



GREAT YARMOUTH
BOROUGH COUNCIL

Full Council

Date: Tuesday, 24 November 2015
Time: 19:00
Venue: Council Chamber
Address: Town Hall, Hall Plain, Great Yarmouth, NR30 2QF

AGENDA

Open to Public and Press

1 **DECLARATIONS OF INTEREST**

You have a Disclosable Pecuniary Interest in a matter to be discussed if it relates to something on your Register of Interests form. You must declare the interest and leave the room while the matter is dealt with.

You have a Personal Interest in a matter to be discussed if it affects

- your well being or financial position
- that of your family or close friends
- that of a club or society in which you have a management role
- that of another public body of which you are a member to a greater extent than others in your ward.

You must declare a personal interest but can speak and vote on the matter.

Whenever you declare an interest you must say why the interest arises, so that it can be included in the minutes.

2 **APOLOGIES FOR ABSENCE**

To receive any apologies for absence.

3 PUBLIC QUESTION TIME

(a) Question from Mr R Hudson.

"Given that Cllr B Coleman has invested approximately £170,000 of tax payers money in to a temporary ice rink, can he please explain the financial benefit this will bring to local businesses, the estimated subsidy per skater and whether this ice spectacular represents good value for money in a time of frozen budgets and melting services."

4 REPORTS TO COUNCIL FOR DECISION

a Committee / Cabinet Form of Governance

7 - 42

Report Attached

b Returning Officer / Electoral Registration Officer

Council will be asked to agree to the appointment of Sheila Oxtoby, the interim Chief Executive Officer, as the Council's Returning Officer and Electoral Registration Officer.

c Council Tax Reduction Scheme 2016

43 - 76

Report Attached.

d Health and Safety Plan 2015-16

77 - 88

Report Attached.

e Licensing Policy 2016

89 - 126

Report Attached.

f Gambling Policy

**127 -
198**

Report Attached.

g Scrutiny Committee Annual Report 2014-2015

**199 -
208**

Report Attached.

h Great Yarmouth Development Company

Council will be asked to agree to appoint a Director to serve on the Great Yarmouth Development Company.

5 **MINUTES**

- | | | |
|----------|---|--------------|
| a | <u>Council Minutes - 22 September 2015</u> | 209 - |
| | Minutes Attached. | 216 |
| b | <u>Council Minutes - 15 October 2015</u> | 217 - |
| | Minutes Attached | 222 |
| c | <u>Cabinet Minutes - 7 October 2015</u> | 223 - |
| | Minutes Attached. | 224 |
| d | <u>Cabinet Minutes - 11 November 2015</u> | |
| | To Follow | |
| e | <u>Scrutiny Minutes - 22 October 2015</u> | 225 - |
| | Minutes Attached. | 230 |

6 **MOTIONS ON NOTICE**

(a) This Council resolves that Great Yarmouth Borough Council sends a message of support via Redcar's Mayor, Brenda Forster a former employee of British Steel and North Lincolnshire's Mayor, Helen Rowson to the steel workers and their families impacted by the closure of the SSI steel works at Redcar and those at TATAs steel works in Scunthorpe on behalf of the people of Great Yarmouth stating our support for British steel.

To underpin our support Great Yarmouth Borough council resolves to write to the Prime Minister David Cameron to ask his Government to do more to support the British steel industry through banning the import of steel 'dumped' on the world market and through reviewing UK energy prices and business rates to provide a mechanism where needed to enable the UK steel industry to compete fairly with other European Union Member States.

In taking this action Great Yarmouth Borough Council recognises the strategic importance of supporting British industry and British jobs and hopes that the Government will intervene to ensure the UK is not disadvantaged.

Signed By: Councillor Sutton, Councillor Williamson, Councillor T Wainwright, Councillor Walker, Councillor Jeal, Councillor Linden

(b) This Council Notes

The Second Reading of the Trade Union Bill was passed by the House of

Commons on the 14/09/2015 and now enters the committee stages.

The lack of evidence to justify such wide-ranging restrictions. For instance, the number of days lost to industrial action per year has fallen dramatically over the last 30 years. Since 2010, on average 647.0000 days have been lost to industrial action each year, compared to over 7 million in the 1980s.

The 50% turnout requirement in the Bill for all industrial action, but a requirement that 40% of those entitled to vote support action in certain unreasonably broad but ill-defined “Important public services”

Abstentions in ballots for industrial action will be treated as “No votes”

The Government is to encourage the use of agency workers to break strikes without due consideration for service provision, health and safety and long term relationships in the workplace.

The continuing denial of Union Members the right to vote by “eballoting” ensuring high turnout and democratic participation.

The legislation would force Union Members to opt in, rather than opt out, to payment of union political funds.

The Bill seeks to interfere in the rights of Local Authorities in discussion of facility time for trade Union representatives.

The decision of government to prevent automatic payment of Union Subscription fees by Public Sector employees so obliging Union Members to organise their own subscription fees.

This Council believes that these provisions of the Trade Union Bill are unfair, unnecessary and undemocratic, putting Britain beyond the normal expectations or international law and standards, and will involve considerable bureaucracy and red tape, largely to be funded by ordinary workers from their subscriptions.

It further believes all these measures will undermine constructive employment relations and civil liberties of working people in Britain, within Local authorities and throughout the Public and Private Sector, and is concerned the Bill may criminalise pickets, already tightly regulated, or possibly embroil Local Authorities in the deployment of Antisocial Behaviour Orders for otherwise model citizens.

In summary, the Council believes the proposals in the Bill restrict the right to freedom of association and in some cases may also restrict the right to freedom and assembly.

Therefore, as the legislation is likely to have a serious effect on the authorities relationship with its workforce, this Council requests the Chief Executive officer to write to;

The Government expressing the Council's dismay at these proposals.

The LGA requesting the association protest against the Bill and support any legal action seeking to challenge the TU Bill in the European Court of Human Rights.

Signed By : Councillor T Wainwright, Councillor Jeal, Councillor Walker, Councillor Williamson, Councillor H Wainwright, Councillor Sutton

7 ANY OTHER BUSINESS

To consider any other business as may be determined by the Chairman of the meeting as being of sufficient urgency to warrant consideration.

Subject: Committee/Cabinet Form of Governance
Report to: Council – 24th November 2015
Report by: Committee/Cabinet Form of Governance Working Group

A Council decision on 26th January 2015 established a cross party working group to consider in detail issues relating to the establishment of a committee form of governance this report summarises the work undertaken by the Council culminating in the three reports to Scrutiny Committee (4th December 2014); Cabinet (10th December 2014) and Council (26th January 2015).

In addition this report looks at Councils that have explored changing to the committee system and the practice of the change and identifies implications that the Council will face if it decides to change the current form of governance.

1.0 Executive Summary

1.1 At Council on 26th January 2015 Members agreed “That before a final decision is made in respect of a committee system of governance further detailed information is required on this issue and therefore a cross party committee consisting of two members of each party be established to consider in detail issues relating to the establishment of a committee form of governance, such appointments to the cross party committee to be determined by the Group Leaders.”

1.2 Since the introduction of the Local Government Act 2000 (Section 11) and The Localism Act 2001 three main models of governance have been available for councils to choose from:

- Leader and Cabinet (current system at Great Yarmouth)
- Directly Elected Mayor and Cabinet System
- Committee System

In practice, the governance options available to councils have more variations than the above classification suggests because councils can adopt a so-called “hybrid” arrangement.

1.3 The Localism Act 2011 specifies that governance arrangements can be changed either by a Council resolution which will lock in the decision for five years or by a Council resolution mandated by a referendum which would lock the decision for a ten year period.

1.4 A change in formal governance arrangements must occur at a specified “change time”, which is at the Council’s Annual General Meeting (AGM) or special council meeting. Prior to the change time, the council needs to have resolved formally to make a governance change. For the purposes of this report any resolution taken at this Council meeting would be binding for adoption at the AGM in May 2016.

- 1.5 Any change in governance will naturally involve costs – the one off costs of making the transition, plus the potential for higher costs on an on-going basis, or cost savings in the long term.

The report outlines the implications for the Council of changing the decision making structure and includes a summary of the current costs for servicing a Cabinet meeting of approximately £2,000 per meeting. This provides an indication of the current arrangement in respect of the officer structure, and includes the officer time. When applying these costs to the number of meetings under a committee structure this does not necessarily represent the actual increased costs to the Council but the opportunity cost, for example managers would need to re-adjust their time to ensure that it reflects the time required to service the committees.

The one off costs of implementing the change including member and officer training and constitution review could be in the region of £20k to £30k for which an in year budget would need to be identified or allocated from reserves.

If Members adopted a six weekly system with fewer meetings than currently administered, then the financial impact could be minimised and kept closer to the existing budget.

The total costs of the change have not been quantified in full as there are factors that will be subject to review, for example review of member allowances and the level of allowances payable to committee chairs and vice chairs. The initial estimate is that member support would require two full time equivalents at an annual cost of £70k.

The ongoing financial implications would be dependent upon the model adopted and would need to be factored into the budget for 2016/17 and future years as no financial implications were previously taken account of within the Medium Term Financial Strategy as presented to Members in September.

- 1.6 There are significant implications for the Council in changing its decision making structure to any new governance arrangements:

- A comprehensive review of the Council's constitution, governance and decision making processes would be required.
- Comprehensive review of the Scheme of Delegation to Chief Officers.
- Decisions are taken through politically balanced committees, appointed by full Council.
- There are no restrictions on the number of committees, meeting frequency, or the size of the membership, but there are cost implications.
- A new approach would be required to engage with partners and partnerships.
- Impact on the decision flow and relationship with current Directorate officer structure.
- Significant resource implications for those officers involved in formal

and informal engagement with Councillors. Specific significant implications for Member Services (£70k – 2 fte posts).

- Review of the members' remuneration arrangements.
- Additional extensive training for members and officers.
- There would be no requirement for a formal scrutiny committee.

- 1.7 A clear fundamental principle of any governance review must be that any system of governance must reflect and be designed to meet the requirements of the Council so that it can function effectively and efficiently and that its supports its service delivery framework to the community.

2.0 Introduction

- 2.1 Members will recall that Council at its meeting on 26th January 2015 agreed the following:

“That before a final decision is made in respect of a committee system of governance further detailed information is required on this issue and therefore a cross party committee consisting of two members of each party be established to consider in detail issues relating to the establishment of a committee form of governance, such appointments to the cross party committee to be determined by the Group Leaders.”

- 2.2 Previous to the Council meeting Scrutiny committee on 4th December 2014 recommended to Cabinet “....that the current status quo should remain for the Councils form of governance.”

- 2.3 Cabinet on 10th December 2014 resolved “That Council be recommended to agree that the status quo should remain for the Councils form of governance.”

3.0 Background

- 3.1 The Local Government Act 2000 (Section 11) introduced a separation of powers in local government for all but the smallest local authorities with the aim of making council decision- making more efficient, transparent, and accountable. The Act required most local authorities to change governance arrangements from the committee system to an executive-scrutiny model. One of three models was available:

- Directly Elected Mayor and Cabinet Executive
- Leader and Cabinet Executive
- Directly Elected Mayor and Council Manager

The Council adopted the Leader and Cabinet Executive model in 2001.

- 3.2 The Local Government and Public Involvement in Health Act 2007 (part 3) restricted the governance options available to local authorities. The 2007 Act required the Council to introduce a choice of two models: the “Directly Elected Mayor model”, unchanged, and “Leader and Cabinet Executive (England) model”. Both models place executive powers in the hands of an individual, who, in the normal course of events, will serve an uninterrupted four year term. A directly elected mayor and the new style Council leader have the power to appoint and dismiss Cabinet members and decide what executive powers they will exercise (if any).

- 3.3 In 2010 a petition was presented to the Council calling for a referendum on a change from Leader and Executive to Elected Mayor. This referendum was held in May 2011 and the result was that the Elected Mayor proposal was rejected and the fall back position of Leader and Executive retained. The fact that there was a referendum may have been significant in any future decision. Further legal advice and counsel's opinion was sought on whether a referendum is mandatory in our current circumstances before any change to the governance arrangements is implemented and the opinion was that no referendum was required.
- 3.4 The Localism Act 2011 increased the governance options to allow local authorities to choose to operate one of the followings:
- Executive arrangements (Leader & Cabinet or Directly Elected Mayor & Cabinet);
 - A committee system; or
 - Prescribed arrangements, If councils propose their own system of prescribed arrangements this will require the approval of the Secretary of State.

Below are the three main models of governance available for councils to choose from:

- Leader and Cabinet system: The decision making structure operated by most councils, and the model currently run by Great Yarmouth Borough Council. The Leader is elected by full Council for a term determined by Council and leads the Cabinet. The Leader once appointed decides on all Cabinet delegations and Councillors in the Cabinet are appointed by the Leader. At least two and up to nine Councillors can be appointed to the Cabinet. Some local authorities require decisions to be made by the whole Cabinet, other councils delegate such powers to individual Cabinet members. Some non-executive functions are reserved for committees (such as Planning or Licensing). The appointment of at least one Overview and Scrutiny committee is required under this system.
 - Directly Elected Mayor and Cabinet system: A Directly Elected Mayor is elected by local residents and holds office for four years. The mayor is additional to the elected Councillors. A cabinet, of at least two and up to nine Councillors, is appointed by the mayor who may (or may not) delegate decision making powers. Some non-executive functions are reserved for committees (such as Planning or Licensing). The appointment of at least one Overview and Scrutiny committee is required under this system.
 - Committee System. Decisions are made by committees, which comprise members from all political groups. Committees receive briefings and commission reviews to develop policy. The Council appoints the committees and sets their terms of reference. Overview and Scrutiny is optional under this model, with certain powers reserved to Overview and Scrutiny (such as crime and disorder scrutiny) exercised by another committee.
- 3.5 The Localism Act 2011 only makes amendment to the LGA 2000. So the substantive provisions are the LGA 2000 ones.

- 3.6 In practice, the governance options available to councils have more variations than the above classification suggests because councils can adopt a so-called “hybrid” arrangement. While not a formal change of governance, such a hybrid approach typically retains the Leader and Cabinet system but builds in a layer of committees advising and making recommendations to Cabinet.
- 3.7 The perceived merits and shortcomings of various governance models for Great Yarmouth Borough Council are not discussed in this report, not least because the objectives against which to judge the models in the Great Yarmouth context are not identified adequately. Such an evaluation will form a key part of the review by the working group.

4.0 Trends in other local authorities

- 4.1 A guide ‘Rethinking governance’, published jointly by the Local Government Association (LGA) and the Centre for Public Scrutiny (CfPS) in January 2014, identifies nine local authorities that changed governance arrangements to move to a committee system in May 2012 or May 2013. An additional seven local authorities adopted hybrid arrangements in the same period; another two authorities considered the arrangements but decided against it; and seven authorities may adopt it, one being Norfolk County Council, which did adopt the committee system in May 2014. Norfolk County Council has undertaken a review of the committee system (March – April 2015) and apart from a couple of minor changes the committee system remains in the same format.
- 4.2 Since May 2014 a number of authorities have considered the committee system but decided against it. In July 2014 a member motion was put to Norwich City Council full Council meeting and the motion was declared lost with 23 votes against and 15 in favour. More recently in July 2015 a member motion at Fenland District Council asked that the Council investigate the change back to a committee system, the motion was dismissed.
- 4.3 North Norfolk District Council, through its Constitution Working Party, is investigating the committee system of governance. An initial report went to the Working Party on 23rd February 2015. Further meetings have taken place and an update was presented to Council in March 2015. The Democratic Team at North Norfolk District Council state that work on looking at the committee system has gone no further at this point in time.
- 4.4 Gathering evidence from local authorities with experience of governance change is likely to be of interest to a review of governance arrangements; hence they are listed in Appendix 1. Other councils are investigating different arrangements in public, while others may be discussing proposals internally.
- 4.5 It is up to the individual authority how the governance model will be operated when they move to the committee system model. Appendix 2, an extract from a report by Canterbury City Council in September 2014, lists governance models operated by local authorities that have adopted the committee system since May 2012. The list shows the main committees operated by the authority and where available how many meetings per year. It also shows how the scrutiny function is operated. The last column states what the financial implications were to changing to the committee system.

- 4.6 Appendix 3 shows the committee structure for 5 local authorities who have changed to the committee model form of governance. The committee structures of councils that have chosen to return to the committee system vary but there are some common themes. Most have a Policy Committee in addition to service area committees such as housing, community and environment which take decisions on all aspects of their service area. Councils adopt different approaches, some operate a traditional system with multiple service committees. However, most Councils have adopted a streamlined system which consists of two or three service committees plus regulatory committees.
- 4.7 Peterborough City Council has been considering an alternative form of governance and a report went to Council on 15th July 2015 from the Alternative Governance Working Group with the recommendation of adopting an alternative form of governance from May 2016. The preferred model of governance would be largely based on a model operated at Wandsworth London Borough Council. The report also recommended that a Design & Implementation Group be set up, comprising of officers and Members, the group is due to report back to Council in December 2015.

5.0 Costs: transitional and in the medium and long term

- 5.1 Any change in governance will involve costs – the one off costs of making the transition, plus the potential for higher costs on an on-going basis, or cost savings in the long term.
- 5.2 Several Councils who have moved to the committee system had developed their proposals sufficiently for an assessment of costs to be made, many proposals were expected to be cost neutral. They also concluded that there will be no negative effect from a change in the long term, this is because the number and frequency of meetings may not necessarily increase.
- 5.3 In moving to the committee system a number of Councils proposed in the “design stage” to manage the number of meetings, and committee work programmes, so that cost implications are kept to a minimum.
- 5.4 Increased cost, even should it arise, is not a prima facie reason not to make governance changes. With an aim of enhancing democracy, of improving accountability and transparency and a recasting of systems to match, looking at this purely as an issue relating to costs in Democratic Services is only to take a partial view. There will be knock on additional costs and savings across the council, and the area, which makes a calculation difficult to reach, and not especially useful even when it has been made.
- 5.5 However, the issue of cost is also tied up in the issue of making best use of Members’ time. The Audit Commission research has noted that there was a tendency under the committee system for Councillors to focus too much on operational issues – not necessarily to the exclusion of strategic matters, but in such a way that those strategic matters necessarily occupy less member time. This is a theme that has been seen repeated on some overview and scrutiny committees, where time is spent considering too many reports for “noting”, and for “information”.
- 5.6 A number of Councils have made a conscious decision that changing to the committee system will be cost neutral, apart from any transition costs. Whether

a committee system will lead to additional costs mainly depends upon the number of committees and the frequency of those meetings that will take place.

- 5.7 Norfolk County Council when evaluating the proposal to change to a committee system calculated the approximate cost of servicing a single Cabinet meeting at that time. The total figure was then used to calculate the total cost of servicing the committee system based on a proposed structure of the number of meetings of full Council and the service committees.
- 5.8 Using a similar methodology as Norfolk County Council, but splitting the costs into four stages, report; preparing agenda; Cabinet meeting; and minutes, a cost of servicing a Cabinet meeting has been calculated. Appendix 4 gives some comparative cost information evaluated the cost of servicing a meeting using the Council's current Leader/Cabinet model and comparing two district Councils who have changed to a committee model as well as a district Council which has maintained the Leader/Cabinet model, but has introduced three Cabinet Advisory Boards (CABs) that participate in the development of cabinet decisions and help develop the policy framework cabinet recommends to Council. The remit of the CABs are agreed at the beginning of each civic year.

6.0 Process for changing governance arrangements

- 6.1 The Localism Act 2011 specifies that governance arrangements can be changed either by a Council resolution alone or by a Council resolution mandated by a referendum. If the change is made by a Council resolution alone then the change will be locked in for five years. However, if the change in governance form is implemented as a result of a referendum then the change is for a ten year period. When a previous governance change has been subject to a referendum, any proposal to move to a committee system must be as well.
- 6.2 The availability of the committee system as a governance option for all councils in England has led a number of councils to consider changing their governance arrangements. Whichever system councils are thinking about moving from, or to, there are some common themes or issues that should be considered.
- 6.3 The LGA/CfPS guide 'Rethinking Governance' sets out a "thinking toolkit" of the types of issues that councils, both members and officers, should think when considering governance change. It does not aim to set out the legal and procedural steps which will need to be undertaken, but it will provide you with the tools to think about the challenge. It derives from previous Local Government Association (LGA) research on this matter, the experiences of councils who have changed their governance arrangements recently and research carried out in 2012 by the Centre for Public Scrutiny (CfPS) on councils moving to the committee system.
- 6.4 A change in formal governance arrangements must occur at a specified "change time", which is at the Council's Annual General Meeting (AGM). Prior to the change time, the council needs to have resolved formally to make a governance change. There is no minimum period of time between the resolution and the change time, but there does need to have been enough time for the council to formally publish the proposal. For practical purposes this means that a resolution passed at council AGM itself, or at a special meeting a few days beforehand, is unlikely to be enough.

- 6.5 Section 9KC (4) (below) of the Localism Act prevents local authorities from changing the form of governance from taking place within 5 years of the date of the first resolution without a referendum. Resolution A would be the date Council passed the move to a new governance model.
- “ (4) The local authority may not pass another resolution that makes a change in governance arrangements of a kind mentioned in subsection (3) (“Resolution B”) before the end of the period of 5 years beginning with the date Resolution A is passed, unless Resolution B is approved in a referendum held in accordance with this Chapter.”
- 6.6 No one governance system is intrinsically better than another and no system is more or less expensive to operate; however some systems allow more members to be directly involved in voting on decisions. It is important to note that activity at committee level is not the same as member involvement in policy making. Member involvement in policy making is a longer-term, more involved process and can happen under any governance option.
- 6.7 There are variations for each of the 3 models that can lead councils to adopt “hybrid” approaches; typically, this is a hybrid between Leader and Executive model and the committee system (with such an approach usually seen legally as being a modified version of the Leader and Executive system, and therefore not requiring a formal change under the Localism Act).
- 6.8 Some authorities, in order to secure greater involvement of all Councillors in policy and significant decisions, have established a number of politically balanced “Cabinet Advisory Boards” (CAB). The boards would consider and make recommendations on relevant matters prior to their formal consideration by the Executive. Their terms of reference, which are reviewed annually by the Council, would be aligned to the themes of the Council, i.e. Corporate Plan. This would emphasise their role in driving corporate priorities and give Councillors more scope to serve on the boards that best suit their skills and experience.
- 6.9 CABs would have a degree of autonomy to decide what matters they should refer to the Executive and to initiate their own research and reviews, including instructing officers in this regard. They could also set up their own panels or working groups to look at specific issues as and when required.
- 6.10 Each board would meet in advance of the relevant scheduled meeting of the Executive and would be chaired by an appropriate Executive Councillor. This link with an Executive Councillor would provide strong representation of the views of the board at subsequent Executive meetings. Other Executive Councillors would be expected to attend board meetings as and when required, but in a non-voting capacity. All other voting members of the board would be non-Executive Councillors.
- 6.11 Whilst the above (6.7 to 6.9) detail how CABs could operate in a “hybrid” model it would be up to the individual authority to determine the composition of the model and the role of the CABs, including how many boards. Councils who have operated CABs have found backbenchers feeling more informed and engaged in the system.

6.12 The guide 'Rethinking Governance' sets out the process in five steps:

- Step 1 Plan your approach, and assess your current position
- Step 2 Consider some design principles
- Step 3 Think of ways to meet these objectives and put a plan in place
- Step 4 Make the change
- Step 5 Return to the issue after a year and review how things have gone

6.13 This process assumes that you only start looking at the design of new structures at step three. It is not about looking at the pros and cons of different structures, or considering structural options and developing a post hoc justification for them. Most important is obtaining a real understanding of the underlying political and cultural issues which, between them, may be driving the apparent need to change the way the council does business. However, we recognise that councils might be entering this process from a variety of situations, arising from political or strategic necessity.

7.0 Implications of change for Great Yarmouth Borough Council

7.1 There are significant implications for the Council in changing its decision making structure to any new governance arrangements:

- A comprehensive review of the Council's constitution, governance and decision making processes would be required.
- Comprehensive review of the Scheme of Delegation to Chief Officers.
- Decisions are taken through politically balanced committees, appointed by Full Council.
- There are no restrictions on the number of committees, meeting frequency, or the size of the membership, but there are cost implications.
- A new approach would be required to engagement with partners and partnerships.
- Impact on the decision flow and relationship with current Directorate officer structure.
- Significant resource implications for those officers involved in formal and informal engagement with Councillors. Specific significant implications for Member Services (£70k – 2 fte posts).
- Review of the members' remuneration arrangements.
- Additional extensive training for members and officers.
- There would be no requirement for a formal scrutiny committee.

7.2 **Advantages and Disadvantages:** In considering a change specifically from a Cabinet form of Governance to a Committee system there are a number of advantages and disadvantages of each system which would have to be considered and looked at in close detail. The following is a very brief snapshot of what are often put forward as the pros and cons of each system

- **Cabinet:** Arguments often put in favour include: efficient decision making; clear lines of responsibility and transparency; clear Leadership of the Council; clear separation between decision makers and those

- holding to account; and easier partnership working.
 - **Cabinet:** Criticisms include: power concentrated in a few hands; under-utilised backbenchers; decisions taken "behind closed doors".
 - **Committee:** Arguments often put in favour include all members involved in decision making; debate takes place before decisions considering all alternatives; all decisions in public; politically balanced Committees.
 - **Committee:** Criticisms include: voting on party political lines and application of the 'whip'; bureaucratic and slower decisions; increased officer briefings and support; no individual responsibility and accountability; much higher cost of administration.
- 7.3 It is evident from the initial research undertaken that a conversion from a Cabinet System to a Committee system is an enormous change for any Authority and one that those authorities involved have not taken lightly and have had to invest significant officer and member resource into effecting the change, which in all cases have taken a significant amount of time.
- 7.4 There are significant risks to the Council in any change of political governance structure as highlighted in this report in terms of cost; impact on resources; reputational issues; effective governance of the authority; effective operation of the Council's decision making structure in accordance with statutory requirements; and impact on the Council's member and officer structures.
- 7.5 The Council would have to ensure that it continued to demonstrate transparency in decision making and effective engagement with the public particularly during any transitional period.
- 7.6 These significant risk issues and the detailed consideration of implications of any change to the political governance structure will have to be addressed and be an integral part of the Council's major process of overall organisational transformation.
- 8.0 Conclusion**
- 8.1 There are implications with any change in governance arrangements, in terms of resources, transparency of decisions, effective engagement with the public and effective use of Council and officer time.
- 8.2 A fundamental principal of any governance review must be that any system must reflect and be designed to meet the requirements of the Council so that it can function effectively and efficiently and that its supports its service delivery framework to the community.
- 8.3 The decision taken at The Council meeting on the 24th November 2015 will lock in the decision for five years.
- 8.4 Budget implications will need to be considered as part of the budget setting process in February 2016.

- 8.5 The Timetable below outlines the required steps to move to a Committee form of governance:

Task	Timetable
Full Council Resolution to change to a Committee System of Governance – binding decision	24 November 2015
Working Group to develop the Committee system arrangements	December 2015 – February 2016
Working group recommend proposals for new Committee system arrangements to Full Council	16 th February 2016
Proposed new arrangements published	March 2016
Constitutional changes submitted to Political Groups	April 2016
Implementation of new arrangements	Annual Council meeting May 2016

Appendix 1

The following tables provide further information on councils who have:

- Table 1: councils who moved to a committee system in May 2013
- Table 2: councils who moved to a committee system in May 2012
- Table 3: recently made other changes to their governance arrangements
- Table 4: have considered a governance change but have decided against it.
- Table 5: are considering a governance change in the near future

Where councils were not participants in the original research undertaken by CfPS, information is not included for May 2012.

Table 1: Councils who moved to a committee system in May 2013

Council	Type of Council	Region	In May 2012	In May 2013
Hartlepool	Unitary	North East	Expected to hold a referendum in November to move to a committee system in May 2013.	Committee system adopted in May 2013, involving creation of five service committees. The statutory scrutiny functions around crime and disorder, and health, will sit within the remit of the Audit and Governance committee, which is chaired by a non-majority group Councillor. Resolved to continue to publish a forward plan of key decisions.
Newark	District	East Midlands	Envisaged moving to a committee system in 2013, but it would have to be something that meshed with its aim of being a commissioning council. A separate overview and scrutiny function was not envisaged.	Moved to a committee system in May 2013.
Reading	Unitary	South East		Moved to the committee system in May 2013; changed arrangements only to apply to the authority's executive decision making structure – creation of four new Standing Committees. No overview and scrutiny committee, with

Council	Type of Council	Region	In May 2012	In May 2013
				functions exercised by each committee with regard to its services. Policy committee to cover scrutiny across council services covered by more than one committee.
Stroud	District	South West		Moved to the committee system in May 2013 following a resolution in November 2012. The new constitutional arrangements were developed through a cross-party member working group. There is no separate scrutiny function. The community safety scrutiny functions of the authority are transacted by the Community Services committee.

Table 2: Councils who moved to a committee system in May 2012

Council	Type of Council	Region	In May 2012	In May 2013
Brighton	Unitary	South East	Adopted committee arrangements in 2012, with significant cross-party support. Planned to review and revise after one year.	Arrangements have now been reviewed with some minor changes (mainly in the remit of committees) being brought in from May 2013. Some partnership decision-making arrangements (principally around relationships with Clinical Commissioning Groups) have been tweaked – mainly to integrate, where possible, such partnership structures within the committee system. It has been proposed to appoint certain members to take lead responsibility for certain policy areas, to augment the role played by committee chairs.
Kingston upon Thames	London Borough	London	This council adopted a hybrid-style arrangement for a transitional period in 2011 with a view to adopting the committee system in 2013. Under the transitional arrangements committees made decisions which are then ratified by the executive. There is no individual cabinet member decision-making.	The council decided by a resolution on 17 April 2012 to adopt the committee system in May 2012. No significant amendments made to constitution or working practices in May 2013.
Nottinghamshire	County	East Midlands	Put in place a committee system closely reflecting pre-2000 structure, with no	A separate Health Scrutiny committee was established almost immediately following the establishment of the new structure in May 2012.

Council	Type of Council	Region	In May 2012	In May 2013
			separate scrutiny committee.	
South Gloucestershire	Unitary	South West	Made the decision to move to a committee system in March 2013.	No significant amendments made to constitution or working practices in May 2013.
Sutton	London Borough	London	Committee system adopted in May 2012, based on very clear objectives in development since 2010. The new system included one scrutiny committee, and featured significant changes to financial regs and schemes of delegation. Plans were to review arrangements after six months.	No significant amendments made to constitution or working practices in May 2013.

Table 3: Councils which adopted hybrid arrangements in 2012 or 2013

Council	Type of Council	Region	In May 2012	In May 2013
Cheshire East	Unitary	North West	A member working group was convened to establish whether governance change should be pursued.	In December 2013, moved to a hybrid-style system in which policy development groups, mapped to cabinet portfolios, support executive decisions making, supported by an overview and scrutiny function which focuses on corporate and external issues.
Cornwall	Unitary	South West	A Council in an area involved in local government reorganisation in 2009 that established a member level group to consider proposals in more detail. The council has a large number of members, many of which wished to see Councillors taking a more active part in decision-making.	Established an independent governance commission which looked at the proposals in more detail. This has resulted in proposals to adopt an approach which looks more like a hybrid system.
Kent	County	South East	Moved to a hybrid system in May 2012. This saw a number of cabinet committees being established. Decisions go to cabinet committees, where recommendations are made to cabinet. Cabinet then ratifies the recommendations.	

Council	Type of Council	Region	In May 2012	In May 2013
Sevenoaks	District	South East		In May 2013 a hybrid governance system was adopted.
Tunbridge Wells	District	South East		There is no ambition to move to a committee system, but a hybrid system has recently been adopted. There is a cabinet with three advisory committees beneath it. The system is designed to promote more consensus, as opposed to a culture of adversarialism which had previously existed. Overview and scrutiny has been retained.
Wandsworth	London Borough	London	Has operated a hybrid-style committee structure since 2000, with committees passing decisions to cabinet for ratification.	No proposals to change these arrangements for the time being.
Wirral	Metropolitan District	North West		Considering adoption of the committee system or, more likely, a hybrid model; a governance working party has been established to set out the options and agree a way forward.

Table 4: Councils who considered changing governance arrangements to move to a committee system but decided not to

Council	Type of Council	Region	In May 2012	In May 2013
Basildon	District	East of England		A task and finish group was set up to consider the potential for changes in governance arrangements, but ultimately recommended the retention of the leader and cabinet system.
Bristol	Unitary	South West	One of the twelve core cities, in which a referendum for a mayor was held. Some were considering that a “no” vote in the referendum could result in more concrete moves to adopt a committee system.	Referendum resulted in a “yes” vote, so potential moves to a committee system were not investigated further.

Table 5: Councils which are considering a governance change in the near future (2014 or thereafter)

Council	Type of Council	Region	In May 2012	In May 2013
Barnet	London Borough	London		A resolution was passed by full Council in January 2013, setting out a potential approach to move to a committee system in 2014.
Cambridgeshire	County	East of England		Movement by some members to adopt the committee system at council AGM in May 2013, but as no resolution had been made beforehand, conclusion reached that this would not be in accordance with the Act. At council AGM the decision was made to adopt the committee system from May 2014.
Kensington and Chelsea	London Borough	London	There had been significant enthusiasm for a change, although it was felt likely that such change would be to a hybrid model rather than a formal shift to the committee system. Despite enthusiasm, in 2012 no formal instructions had been given to officers.	Although no formal commitment has been made it is likely that this council will move to the committee system in 2014. There is currently no indication about whether this is likely to affect joint working arrangements with London boroughs of Hammersmith and Fulham and Westminster.
Norfolk	County	East of England		Following the May 2013 elections, the council resolved to take steps to adopt the committee system in May 2014.
Northumberland	Unitary	North East		Members have asked for further information about the different

Council	Type of Council	Region	In May 2012	In May 2013
				governance options available; there is an interest in considering alternatives but no formal plans at present.
Nottingham	District	East Midlands		Members have expressed an interest in understanding the options and officers have provided papers explaining changes. As yet, no formal decision has been made.
Wokingham	District	South East		A member working group was established in 2012 with a view to recommending a change to council in 2013. However, the decision has been taken that due to the potential complexity, and different options available, the working group will continue to meet with a view to adopting new arrangements in 2014.

Appendix 2

Governance models operated by local authorities that have adopted the Committee System since May 2012

This table, produced in the summer of 2014, provides a summary of local authorities that have adopted a committee system of governance.

From the information provided, it is apparent that most councils have a combination of policy/service area committees, regulatory committees and external partnership boards. Public engagement or area forums have been retained by some unitary councils but are not evident at a district level. The majority of councils have retained limited or no scrutiny functions with the exception of their statutory duties, whereas some councils have incorporated scrutiny work within the individual committees.

Council	Type	Main Committees (number of meeting per year in () where available)	Overview & Scrutiny Committee	Financial Implications
Cambridgeshire	County	Audit and Accounts (6) Children and Young People (11) Constitution and Ethics (6) Economy and Environment (11) General Purposes (12) Health (12) Highways and Community Infrastructure (11) Planning (10)	No. Only the statutory scrutiny functions are exercised by individual committees: - Health scrutiny by the Health Committee - Crime and disorder by Cambridgeshire and Peterborough Police And Crime Panel - Flood risk management by the Economy and Environment Committee	

Council	Type	Main Committees (number of meeting per year in () where available)	Overview & Scrutiny Committee	Financial Implications
Newark & Sherwood	District	Audit and Accounts (5) Economic Development (5) General Purposes (4) Homes and Communities (5) Joint Economic Prosperity (3) Leisure and Environment (5) Licensing (4) Planning (12) Policy (7) Standards (2)	The Council does not have dedicated Overview and Scrutiny Committees but applies overview and scrutiny principles in the work of the Economic Development, Leisure & Environment and Homes & Communities Committees.	No additional cost other than officer time implementing the new system which has not been recorded. There was a slight reduction in terms of Members Special Responsibility Allowances.
Norfolk	County	Adult Social Care (8) Audit (4) Children's Services (8) Communities (8) Environment, Development and Transport (8) Economic Development Sub-Committee (7) Planning (9) Policy and Resources (9) Standards (2)	No. Only the statutory scrutiny functions are exercised by individual committees: - Health scrutiny by the Health Overview and Scrutiny Committee - Crime and disorder by Police and Crime Panel - Flood risk management by the Environment, Transport and Development Committee	No significant increase in cost. Member Allowances were changed to reflect the new structure.

Council	Type	Main Committees (number of meeting per year in) where available)	Overview & Scrutiny Committee	Financial Implications
Nottinghamshire County Council	County	Adult Social Care and Health (11) Audit (5) Children and Young People (8) Community Safety (7) Culture (8) Economic Development (10) Environment and Sustainability (8) Finance and Property (11) Planning and Licensing (11) Policy (10) Public Health (8) Transport and Highways (11)	The Policy Committee and each of the 'policy area' committees undertake scrutiny roles with regard to policy development and ensuring that new and existing council policies are implemented, operated and reviewed appropriately. There is a Joint City/County Health Scrutiny Committee and the Health Scrutiny Committee.	
Stroud	District	Audit and Standards (10) Community Services and Licensing (6) Development Control (13) Environment (5) Housing (5) Strategy and Resources (5) Housing Forum (5)	Community Services and Licensing has a broad portfolio including health and well-being and crime and disorder scrutiny.	Since the adoption of the committee system there has been a reduction in Democratic Services resources.

Council	Type	Main Committees (number of meeting per year in () where available)	Overview & Scrutiny Committee	Financial Implications
Brighton & Hove	Unitary	Audit & Standards Children & Young People Economic Development & Culture Environment, Transport & Sustainability Housing Licensing Planning Policy & Resources	1) Overview and Scrutiny, and 2) The Health and Wellbeing Overview and Scrutiny	An initial budget increase of £45k was set to implement the committee system with the intention that would be reduced as the system settled in. The change to a committee system has increased democratic services workload and budgetary pressures, officer workload (increased briefings and cross-party working in a minority administration) and public participation.
Hartlepool	Unitary	Adult Services Audit and Governance Children's Services Neighbourhood Services Regeneration Services Planning Finance and Policy Licensing	The Audit and Governance Committee is responsible for conducting reviews that fall under the remit of its scrutiny responsibilities.	
Reading	Unitary	Adult Social Care, Children's Services	The overview and scrutiny functions are exercised by	Initially there was concern that it would require more

Council	Type	Main Committees (number of meeting per year in () where available)	Overview & Scrutiny Committee	Financial Implications
		& Education Audit and Governance Health & Wellbeing Board Housing, Neighbourhoods & Leisure Licensing Applications Personnel Planning Applications Policy Standards Strategic Environment, Planning & Transport	the individual committees.	officer time generally to support the committee system but it hasn't in reality. The Councillors were keen to ensure that there were no more meetings as a result of the change to the committee system and by and large this has been achieved.
South Gloucestershire	Unitary	Adults and Housing Appointments & Employment Panel Audit and Accounts Children & Young People Communities Planning, Transportation and Strategic Environment Health & Wellbeing Board Licensing Regulatory Policy and Resources Standards Committee Membership Panel	No. Only the statutory scrutiny functions are exercised by individual committees: - Health scrutiny by the Public Health and Health Scrutiny Committee - Crime and disorder by Communities Committee - Flood risk management by the Communities Committee.	
Sutton	London Borough	Adult Social Services and Health Appeals	1) Scrutiny Committee, and 2) Audit Committee	The transition in this respect was relatively seamless.

Council	Type	Main Committees (number of meeting per year in () where available)	Overview & Scrutiny Committee	Financial Implications
		Children, Family and Education Environment and Neighbourhood Health and Wellbeing Board Housing, Economy and Business Pension Planning and Licensing Scrutiny and Audit Standards Strategy and Resources		There was no added cost in the new structure. In fact there was a saving on member allowances due to a reduction in SRA payments
Kingston upon Thames	London Borough	Audit Committee Health Overview Neighbourhood Standards Strategic Licensing Committee Scrutiny Panel Policy and Finance Committee	1) Health Overview and Scrutiny Panel, and 2) Joint Health Overview and Scrutiny Committee	The Executive arrangements at RBK were never deeply embedded, for example Neighbourhood Committees continued to exercise considerable powers and few Scrutiny Committees were introduced. The Officer structure and Scheme of Member Allowances always reflected this and as a consequence the cost implications of the transition were broadly neutral.

