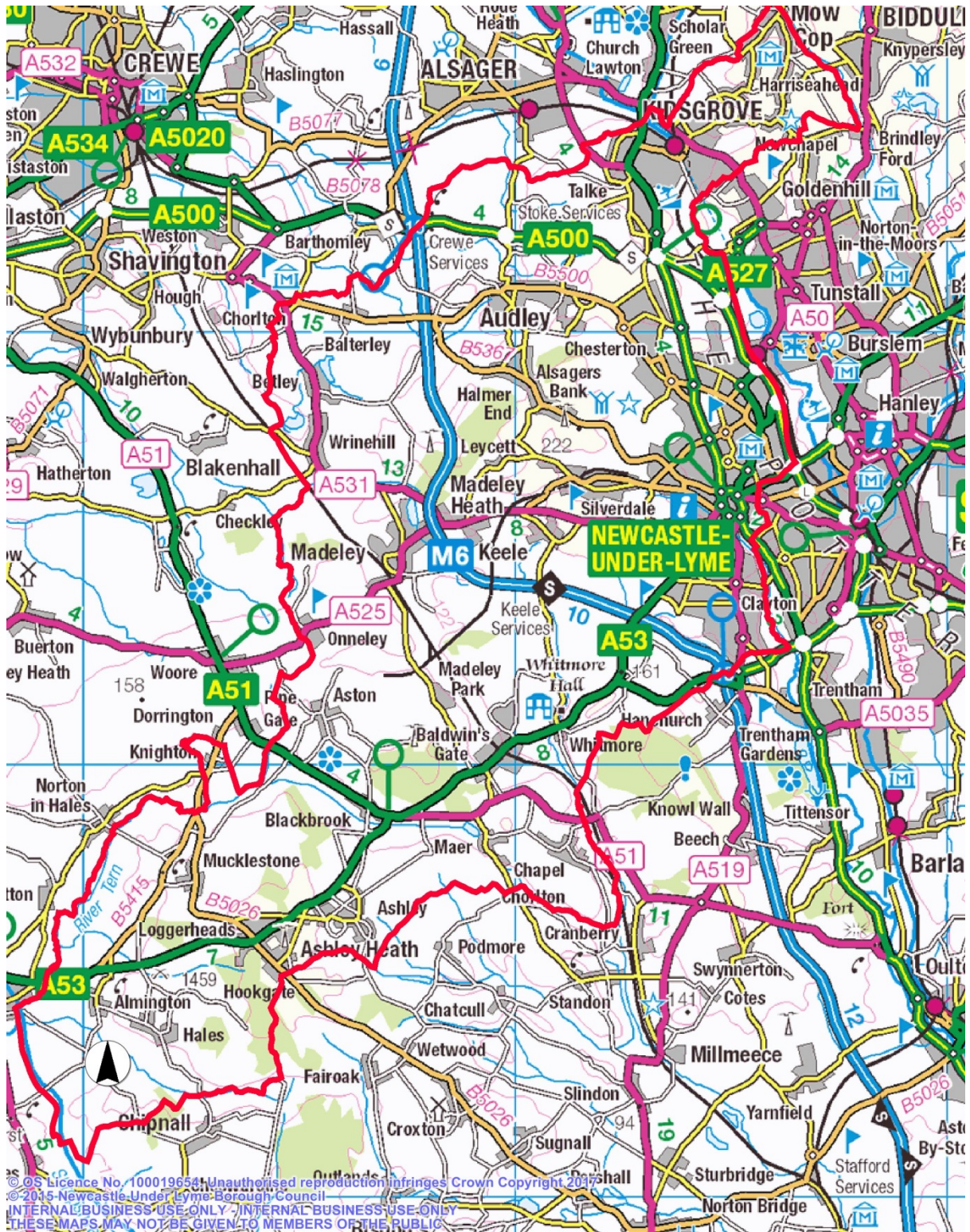
Signed:	Date:
PRINT NAME:	

For further guidance on completing this assessment or when this assessment must be reviewed please refer to Gambling Commission Guidance on Undertaking Gambling Local Area Risk Assessments para 6.41-6.46:

