



Wyre Borough Council
Date of Publication: 25 September 2019
Please ask for : Roy Saunders
Democratic Services and Scrutiny Manager
Tel: 01253 887481

Dear Councillor,

You are hereby summoned to attend a meeting of Wyre Borough Council to be held at the Civic Centre, Breck Road, Poulton-le-Fylde on **Thursday, 3 October 2019** commencing at 7.00 pm.

Yours sincerely,

A handwritten signature in black ink that reads "Garry Payne".

Garry Payne
Chief Executive

The Mayor will invite the Mayor's Chaplin, Reverend Father John Walsh to say prayers.

COUNCIL AGENDA

- 1. Apologies for absence**
- 2. Confirmation of minutes** (Pages 1 - 10)
To approve as a correct record the Minutes of the meeting of the Council held on 11 July 2019.
- 3. Declarations of Interest**
To receive any declarations of interest from any Member on any item on this agenda.
- 4. Announcements**
To receive any announcements from the Mayor, Leader of the Council, Deputy Leader of the Council, Members of the Cabinet, a Chairman of a Committee or the Chief Executive.
- 5. Public questions or statements**
No questions or statements received by the specified deadline of noon on Friday 27 September 2019.

6. Questions "On Notice" from councillors

No questions from Members of the Council to the Mayor, a member of the Cabinet or the Chairman of a Committee under Council Procedure Rule 12.1

received by the specified deadline of noon on Friday 27 September 2019.

7. Executive reports

To receive reports from Cabinet Members. (In accordance with Procedure Rule 11.3 Councillors will be able to ask questions or make comments).

- (a) Leader of the Council (Councillor Henderson) (Pages 11 - 14)
- (b) Resources Portfolio Holder (Councillor A Vincent) (Pages 15 - 16)
- (c) Street Scene, Parks and Open Spaces Portfolio Holder (Councillor Bridge) (Pages 17 - 20)
- (d) Planning and Economic Development Portfolio Holder (Councillor Michael Vincent) (Pages 21 - 24)
- (e) Neighbourhood Services and Community Safety Portfolio Holder (Councillor Berry) (Pages 25 - 28)
- (f) Leisure, Health and Community Engagement Portfolio Holder (Councillor Bowen) (Pages 29 - 32)

8. Appointments to Committees (Pages 33 - 38)

Report of the Leader of the Council (Cllr Henderson) and the Chief Executive.

9. Honorary Aldermen (Pages 39 - 42)

Report of the Leader of the Council (Cllr Henderson) and the Chief Executive.

10. Overview and Scrutiny Committee: Periodic Report (Pages 43 - 46)

Report of the Chairman of the Overview and Scrutiny Committee (Cllr Ibison).

11. Gambling Act 2003 - Revised Statement of Gambling Policy 2019-2021 (Pages 47 - 82)

Report of the Leisure, Health and Community Engagement Portfolio Holder (Cllr Bowen) and the Service Director Health and Wellbeing.

12. **Lancashire Business Rates Pool: 75% Business Rates Retention Pilot - Strategic Economic Growth and Financial Sustainability Fund** (Pages 83 - 94)
- Report of the Leader of the Council (Cllr Henderson) and the Head of Finance (Section 151 Officer).
13. **Climate Change Policy Group** (Pages 95 - 100)
- Report of the Leader of the Council (Cllr Henderson) and the Chief Executive.
14. **Single Use Plastics Policy** (Pages 101 - 104)
- Report of the Leader of the Council (Cllr Henderson) and the Service Director, People and Places.
15. **Corporate Management Team Restructure** (Pages 105 - 110)
- Report of the Leader of the Council (Cllr Henderson) and the Chief Executive.
16. **Notices of Motion**
- None.

If you have any enquiries on this agenda, please contact Roy Saunders, tel: 01253 887481, email: roy.saunders@wyre.gov.uk

This page is intentionally left blank



Council Minutes

The minutes of the Council meeting held on Thursday, 11 July 2019 at the Council Chamber, Civic Centre, Poulton-le-Fylde.

Councillors present:

The Mayor, Councillor Ann Turner and the Deputy Mayor, Councillor Barry Birch

Councillors I Amos, R Amos, Armstrong, Lady D Atkins, Sir R Atkins, Ballard, Baxter, Beavers, Berry, C Birch, Bowen, Bridge, Cartridge, Catterall, Collinson, Cropper, E Ellison, P Ellison, Fail, Gerrard, George, Henderson, Holden, Ingham, Kay, Leech, Longton, McKay, Minto, Moon, Orme, Raynor, Robinson, Smith, Stirzaker, Swales, S Turner, A Vincent, Matthew Vincent, M Vincent, D Walmsley, L Walmsley and Webster.

Apologies: Councillors Fairbanks, Ibison, Le Marinel and O'Neill.

Officers present:

Garry Payne, Chief Executive
Mark Broadhurst, Service Director Health and Wellbeing
Marianne Hesketh, Service Director Performance and Innovation
Emma Lyons, Communications and Marketing Lead
Roy Saunders, Democratic Services and Scrutiny Manager
Emma Keany, Governance Trainee.

(No members of the public or press attended the meeting)

12 Confirmation of minutes

Agreed:

1. That the minutes of the ordinary meeting of the Council held on 4 April 2019 be confirmed by those present at the meeting as a correct record (by 21 votes to 4).
2. That the minutes of the Annual meeting of the Council held on 16 May 2019 be confirmed as a correct record (by 31 votes to 9, with 1 abstention).

13 Declarations of Interest

None.

14 Announcements

The Mayor announced that her Civic Dinner would take place at The North Euston Hotel on Friday 28 February 2020.

15 Public questions or statements

None received.

16 Questions "On Notice" from councillors

None received.

17 Executive reports

(a) Leader of the Council (Councillor Henderson)

The Leader of the Council (Cllr Henderson) submitted a report.

Cllr Henderson replied to questions from Cllrs Fail and Beavers.

Agreed that the report be noted.

(a) Resources Portfolio Holder (Councillor A Vincent)

The Resources Portfolio Holder (Cllr A Vincent) submitted a report.

Cllr Vincent responded to questions and comments from Cllrs Fail and Lady Atkins.

Agreed that the report be noted.

(a) Street Scene, Parks and Open Spaces Portfolio Holder (Councillor Bridge)

The Street Scene, Parks and Open Spaces Portfolio Holder (Cllr Bridge) submitted a report.

Cllr Bridge responded to questions and comments from Cllrs Sir R Atkins, Raynor, L Walmsley, Longton, Armstrong and Fail.

Agreed that the report noted.

(a) Planning and Economic Development Portfolio Holder (Councillor Michael Vincent)

The Planning and Economic Development Portfolio Holder (Cllr

Michael Vincent) submitted a report.

No questions and comments were directed to Cllr Michael Vincent.

Agreed that the report be noted.

- (a) Neighbourhood Services and Community Safety Portfolio Holder (Councillor Berry)

The Neighbourhood Services and Community Safety Portfolio Holder (Cllr Berry) submitted a report.

Cllr Berry responded to questions and comments from Cllrs Armstrong, George, Kay and Sir R Atkins.

Agreed that the report be noted.

- (a) Leisure, Health and Community Engagement Portfolio Holder (Councillor Bowen)

The Leisure, Health and Community Engagement Portfolio Holder (Cllr Bowen) submitted a report.

Cllr Bowen responded to questions and comments from Cllrs Fail, Lady Atkins, Stirzaker and Webster.

Agreed that the report be noted.

- (a) Cabinet Member Questions and Comments

Cllr Berry responded to a question referred to him by Cllr Henderson and also responded to a question from Cllr Bridge.

Cllr Bridge responded to a question from Cllr Michael Vincent.

18 Code of Conduct Review

The Leader of the Council (Cllr Henderson) and the Chief Executive submitted a report on a review of the Councillors Code of Conduct undertaken by the Standards Committee.

Agreed (unanimously):

1. That the amendments to the Code of Conduct recommended by the Standards Committee, set out in Appendix 1 of the report, be approved.
2. That the revised Code of Conduct be adopted with effect from 11 July 2019 and included in Part 5.01 of the Constitution, in place of the current version.

19 Treasury Management Activity 2018/19

The Resources Portfolio Holder (Cllr A Vincent) and the Head of Finance (Section 151 Officer) submitted a report on the overall position and activities with regard to treasury management for the financial year 2018/19.

Agreed (unanimously), that the annual report on Treasury Management activity for the 2018/19 financial year be approved.

20 Notice of Motion

Councillors Fail, Beavers, Raynor and Stirzaker submitted a Notice of Motion under Procedure Rule 15 on the declaration of a “climate emergency”, as set out under agenda item 10. The motion was proposed by Cllr Fail and seconded by Cllr Raynor.

An amendment, to add and delete words to the motion (shown as track-changes below) was proposed by Cllr Henderson and seconded by Cllr Michael Vincent, as follows:

“The Council notes:

- That the impacts of climate breakdown are already causing serious damage around the world.
- That the ‘Special Report on Global Warming of 1.5C, published by the Intergovernmental Panel on Climate Change in October 2018,
 - (a) describes the enormous harm that a 2°C average rise in global temperatures is likely to cause compared with a 1.5C rise, and
 - (b) confirms that limiting Global Warming to 1.5°C may still be possible with ambitious action from national and sub-national authorities, civil society and the private sector.
- That all governments (national, regional and local) have a duty to act, and we congratulate Her Majesty’s Government (HMG) on being the first country to take a lead on this issue;
- That strong policies to cut emissions also have associated health, wellbeing and economic benefits; and
- That, recognising this, a growing number of UK local authorities have already passed 'Climate Emergency' motions and this Council tonight declares a climate emergency.

The Council therefore commits to:

- Make the Council’s activities net-zero carbon by 2050;
- Achieve 100% clean energy across the Council’s full range of functions by 2050;

- Ensure that all strategic decisions, budgets and approaches to planning decisions are in line with a shift to zero carbon by 2050 as far as Planning Laws allow it;
 - Support and work with all other relevant agencies towards making the entire Wyre area zero carbon within the same timescale;
 - Ensure the Council take responsibility for reducing, as rapidly as possible, the carbon emissions resulting from the Council's activities, ensuring that any recommendations are fully costed and that the Executive and Scrutiny functions review council activities taking account of production and consumption emissions and produce an action plan within 12 months, together with budget actions and a measured baseline;
 - Where necessary officer reports to Cabinet and Full Council contain impact assessments on Climate Change, including presenting alternative approaches which reduce carbon emissions where possible
- This Council will continue its already agreed policy to report to the Overview and Scrutiny Committee its progress towards a zero carbon emissions target;
 - Work with, influence and inspire partners across Wyre, Lancashire and the North West to help deliver this goal through all relevant strategies, plans and shared resources by developing a series of meetings, events and partner workshops;
 - Request that the Council and partners, take steps to proactively include young people in the process, ensuring that they have a voice in shaping the future;
- This Council will continue its policy of having officers and departmental groups work on a climate change action plan which will report back to Council on a regular basis as to its progress towards a target of zero emissions by 2050;
- Will request an annual investment report from our pensions administrators Lancashire County Council (LCC) on the level of investment in the fossil fuel industry, such report to go to Cabinet who will make any appropriate observations thereon reflecting our zero carbon emissions target of 2050;
 - Ensure that all reports in preparation for the 2020/ 2021 budget cycle and investment strategy will take into account the financial implications of the actions the council will take to address this emergency;
 - CRquest the UK Government to provide the powers, resources and

help with funding to make this possible, and ask local MPs to do likewise;

- Continue to consider other actions within the Council's remit that could be implemented, including (but not restricted to): renewable energy generation and storage, providing electric vehicle infrastructure and encouraging alternatives to private car use, increasing the efficiency of all buildings, including housing in particular to address fuel poverty; proactively using local planning powers to accelerate the delivery of net zero carbon new developments and communities, coordinating a series of information and training events to raise awareness and share good practice;
- The Council should if possible not allow its land to be used for anything that would result in the Council not meeting the target of net zero emissions by 2050; and
- Monitor the advice of, the Local Government Association, (and where possible implement) as to what steps can be taken quickly to have the greatest possible impact on air quality, modal shift away from private cars, increased take up on public transport, and ensure that every aspect of the Councils activities are sighted on the need to preserve Wyre's ecological and environmental heritage."

Cllr Henderson, when proposing the amendment also proposed that the following additional paragraph be included in the list of commitments to be made by the Council (which he said he was aware Cllr Gerard had intended to propose as an additional amendment on behalf of the UKIP Group, but which he had accepted as an addition to the Conservative Group amendment) as follows:

"to use trees to offset carbon emissions arising from the Council's activities and therefore to instruct our officers to report back on costings for the planting of trees and the maintenance of woodlands in the Borough, which is a matter of urgency because we need to start planting trees now."

The amendment proposed by Cllr Henderson, including the additional wording above, was APPROVED (by 35 votes to 0, with 8 abstentions).

Cllr Fail then proposed, and Cllr Raynor seconded, a further amendment to the amended version of the original motion, to change all references to commitments by the year 2050 to 2030. That amendment was lost (by 9 votes to 35).

The following substantive motion was then approved (unanimously) and it was **agreed**:

That the Council notes:

- That the impacts of climate breakdown are already causing serious damage around the world;

- That the ‘Special Report on Global Warming of 1.5 degrees centigrade, published by the Intergovernmental Panel on Climate Change in October 2018,
 - (a) describes the enormous harm that a 2°C average rise in global temperatures is likely to cause compared with a 1.5C rise, and
 - (b) confirms that limiting Global Warming to 1.5°C may still be possible with ambitious action from national and sub-national authorities, civil society and the private sector;
- That all governments (national, regional and local) have a duty to act, and we congratulate Her Majesty’s Government (HMG) on being the first country to take a lead on this issue;
- That strong policies to cut emissions also have associated health, wellbeing and economic benefits; and
- That, recognising this, a growing number of UK local authorities have already passed 'Climate Emergency' motions and this Council tonight declares a climate emergency.

The Council therefore commits to:

- Make the Council’s activities net-zero carbon by 2050;
- Achieve 100% clean energy across the Council’s full range of functions by 2050;
- Ensure that all strategic decisions, budgets and approaches to planning decisions are in line with a shift to zero carbon by 2050 as far as Planning Laws allow it;
- Support and work with all other relevant agencies towards making the entire Wyre area zero carbon within the same timescale;
- Ensure the Council take responsibility for reducing, as rapidly as possible, the carbon emissions resulting from the Council’s activities, ensuring that any recommendations are fully costed and that the Executive and Scrutiny functions review council activities taking account of production and consumption emissions and produce an action plan within 12 months, together with budget actions and a measured baseline;
- Where necessary officer reports to Cabinet and Full Council contain impact assessments on Climate Change, including presenting alternative approaches which reduce carbon emissions where possible;
- Continue its already agreed policy to report to the Overview and

Scrutiny Committee its progress towards a zero carbon emissions target;

- Work with, influence and inspire partners across Wyre, Lancashire and the North West to help deliver this goal through all relevant strategies, plans and shared resources by developing a series of meetings, events and partner workshops;
- Request that the Council and partners, take steps to proactively include young people in the process, ensuring that they have a voice in shaping the future;
- Continue its policy of having officers and departmental groups work on a climate change action plan which will report back to Council on a regular basis as to its progress towards a target of zero emissions by 2050;
- Request an annual investment report from our pensions administrators Lancashire County Council (LCC) on the level of investment in the fossil fuel industry, such report to go to Cabinet who will make any appropriate observations thereon reflecting our zero carbon emissions target of 2050;
- Ensuring that all reports in preparation for the 2020/2021 budget cycle and investment strategy will take into account the financial implications of the actions the council will take to address this emergency;
- Request the UK Government to provide the powers, resources and help with funding to make this possible, and ask local MPs to do likewise;
- Continue to consider other actions within the Council's remit that could be implemented, including (but not restricted to): renewable energy generation and storage, providing electric vehicle infrastructure and encouraging alternatives to private car use, increasing the efficiency of all buildings, including housing in particular to address fuel poverty; proactively using local planning powers to accelerate the delivery of net zero carbon new developments and communities, coordinating a series of information and training events to raise awareness and share good practice;
- The Council should if possible not allow its land to be used for anything that would result in the Council not meeting the target of net zero emissions by 2050; and
- Monitor the advice of the Local Government Association, (and where possible implement) as to what steps can be taken quickly to have the greatest possible impact on air quality, a modal shift away from private cars, increased take up on public transport, and ensure that every aspect of the Councils activities are sighted on the need to preserve Wyre's ecological and environmental heritage.

- Use trees to offset carbon emissions arising from the Council's activities and therefore to instruct our officers to report back on costings for the planting of trees and the maintenance of woodlands in the Borough, which is a matter of urgency because we need to start planting trees now.

The meeting started at 7.00 pm and finished at 8.35 pm.

NOTE. An audio recording of this meeting is available on the Council's website, via the following link: https://www.youtube.com/watch?v=7MKH_xNmFPI

This page is intentionally left blank



Report of:	To:	Date
Councillor David Henderson, Leader of the Council	Council	3 October 2019

Executive Report: Leader of the Council

1. Purpose of report

1.1 To inform Council of progress on key objectives and the current position on a number of issues, as set out below.

2. Lancashire Leaders Meetings (1 August 2019 and 9 September) and Lancashire District Leaders Meeting (9 September 2019)

Lancashire Leaders (1 August 2019 and 9 September)

2.1 In my Executive report presented in July I stated that I would keep Members up to date on any development related to Combined Authorities. The matter was raised at the August and September meeting of Lancashire Leaders and there were a number of Leaders who stated they were in favour of a Combined Authority for Lancashire. On 3 December 2015 this Authority discussed, in depth, the proposal to form a Combined Authority for Lancashire. At that time we concluded that taking into account the lack of information on the benefits and costs we should not be party to the consultation exercise nor should we take any further part or play a role in the development of a Combined Authority for Lancashire unless there were clear and defined benefits for Wyre.