Appendix 3

Examples of Committee Structures Adopted

The following structures have been adopted by the individual local authority listed below:

Newark & Sherwood District Council

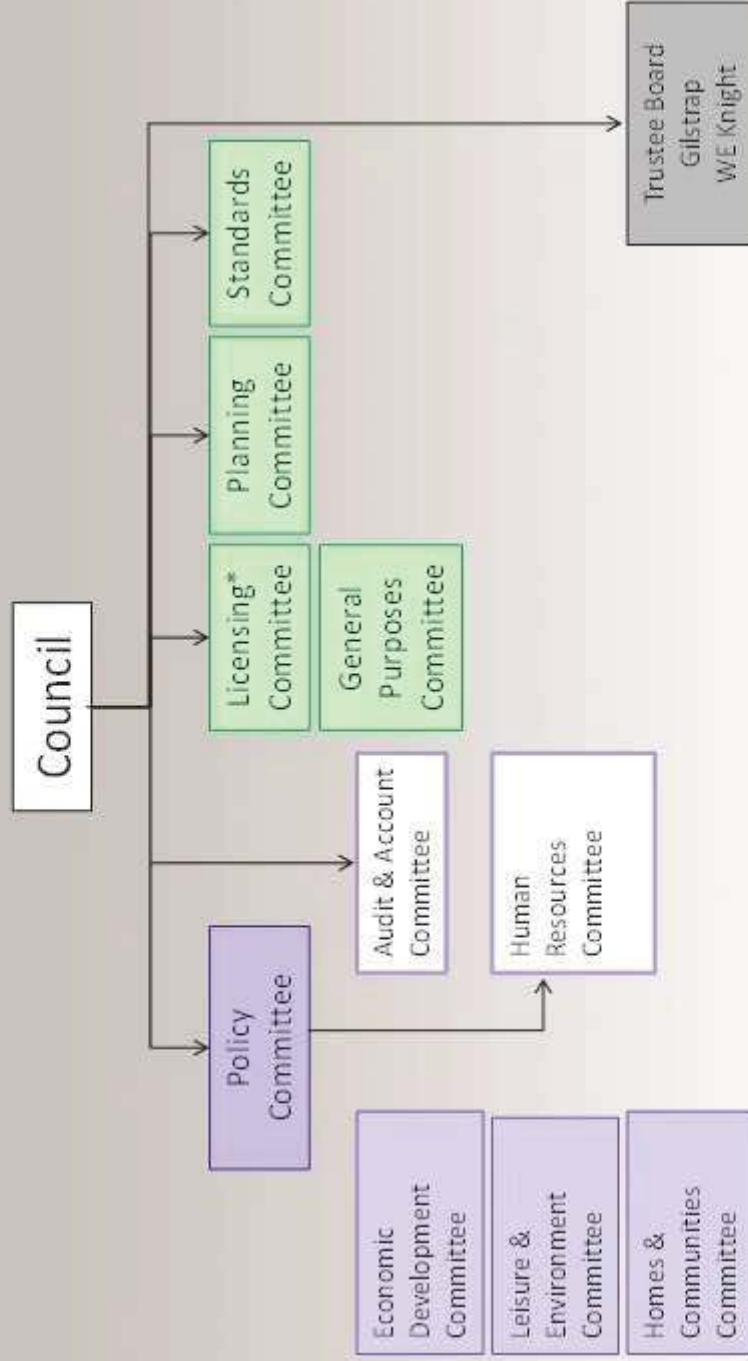
Stroud District Council

Canterbury City Council

Brighton and Hove Council (Unitary)

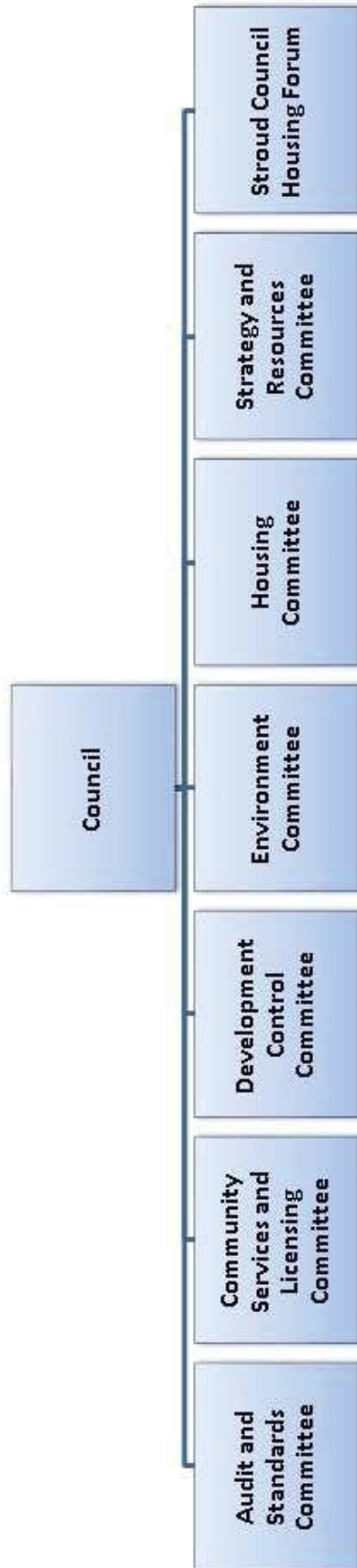
Norfolk County Council

Committee Structure

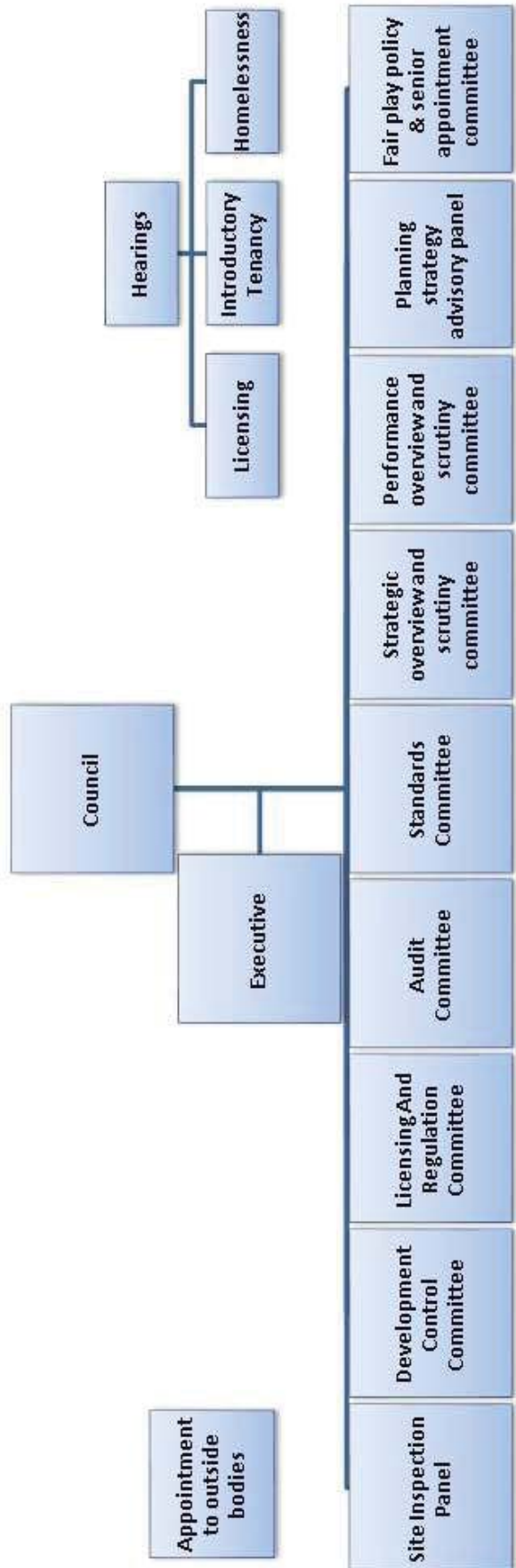


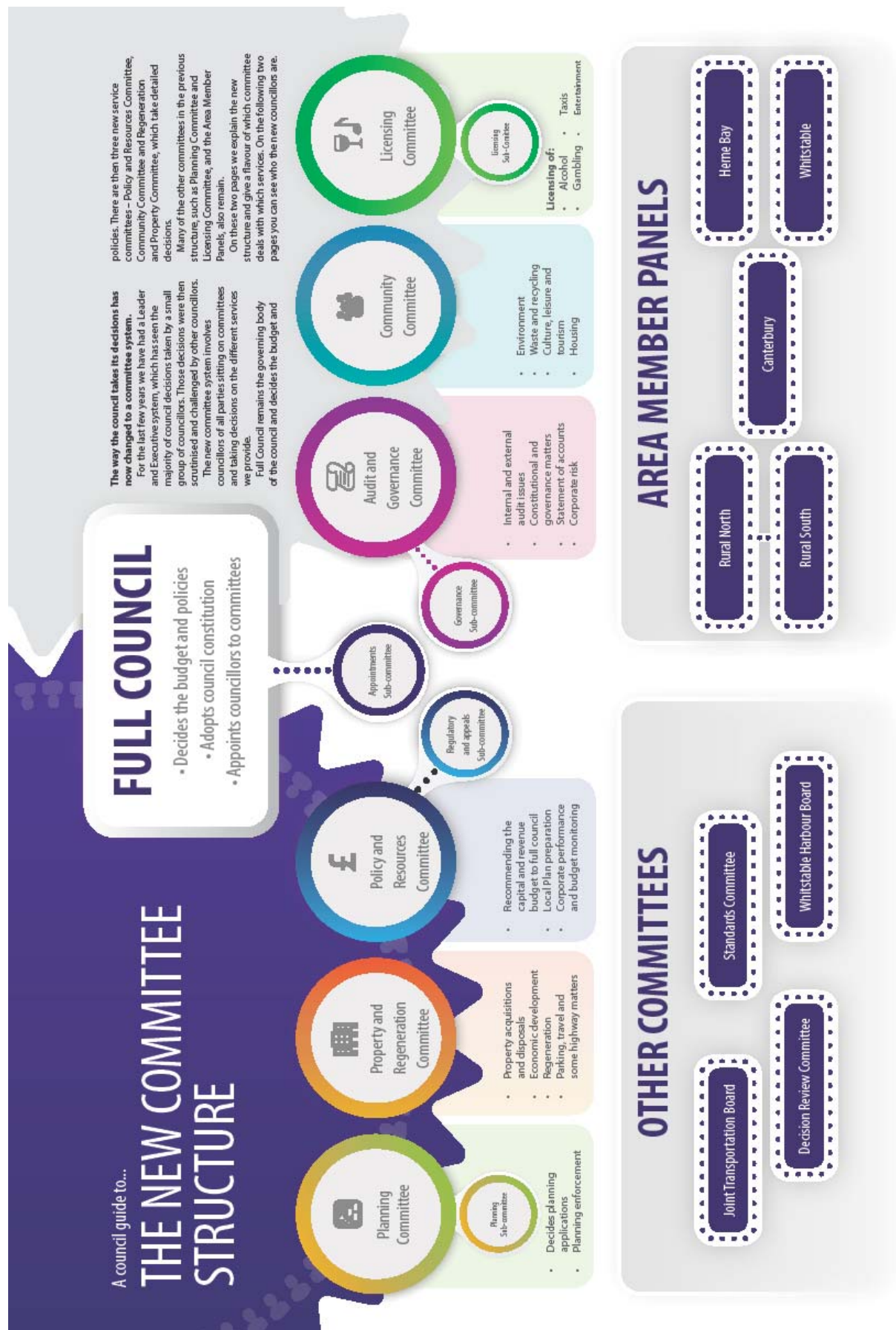
* Statutory Committee established under Licensing Act

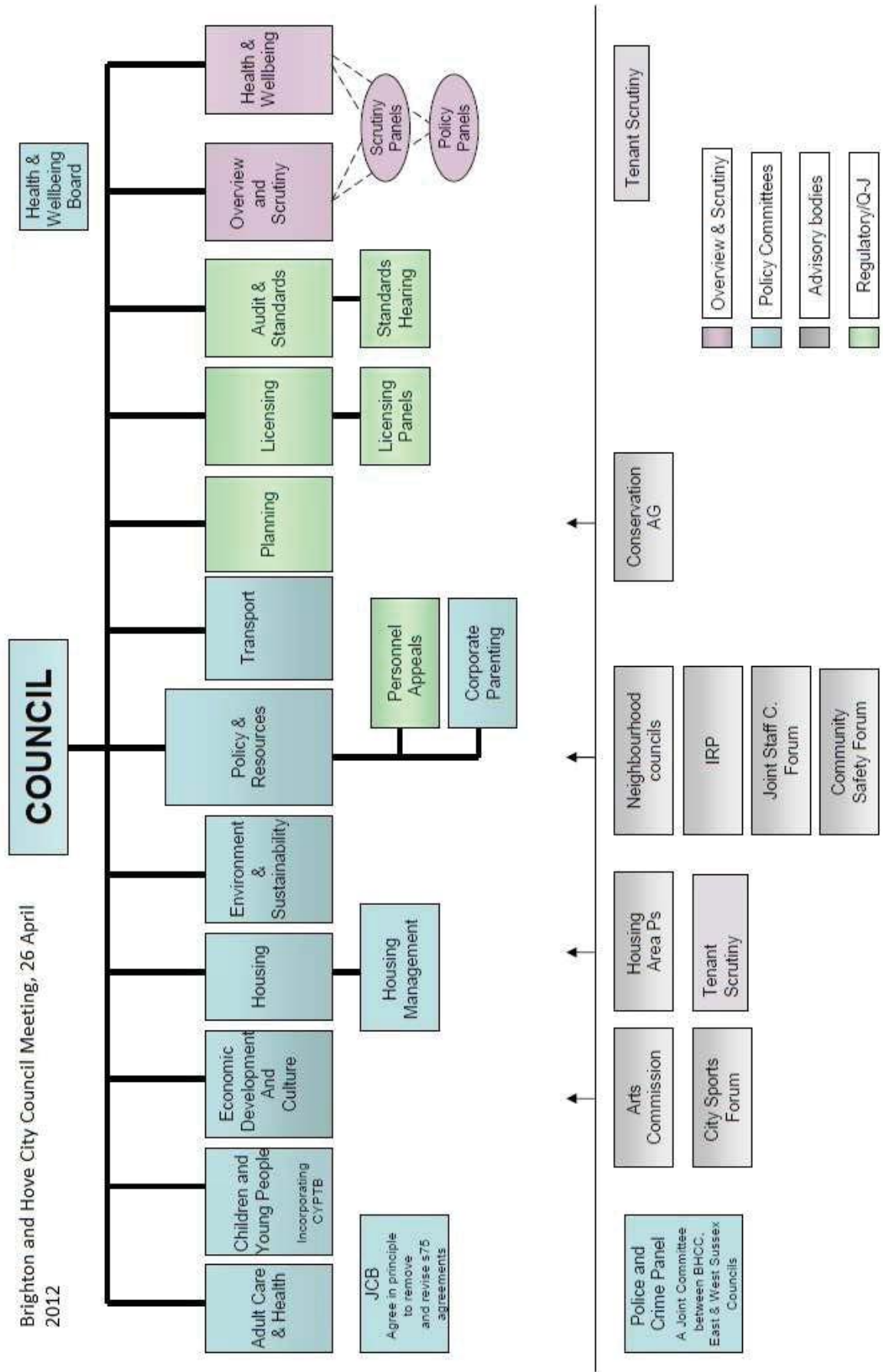
Stroud District Council – Committee System



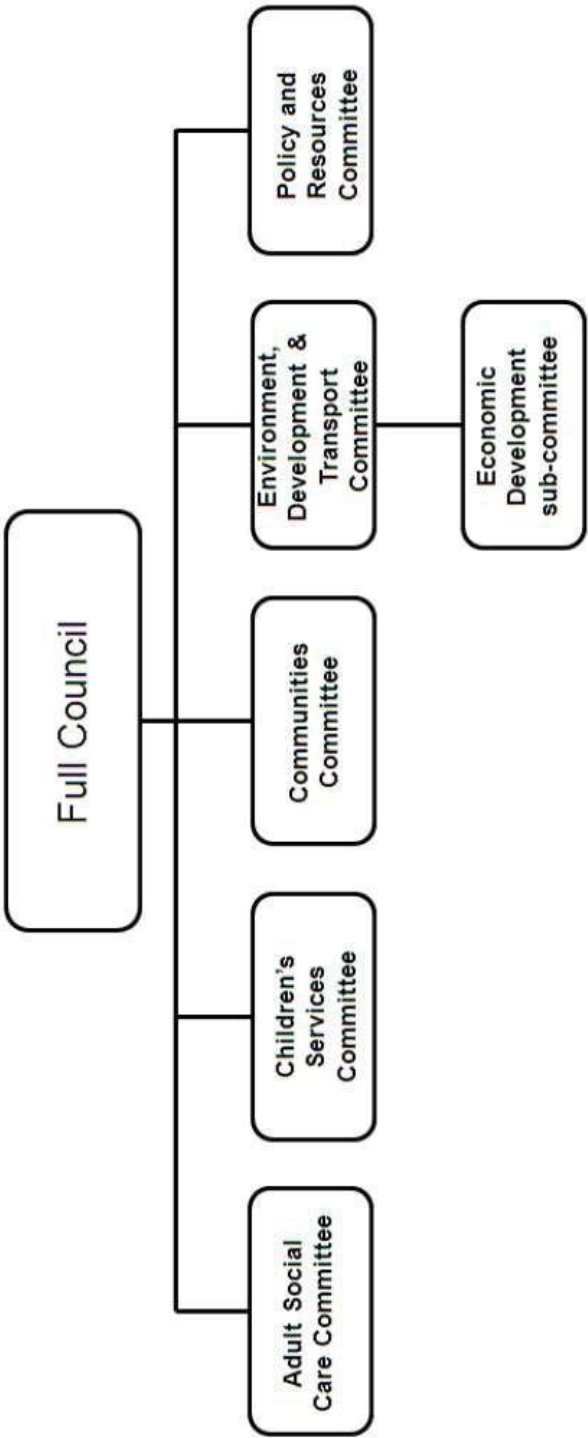
Leader and Executive System







New Governance Model for Norfolk County Council



Appendix 4

When Norfolk County Council was considering the move to the committee system they undertook a costing exercise based on the approximate cost of servicing a single NCC Cabinet meeting.

The figure for the Cabinet meeting was based on a number of assumptions, including preparation of an agenda; Committee Officer support; IT support; Member travel costs and service involvement, which includes report writing, officer attendance at briefings and meetings. The figure used by Norfolk County Council was £4,172.

Using a similar methodology, but splitting the costs into four stages, production of report; preparing agenda; Cabinet meeting; and minutes, a cost of servicing a Cabinet meeting has been calculated, see table below:

Costs for servicing Cabinet meeting

Action	Description	Hours	Hourly rate/charge	Total £
Report	Preparing, drafting and consulting on report. Average 8 reports per Cabinet meeting	3	£38.50*	£924.00
	Research for reports by junior officer	3	£18.00**	£432.00
Preparing agenda	Pre agenda briefing (CEO, Leader, Cabinet Secretary)	1	£73.00	£73.00
	Collating documents, enter onto CMIS	4	£18.50***	£74.00
	Printing agenda 15 copies		£31.40	£31.40
Cabinet meeting	Attendance at meeting for officers.	2	£175.40****	£350.80
	Member travel costs estimated 16 miles average x £0.522		£50.11	£50.11
Minutes	Preparing and publishing minutes	3	£18.50	£55.50
				£1,990.81

* average of CEO, Director and Group Manager hourly rate

** average rate of officers likely to have input in research work (Band 6 to Band 10)

*** average of Cabinet Secretary and Member Services Officer

**** cost of CEO, 2 Directors, 1 Group Manager and Cabinet Secretary

Please note: there is no exact science in the above and has only been produced to give comparative data between different models and frequency.

A comparison between the current Leader/Cabinet model at GYBC, two district Councils (Committee A and B) that operate a committee system and a Leader/Cabinet model with Cabinet Advisory Boards (Cabinet C) has been undertaken using statutory committee meetings. Figures have been produced for committee model on four weekly meetings and six weekly meetings for Committee A and B and for Cabinet C meetings are variable, similar to those of GYBC, where Cabinet meets every 4 weeks and Council every 8 weeks. The figures used are based on the cost of £1,990.81 per meeting.

GYBC		Committee A			Committee B			Cabinet C	
Meeting	No.	Meeting	4 wk	6 wk	Meeting	4 wk	6 wk	Meeting	Var
Council	6	Council	12	8	Council	12	8	Council	6
Cabinet	12	Planning	12	8	DC	12	8	Cabinet	12
CBS	12	Property & Regeneration	12	8	Environmental	12	8	3 x Cabinet Advisory Boards*	24
Scrutiny	8	Policy & Resources	12	8	Audit & Standards	12	8	Scrutiny	8
Audit & Risk	4	Audit & Finance	12	8	Community Services & Licensing	12	8	Audit & Risk	4
Licensing	8	Community	12	8	Strategy & Resources	12	8	Licensing	8
DC	12	Licensing	12	8	Housing	12	8	DC	12
Standards	4	Standards	4	4				Standards	4
Total	66		88	52		84	46		78

Note: Housing Appeals has been removed from the list for GYBC as the other authorities do not have a housing stock.

* Each of the three Cabinet Advisory Boards (CABs) meets 8 times a year. The three Cabinet Advisory Boards participate in the development of cabinet decisions and help develop the policy framework cabinet recommends to Council.

Information: Cabinet Advisory Boards for Cabinet C are Finance & Governance; Communities and Planning & Transport.

Non-statutory meetings like Parish Liaison; Area Committees; Community Housing Boards; Tenant Forum; and Great Yarmouth Sports Council are not included in the above, but those meetings will have to be serviced. It was decided not to include these non-statutory meetings in the above as it would be difficult to compare one

Council against another as non-statutory meetings will vary from Council to Council and particularly how some are serviced.

Based on the number of meetings above and multiplying the total by the assumed cost of a meeting £1,990.81 the table below shows the cost of servicing statutory meetings in each of the cases.

Council	Total £	% difference with GYBC
GYBC	£131,393	
Committee A (4 weekly meetings)	£175,191	33.33%
Committee A (6 weekly meetings)	£103,522	-21.21%
Committee B (4 weekly meetings)	£167,228	27.27%
Committee B (6 weekly meetings)	£92,577	-29.54%
Cabinet C (meeting frequency same as currently operated by GYBC, with CABs added as 6 weekly)	£155,283	16.66%

Subject: Council Tax Reduction Scheme 2016

Report to: EMT – 24th September 2015
Cabinet – 7th October 2015
Council – 24th November 2015

Report by: Miranda Lee, Group Manager Customer Services

This report seeks decision and approval of the 2016 Local Council Tax Support/Reduction Scheme

1. **BACKGROUND**

- 1.1 The Cabinet Report of the 10th June 2015 requested permission to commence consultation in relation to the third year Local Council Tax Support/Reduction Scheme.
- 1.2 In April 2013 we introduced a new Local Council Tax Support/Reduction Scheme which replaced Council Tax Benefit. This followed the Government announcement in the Spending Review 2010 that financial support for council tax would now be localised.
- 1.3 Initially the amount of funding provided to local authorities to run a localised scheme was approximately 10% less than what was spent on the previous Council Tax Benefit scheme and the funding for the first and second year of this change had been specifically allocated to go towards the scheme.
- 1.4 In 2014, the Government announced that future funding towards the Council Tax Support/Reduction Scheme would be included within the overall Revenue Support Grant and would not be separately identified from within the grant.
- 1.5 In designing a local scheme for 2016 the council has had to consider:
 - The amount of funding the Council wants to provide from the Revenue Support Grant to fund the scheme taking into account that for years 2013 and 2014 the specified funding was approximately 10% less than what was spent on the previous Council Tax Benefit scheme.
 - Support for pensioners must be protected and would not be affected by the local scheme meaning that the rules around a localised scheme would only apply to those customers of working age.

2. **CURRENT POSITION**

- 2.1 Consultation in relation to the considerations for a new scheme closed on the 16th September 2015.

- 2.2 Consultation was based on options for a working age scheme with pensioners being protected.
- 2.3 The consultation ran for a 12 week period and covered a number of questions, results are shown in Appendix 3.
- 2.4 A total of 118 surveys were completed. There was some agreement that income from child benefit and child maintenance should be taken into account however the effects of this would be limited to families and lone parents.
- 2.5 Comments in relation to the survey questions clearly identified concern over further hardship issues and vulnerable people. There is also feeling that to make a leap to reduce the maximum award from 91.5% to 80% is too much of a big difference.

3 REQUIREMENTS FOR CHANGE

- 3.1 Each year it is a legal requirement for councils to decide what the following years Local Council Tax Support/Reduction scheme will be even if there are no changes to it from the existing previous year.
- 3.2 As funding for Great Yarmouth Borough Council for the 2016 Scheme has been included within the overall Revenue Support Grant and an amount has not been specifically ring-fenced, the Council must decide how much of this grant will be used to fund the 2016 Scheme. Norfolk County Council and the Police are being funded by the DCLG directly.
- 3.5 Appendix 1 gives options for consideration and gives the costs of the 8 schemes and the impact of each of the options. Option 1 is to continue with the current scheme. The further 7 options look to reduce the maximum amount of awards to customers in a range from 90% to 80% of the council tax liability. Overall around 96.55% of working age customers would be adversely affected by less than £1 per week if Option 3 was introduced. Please refer to Appendix 1 for the full breakdown.
- 3.6 All the options apply only to those of working age and protects pensioners at their previous Council Tax Benefit calculation.
- 3.7 Each Local Authority must decide what type of scheme they are going to have each year. This means that other nearby Local Authorities can have different types of schemes with varying financial implications for customers. Please refer to Appendix 2 which gives information on the schemes currently in place for 2014-15 for nearby Councils.
- 3.8 This year the Government has announced further welfare reform changes including changes to the levels of tax credit awards and a freeze of working age benefits over the next four years. An overall reduction to a households income as a result of these changes are likely to mean an increase in the level of support they will be entitled to under our Council Tax Reduction Scheme. This means we need to consider that the overall cost of our scheme

could be higher than forecasted in this report for 2016/17 should these changes be implemented.

4. COSTINGS

- 4.1 For illustrative purposes the following gives the financial breakdown of the cost for a recommended Option 3 (87.5% maximum award against liability)

4.2	£
Estimated Cost of Scheme	8,998,338
Precept Split	
Norfolk County Council	6,811,741
Police	1,241,770
GYBC	872,839
Parish	71,986

5. RECOMMENDATIONS

- 5.1 To introduce a scheme for the third year of Council Tax Support/Reduction based on the Options provided.

FINANCIAL IMPLICATIONS: Although funding has been included within the overall Revenue Support Grant for 2016 it has not been specifically identified within the Grant. Initial funding for Local Council Tax Reduction Schemes amounted to approximately £921,000 in relation to Great Yarmouth Borough Councils contribution to the Scheme.

Scheme options have been discussed with the Director of Customer Services & the Customer Services Portfolio holder.

LEGAL IMPLICATIONS: New localised Council Tax Support scheme for 2016 policy and appeal process.

Does this report raise any legal, financial, sustainability, equality, crime and disorder or human rights issues and, if so, have they been considered?	Issues	
	Legal	Yes
	Financial	Yes
	Risk	Yes
	Sustainability	Yes
	Equality	Yes
	Crime and Disorder	No
	Human Rights	No
	Every Child Matters	Yes

Appendix 1

Council Tax Reduction Scheme Options 2016

Option 1 – Current Scheme

The current Scheme has been running for 3 years and limits the maximum amount of award for working age customers to 91.5% of the Council Tax Liability.

The anticipated cost for this scheme for 2016 based on forecasting would be **£9,167,468 (GYBC Cost Approx £889,244)**

Option 2

This scheme limits the maximum amount of award for working age customers to 90% of the Council Tax Liability.

The anticipated cost for this scheme for 2016 based on forecasting would be **£9,101,823 (GYBC Cost Approx £882,877)**

Please refer to **Annex A** for the impact on caseload groups.

Option 3

This scheme limits the maximum amount of award for working age customers to 87.5% of the Council Tax Liability.

The anticipated cost for this scheme for 2016 based on forecasting would be **£8,998,338 (GYBC Cost Approx £872,839)**

Please refer to **Annex B** for the impact on caseload groups.

Option 4

This scheme limits the maximum amount of award for working age customers to 87.5% of the Council Tax Liability. This scheme also takes into account Child Benefit and Child Maintenance as Income and lowers the allowable capital limit of £16,000 to £10,000

The anticipated cost for this scheme for 2016 based on forecasting would be **£8,804,321 (GYBC Cost Approx £854,019)**

Please refer to **Annex C** for the impact on caseload groups.

Option 5

This scheme limits the maximum amount of award for working age customers to 85% of the Council Tax Liability.

The anticipated cost for this scheme for 2015 based on forecasting would be **£8,824,944 (GYBC Cost Approx £856,020)**

Please refer to **Annex D** for the impact on caseload groups.

Option 6

This scheme limits the maximum amount of award for working age customers to 82.5% of the Council Tax Liability.

The anticipated cost for this scheme for 2016 based on forecasting would be **£8,687,007 (GYBC Cost Approx £842,640)**

Please refer to **Annex E** for the impact on caseload groups.

Option 7

This scheme limits the maximum amount of award for working age customers to 80% of the Council Tax Liability.

The anticipated cost for this scheme for 2015 based on forecasting would be **£8,546,611 (GYBC Cost Approx £829,021)**

Please refer to **Annex F** for the impact on caseload groups.

The table below gives an example of the impact for Council Tax Band A groups of customers

Impact on Band A for each category

Couples and Families

Option	Maximum Percentage	Annual Liability	Support with current scheme	Support after	Annual reduction	Weekly reduction
2	90%	1,003.23	915.21	900.21	15	0.21
3	87.5%	1,003.23	915.21	875.20	40.01	0.77
4	87.5% *	1,003.23	915.21	281.24	633.97	12.19
5	85%	1,003.23	915.21	850.20	65.01	1.25
6	82.5%	1,003.23	915.21	825.19	90.02	1.73
7	80%	1,003.23	915.21	800.18	85.02	1.64

Lone Parents and Singles

Option	Maximum Percentage	Liability	Support with current scheme	Support after	Annual reduction	Weekly reduction
2	90%	750.17	686.41	675.15	11.26	0.22
3	87.5%	750.17	686.41	656.40	30.01	0.58
4	87.5% *	750.17	686.41	448.82	237.59	4.57
5	85%	750.17	686.41	637.64	48.77	0.94
6	82.5%	750.17	686.41	618.89	67.52	1.30
7	80%	750.17	686.41	600.14	63.76	1.23

Annex A - 90% Max Award

Overall

- 1.56% Unaffected
- 97.94% adversely affected by less than **50p** per week
- 0.28% adversely affected by less than **75p** per week
- 0.03% adversely affected by less than **£1.50** per week
- 0.17% adversely affected by less than **£4** per week

Couples

- 13.04% Unaffected
- 86.43% adversely affected by less than **50p** per week
- 0.52% adversely affected by less than **75p** per week

Families

- 1.09% Unaffected
- 97.81% adversely affected by less than **50p** per week
- 0.89% adversely affected by less than **75p** per week
- 0.20% adversely affected by less than **£4** per week

Lone Parents

- 99.44% adversely affected by less than **50p** per week
- 0.11% adversely affected by less than **75p** per week
- 0.11% adversely affected by less than **£1.50** per week
- 0.34% adversely affected by less than **£4** per week

Singles

- 99.83% adversely affected by less than **50p** per week
- 0.08% adversely affected by less than **75p** per week
- 0.08% adversely affected by less than **£4** per week

Annex B – 87.5% Max Award

Overall

- 1.48% Unaffected
- 4.54% adversely affected by less than **50p** per week
- 58.62% adversely affected by less than **75p** per week
- 31.91% adversely affected by less than **£1** per week
- 3.20% adversely affected by less than **£1.50** per week
- 0.05% adversely affected by less than **£2** per week
- 0.10% adversely affected by less than **£4** per week
- 0.10% no longer qualify for help under the new scheme

Couples

- 12.93% Unaffected
- 0.52% adversely affected by less than **50p** per week
- 1.55% adversely affected by less than **75p** per week
- 77.93% adversely affected by less than **£1** per week
- 6.90% adversely affected by less than **£1.50** per week
- 0.17% no longer qualify for help under the new scheme

Families

- 1.05% Unaffected
- 0.48% adversely affected by less than **50p** per week
- 3.35% adversely affected by less than **75p** per week
- 84.61% adversely affected by less than **£1** per week
- 10.04% adversely affected by less than **£1.50** per week
- 0.19% adversely affected by less than **£2** per week
- 0.19% adversely affected by less than **£4** per week
- 0.10% no longer qualify for help under the new scheme

Lone Parents

- 3.02% adversely affected by less than **50p** per week
- 83.62% adversely affected by less than **75p** per week
- 11.68% adversely affected by less than **£1** per week
- 1.29% adversely affected by less than **£1.50** per week
- 0.06% adversely affected by less than **£2** per week
- 0.17% adversely affected by less than **£4** per week
- 0.11% no longer qualify for help under the new scheme

Singles

- 8.40% adversely affected by less than **50p** per week
- 77.80% adversely affected by less than **75p** per week
- 12.93% adversely affected by less than **£1** per week
- 0.75% adversely affected by less than **£1.50** per week
- 0.04% adversely affected by less than **£4** per week
- 0.08% no longer qualify for help under the new scheme

Annex C – 87.5% Max Award Child Benefit and Child Maintenance included as Income, £10,000 Capital Limit

Overall

- 1.49% Unaffected
- 4.38% adversely affected by less than **50p** per week
- 56.81% adversely affected by less than **75p** per week
- 27.05% adversely affected by less than **£1** per week
- 2.73% adversely affected by less than **£1.50** per week
- 0.29% adversely affected by less than **£2** per week
- 0.52% adversely affected by less than **£4** per week
- 1.32% adversely affected by less than **£8** per week
- 3.95% adversely affected by less than **£17** per week
- 1.46% no longer qualify for help under the new scheme

Couples

- 12.93% Unaffected
- 0.52% adversely affected by less than **50p** per week
- 1.55% adversely affected by less than **75p** per week
- 70.69% adversely affected by less than **£1** per week
- 5.86% adversely affected by less than **£1.50** per week
- 0.17% adversely affected by less than **£2** per week
- 0.69% adversely affected by less than **£4** per week
- 1.03% adversely affected by less than **£8** per week
- 3.97% adversely affected by less than **£17** per week
- 1.44% no longer qualify for help under the new scheme

Families

- 1.05% Unaffected
- 0.29% adversely affected by less than **50p** per week
- 3.16% adversely affected by less than **75p** per week
- 80.48% adversely affected by less than **£1** per week
- 9.00% adversely affected by less than **£1.50** per week
- 0.57% adversely affected by less than **£2** per week
- 0.29% adversely affected by less than **£4** per week
- 0.67% adversely affected by less than **£8** per week
- 3.16% adversely affected by less than **£17** per week
- 1.44% no longer qualify for help under the new scheme

Lone Parents

- 2.74% adversely affected by less than **50p** per week
- 78.93% adversely affected by less than **75p** per week
- 6.54% adversely affected by less than **£1** per week
- 1.06% adversely affected by less than **£1.50** per week
- 0.50% adversely affected by less than **£2** per week
- 0.84% adversely affected by less than **£4** per week
- 2.46% adversely affected by less than **£8** per week
- 4.64% adversely affected by less than **£17** per week
- 2.29% no longer qualify for help under the new scheme

Singles

- 8.35% adversely affected by less than **50p** per week
- 76.99% adversely affected by less than **75p** per week
- 8.60% adversely affected by less than **£1** per week
- 0.50% adversely affected by less than **£1.50** per week
- 0.04% adversely affected by less than **£2** per week
- 0.33% adversely affected by less than **£4** per week
- 0.58% adversely affected by less than **£8** per week
- 0.83% adversely affected by less than **£17** per week
- 3.78% no longer qualify for help under the new scheme

Option D – 85% Max Award

Overall

- 1.56% Unaffected
- 1.36% adversely affected by less than **50p** per week
- 2.90% adversely affected by less than **75p** per week
- 38.05% adversely affected by less than **£1** per week
- 42.25% adversely affected by less than **£1.50** per week
- 2.80% adversely affected by less than **£2** per week
- 0.43% adversely affected by less than **£4** per week
- 0.21% no longer qualify for help under the new scheme

Couples

- 13.02% Unaffected
- 0.35% adversely affected by less than **75p** per week
- 0.69% adversely affected by less than **£1** per week
- 78.99% adversely affected by less than **£1.50** per week
- 6.08% adversely affected by less than **£2** per week
- 0.52% adversely affected by less than **£4** per week
- 0.35% no longer qualify for help under the new scheme

Families

- 1.09% Unaffected
- 0.40% adversely affected by less than **50p** per week
- 0.60% adversely affected by less than **£1** per week
- 87.79% adversely affected by less than **£1.50** per week
- 8.94% adversely affected by less than **£2** per week
- 1.09% adversely affected by less than **£4** per week
- 0.10% no longer qualify for help under the new scheme

Lone Parents

- 1.35% adversely affected by less than **50p** per week
- 1.35% adversely affected by less than **75p** per week
- 60.91% adversely affected by less than **£1** per week
- 34.46% adversely affected by less than **£1.50** per week
- 1.18% adversely affected by less than **£2** per week
- 0.39% adversely affected by less than **£4** per week
- 0.34% no longer qualify for help under the new scheme

Singles

- 2.25% adversely affected by less than **50p** per week
- 5.89% adversely affected by less than **75p** per week
- 70.90% adversely affected by less than **£1** per week
- 20.04% adversely affected by less than **£1.50** per week
- 0.58% adversely affected by less than **£2** per week
- 0.21% adversely affected by less than **£4** per week
- 0.17% no longer qualify for help under the new scheme

Annex E – 82.5% Max Award

Overall

- 1.56% Unaffected
- 0.54% adversely affected by less than **50p** per week
- 0.45% adversely affected by less than **75p** per week
- 2.55% adversely affected by less than **£1** per week
- 49.20% adversely affected by less than **£1.50** per week
- 32.95% adversely affected by less than **£2** per week
- 12.03% adversely affected by less than **£4** per week
- 49.20% adversely affected by less than **£8** per week
- 32.95% adversely affected by less than **£20** per week
- 12.03% adversely affected by less than **£30** per week
- 0.31% no longer qualify for help under the new scheme

Couples

- 13.02% Unaffected
- 0.17% adversely affected by less than **75p** per week
- 0.17% adversely affected by less than **£1** per week
- 1.04% adversely affected by less than **£1.50** per week
- 58.51% adversely affected by less than **£2** per week
- 26.75% adversely affected by less than **£4** per week
- 0.35% no longer qualify for help under the new scheme

Families

- 1.09% Unaffected
- 0.30% adversely affected by less than **50p** per week
- 0.30% adversely affected by less than **£1** per week
- 0.60% adversely affected by less than **£1.50** per week
- 60.18% adversely affected by less than **£2** per week
- 37.24% adversely affected by less than **£4** per week
- 0.30% no longer qualify for help under the new scheme

Lone Parents

- 1.07% adversely affected by less than **50p** per week
- 0.34% adversely affected by less than **75p** per week
- 1.30% adversely affected by less than **£1** per week
- 61.99% adversely affected by less than **£1.50** per week
- 31.02% adversely affected by less than **£2** per week
- 3.77% adversely affected by less than **£4** per week
- 0.51% no longer qualify for help under the new scheme

Singles

- 1.63% adversely affected by less than **50p** per week
- 0.67% adversely affected by less than **75p** per week
- 5.01% adversely affected by less than **£1** per week
- 71.73% adversely affected by less than **£1.50** per week
- 16.78% adversely affected by less than **£2** per week
- 4.01% adversely affected by less than **£4** per week
- 0.17% no longer qualify for help under the new scheme

Annex F – 80% Max Award

Overall

- 1.55% Unaffected
- 0.09% adversely affected by less than **50p** per week
- 0.03% adversely affected by less than **75p** per week
- 0.02% adversely affected by less than **£1** per week
- 48.46% adversely affected by less than **£1.50** per week
- 24.64% adversely affected by less than **£2** per week
- 5.70% adversely affected by less than **£4** per week
- 6.45% adversely affected by less than **£8** per week
- 12.14% adversely affected by less than **£20** per week
- 0.43% adversely affected by less than **£30** per week
- 0.49% no longer qualify for help under the new scheme

Couples

- 10.59% Unaffected
- 0.35% adversely affected by less than **50p** per week
- 0.52% adversely affected by less than **£1.50** per week
- 68.58% adversely affected by less than **£2** per week
- 7.81% adversely affected by less than **£4** per week
- 4.51% adversely affected by less than **£8** per week
- 7.12% adversely affected by less than **£20** per week
- 0.52% no longer qualify for help under the new scheme

Families

- 1.09% Unaffected
- 0.10% adversely affected by less than **50p** per week
- 0.10% adversely affected by less than **75p** per week
- 0.10% adversely affected by less than **£1.50** per week
- 62.76% adversely affected by less than **£2** per week
- 12.81% adversely affected by less than **£4** per week
- 8.14% adversely affected by less than **£8** per week
- 13.80% adversely affected by less than **£20** per week
- 0.70% adversely affected by less than **£30** per week
- 0.40% no longer qualify for help under the new scheme

Lone Parents

- 0.39% adversely affected by less than **50p** per week
- 0.06% adversely affected by less than **£1** per week
- 63.06% adversely affected by less than **£1.50** per week
- 7.78% adversely affected by less than **£2** per week
- 5.36% adversely affected by less than **£4** per week
- 8.74% adversely affected by less than **£8** per week
- 13.54% adversely affected by less than **£20** per week
- 0.28% adversely affected by less than **£30** per week
- 0.79% no longer qualify for help under the new scheme

Singles

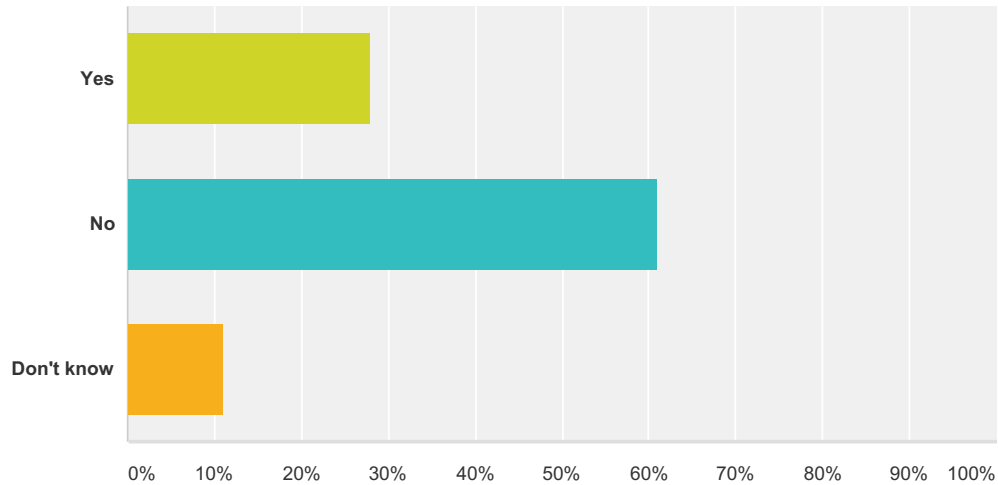
- 70.06% adversely affected by less than **£1.50** per week
- 10.52% adversely affected by less than **£2** per week
- 2.46% adversely affected by less than **£4** per week
- 4.51% adversely affected by less than **£8** per week
- 11.69% adversely affected by less than **£20** per week
- 0.46% adversely affected by less than **£30** per week
- 0.29% no longer qualify for help under the new scheme

Appendix 2 2015/16 Local Council Tax Reduction Schemes

Local Authority	Max Award of Liability	Savings limit	Other benefits counted as income?	Second adult rebate reduced or abolished?	Changes made to non-dependent deductions?	Support restricted to a particular council tax band?	Changes made to backdating rules?	Changes made to conditions around starting work?
Great Yarmouth	91.5%	16000	No	No	No	No	No	No
ARP	91.5%	16000	No	Yes	No	No	No	No
Broadland	83.00%	16000	No	Yes	No	No	No	No
North Norfolk	91.5%	16000	No	No	No	No	No	No
Norwich	100%	16000	No	No	No	No	No	No
South Norfolk	85%	16000	Yes	Yes	Yes	Yes D	Yes	No
King's Lynn and West Norfolk	75%	16000	No	Yes	No	No	No	Yes

Q1 Currently the maximum amount of help for people of working age is limited to 91.5% of their Council Tax liability. Do you think it is fair to reduce the maximum amount of help to 80% of their Council Tax liability?

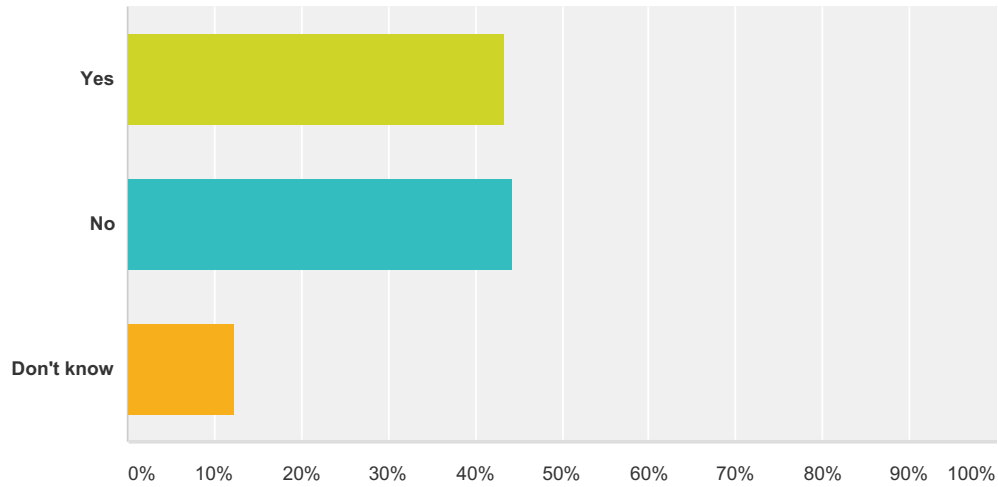
Answered: 118 Skipped: 0



Answer Choices	Responses	
Yes	27.97%	33
No	61.02%	72
Don't know	11.02%	13
Total		118

Q2 Do you think it is fair that where self employed earners declare a low or no income, we assume minimum wage based on 35 hours per week?

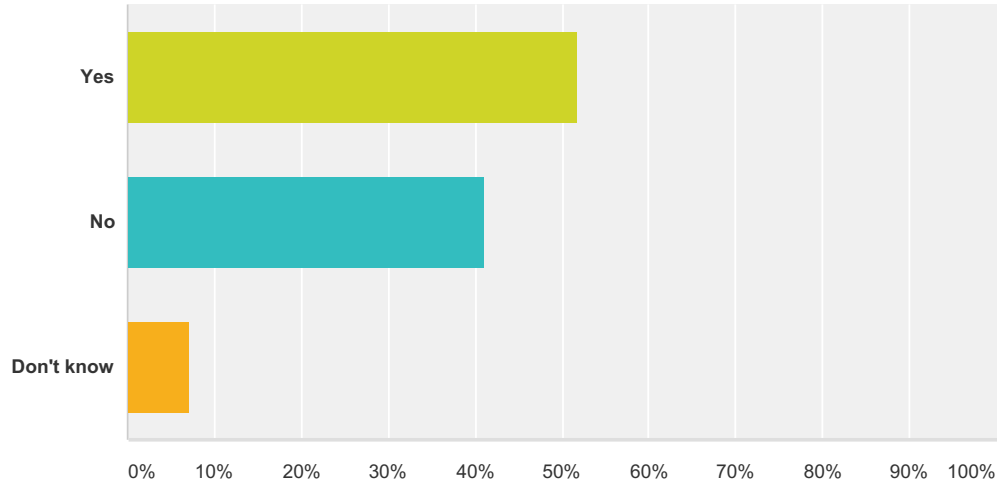
Answered: 113 Skipped: 5



Answer Choices	Responses	
Yes	43.36%	49
No	44.25%	50
Don't know	12.39%	14
Total		113

Q3 Should income such as Child Maintenance be taken into account when assessing the level of someone's entitlement to Council Tax Reduction?