<http://www.gamblingcommission.gov.uk/for-licensing-authorities/GLA/Guidance-to-licensing-authorities.aspx>

APPENDIX 2

MAP OF NEWCASTLE-UNDER-LYME BOROUGH



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HEADING **Public Protection Sub-Committee Arrangements**

Submitted by: **Head of Environmental Health**

Portfolio: **Finance & Efficiency**

Ward(s) affected: **All**

Purpose of the Report

To consider amendments relating to the arrangements for Public Protection Sub-Committee and associated delegations as recommended by Public Protection Committee.

Recommendations

That the arrangements for Public Protection Sub-Committee be approved.

Reasons

In May 2018 the Committee arrangements for the creation of a joint Licensing and Public Protection Committee and a Public Protection Sub-Committee was approved and subsequently implemented. At Public Protection's July meeting members requested a review of the Sub-committee arrangements as member availability during the daytime was limited in order to run the committees. At the September meeting members agreed to make amendments to the Sub-Committee arrangements some of which require Council approval.

1. **Background**

- 1.1 The Council's Public Protection Committee has many delegated functions including the review of hackney carriage and private hire drivers, vehicles and operators which are not in full compliance with the Council's current 'Taxi and Private Hire Policy 2015'.
- 1.2 A review of the committee arrangements for licensing and public protection committees was undertaken and in May 2018. Council approved the creation of a Licensing and Public Protection Committee to run sequentially and the creation of a Public Protection Sub-Committee.
- 1.3 On 27th June 2018 members of Licensing and Public Protection Committee agreed a report outlining the arrangements for the Public Protection Sub-Committee and requested a review of the arrangements in April 2019. The agreed arrangements were as follows:
 - Meeting will be held on a Tuesday, alternating between 10am and 2pm start times.
 - Committees will be held about every 3 weeks.
 - A maximum of 5 reports/cases will be on the agenda.
 - Further meetings may be programmed, if needed.
 - A programme of meetings and nominated members will be developed and reported to public protection committee.
 - The sub-committee to comprise of 3 members
 - The sub-committee chair to be agreed between the sub-committee members.

2. **Issues**

- 2.1 During June & July 2018, there was a lack of member availability to attend the sub-committees resulting in the cancellation of one meeting and finding substitutes or replacement members to hold the other meetings.
- 2.2 There has been 100% attendance from drivers to the daytime meetings, with only one vehicle proprietor not attending.

2.3 Public Protection committee requested an early review of the arrangements and a number of options were presented to the September meeting. Members resolved to make changes to the day, time and number of members of Public Protection Sub-Committee, some of these amendments require approval by Council.

3. **Proposal**

3.1 It is Licensing and Public Protection Committees recommendation that Council approves changes to the day, time and quorum of members of Public Protection Sub-Committee.

3.2 Should members agree to this proposal the following arrangements are recommended for the public protection constitution.

a. Meeting Frequency – approximately every 3 weeks but further meetings to be programmed, if needed

b. Meeting notification and publication of papers – 5 working days prior

c. Meeting Times – During working day (2pm) and evening (6pm)

d. The Sub-Committee Chair to be agreed between the Sub-Committee Members.

e. Reports/cases to each meeting to be limited to 5, unless agreed with the Chair.

f. A programme of meetings and nominated Members be developed and reported to Public Protection Committee to include 4 Members per Sub-Committee to ensure 3 Members are in attendance.

g. That meeting will be quorate with 2 Members in attendance.

h. Should Members be unable to attend the Sub-Committee that they notify Democratic Services of an available substitute

3.3 The specific amendments to the committee constitution include point g (reducing this from 3 to 2) and c (to include evening meetings) above.

4. **Reasons for Preferred Solution**

4.1 To enable Committee to determine applications in the most efficient, effective and practical manner.

4.2 To ensure that the Council continues to provide safe transport for those wishing to use Private Hire and Hackney Carriage vehicles.