2.2 Since 2015 and whilst I have been Leader I have seen no evidence of the costs or benefits associated with a Combined Authority for Lancashire. If and when such information is available and or presented to me I will bring before full Council a formal report for debate and decision.

2.3 At Lancashire Leaders we continued to discuss the development of a Greater Lancashire Plan (GLP). The GLP provides Lancashire local government and all its partners with an opportunity to provide a foundation and narrative to demonstrate to all its communities and to national government that it is committed and serious about finding a future for all who live, work and visit Lancashire now and for generations to come.

2.4 The GLP will be developed alongside the Local Industrial Strategy (LIS) and the GLP will provide a strategic framework for Lancashire within which the LIS will sit. This framework will include the economic agenda, but will also include strategies for the future of housing, health,

education, community safety and transport for example, and cover the quality of the environment and public reform. The GLP will not only bring this much needed collaboration at the sub national level, but it will also bring the local context as a whole into play so the industrial strategy is not operating in isolation but in the context of drawing on the key issues facing areas as a whole, whether that be existing housing stock issues, social care, education or connectivity.

- 2.5** The initial cost of the GLP is estimated to be £400k (by March 2020) and is proposed to be funded from the Economic Growth and Financial Sustainability Fund (top sliced funding from the Lancashire Business Rate Pool). As a Pool member the release of funding will require formal approval by full Council and the proposed amount is in proportion to our anticipated contribution to the fund based on Business rates forecasting which in our case amounts to £21,853 and this matter is the subject of a separate report on this agenda. However, at Lancashire Leaders it was unanimously agreed that when the GLP is finalised each Council should formally consider the GLP and thus in due course I will bring before full Council the finalised GLP for Members to debate.
- 2.6** Steve Fogg recently appointed Chair of the Lancashire Enterprise Partnership (LEP) addressed Leaders and I thank him for his honesty because he informed Leaders that the LEP was scored nationally by Government and as a result rated 'Requiring Improvement' on Strategy. The LEP have an Improvement Plan in place and Steve made it clear that he is keen to deliver the objectives in the action plan.
- 2.7** The LEP are charged with 'co-producing' a Local Industrial Strategy with Government, which is planned to be submitted in December and published in March 2020. He also talked about the GLP and how the LEP will work with Partners to deliver economic growth for Lancashire.
- 2.8** The inability of the Police and Crime Panel to agree their membership for 2019/20 was discussed at the Lancashire Leaders meeting in August. At the Panel meeting all councils were asked to nominate a representative for the core membership of the Panel (i.e.15 seats – 1 per council). This resulted in a core membership of 9 Labour, 4 Conservative, 1 Liberal Democrat and 1 Independent or Other (9:4:1:1). The Panel was required to try and achieve the Politically Balanced Objective, meaning "wherever practicable" the membership be reflective of the council seats held by respective parties/groups across Lancashire but the Panel could not reach agreement. Previously achieving a politically balanced Panel has not been an issue and I was bitterly disappointed that neither the Panel nor Lancashire Leaders could reach agreement on the simple matter of the composition of the Panel and as such the matter must be referred to the Home Secretary who has reserve powers to confirm or otherwise the composition of the Panel.

Lancashire District Leaders (9 September 2019)

- 2.9** The main topic of discussion was the proposal by East Lancashire Authorities to continue their pursuit for Unitary status. In the past 12 or so months whilst new Unitary Authorities have and will be established, for example from 1 April 2020, a new single, county-wide unitary council will be created in Buckinghamshire, that is as a result of a County

Council and all District Councils reaching agreement to move from a two tier system to a single Unitary. In Lancashire we have a hybrid structure made up of a County, two Unitaries and 12 District Councils. Any structural change to Lancashire, would in my opinion, require unanimous support from all Lancashire Authorities and I cannot, at this present time, see what benefits would arise for the residents of Wyre from structural change.

3. Blackpool, Fylde and Wyre Economic Prosperity Board (EPB) 10 September 2019

- 3.1** At the meeting updates were presented on the progress of both the Blackpool and Hillhouse Enterprise Zones (EZ).
- 3.2** Whilst it is unfortunate that on the 31 August, Vinnolit (chemicals company located at Hillhouse) ceased trading, other companies within the Hillhouse EZ are expanding and there is interest from other companies as referenced in Cllr Michael Vincent's executive report.
- 3.3** Members will be aware that we were successful in round one of the Future High Streets Fund and via the CHEST e-tendering system we have requested expressions of interest for the supply of a Masterplan for Fleetwood Town Centre. However, a second round of Future High Streets Fund was recently announced with Blackpool and Fylde being successful. It was agreed at the EPB that in order to maximise the chances of success, officer's from the three Fylde Coast Authorities should work together to ensure all three bids for the Fylde Coast are both innovative and complimentary.

4. Other Business and Activities

- 4.1** Following the declaration of a Climate Change Emergency made at the July Full Council meeting as climate change affects the whole of the Borough it is only right and proper that I lead on this with the support of Mark Billington, Service Director People and Places and I can update members on a number of initiatives that are currently in progress.
- 4.2** At the Cabinet meeting on 4 September 2019 to encourage the use of electric vehicles we agreed the following:
 - 1. To enter into a five year agreement with BP Chargemaster Ltd (BPCM) to install up to 16 electric vehicle fast charging points on council owned car parks throughout the borough.
 - 2. To procure a supplier to install Rapid Electric Charging Points on four car parks within the borough for a ten year period.
 - 3. To enter into an agreement with Highways England (HE) for a single Rapid Electric Charging Point on Rough Lea Road car park Cleveleys as part of the HE Strategic Road Network scheme for a period of seven years.
- 4.3** Within the council's vehicle fleet there are a number of small diesel vans and we are currently testing electric vans and when the diesel vans are due to be replaced if electric vans are proven to be fit for purpose we will purchase electric vans.

- 4.4 Officers have set up a working group to look at reducing the council's dependence on single use plastics I am pleased that a policy is before members for consideration at this meeting.
- 4.5 In addition later on in the agenda we will discuss the proposal to form a Climate Change Policy Group.
- 4.6 This winter we will be implementing plans to plant more trees across the borough, which will also help to improve carbon capture, and in addition we will develop additional wildflower areas to improve biodiversity on our parks and open spaces.
- 4.7 At a National level BREXIT and a possible General Election continue to take centre stage and I wanted to take this opportunity to reassure Members that we are well prepared for what may result from BREXIT. The Lancashire Resilience Forum Executive Group have taken a strategic lead on BREXIT and our Chief Executive, Garry Payne, takes part in weekly teleconferences. In addition our Service Director Performance and Innovation, Marianne Hesketh is our Lead Officer for BREXIT and our Head of Governance, Joanne Billington has pulled together a BREXIT Risk Register and Action Plan and Marianne is responsible for providing progress updates to the Ministry of Housing, Communities and Local Government (MHCLG).

5. Comments and Questions

- 5.1 In accordance with procedure rule 11.3 any member of Council will be able to ask me a question or make a comment on the contents of my report or on any issue, which falls within my area of responsibility. I will respond to any such questions or comments in accordance with Procedure Rule 11.5.



Report of:	To:	Date
Councillor Alan Vincent, Resources Portfolio Holder	Council	3 October 2019

Executive Report: Resources Portfolio Holder

1. Purpose of report

1.1 To inform Council of progress on key objectives and the current position on issues within the Resources Portfolio, as set out below.

2. Finance

2.1 I am pleased to report that the authority’s 2018/19 Statement of Accounts received an unqualified audit opinion. The External Auditors Report to those charged with governance, which was considered by the Audit Committee on 30 July, also recognised that the authority’s Value for Money arrangements ensure that “the council has made proper arrangements to secure economy, efficiency and effectiveness in its use of resources” and no significant risks or concerns were identified.

2.2 At the meeting I understand that Paul Hewitson (a Director at Deloitte) commented that the result reflected the dedication and diligence of the Financial Services Team and they thanked staff for their co-operation and professionalism in making their first year auditing the accounts as smooth as possible. Forty percent of councils nationally failed to meet the statutory deadline (31 July) including several in Lancashire and it is a credit to the officers that Wyre met this very challenging target. I would like to extend my thanks to all the staff who were involved in the production of the Accounts and to the Audit Committee for overseeing what is a very complex and important document.

2.3 The Council’s Medium Term Financial Plan will go before Cabinet later this month and was the subject of tonight’s pre-council presentation. Owing to the impact of Brexit the planned multi-year Spending Review along with other major funding reforms have been delayed and it is expected to be December before further details of the 2020/21 Local Government Financial Settlement are known.

3. Human Resources

3.1 We have started a new initiative where staff can volunteer to become Wellbeing Champions for the council. The aim is to help improve staff health and wellbeing. We are exploring three potential roles:

- Listening Ear – the council will provide training to interested staff to become a confidential listening ear to encourage staff to talk about their mental health and have the knowledge to signpost staff for professional help if required.
 - Providing Relaxation Techniques – staff with expertise in areas that may help to improve colleagues' health and wellbeing with relaxation techniques e.g. yoga, indian head massage. Sessions on meditation have already been piloted using a member of staff with this skill and have proved very successful.
 - Voluntary/Charity work in the community – staff who would like to give time to a charity/voluntary organisation within the borough or endorsed by the council.
- 3.2** A working group has been set up to take this initiative forward. Actions include: promote the concept with staff; encourage volunteers across all sections of the council; produce guidance for managers and to develop an action plan for the Time to Change Employer Pledge. This Pledge signals a commitment to changing how we think and act about mental health in the workplace and seeks to ensure that employees who are facing these problems feel supported.

4. Asset Management

- 4.1** The new reception alteration works at Garstang Swimming Pool have been completed successfully and within the budget. We have received positive feedback about this work.
- 4.2** The flat roofs at the Civic Centre have been recoated to make them watertight and to extend their lifespan. Repairs and external decorating works are also being carried out to the front and side elevations at the Civic Centre.
- 4.3** Specifications and tender documents are being prepared for the replacement of boilers at Fleetwood Leisure Centre and to improve heating in changing rooms.

5. Comments and questions

- 5.1** In accordance with procedure rule 11.3 any member of Council will be able to ask me a question or make a comment on the contents of my report or on any issue, which falls within my area of responsibility. I will respond to any such questions or comments in accordance with Procedure Rule 11.5.



Report of:	To:	Date
Councillor Simon Bridge, Street Scene, Parks and Open Spaces Portfolio Holder	Council	3 October 2019

Executive Report: Street Scene, Parks and Open Spaces Portfolio Holder

1. Purpose of report

- 1.1** To inform council of progress on key objectives and the current position on issues within the Street Scene, Parks and Open Spaces Portfolio as set out below.

2. Parks and open spaces

- 2.1** Poulton's Vicarage Park, Hawthorne Park and Wyre Estuary Country Park in Thornton, and Memorial Park in Fleetwood were once again awarded a Green Flag Award this year. A celebratory lunch was held on the 16 July to recognise and thank the hard work of the teams and volunteer groups who make this possible.
- 2.2** During National Love Parks week our sites were promoted on social media and activities held to encourage everyone to get out and enjoy their favourite park.
- 2.3** A Love Exploring mobile app, funded by The National Lottery Heritage Fund, is now available for Memorial Park in Fleetwood. Launched in August the app provides a modern way to find out about the park's history, ecology and unknown facts through guided tours and quizzes. There is also an interactive map to discover walking trails, key features and much more.
- 2.4** Conservation specialists, Rosslee Construction Ltd have been appointed to undertake the restoration work of The Mount Grounds and buildings and began their site establishment work in September.
- 2.5** The relocation of the substation by Electricity North West is due to be completed shortly following the extensive installation of earthing rods. Landscaping and boundary treatments to finish off the area surrounding the new substation will be completed by Rosslee during their works contract.
- 2.6** Memorial Park was host to activities this summer which included the popular 'Cat in the Hat' outdoor theatre productions, craft sessions, a circus school and forest school sessions.

3. Waste and recycling

- 3.1** The last green waste collections prior to the annual service suspension over the winter period will take place during the weeks commencing 2 and 9 December (dependant on the cycle of collections) and will start again in the weeks commencing 13 and 20 January (depending on the cycle of collections).
- 3.2** Annual Service calendars will be distributed throughout November and into December detailing the suspension and changes to collection days over the festive period. It should be noted that the calendars will also promote a couple of forthcoming changes to the service; bins will need to be presented ready for collection from 07.00 am and we are now able to collect additional plastic recycling including pots, tubs and trays. This commenced on 1 October.

4. Street Scene

- 4.1** The large replacement road sweeper, Meryl Sweep as named by the public, is now operational. It has improved environmental credentials with built in operational and fuel efficiency.
- 4.2** The 'Love Where You Live, Beautiful Back Alley' project has selected three alleys in Fleetwood to work with residents and other stakeholder groups to transform these spaces and generate positive ownership of the alleys; to provide greater care for them and bring together neighbours. I would urge ward Councillors to get involved and support the projects where possible.
- 4.3** The North West in Bloom Awards and National judging for Garstang and Catterall showcased many areas of the borough at their best. The Cleaner and Greener Project Officer who has worked with the 'In Bloom' groups and judges observed a positive reaction to the floral displays and shared the wonderful photos on social media for everyone to enjoy. I wish all the participating groups the best of luck at the ceremony later this month.
- 4.4** Officers have developed a new range of anti-littering posters to be used across the borough, with the initial launch held in Fleetwood Market.
- 4.5** The pilot Environmental Enforcement project continues, and in the third quarter of operations (May - July) the statistics were:
- Total Fixed Penalty Notices (FPN) issued: 1,378.
 - 1,218 for depositing litter.
 - 160 for Public Space Protection Order dog offences (45 of which for fouling).
 - 5 Cancelled.
 - 111 Formal Representations received, with 91 declined and 20 accepted.
 - Income for this quarter: £12,296.25.

Over the first three quarters, 535 cases have progressed to prosecution stage; of which :

- Guilty in absence = 223
- Guilty by post = 13
- Awaiting case result = 301

FPN issued by area Qtr 3:

Area	total Qtr 3	%
Bilsborrow	4	<1
Fleetwood	375	27
Garstang	89	6
Poulton-le-Fylde & Carleton	53	4
Preesall & Knott End	5	<1
Thornton-Cleveleys	780	57
Forton	63	5
Nateby	2	<1
St Michaels on Wyre	1	<1
Great Eccleston	1	<1
	1373*	

*does not include the 5 cancelled, all issued in Thornton - Cleveleys

Officer Hours Patrolled by Area Qtr 3

	total Qtr 3	%
Poulton-le-Fylde & Carleton	189	5
Thornton -Cleveleys	722	20
Fleetwood	584	16
Garstang	169	5
Hambleton	3	<1
Preesall & Knott End	40	1
Pilling	3	<1
Winmarleigh	3	<1
Out Rawcliffe	3	<1
Great Eccleston	9	<1
St Michael's on Wyre	5	<1
Churchtown	3	<1
Nateby	9	<1
Inskip	3	<1
Forton	27	1
Dolphinholme	3	<1
Scorton	2	<1
Calder Vale, Bleasdale, Bonds, Bowgreave, Catterall	8	<1
Claughton	3	<1
Bilsborrow	14	0
	1802	

5. Comments and questions

- 5.1** In accordance with procedure rule 11.3 any member of council will be able to ask me a question or make a comment on the contents of my report or on any issue, which falls within my area of responsibility. I will respond to any such questions or comments in accordance with procedure rule 11.5.



Report of:	To:	Date
Councillor Michael Vincent, Planning and Economic Development Portfolio Holder	Council	3 October 2019

Executive Report: Planning and Economic Development Portfolio Holder

1. Purpose of report

1.1 To inform Council of progress on key objectives and the current position on issues within the Planning and Economic Development Portfolio, as set out below.

2. Hillhouse Enterprise Zone (EZ)

2.1 Implementation Plan

Following meetings with the Managing Director of the NPL Group we now have a better understanding of the phasing and costings of individual development plots. This information has been sent to Genecon to update the Implementation Plan.

Marketing

2.2 Signage – Two signs have now been erected, including one at the entrance to the site at the gatehouse. The third sign, which will be the most prominent position on Bourne Road has now received advertisement consent and will shortly be installed.

2.3 Promotional Drone Video – Recording took place over two days in mid-August. Some excellent footage has been captured and ‘Buzz Drones’, with ‘Just By Michael’ (videographer) are in the process of editing the footage. We expect the video to be completed by the end of October. The video will be approximately three minutes long and will mainly show aerial footage of the site and the potential development opportunities. It will also include some ground videography entering the operational side of some of the businesses with short interviews and commentary. This is an exciting innovative project designed to showcase the Enterprise Zone and footage will be a useful marketing tool to prospective interested parties looking to relocate to the site.

2.4 Site Activity

Vinnolit - Vinnolit ceased trading on 31 August 2019. Key staff will remain on site until at least Summer 2020 to assist in the decommissioning of the site. On 7 August officers met with Dr David Boscott (MD at Vinnolit), Edmund Vogel (Strategy Manager) and Guy Gansfort (HR). The purpose

of the meeting was to discuss the redeployment of current skilled staff locally.