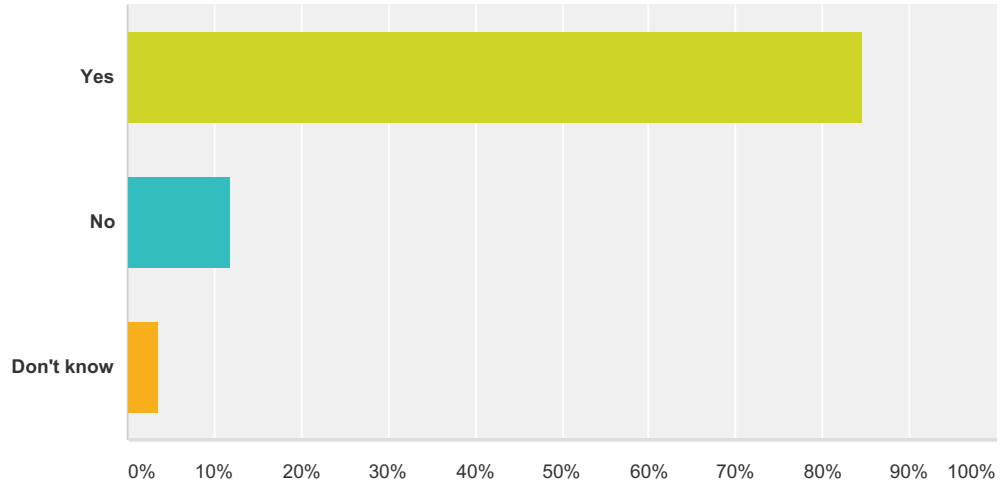
Answered: 112 Skipped: 6



Answer Choices	Responses	
Yes	51.79%	58
No	41.07%	46
Don't know	7.14%	8
Total		112

Q4 Should people be given extra help for a limited period of time to help them pay their council tax when they start work?

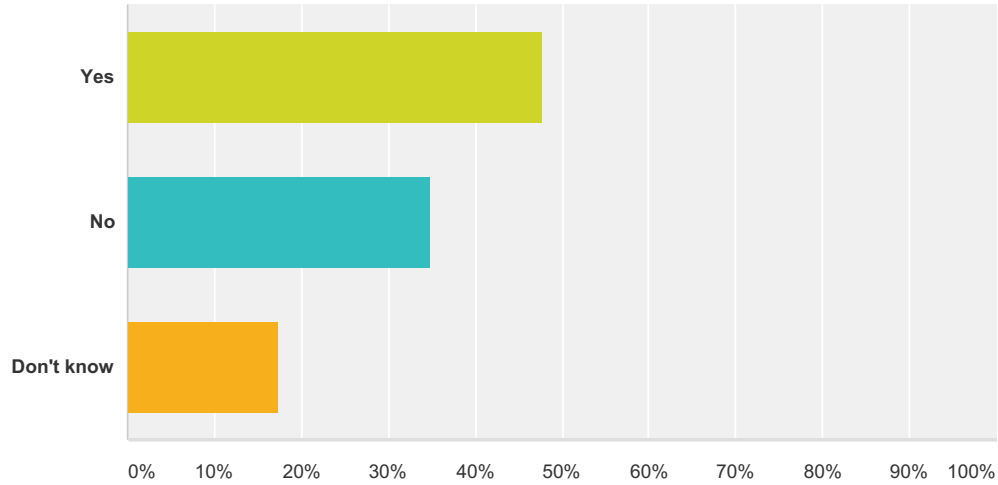
Answered: 110 Skipped: 8



Answer Choices	Responses	
Yes	84.55%	93
No	11.82%	13
Don't know	3.64%	4
Total		110

Q5 Should other adults living in the household where a claim is made for Council Tax Reduction be asked to pay more towards Council Tax?

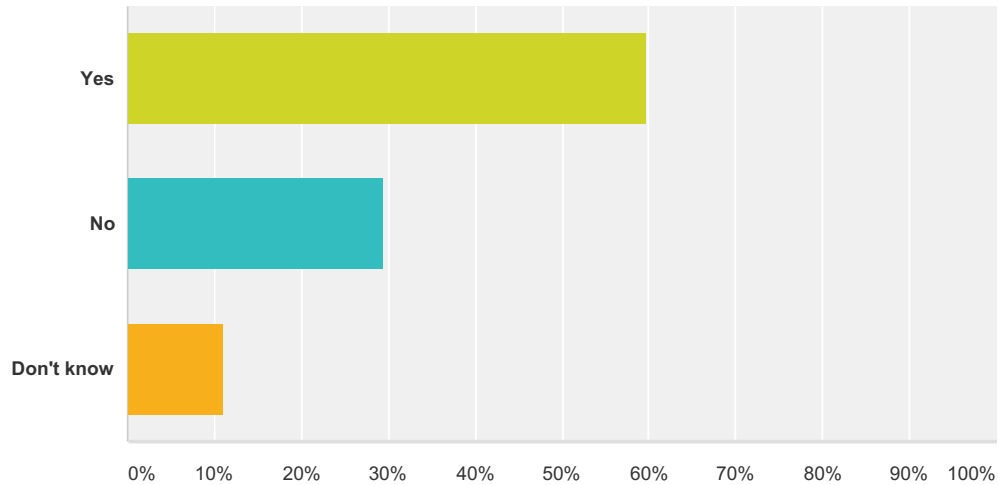
Answered: 109 Skipped: 9



Answer Choices	Responses	
Yes	47.71%	52
No	34.86%	38
Don't know	17.43%	19
Total		109

Q6 Under the current scheme, in some circumstances, we can backdate help to a date before we received the claim. Do you agree that we should only consider backdating the claim in exceptional circumstances?

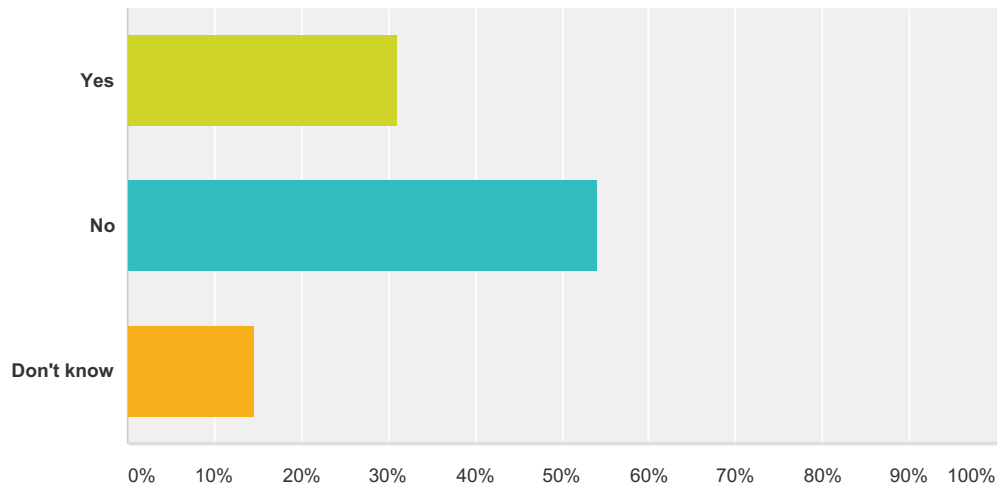
Answered: 109 Skipped: 9



Answer Choices	Responses	
Yes	59.63%	65
No	29.36%	32
Don't know	11.01%	12
Total		109

Q7 Second adult rebate is another form of Council Tax Reduction. It is for people who may not have a partner but get a reduction in their council tax because they share their home with someone on low income. Do you think this scheme should be stopped?

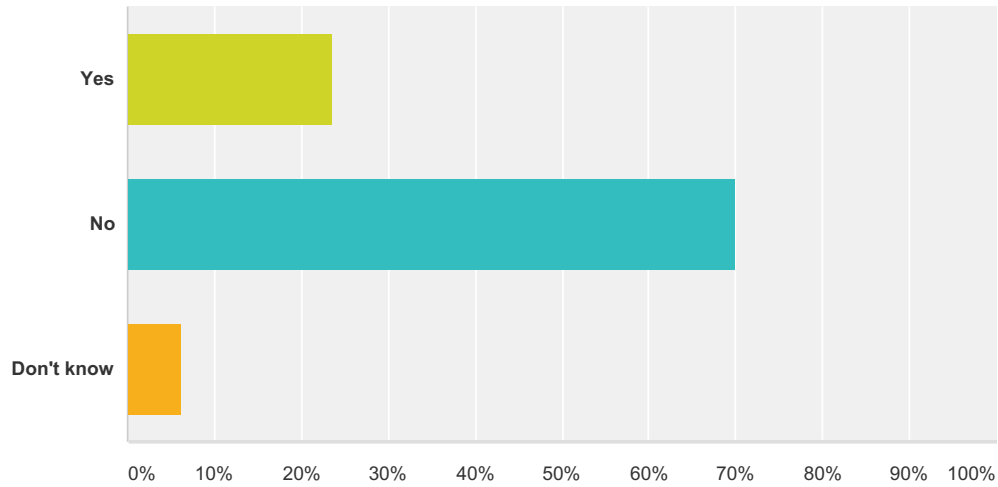
Answered: 109 Skipped: 9



Answer Choices	Responses	
Yes	31.19%	34
No	54.13%	59
Don't know	14.68%	16
Total		109

Q8 Do you think it is fair that people who have savings of £10,000 or more should still be able to claim for help with their Council Tax?

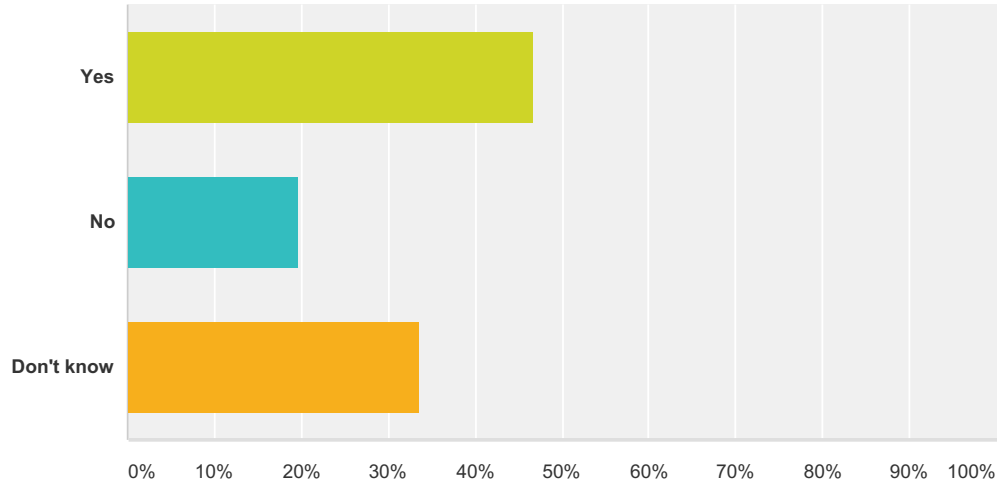
Answered: 110 Skipped: 8



Answer Choices	Responses	
Yes	23.64%	26
No	70.00%	77
Don't know	6.36%	7
Total		110

Q9 Do you think there are any groups of people in the community who would be affected more than others by these changes

Answered: 107 Skipped: 11



Answer Choices	Responses	
Yes	46.73%	50
No	19.63%	21
Don't know	33.64%	36
Total		107

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Q10 If yes, who are these groups?

Answered: 47 Skipped: 71

#	Responses	Date
1	People falling into the above catorgries by a narrow amount	9/11/2015 1:13 PM
2	People claiming jsa	9/6/2015 9:23 AM
3	Home owners/ mortgage payers that have only one adult working, on low incomes	9/4/2015 12:09 PM
4	People who only get one form of benefit, either jobseekers allowance or employment support allowance.	9/2/2015 3:08 PM
5	The disabled and the chronically sick.	8/31/2015 4:28 PM
6	Benefit claimants.	8/31/2015 10:55 AM
7	Single people on minimum 16 hours,paying half the amount in council tax, but earning a third less wages	8/28/2015 4:47 PM
8	long term unemployed. fraudulent claimers	8/26/2015 2:27 PM
9	low earners,part time workers	8/26/2015 2:05 PM
10	people on dole/DHSS should not have to pay any council tax	8/25/2015 3:53 PM
11	Single people on jsa,those who are disabled or have a disabled child	8/12/2015 7:14 PM
12	Families who can't both work full time due to childcare but don't earn enough to live.	8/4/2015 11:56 AM
13	Disabled and low income	8/3/2015 10:46 AM
14	disabled single mums parent with older children in houshold who are still in education	7/28/2015 4:12 PM
15	The unemployed, people on low incomes.	7/24/2015 10:04 AM
16	The poorest and most vulnerable	7/22/2015 12:15 PM
17	People just under the state pension age, working part-time,	7/21/2015 2:02 PM
18	Disabled people, people on low income	7/18/2015 8:30 PM
19	low income families	7/14/2015 3:53 PM
20	Disabled people	7/13/2015 11:43 PM
21	disabled workers on 16 hours on minimum wage as central government keeps reducing working tax credits, it doesn't matter if the tax thresholds are raised as you never get near half-way	7/13/2015 3:26 PM
22	single parents on low incomes - especially self employed	7/13/2015 12:15 PM
23	people that are disabled and are unable to work because of the disability.	7/13/2015 11:32 AM
24	People on low income	7/11/2015 1:40 PM
25	Lots of different groups, you need to take into account individual circumstances	7/7/2015 11:41 PM
26	People on Incomes Support or ESA who can't work.	7/7/2015 2:48 PM
27	Those on low incomes or only have one wage earner within the household	7/7/2015 11:39 AM
28	Those on long-term benefits who are unable to work.	7/6/2015 6:52 PM
29	I would say people who have disabilities, this includes people with mental health issues. There are also people who, for example, have difficulty in budgeting and managing their money. I think people with learning disabilities and also people with physical disabilities could also be affected.	7/6/2015 4:41 PM
30	those on long term sick benefit those with mental health problerns those self employed on a low income those with learning disabilities	7/6/2015 1:12 PM
31	Disabled people or people with mental health issues and people with partners on low income.	7/6/2015 12:56 PM
32	Disabled	7/6/2015 10:37 AM
33	The disabled, single income families	7/6/2015 10:00 AM

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34	The low paid, households where a lone parent works hard, but gets little money.	7/6/2015 9:53 AM
35	Single parents, disabled people, parents of disabled children	7/5/2015 12:20 PM
36	Mental health individuals, young unemployed, ill health pensioners	7/2/2015 11:09 PM
37	elderly working small amount of hours	7/2/2015 7:48 PM
38	People in work earning a low wage.	7/2/2015 1:35 PM
39	the unemployed, single parents,	7/2/2015 1:17 PM
40	disabled and carers	7/1/2015 6:19 PM
41	Disabled, people with mental health problems, single parents, elderly and people on low pay	6/29/2015 2:22 PM
42	disabled people of so called "working age"	6/29/2015 11:45 AM
43	the disabled people. as long as their savings are lower than £10,000.	6/29/2015 11:34 AM
44	Disabled, people with health problem. Older people, over 60 who earn very little.	6/28/2015 10:50 AM
45	The unemployed and unwaged, the ill and unwell, the seasonal workers, part time workers, agency workers, basically the working class and the majority of the people in the area covered by the authority. Additionally the children (of all the above) if you go ahead with your proposal to use money set aside for the maintenance and development of children as some sort of pot of income to be raided for tax. All those who have more need for aspiration than most in society.	6/28/2015 3:13 AM
46	Low working class people	6/27/2015 11:38 PM
47	Carers, disabled, unemployed	6/26/2015 12:33 AM

Q11 Why do you think these groups would be affected more?

Answered: 41 Skipped: 77

#	Responses	Date
1	Because they probably are just slightly above the limit to be able to claim.	9/11/2015 1:13 PM
2	As they have minimum income	9/6/2015 9:23 AM
3	Because these people are struggling to keep their heads above water and are given very little rebate/ reduction. The single person scheme should be extended to include families that only have one person working in the household this is quite often due to commitments to childcare and school runs.	9/4/2015 12:09 PM
4	They would be affected more as they are only getting one form of benefit and would therefore struggle to pay more council tax. Whereas people who are getting two or more benefits will not be affected as much as they are receiving more money anyway, compared to people on a single benefit.	9/2/2015 3:08 PM
5	I feel that the above groups would be affected more as they often do not have the ability or capacity to work. They also usually incur extra costs due to their infirmity before any other household budgeting is taken into consideration.	8/31/2015 4:28 PM
6	Being benefit claimants, their income is the lowest of the low and any increase in expenditure will present great hardship.	8/31/2015 10:55 AM
7	Hopefully fraud would be reduced. long term unemployed may struggle.	8/26/2015 2:27 PM
8	not earning much	8/26/2015 2:05 PM
9	think about if you only get £73 pw and you have to bedroom tax and council tax how can they eat ????	8/25/2015 3:53 PM
10	Single people on jsa receive minimal benefits,those people disabled/with a disabled child have additional costs associated with there disabilities	8/12/2015 7:14 PM
11	Because they are already on a low income.	8/4/2015 11:56 AM
12	Unable to pay due to frozen benefits and other austerity measures.	8/3/2015 10:46 AM
13	income change all the time with government cuts children get older but still need a roof over there heads while in educaion	7/28/2015 4:12 PM
14	If those on low incomes are told to pay more from their limited incomes the poor are just made poorer. Poverty , homelessness and other social problems will increase.	7/24/2015 10:04 AM
15	Because they are usually on little to no income and hit hardest by the Governments cuts to benefits.	7/22/2015 12:15 PM
16	Limited income	7/21/2015 2:02 PM
17	These groups would be affected more due to the government enforcing rules which would mean lower earning citizens would need to pay out more.	7/18/2015 8:30 PM
18	They are unable to work and are reliant on government assistance. Any increase will affect their income.	7/13/2015 11:43 PM
19	they get less wages than full time workers of 40 hours plus even on minimum wage	7/13/2015 3:26 PM
20	they can not get any more income to top up there income, to make for the increase in there council tax	7/13/2015 11:32 AM
21	Because they already struggle with money as it is	7/11/2015 1:40 PM
22	Benefit will only go up by 1% or be frozen.	7/7/2015 2:48 PM
23	If the council was to reduce the amount of help available thenn more people will end up in financial difficulty especially as council tax increases each year but wages do not increase as nuch and also due to the fact a majority of work within the Great Yarmouth area is seasonal it'll put more pressure on people to find money to pay	7/7/2015 11:39 AM
24	Because they are amongst the most vulnerable and less able to absorb any increase in Council Tax.	7/6/2015 6:52 PM
25	I think these groups of people would be affected because they need their money more for care and to have people help them.	7/6/2015 4:41 PM

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26	they would find it harder to pay more money if the percentage is dropped from 91.5 to 80% they may not understand fully the implications and be able to pay on time the amount/s that are due they do not have the money coming in so how would they be able to pay this money out	7/6/2015 1:12 PM
27	Because there is not enough help for disabled people especially in the mental health sector and to make them pay a council tax sum they simply could not afford is unacceptable.	7/6/2015 12:56 PM
28	Disabled people are on very low income and most cant afford to pay there Council tax.	7/6/2015 10:37 AM
29	Because they don't have much to live on in the first place.	7/6/2015 10:00 AM
30	These proposals are coming at a time when tax credits and other forms of support are being cut for the most vulnerable and not everyone has an employer that can or will pay the living wage. Sometimes a self-employed person can work all the spare hours that they have and not notice any monetary reward for this effort.	7/6/2015 9:53 AM
31	They are already in financial hardship	7/5/2015 12:20 PM
32	Often have low incomes and no government support	7/2/2015 11:09 PM
33	Don't earn much	7/2/2015 7:48 PM
34	Because they don't receive as much additional help ie: benefits as unemployed.	7/2/2015 1:35 PM
35	limited budget already at the the lowest levels possible	7/2/2015 1:17 PM
36	Because people are already struggling, so to make them contribute more will make them worse off	6/29/2015 2:22 PM
37	obviously, some disabled people are able to go out to work, but those with a more severe disability and not being able to work will be affected more	6/29/2015 11:45 AM
38	because if they are genuine they cant go out and work. therefore their saving wont be higher than £10,000.	6/29/2015 11:34 AM
39	Because they have low incomes, usually. And its difficult, if not near impossible to increase their income.	6/28/2015 10:50 AM
40	Because the reduction in council tax 'benefit' assistance fundamentally shifts the burden of taxation onto the poorest in society by increasing the proportion of their income that goes on tax, whilst the wealthiest get their tax reduced in centrally administered taxation. There is also a proven correlation that those with disadvantage (physical, mental or social, that related to both their own person and in their environment and/or circumstances) will be economically less secure and wealthy than those that do not have disadvantages and as a consequence they too will further disadvantaged by having to pay tax at a higher proportional level than those who basically are more lucky.	6/28/2015 3:13 AM
41	As income doesn't even cover rent and council tax. You end up better if u sign on which is wrong	6/27/2015 11:38 PM

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Q12 Do you have any further comments that you wish to make about these changes?

Answered: 34 Skipped: 84

#	Responses	Date
1	Each case should be considered individually not by categories. Every ones circumstances are different.	9/11/2015 1:13 PM
2	I feel people who are working and on a low income don't get as much help which gives people less incentive to work.....people who get benefits can claim so much more and end up better off then working families!	9/6/2015 9:23 AM
3	I believe all forms of income should be considered, this definitely includes all forms of benefits/child tax credits etc. Some families receiving these benefits have a higher income than those families that work full time, very unfair.	9/3/2015 8:19 AM
4	I understand the need for the current austerity measures implemented by the Government, but feel that certain safeguards should be put in place to protect the more vulnerable within our local community.	8/31/2015 4:28 PM
5	Older members of the community (pensioners) should contribute more when possible.	8/31/2015 10:55 AM
6	my issue is people being helped when they dont need it and or not entitled to it.	8/26/2015 2:27 PM
7	may be if the council had used more than 25% of DHF people in the town would be better off	8/25/2015 3:53 PM
8	Self employed people choose too be self employed rather than work for an employer, why should they be treated differently.	8/21/2015 2:44 PM
9	Unfair and cruel to place finacial pressure on those already struggling to survive on limited income.	8/3/2015 10:46 AM
10	my circomestances are my esa being cut to job seekers rate my son turns 20 soon he wants to complete his level 3 mechanics to be qualified but can not claim anything	7/28/2015 4:12 PM
11	Do not reduce the local council tax reduction scheme any further than it already is. It should have been left alone at 100%, not reduced to 91.5% and certainly not reduced further to the proposed 80%. The reduction scheme was originally instigated to help those on low/no incomes stay in accommodation. Homelessness is a national problem and the proposed change will simply destroy many more peoples lives.	7/24/2015 10:04 AM
12	No	7/13/2015 4:39 PM
13	There should be no changes to the method of calculation & only be increased in line with inflation.	7/13/2015 11:32 AM
14	No	7/11/2015 1:40 PM
15	I no have ideia for comments thanks.	7/8/2015 1:43 PM
16	At the moment 91 .5% I pay 7 pound a month under 80 % it would double	7/7/2015 2:48 PM
17	no	7/6/2015 1:12 PM
18	Yes council tax reduction should stay how it is to prevent further poverty for sick and disabled people (the most vulnerable) in my opinion.	7/6/2015 12:56 PM
19	Yes at the moment, people are being punished for being on DLA or PIP for being unable to work and having to pay Council Tax.	7/6/2015 10:37 AM
20	Whilst it's fair that everybody ought to make a contribution towards certain costs, it needs to be done in a way that will protect vulnerable and not make low-income households with already tight and almost overstretched budgets choose between eating, heating, clothing their children etc.	7/6/2015 9:53 AM
21	If anyone is in receipt of ESA I don't think they should pay towards the Council Tax at all. Maybe only immigrants should have to pay, as the government have allowed all immigrants to our very small country where they enjoy 'our' benefits system and taking away from true ENGLISH people that are being forced to pay for there decisions!!!!	7/5/2015 12:55 PM
22	Surely self employed are reviewed by the government for falsifying records like all other groups. Are statistics from voluntary and government bodies not reviewed to identify fraudsters, if not, then it must be clear where funds can be re-claimed	7/2/2015 11:09 PM
23	Council tax reduction should be given according to the household income (including benefits). Only those with savings or income below a certain amount should recieve a reduction.	7/2/2015 1:35 PM

Council Tax Reduction Scheme Consultation

24	The is a punishment for being on benefit nothing more nothing less and the action of an uncaring government and councils.	7/2/2015 1:17 PM
25	No	6/29/2015 3:19 PM
26	no	6/29/2015 2:22 PM
27	stop giving british taxpayer's money and housing to imigrants and so called aysylum seekers and there would be no need to make the british people suffer further than they already are	6/29/2015 11:45 AM
28	no	6/29/2015 11:34 AM
29	Persecution of the people at the poor end of society. Like the saying, "To get the rich to work harder, pay them more" and "To get the poor to work harder, pay them less". It is certainly true with this government.	6/28/2015 10:50 AM
30	Look to spending less rather than carrying on with new, and non-statutory spending (be it vanity projects of the council leader of cabinet members, or subsidising infrastructure for big business, or subsidising the tourism sector which provides less employment - all of which is low waged and insecure- than ever) rather than make up the shortfall by cutting social responsibilities to voters in one of the more deprived authorities in the country. Whatever your political philosophies you represent a highly deprived electorate, even if they are not in all members wards. When looking for comparable reductions in the level of 'relief'/levels of contribution expected look at those for authorities of comparable levels of depravation, levels of central government funding reduction, and levels of revenue available to the authority as more accurate comparators rather than our geographic neighbours who have more not in common than they do with the area; then produce those figures for councillors information. Re-design section 14 as this gives a rather poor breakdown of variables in respondents details, especially as employment will provide so much variation in circumstance that the single tick box gives no indication of an exceptionally broad range of circumstances. Fundamentally there should be some indicator of household income as this will be the single biggest variable in how people are effected by the proposals, which in tern could show if any real achievement/engagement has been obtained from the people you are about to tax more. I'm sure the consultation will have all the impact and effect on the decision to be made that other and similar consultations have had.	6/28/2015 3:13 AM
31	Need more help for part time workers	6/27/2015 11:38 PM
32	I am a self employed artist. Sometimes I can go several weeks without bringing in any income. I rely on tax credits during these periods and with the governments plans to reduce these credits I will find myself struggling to live at times. I therefore see the current reduction I receive in council tax as essential and would find an increase in what I am required to pay, crippling.	6/27/2015 6:26 PM
33	Why do you refuse to crack down on landlords evading paying the proper rate? There are numerous buildings that landlords claim are HMO's but are really self contained flats. Also this survey is poorly constructed. The questions are leading in a clear attempt to garner the answers you want. Very unscientific	6/26/2015 12:33 AM
34	I think reducing the maximum deduction from 91.5% to 80% is too big of a jump. Why not just simplify it to 90% making a small saving and not impacting too much on those that it will affect. Also, don't penalise people that have been sensible and saved. Why should people that are sensible, live within their means and save be penalised when people who are reckless, live beyond their means can just spend every penny they have and are then 'rewarded' by having a reduction in the amount of council tax they have to pay.	6/23/2015 3:09 PM

Q13 Please enter your postcode below

Answered: 80 Skipped: 38

#	Responses	Date
1	NR30 3DG	9/11/2015 1:13 PM
2	Nr319sp	9/10/2015 8:07 AM
3	Nr30 1aj	9/6/2015 9:23 AM
4	NR31 7NN	9/4/2015 12:09 PM
5	NR29	9/3/2015 5:56 PM
6	NR30 4AL	9/3/2015 8:19 AM
7	NR31 7EP	9/2/2015 3:08 PM
8	NR30 4NP	8/31/2015 4:37 PM
9	NR31 8PX	8/31/2015 10:56 AM
10	Nr29 4ht	8/28/2015 4:48 PM
11	NR31	8/26/2015 2:28 PM
12	nr31 8	8/26/2015 2:05 PM
13	nr30 4np	8/25/2015 3:54 PM
14	NR31 9JZ	8/21/2015 2:45 PM
15	NR31 7ES	8/18/2015 5:00 PM
16	Nr317pz	8/12/2015 7:14 PM
17	Nr30 4nt	8/3/2015 10:46 AM
18	Nr30 3at	8/2/2015 5:34 PM
19	NR31 6BJ	7/30/2015 10:35 PM
20	nr30 5ar	7/28/2015 4:13 PM
21	NR31	7/28/2015 3:27 PM
22	nr303bu	7/27/2015 9:22 AM
23	NR31 6HR	7/24/2015 10:05 AM
24	NR31 9GD	7/22/2015 12:15 PM
25	NR30 1LJ	7/21/2015 2:03 PM
26	NR31 0AS	7/21/2015 9:20 AM
27	NR31 6PS	7/18/2015 8:31 PM
28	NR305TX	7/16/2015 1:51 PM
29	Nr30 4bq	7/15/2015 9:35 PM
30	NR31 0EQ	7/15/2015 10:38 AM
31	NR31 7NA	7/14/2015 3:53 PM
32	NR29 5ET	7/13/2015 11:44 PM
33	NR30 2LU	7/13/2015 4:40 PM
34	NR31 6PN	7/13/2015 2:23 PM
35	NR30 1QP	7/13/2015 12:16 PM

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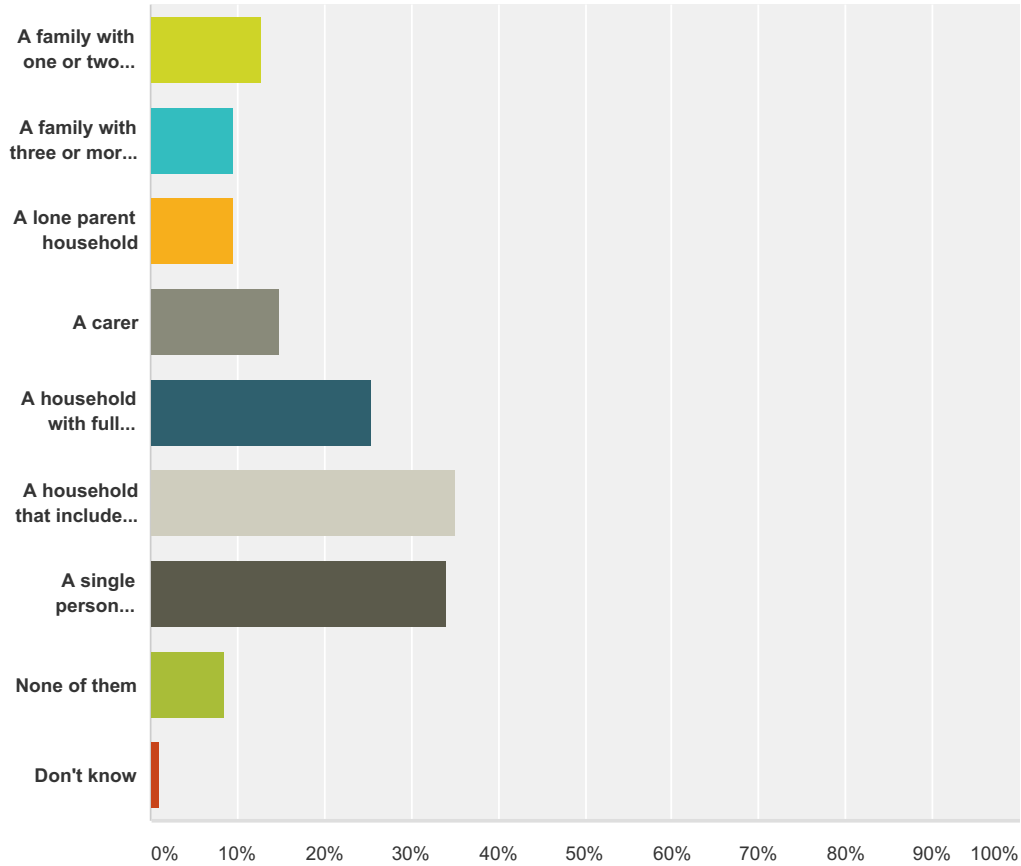
36	NR29 4LA	7/13/2015 11:35 AM
37	nr31 0ju	7/13/2015 9:14 AM
38	Nr294ja	7/11/2015 1:40 PM
39	nr304nw	7/11/2015 10:30 AM
40	NR29 4TP	7/8/2015 7:02 PM
41	NR.30.2LH.	7/8/2015 1:46 PM
42	NR29 3RG	7/7/2015 11:42 PM
43	NR30 4JY	7/7/2015 11:40 AM
44	nr30 3du	7/6/2015 10:10 PM
45	NR30 1EE	7/6/2015 6:53 PM
46	NR30 2RW	7/6/2015 4:41 PM
47	nr29 4np	7/6/2015 1:12 PM
48	nr31 9ra	7/6/2015 12:57 PM
49	NR30 1DJ	7/6/2015 10:38 AM
50	nr31 6bs	7/6/2015 10:01 AM
51	NR30 3DW	7/6/2015 9:54 AM
52	NR31 7LN	7/5/2015 12:55 PM
53	NR29 4NE	7/5/2015 12:38 PM
54	NR30 1EX	7/5/2015 12:21 PM
55	nr317qp	7/5/2015 10:30 AM
56	Nr31 7ny	7/2/2015 11:10 PM
57	nr31 6nb	7/2/2015 7:48 PM
58	NR31 9TR	7/1/2015 6:19 PM
59	NR30 ML Test 2	7/1/2015 9:35 AM
60	NR31 8NT	6/30/2015 10:42 PM
61	NR29 3RW	6/30/2015 12:20 PM
62	nr31 0dy	6/30/2015 12:20 PM
63	NR30 1QL	6/30/2015 9:21 AM
64	NR31 7BT	6/30/2015 7:41 AM
65	NR30 4DH	6/29/2015 7:10 PM
66	NR31 0DP	6/29/2015 3:20 PM
67	nr310ar	6/29/2015 2:56 PM
68	nr30 2rz	6/29/2015 2:24 PM
69	NR29 4QB	6/29/2015 11:45 AM
70	NR30 4HD	6/29/2015 11:35 AM
71	NR30 4DT	6/28/2015 10:51 AM
72	NR31 0DF	6/28/2015 3:14 AM
73	Nr30 1es	6/27/2015 11:38 PM
74	nr30 2se	6/27/2015 10:43 PM
75	NR301DU	6/27/2015 6:27 PM
76	NR31 0EH	6/26/2015 1:47 PM

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77	nr31 9bt	6/26/2015 1:23 PM
78	nr31	6/26/2015 12:33 AM
79	NR31 8LX	6/23/2015 3:09 PM
80	NR30 test	6/22/2015 8:35 AM

Q14 Would you say that any of the following describe your household? Tick all that apply

Answered: 94 Skipped: 24



Answer Choices	Responses	
A family with one or two dependent children	12.77%	12
A family with three or more children	9.57%	9
A lone parent household	9.57%	9
A carer	14.89%	14
A household with full and/or part time workers	25.53%	24
A household that includes someone who is disabled	35.11%	33
A single person household	34.04%	32
None of them	8.51%	8
Don't know	1.06%	1
Total Respondents: 94		



Environmental Health

Health and Safety Service Plan 2015 – 2016

1. Introduction

This service plan describes the health and safety service provided by Great Yarmouth Borough Council.

Section 18 of The Health and Safety at Work etc Act 1974 places a duty on the Health and Safety Executive (HSE) and Local Authorities (LAs) to make adequate arrangements for enforcement of Health and Safety, including details such as service planning, the officer capacity required to enforce in the Borough and the competency of those officers.

This health and safety service plan details how we will comply with these requirements as well as the actions we are taking to ensure the health and safety of local residents, visitors to the Borough as well as employees and those who operate businesses within our Borough.

The plan also provides information regarding:-

- what we plan to do this year;
- how we intend to do it and
- the work we have completed in the previous year

It is a requirement for this plan to be submitted to the Health and Safety Executive after due consideration by the Council.

2. Profile of the Borough

The Borough of Great Yarmouth has a population of approximately 97,800 residents and is growing, with a prediction to reach 105,400 by 2021. Great Yarmouth has been a seaside resort since the late 18th century. Today the Borough is one of the most popular British seaside resorts and has over 70,000 available bed spaces, caters for around 4 million day visits and nearly 5 million visitor nights each year. In the summer months the population effectively doubles which places a seasonal demand on the Health and Safety Service. There is heavy dependency on the tourist industry and 78 per cent of the jobs in the borough are service-based.

The ethnic minority population is small and currently makes up approximately 3.1% of the population in the Borough. The majority of migrants in Great Yarmouth come from Portugal, Poland and Republic of Lithuania. Greater than expected numbers of people where the first language is not English place greater demands on the service.

Great Yarmouth has a working age population of 58,200, 47,200 of which are economically active. The majority of these are employees and work full time but a small proportion of the population are self-employed. 78 per cent of the workforce is employed in the service industry, in particular in hotels and restaurants. This service sector generates most complaints in respect of Health and Safety.

3. Background to provision of the Health and Safety Service

Health and Safety enforcement within businesses in the UK is divided between Local Authorities (LAs) and the Health and Safety Executive (HSE). The Council is responsible for health and safety in a wide range of commercial workplaces. Our aim is to ensure these premises are safe for employees, self-employed persons and members of the public who may visit these premises.

The Health and Safety Team in Great Yarmouth currently enforce in approximately 2,500 businesses covering a range of workplaces including shops, catering premises, warehouses, caravan sites and seafront leisure activities amongst others.

During the summer months we also have a significant increase in the number of visitors to the area and it is important that they are safe when visiting the premises in our Borough.

The health and safety function is carried out within the Commercial Team of Environmental Services along with a wide range of other activities including food safety, licensing and commercial nuisance. This team is also responsible for the port health function.

4. Key Challenges for the Future

A key challenge for the Commercial Team for the future years is to respond to the changes to health & safety enforcement following the Government's commissioning of Professor Löfstedt's independent review of health & safety legislation, the Government's response and the resulting National Local Authority Enforcement Code.

The aim of the new national code is to ensure that Local Authorities and the Health and Safety Executive take a more consistent and proportionate approach to health and safety.

The national code recognises that although the primary responsibility for managing health and safety is the responsibility of a business, the local authority have an important role to support, encourage, advise and where necessary enforce against businesses to ensure that businesses can effectively manage the health and safety risks they create.

As a result of this new guidance the service has changed how we plan, target and carry out interventions with our businesses.

Proactive inspections can only now be carried out in premises in business/activity sectors identified by the Health and Safety Executive or where we may receive intelligence that risks in a business are not being effectively managed e.g. through accidents or complaints etc.

This change in enforcement has allowed Environmental Services to develop a range of alternative intervention tools and to target our work more specifically within identified industry sectors and provide targeted educational and informative interventions for businesses within the Borough.

5. Defining our Purpose

It is important before we deliver the service for us to identify the purpose of the health and safety service, which is currently defined as:-

'To protect the health, safety and welfare of employees and members of the public from workplace activities'

This is to be achieved by facilitating changes in health and safety management and culture within businesses to reduce the health and safety risks associated with the business.

6. Objectives

Our main objectives when delivering this service are to:-

- Assist businesses by providing clear information and guidance to help them to meet legal requirements and to raise standards to provide safer workplaces.
- Protect the health, safety and welfare of people employed in workplaces within the Borough.
- Provide a safe environment for the many visitors to the Borough.
- Prioritise high risk inspections and effectively target resources in line with national priorities.
- Deal appropriately with accident notifications, service requests, complaints and enquiries concerning matters of health, safety and welfare.
- Develop standard procedures and/or practices in light of any new legislation and guidance from the HSE.
- Work in partnership with other local councils, specifically the Norfolk Health and Safety Liaison Group as well as the HSE and other Stakeholders.
- Ensure all staff involved in the delivery of the service are appropriately trained and competent.

7. Accessing the Service

The Commercial Team of Environmental Services is based at the Great Yarmouth Town Hall Offices on Hall Quay in Great Yarmouth and can be contacted in a number of ways:-

- A reception facility is operated between 9am and 5pm Monday to Friday.
- The Environmental Health Service has a dedicated telephone contact number on 01493 846478 which provides a link to the Commercial Team.
- By email at health@great-yarmouth.gov.uk
- By fax on 01493 846415.

- The Environmental Health Service also has an out of hours answer phone that directs callers to the Council's 24 hour Central Control number in the event of emergencies.

Depending on the nature of the call an appropriate Officer may be called or the matter may be referred to an Officer the next working day.

The Council has recently launched a new website that provides access to further information and advice and this can be accessed at www.great-yarmouth.gov.uk

There are a number of languages other than English identified as in use within the Borough. The majority of proprietors are, however, able to communicate in English or have somebody present at the premises that can translate. In many cases where there may be language difficulties the service has the use of Language Line (Intran), a telephone and translation service to which the Council subscribes and the use of Intran (Cintra) when a face to face interpreter is required. Correspondence can be sent where necessary in languages other than English.

8. Scope of the Health and Safety Work and Demands on the Service

The demands on the service can be split into two distinct categories. There is reactive work and proactive work; both can lead to enforcement action being taken.

8.1 Reactive Work

Reactive work forms a large proportion of the work of the Health and Safety Team. Notifications of accidents, incidents and poor workplace facilities provide the team with valuable information about businesses that may not be managing health and safety risks adequately. In keeping with current government guidance and the National Code, no restrictions are placed on reactive work.

The types of reactive demands that we deal with are wide ranging and include:-

8.1.1 Accident Investigations

Some work related accidents are reportable under the Reporting of Incidents, Diseases and Dangerous Occurrences Regulations 1995, reports are received electronically through a central database. A total of 69 workplace incidents were reported to the Council and investigated as appropriate.

Currently reportable accidents are investigated on a case by case basis, as a minimum a letter is sent. The decision to visit will be made by the investigating officer and will be based on prior performance of the business in relation to health and safety and the details of the accident that occurred and if measures can be put in place to prevent further occurrences.

8.1.2 Complaints from Employees and Members of the Public

All health and safety complaints are investigated - in each instance the investigating officer considers the past performance of the business to determine what kind of intervention is most appropriate. The Health and Safety Team dealt with approximately 30 complaints relating to health and safety and welfare standards in the year 2014 - 2015.

8.1.3 Requests for Health and Safety Information

Requests for advice or information from businesses are responded to either verbally, in writing or face to face. Last year the team responded to 10 requests for advice regarding health and safety. Businesses can now also access health and safety information on the Great Yarmouth website. The department has also provided a small business advice pack that provides guidance to businesses, not only about health and safety but all aspects of Environmental Health, including for example food safety and licensing.

8.1.4 Asbestos Notifications

The Control of Asbestos Regulations 2012 requires notification of most works to asbestos containing materials. These notifications are received and evaluated by officers and visits are made to premises as required to ensure works are being planned and executed safely.

8.2 Proactive Work

Proactive work covers a variety of interventions from programmed formal inspection of premises to promotional activities to help educate and inform employees and employers on health and safety issues.

In line with the National Code we will be inspecting our high risk (Category A) premises and carry out other inspections as necessary in specified business activities/sectors

8.3 Enforcement Action

In the year 2014-2015 officers in the team served eight improvement notices and one prohibition notice. A premises is also in the process of having court action taken against it for significant breaches of the Health and Safety at Work etc Act 1974.

9. Intervention Planning

Proactive project work is planned every year and takes into account the following:-

- National & regional priorities, targets and plans
- Locally derived objectives
- Relevant guidance and policies

9.1 Proactive Interventions Completed 2014 - 2015

During 2014/15 the team completed the following range of interventions and project work:-

9.1.1 Safety of Coin Operated Rides

This project was carried out during the summer holidays along the seafront in Great Yarmouth. This was completed because:-

- There are a significant number of leisure premises located on the main tourist routes that provide small coin operated rides for use by young children.
- The Service had seen a number of incidents and accidents in recent years with coin-operated rides.
- Often these rides are poorly maintained both electrically and structurally. They are used by young children and it is important they are maintained in a safe condition.
- The service also has intelligence that a person who is unregistered to carry out ADIPS (Amusement Device Inspection Procedures Scheme) inspections of rides has been inspecting such rides in the area and has left them in an unsafe condition. This is currently being pursued.