5. **Outcomes Linked to Sustainable Community Strategy and Corporate Priorities**

5.1 In line with the Council's objectives –

- Local services that work for local people.
- Growing our people and places.
- A healthy, active and safe borough.

6. **Legal and Statutory Implications**

6.1 The Local Government Act 1972, section 101 allows the Council to arrange for a Committee, Sub-Committee or an officer or another local authority to carry out its powers and duties.

7. **Equality Impact Assessment**

7.1 The meetings will be undertaken to accord with the Human Rights Act 1998, Article 6(1) guarantees an applicant a fair hearing and Article 14 guarantees no discrimination.

8. **Financial and Resource Implications**

- 8.1 There will be financial and resource implication including Member participation in the sub-committees and officer support from Environmental Health, Legal and Democratic services and from Facilities Management in facilitating additional evening meetings

9. **Major Risks**

- 9.1 There are no major risks associated with this report

10 **Earlier Cabinet/Committee Resolutions**

Public Protection Meeting 14th July 2016 minute number 11

Council Meeting 16th May 2018 minute number 14

Licensing and Public Protection 27th June 2018 minute number 16

Licensing and Public Protection 18th September 2018 minute number 9

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NEWCASTLE-UNDER-LYME BOROUGH COUNCIL

EXECUTIVE MANAGEMENT TEAM'S REPORT TO THE COUNCIL

21 November 2018

1. Revised Financial Regulations

Submitted by: Head of Finance

Portfolio: Finance and Efficiency

Ward(s) affected: All Indirectly

Purpose of the Report

To approve the revised Financial Regulations and Procedures.

Recommendations

- (a) That the revised Financial Regulations and Procedures be approved.
- (b) That on an annual basis the Financial Regulations and Procedures are reviewed and presented to the Constitution and Member Support Working Group for consideration.

Reasons

The Council's Financial Regulations and Procedures need to be reviewed regularly and revised where necessary so that they reflect the current structure and requirements of the Council.

1. Background

- 1.1 Financial Regulations are designed to ensure that the Council's financial affairs are conducted in a proper, standardised and accountable manner. They set out for officers and members the practices and procedures which must be followed when dealing with financial and allied matters.
- 1.2 The Regulations comprise Key Regulations and associated Financial Procedures. The Key Regulations set out the general principles which are to be followed and the Financial Procedures set out in detail the procedures which must be followed. This is in accordance with the best practice format as recommended by the Chartered Institute of Public Finance and Accountancy (CIPFA).
- 1.3 As part of the arrangements to ensure good corporate governance of the Council, a review of the Regulations is carried out on a regular basis. Following this year's review some minor amendments have been made. Accordingly, revised Regulations have been compiled and are now submitted for your consideration and approval.
- 1.4 Both this covering report and the revised Financial Regulations were presented to the Constitution and Member Support Working Group on 31 October 2018, where it was recommended that on an annual basis the Financial Regulations would be reported to the Group. This would ensure an annual review is undertaken, even if no amendments were subsequently identified. There were no further recommendations.

2. **Issues**

2.1 In the interest of efficiency, the whole document (68 pages) has not been circulated with the report. A full copy of the Regulations, showing the track changes which have been made, compared to the current Regulations, is available on the Members' Intranet site.