- 2.5 Stobart Biomass** - Heads of Terms between Stobart Biomass (Developer) and Le Fylde Estates (Landowner NPL Group) for a 150,000 tonne p/a EfW (Energy from Waste) plant within the Hillhouse Enterprise Zone are progressing. Site investigations and early planning works are taking place. It is projected this will create a number of short-term construction jobs and permanent operative jobs once completed.
- 2.6 Forsa Energy** - Site investigations and early planning works have commenced on new 20MW Short Term Operating Reserve (STOR) gas turbines. This is also projected to create a number of short-term construction jobs.
- 2.7 Job Creation** - There have been an additional 50 new jobs created at Victrex and 12 new administrative jobs created within offices at the International Business Centre.

3. Business support

- 3.1** The Steering Group for Wyred Up is now well established and for the first 12 months will be chaired by our Chief Executive, Garry Payne. The steering group reflects four key themes Housing, Economy, Education and Skills, and Community Health and Wellbeing.
- 3.2** Wyred Up will continue as a business networking group and four focused events will take place throughout the year reflecting the four key themes. In addition other business events will take place with the last event being Accelerating Wyre which was held on 26 September 2019.

4. Coastal Community Funds (CCF)

- 4.1** Marketplace at National Association of British Market Authorities (NABMA) have been procured to undertake a detailed health check of Fleetwood Market to include: customer and trader surveys; a management audit and footfall counting at Fleetwood Market.
- 4.2** Landscape Projects Ltd are being commissioned to undertake similar studies for the Fleetwood Museum including Town Centre footfall counts and a Public Realm Audit – both these studies will complement the work to be undertaken for the Future High Streets Fund and will provide an important evidence base.

5. Future High Street Fund

- 5.1** A development fund of £150k has been secured towards the development of the Business Case for the Fleetwood Town Centre Future High Streets submission, following the submission of the Phase 1 Expression of Interest in March 2019.
- 5.2** The Council launched an invitation to quote for the supply of a Masterplan for Fleetwood and evaluations of the Tenders is currently taking place. It is anticipated the study will commence week commencing 14 October, with draft concept issued by 6 November 2019. A draft Masterplan is expected

on the 14 January 2020. The masterplan is expected to set out projects over the short, medium and long term.

- 5.3** A business case now needs to be prepared in accordance with MHCLG guidance. The Council's business case submission will develop upon the expression of interest with a focus around the themes outlined below:
- Investment in physical infrastructure.
 - Acquisition and assembly of land including to support new housing, workspaces and public realm.
 - Improvements to transport access, traffic flow and circulation in the area.
 - Supporting change of use including (where appropriate) housing delivery and densification.
 - Supporting adaption of the high street in response to changing technology.

The council's business case is expected to focus on projects that are included within the short term (0-5 years) set out in the Masterplan.

- 5.4** The draft business case submission needs to be submitted by 15 January 2020. The final business case submission will be submitted by 30 April 2020, with the announcement of successful places taking place summer / autumn 2020. A Town Centre Partnership Board has been set up to oversee the development of the business case and is made up of major stakeholders of Fleetwood and will be chaired by Garry Payne.

6. High Streets Heritage Action Zone

- 6.1** Our project proposal 'Developing Fleetwood's Heritage Quarter' has been successful in reaching the Programme Design stage. Historic England will now work with us to develop the scheme with final submission in January 2020. The fund applied for was £2m to look at developing the 'heritage quarter' in Fleetwood and identify this as the main arrival point for the town. This will complement the Future High Street Fund, which will aim to look at the re-development of the High Street.

7. Planning policy

Local Plan

- 7.1** We submitted an Annual Position Statement (APS) to the Planning Inspectorate by the deadline of 31 July. An APS offers the opportunity to the council to have their five year land supply examined by an Inspector and confirmed for a year. Currently the council's five year land position cannot be challenged until the 31 October 2019 following the adoption of the Local Plan in February. If the council is successful in having its five year land supply approved, it will then be confirmed until 31 October 2020. A decision by the Planning Inspectorate is expected in October.
- 7.2** It is confirmed that the Hollins Lane Masterplan was approved in July. Work is progressing on a number of other masterplans relating to Great Eccleston, Forton, Poulton-le-Fylde (Blackpool Road), Garstang (Nateby Crossing and Cockerham Road) and Thornton (Lambs Road).

7.3 The final draft of the Great Eccleston Masterplan has been received by officers and it is expected to be considered by Cabinet by the end of the year.

8. Comments and questions

8.1 In accordance with procedure rule 11.3 any member of Council will be able to ask me a question or make a comment on the contents of my report or on any issue, which falls within my area of responsibility. I will respond to any such questions or comments in accordance with Procedure Rule 11.5.



Report of:	To:	Date
Councillor Roger Berry, Neighbourhood Services and Community Safety Portfolio Holder	Council	3 October 2019

Executive Report: Neighbourhood Services and Community Safety Portfolio Holder

1. Purpose of report

- 1.1 To inform Council of progress on key objectives and the current position on issues within the Neighbourhood Services and Community Safety Portfolio as set out below.

2. Community Safety

Wyre and Fylde Integrated Team

- 2.1 A multi-agency Wyre and Fylde Integrated Team is now being hosted by the Authority. Coordinated by a Partnership Officer in the Community Safety Team, fortnightly meetings are now being held at the Civic Centre. The meetings join together multi-agency partner support for vulnerable families and individuals.
- 2.2 The first Integrated Team meeting was held on 9 May 2019 and since that date 52 Wyre and 14 Fylde cases have been reviewed.
- 2.3 Meetings are well attended by a cross-section of partner agencies. Outcomes from requests for support have been very positive with referrals being shared with Lancashire Fire and Rescue Service, Adult Social Care, Lancashire Wellbeing Service, Police, Housing Providers, Children and Family Wellbeing Service, Lancashire Volunteer Partnership and Enhanced Primary Care.

Road Safety

- 2.4 Road safety is a priority for Wyre Council Community Safety Partnership. Over the last six months, working with Lancashire Fire and Rescue Service, we have developed a new partnership across the Fylde Coast and North Lancashire that comes together to discuss, target and improve road safety.

- 2.5** Attendees include officers from Wyre, Fylde, Blackpool and Lancaster Council's, from the Lancashire Road Safety Partnership and Lancashire County Council. The meeting supports the Lancashire Road Safety Partnership and over the summer supported a number of campaigns. These included 'Are You On The Right Track?' a campaign that aims to raise awareness amongst motorcyclists specifically about their riding skills including road positioning, 'Drive Safely for Longer', a campaign targeted at drivers over 65 years old and 'Let's Look Out for Each Other', a campaign that encourages pedestrians, drivers and riders to all look out for each other and offers advice and tips on how to stay safe, visible and alert on the roads. More information is available at <https://lancsroadsafety.co.uk/campaigns/>

3. Housing

Consultation on a new Homelessness and Rough Sleeper Strategy 2019-2023

- 3.1** The Homelessness Act 2002 requires local housing authorities to conduct a review of recent homelessness trends, evaluate prevention activities, to plan the procurement of accommodation and subsequently develop a preventative focused homelessness strategy.
- 3.2** A review of our current homelessness challenges and demands has been undertaken and this has led to the development of a new draft Wyre Homelessness and Rough Sleeper Strategy 2019-2023.
- 3.3** The draft strategy seeks to embed and deepen what we know works well in preventing homelessness, to further reduce the use of temporary accommodation, reduce rough sleeping and sets out new activities and proposals that we think will strengthen our housing options and homelessness prevention services further.
- 3.4** The new strategy sets out three key objectives:
- Objective 1: Prevent Homelessness
 - Objective 2: Provide pathways to short and long term accommodation for those homeless or at risk of homelessness
 - Objective 3: Contribute to the improvement of the health and wellbeing of those homeless and at risk of homelessness
- 3.5** Public consultation on the proposed strategy is now taking place and will close on 21 October 2019. Following analysis of the consultation responses the draft strategy will be amended to ensure the objectives and actions are appropriate to address homelessness in Wyre over the next five years.
- 3.6** The Wyre Homelessness and Rough Sleeper Strategy 2019-23 will be presented to Council for approval later in the year.

4. Wyre Beach Management Scheme

- 4.1** The Wyre Beach Management Scheme has a confirmed date for a review of the business case with the Environment Agency Large Project Review Group (LPRG) on 20 November 2019. If the scheme is successful in the review stage it is hoped formal approval for the scheme can be gained early in the New Year.
- 4.2** Officers have been working with a contractor for construction advice including pricing and will progress the design of the scheme in accordance with the preferred business case option. This should allow a start on site in early summer 2020.
- 4.3** Consultation has been undertaken with Rossall Residents Group with presentations on the scheme being delivered at their recent AGM.

5. Electric Vehicle Charging Points

- 5.1** A report regarding electric vehicle charging points was approved by Cabinet which will see charging points installed in several of the council's car parks allowing taxis, residents and visitors to charge their electric vehicles across the Borough and help to contribute to cleaner air and carbon reduction. The units will be installed at no cost to the council.

6. Comments and questions

- 6.1** In accordance with procedure rule 11.3 any member of council will be able to ask me a question or make a comment on the contents of my report or on any issue, which falls within my area of responsibility. I will respond to any such questions or comments in accordance with procedure rule 11.5.

This page is intentionally left blank



Report of:	To:	Date
Councillor Lynne Bowen, Leisure, Health and Community Engagement Portfolio Holder	Council	3 October 2019

Executive Report: Leisure, Health and Community Engagement Portfolio Holder
--

1. Purpose of report

- 1.1** To inform Council of progress on key objectives and the current position on issues within the Leisure, Health and Community Engagement Portfolio, as set out below.

2. Marine Hall and Thornton Little Theatre

- 2.1** The Theatre Dance Council International returned to Marine Hall in July, extending their Annual Dance Competition to eight days this year. Competitors came from across the World to take part in the highly respected competition. This event has a positive impact not only on income generation for the theatre but also for local businesses, including hotels, campsites and other accommodation. We look forward to welcoming the competition back in 2020 and 2021.
- 2.2** Also in July, Wyre Theatres promoted an event at Cleveleys Plaza, as part of the Access Fylde Coast Project. ILL-ABILITIES is an International Breakdance Crew, comprised of eight 'differently-abled' dancers from across the world. Rather than seeing the negative limitations of disability their mission is to focus on their positive abilities. Local young dancers came down to the plaza to watch their inspirational performance and join them in workshops. On an amazingly sunny day, there was a real 'buzz' in Cleveleys all afternoon about this event with fantastic feedback and reviews.
- 2.3** Over 3,000 people visited The Fylde Coast Food and Drink Festival in August. In a move to attract more families, a funfair and new children's zone was added to this popular annual event. Many new stall holders joined us this year and have rebooked for next year's festival. We also introduced a new chef for the cookery demonstrations who placed a strong emphasis on promoting local produce and healthier eating.

3. Arts and events

Wyre Creatives

- 3.1** Wyre Creatives is the network that supports local professional artists. During August they were involved in consultation around the proposed artists' studios at Fleetwood Market. Their ideas include practical and flexible use of studio spaces, exhibitions in the heart of the market and the market being developed as a creative hub with training and participatory workshops.

Events

- 3.2** It has been another busy season for events in the borough, both on private and public land. A review will be available before Christmas which will provide some detail in terms of the types and scale of events, attendances and locations. We have issued 42 licences so far for events with 52 expected by the end of this year. We have also supported, and advised through Wyre Safety Advisory Group, six events on private land or highways. These include the Legend Fires Closed Road Rally, Wonderland at Valiant's Farm and Garstang Ice Cream Festival.

Marine Fest

- 3.3** The Council, in partnership with local Fleetwood community groups, delivered an open air event called Marine Fest in the Marine Gardens on Sunday 11 August. It consisted of a live music programme, craft activities, community stalls, a caricature artist, free arts materials and circus skills workshops. Although attendances suffered due to inclement weather it was really enjoyed by those who attended.

Westview Summer Arts, Fleetwood

- 3.4** We worked closely over the summer with Westview Community Association and local artists to provide a very successful community arts project for local children. This culminated in the installation of a wildlife collage at the community centre. 67 children's places were taken up over the four sessions and the feedback from local families, volunteers and artists was fantastic.

Just Reminiscing

- 3.5** Regular sessions of Just Reminiscing are now taking place at Garstang Library and Fleetwood Market. A taster session took place at a Progress Lifeline (Independent Living) event at Barton Grange Garden Centre over the August bank holiday. We engaged with about 30 local people who really enjoyed the artefacts and scrapbooks. Further outreach will be taking place across Regenda's Independent Living Schemes and local Dementia Cafés over the next few months.

4. Tourism and visitor services

Marsh Mill

- 4.1** Marsh Mill is currently open at the weekends until the end of October 2019 and again for the evening of the Christmas lights switch-on in November. The Mill opened as part of the National Heritage Open Days and Wyre's Heritage Open Day programme on 21 and 22 September when there were tours and a series of thematic performances from the Windmill Players in full historic costume. The final main event of the year will be the 225th Birthday Party Event on 19 and 20 October 2019 which will welcome live performances from Scold's Bridle and a pop-up museum hosted by Fleetwood Museum. Planning is already underway with the Friends of Marsh Mill for the 2020 season.

5. Comments and questions

- 5.1** In accordance with procedure rule 11.3 any member of council will be able to ask me a question or make a comment on the contents of my report or on any issue, which falls within my area of responsibility. I will respond to any such questions or comments in accordance with procedure rule 11.5.

This page is intentionally left blank



Report of:	Meeting	Date
Councillor David Henderson, Leader of the Council and Garry Payne, Chief Executive	Council	3 October 2019

Appointments to Committees

1. Purpose of report

- 1.1 To enable changes to be made to the membership of committees for the remainder of the 2019/20 Municipal Year.

2. Outcomes

- 2.1 Effective arrangements to carry out the Council's non-executive decision making and advisory functions.

3. Recommendations

- 3.1 That the revised political balance calculations following the resignation of Cllr George from the Labour Group, set out in Appendix 1, resulting in a total allocation of 60 seats to the Conservative Group, 13 seats to the Labour Group and 7 seats to the UKIP Group and with no seats allocated to the single Brexit Party member be noted.
- 3.2 That an additional nominee of the Conservative Group be appointed to the Licensing Committee in place of one of the existing Labour members.
- 3.3 That an additional nominee of the UKIP Group be appointed to the Audit Committee in place of Cllr George.
- 3.4 That an additional nominee of the Labour Group be appointed to the Employment and Appeals Committee in place of Cllr George.

4. Background

- 4.1 On 7 August 2019 Cllr George informed the Chief Executive that she had resigned from the Labour Group. Cllr George has subsequently announced that she has joined the Brexit Party. As a consequence, a number of changes need to be made to the membership of committees, in order to comply with the political balance rules.

5. Key issues and proposals

5.1 Section 15 of the Local Government and Housing Act 1989 requires that the allocation of places on non-executive Committees of the Council must be allocated on the following criteria:

- (a) that all seats on a body are not allocated to the same Political Group;
- (b) that the majority of seats on a body is allocated to a particular Political Group, if the number of persons belonging to that Group is the majority of the Authority’s membership;
- (c) subject to paragraphs (a) and (b) above, that the number of seats on the ordinary Committees of a relevant Authority which are allocated to each Political Group bears the same proportion to the total of all the seats on the ordinary Committees of that Authority;
- (d) subject to paragraphs (a) - (c) above, that the number of seats on a body which are allocated to each Political Group bears the same proportion to the number of all seats on that body as is borne by the number of members of that Group in membership of the Authority.

5.2 The overall political composition of the Council is now: 37 Conservative Members, 8 Labour Members, 4 UKIP members and 1 Brexit Party member. However, the provisions set out in the 1989 Act refer specifically to ‘political groups’. A single member does not constitute a ‘group’ and Cllr George is not therefore statutorily entitled to a place on any committee. For the purposes of political balance the proportion of seats to be allocated to the groups are therefore calculated as follows:

Conservative	37 Members	75.51%
Labour	8 Members	16.33%
UKIP	4 Members	8.16%
Total	49 Members	100%

5.3 There are a total of 80 seats available on the Committees appointed by the Council. The application of the calculations in paragraph 5.1 leads to an overall allocation of 60 seats to the Conservative Group (an increase of 1), 13 seats to the Labour Group (a decrease of 2) and 7 seats to the UKIP Group (an increase of 1).

5.4 In order to meet as closely as possible the proportionality requirements on each committee (as set out in Section 15(d) of the 1989 Act), as well as the proportion of the total seats on all committees (set out in Section 15(c) of the 1989 Act), it is proposed that places be allocated on committees as shown in the table below (current allocations are shown in brackets):

Committee	Seats	Conservative		Labour		UKIP	
		Current	Proposed	Current	Proposed	Current	Proposed
Overview & Scrutiny	14	(11)	11	(2)	2	(1)	1
Planning	14	(11)	11	(2)	2	(1)	1
Licensing	14	(10)	11	(3)	2	(1)	1
Audit	14	(10)	10	(3)	2	(1)	2
Employment & Appeals	10	(7)	7	(2)	2	(1)	1
Standards	6	(4)	4	(1)	1	(1)	1
Senior officer appointments	4	(3)	3	(1)	1	(0)	0
Senior officer disciplinary	4	(3)	3	(1)	1	(0)	0
	<u>80</u>		<u>60</u>		<u>13</u>		<u>7</u>

5.5 The full calculations are set out in Appendix 1.

5.6 Approval of the recommendations set out in paragraph 3.1 to 3.4 will enable these proposals to be implemented and compliance with the legal requirements to be met.