An Environmental Health Officer and the Seafront Enforcement Officer inspected premises along the seafront, mainly amusement arcades, providing advice and guidance regarding the safety requirements for these rides to businesses. It was pleasing to note most rides were found to be in good condition with a small amount of electrical hazards found.

9.1.2 Inspections of Inflatables on Great Yarmouth and Gorleston Beach

This was completed with all inflatable sites on the seafront in Great Yarmouth and Gorleston, being visited by an Environmental Health Officer and the Seafront Enforcement Officer. The majority of these inflatables are located directly on the beach and are heavily used during the short summer season. This project was completed due to:-

- Intelligence received over the last few years indicating a number of serious accidents to young children using inflatables provided on the seafront in Great Yarmouth.
- The service regularly received complaints regarding the lack of supervision on the rides and the condition of some inflatables.
- These inflatables create significant risk of injury to users if they are not inspected, maintained, correctly installed, operated and supervised.

The main findings were that:-

- Access was possible to the blowers at the rear of the inflatables.
- Residual current devices to the electrical system were not appropriate.
- Supervision was poor at times.
- School children were being employed without the necessary paperwork.
- Operators were not aware of the maximum occupancy for the individual pieces of equipment.

All sites were provided with an inspection report and revisited to ensure they had complied with any safety issues found by the inspectors.

9.2 Proposed Interventions 2015 - 2016

In addition to the reactive work for this year, local and national concerns have lead the team to identify three important projects that are of concern specifically in the Great Yarmouth area. These are:-

9.2.1 Gas Safety with Tandoori Ovens

Accident statistics of fire and explosion incidents investigated by inspectors in the UK showed a considerable number of incidents occurred during the manual ignition of gas-fired catering equipment. A significant proportion of these incidents were attributed to tandoori ovens.

In Great Yarmouth officers have found safety issues with this type of equipment.

The aim of this project will be to increase the awareness of local business operators with respect to the dangers of this type of equipment used mainly in our Indian restaurants.

Officers will be visiting these premises where possible to provide advice and guidance.

9.2.2 Premises using Lasers for Tattoo and Hair Removal

Tattoo removal using lasers is becoming popular and more premises, mainly tattooists have recently begun to offer this service in Great Yarmouth.

In 2010 use of Class 3b/4 lasers and IPLs in cosmetic practices was deregulated with enforcement being transferred to local authorities. Optical radiation devices including lasers or intense pulsed light (IPL) systems are used by these premises to remove or fade the tattoos. The optical radiation emitted by such lasers and IPLs has potentially hazardous effects on clients and equipment users. Hazards from lasers will depend on the type of laser but problems can include - eye injury; skin burns; fire/explosion; smoke inhalation.

Lasers are also used to aid hair removal and are used by beauty salons. Again the risks of laser hair removal are due to the potential damage that may occur when the skin surrounding the hair follicles absorbs the laser. The most common symptoms following treatment can involve skin irritation such as redness, swelling and mild pain.

An initiative will be carried out to send a self-assessment questionnaire to any of our premises using lasers to provide advice and guidance to ensure they are using them safely, with follow up inspections as required

9.2.3 Hand Car Wash and Valeting Premises

In July 2015 a multi-agency initiative was carried out with the Norfolk Constabulary, the UK Border Agency, the Planning Department of the Council and the Environmental Services Community Protection Team. Visits were made to some of these premises to investigate issues including exploitation, immigration and housing provision for these workers. During these visits officers in the Community Protection Team identified poor health and safety standards in respect of chemical storage, electrical safety, unsafe systems of work, lack of personal protective equipment as well as the issues with smoking in the workplace.

Poor health and safety standards in hand car wash premises can lead to death or serious physical harm especially if there is a failure to train employees, maintain electrical equipment, identify serious health and safety hazards and control risks.

A recent regional project by 23 Local Authorities in Bedfordshire, Hertfordshire, Cambridgeshire, Suffolk and Essex, along with Health & Safety Awareness Officers from the HSE, identified significant health and safety issues with hand car wash businesses. The hazards identified included faulty and damaged electrics, incorrect outdoor sockets and unsafe handling and storage of chemicals. Employees were also inadequately protected or trained.

It is proposed that a multi-agency initiative will be carried out with Norfolk Constabulary and Her Majesty's Revenues and Customs (HMRC) to all car wash premises in the Borough to provide advice and guidance to operators to ensure their sites are safe not only to employees but also to members of the public using the facility.

9.2.4 Builder Merchants' Stacking of Lightweight Materials

In 2014 a significant accident occurred to an employee at a builder's merchants in the Great Yarmouth area. The employee suffered significant leg injuries when a poorly stacked pallet fell on him in poor weather conditions.

It appears it may be trade practice in poor weather, especially high winds, to stack lightweight goods with items such as pallets that could potentially make a load insecure.

- A short project will be carried out making all our builder's merchants aware of the safety risks associated with poorly stacked products, together with the effect poor weather can have on the stability of these stacked products.
- This will mainly be achieved by an information letter to builder's merchants containing guidance and information on how they can control the risks from this activity.

This initiative was not completed last year as the accident investigation is still on-going.

9.3 Emerging Intelligence, Matters of Evident Concern and Liaison with Other Organisations

Planned interventions and projects undertaken will continually evolve depending on intelligence received from:-

- Complaints and incidents reported from members of the public and employees.
- Discussions with the Norfolk Health and Safety Liaison Group. This group:-
 - Each year produces a joint Health and Safety Work Plan to identify local and national priorities that jointly the seven Norfolk Authorities can consistently work together on to improve health and safety in these identified sectors.
 - The group also provides advice and guidance to each other regarding emerging risks and local priorities.

- The Health and Safety Executive, especially via the local Enforcement Liaison Officer (ELO), The Local Authority Unit (LAU), Trading Standards and NHS England.
- Other external partnership agencies such as the Care Quality Commission and Norfolk County Council Education Services.
- Liaison with other services within the Council such as the Planning and Licensing.

9.4 Enforcement Policy

Enforcement decisions will be made in line with Great Yarmouth Borough Council's Environmental Services Enforcement Policy and following completion of an assessment using the HSE's Enforcement Management Model.

All decisions for enforcement action will be agreed by the Service Manager to ensure consistency and adherence to Enforcement Policy.

9.5 Communication

The Health and Safety Team are committed to providing up to date and relevant information and guidance to businesses in a variety of formats. A number of guidance documents have been updated over the past year and will continue to identify areas where further guidance is needed by businesses.

This year we will continue to extensively use internet based communication. The Environmental Services website is regularly reviewed to provide up to date guidance and health and safety information to businesses, as well as information regarding initiatives and projects we are carrying out.

Facebook and Twitter will also continue to be used where appropriate to communicate with small businesses in the Borough.

9.6 Corporate Health and Safety

From June 2013 the corporate internal health and safety function was transferred to the Commercial Team. Unfortunately, the Officer performing the Health and Safety Advisor role left and we are currently recruiting for a replacement. From 1 July 2015 Norfolk County Council has been assisting the Council by taking on an advisory role. Pending recruitment to the vacancy, Officers within the Commercial Team are providing a day to day service for corporate health and safety.

10. Service Performance and Review

10.1 Performance Measures

The purpose of interventions is to improve the control of health and safety risks within businesses and reduce associated risks, therefore, the best performance measure for the service will be a reduction of risk rating of businesses in the Borough over time.

10.2 Review and Monitoring

Review and monitoring is by way of a number of methods:-

- Routine review of planned interventions is carried out through team meetings. Local and regional intelligence will feed into this review and intervention priorities are subject to change.
- Meetings area carried out regularly with officers to evaluate the effectiveness of the interventions and to assess progress with this plan.
- All health and safety interventions are now being recorded on the recently introduced Civica computer database.
- Annual data returns are provided to the HSE for national performance monitoring.
- The Norfolk Health and Safety Liaison Group champions opportunities for peer review between Local Authorities throughout Norfolk.

10.3 Appointment, Competency and Authorisation of Officers

All Officers are appropriately trained in accordance with Section 18 Guidance.

Officers are appointed by the Commercial Team Manager and Service Group Manager and prior to picking up work their competence is assessed by the Commercial Team Manager. Officers carrying out enforcement work are appropriately authorised according to their ability, qualifications, expertise and experience.

The health and safety service continues to identify training and development needs of the individual Officers.

On-going training is organised for team members in relevant areas and training needs are assessed on an individual basis to ensure Officers have the required competencies.

Training is provided through externally provided courses, in-house training sessions provided throughout the year, discussing internal procedure regularly through Commercial Team meetings and through joint visits with experienced officers.

Currently all officers need to complete the Regulators Development Needs Analysis Tool (RDNA). This is a training needs assessment tool, which will allow training needs to be identified and managed at a local level and between Norfolk Authorities. The results of this will be incorporated into officer's PDRs.

Officers also undertake a minimum of 10 hours Continued Professional Development annually in the area of health and safety.

Officer's competence is also continually assessed through regular one to one meetings and PDR reviews.

Due to significant recent staff changes, the documented policy for staff competency is currently under review in accordance with the Section 18 guidance; this policy will provide evidence of officer competency and ongoing training.

The service also takes part in peer reviews with other Local Authorities to ensure consistency.

10.4 Staffing Allocation

All the health and safety work is covered by the Commercial Team of Environmental Services. The current staffing of the team is as follows;

Two full time Environmental Health Officers (EHO)

Three part time EHOs

Four full time Technical Officers (TO)

Currently one of the full time EHO positions is vacant and under recruitment

Not all staff have the required competency to deal with health and safety issues, this is restricted to all the EHOs and one TO. Overall the team spend about 15% of its time dealing with health and safety issues.

Subject: Licensing Policy 2016

Report to: Cabinet – 11 November 2015
Council – 24 November 2015

Report by: Licensing and Elections Manager

SUBJECT MATTER/RECOMMENDATIONS

Under the Licensing Act 2003, licensing authorities are required to review their licensing policy every five years. Great Yarmouth Borough Council's current policy will expire on 6 January 2016. Members are asked to approve the final draft Licensing Policy for publication.

1. INTRODUCTION/BACKGROUND

1.1 Members are reminded that under the Licensing Act 2003 local authorities are required to prepare and publish a statement of licensing policy. The Act requires the licensing authority to publish its licensing policy every five years and before determining its policy for any five year period, the licensing authority must consult the following persons listed in the Act:

- The chief officer of police for the area;
- The fire and rescue authority for the area;
- Persons/bodies representative of local holders of premises licences/certificates and personal licences; and
- Persons/bodies representative of businesses and residents in its area.

Great Yarmouth Borough Council's current policy came into effect on 7 January 2008 and expires on 6 January 2016.

1.2 The local authority must have regard to The Secretary of State's Guidance when making and publishing its policy. The Home Office issued its amended Guidance to local authorities in March 2015.

2. DRAFT POLICY AND CONSULTATION

2.1 Great Yarmouth Borough Council's current policy has been amended in line with the new guidance issued by the Home Office and the new draft policy is

attached at appendix 1.

- 2.2 The draft policy has been subject to a six week formal consultation process; and has taken place between September and October 2015. Consultation was by way of letters to all consultees and publication on website.
- 2.3 Following the consultation period, no comments have been made. The final policy will be considered by Full Council at their meeting in November 2015. This is to enable the final policy to be published at least four weeks prior to it taking effect.

FINANCIAL IMPLICATIONS:

None

LEGAL IMPLICATIONS:

Legal requirement under the Licensing Act 2003

EXECUTIVE BOARD OR DIRECTOR CONSULTATION:

Executive Board has been consulted

RECOMMENDATIONS

That the policy, incorporating the amendments, be approved. Once approved, the new policy will be published on 1 December 2015 and will come into effect on 7 January 2016.

Does this report raise any legal, financial, sustainability, equality, crime and disorder or human rights issues and, if so, have they been considered?	Issues	
	Legal	√
	Financial	√
	Risk	√
	Sustainability	x
	Equality	x
	Crime and Disorder	x
	Human Rights	√
	Every Child Matters	x

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LICENSING ACT 2003

Licensing Policy

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Approved by Full Council: 2015
Published: December 2015
Effective from: January 2016

If you require this in a different format or language, please contact
the Licensing Team

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Summary of Revisions to this Licensing Policy from 2012 version

The Policy document has been updated to reflect changes in legislation, the current section 182 statutory guidance and related matters.

In the consultation draft words in the previous version to be deleted are shown ~~thus~~ and revised additional wording in **red type**.

Proposed changes to the policy are listed below:

Page	Para	Changes
	1.2	update on Great Yarmouth profile
	1.3	Update to reflect legislative change in frequency that policies must be revised
	1.10	updated to reflect deregulation of aspects of “regulated entertainment”
	3.3	conditions on TENs
	4.7	Update on validity and duration of Personal Licences
	4.9	Update reflecting changes to Temporary Event Notices
	13.1	Update on reviews to reflect the status of the licensing authority as a responsible authority
	App II	Glossary updated to reflect changes in legislation and guidance brought about by deregulation agenda
	App III	Responsible authorities details updated including addition of Health Authority

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1.0 Introduction

- 1.1 **Great Yarmouth Borough Council** is the licensing authority under the Licensing Act 2003 and is responsible for granting personal licences, premises licences, club premises certificates and temporary event notices in the Borough. Premises licences, club premises certificates and temporary event notices authorises licensable activities such as the sale and/or supply of alcohol, the provision of regulated entertainment and/or late night refreshment.
- 1.2 Great Yarmouth Borough Council is the third most popular seaside destination in the UK with some 100,000 bed spaces. It is situated in the County of Norfolk, which contains seven District Councils in total.
- Great Yarmouth has a population of 97,800 (2013 ONS Mid term estimate) making it the smallest in the County in terms of population. In terms of area it is the second smallest, after Norwich city, covering 17,385 hectares (67.12 square miles). There are approximately 45,000 dwellings 3,394 businesses (March, 2005) and 35,042 employees within the Borough.
- The mainstays of Great Yarmouth's economy are the port, activities associated with the offshore oil and gas industry, tourism, manufacturing (particularly electronics and food production), agriculture and service industries. The majority of these sectors have suffered decline in employment and are prone to cyclical and seasonal variations.
- The council area is a mixture of urban and rural areas. The urban areas are the towns of Great Yarmouth and Gorleston-on-sea and the parishes of Bradwell and Caister-on-sea. The rural area consists of the remaining 19 parishes. A map of the Borough is attached at appendix 1.
- 1.3 In accordance with the legislation the Licensing Authority will prepare and publish a statement of its licensing policy every ~~three~~ five years. During the five year period the policy will be kept under review and the Licensing Authority may make such revisions as considered appropriate. (the period was initially three years but amended by statute in 2013)
- 1.4 This policy sets out the manner in which applications for licences, which are required by the Licensing Act 2003, will be considered by the Licensing Authority.
- 1.5 The policy will not seek to introduce 'zones' where specific activities are concentrated.
- 1.6 The policy will not be used to fix the hours during which alcohol can be sold and, in general, retail premises will be permitted to sell alcohol during the hours, which they are normally open for trade.
- 1.7 This policy statement will not seek to regulate matters which are provided for in any

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other legislation where the other legislation is the most suitable for the circumstances (e.g. planning, health and safety, employment rights, fire safety etc.).

- 1.8 The Licensing Authority does not wish to discourage licensees to provide a wide range of entertainment activities within the Borough throughout their opening hours and to promote live music, dance, theatre etc for the wider cultural benefit of the community.
- 1.9 The licensable activities which require a licence under the provisions of the Licensing Act 2003 and which this policy statement covers include:
- 1 The sale of alcohol by retail
 - 2 The supply of alcohol by or on behalf of a club, or to the order of , a member of a club
 - 3 The provision of regulated entertainment
 - 4 The provision of late night refreshment

(Refer to glossary for definitions – Appendix 2)

- 1.10 ~~The licensing authority may not specify conditions relating to public nuisance and child protection, for musical entertainment which is not amplified and takes place between the hours of 0800 and 12 midnight in premises which have a capacity of 200 or less, and is the only regulated activity taking place at the time.~~
- 1.11 ~~Morris Dancing and other dancing of a similar nature or a performance of un-amplified, live music, as an integral part of such a performance is exempt from any licensing requirements.~~

2.0 The Policy

- 2.1 The 2003 Act requires that the Licensing Authority carries out its various licensing functions so as to promote the following four licensing objectives:
- the prevention of crime and disorder
 - public safety
 - the prevention of public nuisance
 - the protection of children from harm

These objectives are the only matters to be taken into account in determining licensing applications and any conditions attached to licences must be necessary to achieve the licensing objectives.

- 2.2 The 2003 Act further requires that the Licensing Authority publishes a 'Statement of Licensing Policy' that sets out the policies the Council will generally apply to promote the licensing objectives when making decisions on applications made under the Act.

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- 2.3 This 'Statement of Licensing Policy' has been prepared in accordance with the provisions of the 2003 Act and the Guidance issued under Section 182 of the Act.
- 2.4 When determining applications for licences, the Licensing Authority must also have regard to this policy statement and to the Guidance.
- 2.5 Before publishing this policy statement the Licensing Authority will consult with the following –
- 1 the police
 - 2 the fire service
 - 3 environmental health
 - 4 health and safety executive
 - 5 the local planning authority
 - 6 the authority responsible for the protection of children from harm
 - 7 the Director of Public Health at the Norfolk health authority
 - 8 representatives of licence holders
 - 9 local businesses and their representatives
 - 10 local residents and their representatives

3.0 Main Principles

- 3.1 Nothing in the 'Statement of Policy' will:
- undermine the rights of any person to apply under the 2003 Act for a variety of permissions and have the application considered on its individual merits, and/or
 - override the right of any person to make representations on any application or seek a review of a licence or certificate where they are permitted to do so under the 2003 Act
- 3.2 ~~There is no provision for the licensing authority itself to make any relevant representations and in the absence of any relevant representations in respect of an application, the licensing authority is obliged to issue the licence in the terms sought.~~
- 3.3 Licensing is about regulating the carrying on of licensable activities on licensed premises, by qualifying clubs and at temporary events within the terms of the 2003 Act, and conditions attached (if relevant representation is made) to various authorisations will be focused on matters which are within the control of individual licensees.
- (n.b. ~~No conditions can be attached o temporary event notices~~ The 2003 Act provides that only the licensing authority can impose conditions to a TEN from the existing conditions on the premises licence or club premises certificate at the venue. The licensing authority can only do so:*
- if the police or the EHA have objected to the TEN;*
 - if that objection has not been withdrawn;*
 - if there is a licence or certificate in relation to at least a part of the premises in respect of which the TEN is given;*

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- *and if the licensing authority considers it appropriate for the promotion of the licensing objectives to impose one or more conditions.*

This decision is one for the licensing authority alone, regardless of the premises user's views or willingness to accept conditions. The conditions must be notified to the premises user on the form prescribed by regulations)

3.4 When considering conditions (on receipt of a relevant representation), the Licensing Authority will primarily focus on the direct impact of the activities taking place at licensed premises on members of the public living, working or engaged in normal activity in the area concerned.

3.5 The Licensing Authority acknowledges that the licensing ~~legislation function~~ is not the primary mechanism for the general control of individuals once they are away from licensed premises and therefore beyond the direct control of individual licensees or certificate holders.

However, licensees and certificate holders should take reasonable steps to prevent the occurrence of crime and disorder and public nuisance immediately outside their premises, for example, on the pavement, in a beer garden or in a smoking shelter, where and to the extent that these matters are within their control.

3.6 In this respect, the Licensing Authority recognises that there are a number of other mechanisms available for addressing issues of unruly behaviour that can occur away from licensed premises, including:

- Planning controls
- Positive measures to create a safe and clean town centre environment in partnership with local businesses, transport operators and other departments of the local authority.
- The provision of CCTV surveillance and taxi ranks in the town
- Powers of the local authority to designate parts of the Borough as places where alcohol may not be consumed publicly.
- Police enforcement of the general law concerning disorder and anti-social behaviour, including the issue of fixed penalty notices.
- The prosecution of any personal licence holder or member of staff at such premises who is selling alcohol to people who are drunk.
- The confiscation of alcohol from adults and children in designated areas.
- Police powers to close down instantly for up to 24 hours any licensed premises or temporary event on the grounds of disorder, the likelihood of disorder or noise emanating from the premises causing a nuisance.
- The power of the police, other responsible authorities or a local resident or business to seek a review of the licence or certificate in question.

4.0 Licences and applications

Premises licences

- 4.1 A premises licence authorises the holder to use the premises for licensable activities according to operating conditions that uphold the licensing objectives. Unless required for a limited period, a premises licence is effective until it is either revoked or surrendered.

Club Premises Certificates

- 4.2 Social and private member clubs need a club premises certificate in order to supply alcohol and provide regulated entertainment for club members and guests. Qualifying clubs are entitled to certain benefits compared to other premises.

Applications

- 4.3 Applicants applying for a new or a variation to a premises licence or club premises certificate must include an operating schedule or a club operating schedule. The application must be copied to responsible authorities and advertised for the benefit of ~~interested parties~~ other persons (see glossary – appendix 2/ list of responsible authorities - appendix 3. The operating schedule shall include information which is necessary to enable any responsible authority or interested party to assess whether the steps to be taken to promote licensing objectives are satisfactory.
- 4.4 Each application will be considered on its individual merits. If an application for a premises licence or club premises certificate has been lawfully made and there has been no representations from responsible authorities or ~~interested parties~~ other persons, the Licensing Authority must grant the application subject only to conditions that are consistent with the operating schedule or club operating schedule and any mandatory conditions prescribed in the 2003 Act itself. The Licensing Authority may not impose conditions unless its discretion has been engaged following the making of relevant representations and it has been satisfied at a hearing of the necessity to impose conditions due to the representations raised. It may then only impose conditions when are necessary and proportionate for the promotion of the licensing objectives arising out of the consideration of the representations.
- 4.5 However, in order to minimise problems and the necessity for hearings, it would be advisable for applicants and clubs to consult with responsible authorities when schedules are being prepared. This would allow for proper liaison before representations prove necessary.
- 4.6 The minor variation process has been introduced to allow a simplified process for making applications for small variations (that not will not adversely affect the licensing objectives) to an existing licence.

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This process does not require the applicant to advertise the application or send to responsible authorities. However, a white notice must be displayed on the premises and the licensing authority must consult responsible authorities if there is any doubt about the impact of the variation on the licensing objectives and it requires specialist advice.

Minor variations will generally fall into four categories:

- minor changes to the structure or layout of a premises;
- small adjustments to licensing hours;
- the removal of out of date irrelevant or unenforceable conditions; and
- the addition of certain licensable activities.

In all cases the overall test is whether the proposed variation could impact adversely on any of the four licensing objectives.

Personal licences

- 4.7 A personal licence authorises an individual to sell or authorise the supply of alcohol in accordance with a premises licence. ~~Licences are valid for 10 years, renewable and also portable~~ Originally Personal Licences were valid for 10 years then renewable. The Deregulation Act 2015 has removed the requirement to renew a personal licence with effect from 1 April 2015. Personal Licences are now valid for life unless surrendered or withdrawn. They are portable, which means licensees may use them at any licensed premises in England or Wales.

Designated premises supervisor

- 4.8 The sale and supply of alcohol, because of its potential impact on the wider community and on crime and disorder and antisocial behaviour, carries with it greater responsibility than that associated with the provision of regulated entertainment and late night refreshment. This is why individuals who may be engaged in making and authorising such sales require a personal licence. The premises licence must show the name of the Designated Premises Supervisor (DPS) who takes responsibility for the sale and supply of alcohol in those premises. The DPS will normally be the person who has been given day to day responsibility for running the premises by the premises licence holder. Only one DPS may be specified in a single premises licence, but a DPS may supervise more than one premises as long as they are able to ensure that the four licensing objectives are properly promoted and the premises complies with licensing law and licence conditions.

Temporary Event Notices

- 4.9 Temporary events attended by fewer than 500 people will not require a licence. However, the organisers will need to submit a Temporary Event Notice (TEN) to the Licensing Authority, Environmental Health and the Police (to see if they object) informing them of the event. ~~At least 10 working days before the event. There are 2~~

types of TENs:

a standard TEN, which is given no later than 10 working days before the event to which it relates

a late TEN, which is given not before 9 and not later than 5 working days before the event

A key difference between standard and late TENs is the process following an objection notice from the police or Environmental Health. Where an objection notice is received in relation to a standard TEN the licensing authority must hold a hearing to consider the objection, unless all parties agree that a hearing is unnecessary. If the police, Environmental Health or both give an objection to a late TEN, the notice will not be valid and the event will not go ahead as there is no scope for a hearing or the application of any existing conditions.

The following limitations apply:

- the number of times a person (the premise user) may give a temporary event notice (50 times per calendar year for a personal licence holder and 5 times per calendar year for other people);
- ~~the number of times a temporary event notice may be given for any particular premises (12 times in a calendar year)~~
- the number of times a premises user may give a late TEN is limited to 10 times in a calendar year for a personal licence holder and twice for other people. Late TENs count towards the total number of permitted TENs (i.e. the limit of five TENs a year for non-personal licence holders and 50 TENs for personal licence holders). A notice that is given less than ten working days before the event to which it relates, when the premises user has already given the permitted number of late TENs in that calendar year, will be returned as void and the activities described in it will not be authorised.
- the number of times a TEN may be given for any particular premises is 12 times in a calendar year (*the Deregulation Act 2015 has increased this number to 15 with effect from 1 January 2016*);
- ~~the length of time a temporary event last (96 hours)~~
- the maximum duration of an event authorised by a TEN is 168 hours (seven days);
- ~~the maximum total duration of the periods covered by temporary event notices at individual premises (15 days)~~
- the maximum total duration of the events authorised by TENs in relation to individual premises is 21 days in a calendar year;
- ~~the scale of the event in terms of the maximum number of people attending at any one time (less than 500)~~
- the maximum number of people attending at any one time is 499; and
- the minimum period between events authorised under separate TENs in relation to the same premises (not including withdrawn TENs) by

the same premises user is 24 hours.

The statutory ten working days notice means ten working days exclusive of the day on which the event is to start, and exclusive of the day on which the notice is given.

5.0 Crime and Disorder

- 5.1 The Council must fulfil its obligations under Section 17 of the Crime and Disorder Act 1998 when carrying out its function as the licensing authority under the 2003 Act.
- 5.2 Licensed premises, especially those offering late night/early morning entertainment, alcohol and refreshment for large numbers of people, can be a source of crime and disorder problems.
- 5.3 When addressing the crime and disorder objective, the applicant should initially identify any particular issues (having regard to their particular type of premises and/or activities) which are likely to adversely affect the promotion of this objective. Such steps as are required to deal with these identified issues should be included with the applicant's operating schedule. (Advice on operating schedules - appendix 4)
- 5.4 If the applicant does not address crime and disorder issues in their operating schedule, it is likely that representations will be made. Where relevant representations are made, the Licensing Authority will consider attaching Conditions to licences to deter and prevent crime and disorder both inside and immediately outside the premises, and these will reflect local crime prevention strategies and may include Conditions drawn from the Model Pool of Conditions relating to Crime and Disorder (see appendix 4).

Cumulative Impact

- 5.5 The Licensing Authority will not take 'need' into account when considering an application, as 'need' relates to the commercial demand for a particular type of premises. However, it recognises that the cumulative impact of the number, type and density of licensed premises in a given area, may lead to serious problems of nuisance and disorder outside and some distance from the premises.
- 5.6 Representations may be received from a responsible authority or ~~/interested party~~ other person that an area has become saturated with premises making it a focal point for large groups of people to gather and circulate away from the licensed premises themselves, creating exceptional problems of disorder and nuisance over and above the impact from the individual premises. In these circumstances, the

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Licensing Authority may consider that the imposition of conditions is unlikely to address these problems and may consider the adoption of a special policy of refusing new premises licences or club premises certificates because the area is saturated with licensed premises and the granting of any more would undermine the crime and disorder or public nuisance licensing objectives.

- 5.7 The Licensing Authority will take the following steps when considering whether to adopt a special saturation policy:
- identification of serious and persistent concern from a responsible authority or representatives of residents about nuisance and disorder
 - where it can be demonstrated that disorder and nuisance is arising as a result of customers from licensed premises, identifying the area from which problems are arising and the boundaries of that area
 - assessing the causes
 - adopting a policy about future licence applications from that area
- 5.8 The Licensing Authority will consider representations based on the impact on the promotion of the licensing objectives in the Borough of the grant of the particular application in front of them. However, the onus would be on the objectors to provide evidence to back up any assertion that the addition of the premises in question would produce the cumulative impact claimed, taking into account that the impact will be different for premises with different styles and characteristics.
- 5.9 The Council will keep under review any special saturation policies to see whether they have had the effect intended, and whether they are still needed.
- 5.10 The Licensing Authority will not use such policies solely:
- as the grounds for removing a licence when representations are received about problems with existing licensed premises, or,
 - to refuse modifications to a licence, except where the modifications are directly relevant to the policy, for example where the application is for a significant increase in the capacity limits
- 5.11 The Licensing Authority recognises that the diversity of premises selling alcohol, serving food and providing entertainment covers a wide range of contrasting styles and characteristics and will have full regard to those differences and the differing impact these will have on the local community.
- 5.12 It therefore also recognises that, within this policy, it may be able to approve licences that are unlikely to add significantly to the saturation, and will consider the circumstances of each individual application.

6.0 Public Safety

- 6.1 The 2003 Act covers a wide range of premises that require licensing, including,

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cinemas, concert halls, theatres, nightclubs, public houses, cafes/restaurants and fast food outlets/takeaways.

- 6.2 Each of these types of premises presents a mixture of hazards, with many common to most premises and others unique to specific operations. It is essential that premises are constructed or adapted and operated so as to acknowledge and safeguard occupants against the risks associated with these hazards.
- 6.3 Where an applicant identifies an issue in regard to public safety (including fire safety) which is not covered by existing legislation, the applicant should identify in their operating schedule the steps which will be taken to ensure public safety. (Advice on operating schedules – appendix 4)
- 6.4 If the applicant does not address public safety issues in their operating schedule, it is likely that representations will be made. Where relevant representations are made, the Licensing Authority will consider attaching Conditions to licences to promote safety and these may include Conditions drawn from the Model Pool of Conditions relating to Public Safety (see appendix 4).

7.0 Prevention of Nuisance

- 7.1 Licensed premises, especially those operating late at night and in the early hours of the morning, can cause a range of nuisances impacting on people living, working or sleeping in the vicinity of the premises.
- 7.2 When addressing public nuisance the applicant should initially identify any particular issues (having regard to their particular type of premises and/or activities) which are likely to adversely affect the promotion of the objective to prevent public nuisance. Such steps are required to deal with these identified issues should be included within the applicant's operating schedule. (Advice on operating schedules - appendix 4)
- 7.3 If the applicant does not address nuisance issues in their operating schedule, it is likely that representations will be made. Where relevant representations are made, the Licensing Authority will consider attaching Conditions to licences to prevent public nuisance and these may include Conditions drawn from the Model Pool of Conditions relating to Public Nuisance (see appendix 4).

8.0 Protection of Children from Harm

Access to Licensed Premises

- 8.1 The wide range of premises that require licensing means that children can be expected to visit many of these, and the development of family-friendly environments is encouraged.

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8.2 While the 2003 Act does not prohibit children from having free access to any licensed premises, the Licensing Authority recognises that limitations may have to be considered where it appears necessary to protect children from harm.

8.3 The Licensing Authority will judge the merits of each separate application. However, where relevant representations are made they may decide to impose conditions limiting the access of children to individual premises. The following are examples of premises that will raise concern:

- where entertainment or services of an adult or sexual nature are commonly provided;
- where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for allowing underage drinking;
- where it is known that unaccompanied children have been allowed access;
- where requirements for proof of age cards or other age identification to combat the purchase of alcohol by minors is not the norm;
- with a known association with drug taking or dealing;
- where there is a strong element of gambling on the premises (but not, for example, the simple presence of a small number of cash prize gaming machines); and
- where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.

Venue operators may also volunteer such prohibitions and restrictions in their operating schedules because their own risk assessments have determined that the presence of children is undesirable or inappropriate.

8.4 Where relevant representations are received, the Licensing Authority will consider any of the following options when dealing with a licence application where limiting the access of children is considered necessary to prevent harm to children:

- where alcohol is sold, requirements for the production of proof of age cards or other age identification before sales are made to ensure that sales are not made to individuals under 18 (whether the age limit is 18 or 16 as in the case of consumption of beer, wine and cider in the company of adults during a table meal);
- restrictions on the hours when children may be present;
- restrictions excluding the presence of children under certain ages when particular specified activities are taking place;
- restrictions on the parts of premises to which children might be given access;
- Age restrictions (below 18);
- requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
- full exclusion of people under 18 from the premises when any licensable

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- activities are taking place;
- Restrictions or exclusions when certain activities are taking place.

- 8.5 No conditions will be imposed requiring that children be admitted to any premises and, where no limitation is imposed, this will be left to the discretion of the individual licensee.
- 8.6 The 2003 Act details a number of offences designed to protect children in licensed premises and the Licensing Authority will work closely with the police and Trading Standards to ensure the appropriate enforcement of the law, especially relating to the sale and supply of alcohol to children.

Access to Cinemas

- 8.7 In the case of premises which are used for film exhibitions, the Licensing Authority will expect licensees or clubs to include in their operating schedules arrangements for restricting children from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification.

Where a premise is authorised for film exhibitions, the licence will be subject to a mandatory condition requiring the admission of children to be restricted.

Children and Regulated Entertainment

- 8.8 Many children go to see and/or take part in an entertainment arranged especially for them, for example children's film shows and dance or drama school productions, and additional arrangements may be required to safeguard them while at the premises. The Licensing Authority will expect the Operating Schedule to satisfactorily address this issue.
- 8.9 If the applicant does not address protection of children issues in their operating schedule, it is likely that representations will be made. Where relevant representations are made, the Licensing Authority will consider attaching Conditions to licences to prevent harm to children and these may include Conditions drawn from the Model Pool of Conditions relating to the Protection of Children from Harm (see appendix 4).
- 8.10 The ~~Licensing Authority~~ **Borough Council** considers that Norfolk ~~County Council~~ **Children's services** **Safeguarding Children's Board** to be the ~~competent lead~~ **responsible authority** for matters relating to the protection of children from harm (see responsible authorities appendix 3).

9.0 Licensing Hours

- 9.1 The Licensing Authority recognises that, in some circumstances, flexible licensing hours for the sale of alcohol can help to ensure that the concentrations of customers

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leaving premises simultaneously are avoided. This can help to reduce the friction at late night fast food outlets, taxi ranks, minicab offices and other sources of transport that can lead to disorder and disturbance.

- 9.2 With regard to licensing hours, consideration will be given to the individual merits of an application. However, consideration of flexible hours should always be balanced carefully against the duty to promote the four licensing objectives and the rights of local residents to peace and quiet.

Retail Premises

- 9.3 The Licensing Authority will generally consider licensing retail premises to sell alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours.
- 9.4 A limitation may be appropriate following police representations made in respect of individual shops known to be the focus of disorder and disturbance.
- 9.5 It is important to note that “opening hours”, the times when premises are open to the public, are not necessarily identical to the hours during which licensable activities may take place.

10.0 Integrating Strategies and Avoiding Duplication

- 10.1 There are many stakeholders in the leisure industry, covering a wide range of disciplines. Many are involved, directly or indirectly, in the promotion of the licensing objectives, particularly those relating to the prevention of crime and disorder and public nuisance.
- 10.2 Many of their strategies deal in part with the licensing function, and the Licensing Authority will set up multi-disciplinary working groups to ensure proper integration of local crime prevention, planning, transport, tourism and cultural strategies.
- 10.3 The Licensing Authority will arrange for protocols with the Norfolk Police to enable them to report to the Committee responsible for transport matters on the need for the swift and safe dispersal of people from the town's busiest areas to avoid concentrations, which can produce disorder and disturbance.
- 10.4 Arrangements will be made for the Licensing Committees to receive reports on the following matters to ensure these are reflected in their decisions:
- the needs of the local tourist economy and cultural strategy for the Borough, and,
 - the employment situation in the Borough and the need for investment and employment where appropriate

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- 10.5 The ~~Licensing Authority~~ Borough Council recognises that there should be a clear separation of the planning and licensing regimes and licensing applications should not be a re-run of the planning application.
- 10.6 The Licensing Authority recognises the need to avoid so far as possible duplication with other regulatory regimes.
- 10.7 However, some regulations do not cover the unique circumstances of some licensable activities and the Licensing Authority will consider attaching Conditions to premises licences and club premises certificates (following relevant representations) where these are necessary for the promotion of the licensing objectives and are not already provided for in any other legislation.
- 10.8 This policy recognises that the Borough Council has a duty under the Equalities Act 2010, to eliminate unlawful ~~racial~~ discrimination, ~~harassment and victimisation~~; and to ~~advance promote~~ equality of opportunity and to ~~foster~~ good relations between persons ~~of different racial groups with different protected characteristics~~. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation. These requirements will be taken into account when carrying out licensing procedures.

11.0 Conditions

- 11.1 Conditions (except than the statutory mandatory conditions or those drawn from the applicants operating schedule) may only be attached to a licence if relevant representations ~~from responsible authorities or other persons~~ are received.
- 11.2 Where relevant representations have been made, conditions attached to licences or certificates will be tailored to the individual style and characteristics of the particular premises and events concerned.
- 11.3 If its discretion has been engaged and where considered necessary for the promotion of the Licensing Objectives, the Licensing Authority may consider attaching Conditions drawn from the relevant Model Pools of Conditions and from any published Local Pool of Conditions. (see appendix 4)
- 11.4 The Act has been amended to allow certain community premises to apply for the removal of the mandatory conditions relating to the requirement for a DPS and personal licence holder. The licensing authority would expect a premises wishing to apply under this provision, to have in place:
- 1 a clear constitution or other management documents to confirm that the management board or committee is properly constituted and accountable
 - 2 effective hiring agreements to ensure that where premises are hired, hirers are made aware of their responsibilities under the Act in relation to the sale of

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alcohol

If these key issues are addressed in the operating schedule, it is less likely to attract representations from responsible authorities. It is also expected that any changes to key officers are notified to the licensing authority.

12.0 Enforcement

- 12.1 Once licensed, it is essential that premises are maintained and operated so as to ensure the continued promotion of the licensing objectives and compliance with the specific requirements of the 2003 Act. The Licensing Authority will make arrangements to monitor premises and take appropriate enforcement action to ensure this.
- 12.2 The Licensing Authority has established a protocol with the police and adopted its own enforcement policy. This policy provides for the targeting of agreed problem and high-risk premises, but with a lighter touch being applied to those premises, which are shown to be well managed and maintained.
- 12.3 All enforcement actions taken by the Licensing Authority will comply with the Councils Enforcement Policy and the Enforcement Concordat, which the Council has adopted. To this end the key principles of consistency, transparency and proportionality will be maintained.

13.0 Reviews

- 13.1 At any stage, following the grant or variation of a licence, a responsible authority or ~~an interested party other person~~, may apply to the Borough Council ~~ask the licensing authority~~ to review a licence because of a matter arising at the premises in connection with any of the four licensing objectives. The licensing authority itself ~~cannot as a responsible authority can~~ initiate the review process. ~~Where the licensing authority acts as a responsible authority appropriate steps will be taken to ensure separation of the roles and transparency in the decision making process is clear.~~ Representations must relate to a particular licensed premises and must be relevant to the promotion of the licensing objectives.
- 13.2 The licensing authority recognises the importance of partnership working and responsible authorities will aim to give licence holders early warning of any concerns identified at a premises and the need for improvement. A failure to respond to such warnings is likely to lead to a decision to request a review.
- 13.3 Where ~~the Borough Council as~~ licensing authority ~~holds a review hearing and determines considers~~ that action under its statutory powers is necessary, it may take any of the following steps:
 - 1 to modify the conditions of the premise licence (which includes adding new conditions or any alteration or omission of an existing condition)

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- 2 to exclude a licensable activity from the scope of the licence
- 3 to remove the DPS
- 4 to suspend the licence for a period not exceeding three months
- 5 to revoke the licence

13.4 In cases when the crime prevention objective is being undermined, it is expected that revocation of the licence – even in the first instance – will be seriously considered.

14.0 **Live Music, Dancing and Theatre Regulated Entertainment**

14.1 ~~The Borough Council In its role of implementing local authority cultural strategies, the Licensing Authority~~ recognises the need to encourage and promote a broad range of entertainment live music, dance and theatre for the wider cultural benefit of the communities generally.

14.2 When considering applications for such events and the imposition of conditions on licences or certificates (where relevant representations have been made), the Licensing Authority will carefully balance the cultural needs with the necessity of promoting the licensing objectives, avoiding unnecessary or disproportionate measures that could deter live music, dancing and theatre regulated entertainment.

14.3 Consideration will be given to the particular characteristics of any event, including the type, scale and duration of the proposed entertainment, especially where limited disturbance only may be caused.

14.4 ~~The licensing authority will monitor the impact of licensing on regulated entertainment, particularly live music and dancing, to ensure such events are not being deterred by licensing requirements.~~

14.5 The licensing authority has licensed the following public spaces for regulated entertainment:

- 1 Great Yarmouth Town Centre
- 2 St Georges Park
- 3 Marine Parade and the beach

15 **Responsible Authorities and Other Persons**

15.1 Responsible authorities are public bodies that are statutory consultees that must be notified of licensing applications. A list of the responsible authorities in respect of applications and notices made to the Borough Council can be found at Appendix 3 or on the Councils website

15.2 When dealing with licensing applications for premises licences and club premises

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certificates the Borough Council is obliged to consider representations from two categories of persons, referred to as 'responsible authorities' and 'other persons'. This allows for a broad range of comment to be received both for and against licensing applications.

16 Other Relevant Matters

- 16.1 **Adult entertainment.** The Licensing Authority has adopted Schedule 4 of the Local Government (Miscellaneous Provisions) Act 1982 and premises offering regular entertainment of a sexual nature must be licensed as a sex establishment under those provisions. The Borough Council acknowledges that there is an exemption which allows sexual entertainment to be provided at premises licensed under the Licensing Act 2003, as long as it is provided on no more than 11 occasions within 12 months and with at least 1 month between each occasion. Premises using this exemption should ensure that procedures are in place to exclude children when entertainment of this nature is offered.
- 16.2 **Gaming machines in licensed premises - Automatic entitlement.** There is provision in the Gambling Act 2005 (GA2005) for premises licensed to sell alcohol for consumption on the premises to automatically have two gaming machines of category C and/or D.
- 16.3 **Gaming Machine Permit** – If a premises wishes to have more than 2 machines of categories C and/or D, then it needs to apply for a permit and the Borough Council will consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission under section 25 of the Act, and such matters as licensing officers consider relevant.
- 16.4 **Exempt Gaming.** Premises licensed under the Licensing Act 2003 may offer gaming such as poker and bingo provided the stakes and prizes do not exceed permitted levels. Details of these limits are available from the Borough Council or the Gambling Commission.
- 16.5 **Licence Suspension.** The Borough Council is required under the Act to suspend premises licenses and club premises certificates where the annual fee has not been paid. The Borough Council will invoice each licence holder/club when the annual fee is due setting out the fee that is due. Where the fee has not been paid or there has been no claim of administrative error, the Borough Council will serve a notice to suspend the licence.

17 Committee decisions and scheme of delegation

- 17.1 The Licensing Authority will be involved in a wide range of licensing decisions and functions and has established a Licensing Committee to administer them.
- 17.2 Appreciating the need to provide a speedy, efficient and cost-effective service to all

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parties involved in the licensing process, the Committee has delegated certain decisions and functions and has established a number of Sub-Committees to deal with them.

- 17.3 Further, with many of the decisions and functions being purely administrative in nature, the grant of non-contentious applications, including for example, those licences and certificates where no representations have been made, has been delegated to Council Officers. All such matters dealt with by Officers will be reported for information and comment only to the next Committee meeting
- 17.4 The Table on the following page sets out the agreed delegation of decisions and functions to Licensing Committee, Sub-Committees and Officers
- 17.5 This form of delegation is without prejudice to Officers referring an application to a Sub-Committee, or a Sub-Committee to Full Committee, if considered appropriate in the circumstances of any particular case.
- 17.6 Copies of applications and letters of representation will be included within the Licensing Manager's report and distributed prior to hearings before a Licensing Sub-Committee. Applicants, responsible authorities and other persons wishing to present additional evidence in support of their application/representation should do so at least 3-working days before the hearing starts. Failure to do, may result in the Licensing Sub-Committee disregarding this additional evidence.