2.2 The main changes are as follows:

Section	Amendment
A21	Removal of Head of Business Improvement, Central Services and Partnerships providing assistance to the Monitoring Officer.
B18	Rather than using best value as a specific guideline in relation to budget preparation, this is replaced by 'relevant government guidelines', ensuring that this remains relevant despite the Financial Regulations not necessarily being reviewed.
C8 & Ce2	The Audit Commission is no longer responsible for auditing the Council, and as such it is Full Council's responsibility for appointing external auditors as governed by the Local Audit and Accountability Act 2014.
Ac4	Explanatory notes, secondments from other authorities / agency workers who are working on behalf of the Council are now required to comply with the Financial Regulations.
Ae4	Reference to maintaining and retaining financial records as per the Council's policy.
Bb3	No longer required for the budgets to be reported alongside prudential indicators, and will instead be included within the Capital Strategy.
Bf23	Changes due to the reporting requirements stipulated by the Prudential Code, including the necessity for the Council to produce an annual Capital Strategy that shall be reported to Full Council. This will contain the Council's prudential indicators, including the operational boundary, authorised limit and capital expenditure indicator.
Cc1	Updated to incorporate the joint CIPFA / IIA auditing guidelines, the Public Sector Internal Audit Standards (PSIAS).
Cg4 (h) – (i)	Reference to the Council's specific removable media / ICT policies removed. Due to ICT practices evolving regularly it is not suitable for details to be detailed within the Financial Regulations. In this instance it is better suited to the Council's specific removable media policy.
Cg (o)	Additional bullet point to incorporate the requirement for maintaining records in line with Council's document retention policy.
Ch1	Maintenance of a documented inventory must now be maintained for items with residual value of greater than £500, due to an overall increase in the cost of items that would be deemed suitable and a reduction in resources with the time to maintain an up to date listing.
Cl1 – 2	With the removal of the imprest system (petty cash), following the payment methods review, the section has been replaced with 'minor employee

Section	Amendment
	expenditure'. Any minor expenditure that an employee has had to urgently undertake within their role shall now be reclaimed through expenses. The Council's aim is to no longer utilise cash based transactions wherever possible.
Cm 1 – 2	Treasury management guidance has been subject to change recently following the publication of CIPFA's Treasury Management Code 2017. As part of this it is recommended that scrutiny of the treasury management strategy and ongoing monitoring is undertaken by those with the appropriate skills and knowledge. Responsibility however will still remain with Full Council. Section Cm1-2 has been updated to reflect this, and as such the strategy shall be reported to Finance, Assets & Performance Scrutiny Committee, before being presented to Full Council.
Cn2	The Council no longer uses pre-signed cheques for creditors and housing benefits and therefore the requirement for a personal signature over set values is no longer required.
Cn3 – 5	The Council no longer holds pre-printed cheques for use in making payments to creditors and Housing Benefit claimants. This decision was made following the payment method review that has been undertaken prior to the move to Castle House. A manual cheque book is still held by the Finance department for use in extreme circumstances, with the preferred method of payment being electronic i.e. BACS. Sections Cn3 to Cn5 and the supporting explanatory note have been updated to reflect this.
Dd6	Due to the required changes identified by the payment method review and the move to Castle House, this section has been updated to identify that payments in cash will not be accepted at Castle House due to arranged collections no longer taking place.
Dh2	Due to changes to the Payment Services Regulations 2017, payment by Credit and Debit Cards can no longer include a percentage charge on top of the transaction value.
Dh5	Amended to reflect the requirement for a customer paying by card to input a valid pin number, or present a card capable of contactless payment if the transaction value is less than the upper limit (currently £30).
Di3	Updated due to the capabilities of the current leisure system which allows access to the leisure facilities to be withdrawn if payment in line with the membership's terms has not been received.
Dk1	In the rare circumstance where cash is still received within a department, this must now be deposited directly with the Council's bank.
Dm1 & Dt12	An increase from £100 to £500 at which schedules of amounts outstanding where a debtor account hasn't been raised needs to be supplied to the Executive Director (Resources and Support Services).
Do1 – 2	Amendments to the value at which write off of debtor accounts shall be referred to Cabinet, from £2,500 up to £5,000. With the financial challenges facing the Council, debtor accounts will only be approved for write off by the Executive Director (Resources and Support Services) where the Council is unable to obtain any degree of success. Increasing the limit at which this shall be referred to Cabinet ensures that efficient meetings continue to take place, with only