Financial and legal implications	
Finance	None arising directly from this report.
Legal	The proposals in this report are in accordance with legal requirements, as referred to in section 5 of this report. Section 17 of the Local Government and Housing Act 1989 does allow for a divergence from a literal interpretation of the calculation rules, but only if any such proposals are agreed by the Council without any member voting against.

Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

risks/implications	✓ / x
community safety	x
equality and diversity	x
sustainability	x
health and safety	x

risks/implications	✓ / x
asset management	x
climate change	x
ICT	x
data protection	x

Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

report author	telephone no.	email	date
Roy Saunders	01253 887481	roy.saunders@wyre.gov.uk	28/08/2019

List of background papers:		
name of document	date	where available for inspection
None	-	-

List of appendices

Appendix 1: Revised Political Balance Calculations 2019/20

@ August 2019 %

APPENDIX 1

Political Composition

Conservatives	37	75.51%
Labour	8	16.33%
UKIP	4	8.16%
Total Members	49	100.00%

Brexit 1

Committee/Panel

Committee/Panel	No. of Seats	@ August 2019 %			Total
		Conservative	Labour	UKIP	
Council	50				
Cabinet	6				
Places to which Political Balance Rules statutorily apply:					
Planning	14	10.6	2.3	1.1	14.00
Licensing	14	10.6	2.3	1.1	14.00
O&S	14	10.6	2.3	1.1	14.00
Audit	14	10.6	2.3	1.1	14.00
Employment and Appeals	10	7.6	1.6	0.8	10.00
Senior Officer Disciplinary	4	3.0	0.7	0.3	4.00
Senior Officer Appointments	4	3.0	0.7	0.3	4.00
Standards	6	4.5	1.0	0.5	6.00
Total Places to which Political Balance Rules Statutorily Apply-Rounded		63.0	13.0	5.0	81.0
Total Places to which Political Balance Rules Statutorily Apply-Unrounded	80	60.4	13.1	6.5	80

Adjustment Required to..... Final Allocations.....

Adjustment Required to.....			Final Allocations.....			
Conservative	Labour	UKIP	Conservative	Labour	UKIP	Total
			11	2	1	14
			11	2	1	14
			11	2	1	14
-1		1	10	2	2	14
-1			7	2	1	10
			3	1	0	4
			3	1	0	4
-1		1	4	1	1	6
			60	13	7	80
			75.00%	16.25%	8.75%	

Places to which Political Balance Rules do not statutorily apply:

Councillor Development	12	9	2	1	12
Planning Policy	12	9	2	1	12

This page is intentionally left blank



Report of:	Meeting	Date
Councillor Henderson, Leader of the Council and Garry Payne, Chief Executive	Council	3 October 2019

Honorary Aldermen

1. Purpose of report

1.1 To enable the Council to consider conferring the title of Honorary Alderman on a number of former Councillors.

2. Outcomes

2.1 The appointment of five Honorary Aldermen.

3. Recommendations

3.1 That, in recognition of the eminent services rendered by them to the Council, the title of Honorary Aldermen be conferred on Tom Balmain, Ruth Duffy, John Hodgkinson, Terry Lees and Ron Shewan, at a special meeting of the Council on a date to be arranged by the Chief Executive.

4. Background

4.1 Section 249 of the Local Government Act 1972 states that:

“the Council may, by resolution passed by no less than two thirds of the Members voting thereon at a meeting of the Council specially convened for the purpose with notice of the object, confer the title of Honorary Alderman on persons who have, in the opinion of the Council, rendered eminent services to the Council, but are no longer Members of the Council”.

4.2 In the past, the Council has only conferred the title of Honorary Aldermen on ex-Councillors who have served at least 4 full terms in office, i.e. 16 years.

5. Key issues and proposals

- 5.1** It is proposed that the title of Honorary Alderman be conferred on the above named former Councillors, each of whom has been a councillor for 16 years or more and have rendered eminent service to the Council.
- 5.2** Ian Duffy has also served four terms in office as a Councillor, but has indicated that he does not wish to be an Alderman.

Financial and legal implications	
Finance	It is anticipated that any costs arising from the conferment of these titles will be met from within existing Mayoral budgets.
Legal	Set out in paragraph 4.1.

Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

risks/implications	✓ / x
community safety	x
equality and diversity	x
sustainability	x
health and safety	x

risks/implications	✓ / x
asset management	x
climate change	x
ICT	x
data protection	x

Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

report author	telephone no.	email	date
Roy Saunders	01253 887481	roy.saunders@wyre.gov.uk	28/8/2019

List of background papers:		
None	date	where available for inspection
None	-	-

List of appendices

None

This page is intentionally left blank



Report of:	Meeting	Date
Councillor John Ibison, Chairman of Overview and Scrutiny Committee	Council	3 October 2019

Overview and Scrutiny Committee: Periodic Report

1. Purpose of report

- 1.1 To inform Council about the work that the Overview and Scrutiny Committee has undertaken since the last periodic report was submitted on 14 June 2018.

2. Recommendation

- 2.1 That the report be noted.

3. Background

- 3.1 Since the last periodic report to Full Council the Overview and Scrutiny Committee has met on twelve occasions. One scheduled meeting was cancelled, immediately prior to the Local Elections that were held on 2 May 2019. One additional meeting was held, on 23 September 2019, specifically to consider the implications of the new Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities.
- 3.2 There have been no calls-in since the last Periodic Report was submitted.

4. Committee meetings

- 4.1 On 8 January 2018 I was elected as Chairman of the Committee, and have remained in that role since then. Most recently, he has been elected as Chairman for the 2019/20 municipal year. Councillor Matthew Vincent was elected to continue as Vice Chairman for 2019/20.
- 4.2 The committee's work has focused on the delivery of the annual Overview and Scrutiny Work Programme. The committee's Work Programme has remained sufficiently flexible to accommodate other issues as and when they have arisen.

- 4.3** The Leader of the Council and the Chief Executive attended one committee meeting, to introduce the draft Business Plan 2019-2023.
- 4.4** Quarterly Business Plan performance reports have been received from the Service Director Performance and Innovation. The reports have assisted the committee to monitor the delivery of the Business Plan and to identify topics for further scrutiny.
- 4.5** Twelve months after the submission of task group reports to the Cabinet, the committee reviewed the progress of the implementation of the recommendations of the following task groups:
- (i) Food Hygiene
 - (ii) Domestic Violence
- 4.6** The committee continues to fulfil its requirement to scrutinise the work of the Community Safety Partnership (CSP) at least annually, receiving a report about the CSP's performance and priorities for the coming year. A report about the Partnership was most recently received by the committee on 18 March 2019.
- 4.7** The council has a co-opted representative on Lancashire County Council's Health Scrutiny Committee, who reports annually to the committee. Since the last Periodic Report to Council, the Committee has received reports on 30 July 2018 and 22 July 2019 respectively.
- 4.8** Other reports received by the committee from officers and representatives of external organisations included the following:
- Fylde & Wyre and Blackpool (Fylde Coast) Clinical Commissioning Group – update (two reports)
 - Digital transformation (two reports)
 - Local Government Association Peer Review – actions taken
 - Statement of accounts
 - Wyre's entertainment venues (two reports)
 - Review of fees and charges 2019/20
 - Cost profiles – benchmarking results
 - Treasury management strategy and policies
 - North West Ambulance Service
 - Training and development for councillors
 - Poulton to Fleetwood rail re-installment feasibility study
 - Budget consultation
 - Public conveniences task group draft report
 - Planned maintenance and investment projects schedule 2019/20
 - Statutory Guidance on Overview and Scrutiny in Local Authorities and Combined Authorities (published by the Ministry of Housing, Communities and Local Government)
 - District Environmental Enforcement Pilot

5. Task Groups

5.1 MyHomeChoice

A task group was established in July 2018 to review the proposed changes to the arrangements for the allocation and letting of social housing in Wyre via the MyHomeChoice Fylde Coast scheme.

The proposed changes were supported by the task group, who confirmed that by reporting to the Cabinet on 5 September 2018. The committee is due to review the implementation of the revised arrangements at their meeting on 21 October 2019.

5.2 Flooding

The Overview and Scrutiny Committee commissioned a task group in March 2018 with the following stated purpose:

“To clarify the role of councillors in planning for, reacting to and dealing with flooding events” (Scoping Document).

The task group made ten recommendations to the Cabinet on 28 November 2018, nine of which were accepted. The review of the implementation of the nine recommendations is scheduled to take place at the Committee meeting to be held on 2 December 2019.

5.3 Public Conveniences

In October 2018 the Overview and Scrutiny Committee set up a task group with the following purpose:

“To review the current service provision, including locations and charges and consider options beyond the current contract term with Danfo” (Scoping Document).

The task group submitted its report and recommendations to the Cabinet in June 2019, and the review of the implementation of the recommendations accepted by the Cabinet will take place in July 2020.

5.4 Poulton – Fleetwood link

On 18 March 2019 the Overview and Scrutiny Committee agreed to set up a task group to consider all options for a transport link between Poulton and Fleetwood and to recommend a preferred solution.

The first meeting of the task group took place in April, shortly before the May elections, and one has taken place since, primarily to plan a series of meetings with witnesses and stakeholders during September.

It is intended that the review be completed by the end of November 2019.

6. Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities

- 6.1 A Select Committee inquiry in 2016/17 found that in many local authorities scrutiny was less than effective and it called on the Government to issue revised guidance. The new Statutory Guidance was published by the ministry of Housing, Communities and Local Government in May 2019. It reminds authorities of the powers available to scrutiny committees and highlights the benefits of effective scrutiny, providing practical advice and proposals for improving the function. Local authorities are not required to make any changes as a result of the new Statutory Guidance, but they are expected to consider it, with a view to making any changes that might improve its effectiveness locally.
- 6.2 The committee held an additional meeting on 23 September to consider the implications of the Statutory Guidance for Wyre. The meeting was attended by Dr Steph Snape from North West Employers, a widely recognised expert in the field, who contributed to the discussion.

7. Training and development

- 7.1 In addition to the training opportunity afforded by the recently published new Statutory Guidance, members of the Overview and Scrutiny Committee have attended several courses run by the Centre for Public Scrutiny, as well as the Centre’s Annual Scrutiny Conference.
- 7.2 Scrutiny members have been regular attenders at the North West Strategic Scrutiny Network, coordinated by North West Employers. This is a forum, which is held three times a year, to discuss and promote best practice in scrutiny. Wyre will host the next meeting of the Network on 29 November 2019.

8. Future work

8.1 Overview and Scrutiny Work Programme 2019/20

The Overview and Scrutiny Work Programme for 2019/20 is reviewed at every meeting of the committee. All members are invited to make suggestions about potential review topics for inclusion in the Programme.

report author	telephone no.	email	date
Peter Foulsham	01253 887606	peter.foulsham@wyre.gov.uk	02/09/2019



Report of:	Meeting	Date
Councillor Lynne Bowen, Leisure, Health and Community Engagement Portfolio Holder and Mark Broadhurst, Service Director Health and Wellbeing	Council	3 October 2019

Gambling Act 2003 - Revised Statement of Gambling Policy 2019-2021

1. Purpose of report

- 1.1 To consider the recommendation of the Licensing Committee to adopt the revised Statement of Gambling Policy for 2019-2021.

2. Outcomes

- 2.1 A revised policy to support the effective regulation of gambling in the Borough and the efficient administration of the Council's licensing functions to deliver the objectives set out in Section 1 of the Gambling Act 2005, namely:
- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime.
 - Ensuring that gambling is conducted in a fair and open way.
 - Protecting children and vulnerable adults from being harmed or exploited by gambling.

3. Recommendation

- 3.1 That the revised Statement of Gambling Policy v04 (**Appendix 1**) be formally adopted by the Council.

4. Background

- 4.1 The Gambling Act 2005 established the Gambling Commission, a statutory body which is responsible for issuing operating licences and personal licences to organisations and individuals who wish to provide gambling activities under the Act. The Commission is also responsible for regulating remote (on-line) gambling businesses in the UK.

- 4.2** Local authorities such as Wyre Council are responsible for issuing premises licences, permits and temporary use notices, in respect of premises where gambling takes place, such as betting shops, along with maintaining a register of small society lotteries.
- 4.3** The council, as the relevant Licensing Authority, is required by section 349 of the Gambling Act to prepare and publish a statement of licensing principles that it proposes to apply when carrying out its functions under the Act every three years.
- 4.4** The policy sets out how Wyre council intends to manage and regulate local gambling provision and the expectations it places on those authorised to facilitate gambling in the Borough.

5. Key issues and proposals

- 5.1** Section 349(3) of the Gambling Act 2005 requires that before adopting any policy a licensing authority must consult with :-
- The Chief Officer of Police:
 - One or more persons who appear to the authority to represent the interests of persons carrying gambling businesses in the authorities area: and
 - 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 Act.
- 5.2** The draft revised Gambling Policy was subject to a wide ranging consultation exercise earlier this year.
- Hard copies of the draft Policy were sent directly to a number of key organisations, whilst other consultees received a letter advising them of the consultation and directing them to the consultation portal on the council's website. The gambling section of the council's website also linked to the portal where anyone could view, download and submit comments on the draft policy.
- 5.3** Despite the fact that over a hundred individuals and organisations were contacted directly as part of the consultation exercise, only two responses were received and neither of these sought to amend the policy as drafted.
- 5.4** The Gambling Act 2005 allows most of the council's functions under the Act to be delegated to a Licensing Committee, however an exception to this is the adoption of the Gambling Policy Statement which must be considered and adopted by full Council.
- 5.5** Therefore the Licensing Committee, having considered the draft Policy Statement and the outcome of the consultation exercise, is proposing that the attached Gambling Policy Statement (v04) be adopted for the period 2019 to 2021 by full Council.

Financial and legal implications	
Finance	There are no financial implications arising directly from this report with the exception of the cost of statutory advertising which can be met from within existing budgets.
Legal	Members must take into account the Authority's published Statement of Licensing Policy when determining licensing decisions about the provision of gambling.

Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with an x.

risks/implications	✓ / x
community safety	✓
equality and diversity	x
sustainability	x
health and safety	x

risks/implications	✓ / x
asset management	x
climate change	x
ICT	x
data protection	x

Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

report author	telephone no.	email	date
Niky Barrett	887236	Niky.barrett@wyre.gov.uk	26 July 2019

List of background papers:		
name of document	date	where available for inspection
None		

List of appendices

Appendix 1 - Revised Statement of Gambling Policy v04



Statement of Gambling Policy

2019 – 2021

PART A – GENERAL MATTERS		PAGE
1.	THE LICENSING OBJECTIVES	3
2.	INTRODUCTION	3 - 6
3.	LICENSING AUTHORITY FUNCTIONS	6
4.	LOCAL RISK ASSESSMENTS	6 - 7
5.	DECLARATION	8
6.	RESPONSIBLE AUTHORITIES	8
7.	INTERESTED PARTIES	8 - 9
8.	EXCHANGE OF INFORMATION	9
9.	ENFORCEMENT	9 - 10
10.	HUMAN RIGHTS	10 - 11
11.	EQUALITY	11
12.	ADMINISTRATION, EXERCISE AND DELEGATION OF FUNCTIONS	11
 PART B – PREMISES LICENCES		
13.	GENERAL PRINCIPLES	11 – 17
14.	ADULT GAMING CENTRES	18
15.	(LICENSED) FAMILY ENTERTAINMENT CENTRES	18 – 19
16.	CASINOS	19
17.	BINGO	19
18.	BETTING PREMISES	20
19.	TRACKS	20 - 21
20.	TRAVELLING FAIRS	21
21.	PROVISIONAL STATEMENTS	22
22.	REVIEWS	22 – 23
 PART C – PERMITS, TEMPORARY & OCCASIONAL USE NOTICES		
23.	GENERAL PRINCIPLES	24
24.	UNLICENSED FAMILY ENTERTAINMENT CENTRE GAMING MACHINE PERMITS	24
25.	ALCOHOL LICENSED PREMISES GAMING MACHINE PERMITS	24 - 25
26.	PRIZE GAMING PERMITS	25 – 26
27.	CLUB GAMING AND CLUB MACHINES PERMITS	26 – 27

28.	TEMPORARY USE NOTICES	27
29.	OCCASIONAL USE NOTICES	27
30.	SMALL SOCIETY LOTTERIES	28

APPENDICES

1	MAP OF THE BOROUGH	29
2.	LIST OF CONSULTEES	30
3.	SUMMARY OF LICENSING AUTHORITY DELEGATIONS PERMITTED UNDER THE GAMBLING ACT 2005	31
4.	SUMMARY OF GAMING MACHINE CATEGORIES	32

PART A – GENERAL MATTERS

1. The Licensing Objectives

1.1 In exercising their functions under the Gambling Act 2005, (the Act) Wyre Council as the Licensing Authority will have regard to the following three licensing objectives as set out in section 1 of the Act.

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

The Gambling Commission play a leading role in preventing gambling from being a source of crime, through maintaining rigorous procedures that aim to prevent criminals from providing facilities for gambling, or being associated with doing so, as a result of the operating licensing procedure.

The Licensing Authority will take into account any local considerations that may impact on this licensing objective, particularly in respect to the location of the premises.