TABLE OF DELEGATIONS OF LICENSING FUNCTIONS

MATTER TO BE DEALT WITH	FULL COMMITTEE	SUB-COMMITTEE	OFFICERS
Application for personal licence		If a police objection made	If no objection made
Application for personal licence, with unspent convictions		All cases	
Application for premises licence/club premises Certificate		If a relevant representation made	If no relevant representation made
Application for provisional statement		If a relevant representation made	If no relevant representation made
Application to vary premises licence/club registration Certificate		If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor		If a police representation	All other cases
Request to be removed as designated premises supervisor			All cases
Application for transfer of premises licence		If a police representation	All other cases
Application for Interim Authorities		If a police representation	All other cases
Application to review premises licence/club premises Registration		All cases	
Decision on whether an objection or complaint is irrelevant, frivolous, vexatious, etc			All cases, initially with discretion to refer to Sub-committee
Decision to object when local authority is a consultee and not the lead authority		All cases	
Determination of a police representation to a temporary event notices		All cases	
Application of special policy relating to cumulative impact	All cases		

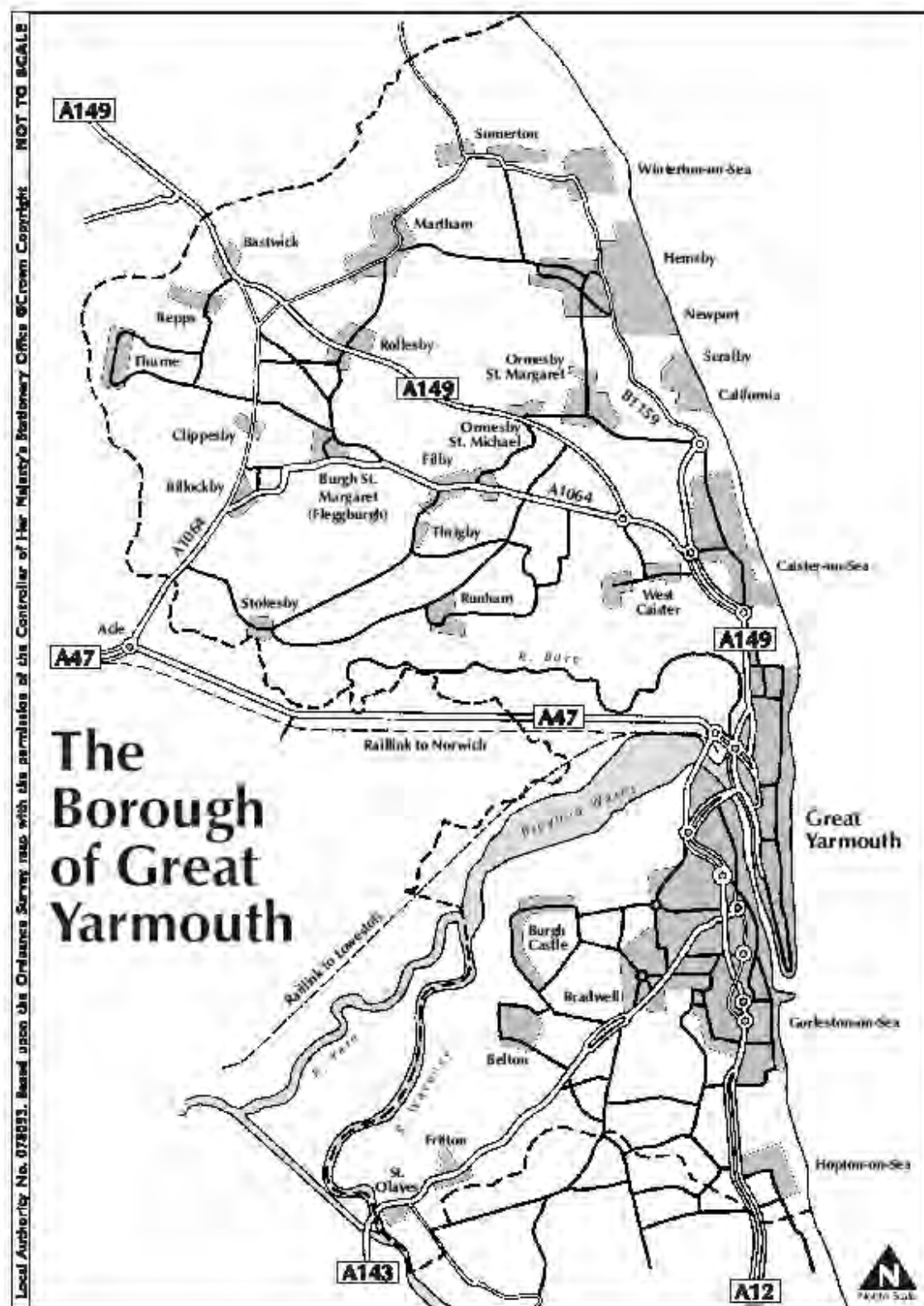
18.0 Contacts

18.1 Information and advice on all aspects of licensing can be obtained by either:

- a) visiting the website on www.great-yarmouth.gov.uk , or
- b) telephoning the licensing team on (01493) 846304/530 or
- c) e-mailing the licensing team on licensing@great-yarmouth.gov.uk
- d) in person at the Town Hall, Hall Plain, Great Yarmouth

18.2 The Licensing Act 2003 and Guidance issued under Section 182 ~~Draft Statutory Guidance~~ can be viewed on the ~~Department of Culture, Media and Sport Home Office~~ website at [http://www.homeoffice.gov.uk/](http://www.homeoffice.gov.uk/http://www.culture.gov.uk/alcohol-and-entertainment/default.htm) ~~http://www.culture.gov.uk/alcohol and entertainment/default.htm~~

Appendix 1 – MAP OF THE BOROUGH



Appendix 2 – GLOSSARY OF TERMS

Premises Licence	A licence in respect of any premises, such as land or buildings (including vehicle, vessel or moveable structure) that is to be used for one or more licensable activities. Valid for an indefinite period unless reviewed or revoked.
Club Premises Certificate	A licence to supply alcohol to members of a qualifying club and sell it to members and their guests on the premises without the need for any member or employee to hold a personal licence.
Temporary Events Notice	A licence for the temporary carrying on of the sale of alcohol, provision of regulated entertainment or late night refreshment at a premises not authorised by a premises licence or club premises certificate. This notice is subject to certain limitations as laid down by the Licensing Act.
Personal Licence	A licence to authorise individuals to sell or supply alcohol on or off the premises for which a premises licence is in force for the carrying on of that activity. Originally valid for ten years. Now valid for life unless surrendered or revoked.
Designated Premises Supervisor	A specified individual holding a personal licence, who is responsible for the day to day running of the business and whose name will appear on the premises licence.
Licensable activities	The sale of alcohol by retail The supply of alcohol by or on behalf of a club to, or to the order of a member of a club The provision of 'regulated entertainment' The provision of late night refreshment
Regulated entertainment	<ul style="list-style-type: none"> • A performance of a play • An exhibition of a film • An indoor sporting event • Boxing or wrestling entertainment (indoor or outdoor) • A performance of live music • Playing of recorded music (exc. incidental and background music) • A performance of live dance <p>but only where the entertainment takes place in the presence of an audience and is provided for the purpose of entertaining that audience.</p> <p>Exemptions include music provided for educational purposes, activities incidental to religious meeting or entertainment held at a place of religious worship and provision of entertainment at garden fete or similar event, provided it is not promoted for private gain.</p>

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Late night refreshment	<p>A person provides late night refreshment if at any time between the hours of 11 p.m. and 5 a.m. he supplies hot food or drink to members of the public, on or from any premises, whether for consumption on or off the premises.</p> <p>Exemptions include the supply of food to a member of a recognised club or person staying at a particular hotel, or comparable premises, for the night (such as guest house, hostel, caravan site, etc.).</p>
Qualifying Club	<p>Where members have joined together for particular social, sporting or political purposes and then combined to buy alcohol in bulk as members. Examples of qualifying clubs are:</p> <ul style="list-style-type: none"> • Conservative, Labour and Liberal clubs • Royal British Legion • Working Men's clubs
Operating schedule	<p>This forms part of the completed application form for a premises licence and must promote the four licensing objectives. It must include:</p> <ul style="list-style-type: none"> • The relevant licensable activities • The times during which the applicant proposes that the relevant licensable activities are to take place • Any other times during which the applicant proposes that the premises are to be open to the public • Where the applicant wishes the licence to have effect for a limited period, that period • Where the relevant licensable activities include the sale of alcohol, prescribed information in respect of the individual whom the applicant wishes to have specified as the Designated Premises Supervisor • Whether the relevant licensable activities include the sale and supply of alcohol, on or off the premises, or both • The steps which the applicant proposes to take to promote the four licensing objectives
Responsible Authorities	<p>This group can make relevant representations and includes public bodies such as:</p> <ul style="list-style-type: none"> • The chief officer of Police • The Fire authority • The local enforcement agency for Health and Safety • Environmental Health • The local Planning authority • Norfolk Safeguarding Children's Board • The Health Authority • The Licensing Authority

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Other Persons	Bodies or individuals who are entitled to make relevant representations or seek a review of a premises licence. This group includes: <ul style="list-style-type: none">• A person, or body representing persons, living in the vicinity of the premises in question• A person involved in a business in the vicinity of the premises• A body representing persons involved in such businesses, e.g. a trade association
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Public Spaces Protection Order

The Designated Public Place Order (DPPO) has been replaced by the Public Spaces Protection Order (PSPO) in the Anti-social Behaviour Crime and Policing Act 2014¹².

PSPOs can be used to restrict the drinking of alcohol in a public space where this has or is likely to have a detrimental effect on the quality of life on those in the locality, be persistent or continuing in nature, and unreasonable. Before making a PSPO, a council must consult the local police. DPPOs will continue to be valid for a period of three years following commencement of the PSPO in October 2014. Once that three year period expires, they will be treated as a PSPO and enforceable as such. Where a local authority occupies or manages premises, or where premises are managed on its behalf, and it licenses that place for alcohol sales, the PSPO will not apply when the licence is being used for alcohol sales (or 30 minutes after), but the place will be subject to the PSPO at all other times. This allows local authorities to promote community events while still using a PSPO to tackle the problems of anti-social drinking.

It should be noted that when one part of a local authority seeks a premises licence of this kind from the licensing authority, the licensing committee and its officers must consider the matter from an entirely neutral standpoint. If relevant representations are made, for example, by local residents or the police, they must be considered fairly by the committee.

Anyone making a representation that is genuinely aggrieved by a positive decision in favour of a local authority application by the licensing authority would be entitled to appeal to the magistrates' court and thereby receive an independent review of any decision.

For full guidance on the PSPO please see the statutory guidance on the 2014 Act:

https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/352562/ASB_Guidance_v8_July2014_final_2_.pdf

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Appendix 3 – LIST OF RESPONSIBLE AUTHORITIES

Police: Norfolk Constabulary Licensing Team 4 th Floor, Vantage House, Fishers Lane, Norwich Telephone 01603 276024 Fax 01603 276025 Email: licensingteam@norfolk.pnn.police.uk	The Fire Authority: Group Manager Norfolk Fire Service Fire Station Friars Lane Great Yarmouth NR30 2RP Telephone: 01493 339901 Fax: 01493 339940 Email: Gtyar@fire.norfolk.gov.uk
Health and Safety: Great Yarmouth Borough Council Commercial Section Environmental Health Town Hall Great Yarmouth, NR30 2QF Telephone: 01493 846478 Fax: 01493 846415 Email: health@great-yarmouth.gov.uk	Planning Authority: Great Yarmouth Borough Council Planning and Development Town Hall Great Yarmouth, NR30 2QF Telephone: 01493 846100 Email: plan@great-yarmouth.gov.uk
Environmental Health: Great Yarmouth Borough Council Environmental Protection Section Environmental Health Town Hall Great Yarmouth, NR30 2QF Telephone: 01493 846478 Fax: 01493 846415 Email: health@great-yarmouth.gov.uk	Trading Standards: Legal Process Unit Trading Standards Norfolk County Council, County Hall Martineau Lane Norwich NR1 2UD Telephone: 0844 800 8013 Email: trading.standards@norfolk.gov.uk
Child Protection: NSCB Room 60, Lower Ground, County Hall, Martineau Lane, Norwich, NR1 2DH Telephone : 01603 223409	Health Authority: Director of Public Health Norfolk County Council, County Hall, Martineau Lane, Norwich, NR1 2DH Telephone TBA Email: licensingapplications@norfolk.gov.uk
Licensing Authority Great Yarmouth Borough Council Licensing Team Town Hall Great Yarmouth, NR30 2QF	

OPERATING SCHEDULES AND POOLS OF CONDITIONS

The operating schedule should be precise and clear about the measures to promote each of the Licensing Objectives. The operating schedule shall include:

- 1 The licensable activities to be conducted on the premises
- 2 The times during which it is proposed that the licensable activities are to take place
- 3 Any other times when the premises are open to the public
- 4 Where the licence is required only for a limited period, that period must be specified
- 5 Where the licensable activities include the supply of alcohol, the name and address of the individual to be specified as the Designated Premises Supervisor; and
- 6 Where the licensable activities include the sale of alcohol, whether the alcohol will be for consumption on or off the premises

When applicants are preparing their operating schedules or club operating schedules, they should consider what measures are necessary to promote the four licensing objectives (crime and disorder, public safety, public nuisance and the protection of children from harm). In this respect, applicants should conduct a thorough risk assessment to identify necessary measures to include. Any risk assessment should consider the individual circumstances of the premises (including local knowledge) and take into account a range of factors including:

- 1 The nature and style of the venue;
- 2 The activities being conducted there;
- 3 The location; and
- 4 The anticipated clientele.

Any individual preparing an operating schedule or club operating schedule is at liberty to volunteer any measure, such as those below, as a step they intend to take to promote the licensing objectives. When measures are incorporated into the licence or certificate as conditions, they become enforceable under the law and any breach could give rise to prosecution.

CRIME AND DISORDER

It is acknowledged that each premise will need to consider different areas for the prevention of crime and disorder, depending on the size of premise, characteristics and activities taking place. The following is a range of measures that could be included:

- 1 The provision of CCTV. The presence of CCTV cameras can be an important means of deterring and detecting crime and disorder at and immediately outside

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licensed premises. Where appropriate, risk assessments should identify the precise siting of each camera, the requirement to maintain cameras in working order, and to retain recordings for an appropriate period of time. The police should be able to offer advice on the use of CCTV to prevent crime.

- 2 Details of a venue drugs policy.
- 3 Details of any search procedure/policy including the storage procedures for confiscated drugs.
- 4 Protocols for actions taken by door supervisors in relation to illegal drugs or violent behaviour, particularly when police officers should be called immediately.
- 5 Text or radio pagers should be considered for public houses, bars and nightclubs operating in the town centre and seafront areas with a high density of licensed premises. They may also be appropriate and necessary in other areas.
- 6 Measures to prevent, or substantially limit, alcohol abuse caused by drinking games and continuous drinks promotions. The Licensing Authority supports the advice given by the British Beer and Pub Association and the Portman Group, thus discouraging binge drinking, particularly by the under 25's
- 7 Membership of 'nightsafe' and 'pubwatch' schemes. Nightsafe is a local multi agency partnership co-ordinated with the police and the Licensing Authority would encourage that premises in the town (and, in the future, other areas if this initiative is extended to other parts of the Borough) to be members of this initiative. It would also encourage that all appropriate premises where alcohol is sold to be members of the 'pubwatch' scheme.
- 8 Recruiting Security Industry Authority (SIA) licensed door supervision staff from a reputable company with SIA approved contractor status.
Having procedures in place to check the SIA register of licensed door supervisors to ensure their premises and customers are only protected by door supervisors with an SIA licence.
- 1 Bottle bans and provision of toughened or shatter proof glasses, particularly when used in designated outside areas. In the interests of both crime and disorder and public safety, the Licensing Authority advise, where appropriate, that where alcohol is consumed in designated outside areas, provision is made to ensure that glasses will be of a type which, when broken, do not enable the remnants to be hazardous, or used as a weapon. Drinking glasses or bottles that may be left (both inside and outside the premises) can be misused and the operating schedule should detail how frequently designated areas will be cleared of any glasses or bottles.
- 2 Proof of age procedures in place

Those involved in the design, development or refurbishment of premises should refer to the guidance 'Secured by Design Licensed Premises' which includes advice on establishing and maintaining a safe and secure environment in licensed premises.

Where relevant representations have been made and in order to comply with the licensing objectives, the Licensing Authority may attach conditions (drawn from the pools of conditions in the Guidance issued under section 182 of the Licensing Act 2003) relating to:

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- 1 The use of text pagers or radios
- 2 Door supervisors
- 3 Banning of bottles
- 4 Plastic containers and toughened glass
- 5 CCTV
- 6 Open containers not to be taken from the premises
- 7 Restrictions on drinking areas
- 8 Capacity limits
- 9 Proof of age cards
- 10 Display of crime prevention notices
- 11 Drinks promotions

PUBLIC SAFETY

Employers have a statutory duty to comply with the requirements of the Health and Safety at Work etc. Act 1974, associated regulations and especially the requirements under the Management of Health and Safety at Work Regulations 1999, and the Regulatory Reform (Fire Safety) Order 2005 to undertake risk assessments. Employers should assess the risks, including risks from fire, and take measures necessary to avoid and control them. Conditions enforcing these requirements are therefore unnecessary as it would be duplication.

Special issues may arise in connection with cinemas, theatres, special effects, outdoor and large scale events (see Guidance issued under Section 182 of the Licensing Act 2003).

In addition, those preparing operating schedules or club operating schedules, should consider:

- 1 Model National and Standard Conditions for Places of Public Entertainment and Associated Guidance
- 2 The Event Safety Guide – a guide to health, safety and welfare at music and similar events (HSE 1999) ('The purple book')
- 3 Managing Crowds Safely (HSE 2000)
- 4 5 Steps to Risk Assessment: Case Studies
- 5 The Guide to Safety at Sports Grounds (The Green Guide)
- 6 Safety Guidance for Street Arts, Carnival, Processions and Large Scale Performances
- 7 The London District Surveyors Association's 'Technical Standards for Places of Public Entertainment'
- 8 The Council's 'Event Safety Guide' for large scale events (capacity over 500). This is available from the Head Environmental Health, Maltings House, Maltings Lane, Gorleston

The following standards should also be considered:

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- 1 BS 5588 Part 6 (regarding places of assembly)
- 2 BS 5588 Part 9 (regarding ventilation and air conditioning systems)
- 3 BS 5588 Part 9 (regarding means of escape for disabled people)
- 4 BS 5839 (fire detection, fire alarm systems and buildings)
- 5 BS 5266 (emergency lighting systems)

In most premises existing legislation will provide adequately for the safety of the public or club members and guests. However, where this is not the case, consideration might be given to include the following matters in the operating schedule:

- 1 Safety checks that are carried out before the admission of public and how such checks are recorded.
- 2 Escape routes – unobstructed and doors easily opened.
- 3 Safe evacuation of disabled people.
- 4 Operation of emergency lighting.
- 5 Curtains, hangings, decorations and upholstery – not to obstruct.
- 6 Capacity limits. The maximum number of persons allowed on the premises at any one time should include staff and patrons. The figure stated should take into account current fire safety guidelines and health and safety guidelines to ensure overcrowding is not a problem. Examples of where an occupancy limit may be required would be in a nightclub or large pubs but would also depend on the type of entertainment provided.
- 7 Access for emergency vehicles.
- 8 Night club owners and dance event organisers are encouraged to seek guidance to ensure the health and safety of anyone attending the events from the safer clubbing guide by visiting www.drugs.gov.uk. This would include chill out areas and access to free drinking water.
- 9 Adequate and appropriate risk related supply of first aid equipment and personnel.
- 10 The provision of ventilation to ensure patrons do not become overheated.
- 11 Electrical safety inspection of the mains system including the provision and testing of shock protection systems such as a residual current device
- 12 Any temporary electrical installation being used to be checked by a competent electrician and a temporary electrical installation report or a certificate of compliance to be obtained
- 13 premises with a gas installation to have an annual CORGI certificate of inspection in respect of that installation and in respect of any gas appliance.
- 14 Suitable and sufficient levels of lighting so as to ensure safety of patrons using the premises.
- 15 The specific safety hazards and associated risks concerned with special effects such as dry ice and fog machines, pyrotechnics, foam parties, firearms, lasers and strobe lighting.
- 16 The specific safety hazards concerning striptease and lap dancing entertainment.
- 17 The risk to patrons hearing from loud events, and any control and/or advance warning of this.

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Where relevant representations have been made and in order to comply with the licensing objectives, the Licensing Authority may attach conditions (drawn from the pools of conditions in the Guidance issued under section 182 of the Licensing Act 2003) relating to:

- Safety checks and provision of log book
- Maintenance of all escape routes and exits including external exits and routes
- Disabled people – safe evacuation
- Lighting (normal and emergency lighting)
- Curtains, hangings, decorations and upholstery – maintained and flame retardant
- Accommodation limits – capacity limits
- First aid – adequate and appropriate first aid equipment and materials available on the premises and trained attendants being on duty
- Temporary electrical installations
- Fire action notices
- Electrical installations (including RCD protection) – safety inspections
- Ventilation
- Use of special effects and giving notification to the licensing authority
- Additional safety measures for indoor sports entertainment such as a medical practitioner being on site during boxing matches, or similar and having an appropriate number of staff trained in rescue and life saving procedures at water sports entertainments.
- Alterations to the premises
- Additional safety measures in connection with theatres and cinemas

PUBLIC NUISANCE

The Licensing Authority appreciates that the Environmental Protection Act 1990, the Noise Act 1996 and the Clean Neighbourhoods and Environment Act 2005 provide some protection to the general public from the effects of noise nuisance. However, operators should be aware that some activities might cause a disturbance to members of the public and should take into consideration such issues as noise, light, odour, litter and anti social behaviour when completing their operating schedule. Consideration might be given to include the following matters in the operating schedule:

- 1 The hours during which the premises are permitted to be open to the public and/or restrictions when certain licensable activities are to take place.
- 2 The steps the applicant has taken or proposes to prevent noise and vibration escaping from the premises including music, noise from ventilation equipment, and human voices. Such measures may include keeping doors and windows shut, the installation of sound proofing, air conditioning, acoustic lobbies etc.
- 3 The steps the applicant has taken or proposes to prevent queuing, or, if queuing is inevitable, to divert queues away from neighbouring premises, or otherwise to manage the queue to prevent disturbance or obstruction.
- 4 The steps the applicant has taken or proposes to take to ensure staff and patrons

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- leave the premises quietly.
- 5 The arrangements made or proposed for parking by patrons, and the effect of parking on local residents.
 - 6 Whether taxis and private hire vehicles serving the premises are likely to disturb local residents.
 - 7 Whether the premises would result in increased refuse storage or disposal problems or additional litter in the vicinity of the premises.
 - 8 The steps the applicant has taken or proposes to take to ensure activities such as taking out refuse including glass bottles does not cause nuisance to neighbours.
 - 9 The steps the applicant has taken to ensure security and other lighting does not create a nuisance to neighbouring residents.

Where relevant representations have been made and in order to comply with the licensing objectives, the Licensing Authority may attach conditions (drawn from the pools of conditions in the Guidance issued under section 182 of the Licensing Act 2003) relating to:

- 1 Hours – for example: restrictions when licensable activities take place such as playing recorded music after a certain time
- 2 Noise and vibration arising from regulated entertainment taking place at the premises will not be at a level to cause a public nuisance to occupiers of properties in the neighbourhood. Measures could include keeping windows and doors shut, limiting live music to particular area, noise limiter to be used, etc.
- 3 Noxious smells
- 4 Light pollution

PROTECTION OF CHILDREN FROM HARM

An operating schedule or club operating schedule should indicate any decision for the premises to exclude children completely. This would mean there would be no need to detail in the operating schedule steps that the applicant proposes to take to promote the protection of children from harm. Otherwise, where entry is to be permitted, the operating schedule should outline the steps to be taken to promote the protection of children from harm while on the premises. In this case, consideration might be given to include the following matters in the operating schedule:

- 1 Age restrictions – the hours of day during which age restrictions should and should not apply. Additional measures for cinemas.
- 2 Proof of age schemes to avoid illegal sales of alcohol taking place (such as 'NO ID – NO SALE', acceptance of PASS accredited Proof of Age Cards)
- 3 Staff training to identify measures taken to ensure that alcohol is not sold to persons under 18 or that other people do not purchase alcohol for under 18's (apart from exemptions)
- 4 Procedures for lost and found children at large scale events.
- 5 Additional measures that are taken at events that are presented especially for unaccompanied children.
- 6 Measures that are put in place to ensure that children are not exposed to

Great Yarmouth Borough Council -- Statement of Licensing Policy -- 2016 edition

unsuitable entertainment

- 7 Compliance with the Portman Group Code of Practice on Naming, Packaging and Promotion of Alcohol Drinks. The Licensing Authority commends the code, which is reproduced below.

The Portman Group Code of Practice

The Portman Group operates, on behalf of the alcohol industry, a Code of Practice on the naming, packaging and promotion of Alcoholic Drinks. The Code seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years old or over. Complaints about products under the Code are considered by an Independent Complaints Panel and the Panel's decisions are published on the Portman Group's website, in the trade press and in an annual report. If a product's packaging or point-of-sale advertising is found to be in breach of the Code, the Portman Group may issue a Retailer Alert Bulletin to notify retailers of the decision and ask them not to replenish stocks of any such product or to display such point-of-sale material, until the decision has been complied with. The Code is an important weapon in protecting children from harm because it addresses the naming, marketing and promotion of alcohol products sold in licensed premises in a manner, which may appeal to or attract minors. The Borough Council commends the Code.

Where relevant representations have been made and in order to comply with the licensing objectives, the Licensing Authority may attach conditions (drawn from the pools of conditions in the Guidance issued under section 182 of the Licensing Act 2003) relating to:

- 1 Restrictions on access for children to licensed premises where there may be significant gambling, adult entertainment, heavy drinking, etc. taking place.
- 2 Age restrictions on when children are not permitted to use the premises
- 3 Performances especially for children
- 4 Children in performances
- 5 The Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks.
- 6 Proof of Age Cards.

Subject: Gambling Policy

Report to: Cabinet - 11 November, 2015
Council - 24 November, 2015

Report by: Licensing and Elections Manager

SUBJECT MATTER AND DECISIONS REQUIRED:

Section 349 of the Gambling Act, 2005 requires licensing authorities to publish a 'Statement of the Principles' that they propose to apply in exercising their functions under the Act, applicable to a 3 year period. Great Yarmouth's existing Statement of Principles (Gambling Policy) expires on 30 January 2016 and a new policy must be published by 3 January 2016.

A draft policy has been subject to consultation over a 6 week period during September and October. Two letters with comments were received during this consultation and have been considered within the policy.

Members are asked to approve the attached draft policy as the new Gambling Statement of Principles. (amendments to the existing policy are highlighted in red)

1. Background

- 1.1 Section 349 of the Gambling Act 2005 (the 'Act') requires the Borough Council as a licensing authority, to prepare and publish a Statement of the Principles (Gambling Policy) that it proposes to apply in exercising its functions under the Act. The Act requires that licensing authorities publish their Statement of Principles every 3 years.
- 1.2 The Council's existing Statement of Principles (Gambling Policy) expires on 30 January 2016 and by this date the Licensing Authority must have reviewed its Gambling Policy.
- 1.3 The Licensing Authority must publish its policy at least 4 weeks prior to it taking effect. Therefore, we must publish our policy on or before 3 January 2016 for it to take effect on 31 January 2016.

2. Consultation

- 2.1 The policy document has been amended to reflect changes in legislation, Gambling Commission guidance and related matters. In particular the Gambling Commission has introduced new provisions in its social responsibility code within the Licence Conditions and Codes of Practice (LCCP), which require gambling operators to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and to have policies, procedures and control measures to mitigate those risks. This change in national policy is intended to provide a well evidenced and

transparent approach to considering and implementing measures to address the risks associated with gambling.

- 2.2 This draft policy was subject to a 6 week consultation period and included a range of organisations including responsible authorities such as the Police and Gambling Commission, existing gambling operators and organisations representing the vulnerable.

3. Consultation responses

- 3.1 Two letters were received following the current consultation on the draft Policy, copies are attached. These have also been set out in the attached document A, together with officer comments as to whether they have been incorporated into the policy.

4. Recommendations

- 4.1 The draft policy has been amended taking the consultation responses into consideration and a final copy is now attached.
- 4.2 It is recommended that the amended policy be approved as the final Gambling Statement of Principles which will be published on 3 January 2016 and come into effect on 31 January 2016.

FINANCIAL IMPLICATIONS:

None.

LEGAL IMPLICATIONS:

Dealt with in this report.

EXECUTIVE BOARD OR DIRECTOR CONSULTATION:

Executive board has been consulted

Does this report raise any legal, financial, sustainability, equality, crime and disorder or human rights issues and, if so, have they been considered?	Issues	
	Legal	Yes
	Financial	
	Sustainability	
	Equality	
	Crime and Disorder	
	Human Rights	
	Risk Considerations	Yes



GAMBLING ACT 2005

Statement of Principles (Gambling Policy)

Great Yarmouth Borough Council
Town Hall
Great Yarmouth
NR30 2QF

Telephone: 01493 846530
Email: gambling@great-yarmouth.gov.uk
Web-site: www.great-yarmouth.gov.uk

Approved by Cabinet on: ? 2015
Approved by Council on: ? 2015
Effective from: ? 2016

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Summary of Revisions to the Gambling Licensing Policy from 2012 version

The Policy document has been updated to reflect changes in legislation, Gambling Commission guidance and related matters.

In the consultation draft words in the previous version to be deleted are shown ~~thus~~ and revised additional wording in red type

Proposed changes to the policy are listed below:

section	Changes
A2	Update to reflect updates by Gambling Commission including reference to Local Area Profile
A7	Update to reflect enforcement approach including primary authorities
B1 ii	Rewording to reflect changes to concept of “primary gambling activity”
B5	update to reflect current position regarding bingo premises
B6	update to reflect current position regarding betting premises
B7	clarifying issues regarding tracks
B8	clarifying issues regarding travelling fairs
C7	clarifying issues regarding small society lotteries
APP 4	Update on provisions and entitlements
APP 5	Update on provisions and entitlements

PART A

1. The **Gambling** Licensing Objectives

In exercising most of their functions under the Gambling Act 2005, licensing authorities must have regard to the licensing objectives as set out in section 1 of the Act. The licensing objectives are:

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

It should be noted that the Gambling Commission has stated: "The requirement in relation to children is explicitly to protect them from being harmed or exploited by gambling".

This licensing authority is aware that, as per Section 153, in making decisions about premises licences and temporary use notices it should aim to permit the use of premises for gambling in so far as it thinks it:

- In accordance with any relevant code of practice issued by the Gambling Commission
- In accordance with any relevant guidance issued by the Gambling Commission
- Reasonably consistent with the licensing objectives and
- In accordance with the authority's statement of licensing policy

2. Introduction

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. This statement must be published at least every three years. The statement must also be reviewed from "time to time" and any amended parts re-consulted upon. The statement must be then re-published.

Great Yarmouth Borough Council as Licensing Authority [this licensing authority] published its first Statement (generally referred to as the Councils Gambling Policy) in December 2006 following statutory consultation. The Gambling Policy has been reviewed every three years since.

In preparing this - the 4th (2015) version of the Gambling Policy Statement – this Licensing Authority has undertaken a significant revision and amendment to take account of various issues. In recent particular recent changes brought about by the Gambling Commission, changes to the law and updated current practices.

The Gambling Commission (the Commission) has introduced new provisions in its social responsibility code within the Licence Conditions and Codes of Practice (LCCP), which require gambling operators to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and to have policies, procedures and control measures to mitigate those risks. This change in national policy is intended to provide a well evidenced and transparent approach to considering and implementing measures to address the risks associated with gambling.

The introduction of new provisions in the social responsibility code within the LCCP encourages local authorities, the Commission and the industry to work in partnership to address local issues and concerns. This movement towards increased partnership working is something that Norfolk authorities have been doing for a number of years. We have found that a risk-based approach to regulation enables the authority to prioritise resources where

they are most needed and can be most effective.

The risk based approach provides a better understanding of, and enables a proportionate response, to risk. This approach includes looking at future risks and thinking about risks in a probabilistic way. Risk is not necessarily related to an event that has happened. Risk is related to the probability of an event happening and the likely impact of that event. In this case it is the risk of the impact on the licensing objectives.

This licensing authority is working with other licensing authorities across Norfolk to develop guidance to assist gambling operators in undertaking and preparing their local (premises) risk assessments. This guidance (published as a separate document) will provide a framework for the local risk assessment process that will provide a uniform approach across all non-remote gambling sectors. This will benefit the Council as Licensing Authority under the Gambling Act 2005 (the Act), as well as responsible authorities and interested parties when considering new and variation applications. The local risk assessments will also enable this licensing authority to establish a more progressive compliance inspection regime.

Gambling operators will be required to undertake a risk assessment for all of their existing premises by 6th April 2016. Following that date operators must also undertake a review of those assessments when certain triggers are met. These triggers, along with this licensing authority's views on what would instigate either a new assessment or the review of an existing one will be detailed within the guidance document.

This licensing authority considers that these local risk assessments are a key component of the overall assessment and management of the local risks. This licensing authority will assist operators in this process by providing specific information on its concerns surrounding gambling within the Borough and the impact that premises can have on the licensing objectives. This will be contained within its Statement of Licensing Principles (Gambling Policy) as detailed below.

This local risk assessment process is not the same as other forms of risk assessment undertaken by gambling operators, such as Health and Safety at Work, Fire Safety and Food Hygiene, etc. These local risk assessments are specific to the potential harm that gambling premises can have on one or more of the licensing objectives under the Act. They are specific to the premises, the local area and the local community.

Consultation process on the Gambling Policy

In preparing this version of the Statement, this licensing authority has consulted widely upon this statement before finalising and publishing. A list of those persons consulted is provided at appendix 2.

The Gambling Act requires that the following parties are consulted by Licensing Authorities:

- The Chief Officer of Police;
- One or more persons who appear to the authority to represent the interests of persons carrying on gambling businesses in the authority's area;
- One or more persons who appear to the authority to represent the interests of persons who are likely to be affected by the exercise of the authority's functions under the Gambling Act 2005.

Our consultation took place between September and November 2015 following the principles in the HM Government Cabinet Office guidance (published 2013),

The full list of comments made and the consideration by this licensing authority of those comments will be available by request to: the Licensing Manager, Great Yarmouth Borough

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Council, Licensing Team, Town Hall, Great Yarmouth, NR30 2QF and via the Council's website at: www.great-yarmouth.gov.uk

This version of the policy was approved at a meeting of the Full Council on ?? 2015 and was published via our website on ?? 2015. Copies were also available in the Town Hall.

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

Name: **Licensing Manager**

Address: Great Yarmouth Borough Council, Licensing Team, Town Hall, Great Yarmouth, NR30 2QF

E-mail: gambling@great-yarmouth.gov.uk

It should be noted that 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.

Local Area profile

A detailed local area profile has been prepared based on local knowledge and taking into account a wide range of factors, data and information held by the licensing authority and its partners. It is anticipated that the local area profile will give operators a better awareness of the local area and the risks, which includes both potential and actual risks. The local area profile document can be accessed via the council's website.

In summary the area is as follows:

Great Yarmouth Borough is situated in the County of Norfolk, which contains seven local authority districts in total. The Council area has a population of 97,800 (2013 ONS Mid term estimate) an increase of 7.6% from 2001 Census figures. By gender this is broken down into 49% males and 51% females. This follows the same trend for Norfolk, the East of England and England.) making it the smallest in the County in terms of population. In terms of area it is the second smallest, covering 17,385 hectares (67.12 square miles). There are approximately 45,000 dwellings, 3,394 businesses (March 2005) and 35,042 employees within the Borough.

From analysis of the age structure of the residents in the borough (see table below), Great Yarmouth has similar demographics to those across Norfolk. Nearly half of the residents (48.88%) of the borough fall into the age group 45+, compared to 44.55% for the East of England and 42.51% for England. This shows underlying changes in the make-up of the population, with significant increases in the proportion of residents of pensionable age and the very elderly.

Great Yarmouth's population is predicted to increase to 105,400 by 2021 (source: ONS) which is a faster rise than that predicted for England.

There was a small ethnic minority population of 1.4% registered at the 2001 census. This has now increased to 3.1%. We have a long-established Greek Cypriot community in Great Yarmouth and more recently, workers from EU countries have been attracted here by Norfolk employers, the most significant population of which is Portuguese along with emerging eastern European communities. Great Yarmouth also has an established albeit dispersed Chinese community.

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The mainstays of Great Yarmouth's economy are the port, activities associated with the offshore oil and gas industry, tourism, manufacturing (particularly electronics and food production), agriculture and service industries. The majority of these sectors have suffered decline in employment and are prone to cyclical and seasonal variations. The Council area is a mixture of urban and rural areas. The urban areas are the towns of Great Yarmouth and Gorleston on sea and the large parishes of Bradwell and Caister on sea. The rural area consists of the remaining 19 parishes. These areas are shown in the map attached at appendix 1.

3. Declaration

In producing the final statement, this licensing authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, the Guidance to Local Authorities issued by the Gambling Commission (4th edition published on 12 July 2012 and draft revision in March 2015) and any responses from those consulted on the statement.

4. Responsible Authorities

The licensing authority is required by regulations to state the principles it will apply in exercising its powers under Section 157(h) of the Act to designate, in writing, a body which is competent to advise the authority about the protection of children from harm. The principles are:

- the need for the body to be responsible for an area covering the whole of the licensing authority's; area and
- the need for the body to be answerable to democratically elected persons, rather than any particular vested interest group.

In accordance with the Gambling Commission's Guidance for local authorities, this licensing authority designates the Norfolk Safeguarding Children Board for this purpose.

The contact details of all the Responsible Authorities under the Gambling Act 2005 for this licensing authority area are attached at appendix 3.

5. Interested parties

Interested parties can make representations about licence applications, or apply for a review of an existing licence. These parties are defined in the Gambling Act 2005 as follows:

"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 applications 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 paragraph (a) or (b)"

The licensing authority is required by regulations to state the principles it will apply in exercising its powers under the Gambling Act 2005 to determine whether a person is an interested party. The principles are:

- Each case will be decided upon its merits. This authority will not apply a rigid rule to its decision making. It will consider the examples of considerations provided in the Gambling Commission's Guidance for local authorities. It will also consider the Gambling Commission's Guidance that "has business interests" should be given the widest possible interpretation and include partnerships, charities, faith groups and medical practices.
- Interested parties can be persons who are democratically elected such as councillors

and MP's. No specific evidence of being asked to represent an interested person will be required as long as the councillor / MP represents the ward likely to be affected. Likewise, parish councils likely to be affected, will be considered to be interested parties. Other than these however, this authority will generally require written evidence that a person/body (e.g. an advocate / relative) 'represents' someone who either lives sufficiently close to the premises to be likely to be affected by the authorised activities and/or has business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.

- If individuals wish to approach councillors to ask them to represent their views then care should be taken that the councillors are not part of the Licensing Committee dealing with the licence application. If there are any doubts then please contact the licensing team (contact details, page 44).

6. Exchange of Information

Licensing authorities are required to include in their statements the principles to be applied by the authority in exercising the functions under sections 29 and 30 of the Act with respect to the exchange of information between it and the Gambling Commission, and the functions under section 350 of the Act with the respect to the exchange of information between it and the other persons listed in Schedule 6 to the Act.

The principle that this licensing authority applies is that it will act in accordance with the provisions of the Gambling Act 2005 in its exchange of information which includes the provision that the Data Protection Act 1998 will not be contravened. The licensing authority will also have regard to any Guidance issued by the Gambling Commission to local authorities on this matter, as well as any relevant regulations issued by the Secretary of State under the powers provided in the Gambling Act 2005.

Should any protocols be established as regards information exchange with other bodies then they will be made available.

7. Enforcement approach

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

This licensing authority's principles are that:

It will be guided by the Gambling Commission's Guidance for local authorities and will endeavour 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; and
- **Targeted:** regulation should be focused on the problem, and minimise side effects.

As per the Gambling Commission's Guidance for local authorities this licensing authority will endeavour to avoid duplication with other regulatory regimes so far as possible.

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The main enforcement and compliance role for this licensing authority in terms of the Gambling Act 2005 relates to premises to ensure compliance with the premises licences and other permissions which it authorises and to ensure premises are not operating without the requisite licence. The Gambling Commission is the enforcement body for the operating and personal licences. It is also worth noting that concerns about manufacture, supply or repair of gaming machines are not dealt with by the licensing authority but should be notified to the Gambling Commission.

This licensing authority also keeps itself informed of developments as regards the work of the Better Regulation Executive in its consideration of the regulatory functions of local authorities.

7.1 Enforcement policy

The Council's enforcement policy will be followed in respect of any compliance monitoring and enforcement action taken in concerning gambling activities under the licensing authority's enforcement jurisdiction. This is accessible via the council's website.

7.2 Inspection activity and visits

This licensing authority has adopted and implemented a risk-based inspection programme, based on;

- The licensing objectives
- Relevant codes of practice
- Guidance issued by the Gambling Commission, in particular at Part 36
- The principles set out in this statement of licensing policy

7.3 Dealing with non-compliance /risks to the licensing objectives

As well as sanctions available under the Gambling Act 2005 this licensing authority will seek to use all appropriate powers available to it. Where premises are associated with anti-social behaviour then tools specifically designed to reduce anti-social behaviour such as dispersal powers, community protection notices or public space protection orders may be appropriate.

Where there is a Primary Authority scheme in place, this licensing authority will seek guidance from the Primary Authority before taking any enforcement action. At the time of the publication of this policy there were four Primary Authority arrangements with host local authorities:

Coral	London Borough of Newham
William Hill	City of Westminster
Ladbrokes	Milton Keynes Council
Paddy Power	Reading Council

7.4 Tackling illegal gambling

This licensing authority will work together the Commission to identify and investigate organised or persistent illegal activity.

7.5 Fee setting and structure

Fees for certain gambling permits and licensing transactions are set nationally by statute. They include

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- Unlicensed Family Entertainment Centre Gaming Machine Permits
- Registration of Small Society Lottery Licences (including an annual maintenance fee)
- Club Gaming Permits
- Club Gaming Machine Permits
- Alcohol Licensed Premises Gaming Machine Permits
- Prize Gaming Permit

However, fees for licences issued under the Gambling Act 2005 by this licensing authority are set by this licensing authority in accordance with statutory provisions. This licensing authority has sought to set fees at a level to cover the costs of undertaking the administration of the gambling licensing function.

Fees are approved each year by the Full Council and are published on the Council's website.

8. Licensing Authority functions

Licensing Authorities are required under the Act to:

- be responsible for the licensing of premises where gambling activities are to take place by issuing *Premises Licences*
- issue *Provisional Statements*
- *regulate members' clubs and miners' welfare institutes* who wish to undertake certain gaming activities via issuing Club Gaming Permits and/or Club Machine Permits
- *issue Club Machine Permits to Commercial Clubs*
- grant permits for the use of certain lower stake gaming machines at unlicensed Family Entertainment Centres
- receive notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of two or fewer gaming machines
- issue *Licensed Premises Gaming Machine Permits* for premises licensed to sell/supply alcohol for consumption on the licensed premises, under the Licensing Act 2003, where there are more than two machines
- *register small society lotteries* below prescribed thresholds
- *issue Prize Gaming Permits*
- receive and Endorse Temporary Use Notices
- receive Occasional Use Notices
- provide information to the Gambling Commission regarding details of licences issued (see section above on 'information exchange')
- maintain registers of the permits and licences that are issued under these functions

It should be noted that local licensing authorities are not involved in licensing remote gambling at all, which is regulated by the Gambling Commission via operating licences

PART B

PREMISES LICENCES: CONSIDERATION OF APPLICATIONS

1. General Principles

Premises licences are subject to the requirements 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 others, where it is believed to be appropriate.