Section	Amendment
	significant amounts being raised for consideration.
Dp3	Upon setting fees and charges for the forthcoming year, Executive Directors and their Heads of Service are required to consider the charge in line with the Council's Charging Policy. An update to Dp3 now requires explanations to be provided when the Charging Policy has not been met.
Dr25	An additional provision has been inserted that enables the Executive Director (Resources and Support Services) to grant approval rights to individuals who are overseeing service areas, but are not directly employed by the Council.
Ds2	Removed the requirement for a register of contracts in a form approved by the Chief Executive to be maintained in relation to new works contracts and instead focuses on the requirement for Directors to directly monitor expenditure on contracts.
Dt11	Directors must specifically ensure that invoices are directly received within the Creditors department, and where this does not happen any invoice shall be immediately forwarded to Creditors to ensure it is captured by the internal controls that are in place that ensure accurate timely payments are made.
Appendix A	Petty Cash Guidance, removed due to no longer operating an imprest system.
General	References to the Standards Committee and the Audit and Risk Committee have been amended to reflect the new title, Audit and Standards Committee.
General	References to data protection have been amended to reflect the General Data Protection Regulations that have come in to force since 25th May 2018.
General	Replaced Audit Manager role with Head of Audit and Elections role.
General	Replaced Head of Business Improvement, Central Services and Partnership role with Chief Executive.
General	Minor amendments including spelling, explanatory note wording and correction of reference numbers following the changes that have been made.

3. **Legal and Statutory Implications**

3.1 There are none.

4. **Financial and Resource Implications**

4.1 There are no specific financial implications arising.

5. **Major Risks**

5.1 There are none.

6. **List of Appendices**

6.1 A copy of the full Financial Regulations document, showing the changes, has been placed on the Members' Intranet site.

7. **Background Papers**

There are none.

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STATEMENT OF THE LEADER OF THE COUNCIL TO FULL COUNCIL – 21ST NOVEMBER 2018

Submitted by: Councillor Simon Tagg

Portfolio: All

Wards affected: All

Purpose of the Report

To provide an update to Members on the activities and decisions of Cabinet together with the Forward Plan.

Recommendation

That the statement of the Leader of the Council be received and noted.

Reasons

To update Council Members on the activities and decisions of the Leader & Cabinet and to allow questions and comments to be made on the Statement.

1. **Cabinet Meetings**

Cabinet has met 3 times since the last Full Council of 5th September 2018 (19th September; 17th October and 7th November). Decisions are detailed under Items 2, 3 and 4 of this report.

2. **19th September 2018**

2.1 **Council Plan**

Cabinet agreed a new Council Plan to cover the period 2018-2022 with 4 new priorities. Local Services for Local People, Growing Our People and Places, A Healthy, Active and Safe Borough, A Town Centre for All. The Plan sets out how we will make the Borough an even better place to live for our residents.

This Leader's Statement contains details of how we have made a start on delivering the new Council Plan.

2.2 **Future Recycling Strategy**

Following an All Party Task and Finish Group, Scrutiny Committee input and a Call-In Cabinet has now agreed the Future Recycling Strategy for the Council. This includes a new kerbside recycling service to start within 18-24 months and an affordable garden waste collection service to start in February 2019. Further ongoing scrutiny of the implementation of the strategy will take place.

2.3 **University Growth Corridor**

The Council is working with Keele University, Staffordshire County Council and the Local Enterprise Partnership (LEP) on ambitious plans that will bring potential long-term economic benefits for the University and Borough. The Keele University Growth Corridor will enable the creation of high quality jobs and skills, both at the University and its Science and Innovation Park, and also responds to the Borough's housing needs by utilising the former Keele Golf Course.

2.4 **Business Rate Pilot Pooling Arrangements**

The Council is again participating in a bid to Central Government for the formation of a Staffordshire and Stoke-on-Trent Business Rates Pool Pilot. This would allow the retention of up to 75% of business rates. The Cabinet has ensured that lessons have been learned from the failed bid for a business rates pilot in 2017. The consortium of Local Authorities hopes to hear if the bid has been successful by the end of the year.

3. **17th October 2018**

3.1 **Car Parking Strategy – Review of Town Centre Car Parks**

A transformation is planned in the way the Borough Council operates its car parks in Newcastle town centre.

Cabinet has agreed a number of initial changes aimed at supporting the town centre economy and encouraging visitors to the town centre as well as protecting the Council's income from the car parking.