When considering whether a disturbance was serious enough to constitute disorder, the Licensing Authority will have regard to the individual merits of the situation, including but not limited to whether police assistance was required and how threatening the behaviour was to those who could see or hear it.

We acknowledge that the Gambling Commission guidance to local authorities indicates that “disorder is intended to mean activity that is more serious and disruptive than mere nuisance”.

- **Ensuring that gambling is conducted in a fair and open way**

The Licensing Authority expects the management of a gambling business to ensure that all gambling is conducted in a fair and open way. Concerns or complaints that arise under this objective will be referred to the Gambling Commission in their role as the regulators of operators and personal licences.

The Licensing Authority however will concern itself with matters arising under this objective in respect of tracks, where the track operators will not necessarily have an operating licence. In those circumstances the Licensing Authority will consider whether conditions are required on the premises licence to ensure that the environment in which betting takes place is suitable.

- **Protecting children and other vulnerable persons from being harmed or exploited by gambling**

In relation to children this requirement is explicitly to protect them from being “harmed or exploited by gambling”. In practice that means not just preventing them from taking part in gambling, but restricting advertising so that gambling products are not aimed at children, or advertised in such a way that makes them particularly attractive to children.

2. Introduction

2.1 Wyre Council recognises that gambling is a legitimate past time of many of its residents and visitors to the Borough, but also understands the problems that can be caused by debt as a result of gambling. It is therefore necessary to ensure that the necessary safeguards are in place to protect the young and vulnerable. It will, accordingly, regulate gambling in the public interest.

2.2 In accordance with section 153 of the Act, in making decisions about premises licences and temporary use notices the Licensing Authority will aim to permit the use of premises for gambling in so far as it considers that it is:-

- in accordance with any codes of practice issued by the Gambling Commission
- in accordance with any relevant guidance issued by the Gambling Commission

- reasonably consistent with the licensing objectives; and
 - in accordance with this Gambling Policy Statement
- 2.3 The Borough of Wyre is situated in the north west of Lancashire and covers an area of almost 283 square miles. To the west of the River Wyre, from which the Borough took its name in the 1974 Local Government reorganisation, is the urban area which incorporates the four main townships of Poulton-le-Fylde, Thornton, Cleveleys and Fleetwood. To the east of the River Wyre is the rural area known colloquially as Over Wyre. With the exception of the fair trade town of Garstang, the communities in the Over Wyre area are centred around villages including: Hambleton; Knott End; Preesall, Pilling and Stalmine.
- 2.4 A map showing the geographical boundaries of the Borough can be found at Appendix 1.
- 2.5 ¹There is a thriving tourism trade within Lancashire with 67.63 million tourism visits, and day visits generate £2.06 billion for the local economy in 2017. Of this, 7% of the visitors were to Wyre (over 4.9 million) generating £372.93 million within the local economy through visitor and tourism business expenditure.
- 2.6 Wyre has a number of premises that are licensed to provide facilities for gaming, including betting shops, Adult Gaming Centres and Family Entertainment Centres. These are mostly situated on the high streets of the main towns, with a number of entertainment centres providing slot machines in Fleetwood and Cleveleys to cater for visitors to the towns. The M6 Services at Lancaster also has a betting shop, adult gaming centres and permitted centres.
- 2.7 ²The total population of Wyre was estimated at 110,426 mid-2017, a 2.4% increase on the 2011 census total. That is a population density across the 282km² of Wyre being 391 people per km². This makes Wyre the fourth most populated borough in the L-12. The most prevalent age group in Wyre is the 50-54 age group followed closely by the 55-59 age group. Wyre has a significantly higher percentage of over 50's than the NW and England.
- 2.8 Population estimates and records of deaths and births show that there have been more deaths than births in Wyre (i.e. 491 less persons); despite this the population is set to increase steadily. Net migration of residents from other areas of England, Scotland, Northern Ireland and Wales into Wyre will contribute the most to the increase, with Wyre seeing the fourth largest yearly internal migration flow of 6,316 persons in the L-12 area.
- 2.9 Currently the median age population for Wyre is 49.2 years which is higher than the North West median age of 40.4 years and the Great Britain median age of 40.1 Only Fylde in the Lancashire-14 has a higher median age of 49.9.
- 2.10 The Public Health Authority report that Wyre has an above the national average for Employment and Support Allowance claimants with mental health and behavioural disorders. Two thirds of ESA claimants were likely to have common mental health disorder (CMD) compared with one in six not in receipt of the benefit. When exploring gender four in five women in receipt of ESA have CMD (81%). Of the working age population, those who are unemployed/economically inactive are more likely to experience CMD compared to those employed/active. Whilst generally it is females that present as more likely to have CMD than males, there is generally a third of economically inactive 16-64 year olds that have CMD compared to 10.9% males and 14.1% of females who are employed full time. People can have more than one CMD and the highest recorded category for those economically inactive and unemployed is general anxiety disorder followed by depressive episodes. It is worth noting that unemployment puts a person at a major disadvantage with regards to health and wellbeing, with higher rates of mortality, morbidity and lower quality of life especially for those from the lower socioeconomic groups, those socially isolated and for those whose unemployment is due to poor health.

¹ http://www.wyre.gov.uk/downloads/download/1155/state_of_wyre

² http://www.wyre.gov.uk/downloads/download/1155/state_of_wyre

- 2.11 There are around 51,600 dwellings in Wyre of which 92.5% are owner occupied or privately rented. On the whole larger proportions of Wyre's housing stock fall within the higher council tax bands compared to the County average, with a lower proportion in band A than other Lancashire districts.
- 2.12 2016/17 saw the highest net increase of 460 additional dwellings, recorded in the Borough this century.
- 2.13 A household is considered to be fuel poor if it has higher than typical energy costs and would be left with a disposable income below the poverty line if it met those energy costs. The measure of fuel poverty suggests that 10.8% or 5,303 households are considered to be in fuel poverty (L-12, 10.5%). This is an increase of 817 households on the 2014 figures but is below the Lancashire and England averages with Wyre ranked 137th out of 326 authorities (1st being the worst). The majority of urban fuel poor households are clustered in Fleetwood - Pharos, Warren and Mount ward, and in the rural areas they are in Pilling, Out-Rawcliffe, Winmarleigh, Forton, Nether Wyresdale and Bleasdale.
- 2.14 Wyre was ranked as the 167th (1st being most deprived) authority out of 326 districts according to the 2015 indices of multiple deprivation when measured by the rank of average rank with the 5th lowest deprivation scores in Lancashire. However, Wyre has seen the highest decline in score across Lancashire compared to the 2010 results. Wyre has 9 smaller areas in the top 10% of England's most deprived area with Pharos seeing the sharpest change for the worst. Wyre also has 12 areas in the top 20% of least deprived areas. The distribution between the most and least affluent wards is apparent, with wards in Fleetwood recording the lowest results. Whilst less than 13% of the population of Wyre live in the most deprived areas, there are 6 small areas that fall in the worst 10% in the country and these are concentrated in Fleetwood, with Mount ward being ranked as 588th out of 32,482 smaller areas nationally (1st being most deprived in England). At the other extreme Carleton was ranked as being 31,242 out of 32,482 (one of the best rankings in the country).
- 2.15 Wyre has 55 schools; 44 primary, 8 secondary (includes 1 private school), 3 special education schools and 1 pupil referral unit and 7 children's centres.
- 2.16 Wyre has the seventh lowest percentage of children on child protection plans in the L-12 (52.2 per 10,000). The highest number of plans are in the Fleetwood wards of Rossall, Pharos, Park and Mount followed by Carleton and Bourne ward.
- 2.17 Wyre has the 6th lowest overall crime rate in the Lancashire-14 area (Sep 2017 to Aug 2018). There has been a 31% increase in all crime reported (Sep 2017 to Aug 2018) compared to the same period 2016/17, that is, 1,835 more crimes. This was similar to the Lancashire-14 area average increase, 30%. The Crime Survey for England and Wales 2018 states that an increase in crimes reported to the Police does not necessarily mean the level of crime has increased. These statistics only cover crimes that come to the attention of the police and can be affected by changes in policing activity and recording practice and by willingness of victims to report. Lancashire Constabulary had a crime data integrity inspection by HMICFRS in July 2017 which estimated that only 84% of crimes were recorded. Violent crime recording was particularly poor with only 78% of crimes recorded. Measures were put in place to improve the recording rate and this will have impacted on the figures this year.
- 2.18 Pharos, Rossall and Mount wards in Fleetwood have more than double the borough average number of recorded crimes, with Rossall seeing the 4th highest increase (60.2%) in the 12 months ending August 2018 compared with the same 12 months a year earlier.
- 2.19 Applications for Premises licences falling within deprived wards will have to satisfy the Licensing Authority that the granting of a licence would not further contribute to existing deprivation levels, or otherwise undermine the protection of children and other vulnerable persons from being harmed or exploited by gambling.
- 2.20 The Gambling Act specifies a number of statutory consultees (listed below) which must be consulted when Licensing Authorities draft their statement of policy:-

- 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 Act.

The full list of parties that Wyre has consulted with is attached at Appendix 2

- 2.21 A full list of the responses received to the consultation is available from: The Licensing Unit, Wyre Council, Civic Centre, Breck Road, Poulton le Fylde, Lancashire, FY6 7PU.
- 2.22 This policy was approved at a meeting of the Full Council on xxxxxx 2019 and is published on the Council's website. Copies are also available from the Licensing Office at the Civic Centre.
- 2.23 This policy does 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 application will be considered on its own merits in accordance with the statutory requirements of the Gambling Act 2005.

3. Licensing Authority Functions

- 3.1 This policy covers all the functions of the Licensing Authority which are:-
- Responsibility for the licensing of premises where gambling activities take place by issuing premises licences;
 - Issue of provisional statements;
 - Regulation of members clubs and miners welfare institutions who may wish to undertake certain gaming activities via issuing club gaming permits and/or club machine permits;
 - Issue of club machine permits to commercial clubs;
 - Granting of permits for the use of certain lower stake gaming machines at unlicensed family entertainment centres;
 - Receiving notifications from alcohol licensed premises (under the Licensing Act 2003) for the use of one or two gaming machines;
 - Granting of licensed premises gaming machine permits for premises licensed to sell/supply alcohol for consumption on the premises where three or more machines are requested;
 - Registering small society lotteries;
 - Issuing prize gaming permits;
 - Receiving and endorsing temporary use notices;
 - Receiving occasional use notices;
 - Providing information to the Gambling Commission regarding details of licences issued;
 - Maintaining registers of the permits and licences that are issued under these functions;
- 3.2 The Licensing Authority does not have a role in the licensing of remote gambling. This is the responsibility of the Gambling Commission via Operator Licences.

4. Local Risk Assessments

- 4.1 In accordance with the Gambling Commission's Licence Conditions and Codes of Practice (LCCP) licensed operators must consider local risks. The requirements for formal local risk assessments apply to all non-remote casino, adult gaming centre, bingo, family entertainment centre, betting and remote betting intermediary (trading room only) licences.

- 4.2 Licensees are required to assess the local risks to the licensing objectives posed by the provision of gambling facilities at each of their premises, and develop and implement policies, procedures and control measures to mitigate those risks. In undertaking these risk assessments, they must take into account any relevant matters.

This licensing authority considers the following matters are relevant:

- Proximity of schools, youth clubs and parks to the premises
- Population density of 0-24 year olds
- Location of local support groups and services (if any)
- Location of pay day loan companies (if any)
- Location of food banks (if any)
- Location of substance abuse treatment facilities (if any)
- The prevalence of alcohol related hospital admissions (www.localhealth.org.uk)
- Unemployment levels (www.nomisweb.co.uk)
- Location of homeless shelters (if any)

- 4.3 Licensees must review (and update as necessary) their local risk assessments:

a) To take account of significant changes in local circumstances, including, but not limited to:

- New pay day loan or pawnbrokers opening in the local area
- New educational facilities, or other facilities for young people start to operate in the local area.
- The police advise the Licensing Authority that the area is identified as a crime hotspot. All such notifications will be shared with relevant gambling premises operators.
- New venues relating to vulnerable groups are opened in the local area, i.e. homeless hostels, gambling or mental health care/support facilities.

Operators are also advised to refer to the Responsible Gambling Trust's guidance for reducing harm.³

b) When there are significant changes at a licensee's premises that may affect their mitigation of local risks;

c) When applying for a variation of a premises licence; and

d) In any case, when applying for a new premises licence.

- 4.4 The social responsibility provision is supplemented by an ordinary code provision that requires licensees to share their risk assessment with licensing authorities when applying for a premises licence or applying for a variation to existing licensed premises, or otherwise at the request of the licensing authority.

- 4.5 The licensing authority expects all local risk assessments to take into account the local social profile of the area where the premises is situated.

- 4.6 The licensing authority expects all operators to clearly publicise their self-exclusion schemes within gambling licensed premises and provide information on national and local groups and services which offer support in relation to gambling addiction and debt.⁴

³ <https://about.gambleaware.org/>

⁴ <https://www.gamblersanonymous.org.uk/>

5. Declaration

- 5.1 In producing this statement of policy the Licensing Authority declares that it has had regard to the licensing objectives of the Gambling Act 2005, the guidance issued by the Gambling Commission, and responses from consultees.

6. Responsible Authorities

- 6.1 In accordance with Section 157(h) of the Act and the Gambling Commission's Guidance for Local Authorities, Wyre Council designates the Local Safeguarding Children Board as the competent authority to advise it on matters relating to the protection of children from harm.
- 6.2 A current list of addresses for the Responsible Authorities can be obtained from the council's licensing office.

7. Interested Parties

- 7.1 Interested parties are invited to make representations about licence applications, or apply for a review of an existing licence. Section 158 of the Act defines interested parties as being those persons who in the opinion of the Licensing Authority:

- a. "live 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. represent persons who satisfy paragraph (a) or (b)"

- 7.2 In determining whether someone lives sufficiently close to particular premises so as to be affected the Licensing Authority will take into account among other things:

- the size of the premises
- the nature of the premises
- the proposed activities at the premises
- the distance from the premises of the person making the representation;
- the nature of the complaint

- 7.3 In determining whether a person has a business interest which would qualify them as an interested party the Licensing Authority will consider, among other things:

- the size of the premises;
- the catchment area of the premises, and
- whether the person making the representation has business interest in the catchment area that would potentially be affected by the gambling activities under consideration.

- 7.4 The authority will not apply a rigid rule to its decision making and every representation will be considered on its own merits. The Licensing Authority in determining whether a person is an interested party will always have regard to the Gambling Commission's published current Guidance to Local Authorities and this Policy.

- 7.5 The authority would generally view trade associations, trade unions, residents' and tenants' associations, faith groups and charities as representing interested parties, only where they can demonstrate at least one of their members meets the criteria in 7.2 or 7.3 above.

- 7.6 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 a ward likely to be affected. Likewise Parish Councils likely to be affected will be considered to be interested parties.

- 7.7 Other than these persons, this authority will require written evidence that a person 'represents' someone who either lives sufficiently close to the premises to be likely to be

affected by the authorities activities and / or business interests that might be affected by the authorised activities. A letter from one of these persons, requesting the representation is sufficient.

- 7.8 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 Wyre's Licensing Unit.

8. Exchange of Information

- 8.1 The Licensing Authority will, in accordance with Sections 29 and 30 of the Act exchange information with Gambling Commission where the request does not conflict with the Authority's duties under the Data Protection Act 2018.
- 8.2 The Licensing Authority will, in accordance with Sections 350 of the Act exchange information with other persons or bodies identified in Schedule 6 of the Act where the request does not conflict with the Authority's duties under the Data Protection Act 2018.
- 8.3 The council does not currently have any specific protocols with Schedule 6 bodies; however it will keep this position under review and establish suitable protocols where it is deemed necessary or advantageous to do so.
- 8.4 Details of persons making representations will be made available to applicants to facilitate negotiation and, in the event of a hearing being necessary, will form part of the public report. Any one making representations or applying for a review of a premises licence will be advised that their details will be disclosed.