(i) Decision making

This licensing authority is aware that in making decisions about premises licences it should aim to permit the use of premises for gambling in so far as it thinks it:

- in accordance with relevant code of practice issued by the Gambling Commission;
- in accordance with relevant guidance issued by the Gambling Commission ;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of licensing policy.

It is appreciated that as per the Gambling Commission's Guidance for local authorities "moral **and ethical** objections to gambling are not a valid reason to reject applications for premises licences" (except as regards any 'no casino resolution' - see section on Casinos below – page 10) and also that unmet demand is not a criterion for a licensing authority.

Codes of practice and guidance from the Gambling Commission can be accessed via the Commission's website at www.gamblingcommission.gov.uk

(ii) Appropriate Licensing Environment

This licensing authority also notes Gambling Commission guidance on **Appropriate Licensing Environment** (previously known as primary gambling activity). It is not permissible for an operator to offer gaming machines on a premises which is licensed for non-remote betting but not to offer sufficient facilities for non-remote betting. A non-remote betting operating licence authorises its holder to 'provide facilities for betting' (s.65(2)(c) of the Act). Likewise, a betting premises licence authorises premises to be used for 'the provision of facilities for betting...' (s.150(1)(e) of the Act). The ability to make up to four gaming machines, within categories B2 – D, available is an additional authorisation conferred upon the holder of a betting premises licence (s.172(8) of the Act); it is not a free standing right to make gaming machines available for use. It follows that unless a betting premises operator offers sufficient facilities for betting it should not be making gaming machines available on the premises in question.

This authority notes the Commission's view that it is also important, in relation to the licensing objective of protecting vulnerable persons from being harmed or exploited by gambling, that customers should be offered a balanced mix of betting and gaming machines in licensed betting premises. Accordingly, an operating licence condition provides that gaming machines may be made available for use in licensed betting premises only at times when there are also sufficient facilities for betting available. In this respect, such facilities must include information that enables customers to access details of events on which bets can be made, make such bets, learn of the outcome and collect any winnings.

(ii) Primary gambling activity

In accordance with section 150 of the Act, premises licences can authorise the provision of facilities on:

1 — casino premises

2 — bingo premises

3 — betting premises

4 — adult gaming centre premises (for category B3, B4, C and D machines)

5 — family entertainment centre premises (for category C and D machines) (note that, separate to this category, the licensing authority may issue a family entertainment centre gaming machine permit, which authorises the use of category D machines only)

The Gambling Commission guidance states that by distinguishing between premises types, the Act makes it clear the primary gambling activity of the premises should be that described. Supplement 4 of the Licence Conditions and Codes of Practice published in January 2009, sets out the full requirements of operators.

(iii) Definition of "premises"

In the Act, "premises" is defined as including "any place". Section 152 therefore prevents more than one premises licence applying to any place. But a single building could 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. This approach has been taken to allow large, multiple unit premises such as a pleasure park, pier, track or shopping mall to obtain discrete premises licences, where appropriate safeguards are in place. However, the licensing authority shall pay particular attention if there are issues about subdivisions of a single building or plot and shall ensure that mandatory conditions relating to access between premises are observed.

The Gambling Commission states its Guidance to Licensing Authorities that: "In most cases the expectation is that a single building / plot will be the subject of an

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application for a licence, for example, 32 High Street. But, that does not mean 32 High Street cannot be the subject of separate premises licences for the basement and ground floor, if they are configured acceptably. Whether different parts of a building can properly be regarded as being separate premises will depend on the circumstances. The location of the premises will clearly be an important consideration and the suitability of the division is likely to be a matter for discussion between the operator and the licensing officer. However, the Commission does not consider that areas of a building that are artificially or temporarily separated, for example by ropes or moveable partitions, can properly be regarded as different premises."

This licensing authority takes particular note of the Gambling Commission's Guidance to Licensing Authorities which states that: licensing authorities should take particular care in considering applications for multiple licences for a building and those relating to a discrete part of a building used for other (non-gambling) purposes. In particular they should be aware of the following:

- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from taking part in gambling, but also preventing them from being in close proximity to gambling. Therefore premises should be configured so that children are not invited to participate in, have accidental access to or closely observe gambling where they are prohibited from participating.
- Entrances to and exits from parts of a building covered by one or more premises licences should be separate and identifiable so that the separation of different premises is not compromised and people do not "drift" into a gambling area. In this context it should normally be possible to access the premises without going through another licensed premises or premises with a permit.
- Customers should be able to participate in the activity names on the premises licence.

The Guidance also gives a list of factors which the licensing authority should be aware of, which may include:

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

This authority will consider these and other relevant factors in making its decision, depending on all the circumstances of the case.

The Gambling Commission's relevant access provisions for each premises type are reproduced below:

Casinos

- The principal access entrance to the premises must be from a street
- No entrance to a casino must be from premises that are used wholly or mainly by children and/or young persons
- No customer must be able to enter a casino directly from any other premises which holds a gambling premises licence

Adult Gaming Centre

- No customer must be able to access the premises directly from any other licensed gambling premises

Betting Shops

- Access must be from a street or from another premises with a betting premises licence
- No direct access from a betting shop to another premises used for the retail sale of merchandise or services. In effect there cannot be an entrance to a betting shop from a shop of any kind and you could not have a betting shop at the back of a café – the whole area would have to be licensed.

Tracks

- No customer should be able to access the premises directly from:
 - a casino
 - an adult gaming centre

Bingo Premises

- No customer must be able to access the premise directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

Family Entertainment Centre

- No customer must be able to access the premises directly from:
 - a casino
 - an adult gaming centre
 - a betting premises, other than a track

The Gambling Commission's Guidance to Licensing Authorities contains further guidance on this issue, which this authority will also take into account in its decision-making.

(iv) Premises "ready for gambling"

The Guidance states that a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going

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to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use.

If the construction of a premises is not yet complete, or if they need alteration, or if the applicant does not yet have a right to occupy them, the Act allows potential to apply for a provisional statement.

However, operators can apply for a premises licence in respect of premises which still have to be constructed or altered, and the licensing authority is required to determine any such applications on their merit.

Such cases shall be considered in a two stage process:

- First, the licensing authority shall decide whether, as a matter of substance after applying the principles in section 153 of the Act, the premises ought to be permitted to be used for gambling
- Second, in deciding whether or not to grant the application the licensing authority will need to consider if appropriate conditions can be put in place to cater for the situation that the premises are not yet in the state in which they ought to be before gambling takes place.

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

More detailed examples of the circumstances in which such a licence may be granted can be found in the Gambling Commission Guidance.

(v) Location

This licensing authority is aware that demand issues cannot be considered with regard to the location of premises but that considerations in terms of the licensing objectives are relevant to its decision-making. As per the Gambling Commission's Guidance for local authorities, this authority will pay particular attention to the protection of children and vulnerable persons from being harmed or exploited by gambling, as well as issues of crime and disorder. Should any specific policy be decided upon as regards areas where gambling premises should not be located, this statement will be updated. It should be noted that any such policy does not preclude any application being made and each application will be decided on its merits, with the onus upon the applicant showing how potential concerns can be overcome.

(vi) Planning

The Gambling Commission Guidance to Licensing Authorities states:

~~In determining applications the licensing authority has a duty to take into consideration all relevant matters and not to take into consideration any irrelevant matters, i.e. those not related to gambling and the licensing objectives. One example of an irrelevant matter would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal.~~

7.56 In determining applications, the licensing authority should not take into consideration matters that are not related to gambling and the licensing objectives.

One example would be the likelihood of the applicant obtaining planning permission or building regulations approval for their proposal. Licensing authorities should bear in mind that a premises licence, once it comes into effect, authorises premises to be used for gambling. Accordingly, a licence to use premises for gambling should only be issued in relation to premises that the licensing authority can be satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building or alterations required before the premises are brought into use..

This authority will not take into account irrelevant matters as per the above guidance. In addition this authority notes the following excerpt from the Guidance:

7.67 "When dealing with a premises licence application for finished buildings, the licensing authority should not take into account whether those buildings have or comply with the necessary planning or building consents. Those matters should be dealt with under relevant planning control and building regulation powers, and not form part of the consideration for the premises licence. Section 210 of the 2005 Act prevents licensing authorities taking into account the likelihood of the proposal by the applicant obtaining planning or building consent when considering a premises licence application. Equally the grant of a gambling premises licence does not prejudice or prevent any action that may be appropriate under the law relating to planning or building."

(vii) Duplication with other regulatory regimes

This licensing authority seeks to avoid any duplication with other statutory / regulatory systems where possible, including planning. This authority 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 though, 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.

When dealing with a premises licence application for finished buildings, this authority will not take into account whether those buildings have to comply with the necessary planning or buildings consents. Fire or health and safety risks will not be taken into account, as these matters are dealt with under relevant planning control, buildings and other regulations and must not form part of the consideration for the premises licence.

Licensing objectives - Premises licences granted must be reasonably consistent with the licensing objectives. With regard to these objectives, this licensing authority has considered the Gambling Commission's Guidance to local authorities and some comments are made below.

Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime - This licensing authority is aware that the Gambling Commission takes a leading role in preventing gambling from being a source of crime. The Gambling Commission's Guidance does however envisage that licensing authorities should pay attention to the proposed location of gambling premises in terms of this licensing objective.

Thus, where an area has known high levels of organised crime this authority will consider carefully whether gambling premises are suitable to be located there and whether conditions may be suitable such as the provision of door supervisors. This licensing authority is aware of the distinction between disorder and nuisance and will consider factors (for example whether police assistance was required and how threatening the behaviour was to those who could see it) so as to make that distinction.

Ensuring that gambling is conducted in a fair and open way - This licensing authority has noted that the Gambling Commission states that it generally does not expect licensing authorities to be concerned with ensuring that gambling is conducted in a fair and open way as this will be addressed via operating and personal licences. There is however, more of a role with regard to tracks which is explained in more detail in the 'tracks' section below.

Protecting children and other vulnerable persons from being harmed or exploited by gambling - This licensing authority has noted the Gambling Commission's Guidance for local authorities states that this 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 licensing authority will therefore consider, as suggested in the Gambling Commission's Guidance, 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.

This licensing authority is also aware of the Gambling Commission Codes of Practice as regards this licensing objective, in relation to specific premises. The full set of codes of practice can be accessed via the Gambling Commission website at www.gamblingcommission.org.uk

As regards the term “vulnerable persons” it is noted that the Gambling Commission does not seek to offer a definition but states that “it 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 a mental impairment, alcohol or drugs.” This licensing authority will consider this licensing objective on a case by case basis.

Conditions - 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;
- fairly and reasonably related to the scale and type of premises; and
- reasonable in all other respects.

Decisions upon individual conditions will be made on a case by case basis, although there will be a number of measures this licensing authority will consider utilising should there be a perceived need, such as the use of supervisors, appropriate signage for adult only areas etc. There are specific comments made in this regard

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under some of the licence types below. This licensing authority will also expect the licence applicant to offer his/her own suggestions as to way in which the licensing objectives can be met effectively.

This licensing authority will also consider specific measures which may be required for buildings which are subject to multiple premises licences. Such measures may include the supervision of entrances; segregation of gambling from non-gambling areas frequented by children; and the supervision of gaming machines in non-adult gambling specific premises in order to pursue the licensing objectives. These matters are in accordance with the Gambling Commission's Guidance.

This authority will also ensure that where category C or above machines are on offer in premises to which children are admitted:

- all such machines are located in an area of the premises which is separated from the remainder of the premises by a physical barrier which is effective to prevent access other than through a designated entrance;
- only adults are admitted to the area where these machines are located;
- access to the area where the machines are located is supervised;
- the area where these machines are located is arranged so that it can be observed by the staff or the licence holder; and
- at the entrance to and inside any such areas there are prominently displayed notices indicating that access to the area is prohibited to persons under 18.

These considerations will apply to premises including buildings where multiple premises licences are applicable.

This licensing authority 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. As per the Gambling Commission's Guidance, this licensing authority will consider the impact upon the third 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.

It is noted that there are conditions which the licensing authority cannot attach to premises licences which are:

- any condition on the premises licence which makes it impossible 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, winning or prizes.

Door Supervisors - The Gambling Commission advises in its Guidance for local authorities that if a licensing authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access (for example by children

and young persons) then it may require that the entrances to the premises are controlled by a door supervisor, and is entitled to impose a condition on the premises licence to this effect.

Where it is decided that supervision of entrances / machines is appropriate for particular cases, a consideration of whether these need to be SIA licensed or not will be necessary. It will not be automatically assumed that they need to be licensed, as the statutory requirements for different types of premises vary (as per the Guidance)

It should be noted that there is a specific exemption from SIA registration for those persons directly employed by the operator of a bingo club or casino. Therefore, only third party contract staff are required to be SIA registered for such premises.

2. Adult Gaming Centres

This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to, for example, ensure that under 18 year olds do not have access to the premises.

This licensing authority may consider measures to meet the licensing objectives such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

3. (Licensed) Family Entertainment Centres:

This licensing authority will specifically have regard to the need to protect children and vulnerable persons from harm or being exploited by gambling and will expect the applicant to satisfy the authority, for example, that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machine areas.

This licensing authority may consider measures to meet the licensing objectives such as:

- CCTV
- Supervision of entrances / machine areas
- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare.
- Measures / training for staff on how to deal with suspected truant school children on the premises

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

This licensing authority will refer to the Commission's website to see any conditions that apply to operating licences covering the way in which the area containing the category C machines should be delineated. This licensing authority will also make itself aware of any mandatory or default conditions on these premises licences, when they have been published.

4. Casinos

Large Casino Premises Licence

4.1 In 2006, Great Yarmouth Borough Council submitted a proposal to the Independent Casino Advisory Panel to license one regional, one large and two small casinos. On 19 May 2008 the Categories of Casino Regulations 2008 and the Gambling (Geographical Distribution of Large and Small Casino Premises Licences) Order 2008 were made. The latter Order specifies which Licensing Authorities may issue Large and Small Casino Premises Licences. Great Yarmouth Borough Council was one of the eight authorities authorised to issue a large Casino Premises Licence.

4.2 On 26 February 2008, the Secretary of State issued the Code of Practice on Determinations relating to large and small Casinos. The Licensing Authority will comply with this Code which sets out:

- a) the procedure to be followed in making any determinations required under Paragraphs 4 and 5 of Schedule 9 to the Gambling Act 2005; and
- b) matters to which the Licensing Authority should have regard in making those determinations.

4.3 The Licensing Authority is aware that where it is permitted to grant a Premises Licence for a large casino, there are likely to be a number of operators who will want

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to operate the casino. The Licensing Authority will stage a 'competition' under Schedule 9 of the Gambling Act 2005 and will run such a competition in line with The Gambling (Inviting Competing Applications for Large and Small Casino Premises Licences) Regulations 2008 and the Code of Practice.

4.4 In accordance with the above regulations the Licensing Authority will publish an invitation calling for applications for the large Casino Premises Licence.

4.5 Where the Licensing Authority receives more than one application for a Large Casino Premises Licence, there will be a two stage application process in accordance with the above legislation and Code of Practice.

General Principles

4.6 The Licensing Authority recognises that applicants may either apply for a full Casino Premises Licence or alternatively a Provisional Statement. Applicants for full Premises Licences however must fulfil certain criteria in that they must:

- (a) hold or have applied for an Operating Licence; or
- (b) have the right to occupy the premises in question.

4.7 In making any decision in respect of an application, the Licensing Authority shall not have regard to whether or not a proposal by the applicant is likely to be permitted in accordance with the law relating to planning or building regulation and any decision shall not constrain any later decision by the Authority under the law relating to planning or building. The Licensing Authority does, however, recommend that applicants obtain planning permission as soon as reasonably practicable as deliverability of a project is one of the criteria which will be considered by the Licensing Authority in making its determination.

4.8 The Licensing Authority shall ensure that any pre-existing contract, arrangements or other relationship with a company or individual does not affect the procedure for assessing applications so as to make it unfair or perceived to be unfair to any applicant. The Licensing Authority shall therefore disregard any contract, arrangement or other relationship.

4.9 The Licensing Authority's decision will not be prejudged and where advice is sought this will be impartial advice.

Casino Application Stage 1

4.10 The Large Casino Licensing Process will be started by the Licensing Authority publishing an invitation calling for applications.

4.11 The Licensing Authority shall provide a detailed application pack which will include a Statement of the principles that it proposes to apply and the procedures that it proposes to follow, in assessing applications for the Large Casino Premises Licence.

4.12 At Stage 1, the Licensing Authority cannot accept any additional information other than the prescribed application form and plan laid down in The Gambling Act 2005 (Premises Licences and Provisional Statements) (England and Wales)

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Regulations 2007. All such additional information will be disregarded and returned to the applicant.

4.13 With regard to Stage 1, the General Principles as stated in Part B - paragraph 1 of the Gambling Policy shall apply to all applications.

4.14 The Licensing Authority recognises that each of the other competing applicants is considered as an 'interested party' and as a result may make representations. It is recognised that the Licensing Authority's decision may be appealed against, in which case the Licensing Authority will not proceed to Stage 2 until all appeals have been dealt with.

4.15 If this process results in more than one provisional decision to grant a Premises Licence, Stage 2 will be implemented.

Casino Application Stage 2

4.16 At Stage 2, applicants will be required to state and demonstrate what benefit their applications, if granted, would bring to the Borough of Great Yarmouth. An explanation of the proposed evaluation process will be enclosed in the application pack that will be sent to all applicants. The Licensing Authority will pay specific regard to the provisions listed under paragraph 4.19 and criteria attached in appendix 8.

4.17 The Licensing Authority will decide between the competing applications (evaluating using the principles as stated in paragraph 4.19 and criteria in appendix 4) and grant the available licence to the applicant that in its opinion will result in the greatest benefit to the Borough of Great Yarmouth.

4.18 The Licensing Authority may during the second stage engage in discussions or negotiations with each second stage applicant with a view to the application being refined, expanded or altered so as to maximise the benefits to the area. Furthermore, the Licensing Authority may enter into a written agreement with an applicant and may take such agreement into account in determining which application would result in the greatest benefit to the Borough. The Licensing Authority (and its advisors) shall keep confidential each applicant's proposals unless it receives a specific written approval to discuss this with other competing applicants, and only if all applicants agree to share bid information.

Principles that apply in determining whether or not to grant a Casino Premises Licence

4.19 At stage 2, the Licensing Authority will assess applications having regard to the following:

4.19.1 The deliverability of the proposed scheme. In particular the Licensing Authority will wish to consider what legal assurances there are that the proposed development will be delivered in time, and that the promised benefits will both materialise and be maintained.

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4.19.2 Any provision that is made for the protection of children and other vulnerable people from harm or exploitation arising from gambling, whether in the proposed casino or the wider community.

4.19.3 Any provision that is made for preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.

4.19.4 Any provision that is made for ensuring that gambling is conducted in a fair and open way.

4.19.5 Likely effects of an application on employment and regeneration in the Borough.

4.19.6 Design and location of the proposed development.

4.19.7 Range and nature of non-gambling facilities to be offered as part of the proposed development.

4.19.8 Any financial and other contributions.

In carrying out the assessments, the Licensing Authority has set out matters which are likely to receive the greatest weight (appendix 4). However, an operator is not debarred from putting forward other benefits which the authority will take into consideration and weight to the extent that it considers them relevant.

4.20 Although applicants are able to submit an application for any site within the Borough which will be judged on its own individual merits, the Licensing Authority is provisionally of the view that there are two areas of Great Yarmouth that are likely to bring the greatest benefit to the Borough. These are:

4.20.1 Great Yarmouth Town Centre

4.20.2 Great Yarmouth Seafront

4.21 The applicant will be expected to provide:

4.21.1 A completed questionnaire giving details of the applicant's previous experience and capacity to deliver the project, together with a pro forma draft written agreement. Such agreement is intended to secure provision of the benefits offered by the applicant and to ensure that applications are judged on an equal basis. Applicants will be invited to complete the annexes to the agreement with the benefits they are offering. The agreement is likely to be made a condition of the licence, so that any breach of the agreement will also be subject to remedies under the Gambling Act, 2005. Whilst it is not obligatory for applicant's to offer to enter into agreement, this is likely to affect the Authority's evaluation of the benefit arising from the application.

4.21.2 A scaled plan of the premises indicating the location of all gaming machines, tables and Automated Telling Machines, bars and any non-gaming areas, together

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with an indication of any Notices/Rules that will be displayed in the gaming area (this plan will not form part of the licence but is sought to assist the process).

4.21.3 Detailed numbers of all staff and Personal Licence Holders to be employed, together with a clear management structure.

4.21.4 Description of all activities to be provided at the premises, including any proposals for the provision of late night refreshment and regulated entertainment.

4.21.5 An indication of the availability of the site chosen and its legal interest in it.

4.21.6 Evidence of availability of funding and an estimated cost of the scheme.

4.21.7 Evidence of financial standing including submission of the applicant's last 3 year financial accounts, together with 2 financial references confirming that there is sufficient finance in place to ensure delivery of the project.

4.21.8 Two professional references, or similar, to evidence that the applicant has proven ability and track record within the casino gambling sector.

4.21.9 Submission of a clear and detailed Business Plan.

4.21.10 A timescale for implementation and completion of the works setting out the various project stages of construction. This is to enable the Licensing Authority to be kept informed of when the project is likely to be completed and that the applicant is on target for final completion.

4.21.11 Evidence that there will be consultation with statutory bodies and responsible authorities to ensure that all statutory regulations/legislation is in place during the construction of the development (e.g. health and safety, highway approvals, etc.).

4.21.12 Evidence of a robust training plan in place for all employees. Training to cover all matters including awareness of the three Licensing Objectives, in particular the third Licensing Objective, knowledge of the gambling legislation, an awareness of problem gambling and all relevant internal procedures. In addition, applicants are required as part of their training plan to evidence customer service training and a knowledge of the local area.

4.21.13 Evidence of proposed policies and procedures to protect children and vulnerable persons from harm. The applicant should evidence clearly how they intend to promote the three Licensing Objectives.

4.21.14 Evidence of proposed policies detailing the mechanisms enabling the applicant to identify problem gamblers. (This Policy should be incorporated within the Training Plan for all employees. The Policy is likely to set out how advice and support will be provided to those engaged in or affected by problem gambling).

It is appreciated that the matters listed in paragraphs 4.20.12 – 4.20.14 are covered by the Gambling Commission's Licence Conditions and codes of Practice (LCCP) and the conditions imposed upon the operating licence held by casino operators.

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However, as it is the operator's responsibility to adopt their own policies in such matters, the Licensing Authority wishes to see what measures they adopt.

4.21.15 Evidence of its proposed policy detailing commitment to educating the community on gambling and problem gambling.

4.21.16 Evidence of its admissions policy incorporating procedures to refuse entry to under age and drunk people, door supervisors and dress codes.

4.21.17 Confirmation that all gambling advice is available in a language other than English when a predetermined percentage of regular customers are identified as speaking that language.

4.21.18 Evidence of its Social Responsibility Policy. (Under this Policy the applicant may wish to provide within the gaming area a specific practice area/room that enables any customer to learn how to gamble on the various activities offered without feeling intimidated or embarrassed. Where there is a practice room there shall be information provided that emphasises the importance of staying in control of their gambling, the steps they can take to achieve this and where to access help should they become concerned about their gambling. There should also be leaflets and information clearly setting out these points).

4.21.19 An indication on the plan where the separate non gambling refuge area of the premises is located. This area should provide a refuge from gambling and could be by way of a non-threatening sound proofed quiet room that is always available for those concerned about their own or someone else's gambling. Within this room there should be installed the facility to telephone the national helpline, access an online counselling facility or contact a local face-to-face counselling service or Gamcare. Leaflets with contact addresses and telephone numbers should be prominently displayed within this room.

4.22 The Licensing Authority will expect applicants to present a detailed package that will bring maximum benefit to the Borough and it is expected that the applicant will have undergone detailed research and liaised with the relevant departments of the Council prior to submitting their application.

Process

4.23 Further details and an explanation of the proposed evaluation process will be set out in the Application Pack that will be sent to all applicants.

4.24 Following the Stage 1 procedure, if there is only one successful applicant, a casino premises licence (or provisional statement) will be awarded to that applicant. If there is more than one successful applicant, then all of the successful applicants will be invited to participate in Stage 2.

4.25 In general, the procedure will follow the DCMS Code of Practice. However, the Code leaves individual authorities to determine the detail of their own procedure. As it is recognised that the Licensing Authority does not necessarily have planning or regeneration expertise it may in certain circumstances seek advice on an applicant's proposal from officers in other relevant departments such as Planning, Highways,

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Finance, Regeneration, and Legal or seek independent expertise from outside the Council. For this purpose, the Licensing Authority shall constitute a non-statutory Panel to assist in the evaluation of the Stage 2 application process. This panel shall be called the 'Advisory Panel'.

4.26 It is accepted that only the Licensing Authority will make the final decision on the successful applicant. The function of the Advisory Panel will be to evaluate the applications for the benefit of the Licensing Committee. The Advisory Panel will not be a decision-making body, and while the Licensing Committee will take the Panel's evaluations into account, it is not bound to follow them.

4.27 Members of the Panel will comprise of individuals who are not biased and whose personal interests will not compromise their independence. They will be individuals who are able to maintain the confidentiality on which the integrity of this process demands. It will be for the Licensing Authority to determine which individuals would best represent the interests of the community. The list of panel members and the terms of reference of the Advisory Panel will be included in the application pack. The terms of reference will include further details of the functions of the panel and the procedures of the evaluation process to ensure fairness and transparency to all applicants. To ensure there are no conflicts of interest, applicants will be asked if they object to any member of the panel. Where objections are made, it will be necessary to give details of the substance of such objection.

4.28 The Licensing Authority will give equal time to all applications and will carefully scrutinise all proposals prior to making any decision.

4.29 In accordance with the Code of Practice issued by the Secretary of State, the Licensing Authority shall ensure that there is a Register of Interest in place disclosing interest in any contract, arrangement or other relationship with an applicant or a person connected or associated with an applicant. Applicants should note that this does not apply to any agreement between the Licensing Authority and applicant entered into during the second stage of the competition.

4.30 In addition, the Licensing Authority shall have a Protocol governing the storage of confidential information submitted during the second stage so as to maintain confidentiality. This Protocol is available from the licensing section upon request.

4.31 It is strongly recommended that the licensing application includes all documents and paperwork in support of the proposals (hereinafter referred to the 'bid documentation'). Once all the bid documentation has been submitted, the Advisory Panel will carry out a preliminary evaluation of each application. Following the preliminary evaluation, officers may be deputed to deal with applicants with a view to the application being refined, expanded or altered so as to maximise the benefits to the area. The Advisory Panel may elect to interview applicants (the same facility will be offered to all applicants) and this occasion will be used for applicants to explain their proposals and to clarify the bid. There will be no time limit on such presentations.

4.32 Once the bid documentation is finalised, the Advisory panel will evaluate each bid and the bids will be scored within definitive bands. These bands will be set out in the application pack. Once assessed, the Advisory Panel's draft evaluation on each application will be sent to the applicant to enable the relevant applicant to correct any factual errors or (without providing new information) make representations as to the scoring or qualitative evaluation.

4.33 The Advisory Panel will then provide a final written report with a copy of all applicants' representations to the Licensing Committee. While it is legally possible for the Committee to delegate the decision to a Sub-Committee, the Licensing Authority intends that the decision shall be made by a wide body of councillors and has decided that the Licensing Committee itself shall determine the applications. However, the quorum for the Committee shall be set at 5 so as to ensure that the Committee may continue to sit even if one or more of its members are indisposed. Assisted by the Advisory Panel's recommendation as to the correct band for each criterion, the Panel's qualitative evaluation and also the applicant's response, the Licensing Committee will allocate a precise score for each criterion. The committee will not take further evidence or representations by the applicants but will then make its decision. Any legal advice required shall be supplied by the **Council's Solicitor (Head of Central Services)**.

4.34 The unsuccessful applicant(s) will be informed of the result and reasons for rejection as soon as is reasonably practicable. It is noted that once a decision has been made there will be no right of an appeal.

4.35 Where a Provisional Statement application is successful, the Licensing Authority may limit the period of time for which the Statement will have effect. This period may be extended if the applicant so applies.

Converted casino premises licences

Casino operators with licences granted under the Gaming Act 1968, were eligible to be granted a casino premises licence under 'grandfathering arrangements'. Great Yarmouth has three such casinos that have converted casino premises licences. Different principles apply to such casinos and these are listed in The Gambling Act 2005 (Commencement no 6 and Transitional Provisions) Order 2006.

Special provisions apply to enable these operators to relocate to premises by way of variation to a converted casino premises licence providing those premises are wholly or partly situated in the area.

5. Bingo premises

This licensing authority notes that the Gambling Commission's Guidance states:

" 18.5 Licensing authorities need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. An operator may choose to vary their licence to exclude a previously licensed area of that premises,

and then apply for a new premises licence, or multiple new premises licences, with the aim of creating separate premises in that area. Essentially providing multiple licensed premises within a single building or site. Before issuing additional bingo premises licences, licensing authorities need to consider whether bingo can be played at each of those new premises."

~~The primary gambling activity of the premises should be that described. Thus, in a bingo premises, the primary activity should be bingo, with gaming machines as an ancillary offer on the premises.~~

~~Licensing authorities will need to satisfy themselves that bingo can be played in any bingo premises for which they issue a premises licence. This will be a relevant consideration where the operator of an existing bingo premises applies to vary their licence to exclude an area of the existing premises from its ambit and then applies for a new premises licence, or multiple licences, for that or those excluded areas.~~

~~This authority also notes the Guidance regarding the unusual circumstances in which the splitting of a pre-existing premise into two adjacent premises might be permitted; and in particular that it is not permissible to locate sixteen category B3 gaming machines in one of the resulting premises, as the gaming machine entitlement for that premises would be exceeded (bingo premises are allowed 8 B3 machines and an unlimited number of C and D machines. (See appendix 3 for machine entitlements).~~

This authority also notes that from 13 July 2011 a holder of a bingo premises licence may make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises. A licence variation must be applied for if operators wish to take advantage of the change to the legislation.

18.7 Children and young people are allowed into bingo premises; however they are not permitted to participate in the bingo and if category B or C machines are made available for use these must be separated from areas where children and young people are allowed. Social Responsibility (SR) code 3.2.5(3) states that 'licensees must ensure that their policies and procedures take account of the structure and layout of their gambling premises' in order to prevent underage gambling"

Bingo in clubs and alcohol licensed premises

Bingo is a class of equal chance gaming permitted on alcohol-licensed premises, and in clubs and miners welfare institutes, under the allowances for exempt gaming in Part 12 of the Act. There are regulations setting controls on this form of gaming, to ensure that it remains low stakes and prizes activity. Where the level of bingo played in these premises reaches a certain threshold, it will no longer be authorised by these rules and a bingo operating licence will have to be obtained from the Commission for future bingo games. The aim of these provisions is to prevent bingo becoming a predominant commercial activity on such non-gambling premises.

The threshold is that if bingo played during any seven-day period exceeds £2,000 (either money taken or prizes awarded), all further games of bingo played on those premises in the next 12 months will require an operating licence to be legal. The Gambling Commission has developed a statutory code of practice, The Code of Practice for gaming in clubs and premises with an alcohol licence, which is available on its website (www.gamblingcommission.gov.uk)

Bingo in casinos

Large casinos will be able to offer bingo. Bingo will be permitted as part of their casino premises licence and they will not require a separate bingo premises licence, though they will need to obtain a bingo operating licence (which may be combined with their casino licence) in order to offer facilities for bingo at a casino. The standards in this respect will be no lower than for operators seeking only to provide facilities for bingo alone.

6. Betting premises

The Act contains a single class of licence for betting premises although within this, there are different types of premises which require licensing.

The Act also permits betting intermediaries to operate from premises. Section 13 of the Act defines a betting intermediary as a person who provides a service designed to facilitate the making or acceptance of bets between others. Although betting intermediaries usually offer their services via remote communication, such as the internet, a betting intermediary can apply for a betting premises licence to offer intermediary services upon the premises, such as a premises based trading room.

Licensing authorities are responsible for issuing and monitoring premises licences for all betting premises. The issuing of premises licences is discussed in Part 7 of the Gambling Commission Guidance.

Gaming machines

Section 172(8) provides that the holder of a betting premises licence may make available for use up to four gaming machines of category B, C or D. Regulations state that category B machines at betting premises are restricted to sub-category B2, B3 and B4 machines

Self Service Betting Terminals (SSBTs)

Section 235(2)(c) provides that a machine is not a gaming machine if it is designed or adapted for use to bet on future real events. Some betting premises may make available machines that accept bets on live events, such as horse racing, as a substitute for placing a bet over the counter. These SSBTs are not gaming machines and therefore neither count towards the maximum permitted number of gaming

machines, nor have to comply with any stake or prize limits. SSBTs merely automate the process that can be conducted in person and the Act exempts them from regulation as a gaming machine.

However, where a machine is made available to take bets on virtual races (that is, results and / or images generated by computer to resemble races or other events) that machine is a gaming machine and counts towards the maximum permitted number of gaming machines, and must meet the relevant category limitations for the premises.

It is the Commission's view that the use of SSBTs is a form of remote communication and that a remote licence will be required if SSBTs are used to facilitate the making or accepting of bets by others.

Section 181 contains an express power for licensing authorities to restrict the number of SSBTs, their nature and the circumstances in which they are made available by attaching a licence condition to a betting premises licence or to a casino premises licence (where betting is permitted in the casino).

~~Betting machines (bet receipt terminals) – This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator wants to offer.~~

7. Tracks

This licensing authority 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. This licensing authority will especially consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) 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.

This authority will therefore expect the premises licence applicant to demonstrate suitable measures to ensure that children do not have access to adult only gaming facilities. It is noted that children and young persons will be permitted to enter track areas where facilities for betting are provided on days when dog-racing and/or horse racing takes place, but that they are still prevented from entering areas where gaming machines (other than category D machines) are provided.

This licensing authority may consider measures to meet the licensing objectives such as:

- Proof of age schemes
- CCTV
- Supervision of entrances / machine areas

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- Physical separation of areas
- Location of entry
- Notices / signage
- Specific opening hours
- Self-exclusion schemes
- Provision of information leaflets / helpline numbers for organisations such as GamCare

This list is not mandatory, nor exhaustive, and is merely indicative of example measures.

Gaming machines - Where the applicant holds a pool betting operating licence and is going to use the entitlement to four gaming machines, machines (other than category D machines) should be located in areas from which children are excluded.

Betting machines - This licensing authority will, as per the Gambling Commission's Guidance, take into account the size of the premises and the ability of staff to monitor the use of the machines by children and young persons (it is an offence for those under 18 to bet) or by vulnerable people, when considering the number/nature/circumstances of betting machines an operator proposes to offer.

Applications and plans

The Gambling Act (s51) requires applicants to submit plans of the premises with their application, in order to ensure that the licensing authority has the necessary information to make an informed judgement about whether the premises are fit for gambling. The plan will also be used for the licensing authority to plan future premises inspection activity. (See Guidance to Licensing Authorities).

Plans for tracks do not need to be in a particular scale, but should be drawn to scale and should be sufficiently detailed to include the information required by regulations. (See Guidance to Licensing Authorities).

~~Some tracks may be situated on agricultural land where the perimeter is not defined by virtue of an outer wall or fence, such as point-to-point racetracks. In such instances, where an entry fee is levied, track premises licence holders may erect temporary structures to restrict access to premises (See Guidance to Licensing Authorities).~~

~~In the rare cases where the outer perimeter cannot be defined, it is likely that the track in question will not be specifically designed for the frequent holding of sporting events or races. In such cases betting facilities may be better provided through occasional use notices where the boundary premises do not need to be defined. (See Guidance to Licensing Authorities).~~

This authority appreciates that it is sometimes difficult to define the precise location of betting areas on tracks. The precise location of where betting facilities are provided is not required to be shown on track plans, both by virtue of the fact that betting is permitted anywhere on the premises and because of the difficulties associated with pinpointing exact locations for some types of track.

Licensing authorities should satisfy themselves that the plan provides sufficient information to enable them to assess the application. (see Guidance to Licensing authorities para 20.46)

~~Applicants should provide sufficient information that this authority can satisfy itself that the plan indicates the main areas where betting might take place. For racecourses in particular, any betting areas subject to the "five times rule" (commonly known as betting rings) must be indicated on the plan. (See Guidance to Licensing Authorities).~~

8. Travelling Fairs

Travelling fairs may provide an unlimited number of Category D gaming machines provided that facilities for gambling amount to no more than an ancillary amusement at the fair. They do not require a permit to provide these gaming machines but must comply with legal requirements about how the machine operates. Current stakes and prizes can be found at Appendix B of the Gambling Commission guidance.

Higher stake category B and C fruit machines, like those typically played in arcades and pubs, are not permitted. Fairground operators must source their machines from a Commission licensed supplier and employees working with gaming machines must be at least 18 years old.

This licensing authority is responsible for deciding whether, where category D machines and / or equal chance prize gaming without a permit is to be made available for use at travelling fairs, the statutory requirement that the facilities for gambling amount to no more than an ancillary amusement at the fair is met.

The licensing authority will also consider whether the applicant falls within the statutory definition of a travelling fair.

It is noted that the 27-day statutory maximum for the land being used as a fair applies on a per calendar year basis, 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. This licensing authority will work with its neighbouring authorities to ensure that land which crosses our boundaries is monitored so that the statutory limits are not exceeded.

9. Provisional Statements

Developers may wish to apply to this authority for provisional statements before entering into a contract to buy or lease property or land to judge whether a development is worth taking forward in light of the need to obtain a premises licence. There is no need for the applicant to hold an operating licence in order to apply for a provisional statement.

Section 204 of the Gambling Act provides for a person to make an application to the licensing authority for a provisional statement in respect of premises that he or she:

- expects to be constructed;
- expects to be altered; or
- expects to acquire a right to occupy.

The process for considering an application for a provisional statement is the same as that for a premises licence application. The applicant is obliged to give notice of the application in the same way as applying for a premises licence. Responsible authorities and interested parties may make representations and there are rights of appeal.

In contrast to the premises licence application, the applicant does not have to hold or have applied for an operating licence from the Gambling Commission (except in the case of a track) and they do not have to have a right to occupy the premises in respect of which their provisional application is made.

The holder of a provisional statement may then apply for a premises licence once the premises are constructed, altered or acquired. The licensing authority will be constrained in the matters it can consider when determining the premises licence application, and in terms of representations about premises licence applications that follow 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 authority may refuse the premises licence (or grant it on terms different to those attached to the provisional statement) only by reference to matters:

- which could not have been raised by objectors at the provisional statement stage;
- which in the authority's opinion reflect a change in the operator's circumstances; or
- where the premises has not been constructed in accordance with the plan submitted with the application. This must be a substantial change to the plan and this licensing authority notes that it can discuss any concerns it has with the applicant before making a decision.

10. Reviews:

Requests for a review of a premises licence can be made by interested parties or responsible authorities; however, it is for the licensing authority to decide whether the review is to be carried-out. This will be on the basis of whether the request for the review is relevant to the matters listed below;

- in accordance with any relevant code of practice issued by the Gambling Commission;
- in accordance with any relevant guidance issued by the Gambling Commission;
- reasonably consistent with the licensing objectives; and
- in accordance with the authority's statement of licensing policy.

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The request for the review will also be subject to the consideration by the authority as to whether the request is frivolous, vexatious, or whether it will certainly not cause this authority to wish to alter/revoke/suspend the licence, or whether it is substantially the same as previous representations or requests for review.

The licensing authority can also initiate a review of a particular premises licence, or a particular class of premises licence on the basis of any reason which it thinks is appropriate.

Once a valid application for a review has been received by the licensing authority, representations can be made by responsible authorities and interested parties during a 28 day period. This period begins 7 days after the application was received by the licensing authority, who will publish notice of the application within 7 days of receipt.

The licensing authority must carry out the review as soon as possible after the 28 day period for making representations has passed.

The purpose of the review will be to determine whether the licensing authority should take any action in relation to the licence. If action is justified, the options open to the licensing authority are:-

- add, remove or amend a licence condition imposed by the licensing authority;
- exclude a default condition imposed by the Secretary of State (e.g. opening hours) or remove or amend such an exclusion;
- suspend the premises licence for a period not exceeding three months; and
- revoke the premises licence.

In determining what action, if any, should be taken following a review, the licensing authority must have regard to the principles set out in section 153 of the Act, as well as any relevant representations.

In particular, the licensing authority may also initiate a review of a premises licence on the grounds that a premises licence holder has not provided facilities for gambling at the premises. This is to prevent people from applying for licences in a speculative manner without intending to use them.

Once the review has been completed, the licensing authority must, as soon as possible, notify its decision to:

- the licence holder
- the applicant for review (if any)
- the Commission
- any person who made representations
- the chief officer of police or chief constable; and
- Her Majesty's Commissioners for Revenue and Customs

PART C

PERMITS / TEMPORARY & OCCASIONAL USE NOTICE

1. Unlicensed Family Entertainment Centre gaming machine permits (Statement of Principles on Permits - Schedule 10 paragraph 7)

Where a premise does not hold a premises licence but wishes to provide gaming machines, it may apply to the licensing authority for this permit. It should be noted that the applicant must show that the premises will be wholly or mainly used for making gaming machines available for use (Section 238).

The Gambling Act 2005 states that a licensing authority may prepare a statement of principles that they propose to consider in determining the suitability of an applicant for a permit and in preparing this statement, and/or considering applications, it need not (but may) have regard to the licensing objectives and shall have regard to any relevant guidance issued by the Commission under section 25. The Gambling Commission's Guidance to Licensing Authorities also states at 24.8

~~: "In their three year licensing policy statement, licensing authorities may include a statement of principles that they propose to apply when exercising their functions in considering applications for permits...., licensing authorities will want to give weight to child protection issues." (24.6)~~

~~" In its policy statement, a licensing authority may include a statement of principles that it proposes to apply when exercising its functions in considering applications for permits. In particular it may want to set out the matters that it will take into account in determining the suitability of the applicant. Given that the premises is likely to appeal particularly to children and young persons, licensing authorities may wish to give weight to matters relating to protection of children from being harmed or exploited by gambling and to ensure that staff supervision adequately reflects the level of risk to this group."~~

Guidance also states: *"...An application for a permit may be granted only if the licensing authority is satisfied that the premises will be used as an unlicensed FEC, and if the chief officer of police has been consulted on the application... Licensing authorities might wish to consider asking applications 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."*

It should be noted that a licensing authority cannot attach conditions to this type of permit.

This licensing authority has adopted the following Statement of Principles, in respect of unlicensed FECs:

Statement of Principles

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The licensing authority will expect the applicant to show that there are policies and procedures in place to protect children from harm. Such policies/procedures will be considered on their merits; however, they may include appropriate measures on staff training on how to deal with suspected truancy, how to deal with unsupervised very young children being on the premises and children causing problems around the premises.

The licensing authority will also expect the applicants demonstrate a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FECs, and that staff are trained to have a full understanding of the maximum stakes and prizes.

The Licensing Authority will require the following to be submitted in addition to the application form and fee:

- (1) Proof of the applicant's identity and age;
- (2) Proof of the applicant's right to occupy the premises for which the permit is sought;
- (3) (Where the applicant is an individual) a 'basic' Criminal Records disclosure dated no earlier than one calendar month on the day the application is received by the Licensing Authority. Holders of operating licences issued by the Gambling Commission are exempt from this requirement.
- (4) An insurance certificate (or certified copy) confirming the availability of public liability insurance covering the proposed activity.
- (5) A plan scale 1:100 of the premises showing:
 - a. The boundary of the premises including any internal and external walls, entrances, exits, doorways and windows, and indicating the points of access available to the public.
 - b. The location of any fixed or temporary structures.
 - c. The location of any counters, booths, offices or other locations from which staff may monitor the activities of persons on the premises.
 - d. The location of any public toilets within the boundary of the premises.
 - e. The location of CCTV cameras.
 - f. The location of any ATM or other cash/change machines.
 - g. The proposed location of the Category 'D' machines.
 - h. Details of non-category 'D' machines (e.g. skill with prizes machines).

2. (Alcohol) Licensed premises gaming machine permits - (Schedule 13 paragraph 4(1))

Automatic entitlement: 2 machines

There is provision in the Act for premises licensed to sell alcohol for consumption on the premises to automatically have 2 gaming machines, of categories C and/or D. The premises merely need to notify the licensing authority.

The licensing authority can remove the automatic authorisation in respect of any particular premises if:

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- 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.