There will also be a flat rate charge of £1 for all town centre car parks after 3pm by 1 December and free parking after 3pm for late night shopping nights in Newcastle in the run-up to Christmas.

The Portfolio Holder will be working with the Business Improvement District (BID), the relevant Scrutiny Committee and the wider town centre businesses to formulate a 10-year car parking strategy.

4. **7th November 2018**

4.1 **Ryecroft Future Redevelopment Options**

Following a review of the scheme agreed by the previous administration that is no longer viable, the Council is to explore alternative proposals for the future redevelopment of the Ryecroft site which includes the old Civic Offices.

Agreement has been reached with Staffordshire County Council and the site developer to seek expert advice on options for an accommodation-led development.

In the meantime authorisation has been given to promote the use of the accessible parts of the Ryecroft site to enable short term events.

4.2 **Borough Market Management**

Cabinet have decided that the Borough's Historic Market will remain under Council management. The Portfolio Holder will work with partners such as the BID with the aim of delivering a stronger, more attractive and sustainable market for the future.

4.3 **One Public Estate – Knutton Masterplanning Project**

The Council and Staffordshire County Council have agreed to make a joint bid to the Government's One Public Estate programme to fund regeneration projects in Knutton.

The aim is to support collaborative public sector land and property projects, especially those which unlock land for new homes.

Both Councils own parcels of land in the village which could form a wider regeneration scheme, potentially involving sites owned by other strategic partners.

4.4 **Kidsgrove Sports Centre Update**

Cabinet has agreed to make a capital contribution of £300,000 to support the provision of a community run sports and leisure facility at Kidsgrove Sports Centre. Following the County Council's decision in relation to the Sports Centre building we have now agreed to asset transfer it over to the Kidsgrove Community Centre Group (CIO), with the demolition costs being used to help refurbish the dry side facilities of the Centre.

There are still challenges ahead as the Community Group work to reopen the Centre, but the Council will be assisting them in every way possible to enable them to achieve their goal.

5. **RHS Britain in Bloom National Finals 2018**

A huge congratulations to all those involved in this year's Britain in Bloom Competition.

The Borough achieved its best ever results in our 27 year involvement in the campaign by being awarded a gold in the Champion of Champions category, the pinnacle of the competition in the UK, at the Award Ceremony in Belfast.

The Borough was also awarded a Discretionary award for Wild About Gardens (for the second year running), in recognition of the work done to promote wildlife and improve habitats in our parks, green spaces, woodlands and urban environments across the Borough.

Amanda Stevenson, court manager at the Lisbon Place retirement complex was given a special community champion award for going above and beyond to make a community gardening project a success.

Amanda has been the driving force behind residents' participation in Britain in Bloom over the past two years which has not only helped to transform the environment, but also their quality of life through social activities and community involvement.

6. **Guildhall**

Following previous discussions at Full Council, a public consultation and subsequent agreement from the Group Leaders, the Council is set to enter into an agreement with up to 10 community & voluntary groups for them to take a short term lease of the Guildhall for up to 12 months, enabling them to provide their service from a town centre location.

This is of benefit to the Council as the building will be in use and kept in good repair. During this interim lease period I will be exploring options for the long term use of this historic building to ensure it is preserved for future generations, which will involve The Friends of Guildhall, community & voluntary groups and the relevant Scrutiny Committee. A final decision on long term arrangements for The Guildhall will come to Cabinet in due course.

7. **Portfolio Holder Changes**

I would like to make Council aware of some minor changes in the responsibilities of some of the Cabinet members. They are:-

Mark Holland – (Leisure, Culture and Heritage) will be responsible for tourism.

Jill Waring – (Community Safety and Well-being) - housing strategy (including housing advice and homelessness) and private sector housing (including enforcement).

Stephen Sweeney – (Finance and Efficiency) – taxi ranks, bus stations and markets.