9. Enforcement

- 9.1 When exercising its functions under Part 15 of the Act in respect of the inspection of premises and its powers under section 346 of the Act to instigate criminal proceedings in respect of offences, the Licensing Authority will act in accordance with the following principles and also follow the Code for Crown Prosecutors:
- **Consistency:** to ensure that similar issues are dealt with in the same way whilst taking into account
 - the attitude and actions of management;
 - the history of previous incidents or breaches
 - the likely effectiveness of the action taken.
 - **Fairness:** to ensure a fair and even handed approach that promotes decisions which are not influenced by gender, ethnic origin, religious or political beliefs or sexual preferences or by contractual or other relationships to the Licensing Authority its members or officers.
 - **Transparency:** to ensure that any enforcement action taken by the Licensing Authority is easily understood by individuals and that clear distinctions are made between legal requirements and that which is desirable.
 - **Targeting:** to ensure that any enforcement action taken is focused primarily on those activities which give rise to the most serious risk or where the risks are considered to be inadequately controlled.
 - **Proportionality:** any actions taken will reflect what is seen as necessary to achieve compliance with legislation and relate directly to the actual or potential risk to the consumer or business. Enforcement activities will be focused on those businesses or activities where:
 - intelligence from partners or complainants indicate concernsand/or

- evidence is found indicating deliberate breaches of the law and/or attempts to mislead officers.
 - **Helpfulness:** Enforcement officers will be courteous and identify themselves by name and if requested will provide a contact telephone number. In most circumstances officers will seek to help businesses and those adversely affected by licensable activities through education in terms of regulatory requirements and procedures.
 - **Accountable:** The Licensing Authority has responsibility to the public for its actions and will provide clear, accessible policies and a fair and efficient complaints procedure.
- 9.2 The Licensing Authority will endeavour to avoid duplication with other regulatory regimes so far as possible, however, it will work in partnership with other regulators when issues with licensed premises are identified, to deliver a multi-agency approach to audit, compliance and complaints work.
- 9.3 The Licensing Authority intends that the regulatory burden imposed by it will be the minimum consistent with the carrying out of its statutory duties. Accordingly its approach to ensuring compliance with licence conditions and codes of practice will be to apply a lighter touch to operators deemed to be low risk and a heavier more intrusive touch to higher risk operators.
- 9.4 The Licensing Authority will adopt a risk-based inspection programme based on;
- The Licensing Objectives
 - Relevant Codes of Practice
 - Guidance issued by the Gambling Commission
 - The principles set out in this statement of licensing policy
 - Any identified local area risks
- 9.5 The primary enforcement and compliance role for the Licensing Authority is to ensure compliance with the Premises Licences and other gambling activity that it issues. It will also investigate complaints against licensed premises in respect of matters for which it has responsibility.
- 9.6 The Gambling Commission remains the appropriate enforcement body for Operating and Personal Licences, along with the supply or repair of gaming machines. The Licensing Authority will therefore refer any concerns or complaints about this area of regulated activity to the Gambling Commission.
- 9.7 There may be occasions in which particular circumstances give rise to breaches of both a premises and an operating licence. In such circumstances, it may be appropriate for the Licensing Authority and the Gambling Commission to each review the licences for which they are responsible, with the Gambling Commission being a responsible authority in the premises licence review.
- 9.8 Where an interested party makes either a valid representation about licensed premises or a valid application for a licence to be reviewed, the Authority may initially arrange a conciliation meeting to address and clarify the issues of concern. This process will not override the right of any interested party to ask that the licensing committee consider their objections, or for any licence holder to decline to participate in a conciliation meeting.
- 9.9 The Licensing Authority will also have regard to any developments in terms of the work of the Better Regulation Executive in respect of the regulatory functions of local authorities.

10. Human Rights

- 10.1 Section 6 of the Human Rights Act 1998 makes it unlawful for a local authority to act in a way which is incompatible with a Convention right (“the Convention”).

10.2 The Licensing Authority will ensure that it will act in accordance with the Convention when determining any application pursuant to the Act. In particular it will have regard to the following;-

- Article 1 of the First Protocol – every person is entitled to the peaceful enjoyment of his or her possessions. A licence is considered a possession in law and people should not be deprived of their possessions except in the public interest
- Article 6 – The right to a fair hearing
- Article 8 – The right to respect for home and family life
- Article 10 – Right to freedom of expression

11. Equality

11.1 The Licensing Authority shall act in accordance with its duties under the Equality Act 2010 and in particular the legal obligation placed on it to have due regard to the need to eliminate unlawful discrimination and to promote equality of opportunity.

12. Administration, Exercise and Delegation of Functions

12.1 The Licensing Committee shall deal with matters under the Gambling Act 2005.

12.2 To facilitate an efficient and cost-effective service to all parties involved in the licensing process, the delegation of decisions and functions is set out in the table in Appendix 3.

12.3 The scheme of delegation does not preclude an Officer of the Licensing Authority from referring any matter to the Licensing Committee, if it is considered appropriate in the individual circumstances to do so.

12.4 Decisions in respect of contested applications will be made by the Licensing Committee.

12.5 The applicant or any person making a relevant representation has a right of appeal to the Magistrates Court if they are aggrieved by the decision of the licensing authority.

12.6 Any application for an appeal has to be submitted to the magistrate's court within 21 days of being notified in writing of the decision.

PART B - PREMISES LICENCES

13. General Principles

- 13.1 A Premises Licence is required from the Licensing Authority where an individual or company with a valid operator's licence, issued by the Gambling Commission, wishes to offer gambling at premises located within the local authority's area.
- 13.2 A premises licence may only authorise one primary gambling activity. The types of gambling premises licences which will be considered by the Licensing Authority are:
- (a) Casino
 - (b) Bingo
 - (c) Betting
 - (d) Adult Gaming Centre
 - (e) Family Entertainment Centre
- 13.3 'Premises' is defined in the Act as "any place" and whilst Section 152 of the Act prevents more than one premises licence being in force for any 'place', it does not prohibit a single building being subject to more than one Premises Licence. Every application will be judged on its merits, but in general this authority will consider a single building to be a single premises, unless it can be shown that the parts are truly separate. Such as where different floors of a building are distant and separate or where shopping centres have discrete trading units.
- 13.4 The Authority will not support the artificial separation of premises by temporary or artificial means where it is believed that the purpose of such separation is to circumvent the intention of the Act to limit the number of gaming machines allowable at that particular type of premises. The Authority will expect all separations between different premises to be clearly defined permanent structures.
- 13.5 Before the Licensing Authority will grant multiple licences for a single building it must be satisfied that the 'places' to be licensed can reasonably be regarded as being separate premises. In so satisfying itself, the Licensing Authority will consider among other things:
- The postal address of the premises.
 - The means of access to the premises i.e. directly from the street.
 - The occupancy and ownership rights of the applicants
 - The means of assessment for business rates payable for each 'premises' and who is liable for such payments.
 - The permanency of any structures used or proposed to be used to separate 'premises'
 - Whether other areas within the building are being used for non-gambling activities and their proximity to the proposed 'premises'. This is particularly persuasive when the non-licensed areas might reasonably be frequented by children or vulnerable people.
 - Whether access to one licensed premises may be gained directly from another licensed premises.
- The Licensing Authority will consider access provisions for individual types of licensed premises in line with the latest guidance from the Gambling Commission.
- 13.6 The proper application of section 152 of the Act also means that, with the single exemption of tracks (i.e. a horse race course, dog track or other premises where races or sporting events take place), different premises licences cannot apply in respect of a single premises at different times. There is no temporal element to a premises licence, therefore premises will not, for example, be licensed as a bingo hall on week days and a betting shop at weekends.

13.7 In considering applications for multiple licences for a building or for a discrete part of a building used for other non-gambling purposes the Authority will consider the following:

- The third licensing objective seeks to protect children from being harmed by gambling. In practice that means not only preventing them from being in close proximity to gambling. Therefore the Authority will expect the premises to 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 named on the premises licence.

13.8 The Authority will expect that any premises licensed for activities such as betting or bingo, will provide that activity as the primary gambling activity and any gaming machines authorised to be provided under this licence must be subsidiary to the main activity.

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 betting shop to another premises used for the retail sale of merchandise or services.

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 premises 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

- 13.9 The Licensing Authority will consider applications for a Premises Licence in respect of any premises that it is satisfied are going to be ready to be used for gambling in the reasonably near future, consistent with the scale of building work or alterations required, before they can be brought into use.

Where the construction of a premises is not yet complete, or substantial alterations are necessary, or where the applicant does not yet have a right to occupy them, an application for a provisional statement should be made instead.

When deciding if a Premises Licence can be granted in respect of premises that requires construction or alteration works, the Licensing Authority will, apply a two stage consideration process:

- First, whether the premises ought to be permitted to be used for gambling.
- Second, whether appropriate conditions can be put in place to cater for 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 whilst the Licensing Authority is entitled to decide that it would be appropriate to grant a licence subject to conditions, it is not obliged to do so.

13.10 **Location**

This Licensing Authority will not take into account whether or not there is a demand for gambling premises when considering applications for premises licences. It also recognises that moral objections to gambling are not a valid reason to reject applications for premises licences.

It will however pay particular attention to the need to protect children and vulnerable persons from being harmed or exploited by gambling when considering the location of premises.

It will also consider whether there is evidence that the locality suffers from incidents of crime and disorder and in these circumstances may consider it appropriate to grant a licence subject to conditions in accordance with Section 169 of the Act.

13.11 **Planning**

The Licensing Authority will not consider whether the applicant has or is likely to obtain planning permission or building regulations approval for their proposal. These matters must be dealt with under relevant planning control and building regulations powers.

Applicants are advised that when the Council, as the local Planning Authority, considers its position under planning or building law, it will not be prejudiced by any decision of the Licensing Authority to grant a premises licence, or otherwise be prevented from taking appropriate action under those areas of legislation.

13.12 **Duplication with other Regulatory Regimes**

The Licensing Authority will not concern itself with matters already provided for in other statutory or regulatory regimes. It will however consider any concerns that gambling conditions are not able to be met by licensees due to planning restrictions, should such a situation arise.

The Licensing Authority expects applicants to comply with their duties under the Fire Safety Regulatory Reform Order, which requires that any premises that is subject of a Licence must have a documented Fire Risk Assessment.

13.13 **The Licensing Objectives**

When considering applications, the Licensing Authority is directed to aim to permit where the granting of a licence would be reasonably consistent with the licensing objectives.

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

If there is evidence that the premises under consideration is in a locality which suffers from problems with organised crime, or general crime and disorder, the Licensing Authority will consider firstly whether it is appropriate to grant a licence to permit gambling premises in that location. If it is satisfied that it is, it will then consider whether in the circumstances it should attach conditions to the licence in accordance with Section 169 of the Act.

Where an application is received for a premises licence in an area which has high levels of organised crime or a history of crime and disorder the Licensing Authority will pay particular attention to the proposed location of the gambling premises in terms of this licensing objective.

This Licensing Authority is aware of the distinction between disorder and nuisance and will only seek to address issues of disorder under the Act if the disorder amounts to activity that is more serious and disruptive than mere nuisance. A disturbance could be serious enough to constitute disorder if police assistance was required to deal with it.

Another factor this Authority will take into account is how threatening the behaviour was to those who could see or hear it, whether those people live sufficiently close to be affected or have business interests that might be affected.

As it is a requirement for any applicant for a premises licence to also hold an operating licence, this Authority will not investigate the suitability of an applicant. However, if any information becomes apparent during the course of the processing an application which causes concern, the details will be forwarded to the Gambling Commission.

This Licensing Authority places a considerable importance on the prevention of crime and disorder, and will fulfil its duty under s17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in the Borough. A high standard of control by the licensee is expected to be exercised over licensed premises. Applicants will be encouraged to discuss any necessary crime prevention procedures in their premises with the Authority's Licensing Officers and Lancashire Constabulary before making a formal application.

This Authority will take into account any representations made by responsible authorities, including the police, when deciding if a particular application would be detrimental to this licensing objective and potentially result in an increase in crime and disorder.

- **Ensuring that gambling is conducted in a fair and open way**

The Licensing Authority expects the management of all gambling business will ensure that all gambling is conducted in a fair and open way. Concerns or complaints that arise under this objective will be referred to the Gambling Commission in their role as the regulators of operators and personal licences.

The Licensing Authority however will concern itself with matters arising under this objective in respect of tracks, where the track operators will not necessarily have an operating licence. In those circumstances the Licensing Authority will consider whether conditions are required on the premises licence to ensure that the environment in which betting takes place is suitable.

- **Protecting children and other vulnerable persons from being harmed or exploited by gambling**

In relation to children this requirement is explicitly to protect them from being "harmed or exploited by gambling". In practice that means not just preventing them from taking part in gambling, but restricting advertising so that gambling products are not aimed at children, or advertised in such a way that makes them particularly attractive to children. The

Licensing Authority will therefore consider whether specific measures are required at particular premises with regard to this licensing objective.

The Authority will consult with the Lancashire Safeguarding Children's Board on any application that indicates there may be concerns over access for children or vulnerable persons.

Each separate application will be judged on its merits before a decision is taken as to whether conditions to protect children are imposed on particular premises. These may include such requirements as:-

- supervision of entrances,
- segregation of gambling from other areas where children are admitted
- supervision of gaming machines in non-adult gambling specific premises
- the introduction of 'proof of age' schemes

The Licensing Authority will pay particular attention to any Codes of Practice which the Gambling Commission issues as regards this licensing objective in relation to specific premises such as casinos.

- specify steps that the premises licence-holder must take to ensure that children and young persons (that is those under the age of 18) do not enter casino premises, or in the case of the regional casino do not enter the gambling area;
- amongst those specified steps, ensure that each entrance to the casino or gambling area is supervised by at least one person ("the supervisor") who is responsible for compliance with the code of practice; and
- require that, unless the supervisor is certain that a person seeking admittance is an adult, evidence of age must be required of all those seeking to enter the casino or gambling area.

The term "vulnerable persons" is not defined by the Gambling Commission or the legislation. For regulatory purposes this policy assumes that this group includes:

- people who gamble more than they want to;
- people who gamble beyond their means;
- people who may not be able to make informed or balanced decisions about gambling due to a mental impairment, alcohol or drugs.

The Licensing Authority will consider this licensing objective on a case by case basis and seek to balance the need to introduce measures to protect vulnerable adults against the overall aim to permit the use of premises for gambling.

13.14 **Conditions**

The Act allows for conditions to be attached to premises licences:-

- automatically, having been prescribed in the Act
- being attached by virtue of a Regulation made by the Secretary of State
- at the discretion of the Licensing Authority

The Licensing Authority is specifically precluded from conditions on licences which:-

- make it impossible to comply with an operating licence condition;
- relate to gaming machine categories, numbers, or methods of operation;
- provide that membership of a club or body is necessary to participate in the gambling facilities;
- relate to stakes, winnings or prizes.

Decisions about the imposition of individual conditions will be made on a case by case basis, although there will be a number of measures the Licensing Authority will consider utilising should there be a perceived need. These may include the use of supervisors, appropriate signage for adult areas etc. There are specific comments made in this regard under some of the licence types below. The 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.

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;
- fair and reasonable in relation to the scale and type of premises; and
- reasonable in all other respects

13.15 The 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 premises in order to pursue the licensing objectives.

13.16 The Licensing Authority will 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 machines are located;
- access to the area where the machines are located is supervised;
- the area where the machines are located is arranged so that it can be observed by the staff of the licence holder;
- 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.

13.17 The 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. The 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 in areas where they are not permitted to enter.

13.18 **Door Supervisors**

Where the Licensing Authority is concerned that a premises may attract disorder or be subject to attempts at unauthorised access, for example by children or vulnerable persons, it may require that the entrances to the premises are controlled by door supervisors. In such circumstances the Licensing Authority will impose a condition on the premises licence to this effect.

Where it is decided that supervision of entrances/machines is appropriate for particular cases, the Licensing Authority will also consider whether it is appropriate for such supervisors to be SIA licensed. It will not be automatically assumed that they need to be licensed, as the statutory requirements for different types of premises vary.

14. Adult Gaming Centres

- 14.1 These premises are entitled to provide gaming machines which pay out higher jackpots. The numbers and categories of higher jackpot machines that can be placed in adult gaming centres are specified in regulations made by the Secretary of State.

The 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 ensure that under 18 year olds do not have access to the premises. Matters such as the position of entrances, supervision and the use of any other parts of the premises will be relevant. Appropriate licence conditions may cover issues such as:

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

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

15. Licensed Family Entertainment Centres

- 15.1 Licensed family entertainment centres are permitted to provide category C and D gaming machines. Unlicensed family entertainment centres may only provide category D machines. No limits are set on the numbers of machines in these categories.

Children and young persons are permitted in family entertainment centres but are not permitted to use any category C machines. In determining applications the Licensing Authority will consider any guidance issued by the Gambling Commission regarding the marking and segregation of such machines and the level of supervision required to protect children.

The 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 ensure that under 18 year olds do not have access to the adult only gaming machine areas. Appropriate licence conditions may cover issues such as:

- Proof of age schemes
- CCTV
- Door supervisors
- 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
- Staff training
- 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.

15.2 The Licensing Authority will inform itself as to the presence of any conditions that apply to operator licences covering the way in which the area containing the category C machines should be delineated, along with any mandatory or default conditions relevant to these premises licences.

16. Casinos

16.1 No Casinos resolution – The Licensing Authority has not passed a ‘no casino’ resolution under Section 166 of the Gambling Act 2005. Should the Licensing Authority decide in the future to pass such a resolution, it will update this policy statement accordingly.

16.2 If the Secretary of State, by regulation, enables the Authority to issue a new casino licence it is aware that there may be a number of operators wishing to run such a casino. In such circumstances, this Licensing Authority will determine who the successful bidder is by following the procedure laid out in Schedule 9 of the Act and in line with any regulations or codes of practice issued under the Gambling Act 2005

16.3 Betting machines – The Licensing Authority will take into account the size of the premises, the number of counter positions available for person-to-person transactions, and the ability of staff to monitor the use of the machines by children and young persons or by vulnerable people, when considering the number, nature and circumstances of betting machines that an operator may wish to offer.

17. Bingo Premises

17.1 This Licensing Authority acknowledges that children and young people may enter bingo premises, but are not permitted to take part in bingo or use category B and C machines that are on the premises. This Authority will wish to ensure that sufficient measures are in place to prevent children participating in these activities.

The Licensing Authority will satisfy itself that bingo may be played in any bingo premises for before they issue a Premises Licence. This will be a relevant consideration where the operator of an existing bingo premises applies for a new premises licence.