Permit: 3 or more machines

If a premises wishes to have more than 2 machines, then it needs to apply for a permit and the licensing authority must consider that application based upon the licensing objectives, any guidance issued by the Gambling Commission issued under Section 25 of the Gambling Act 2005, and “such matters as they think relevant.”

This licensing authority considers that “such matters” will be decided on a case by case basis but generally there will be regard to the need to protect children and vulnerable persons from harmed or being exploited by gambling and will expect the applicant to satisfy the authority that there will be sufficient measures to ensure that under 18 year olds do not have access to the adult only gaming machines.

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

It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. Any such application would most likely need to be applied for, and dealt with as an Adult Gaming Centre premises licence.

It should be noted that the licensing authority can decide to grant the application with a smaller number of machines and/or a different category of machines than that applied for. Conditions (other than these) cannot be attached.

It should also be noted that the holder of a permit must comply with any Code of Practice issued by the Gambling Commission about the location and operation of the machine.

3. Prize Gaming Permits

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The Gambling Act 2005 states that a licensing authority may “prepare a statement of principles that they propose to apply in exercising their functions under this Schedule” which “may, in particular, specify matters that the licensing authority proposes to consider in determining the suitability of the applicant for a permit”.

Statement of Principles

This licensing authority has prepared a Statement of Principles which is that the applicant should set out the types of gaming that he or she is intending to offer and that the applicant should 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
- clear policies that outline the steps to be taken to protect children from harm.

The licensing authority shall also require (where the applicant is an individual) a ‘basic’ Criminal Records disclosure dated no earlier than one calendar month on the day the application is received by the Licensing Authority. Holders of operating licences issued by the Gambling Commission are exempt from this requirement.

In making its decision on an application for this permit the licensing authority does not need to (but may) have regard to the licensing objectives but must have regard to any Gambling Commission guidance. (Gambling Act 2005, Schedule 14 paragraph 8(3))

It should be noted that there are conditions in the Gambling Act 2005 by which the permit holder must comply, but that the licensing authority cannot attach conditions. The conditions in the Act are:

- 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.

4. Club Gaming and Club Machines Permits

Members Clubs and Miners’ welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Clubs Gaming machines permit. The Club Gaming Permit will enable the premises to provide gaming machines (3 machines of categories B, C or D), equal chance gaming and games of chance as set-out in regulations.

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Members clubs and miner's welfare institutes – and also Commercial Clubs – may apply for a Club Machine Permit. A Club Gaming machine permit will enable the premises to provide gaming machines (3 machines of categories B, C or D). N.B. Commercial Clubs may not site category B3A gaming machines offering lottery games in their club.

The Licensing Authority notes that the Gambling Commission's Guidance states:

"25.44 The Local Authority has to satisfy itself that the club meets the requirements of the Act to obtain a club gaming permit." In doing so it will take into account a number of matters as outlined in the Gambling Commission Guidance. These include the constitution of the club, the frequency of gaming and ensuring that there are more than 25 members.

The club must be conducted 'wholly or mainly' for purposes other than gaming, unless the gaming is permitted by separate regulations. The Secretary of State has made regulations and these cover bridge and whist clubs.

The Commission Guidance also notes that licensing authorities may only refuse an application on the grounds that:

- (a) (i) for a club gaming permit the applicant is not a members' or miners' welfare institute
(II) for a club machine permit the applicant is not a members' or miners' welfare institute or commercial club
- (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 Commission or the police.

There is also a 'fast-track' procedure available under the Act for premises which hold a Club Premises Certificate under the Licensing Act 2003 (Schedule 12 paragraph 10). Commercial clubs cannot hold club premises certificates under the Licensing Act 2003 and so cannot use the fast track procedure. As the Gambling Commission's Guidance for local authorities states: *"Under the fast-track procedure there is no opportunity for objections to be made by the Commission or the police, and the ground upon which an authority can refuse a permit are reduced."* and *"The grounds on which an application under the process may be refused are:*

- (a) *that the club is established primarily for gaming, other than gaming prescribed under schedule 12;*
- (b) *that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or*

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(c) that a club gaming permit or club machine permit issued to the applicant in the last ten years has been cancelled."

A permit will lapse if the holder of the permit stops being a club or miners welfare institute, or if it no longer qualifies under the fast track system for a permit.

There are statutory conditions on club gaming permits that no child uses a category B or C machine on the premises and that the holder complies with any relevant provision of a code of practice about the location and operation of gaming machines.

5. Temporary Use Notices

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 suitable for a temporary use notice, according to the Gambling Commission, would include hotels, conference centres and sporting venues.

The licensing authority can only grant a temporary use notice to a person or company holding a relevant operating licence, i.e. a non-remote casino operating licence.

The Secretary of State has the power to determine what form of gambling can be authorised by temporary use notices, and at the time of writing this Statement the relevant regulations (SI no 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007) state that temporary use notices can only be used to permit the provision of facilities or equal chance gaming, where the gaming is intended to produce a single winner, which in practice means poker tournaments.

There are a number of statutory limits as regards temporary use notices. The meaning of "premises" in Part 8 of the Act is discussed in Part 7 of the Gambling Commission Guidance to Local Authorities. As with "premises", the definition of "a set of premises" will be a question of fact in the particular circumstances of each notice that is given. In the Act "premises" is defined as including "any place".

In considering whether a place falls within the definition of "a set of premises", the licensing authority needs to look at, amongst other things, the ownership/occupation and control of the premises.

This licensing authority expects 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, as recommended in the Gambling Commission's Guidance to Local Authorities.

6. Occasional Use Notices:

Section 39 of the Act provides that where there is betting on a track on eight days or fewer in a calendar year, betting may be permitted by an occasional use notice (OUN) without the need for a full premises licence.

The licensing authority has very little discretion as regards these notices aside from ensuring that the statutory limit of 8 days in a calendar year is not exceeded. This licensing authority will though consider the definition of a 'track' and whether the applicant is permitted to avail him/herself of the notice and will also ensure that no more than 8 OUNs are issued in one calendar year in respect of any venue.

7. Small Society Lotteries

Non-commercial gaming is permitted if it takes place at a non-commercial event, either as an incidental or principal activity at the event. Events are non-commercial if no part of the proceeds is for private profit or gain. The proceeds of such events may benefit one or more individuals if the activity is organised:

- by, or on behalf of, a charity or for charitable purposes
- to enable participation in, or support of, sporting, athletic or cultural activities.

Charities and community groups should contact the Licensing Authority for further advice.

The Licensing Authority will register and administer smaller non-commercial lotteries and applicants for lottery licences must apply to the Licensing Authority in the area where their principal office is located.

The society in question must be 'non-commercial' and the total value of tickets to be put on sale per single lottery must be £20,000 or less, or the aggregate value of tickets to be put on sale for all their lotteries in a calendar year must not exceed £250,000. If the operator plans to exceed either of these values then they may need to be licensed with the Commission to operate large lotteries instead.

For initial applications and where there is a change of promoter, the licensing authority reserves the right to require the promoter of the lottery to produce a 'basic' criminal records disclosure. For new applications, the licensing authority shall require the promoter of the lottery to produce a 'basic' Criminal Records disclosure dated no earlier than one calendar month on the day the application is received by the Licensing Authority.

The Licensing Authority may refuse an application for registration if in their opinion:

- The applicant is not a non-commercial society;
- A person who will or may be connected with the promotion of the lottery has been convicted of a relevant offence; or
- Information provided in or with the application for registration is false or misleading.

Where the Licensing Authority intends to refuse registration by a Society, it will give the Society an opportunity to make representations and will inform the Society of the reasons why it is minded to refuse registration and supply evidence on which it has reached that preliminary conclusion. In any event, the Licensing Authority will make clear its procedures on how it handles representations.

The Licensing Authority may revoke the registered status of a lottery if it thinks that they would have had to, or would be entitled to; refuse an application for registration if it were being made at that time. However, no revocations will take place unless the Society has been given the opportunity to make representations. The Licensing Authority will inform the society of the reasons why it is minded to revoke the registration and will provide an outline of the evidence on which it has reached that preliminary conclusion.

The Licensing Authority will adopt a risk based approach towards enforcement responsibilities for small society lotteries. This authority considers that the following list, although not exclusive, could affect the risk status of the operator:

- submission of late returns (returns must be submitted no later than three months after the date on which the lottery draw was held)
- submission of incomplete or incorrect returns
- breaches of the limits for small society lotteries

PART D - EXEMPT GAMING

Exempt gaming is equal chance gaming generally permissible in any club or alcohol-licensed premises. Gaming should be ancillary to the purposes of the premises. This provision is automatically available to all such premises, but is subject to statutory stakes and prize limits determined by the Secretary of State.

Equal chance gaming is gaming that does not involve staking against a bank and the chances of winning are equally favourable to all participants. It includes games such as backgammon, mah-jong, rummy, kalooki, dominoes, cribbage, bingo and poker.

The Secretary of State has set both daily and weekly prize limits for exempt gaming. Different, higher stakes and prizes are allowed for exempt gaming in clubs than in alcohol-licensed premises. These limits are set out in appendix 6.

PART E

COMMITTEE, OFFICER DELEGATION AND CONTACTS

1. Committee decisions and scheme of delegation

The Licensing Authority is involved in a wide range of licensing decisions and functions and has established a Licensing Committee to administer them.

Licensing Sub-Committees made up of three Councillors from the main Licensing Committee will sit to hear applications where relevant representations have been received from interested parties and responsible authorities. Ward Councillors will not sit on a Sub-Committee involving an application within their ward.

Where a Councillor who is a member of the Licensing Committee is making or has made representations regarding a licence on behalf of an interested party, in the interests of good governance they will disqualify themselves from any involvement in the decision making process affecting the licence in question.

The Council's Licensing Officers will deal with all other licensing applications where either no relevant representation have been received, or where representations have been received and it is agreed by the parties that a hearing is not necessary.

Decisions as to whether representations are irrelevant, frivolous or vexatious will be made by Council Officers, who will make the decisions on whether representations or applications for licence reviews should be referred to the Licensing Committee or Sub-Committee. Where representations are rejected, the person making that representation will be given written reason as to why that is the case. There is no right of appeal against a determination that representations are not admissible.

The table shown at Appendix 7 sets out the agreed delegation of decisions and functions to Licensing Committee, Sub-Committee and Officers.

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This form of delegation is without prejudice to Officers referring an application to a Sub-Committee or Full Committee if considered appropriate in the circumstances of any particular case.

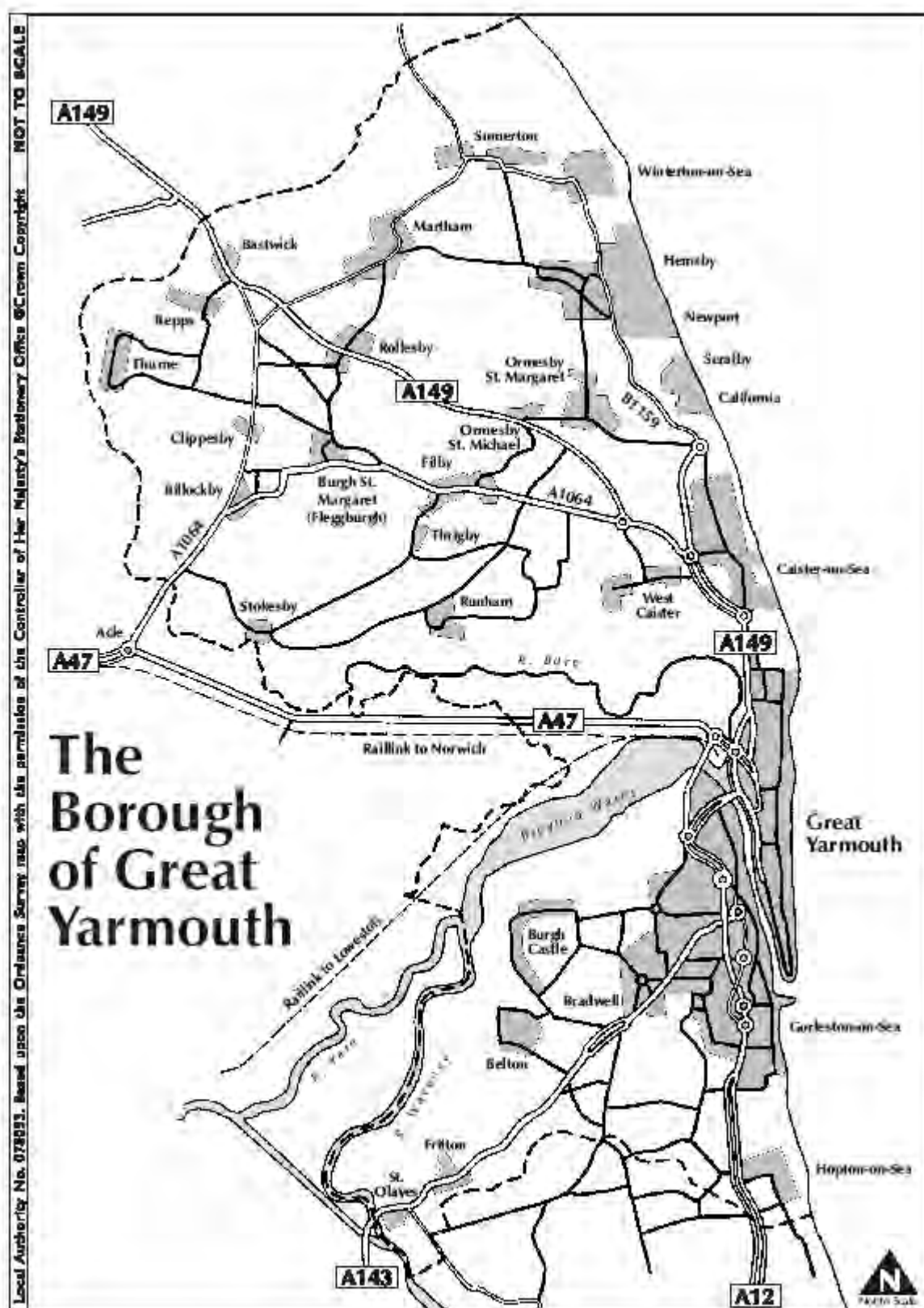
2. Contacts

Further information about the Gambling Act 2005, this Statement of Licensing Policy or the application process can be obtained from:-

The Licensing Team Great Yarmouth Borough Council Town Hall, Hall Plain Great Yarmouth, NR30 2QF	Tel: 01493 846530 Fax: 01493 846608 E-mail gambling@great-yarmouth.gov.uk Website www.great-yarmouth.gov.uk
Information is also available from:-	
Gambling Commission 4th floor, Victoria Square House, Victoria Square Birmingham, B2 4BP	Tel: 0121 230 6666 Fax: 0121 230 6720 Email: info@gamblingcommission.gov.uk Website: www.gamblingcommission.gov.uk

:

APPENDIX 1 – MAP OF THE BOROUGH



APPENDIX 2 - LIST OF CONSULTEES

Gambling Commission

Norfolk Constabulary

Responsible authorities

Existing licence holders (casinos, bingo premises, betting premises, Adult Gaming Centres, Family Entertainment Centres, permit holders, Great Yarmouth Racecourse, Great Yarmouth Stadium)

Greater Yarmouth Tourist Authority

BACTA

D. P. Leisure

Gamblers Anonymous

Residents Associations

Various Solicitors

NCIF (National Casino Industry Forum)

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APPENDIX 3 - RESPONSIBLE AUTHORITIES

<p>The Licensing Authority Great Yarmouth Borough Council Town Hall Hall Plain Great Yarmouth NR30 2QF</p> <p>Telephone: 01493 846530 Email: gambling@great-yarmouth.gov.uk</p>	<p>The Gambling Commission 4th floor Victoria Square House Birmingham B2 4BP</p> <p>Telephone: 0121 230 6666 Fax: 0121 230 6720 Email: info@gamblingcommission.gov.uk</p>
<p>Police: Norfolk Constabulary Licensing Team 4th Floor Vantage House Fishers Lane Norwich NR2 1ET</p> <p>Telephone: 01603 276024 Fax: 01603 276025 Email: licensingteam@norfolk.pnn.police.uk</p>	<p>The Fire Authority: Group Manager Norfolk Fire and Rescue Service Fire Station Friars Lane Great Yarmouth NR30 2RP</p> <p>Telephone: 01493 339901 Fax: 01493 339940 Email: Gtyar@fire.norfolk.gov.uk</p>
<p>Planning Authority: Planning and Development Great Yarmouth Borough Council Town Hall Great Yarmouth NR30 2QF</p> <p>Telephone: 01493 846430 Email: planning@great-yarmouth.gov.uk</p>	<p>Environmental Health: Great Yarmouth Borough Council Town Hall Great Yarmouth NR30 2QF</p> <p>Telephone: 01493 846478 Fax: 01493 846415 Email: health@great-yarmouth.gov.uk</p>
<p>Norfolk Safeguarding Children Board County Hall Martineau Lane Norwich NR1 2SQ</p>	<p>HM Revenue and Customs NRU (Betting and Gaming) Portcullis House 21 India Street Glasgow G2 4PZ</p> <p>Tel: 0141 5553 466 E-mail: nrubetting&gaming@hmrc.gsi.gov.uk</p>

APPENDIX 4 - SCHEDULE OF GAMING MACHINE PROVISION BY PREMISES

	Machine category						
Premises type	A	B1	B2	B3	B4	C	D
Large casino (machine/table ratio of 5 -1 up to maximum)		Maximum of 150 machines Any combination of machines in categories B to D (except B3A machines), within the total limit of 150 (subject to machine/table ratio)					
Pre-2005 Act casino (no machine/table ratio)		Maximum of 20 machines B to D (except B3A machines), or any number of C or D machines instead					
Betting premises and tracks occupied by pool betting		Maximum of 4 machines categories B2 to D					
Bingo premises ¹		Maximum of 20% of the total number of gaming machines which re available for use on the premises category B3 or B4				No limit on category C or D machines	
Adult gaming centre ²		Maximum of 20% of the total number of gaming machines which re available for use on the premises category B3 or B4				No limit on category C or D machines	
Family entertainment centre ³ (with premises licence)						No limit on category C or D machines	
Family entertainment centre ³ (with permit)						No limit on category D machines	
Clubs or miners' welfare institute ⁴ (with permits)						Maximum of 3 machines in Categories B3A or B4 to D	
Qualifying alcohol-licensed premises						1 or 2 machines of category C or D automatic upon notification	
Qualifying alcohol-licensed premises (with gaming machine permit)						Number of category C-D machines as specified on permit	
Travelling fair						No limit on	

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								category D machines	
		A	B1	B2	B3	B4	C	D	
	<p>1. Bingo premises licence are entitled to make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines on the premises. Where a premises licence was granted before 13 July 2011, they are entitled to make available eight category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Category B machines at bingo premises are restricted to sub-category B3 and B4 machines, but not B3A machines.</p> <p>2 Adult gaming centres are entitled to make available for use a number of category B gaming machines not exceeding 20% of the total number of gaming machines which are available for use on the premises and any number of category C or D machines. Where a premises licence was granted before 13 July 2011, they are entitled to make available four category B gaming machines, or 20% of the total number of gaming machines, whichever is the greater. Category B machines at adult gaming centres are restricted to sub-category B3 and B4 machines, but not B3A machines.</p> <p>3. Only premises that are wholly or mainly used for making gaming machines available may hold an unlicensed FEC gaming machine permit or an FEC premises licence. Category C machines may only be sited within licensed FEC's and where an FEC permit is in force. They must be in a separate area to ensure the segregation and supervision of machines that may only be played by adults. there is no power for the licensing authority to set a limit on the number of machines under the FEC permit.</p> <p>4. Members' clubs and miners' welfare institutes with a club gaming permit or with a club machine permit, are entitled to site a total of three machines in categories B3A to D but only one B3A machine can be sited as part of this entitlement.</p> <p>5. Commercial clubs with club machine or gaming permits are entitled to a total of three machines in categories B4 to D.</p>								

APPENDIX 5 - SCHEDULE OF GAMING MACHINE CATEGORIES AND ENTITLEMENTS

Category of machine	Maximum stake (from Jan 2014)	Maximum prize (from Jan 2014)
A	Unlimited	Unlimited
B1	£5	£10,000*
B2	£100	£500
B3A	£2	£500
B3	£1	£500
B4	£2	£400
C	£1	£100
D – non-money prize (other than a crane grab machine)	30p	£8
D – non-money prize (crane grab machine only)	£1	£50
D (money prize)	10p	£5
D – combined money and non-money prize	10p	£8 (of which no more than £5 may be a money prize)
D – combined money and non-money prize (coin pusher or penny falls machine only)	20p	£20 (of which no more than £8 may be a money prize)

* with option of max £20,000 linked progressive jackpot on premises basis only

APPENDIX 6 - SCHEDULE OF GAMING ENTITLEMENTS FOR CLUBS AND ALCOHOL-LICENSED PREMISES

	Members' club with club gaming permit	Bridge or whist club	Members' club or commercial club with club machine permit	Member's club, or commercial club without a club gaming permit	Pubs and other alcohol-licensed premises
Equal chance gaming	Yes	Bridge and/or Whist only	Yes	Yes	Yes
Limits on stakes	No limit	No limit	Poker £1000 per week £250 per day £10 per person per game Other gaming No limit	Poker £1000 per week £250 per day £10 per person per game Other gaming No limit	Cribbage & dominoes No limit Poker £100 per premises per day Other gaming £5 per person per game
Limits on prizes	No limit	No limit	Poker £250 per game Other gaming No limit	Poker £250 per game Other gaming No limit	Poker £100 per game Other gaming No limit
Maximum participation fees – per person per day	Bridge and/or whist* £20 Other gaming £3	£18 (without club gaming permit) £20 (with club gaming permit)	Bridge and/or whist* £18 Other gaming £3 (commercial club) £1 (members' club)	Bridge and/or whist* £18 Other gaming £1	None permitted
Bankers or unequal chance gaming	Pontoon Chemin de Fer	None permitted	None permitted	None permitted	None permitted
Limits on bingo	Maximum of £2,000 per week in stakes/ prizes. If more then will need an operating licence	No bingo permitted	Maximum of £2,000 per week in stakes/ prizes. If more then will need an operating licence	Maximum of £2,000 per week in stakes/ prizes. If more then will need an operating licence	Maximum of £2,000 per week in stakes/ prizes. If more then will need an operating licence
*On a day when no other facilities for gaming are provided.					

APPENDIX 7 - TABLE OF DELEGATIONS OF LICENSING FUNCTIONS			
Matter to be dealt with	Full Council	Licensing Committee/ sub-committee	Officers
Three year licensing policy	X		
Policy to permit casino	X		
Fee Setting - when appropriate		X	X
Application for premises licences		Where relevant representations have been received and not withdrawn	Where no relevant representations received/ representations have been withdrawn
Application for a variation to a licence		Where relevant representations have been received and not withdrawn	Where no relevant representations received/ representations have been withdrawn
Application for a transfer of a licence		Where relevant representations have been received from the Commission	Where no relevant representations received from the Commission
Application for a provisional statement		Where relevant representations have been received and not withdrawn	Where no relevant representations received/ representations have been withdrawn
Review of a premises licence		X	
Application for club gaming /club machine permits		Where relevant representations have been received and not withdrawn	Where no relevant representations received/ representations have been withdrawn
Cancellation of club gaming/ club machine permits		X	
Applications for other permits			X
Cancellation of licensed premises gaming machine permits			X
Consideration of temporary use notice			X
Decision to give a counter notice to a temporary use notice		X	

APPENDIX 8 - LARGE CASINO LICENCE – CRITERIA

Criteria	Benefits / Dis-benefits	Importance (Very High / High/Medium)
Deliverability	<ul style="list-style-type: none"> • Status of approvals • Likelihood of development • Timescale for development • Operator - financial status, track record here and abroad 	Very high
Any provision that is made for the protection of children and other vulnerable people from harm or exploitation arising from gambling, whether in the proposed casino or the wider community	<p>Extent to which applicant can demonstrate measurable outcomes for the following:</p> <ul style="list-style-type: none"> • Commitment to evaluation of social impacts of gambling and ability to evaluate • Investment in problem gambling schemes / funding for treating programmes / funding to RIGT • Problem gambling measures • Demonstrably high level management commitment to social responsibility • Commitment to staff training on social responsibility issues and recognition of problem gambling • Operation of self exclusion schemes / exclude self-barred individuals from entry • Responsible marketing / advertising. Identification of customer profile and who will be targeted? • Proximity of casino to schools, children, places of worship youth and elderly populations • Level of operator commitment to work with community • Design/layout of casino • Location of casino 	Very High

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Any provision that is made for preventing gambling from being a source of crime or disorder or being associated with crime or disorder or being used to support crime	<ul style="list-style-type: none"> • Steps taken to promote safe evening and night time economy • Provision of CCTV and security measures • Liaison / consultation with police to promote the Prevention of Crime and Disorder Licensing Act 2003 objective and participation in any initiatives promoted to assist crime and disorder • Provision of door supervisors • External /internal lighting and proposals to ensure that where possible opportunities for crime are designed out 	Very High
Any provision that is made for ensuring that gambling is conducted in a fair and open way	<ul style="list-style-type: none"> • Provision of separate area/room to allow customers to familiarise themselves with the rules of the games • Display of rules of the games • Commitment to staff training • Fair and effective complaints procedure – how complaints and disputes are recorded and monitored 	Very High
Likely effects of application on employment and regeneration in the Borough	Employment: <ul style="list-style-type: none"> • Number of new jobs created directly (FTE) in casino and associated development • Number of jobs created for the long term unemployed • Mitigation measures in respect of possible lost or displaced jobs • Employment policies (pay, terms, equalities, skills training) • Empowerment of local disadvantaged groups through employment • How does proposal contribute to tackling economic weaknesses and high levels of unemployment? • Training – in-house training / provision of training courses leading to nationally accredited awards • Provision of education support 	Very High

	<p>through Great Yarmouth College or other establishments</p> <ul style="list-style-type: none"> Promotion of small, medium and micro-enterprises <p>Regeneration:</p> <ul style="list-style-type: none"> The extent to which the proposal act as direct catalyst for ancillary development The extent to which the development would create an all year round, diverse Tourism/leisure economy such as permanent all year round employment, and generation of further investment Steps taken to broaden the visitor demographic Steps taken to promote a vibrant night time economy The extent to which the development increases the provision of high quality, leisure services / cultural amenities (such as 4* hotel conference facilities, etc.) Does the development offer innovative attractions The extent to which development compliments existing businesses Positive multiplier effects upon surrounding business community Measures to assist transport infrastructure (such as park and ride) 	Very High
Design and location of the proposed development	<p>Design:</p> <ul style="list-style-type: none"> Building(s) of distinction or exemplar design Community engagement consultations and involvement in design <p>Location:</p> <ul style="list-style-type: none"> Proximity to Great Yarmouth Town Centre / seafront Impact on existing facilities (i.e. will proposed location lead to an increase or potential loss of existing facilities?) 	<p>High</p> <p>High</p>

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	<ul style="list-style-type: none"> • Impact on neighbouring businesses and residents (during construction and once in operation) • Located in a position where it can attract money into the Borough and where people are likely to visit • How development enhances and improves the immediate locality • Sufficient space for other facilities to be located there, and for parking • Accessible with increased environmental friendly transport methods • Potential to enhance Town's conservation areas • Potential to secure / re-use brownfield sites • Social, environmental and economic impacts to local residents and the business community 	
Range and nature of non-gambling facilities to be offered as part of the proposed development	<ul style="list-style-type: none"> • The range of other ancillary facilities offered 	High
Any financial and other contributions	<ul style="list-style-type: none"> • Alternative methods of structuring financial contributions (one off payment or annual index linked contributions). <i>Money would not be considered until Licensing Authority is satisfied that project could be delivered</i> • If proposal involves loss of existing facilities, will such facilities be replaced? • Direct cultural benefits such as showcasing local art / artistes • Support for local sporting / cultural / charitable schemes • Proposed partnerships with local communities? 	High

Any other matters that will benefit the Borough		Medium

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Comments received on draft gambling policy

No.	Organisation	Comments	Accepted into policy?	Reason why or why not?
1	Gosschalks solicitors on behalf of Association of British Bookmakers	Views on the implementation of the new LCCP requirements, from April 2016, relating to operators' local area risk assessments and their impact on the licensing regime. Concerns regarding draft policy: <ul style="list-style-type: none"> Request that Local Area profile is produced within body of licensing policy statement. 	No	A Local Area Profile has been produced (although not a statutory requirement) and will be published together with the updated approved Statement of policy. The Profile will be updated as necessary and so will remain a separate but associated document
		<ul style="list-style-type: none"> Part B – 1 General principles The draft statement of principles would be assisted by including at this stage that neither issues of nuisance nor the likelihood of the grant of planning permission or building regulation approval are relevant criteria for consideration under a Gambling Act 2005 application 	No	These points are not local policy issues and are amply covered in the legislation referred to. They are also referenced under part B 1 (vii) of the policy "duplication with other regulatory regimes"

		<ul style="list-style-type: none"> • (v) Location regarding the final two sentences of this paragraph. Any policy that a specific area is an area where gambling premises should not be located may be unlawful. This paragraph appears to implement a cumulative impact type policy as exists with the licensing regime under Licensing Act 2003. Such policy is contrary to the overriding principles of “aim to permit” contained with s153 Gambling Act 2005. Similarly, the reversal of the burden of proof in the final sentence that requires the applicant to demonstrate why an application should be granted is contrary to that principle. These two sentences should be removed and replace with the reiteration of the principle earlier in the policy that each case will be determined on its own merits. 	Comment is noted	The paragraph – which has been included in the policy since 2007 – does not implement a cumulative impact policy. It merely states the fact that if the Council (for any reason) wishes to change its policy in relation to location of gambling premises then it will revise, consult again and reissue an updated policy.
		<ul style="list-style-type: none"> • Licensing Objectives The draft statement of principles indicates that the licensing authority is aware of the distinction between disorder and nuisance. The statement of principles should be clear that issues of nuisance are not relevant considerations under Gambling Act 2005 and the prevention of public nuisance is not a licensing objective. The statement of principles would also be assisted by stating that the Gambling commission’s view of disorder is that this is behaviour that is more serious and more disruptive than mere nuisance 	Comment is noted	The wording of the revised draft policy is considered adequate to cover the point
		<ul style="list-style-type: none"> • Conditions the draft statement of principles should be amended to state that the starting point for consideration of an application is that it will be granted subject to ensure operation that is reasonably 	Comment is noted	The wording of the revised draft policy is considered adequate to cover the point

		consistent with the licensing objectives. The statement of principles should state that additional conditions, to supplement the mandatory and default conditions, will only be imposed where there is evidence of a particular risk to the licensing objectives in a particular circumstance		
		<ul style="list-style-type: none"> • Betting Premises this section indicates that the primary gambling activity of a betting premise should be betting with gaming machines as an ancillary offer on the premises. This is not an accurate reflection of the law as it stands. The statement of principle ignores the decision in the case of <i>Luxury Leisure v the Gambling Commission</i> – May 2014 in which it was held that condition 16 (primary gambling activity) does not require a contest between over the counter betting and the use of gaming machines. There must be sufficient facilities for betting (as described in the October 2013 Gambling commission advice note – “Indicators of Betting as Primary Gambling Activity”) if gaming machines are to be utilised. The requirement however is that sufficient facilities are available. The actual use of those facilities is not an issue. For that reason, this paragraph needs to be redrafted to reflect current law. 	Comments noted and accepted	<p>The paragraph in the draft which had been in previous editions of the policy should have been marked as for deletion. This paragraph will not exist in the adopted policy</p> <p>A betting operating licence authorises the holder to ‘provide facilities for betting’ and a betting premises licence authorises premises to be used for the ‘provision of facilities for betting’. Thus, the primary gambling activity of the premises should be betting with gaming machines as an ancillary offer on the premises (betting premises are allowed 4 B2 and below. (See appendix 3 for machine entitlements)</p>
2	Coral	We acknowledge that Great Yarmouth Council in association with other council’s in Norfolk will be issuing further guidance on this new area. We appreciate that the Gambling Commission have recently issued further guidance to council’s on this topic however notwithstanding this, it is apparent from viewing multiple council gambling statements, that there are a	Comments noted	

		<p>range of ways to incorporate this requirement. Coral Racing wish to ensure that there is no inference within any guidance issued, that such locations in close proximity to the licensed premises, are at greater risk of causing harm to the licensing objectives.</p> <p>Whilst each application will be judged on its merits as mentioned at several points within your statement, Coral knows of no evidence that the location of a licensed betting office within the proximity of schools, other normal high street business and similar leisure locations mentioned in the gambling commission guidance causes harm to the licensing objectives. For example, Coral knows of no evidence that children coming from schools are gaining access to betting offices. Coral's general experience, in common with other bookmakers, is that children are not interested in betting, and in any case the Think 21 policy operated by Coral is adequate to ensure that under-age gambling does not occur in their premises. There are very many examples of betting offices sited immediately next to schools and colleges and no evidence whatsoever that they cause problems.</p> <p>Coral's experience is that, through all it does, it achieves an exemplary degree of compliance, and attracts negligible evidence of regulatory harm. Through the additional local risk assessment to be introduced with future premises licence applications, Coral believe that these should be a) to assess specific risks to the licensing objectives in the local area, and b) to assess whether control measures going beyond standard control measures are needed. We are of the opinion that this can be accomplished without the need to following strict templates with multiple lists of affected premises.</p>		
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Licensing Team,
Town Hall,
Great Yarmouth,
NR30 2QF

16th October 2015

Dear Sir,

Consultation on Great Yarmouth Council's Statement of Principles – Gambling Act 2005

Coral Racing Limited is most grateful to be given the opportunity to respond to this consultation exercise. Coral was one of the first national bookmakers to be licensed under the Betting and Gaming Act of 1960, and so has been operating the length and breadth of the UK for over 50 years. Its premises comprise locations in the inner city, on the high street, in suburbs and in rural areas, and in areas of both high and low deprivation. It now operates 1850 betting offices across Great Britain, which comprise about 20% of all licensed betting offices. It is, therefore, a highly experienced operator.

Coral Racing Limited are supportive of the document. It again notes that the Board when considering applications are still required to 'aim to permit gambling' where this is 'reasonably consistent with the licensing objectives', additionally noting that it should not take into account of any moral objections to gambling.

Coral Racing Limited recognise the requirement to supply risk assessments with future applications & variations following the consultation completion (requirement is from 6th April 2016) and are pleased to see this information included within your statement.

We acknowledge that Great Yarmouth Council in association with other council's in Norfolk will be issuing further guidance on this new area. We appreciate that the Gambling Commission have recently issued further guidance to council's on this topic however notwithstanding this, it is apparent from viewing multiple council gambling statements, that there are a range of ways to incorporate this requirement. Coral Racing wish to ensure that there is no inference within any guidance issued, that such locations in close proximity to the licensed premises, are at greater risk of causing harm to the licensing objectives.

Whilst each application will be judged on its merits as mentioned at several points within your statement, Coral knows of no evidence that the location of a licensed betting office within the proximity of schools, other normal high street business and similar leisure locations mentioned in the gambling commission guidance causes harm to the licensing objectives. For example, Coral knows of no evidence that children coming from schools are gaining access to betting offices. Coral's general experience, in common with other bookmakers, is that children are not interested in betting, and in any case the Think 21 policy operated by Coral is adequate to ensure that under-age gambling does not occur in their premises. There are very many examples of betting offices sited immediately next to schools and colleges and no evidence whatsoever that they cause problems.

Coral's experience is that, through all it does, it achieves an exemplary degree of compliance, and attracts negligible evidence of regulatory harm. Through the additional local risk assessment to be introduced with future premises licence applications, Coral believe that these should be a) to assess specific



Coral Racing Limited
One Stratford Place, Montfichet Road, London E20 1EJ
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Registered in England No. 541600
Tel: 020 3288 7000 Fax: 020 3288 7050

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risks to the licensing objectives in the local area, and b) to assess whether control measures going beyond standard control measures are needed. We are of the opinion that this can be accomplished without the need to following strict templates with multiple lists of affected premises.

If we can provide any further information, we would be pleased to do so.

Yours faithfully,

A handwritten signature in blue ink, appearing to read 'John Liddle', with a stylized flourish at the end.

John Liddle
Director of Development – Coral Retail



The Licensing Team
Great Yarmouth Borough Council
Town Hall
Great Yarmouth
Norfolk
NR30 2QF

Please ask for: Richard Taylor
Direct Tel: 01482 590216
Email: rjt@gosschalks.co.uk
Our ref: RJT / LHK / 097505.00004
#GS416577
Your ref:
Date: 12 October 2015

Dear Sir/Madam,

Re: Gambling Act 2005 Policy Statement Consultation

We act for the Association of British Bookmakers (ABB) and have received instructions to respond on behalf of our client to the current consultation on the Council's review of its gambling policy statement.

The ABB represents over 80% of the high street betting market. Its members include large national operators such as William Hill, Ladbrokes, Coral and Paddy Power, as well as almost 100 smaller independent bookmakers.

This response will explain the ABB approach to partnership working with local authorities, it will detail its views on the implementation of the new LCCP requirements, from April 2016, relating to operators' local area risk assessments and their impact on the licensing regime and will then make specific comment with regard to any statement(s) of concern/that are welcomed in your draft policy.

The ABB is concerned to ensure that any changes are not implemented in such a way as to fundamentally change the premises licence regime through undermining the "aim to permit" principle contained within s153 Gambling Act 2005.

The current regime already adequately offers key protections for communities and already provides a clear process (including putting the public on notice) for representations/objections to premises licence applications. The recent planning law changes effective since April 2015 have also already increased the ability of local authorities to consider applications for new premises, as all new betting shops must now apply for planning permission.

It is important that any consideration of the draft policy and its implementation at a local level is put into context. There has recently been press coverage suggesting that there has been a proliferation of betting offices and a rise in problem gambling rates. This is factually incorrect.

Over recent years betting shop numbers have been relatively stable at around 9,000 nationally, but more recently a trend of overall downwards decline can be seen. The latest Gambling Commission industry statistics show that numbers as at 31 Mar 2015 were 8,958 - a decline of 179 from the previous year, when there were 9,137 recorded as at 31 March 2014.

As far as problem gambling is concerned, successive prevalence surveys and health surveys reveal that problem gambling rates in the UK are stable (0.6%) and possibly falling.

Working in partnership with local authorities

The ABB is fully committed to ensuring constructive working relationships exist between betting operators and licensing authorities, and that where problems may arise that they can be dealt with in partnership. The exchange of clear information between councils and betting operators is a key part of this and we welcome the opportunity to respond to this consultation.

There are a number of examples of the ABB working closely and successfully in partnership with local authorities.

LGA – ABB Betting Partnership Framework

In January 2015 the ABB signed a partnership agreement with the Local Government Association (LGA). This was developed over a period of months by a specially formed Betting Commission consisting of councillors and betting shop firms and established a framework designed to encourage more joint working between councils and the industry.

Launching the document Cllr Tony Page, LGA Licensing spokesman, said it demonstrated the *“...desire on both sides to increase joint-working in order to try and use existing powers to tackle local concerns, whatever they might be.”*

The framework built on earlier examples of joint working between councils and the industry, for example the Ealing Southall Betwatch scheme and Medway Responsible Gambling Partnership.

In Ealing, the Southall Betwatch was set up to address concerns about crime and disorder linked to betting shops in the borough. As a result, crime within gambling premises reduced by 50 per cent alongside falls in public order and criminal damage offences.

In December last year, the Medway Responsible Gambling Partnership was launched by Medway Council and the ABB. The first of its kind in Britain, the voluntary agreement allows anyone who is concerned they are developing a problem with their gambling to exclude themselves from all betting shops in the area.

The initiative also saw the industry working together with representatives of Kent Police and with the Medway Community Safety Partnership to develop a Reporting of Crime Protocol that is helpful in informing both the industry, police and other interested parties about levels of crime and the best way to deal with any crime in a way that is proportionate and effective.

Lessons learnt from the initial self-exclusion trial in Medway have been incorporated into a second trial in Glasgow city centre, launched in July this year with the support of Glasgow City Council, which it is hoped will form the basis of a national scheme to be rolled out in time for the LCCP deadline for such a scheme by April 2016.

Jane Chitty, Medway Council's Portfolio Holder for Planning, Economic Growth & Regulation, said:
"The Council has implemented measures that work at a local level but I am pleased to note that the joint work we are doing here in Medway is going to help the development of a national scheme."

Describing the project, Glasgow's City Treasurer and Chairman of a cross-party Sounding Board on gambling, Cllr Paul Rooney said:

"This project breaks new ground in terms of the industry sharing information, both between operators and, crucially, with their regulator."

Primary Authority Partnerships in place between the ABB and local authorities

All major operators, and the ABB on behalf of independent members, have also established Primary Authority Partnerships with local authorities.

These Partnerships help provide a consistent approach to regulation by local authorities, within the areas covered by the Partnership; such as age-verification or health and safety. We believe this level of consistency is beneficial both for local authorities and for operators.

For instance, Primary Authority Partnerships between Milton Keynes Council and Reading Council and their respective partners, Ladbrokes and Paddy Power, led to the first Primary Authority inspection plans for gambling coming into effect in January 2015.

By creating largely uniform plans, and requiring enforcing officers to inform the relevant Primary Authority before conducting a proactive test-purchase, and provide feedback afterwards, the plans have been able to bring consistency to proactive test-purchasing whilst allowing the Primary Authorities to help the businesses prevent underage gambling on their premises.

Local area risk assessments

With effect from 6th April 2016, under new Gambling Commission LCCP provisions, operators are required to complete local area risk assessments identifying any risks posed to the licensing objectives and how these would be mitigated.

Licensees must take into account relevant matters identified in the licensing authority's statement of licensing policy and local area profile in their risk assessment, and these must be reviewed where there are significant local changes or changes to the premises, or when applying for a variation to or a new premises licence.

The ABB is concerned that overly onerous requirements on operators to review their local risk assessments with unnecessary frequency could be damaging. As set out in the LCCP a review should only be required in response to significant local or premises change. In the ABB's view this

should be where evidence can be provided to demonstrate that the change could impact the premises' ability to uphold the three licensing objectives.

Although ABB members will be implementing risk assessment at a local premises level, we do not believe that it is for the licensing authority to prescribe the form of that risk assessment. We believe that to do so would be against better regulation principles. Instead operators should be allowed to gear their risk assessments to their own operational processes informed by Statements of Principles and the local area profile.

The ABB supports the requirement as set out in the LCCP, as this will help sustain a transparent and open dialogue between operators and councils. The ABB is also committed to working pro-actively with local authorities to help drive the development of best practice in this area.

Local Area Profiles – Need for an evidence based approach

It is important that any risks identified in the local area profile are supported by substantive evidence. Where risks are unsubstantiated there is a danger that the regulatory burden will be disproportionate. This may be the case where local authorities include perceived rather than evidenced risks in their local area profiles.

This would distort the “aim to permit” principle set out in the Gambling Act 2005 by moving the burden of proof onto operators. Under the Act, it is incumbent on licensing authorities to provide evidence as to any risks to the licensing objectives, and not on the operator to provide evidence as to how they may mitigate any potential risk.

A reversal of this would represent a significant increase in the resource required for operators to be compliant whilst failing to offer a clear route by which improvements in protections against gambling related harm can be made.

We would also request that where a local area profile is produced by the licensing authority that this be made clearly available within the body of the licensing policy statement, where it will be easily accessible by the operator and also available for consultation whenever the policy statement is reviewed.

Concerns around increases in the regulatory burden on operators

Any increase in the regulatory burden would severely impact on our members at a time when overall shop numbers are in decline, and operators are continuing to respond to and absorb significant recent regulatory change. This includes the increase to 25% of MGD, changes to staking over £50 on gaming machines, and planning use class changes which require all new betting shops in England to apply for planning permission.

Moving away from an evidence based approach would lead to substantial variation between licensing authorities and increase regulatory compliance costs for our members. This is of particular concern for smaller operators, who do not have the same resources to be able to put

into monitoring differences across all licensing authorities and whose businesses are less able to absorb increases in costs, putting them at risk of closure.

Such variation would in our opinion also weaken the overall standard of regulation at a local level by preventing the easy development of standard or best practice across different local authorities.