8. **Forward Plan**

The Forward Plan can be found at:

<https://moderngov.newcastle-staffs.gov.uk/mgListPlanItems.aspx?PlanId=89&RP=118>

**Councillor Simon Tagg
Leader of the Council**

ECONOMY, ENVIRONMENT AND PLACE SCRUTINY COMMITTEE CHAIR'S REPORT

The Economy, Environment & Place Scrutiny Committee has met twice since the last Council meeting.

The first was a scheduled meeting in which we reviewed work from the BID and asked the Cabinet to engage with them over free parking at Christmas and the lights switch on and also to present a car parking policy for the next meeting.

We then scrutinised the Recycling recommendations from the cross party group and the new chargeable garden waste service.

Also we scrutinised the University Growth Corridor recommendations and plans.

We held a second unscheduled meeting following two call-in's by the Labour group. The first call in for the Cabinet decision on the UGC was rejected by committee. The second call-in on the recycling changes was upheld and sent back to Cabinet for further review.

The next meeting is scheduled for December.

Councillor G White
Chair

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Report of Health, Wellbeing & Partnerships: 10 September 2018

Three minutes of Healthy Staffordshire were received:

- 16 July was presented by Cllr Northcott and taken as written;
- 23 July was presented by Cllr Gardener and taken as written;
- 13 August was presented by Cllr Wilkes and was taken as written but highlighted the STP workforce and organisational development teams, apprenticeships, and the aim of rotational apprentices.

The STP are looking to bring in people from outside the county as well as from within.

I have asked STP to send a more detailed paper on this.

Feedback on the Councillors' visit to CCTV was given by Cllr Wright

Members wish to express their gratitude to the volunteers. The age of the current system and the difficulty encountered with the locations of the cameras give rise to a restricted view- some branches block the view, and the cameras are fixed and do not rotate. Also, new hotspots are not covered. Potential funding partners were discussed, and these include the BID and the Office of the Police and Crime Commissioner. Officers were asked to examine the positioning of the current CCTV cameras.

Town Centre

A report was given on the initiatives of the town centre on homelessness and rough sleeping.- a specialist outreach service was commissioned with Stoke City Council, and was delivered by Brighter Future.

The spike in antisocial behaviour was attributed to problematic individuals and offenders' attendance at The North Staffordshire Justice Centre, along with the heatwave.

A number of activities have been put into place, including a review of public space protection orders, to address the problem of aggressive begging. The use of sections thirty-four and thirty-five, the issue of community protection notices, alongside the Make It Count scheme should encourage a reduction in this issue.

An Update on Mental Health

Cllr J Waring reported on the work undertaken to identify the priority issues. Members suggested it would be helpful to make links with Keele University to gain a better understanding of their support services.

Work programme up date on Parkinson's

This was presented by Cllr Maxfield.

Intermediate report from Cllr(s) Maxfield and Panter regarding the support and advice available for

people in the Newcastle Borough are from initial diagnosis of Parkinson's Disease.

On Wednesday 25th July 2018, I arranged a visit, for myself and Cllr Panter, to the Parkinson's Support Group in order to meet with and to hear perspectives from Parkinson's disease sufferers, caretakers and other patient representatives on the most significant effects of their disease, the help and support that was given to them, its impact on daily life,

what support they wish they had been given and their experiences with currently available therapies. I have also had talks with medical practitioners and Parkinson's UK representatives. Throughout the meeting, group members raised a number of considerations that they believed were important relating to Parkinson's disease. Many commented on the need for increased awareness and education to properly diagnose, understand and treat Parkinson's disease.

So far, a booklet that we have compiled using the 'I wish I had known/been given/knew what.....when I was diagnosed' of those from the support group, as through talking with people, these exact same issues kept cropping up, along with unable to contact the nurses due to how busy they are and a lack of suitable reading material beyond a very basic leaflet, from that initial point of diagnosis. We hope to have addressed this with this more detailed, yet easily readable, version based on what the people from the support group said that "they wished they had been given "regarding this disease, as all too often the stock response was that there was plenty of information on the Internet. Actually... there's too much information! The response from the group members on the booklet, has been extremely positive and desires for it to be displayed and made available in GP's, libraries etc, have been voiced.