The Licensing Authority will take into account guidance or codes of practice from the Gambling Commission on the suitability and layout of bingo premises when determining any applications for premises licences, including the requirement that:-

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

18. Betting Premises

- 18.1 Children are not permitted to enter premises licensed for betting and therefore this Licensing Authority will carefully consider the measures an applicant for a premises licence will be taking to prevent this.
- 18.2 Betting machines – The Licensing Authority will take into account the size of the premises, the number of counter positions available for person to person transactions, and the ability of staff to monitor the use of the machines by vulnerable people, when considering the number, nature and circumstances of betting machines an operator may wish to offer.
- 18.3 The Licensing Authority recognises that certain bookmakers may have a number of premises within the area. In order to ensure that any compliance issues are recognised and resolved at the earliest stage, operators are requested to give the authority a single named point of contact, who should be a senior individual, and whom the authority will contact first should any compliance queries or issues arise.

19. Tracks

- 19.1 The 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 track. The Licensing Authority will particularly consider the impact upon the third licensing objective (i.e. the protection of children and vulnerable persons from being harmed or exploited by gambling) to ensure that entrances to each type of premises are distinct and that children are excluded from licensed areas that they are not permitted to enter.
- 19.2 The 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 are permitted to enter the 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.
- 19.3 The Licensing Authority will consider measures to meet the licensing objectives such as:
- Proof of age schemes
 - CCTV
 - Door supervisors
 - Supervision of entrances / machine areas
 - Physical separation of areas
 - Location of entry
 - Notices / signage
 - Specific opening hours
 - The location of gaming machines
 - 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.

- 19.4 This Authority will attach a condition to any track premises licences issued requiring the track operator to ensure that the rules are prominently displayed in or near the betting areas, or that other measures are taken to ensure that they are made available to the public. (For example, the rules could be printed in the race-card or made available in leaflet form from the track office.)

- 19.5 Gaming machines – Where the applicant holds a pool betting operating licence and is going to use the entitlement to four gaming machines (other than category D machines), such machines must be located in areas from which children are excluded.
- 19.6 Betting machines – The Licensing Authority will 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, or by vulnerable people, when considering the number, nature and circumstances of betting machines an operator proposes to offer.
- 19.7 This Licensing Authority accepts the Commission’s view that it would be preferable for all self-contained premises operated by off-course betting operators on track, to be the subject of separate premises licences. This will ensure that there is clarity between the respective responsibilities of the track operator and the off-course betting operator running a self-contained unit on the premises.

19.8 Applications and plans

Section 51 of the Gambling Act 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 may also be used for the Licensing Authority to plan future premises inspection activity.

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 all the information required by regulations.

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.

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 premises boundary does not need to be defined.

This Licensing Authority requires applicants to provide:

- detailed plans for the racetrack itself and the area that will be used for temporary “on-course” betting facilities (often known as the “betting ring”). Such plans should make clear what is being sought for authorisation under the track betting premises licence and any other areas that are subject to a separate application for a different type of premises licence.
- in the case of dog tracks and horse racecourses - fixed and mobile pool betting facilities operated by the Tote or track operator
- any other proposed gambling facilities

20. Travelling Fairs

- 20.1 The Act defines a travelling fair as wholly or principally providing amusements, this Licensing Authority will decide, in each case, whether this the statutory definition is met on the evidence available. The Licensing Authority will also consider whether the statutory requirement that any facilities for gambling provided, amount to no more than an ancillary amusement at the fair, is met.
- 20.2 It is recognised that land may only be used for a travelling fair up to a maximum of 27 days in any calendar year and that such use applies to the piece of land in question, regardless of whether it is the same or different travelling fairs occupying the land. This Licensing Authority will monitor whether land is used in excess of the statutory limit and will work with its neighbouring authorities to ensure that land that crosses its boundaries is similarly monitored so that the statutory limits are not exceeded.

21. Provisional Statements

- 21.1 The Licensing Authority considers that it is a question of fact and degree whether premises are finished to the extent that they can be considered for a Premises Licence.
- 21.2 Developers may wish to apply to the 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
- 21.3 Section 204 of the Gambling Act 2005 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 and the applicant is obliged to give notice of the application in the same way. Responsible Authorities and interested parties may make representations and there are rights of appeal.

Unlike a 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 the provisional application is made.

- 21.4 The holder of the 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 subsequent premises licence application. Representations about premises licence applications that follow the grant of a provisional statement will be disregarded 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
- 21.5 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:
- a) Which could not have been raised by objectors at the provisional licence stage; or
 - b) Which in the authority's opinion, reflect a change in the operator's circumstances; or
 - c) Where the premises has not been constructed in accordance with the plan submitted with the application.

22. Reviews

- 22.1 The review of a premises licence may be instigated by this Licensing Authority or at the request of a responsible authority or interested party.

A request for review will not be granted by this Authority unless it is: is "relevant" i.e.

- 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 principles

- 22.2 The Licensing Authority will similarly not hold a review if, in the opinion of the authority, the grounds:-

- are frivolous
 - are vexatious
 - ‘will certainly not’ cause the authority to revoke or suspend a licence or to remove, amend or attach conditions on the premises licence.
 - are substantially the same grounds cited in a previous application for a review relating to the same premises
 - are substantially the same as representations made at the time of an application for a premises licence.
- 22.3 The Licensing Authority may initiate a review of a particular premises licence, or a particular class of premises licences, if complaints are made against the use made of those premises or the measures put in place by licensees to comply with licence conditions.
- 22.4 Or it may decide to initiate a review of a licence or a class of premises licences on the basis of any reason relevant to its duties and functions under the Act, which it thinks is appropriate.
- 22.5 The Licensing Authority may also initiate a review of a premises licence on the grounds that the 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.
- 22.6 Once a valid application for a review has been received by the Licensing Authority, representations may be made by responsible authorities and interested parties during a 28 day consultation period. This period begins 7 days after the application is received by the Licensing Authority, who will publish notice of the application within 7 days of receipt.
- 22.7 The Licensing Authority will carry out the review as soon as possible after the 28 day period for making representations has passed.
- 22.8 The purpose of the Review is to determine whether the Licensing Authority should take any action in relation to the licence. If action is deemed necessary, the options available to the Licensing Authority are:
- a) Add, remove or amend a licence condition imposed by the Licensing Authority;
 - b) Exclude a default condition imposed by the Secretary of State or Scottish Ministers (e.g. opening hours) or remove or amend such an exclusion;
 - c) suspend the premises licence for a period not exceeding three months;
 - d) revoke the premises licence
- 22.9 In determining what action, if any, should be taken following a review, the Licensing Authority will have regard to the principles set out in Section 153 of the Gambling Act 2005, as well as any relevant representations.
- 22.10 Following the completion of a review, the Licensing Authority will notify its decision as soon as possible to:
- the licence holder
 - the applicant for review (if any)
 - the Gambling 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 AND OCCASIONAL USE NOTICES

23. General principles

The Act permits a number of gambling activities to take place outside of the licensing regime. These are authorised by permits issued by the Authority and are:-

- Unlicensed family entertainment centres
- Alcohol licensed premises gaming machine permits
- Prize gaming permits
- Club gaming permits and club machine permits

24. Unlicensed Family Entertainment Centre (UFEC) Gaming Machine Permits

24.1 The Licensing Authority will consider applications for a permit where the applicant does not hold a Premises Licence but wishes to provide gaming machines. The applicant must show that the premises will be wholly or mainly used for making gaming machines available for use.

24.2 When determining the suitability of an applicant for a permit the Licensing Authority will have regard to the licensing objectives and any relevant guidance issued by the Gambling Commission.

24.3 The Licensing Authority will place considerable weight on child protection issues given the appeal that these types of premises have for children and young persons.

24.4 The Licensing Authority will only grant a permit, if it is satisfied that the premises will be used as an unlicensed FEC and that the chief officer of police has been consulted on the application and has no objections.

24.5 **Statement of Principles** – The Licensing Authority expects all applicants to demonstrate

- Suitable and sufficient policies and procedures in place to protect children from harm. Harm in this context is not limited to harm from gambling but includes wider child protection considerations. The efficiency of such policies and procedures will each be considered on their merits;
- Appropriate measures and training for staff in respect of suspected truanting school children on the premises;
- Appropriate measures and training for staff in dealing with children causing perceived problems on/around the premises;
- That the applicant and all staff have a full understanding of the maximum stakes and prizes of the gambling that is permissible in unlicensed FEC's;
- That the applicant has no relevant convictions;
- A scale plan of the premises must be provided by all applicants.

24.6 The Licensing Authority may refuse to renew a permit if an authorised local authority officer has been refused access to the premises without reasonable excuse, or where renewal would not be reasonably consistent with pursuit of the licensing objectives.

25. Alcohol Licensed Premises Gaming Machine Permits

25.1 There is provision in the Act for the licence holder of premises licensed to sell alcohol for consumption on the premises under the Licensing Act 2003, to be entitled, on notification and subject to the relevant fee, to provide two gaming machines, of categories C and/or D.

The automatic entitlement to have two such gaming machines ceases, when the holder of the premises licence gives up their interest in the licence.

Any subsequent holders of the premises licence are required to notify the Licensing Authority of their intention to make the gaming machines available for use and pay the prescribed fee.

The Licensing Authority may remove the automatic authorisation in respect of any particular premises where:

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

25.2 Where a premises wishes to have more than two machines, it must apply for a Licensed Premises Gaming Machine Permit. The Licensing Authority must consider that application based upon the licensing objectives, any relevant guidance issued by the Gambling Commission and “such matters as it thinks relevant”.

The Licensing Authority considers that “such matters” will be decided on a case by case basis, but primarily there will be regard to the need to protect children and vulnerable persons from harm or being exploited by gambling. It will expect the applicant to satisfy the Authority that there will be sufficient measures in place, to ensure that children under 18 years do not have access to the adult only gaming machines which must be operated in accordance with the Gambling Commission’s Code of Practice.

25.3 Applications for permits for between two and four machines will ordinarily be granted by officers under delegated powers, unless the nominated Director considers that due to the circumstances in a particular case, the matter should be determined by the Licensing Committee.

25.4 Applications for five or more machines will be determined by the Licensing Committee

25.5 It is recognised that some alcohol licensed premises may apply for a premises licence for their non-alcohol licensed areas. In these circumstances applicants would have to apply for an Adult Entertainment Centre Premises Licence.

25.6 The Licensing Authority reserves the right to grant any application with a smaller number of machines and, or a different category of machines than applied for.

26. Prize Gaming Permits

26.1 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”.

26.2 **Statement of Principles** - The applicant should set out the types of gaming that he or she is intending to offer and demonstrate that in each case:

- they understand the limits to stakes and prizes prescribed in Regulations;
- any gaming offered is lawful;
- there are clear policies that outline the steps to be taken to protect children from harm

26.3 In determining an application for a Prize Gaming Permit the Licensing Authority will have regard to any relevant Gambling Commission guidance and may have regard to the licensing objectives.

26.4 The Licensing Authority will not attach conditions to a permit other than those contained in the Act, which are:

- 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) 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.

27. Club Gaming and Club Machines Permits

27.1 Members Clubs and Miners' welfare institutes (but not Commercial Clubs) may apply for a Club Gaming Permit or a Club Gaming Machine Permit.

A Club Gaming Permit will enable the premises to provide no more than a total of 3 gaming machines from category B3A B4, C or D, (but max 1 B3A), equal chance gaming and games of chance in accordance with Regulations.

A Club Gaming Machine Permit will enable the premises to provide up to 3 gaming machines from categories B3A, B4, C or D).

27.2 Before granting a Club Gaming Permit or a Club Gaming Machine Permit, the Licensing Authority must be satisfied that the club meets the requirements of the Act to be eligible for a Gaming Permit, or a Gaming Machine Permit.

These include that members' clubs must have at least 25 members and be established and conducted "wholly or mainly" for purposes other than gaming, unless the gaming is permitted by separate regulations. (This may cover bridge and whist clubs). A members' club must be permanent in nature, not established to make commercial profit, and be controlled by its members equally. Examples include working men's clubs, branches of Royal British Legion and clubs with political affiliations

27.3 The Licensing Authority will only refuse an application where:

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

27.4 Under the 'fast-track' procedure available for premises which hold a Club Premises Certificate issued under the Licensing Act 2003 the only 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 by regulation under section 266 of the Act;
- b. that in addition to the prescribed gaming, the applicant provides facilities for other gaming; or
- c. that a Club Gaming Permit or Club Machine Permit issued to the applicant in the last ten years has been cancelled".

27.5 Club Gaming Permits will be issued subject to statutory conditions that:

- no child uses category B or C machines on the premises

- the holder complies with any relevant provision of a code of practice about the number, category, location and operation of gaming machines.

The Gambling Commission has issued a Code of Practice under S24 of the Act in respect of exempt equal chance gaming the provisions, which should be followed to ensure good practice measures are adopted for the provision of gaming.

28. Temporary Use Notices (TUNs)

- 28.1 Temporary Use Notices allow the use of premises for gambling where there is no premises licence, but where a gambling operator wishes to use the premises temporarily for providing facilities for gambling. Premises that might be suitable for a TUN, could include hotels, conference centres and sporting venues.
- 28.2 The Licensing Authority will only grant a TUN to a person or company holding a relevant operating licence.
- 28.3 Restrictions on what form of gambling can be authorised by TUNs is set out in SI no 3157: The Gambling Act 2005 (Temporary Use Notices) Regulations 2007, in summary TUN's may only be used to authorise:
- Gambling that is authorised by the applicants Operating Licence
 - Gambling for a maximum of 21 days in any 12 month period for any or all of a named set of premises
 - Facilities for equal chance gaming where the gaming in each tournament is intended to produce a single overall winner
- 28.4 TUN may not be used to authorise the provision of gaming machines.
- 28.5 In considering whether a place falls within the definition of "a set of premises", the Licensing Authority will consider amongst other things, the ownership, occupation and control of the premises. A large exhibition centre, would be likely to come within the definition, as it is properly one premises, and should not be granted a temporary use notices for 21 days in respect of each of its exhibition halls. But in relation to other covered areas, such as shopping centres, this Authority will consider whether different units are in fact different "sets of premises", given that they may be occupied and controlled by different people.
- 28.6 This Authority is likely to object to notices where it appears that their effect would be to permit regular gambling in a place that could be reasonably be considered to be one set of premises.
- 28.7 The Licensing Authority will hold a hearing if an objection notice is served unless all parties agree that a hearing is unnecessary. In determining at a hearing whether to allow a temporary use notice to have effect the Licensing Authority will aim to permit the provision of gambling facilities in so far as it considers that it is :-
- In accordance with any code of practice or guidance issued by the Gambling Commission;
 - Reasonably consistent with the licensing objectives; and
 - In accordance with this Gambling Policy Statement

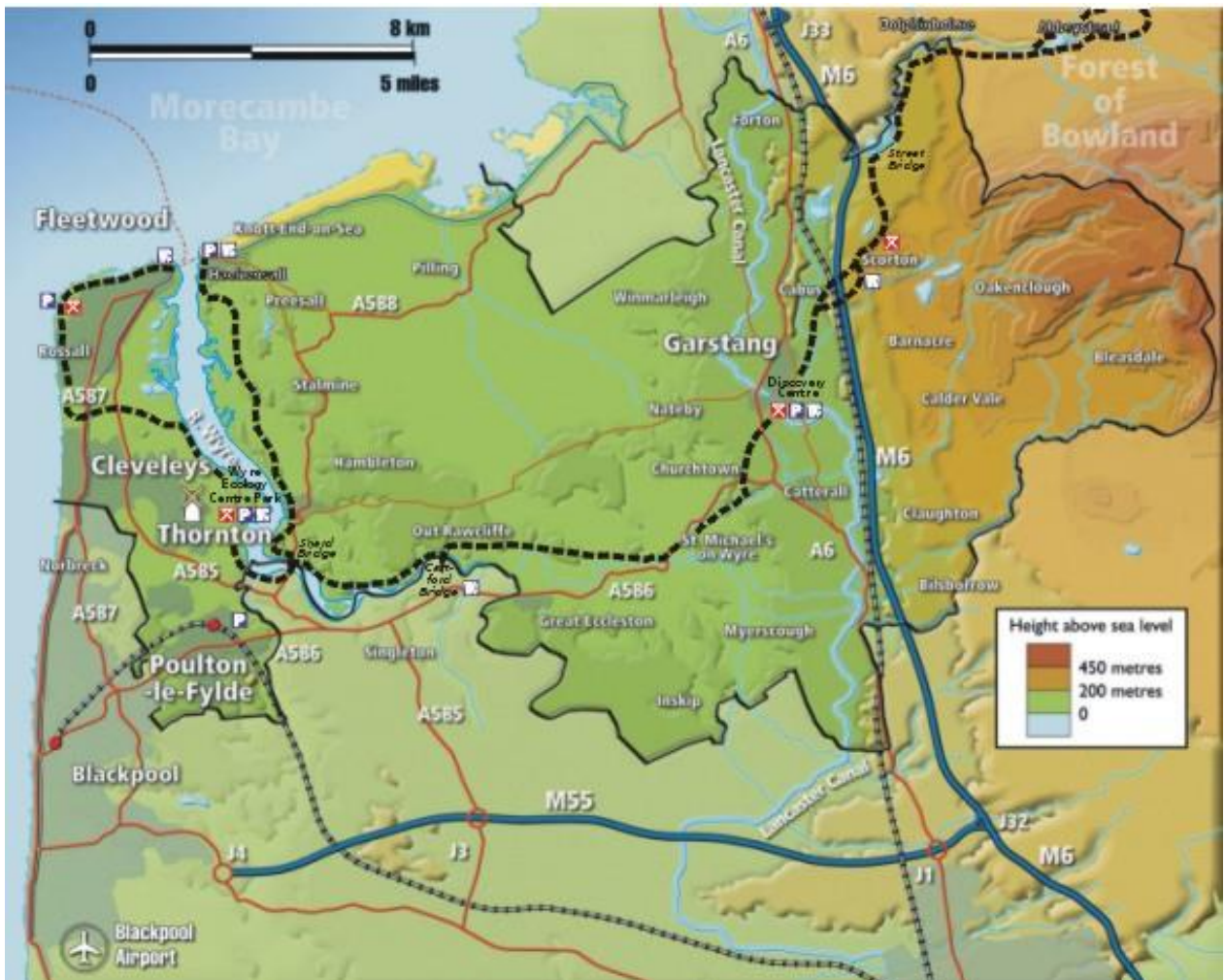
29. Occasional Use Notices

- 29.1 The Licensing Authority has very little discretion as regards these notices but will ensure that the statutory limit of 8 days in a calendar year is not exceeded. It will also give careful consideration to the definition of a "track" and whether the applicant is entitled to avail themselves of such a notice.