Employing additional licence conditions

The ABB believes that additional conditions should only be imposed in exceptional circumstances where there are clear reasons for doing so - in light of the fact that there are already mandatory and default conditions attached to any premises licence. The ABB is concerned that the imposition of additional licensing conditions could become commonplace if there are no clear requirements in the revised licensing policy statements as to the need for evidence.

This would further increase variation across licensing authorities and create uncertainty amongst operators as to licensing requirements, over complicating the licensing process both for operators and local authorities.

Specific Policy Comments

It is unfortunate that the guidance to be prepared by the licensing authority to assist gambling operators in undertaking and preparing their local premises risk assessment is not attached to the draft statement of principles. It is not clear whether or not this document will be consulted upon. It is important that this document is not too prescriptive, operators being best placed to assess potential risks to the licensing objectives caused by gambling premises. Similarly, it is noted that the local area profile that has been prepared does not form part of the statement of principles. It is not clear whether or not this has been consulted upon and the statement of principles would be assisted if the local area profile was attached to it as an appendix.

Part B – 1. General Principles

Within this section of the policy it is stated that moral and ethical objections to gambling are not valid reasons to reject applications for casino licences and that unmet demand is not a criterion for a licensing authority. The draft statement of principles would be assisted by including at this stage that neither issues of nuisance nor the likelihood of the grant of planning permission or building regulation approval are relevant criteria for consideration under a Gambling Act 2005 application.

(V) Location

The final two sentences of this paragraph cause the ABB concern. Any policy that a specific area is an area where gambling premises should not be located may be unlawful. This paragraph appears to implement a cumulative impact type policy as exists within the licensing regime under Licensing Act 2003. Such a policy is contrary to the overriding principles of “aim to permit” contained within s153 Gambling Act 2005. Similarly, the reversal of the burden of proof in the final sentence that requires the applicant to demonstrate why an application should be granted is contrary to that

principle. These two sentences should be removed and replaced with the reiteration of the principle earlier in the policy that each case will be determined on its own merits.

Licensing Objectives

The draft statement of principles indicates that the licensing authority is aware of the distinction between disorder and nuisance. The statement of principles should be clear that issues of nuisance are not relevant considerations under Gambling Act 2005 and the prevention of public nuisance is not a licensing objective. The statement of principles would also be assisted by stating that the Gambling Commission's view of disorder is that this is behaviour that is more serious and more disruptive than mere nuisance.

Conditions

The draft statement of principles should be amended to state that the starting point for consideration of an application is that it will be granted subject only to the mandatory and default conditions, these conditions usually being sufficient to ensure operation that is reasonably consistent with the licensing objectives. The statement of principles should state that additional conditions, to supplement the mandatory and default conditions, will only be imposed where there is evidence of a particular risk to the licensing objectives in a particular circumstance.

6. Betting Premises

This section indicates that the primary gambling activity of a betting premise should be betting with gaming machines as an ancillary offer on the premises. This is not an accurate reflection of the law as it stands. The statement of principle ignores the decision in the case of *Luxury Leisure v The Gambling Commission* – May 2014 in which it was held that condition 16 (primary gambling activity) does not require a contest between over the counter betting and the use of gaming machines. There must be sufficient facilities for betting (as described in the October 2013 Gambling Commission Advice Note – “Indicators of Betting as Primary Gambling Activity”) if gaming machines are to be utilised. The requirement however is that sufficient facilities are available. The actual use of those facilities is not an issue. For that reason, this paragraph needs to be redrafted to reflect current law.

Conclusion

The industry fully supports the development of proportionate and evidenced based regulation, and is committed to minimising the harmful effects of gambling. The ABB is continuing to work closely with the Gambling Commission and the government to further evaluate and build on the measures put in place under the ABB Code for Responsible Gambling, which is mandatory for all our members.

ABB and its members are committed to working closely with both the Gambling Commission and local authorities to continually drive up standards in regulatory compliance in support of the three licensing objectives: to keep crime out of gambling, ensure that gambling is conducted in a fair and open way, and to protect the vulnerable.

Indeed, as set out, we already do this successfully in partnership with local authorities now. This includes through the ABB Code for Responsible Gambling, which is mandatory for all our members, and the Safe Bet Alliance (SBA), which sets voluntary standards across the industry to make shops safer for customers and staff. We would encourage local authorities to engage with us as we continue to develop both these codes of practice which are in direct support of the licensing objectives.

Yours faithfully,



GOSSCHALKS



GREAT YARMOUTH

BOROUGH COUNCIL

SCRUTINY COMMITTEE ANNUAL REPORT 2014/2015

1. INTRODUCTION

The purpose of this Annual Report is to inform Council and Members of the Public of the work undertaken by the Scrutiny Committee during 2014/2015.

The report provides details on reviews carried out, details the structure of Scrutiny within the Council's Constitution, Scrutiny processes and the principles of Scrutiny, along with membership details of the Scrutiny Committee.

2. BACKGROUND

The principle of Scrutiny was introduced with the Cabinet system under the Local Government Act 2000 to provide a counterbalance, examining decisions made by Cabinet.

Article 6 of the Council's Constitution details the function, responsibilities, composition and powers of the Scrutiny Committee, which are in line with Section 21 of the Local Government Act 2000 and subsequent regulations and are described in paragraph 3 below.

3. BACKGROUND

(i) Functions of the Scrutiny Committee

The roles and functions of the Scrutiny Committee are as follows:-

- (a) to review or scrutinise existing policy, and develop new policy for approval by the Cabinet or Council
- (b) to review or scrutinise existing services or functions of the Council

- (c) to hold Cabinet decision makers to account by the call-in of decisions made, but not implemented, or by a review or scrutiny of decisions already made
- (d) to influence the Cabinet and Council through reports and recommendations in connection with (a), (b) and (c) above, or in connection with the discharge of any of the Council's functions or any other matter affecting the Borough or its inhabitants

These functions are set out in Section 21 of the Local Government Act 2000 and in regulations made under that Act.

(ii) **Powers of the Scrutiny Committee**

The Scrutiny Committee may:-

- (a) appoint Sub-Committees or Informal Working Groups
- (b) appoint non-voting co-optees
- (c) hold meetings as and when the Chairman or majority of the Committee deem them necessary
- (d) within available resources, require the attendance of Cabinet Members, Directors, Group Managers and the Head of Paid Service, or invite other Officers or witnesses, or Members of the Council, provided that any person required or invited to attend:-
 - is given reasonable notice of the meeting
 - is informed in advance of the nature of the investigation, the reasons for their attendance and the procedure to be followed
 - is treated with respect and courtesy
 - is not permitted to vote on any matter
- (e) require copies of any document to be supplied:-
 - which relates to business transacted, or to be transacted, at any public or private meeting of Cabinet
 - which relates to a decision made, or to be made, by a Cabinet Member

- which relates to a key decision made, or to be made, by an Officer

but this does not apply to:-

- draft documents
- any part of a document which contains exempt or confidential information unless that information is relevant to their consideration

(iii) **Call In**

The Chairman or any three Members of Council (except Cabinet Members) may call-in a Cabinet decision within five working days of the publication of the decision. Any called-in decision shall be considered by the Scrutiny Committee within 21 days of the call-in.

In 2014/15 the following issues were the subject of Call-In:-

- Management and Governance of Marina Centre and Phoenix Pool and Future Development and Sports and Leisure Facilities.
- Seachange Loan
- Waste Services – Kerbside Collections
- Promoting Recycling and Waste minimisation

(iv) **Councillor Call for Action**

The Councillor Call for Action gives powers to Councillors to help them tackle local problems on behalf of their constituents by calling for consideration of any issue of concern affecting their Ward by the Scrutiny Committee.

In 2014/15 no issues were the subject of the Councillor Call for Action.

(v) **Work Programme**

The Scrutiny Committee agrees their Work Programme annually, based on the following criteria:-

- (a) The Council's Strategic Direction and List of Priorities.
- (b) Recommendations of Committee Members.

- (c) Recommendations from Council/Cabinet.

(vi) Carrying Out Reviews

Reviews are carried out by the full Committee using the following general format:-

- (a) Agree the purpose and consider desirable outcomes.
- (b) Agree terms of reference at a planning/scoping preliminary meeting.
- (c) Liaison with stakeholders.
- (d) Carry out interviews/information gathering (request reports/statistics).
- (e) Questions and analysis.
- (f) Conclusions and formulation of recommendations.
- (g) Feedback to all parties.
- (h) Monitoring.

4. MONITORING OF THE BUDGET AND PERFORMANCE INDICATORS

Additionally, the full Committee receives information and statistics on a regular basis for the purpose of monitoring the Budget and Service Delivery.

5. MEMBERSHIP AND COMPOSITION

The Scrutiny Committee of 2014/15 comprised 13 Members made up of five Members of the Ruling Group, four Members from the Opposition Group and four Members from the UKIP Group, Chaired by the Opposition as follows:-

Councillors:-

- Bird
- M Coleman
- Collins
- Grey
- Jones

- Myers
- Plant (Chairman)
- Robinson-Payne
- Smith
- Sutton
- H Wainwright
- Weymouth
- Wright

6. **NORFOLK SCRUTINY NETWORK**

Officers from the eight Local Authorities in Norfolk meet regularly, as part of the Norfolk Scrutiny Network, to share good practice and keep up to date with current initiatives and legislation.

7. **2014/2015 WORK PROGRAMME AND REVIEWS**

The Scrutiny Committee's Work Programme for 2014/15 is attached at Appendix A detailing the reviews considered by the Committee.

8. **CONCLUSION**

(a) **Chairman's Comments**

The Committee undertook a number of important and interesting reviews throughout the year and received comprehensive and detailed information as part of the review process. All recommendations made to Cabinet were actioned. The Committee plays a very important and significant role as part of the Council's processes.

I would like to take this opportunity to thank all Members and Officers who contributed to an excellent years work.

(b) **The Future**

The Scrutiny Committee for 2015/2016 will consist of 13 Members made up as follows:-

Councillors:-

- M Coleman
- Collins

- Grey
- Jeal
- Jones
- Lawn
- Mavroudis
- Myers
- Sutton
- T Wainwright
- Walker
- Williamson (Chairman)

The Committee will continue to focus their attention to issues which reflect the Council's priorities and public interest.

**Councillor Plant
Chairman
Scrutiny Committee**

(NB:Councillor Plant was Chairman for the Municipal Year 2014/15)

**Robin Hodds
Cabinet Secretary and Deputy Monitoring Officer**

10 November 2015

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COMMITTEE ANNUAL REPORT 2014-2015.doc

SCRUTINY COMMITTEE

WORK PROGRAMME 2014/15

SUBJECT	ISSUES TO BE ADDRESSED	DATE OF SCRUTINY COMMITTEE	RESPONSIBLE OFFICERS/MEMBERS
Tourism Review – Great Yarmouth Market Gates Travel Information Improvements	<ul style="list-style-type: none"> Entrances to Great Yarmouth Lack of toilets at the bus station Signposting Cleaning of pavements Pigeon droppings Shop doorways Adshel Shelter 	Sub-Committee set up to report direct to Scrutiny Committee	<p>Director of Customer Services</p> <p>J Wiggins (Norfolk County Council)</p> <p>Owners of Market Gates</p> <p>Network Rail</p> <p>First Bus</p> <p>Town Centre Partnership</p>
Budget Monitoring	Review and maintaining of Council's budget book.	Quarterly	Head of Resources, Governance and Growth
Review of Key Performance Indicators	To review and scrutinise existing services or functions of the Council.	Quarterly	<p>Chief Executive Officer</p> <p>Leader</p>
Town Centre Partnership Accounts & Report	To review the activities of the Town Centre Partnership.	Annual	Town Centre Manager
Public Information Pillars	Review of operation of the PIPs. (As agreed by Council on 23 July 2013.)	TBA	<p>Group Manager (Tourism)</p> <p>Director of Customer Services</p>

SUBJECT	ISSUES TO BE ADDRESSED	DATE OF SCRUTINY COMMITTEE	RESPONSIBLE OFFICERS/MEMBERS
Review of the working of GYB Services.	To review the services provided following the approval of the new contract last year.	2 April 2015	J Jane Beck (Director of Customer Services) Graham Jermyn (GYB Services) Cabinet Member (Environment) – Cllr Pratt
Review of Allocations Scheme	Following the review of the Allocations Scheme in April 2014, Committee agreed to review its operation in six months time	23 October 2014	Group Manager (Housing Services) Service Manager (Strategic Housing and Housing Options)
Car Parking	<ul style="list-style-type: none"> • Charging regime • Additional pay and display car parks • Operation of car parking services 	25 September 2014	Director of Customer Services Cabinet Member (Tourism and Business Services)
Seachange Arts	Review of activities and services provided by Seachange Arts	23 October 2014	Joe Mackintosh CEO Seachange Arts
Committee System	Review of introduction of a Committee System to include:- <ul style="list-style-type: none"> • What would it look like • Costs • What are the benefits • What are the negatives • Effect on the democratic process 	20 November 2014	Group Manager (Governance) Cabinet Secretary
Great Yarmouth Market Place	Review of the operation of both the Six and Two Day Market	TBA	Director of Resources, Governance and Growth Market Manager Cabinet Member (Tourism and Business Services)

SUBJECT	ISSUES TO BE ADDRESSED	DATE OF SCRUTINY COMMITTEE	RESPONSIBLE OFFICERS/MEMBERS
Events at Town Hall	Review of number of events (including weddings, meetings, functions) used at Town Hall	20 November 2014	Director of Customer Services Group Manager (Tourism and Communications)
Transformation Programme	Review and update on the Council's Transformation Programme	23 October 2014 (then on ¼ basis)	Chief Executive Officer
Coast share	To review the viability of this initiative	2 April 2015	Group Manager (Resources) Cabinet Member (Resources)
Tourism BID	To review the criteria used for the process and on details of businesses that had been selected under this initiative.	26 February 2015	Group Manager (Tourism) Director of Customer Services Special Projects Consultant

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Full Council

Minutes

Tuesday, 22 September 2015 at 19:00

Present:

Councillor Weymouth (in the Chair), Councillors Andrews, Annison, Bird, Blyth, Carpenter, Collins, Cutting, Davis, Fairhead, Grant, Grey, Hanton, Jeal, Jermany, Jones, Lawn, Linden, Mavroudis, Plant, Pratt, Reynolds, Robinson-Payne, Rodwell, C Smith, J Smith, Stenhouse, Sutton, Thirtle, H Wainwright, T Wainwright, Williamson and Wright.

Also in attendance were Mr G Mitchell (Chief Executive Officer), Mr D Johnson (NPLAW), Mrs J Beck (Director of Customer Services), Mr R Read (Director of Housing and Neighbourhoods), Mrs K Watts (Transformation Programme Manager), Mr A Radford (Chief Financial Officer), Mrs A Cooke (Head of HR) Mr R Hodds (Cabinet Secretary) and Mr D Wiles (Press and Communications Officer).

1 DECLARATIONS OF INTEREST

There were no declarations of interest.

2 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors B Coleman, M Coleman, Connell, Fox, Myers and Walker.

3 PUBLIC QUESTION TIME

Members were advised that there were no public questions to consider.

4 REPORTS TO COUNCIL FOR DECISION

(i) ANNUAL STATEMENT OF ACCOUNTS 2014-15

Council considered the Group Manager Resources report in respect of the Annual Statement of Accounts 2014-15.

On reference from the Audit and Risk Committee of the 21 September, Council was recommended to approve the Statement of Accounts 2014-15, subject to any final

amendments arising from the audit process, and to agree that the Audit and Risk Chairman, Vice-Chairman and Councillor Williamson be given delegated authority to approve the accounts should there be any subsequent changes to them to be completed on Wednesday 30 September 2015. Council was also advised that the Audit and Risk Committee has serious concerns about the lack of capacity of the Finance Team and the appointment of a Chief Finance Officer and that it needs clarification on the action to be taken to improve the position.

With regard to the issue concerning the Finance Team and Chief Finance Officer the Leader reported that the Chief Executive Officer was currently investigating options to improve capacity issues in both the Finance Team and also with regard to the appointment of a Chief Financial Officer. Members were also advised of action being taken with regard to discussions in respect of the establishments of the LGSS with Norwich City Council.

Proposer: Councillor Grey Second: Councillor Williamson

That the Statement of Accounts 2014-15 be approved subject to any final amendments arising from the Audit Process and also to agree that the audit and risk Chairman, Vice- Chairman and Councillor Williamson be given delegated authority to approve the accounts should there be any subsequent changes to them to be completed on Wednesday 30 September.

CARRIED

(ii) ANNUAL TREASURY MANAGEMENT REVIEW 2014-15

Council considered the Group Manager Resources report on the Annual Treasury Management Review 2014-15.

Proposer: Councillor Grey Second: Councillor Plant

That the Annual Treasury Management Review 2014-15 be noted.

CARRIED

(iii) TOWN CENTRE INITIATIVE - TOWN CENTRE PARKING

Council considered the Director of Customer Services report which detailed the recommendations of the Town Centre Initiative Working Party for the introduction of trial incentives for Town Centre Car Park Operations.

In discussing the report Councillor Jeal asked Council to give consideration to the allocation of a sum of £70,000 from the Town Centre Initiative fund to be allocated to a bus company in order to reduce bus fares to those people living in the Borough and also to those who would be visiting Great Yarmouth.

The solicitor from NPLAW advised Members that this matter was in fact a matter for Cabinet to determine and he recommended that any decision made by Council should be referred to the Cabinet for approval. It could therefore be deemed as an unlawful decision if the matter was determined by the Council. The point was made that a number of working groups that had been established by the Cabinet on certain issues had in fact reported direct to Council who had then made decisions in respect of those matters.

Proposer: Councillor Jeal Second: Councillor T Wainwright

That approval be given to the allocation of a sum of £70,000 to a bus company in order to reduce bus fares to those people living in the Borough and also those who visit Great Yarmouth.

LOST

Proposer: Councillor Plant Second: Councillor Reynolds

That Cabinet be recommended to approve the following:-

- (i) To initiate for a trial period free parking on Saturdays and Sundays in the Town Centre, the period to run from October 2015 to March 2016 inclusive on Fullers Hill, Brewery Plain, Stone cutters, George Street, Greyfriars and King Street Car Parks.
- (ii) To remove the overnight charge on all Town Centre Car Parks reverting to a charge until 4pm only.

CARRIED

(iv) AMENDMENT TO CONSTITUTION - FINANCIAL REGULATIONS

Following a recent Single Cabinet Member decision and its subsequent consideration by the Scrutiny Committee, Council was asked to consider adding a new clause into the Council's constitution in appendix A to the Financial Regulations and Financial Procedures.

In discussing the proposal the Chairman of the Scrutiny Committee recommended that the words land or property should be included in the last sentence of the proposed amendment to the clause in the Council's Constitution.

The Chairman of the Audit and Risk Committee reported that the auditors had been critical of the lack of claw back provisions contained within the current financial procedures.

Proposer: Councillor Williamson Second: Councillor T Wainwright

That the following clause be added to paragraph 3.62 of the Financial Regulations and Financial Procedures as follows:-

"In respect of any asset transfer whether it be for land, buildings or any other property owned by the Council such ownership is not transferred until such time as full payment is made by the purchaser. In all transfers the agreement will include an appropriate claw back provision.

Further any grants given by the Council to land or property will include an appropriate claw back provision.

CARRIED

(v) APPOINTMENT TO COMMITTEES 2015-16

Council was advised that Councillors Connell and Myers were no longer members of the UKIP group on the Council. Under the Widdicombe Rules Councillors Connell and Myers are entitled to two seats on committees.

The UKIP Group had agreed to offer seats on the Housing Appeals Committee and the Community Housing Board. The Conservative Group had agreed to offer a seat on the Housing Appeals Committee. The Labour Committee had agreed to offer a seat on the Audit and Risk Committee. This creates the four seats to be offered to Councillors Myers and Connell and they would now be approached to determine which committees they now wished to serve on.

As no formal groupings had been declared, the membership numbers on committees for the party's would remain the same. Therefore, Council was asked to agree the following changes:-

- Councillor Annison to replace Councillor Myers on Scrutiny Committee
- Councillor Andrews to replace Councillor Connell on Licensing Committee
- Councillor Grey to replace Councillor Myers on the Appeals Committee
- Councillor Jones to replace Councillor Myers on the Audit and Risk Committee
- Councillor Grey to replace Councillor Connell on the Area Museums Committee

Proposer: Councillor Grey Seconded: Councillor Jeal

That the proposed changes to membership of Committees as outlined above be approved.

CARRIED

(vi) CORPORATE PLAN

Council was reminded that at its last meeting consideration of the Corporate Plan had been deferred to allow the political groups to consider the details of the plan. Following some minor amendments Council was now asked to agree the Corporate Plan.

Proposer: Councillor Plant Seconded: Councillor Thirtle

That the Corporate Plan for 2015-2020 be approved.

CARRIED

(vii) APPOINTMENT TO OUTSIDE BODIES 2015-16

(i) Proposer: Councillor Plant Seconded: Councillor T Wainwright.

That Councillors C Smith and Williamson be members of the Great Yarmouth Sports Partnership, similar to the membership of the Great Yarmouth Sports Council.

CARRIED

(ii) Council was advised that Councillor Annison had resigned with immediate effect as being one of the Councils nominated representatives on the Sentinel Leisure Trust. Council considered a statement read out by Councillor Annison as to the reasons why he had resigned from the Trust.

The Cabinet Secretary asked Council to consider the nomination of a replacement for Councillor Annison on the Sentinel Leisure Trust.

As both the Conservative Group and the UKIP Group did not wish to nominate any of their members to replace Councillor Annison on the Trust, Council agreed that the replacement nomination would be made by the Labour Group, and that the Leader would advise the Cabinet Secretary as to who this replacement would be.

5 MINUTES

Council Minutes 21 July 2015

The Mayor presented the minutes of the Council meeting held on 21 July 2015.

With regard to the item in relation to the Crematorium, Councillor Jeal asked whether the Council currently has a credit card scheme available for public use. The Director of Customer Services confirmed that this scheme was in place.

In connection with the item in relation to the Back to Back Public House, Councillor C Smith reported that he had personally visited the site in question and that the necessary action had been taken.

With regard to the item in respect of the Chief Executive Officer's contract, Councillor T Wainwright reported that he was pleased that there had now been progress on this matter.

Cabinet Minutes 12 August 2015

The Leader presented the minutes of the Cabinet meetings held on 12 August 2015 and 9 September 2015.

Scrutiny Minutes 3 September 2015

The Chairman presented the minutes of the Scrutiny Committees meeting held on 3 September 2015.

6 MOTIONS ON NOTICE

(a) Budget Housing Measures

Council considered the following motion from Councillor T Wainwright, Walker, Jeal, Linden, Pratt and H Wainwright:-

This Council is very concerned at the implications for its tenants and housing stock, in the Tory Governments Emergency Budget' housing measures.

Namely:

A benefit cap of £20,000 a year for couples, and £13,400 for single people in the Borough.

Housing Benefit to be withdrawn from 18-21 year olds.

Housing Benefit and Local Housing Allowance to be frozen for 5 years.

Tax Credits and Housing Benefit/Local Housing Allowance only to take into account the first two children in households for children born after April 2017.

Market Rates to be charged in Social Housing for all households with incomes of £30,000, with the additional rent receipts going to the Treasury not the Council.

The Council considers that the impact of these measures in the Borough will be to seriously worsen the housing affordability crisis in Great Yarmouth, and increase poverty, homelessness and the number at risk of being homeless in the Borough, particularly amongst the young and very low income families.

The Council recognises that for individual tenants who have faced significant above inflation rent increases and falling incomes over the last few years, the Budget proposal to cut social sector rents by 1% for the next 4 years will be welcome.

However, it notes that a 1% rent cut will mean an estimated loss of rental income to its Housing Revenue Account of **£9.6 million** from 2016/2020 and an estimated loss of £146 million of the 30 Year business plan, and these losses will have very significant consequences for the Council's plans to build new homes and maintain its services to its **current** tenants.

The Council therefore resolves to write to Brandon Lewis MP, to lay out its concerns and ask him to do all he can to highlight the impact on Borough tenants of these measures in Westminster.

The Leader responded to the motion by stating that the Government has said that the reforms set out in the Welfare Reform and Work Bill are intended to support this commitment to increase employment, slow the growth of the welfare budget to help achieve a more sustainable welfare system and support the policy of rewarding hard work whilst increasing fairness within working households.

The Leader also commented on the issues raised in respect of the benefit cap, the issues of 18-21 year olds, tax credits and housing benefit for families with more than two children and on the 1% rent reduction for social housing tenants.

Councillors Linden and Sutton stated that in their opinion the proposed motion should be supported. Councillor Williamson also commented on the current national housing crisis and the need to build more homes throughout the country.

Proposer: Councillor T Wainwright Second: Councillor Jeal

That the Council resolves to write to Brandon Lewis MP to lay out its concerns and ask him to do all he can to highlight the impact on Borough Tenants of these measures in Westminster.

LOST

(b) Devolution Letter to DCLG

Council considered a motion from Councillors T Wainwright, H Wainwright, Williamson, Robinson-Payne, Pratt and Linden calling upon the Council to censure Councillor Graham Plant Leader of the Minority Conservative administration regarding putting his signature to a devolution letter of intent sent to the DCLG on the 4 September 2015 without the authority of Full Council, or discussion with the Leaders of the opposition parties.

Prior to consideration of the Motion of Notice, the Chief Executive Officer gave a statement on the action taken so far by Chief Executive Officers throughout Norfolk on the devolution issue. He reported that a letter of interest had been sent to the DCLG which had been signed by the Leaders and Chief Executive Officers of all Local Authorities in Norfolk. He advised Council that the process still remains unclear but the Government had indicated that by the 25 November 2015 they will have made a decision on the bids that had been received to be pursued.

The point was made that there needed to be an agreed process on this issue to bring the full details to Councils attention.

Councillor T Wainwright commented on the issue of his group not being consulted on this matter. Councillor Grey also commented that the UKIP Group had not been considered on the proposed letter and that the UKIP group were not committed to any particular proposal at this stage.

The Leader explained that the letter was purely an expression of interest to the DCLG by the Local Authorities in Norfolk at this stage.

Proposer: Councillor T Wainwright Seconded: Councillor Jeal

That Council be called upon to censure Councillor Graham Plant Leader of the minority Conservative administration regarding putting his signature to a devolution letter of intent sent to the DCLG on the 4 September 2015 without the authority of Full Council, or discussion with the leaders of the opposition party.

LOST

Proposer: Councillor Sutton Seconded: Councillor Jeal

That approval be given to the waiving of standing orders to allow the Leader of the Council to make a statement on the devolution issue.

CARRIED

The Leader gave an update on the meeting held today between all Local Authorities in Norfolk on devolution. He reported that the meeting had agreed to establish an overarching board with agreement to one point of contact being appointed which will be the Chairman of the LEP. The Leader also reported that an officer working group had also been established to work on the Norfolk Council's proposals and the details

of these proposals would be considered further at a Leaders meeting.

The Leader agreed that any appropriate and relevant paperwork in respect of devolution should be shared with all Members of Council.

7 ANY OTHER BUSINESS

Great Yarmouth Borough Council's Insurance Arrangements

The Cabinet Member (Resources) reported on the savings that had been agreed for the renewal of the Council's insurance contract due on 1 October 2015.

The meeting ended at: 21:40

Full Council

Minutes

Thursday, 15 October 2015 at 19:00

PRESENT:

The Mayor Councillor Weymouth (in the Chair); Councillors Andrews, Annison, Bird, Carpenter, B Coleman, M Coleman, Collins, Connell, Cutting, Davis, Fairhead, Grant, Grey, Hanton, Jeal, Jones, Linden, Mavroudis, Myers, Plant, Pratt, Robinson-Payne, C Smith, J Smith, Stenhouse, Sutton, Thirtle, H Wainwright, T Wainwright, Walker, Weymouth, Williamson and Wright.

Also in attendance were Mr G Mitchell (Chief Executive Officer), Mrs J Beck (Director of Customer Services), Mr R Read (Director of Housing and Neighbourhoods), Mrs V McNeill (nplaw), Mr R Hodds (Cabinet Secretary), Mrs J Cooke (Head of Human Resources) and Mr D Wiles (Communications Officer).

1 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Blyth, Jermany, Lawn, Reynolds and Rodwell.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 APPOINTMENT TO COMMITTEES 2015-16

Council considered the Cabinet Secretary's report which advised Council that Councillors Connell, Fox and Myers had given formal notice that they had formed an independent group on the Council. As a consequence, this would require Council to reconsider allocations to Committees for 2015/16.

Proposer: Councillor Plant

Seconder: Councillor T Wainwright

That the following changes be agreed:-

- Scrutiny Committee – delete Councillor Annison and replace with Councillor Fox
- Audit and Risk Committee – delete Councillor Jones and replace with Councillor Jeal
- Licensing Committee – delete Councillor Andrews and replace with Councillor Connell
- Development Control Committee - delete Councillor Bird and replace with Councillor Myers
- Housing Appeals Committee – delete Councillor Myers and replace with Councillor Lawn
- Area Museums Committee – add Councillor Connell
- Local Plan Working Party – delete Councillor Stenhouse and replace with Councillor Myers

CARRIED

4 DEVOLUTION OPPORTUNITIES FOR NORFOLK AND SUFFOLK

Following a presentation from the Chief Executive Officer at a Member Development Session, Council considered the Chief Executive Officer's report on Devolution Opportunities for Norfolk and Suffolk. Members were advised that the devolution of decision making to local areas has become a central policy focus nationally; greater autonomy over such strategic issues as transport, economic development, housing, flood defence, and strategic planning would support the Council's ambition for Norfolk and for Great Yarmouth.

The Chief Executive Officer's report updated Members about the devolution agenda in Norfolk and Suffolk, and it detailed some of the benefits and opportunities that the current devolution agenda offers in areas such as economic development, skills, transport, infrastructure, housing, health and social care and outlined the next key milestones.

The Leader presented a statement which explained the progress currently being made in Norfolk and Suffolk with regard to devolution opportunities. The Shadow Leader commented that further detailed information would be required on this matter and that all four groups on the Council would need to have an input into the devolution process.

The Leader of the independent group asked why the report stated that a Norfolk only devolution option was not seen by the Government as a viable option. The Leader commented that the Government had indicated that this was due to population numbers. The Leader of the independent group also questioned as to whether school standards would be fragmented for the education of school children and the Leader stated that he did not have the details on this matter at the present time but that he would respond to Councillor Myers later.

The Leader of the UKIP group expressed her group's concern as to when the finer details of the devolution proposals would be received. Councillor Connell also asked for clarification with regard to the disposal of school surplus sites.

Proposer: Councillor Plant

Seconder: Councillor B Coleman

- (i) To note the progress to date.
- (ii) To agree the principle of a Norfolk and Suffolk combined authority.
- (iii) To agree that the Leader and Chief Executive Officer continue to play a full part in discussions, representing the best interests of Great Yarmouth residents.
- (iv) To agree that all three group opposition Leaders should be fully briefed before any devolution meetings (pre agenda) and receive a report back from the Chief Executive Officer or Leader as soon as possible following such meetings.

CARRIED

5 INTERIM CHIEF EXECUTIVE OFFICER AND INTERIM SECTION 151 OFFICER

Council considered the Leader of the Council's report asking Council to consider the appointment of an Interim Chief Executive Officer and Interim Section 151 Officer.

The Leader reported that on the 7 October 2015 he had taken the decision to terminate the Council's contract with Solace for the provision of an Interim Chief Executive and that this contract would end on the 6 November 2015. The Council was therefore required to appoint a new Head of Paid Service. The Leader reported that it was proposed that an interim appointment be made of Sheila Oxtoby, Chief Executive of North Norfolk District Council, who would then undertake the role on a shared basis.

Members were already aware of informal discussions that had taken place with North Norfolk District Council on shared services generally and that in the light of those discussions it is considered that an interim shared Chief Executive appointment could be made quickly.

Members were advised that Council could make an appointment now on the basis that the final interim details will be determined by the Monitoring Officer in conjunction with the Group Leaders. Once the interim arrangements are in place the Council can

both assess their effectiveness and consider the business case as to whether they should be permanent.

Members were also advised that the Council's Interim Section 151 Officer had now left the Authority and the Leader reported that it was proposed to appoint Karen Sly from North Norfolk District Council to undertake this role on an interim and shared basis.

The Leader formally recorded his thanks and appreciation to Mr G Mitchell, Chief Executive Officer, for all the work he had undertaken on behalf of the Council during his period of appointment.

The Shadow Leader stated that, in his opinion, this process had been badly handled and that there had been no consultation with any Group Leaders on the proposal to terminate the contract with Solace. He stated that this decision would create a huge risk to the medium term financial strategy and to the Transformation Programme and that this decision would not be in the best interests of the people of Great Yarmouth.

The Leader of the independent group had requested further details with regard to the costings involved in respect of the appointment of an Interim Chief Executive and Interim Section 151 Officer.

Councillor Williamson commented that the process that had been undertaken had not been open and honest and reiterated the view of the Shadow Leader that there had been no consultation with other Group Leaders. He commented on the audit report that had flagged up issues around the Transformation Programme and stated that any decision on this matter should await the outcome of the devolution proposals. Both Councillors T Wainwright and Williamson recorded their thanks and appreciation to Mr G Mitchell for his work on behalf of the Borough Council.

The Leader of the UKIP group commented that the former Interim Section 151 Officer did not wish to take up the position of Section 151 Officer on a permanent basis. Councillor Grey also commented that the Chief Executive Officer's contract would be coming to an end anyhow at the end of December and she endorsed the proposal to pursue the shared services proposals pending the receipt of the business case as to whether the arrangement should be made permanent. The UKIP Leader also reiterated the thanks and appreciation that had been expressed to Mr G Mitchell.

The Leader reported that the business case would be worked up over the next six months and that any decision made by Council would be subject to endorsement by North Norfolk District Council at their Council meeting next week.

Proposer: Councillor Plant

Seconder: Councillor B Coleman

That a recorded vote be taken in relation to this item.

CARRIED

Proposer: Councillor Plant

Seconder: Councillor B Coleman

(i) That Sheila Oxtoby be appointed Interim Chief Executive and Head of Paid Service for Great Yarmouth Borough Council from 7th November 2015.

(ii) That the detailed arrangements for the interim appointment be determined by the Monitoring Officer in consultation with the Group Leaders.

(iii) That Karen Sly be appointed Interim Section 151 Officer on terms to be agreed by the Head of HR, effective from 7th November 2015.

For the motion –

Councillors Andrews, Annison, Bird, Carpenter, B Coleman, M Coleman, Collins, Grant, Grey, Hanton, Jones, Mavroudis, Plant, C Smith, Stenhouse, Thirtle and Weymouth.

Against the motion –

Councillors Connell, Davis, Fairhead, Jeal, Linden, Myers, Pratt, Robinson-Payne, J Smith, Sutton, H Wainwright, T Wainwright, Walker, Williamson and Wright.

Abstentions –

Councillor Cutting

CARRIED

6 ANY OTHER BUSINESS

There was no other business.

The meeting ended at: 20:30

Cabinet

Minutes

Wednesday, 07 October 2015 at 18:30

PRESENT:

Councillor Plant (in the Chair); Councillors Carpenter, B Coleman, Hanton, C Smith and Thirtle.

Councillors Annison, Grey, T Wainwright and Williamson attended as observers.

Mr G Mitchell (Chief Executive Officer), Mrs J Beck (Director of Customer Services), Mr R Read (Director of Housing and Neighbourhoods), Mrs K Watts (Transformation Programme Manager), Mr R Hodds (Cabinet Secretary) and Mr D Wiles (Communications Officer).

1 APOLOGIES FOR ABSENCE

An apology for absence was received from Councillor Walker.

2 DECLARATIONS OF INTEREST

There were no declarations of interest.

3 MINUTES

The minutes of the meeting held on the 9 September 2015 were confirmed.

In relation to the item relating to the Beaconsfield Road Car Park, the Director of Customer Services reported that negotiations were continuing with NORSE with regard to this matter.

In connection with the item relating to the Medium Term Financial Strategy Cabinet agreed that the additional reports submitted by the Council's external auditors should be sent to all Members of Council.

4 COUNCIL TAX REDUCTION SCHEME 2016

Cabinet considered the Group Manager Customer Services' report which sought approval of the 2016 Local Council Tax Support/Reduction Scheme.

RESOLVED:

That Council be recommended to agree that Option 1 – current scheme as detailed in the Group Manager's report should be approved for the 2016 Local Council Tax Reduction Scheme.

5 HEALTH AND SAFETY SERVICE PLAN 2015-16

Cabinet considered the Environmental Health Health and Safety Service Plan 2015 to 2016.

RESOLVED:

That Council be recommended to approve the Health and Safety Service Plan 2015/2016.

6 ANY OTHER BUSINESS

There were no items

The meeting ended at: 18:50

Scrutiny Committee

Minutes

Thursday, 22 October 2015 at 18:30

PRESENT:-

Councillor Williamson (in the Chair); Councillors Collins, M Coleman, Grant, Fox, Jeal, Jones, Mavroudis, Sutton, Thirtle, T Wainwright and Walker.

Councillor B Coleman attended for Item 5.

Mrs J Beck (Director of Customer Services), Mr R Hodds(Cabinet Secretary), Mr T Chaplin (Housing Services Group Manager), Mr S Mutton (GYB Services), Mr C Rowland (Corporate Policy & Performance Officer) and Mrs C Webb (Senior Member Services Officer).

1 DECLARATIONS OF INTEREST

It was noted that there were no Declarations of Interest declared at the meeting.

2 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Lawn and Stenhouse.

3 VICE CHAIRMAN

The Chairman reported that following a changes to the Committee allocations as a result of recent party changes, the current Vice-Chairman was no longer a member of the Committee.

The Chairman asked for nominations for the position of Vice-Chairman for the remainder of the 2015-16 Financial Year.

Councillor Fox was duly nominated and seconded.

Following a vote, it was RESOLVED:

That Councillor Fox be elected as Vice-Chairman of the Scrutiny Committee for the remainder of the 2015-16 Financial Year.

4 MINUTES

The minutes of the meeting held on 3 September 2015 were confirmed.

5 OUTSIDE BODIES

Great Yarmouth Preservation Trust

Councillor M Coleman gave a report on recent projects undertaken by the Great Yarmouth Preservation Trust :-

- 133 King Street
- 135 King Street
- The Cemeteries
- Hopton Ruined Church
- Town wall Towers
- Vauxhall Bridge
- International Partnership; and
- The Waterways.

The Chairman thanked the member for her informative report.

Great Yarmouth Sports and Leisure Trust

The Chairman read out an e-mail he had received from the Leader of the Council which stated that as the Trust's Management and Funding Agreement with the Council had terminated earlier this year, in the circumstances, as there was no ongoing contractual relationship for services provided by the Trust to the Council, it would appear unnecessary for him to attend the Scrutiny Committee.

Councillors Grant and Mavroudis reported that they were unable to give an update as there had been no further meetings of the Trust since July.

A Member reported his concerns that the Trust were holding on to funding amounting to £400,000 and wanted to know the Trust's intentions for this money as he knew of several sporting/leisure activities in the Borough which could benefit from some of this funding.

A Member asked if Council could obtain all Councillor attendance records held by Outside Bodies to provide statistical analysis. A Member reported that he had been appointed to Outside Bodies who had never informed him of their meeting dates. The Cabinet Secretary reported that Member Services wrote to each Outside Body every year informing them of the Council appointments.

RESOLVED:

(i) That the reports in respect of the GYPT and GYSLT be noted

(ii) That the Leader of the Council be invited to attend the next Scrutiny Committee to give a report on the activities undertaken by the Great Yarmouth Sports and Leisure Trust.

6 GYB CUSTOMER SATISFACTION

The GYB Services Manager reported that GYB Services had been examining methods of how initial Satisfaction Surveys might be undertaken within the context of available resources.

Historically, GYB Services had tapped in to the Council's Citizen Panel which is now defunct.

With regard to individual customers, it was intended to contact 25 customers a month who had requested/received a service from GYB Services. With the services that do not come through Customer Services eg. footway lighting, they will randomly sample 5 of these a month.

With regard to Business customers, it was proposed to undertake a Stakeholder Focus Group with GYBC managers on operational issues.

A Member reported that as a Ward Councillor he received very few complaints regarding GYB Services. However, another Councillor reported that he did not think that GYB Services responded well to the litter/detritus produced by the seasonal influx to the Town, especially over the bank Holiday periods.

The Director of Customer Services reported that seasonality was taken into account and that GYB Services worked hard throughout the year.

The Director of Customer services reported that there was the possibility of using "My Account" via e-mail to obtain customer feedback in the future. It might be feasible to organise a leaflet drop as a first hit and build this into an annual survey via e-mail to provide a longer period of more sustained information.

A Member reiterated that the Council must obtain meaningful data to ensure value for money for our taxpayers with regard to the work carried out by GYB Services through the Joint Venture.

The Chairman reported that he looked forward to GYB Services's report this time next year with the appropriate data included which had been requested by the Committee.

RESOLVED:

That the report from GYB Services be noted.

7 QUARTER 1 PERFORMANCE REPORT

The Committee received the Quarter 1 Performance Report.

Members were concerned regarding CM34 Percentage of Contact centre Calls answered as a % of all calls offered as this quarter it had dropped to 54%.

The Director of Customer Services reported that this dip was caused by several members of staff from the Contact Centre moving on to different jobs in the

organisation and although new staff had been employed it took several months to train them. However, as an interim fix, two new staff had been taken on and trained to answer general calls and the Council was working hard to resolve the issue.

A Member asked that the Director of Customer Services bring an update report to the next meeting and that the total number of calls be reported to put the performance indicator figure CM34 into perspective.

A Member raised concerns that 21 performance indicator's had deteriorated in Quarter 1. The Chairman suggested that the Cabinet Portfolio Holder should investigate this concern and report back at the next meeting.

RESOLVED:

(i) That the Quarter 1 Performance Report be received.

(ii) That the Director of Customer Services bring an update report regarding performance indicator CM34 to the next Scrutiny Committee.

(iii) That the Cabinet Portfolio Holder give an update report on the position of the 21 deteriorating performance indicators highlighted at this meeting at the next Scrutiny Committee.

8 GREAT YARMOUTH MARKET GATES ELECTRONIC TRAVEL INFORMATION

The Committee considered the report from the County Officer.

The Chairman reported that the bus terminal lacked a main display screen detailing all bus service times as was available at Norwich.

A Member also requested that more bus shelters be provided to keep travellers dry in inclement weather. Another Member reported that this was an issue across the whole Borough and should be looked at by the Committee.

The Chairman reported that this issue would be best dealt with by Parish Councils and Ward Councillors working together.

RESOLVED:

That Norfolk County Council be asked to revise the specification of the electronic signage provided at market gates to include a master information screen.

9 REVIEW OF ALLOCATIONS SCHEME

The Group Manager Housing Services reported the salient areas of his report on the Revised Housing Allocation Scheme to the Committee.

The Chairman asked the Group Manager to supply the Committee with the actual number of applications, as a percentage, from workers who had subsequently been awarded a Council dwelling and the rejection rate, as a percentage, of the total number of housing applications.

A Member asked how the Group Manager perceived the present housing need in the

Borough. The Group Manager reported that the need fluctuated with regard to the type of properties required and it was therefore difficult to be specific. He did have concerns regarding the level of new affordable housing being built for the future.

A Member suggested that the Scrutiny Committee should look at the Housing Strategy Policy which had recently changed.

The Chairman reported that the building of affordable homes had been part of the planning application for the Beacon Park Housing Development.

RESOLVED:

That the Group Manager (Housing Services)' report be noted.

10 SCRUTINY COMMITTEE WORK PROGRAMME 2015-16

The Cabinet Secretary updated Members on the proposed Scrutiny Committee Work Programme for 2015/16.

The Cabinet Secretary reported that a Budget Monitoring report should have been presented at the meeting but as the Chief Finance Officer had recently left the post, this would now be reported at the next meeting.

The Chairman suggested that a representative of the Broads Internal Drainage Board be one of the Outside Bodies to be invited to give a report of their activities to the next meeting.

The Chairman reported that he would like the new Interim Chief Executive Officer and the Transformation Manager to attend the next meeting to give an overview of how Shared Services would affect the Transformation Programme.

11 ANY OTHER BUSINESS

It was noted that there was no other business as might be determined by the Chairman of the meeting as being of sufficient urgency to warrant consideration.

The meeting ended at: 20:05