Meeting with Robin Wiles, Partnerships Locality Officer, (5 th Sept 2018) has also been positive in looking at the available avenues where funding may be available to help the Parkinson's support group in order that they can look towards future projects and activities for the benefit of all the group members. The group committee are now identifying what funding they may need, now and for the future, and will contact Robin in due course.

We are awaiting replies from Parkinson's UK and GP practises regarding the 'where next?' as far as advice, support and increasing awareness goes.

Members were presented with the booklet with the intention of garnering feedback on thoughts.

Councillor Ian Wilkes
Chair

Report to Full Council (November 2018) from the Chair of Licensing & Public Protection

The Licensing & Public Protection Committee has met twice since the last Full Council, on 18th September and 23rd October. Members received reports on the following principle headings:

18th September 2018:

- Taxi Policy Update and Consultation.

Members were supportive of the new policy and the requirement for drivers to pass an English Language writing and speaking course and also a second face to face post qualification interview.

- Public Protection and Public Protection Sub Committee Arrangements.

It was agreed that:

That the meetings be held on a Wednesday, alternating between a 2pm and 6pm start time.

That Committees be held about every 3 weeks

5 reports/cases to be on the agenda, unless agreed with the Chair.

Further meetings may be programmed, if needed.

A programme of meetings and nominated members to be developed. The Public Protection Sub Committee to include 4 members per Sub Committee to ensure a quorum of 3 members in attendance.

23rd October 2018

- Gambling Act 2005 – Review of Statement of Licencing Principles (Gambling Policy).
The updated policy will be presented for approval at Full Council on 21st November.
- Fees to Be Charged for The Licencing of Scrap Metal Dealers, Gambling, Sexual Entertainment Venue Licencing 2019/20.
The revised scale of fees were approved.
- Private Hire & Hackney Carriage Fees and Charges 2019/20
The revised scale of fees was approved.

Cllr Mark Olszewski

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Motion for Full Council, 21 November 2018: Single-use plastics

Proposer: Cllr Mark Holland

Seconder: Jennifer Cooper

Council notes that:

- (1) Estimates of the amount of plastic waste entering the world's oceans range from 4.8 million tonnes to 13 million tonnes annually. A 2016 study found that a majority of this waste comprised single use plastic items and packaging.
- (2) It is forecast that, without urgent action to cut demand, UK plastic production will reach 34 billion tonnes by 2050.
- (3) The Marine Conservation Society reported an average of 718 items of litter per 100m of UK beach in 2017, an increase of 10% compared to 2016.
- (4) Following the broadcast of the documentary series 'Blue Planet II' one year ago, public awareness of marine plastic pollution and concern about the long-term harmful effect on the environment and wildlife of plastic waste have greatly increased.

Council welcomes the UK Government's 25-year plan to eliminate avoidable plastic waste and the recent resolution of the European Parliament endorsing an EU-wide ban on a range of single-use plastic items.

Council believes that in support of national and supranational efforts, we should lead by example in our own borough and take all measures possible to reduce plastic waste and eliminate completely plastic waste that is avoidable.

Council resolves:

- (1) To seek to eliminate all single-use plastics within Council-managed premises and facilities by 2023, the 850th anniversary of our loyal and ancient borough's charter.
- (2) To encourage our partners in Castle House to adopt a similar goal.
- (3) To work with suppliers to reduce single-use plastics within the Council's supply chain, with the ambition of eliminating single-use plastics from goods and services provided to the Council by 2025.
- (4) To ask the Portfolio Holder for Environment and Recycling to raise this matter at the next meeting of the Staffordshire Joint Waste Management Board.
- (5) To ask the Leader of the Council to write to the Secretary of State for Environment, Food and Rural Affairs:
 - (a) informing him of this Council's policy
 - (b) responding positively to his consultation on proposals to ban the distribution and sale of plastic straws, plastic-stemmed cotton buds and plastic drink stirrers in England
 - (c) urging him to bring forward plans for an England-wide plastic bottle deposit return scheme, in line with similar schemes that are forthcoming from the devolved administrations in Wales and Scotland.

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