30. Small Society Lotteries

- 30.1 This Licensing Authority will take account of any guidance issued by the Gambling Commission in registering and controlling non-commercial societies which are established and conducted:-
- for charitable purposes;
 - for the purpose of enabling participation in, or supporting, sport, athletics or a cultural activity; or
 - for any other non-commercial purpose other than private gain
- 30.2 The Licensing Authority will adopt a risk based approach towards its enforcement responsibilities for small society lotteries and considers that the following list, although not exclusive, is likely to 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 is held)
 - Submission of incomplete or incorrect returns
 - Breaches of the limits for small society lotteries
- 30.3 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 when 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

Map of Wyre Borough



Wyre Licensing Unit
 Civic Centre
 Breck Road
 Poulton-le-Fylde
 Lancashire
 FY6 7PU

licensing@wyre.gov.uk

List of Consultees

Lancashire Constabulary	Rt Hon Paul Maynard MP Blackpool North & Cleveleys
Wyre Council Planning Services	Rt Hon Cat Smith MP Lancaster and Fleetwood
Lancashire Safeguarding Children's Board	Rt Hon Ben Wallace MP Wyre and Preston North
Wyre Council Environmental Health	County Cllor John Shedwick, Thornton & Hambleton
Lancashire Fire & Rescue Authority	County Cllor Lorraine Beavers, Fleetwood East
The Gambling Commission	County Cllor Stephen Clarke, Fleetwood West and Cleveleys West
HMRC	County Cllor Shaun Turner, Wyre Rural East
Gambleaware	County Cllor Andrea Kay, Cleveleys East
Gamcare	County Cllor Alf Clemson, Poulton-le-Fylde
Responsible Gambling Solutions	County Cllor Alan Vincent, Cleveleys South & Carleton
Gamblers Anonymous	All Borough, Town and Parish Cllors
Bingo Association	Youth Offending Team
BACTA	Blackpool Magistrates Court
Association of British Bookmakers	North Fylde Methodist Circuit
MOTO Hospitality Ltd	Fleetwood Methodist Circuit
White Leisure Ltd	Church of England
Crown Leisure Ltd	Roman Catholic Diocese of Lancaster
Riverside Amusements Ltd	Blackpool & Fylde Victim Support
Masons Amusements (Cleveleys)	Children & Young Peoples Trust Team
Oldland Leisure Ltd	Blackpool Teaching Hospitals
SAR Leisure Ltd	LCC Public Health
Done Brothers (Cash Betting) Ltd	Blackpool, Fylde & Wyre Clinical Commissioning Group
William Hill Organisation Ltd	Healthier Fleetwood
Ladbrokes Betting and Gaming	Regenda Homes
Coral Racing Ltd	Cobbetts Solicitors
Samaritans	Weightmans LLP
Blackpool, Fylde & Wyre CVS	Freeman's Solicitors
Poulton Traders Forum	Inn Court Licensing Consultants
British Home & Holiday Parks Assoc.	John Gaunt & Partners Solicitors
BBPA	Poppleston Allen Licensing Solicitors
Federation of Licensed Victuallers Assoc.	TLT Solicitors
North & Western Chamber of Trade	Napthens Solicitors
Poulton Historical Society	
Lancaster Magistrates Court	

Summary of Licensing Authority delegations permitted under the Gambling Act.

Matter to be dealt with	Full Council	Licensing Committee	Delegated to Officers
Policy	X		
Policy not to permit casinos	X		
Discretionary fees		X	
Application for premises licences		Where representations have been received and not withdrawn	Where no representations received or representations have been withdrawn
Application for a variation to a licence		Where representations have been received and not withdrawn	Where no representations received or representations have been withdrawn
Application for a transfer of a licence		Where representations have been received from the Gambling Commission	Where no representations received from the Gambling Commission
Application for a provisional statement		Where representations have been received and not withdrawn	Where no representations received or representations have been withdrawn
Review of a premises licence		X	
Application for club gaming or club machine permits		Where representations have been received and not withdrawn	Where no representations received or representations have been withdrawn
Cancellation of club gaming or club machine permits		X	
Applications for gaming machine permits in premises licensed under the Licensing Act 2003		For more than 4 machines	For up to 4 machines
Applications for other permits			X
Decisions as whether representations are frivolous, vexatious or likely to have no influence on a decision			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 4

Summary of Gaming Machine Categories

Category of machine	Maximum Stake	Maximum Prize
A	Unlimited	Unlimited
B1	£5	£10,000
B2	£2	£500
B3	£2	£500
B3A	£2	£500
B4	£2	£400
C	£1	£100
D - non-money prize	30p	£8
D - non-money prize (crane grab machines only)	£1	£50
D - money prize	10p	£5
D - combined money and non- money prize	10p	£8 (of which no more than £5 be a money prize)
D - combined money and non- money prize (coin pusher or penny falls machine)	20p	£20 (of which no more than £10 may be a money prize)

NB The figures quoted above may periodically be changed by secondary legislation



Report of:	Meeting	Date
Councillor David Henderson, Leader of the Council and Clare James, Head of Finance (S.151 Officer)	Council	3 October 2019

Lancashire Business Rates Pool: 75% Business Rates Retention Pilot – Strategic Economic Growth and Financial Sustainability Fund

1. Purpose of report

- 1.1 To allow advance funding of Wyre’s contribution to the Greater Lancashire Plan from general balances on the basis that it will be clawed back from the Strategic Economic Growth and Financial Sustainability Fund (SEGFSF) generated from additional business rates growth by being in the Lancashire Business Rates Pool (75% Pilot).

2. Outcomes

- 2.1 Agreement to contribute to the Greater Lancashire Plan, with the intention that any contribution is ultimately funded by the SEGFSF.

3. Recommendations

- 3.1 That, subject to a unanimous vote by the Business Rate Pool’s Governing Body (expected to be held on 26 September 2019), a contribution of £21,853 (estimated) will be made to the Greater Lancashire Plan based on the current local government structure in Lancashire (see Appendix 2). This sum is based on an aggregate £400,000 contribution from the pool members and will be clawed back from the SEGFSF in 2020/21 subject to there being sufficient additional growth to cover the full amount. Any further contribution to the next steps for the Greater Lancashire Plan would require approval.
- 3.2 That responsibility for finalising the arrangements for the contribution are delegated to the Head of Finance (s.151 Officer) in consultation with the Leader of the Council.

4. Background

- 4.1 On 24 September 2018 a report was approved by full Council for Wyre to join the application for a Lancashire Business Rates Pool: 75% Business Rates Retention Pilot. The application was successful and the pilot arrangements commenced on 1 April 2019.

- 4.2** The modelling for the pilot showed that if a 75% BRR scheme existed across all of Lancashire (excluding Lancaster City Council but including the Fire Authority) then based on the 2018/19 figures, there was in the region of £7.1m of predicted growth that could be retained in the county either as an investment fund and/or to promote financial sustainability.
- 4.3** Key issues and risks were set out in detail in that report and for that reason this report does not replicate them here. However it is important to note the following:
- The 2019/20 pilots do not benefit from the 'no detriment' clause enjoyed by pre-existing 100% BRR pilots. Instead the safety net threshold for the entire pool is raised from 92.5% to 95% to recognise the increased risk sharing.
 - Participating councils are exposed to a higher level of business rate risk for the duration of the pilot in 2019/20. There will be a higher share of any losses, arising as a result of appeals, bad debts and empty premises, being 75% rather than the former 50%.
 - The Safety Net threshold will only be activated by Central Government on a pool wide basis and is therefore unlikely to be triggered. As such each authority will bear its own risk over and above the 5% Resilience Fund created by the 25% additional growth only.
- 4.4** Authorities selected as pilots have forgone Revenue Support Grant (nil for Wyre) and Rural Services Delivery Grant (not applicable to Wyre). The value of these grants are taken into account when revised tariffs and top-ups for the pilot authorities are set up but the impact on Wyre and other participating authorities is intended to be revenue neutral.
- 4.5** The report agreed that the first 5% of any additional growth will be used to create a new resilience reserve to mitigate against any extra loss arising from being a pilot member. If funds are remaining this will be returned on a pro-rata basis to the contributing authorities.
- 4.6** The report agreed that a further 25% of the additional growth will be set aside to create a Lancashire wide fund to be used to target strategic economic growth and sustainability. This investment fund will be allocated on the basis of unanimous decisions by members of the Lancashire Leaders Business Rates Pilot Governing Body.
- 4.7** Finally, the remaining retained growth will be apportioned according to the new tier splits i.e. Districts 56% (was 40%); County Council 17.5% (was 9%); unitaries 73.5% (was 49%); fire 1.5% (was 1%) to promote local economic growth and to enable the financial sustainability of pool members.

<u>Authority Type</u>	<u>Tier splits under 50% BRR Scheme</u>	<u>Tier splits under 75% BRR Scheme</u>
Two Tier arrangements:		
Districts	40%	56%
County	9%	17.5%
Fire	1%	1.5%
Total	50%	75%
Unitary arrangements:		
Unitaries	49%	73.5%
Fire	1%	1.5%
Total	50%	75%
Central Government	50%	25%

- 4.8** At the time, a draft governance agreement was not yet finalised and subsequently this was agreed and signed up to by all the participating authorities (Appendix 1). The Memorandum of Understanding stated that:

“8.9 - At the end of the financial year the Lead Authority will inform both the Governing Body and the Executive Body of the funds available in the Strategic Economic Growth and Financial Sustainability fund.

8.10 - The Executive body will invite and collate bids against this fund from Pool Members for submission to the Governing Body.

8.11 - Following this the Governing Body will make decisions on the allocation of the funds available.”

- 4.9** As such, it was not envisaged that any spend would be attributable to the SEGFSF prior to 2020/21 when the actual outturn for the Pool would be known. In order to comply with the governance arrangements, advance spend will be at the council’s risk, as sufficient growth may not materialise, although this is considered unlikely based on the 2019/20 forecast.

5. Key issues and proposals

- 5.1** That, subject to a unanimous vote by the Business Rate Pool’s Governing Body (expected to be held on 26 September 2019), a contribution of £21,853 (estimated) will be made to the Greater Lancashire Plan based on the current local government structure in Lancashire (see Appendix 2). This sum is based on an aggregate £400,000 contribution from the pool members and will be clawed back from the SEGFSF in 2020/21 subject to there being sufficient additional growth to cover the full amount. Any further contribution to the next steps for the Greater Lancashire Plan would require approval.

- 5.2 That responsibility for finalising the arrangements for the contribution are delegated to the Head of Finance (s.151 Officer) in consultation with the Leader.

Financial and legal implications	
Finance	<p>Whilst it is impossible to project with total accuracy the 2019/20 financial position in terms of Business Rates Retention, based on the NNDR1 forecast for 2019/20, it is forecast that £157,377 will be payable to the SEGFSF this year. This amount is slightly higher than the forecast used by the Lead Authority in their briefing note to Lancashire Leaders but is not significantly different. Major variations in the Pool growth achieved would have an impact on the pro-rata split but this will not be known until after 31 March 2020. For the purpose of this report, a contribution of around £21,853 is thought to be a reasonable estimate of the outturn position and although it may vary, if growth were not achieved to cover this sum then any shortfall could be met from General Balances.</p>
Legal	<p>The legal framework for the formation of a business rates pool is set out in paragraph 34 of Schedule 7B of the Local Government Finance Act 1988 (as inserted by Schedule 1 to the Local Government Finance Act 2012). Each pool has to propose governance arrangements to the Government, which have to be approved by MHCLG. Governance arrangements must cover the rights and obligations of pool members, including how rates income is to be distributed between pool members and central government; and the treatment of pool balances and liabilities following the pool's dissolution.</p> <p>The approach outlined above would is not intended to impact on the existing governance arrangements which would continue to be adhered to.</p>

Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

risks/implications	✓ / x
community safety	x
equality and diversity	x
sustainability	✓
health and safety	x

risks/implications	✓ / x
asset management	x
climate change	x
ICT	x
data protection	x

Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

report author	telephone no.	email	date
Clare James	01253 887308	clare.james@wyre.gov.uk	18/09/2019

List of background papers:		
name of document	date	where available for inspection
None		

List of appendices

Appendix 1 – Memorandum of Understanding

Appendix 2 – Briefing Note for Lancashire Leaders meeting on 1 August 2019

Lancashire Business Rates Pilot Pool

Memorandum of Understanding

This Memorandum of Understanding (MoU) sets out the Governance Arrangements that are voluntarily entered into by members of the Lancashire Business Rates Pilot Pool.

1. PURPOSE OF PILOT POOL

- 1.1 It is the intention of Pool Members to improve the well-being of the communities they serve. By forming a Pool they can retain a greater proportion of business rate growth within the geographic area therefore providing opportunities to promote further economic growth as well as building financial resilience.
- 1.2 The Pool is entirely voluntary and builds on the strong and well established partnership between the Lancashire authorities. The Lancashire Business Rates Pilot Pool is a natural Pooling arrangement given our geography.
- 1.3 It is the purpose of this MoU to act as a statement of intent that will support the realisation of the above benefits.

2. GLOSSARY OF KEY TERMS

Lead Authority

- 2.1 The Pool member who will act as the lead in managing the Pool's resources and being the key contact between central government and the Pool

Schedule of Payments

- 2.2 The Lead Authority will prepare an annual schedule that reflects the payments to be processed through the pool, clearly indicating the amount and timings of each payment.

Additional Growth

- 2.3 The amount of business rates growth which is over and above the amount that a member would have received if they had not joined this Pilot Pool.

Pilot Pool Governing Body

- 2.4 The Pilot Pool Governing Body will consist of the Leaders of the local authorities in the Pilot Pool and Chairman of the Lancashire Combined Fire Authority.

Pilot Pool Executive Body

- 2.5 An Executive Body will consist of the S151 Officers of the Pool Members.

3. POOL MEMBERSHIP:

- Blackburn with Darwen Council
- Blackpool Council
- Burnley Borough Council
- Chorley Borough Council
- Fylde Borough Council

Lancashire Business Rates Pilot Pool Memorandum of Understanding

- Hyndburn Borough Council
- Lancashire County Council
- Lancashire Combined Fire Authority
- Pendle Borough Council
- Preston City Council
- Ribble Valley Borough Council
- Rossendale Borough Council
- South Ribble Borough Council
- West Lancashire Borough Council
- Wyre Borough Council

4. TERM OF AGREEMENT

- 4.1 This Agreement shall continue to be in place unless terminated in accordance with these terms.
- 4.2 Any Pool Member can leave the Pool from 1 April of the following financial year providing:
- Written notice is given to other Pool Members and MHCLG in at least sufficient time for the Pool to apply to continue for the remaining Pool Members, should they wish it to continue. Sufficient time is taken to be at least the time specified by MHCLG regulations and/or guidance.
 - All liabilities to and from the Pool are paid.

5. GOVERNANCE

- 5.1 The Pilot Pool Governing Body will consist of the Leaders of the local authorities in the Pilot Pool and Chairman of the Lancashire Combined Fire Authority or their nominated representatives.
- 5.2 Meetings of the Governing Body will be arranged when required and hosted by the Lead Authority.
- 5.3 Each member will have one vote in relation to decisions to be taken by the Governing Body.
- 5.4 The Governing Body will receive monitoring reports during the year which will forecast growth/losses for pilot members.
- 5.5 The Governing Body will make decisions regarding how the strategic growth and resilience fund will be allocated. Any decision must be unanimous with each member authority being present and voting for the decision to be effective.

Lancashire Business Rates Pilot Pool

Memorandum of Understanding

5.6 An Executive Body will consist of the S151 Officers of the Pool Members or their nominated representatives. The Executive Body will make recommendations, when required, on operational matters to the Governing Body.

6. LEAD AUTHORITY

6.1 Ribble Valley Borough Council will act as Lead Authority for the Pilot Pool.

6.2 The responsibilities of the Lead Authority are:

- To make payments on behalf of the Pool to central government and Pool Members on time and in accordance with the schedule of payments.
- To prepare an annual forecast on the projected Pool outturn based on NNDR1's.
- To prepare an annual report on the Pool outturn and supply information required by Pool Members in preparing their Statement of Accounts.
- To liaise with and complete all formal Pool returns to central government on behalf of Pool Members.
- To keep Pool Members informed of all communications with central government.
- To manage the resources of the Pool in accordance with this MoU.

6.3 The Lead Authority is responsible for all accounting requirements as set out in legislation.

6.4 The Lead Authority will be paid £2,000 per annum by each pool member. This will be payable on 1 April each year.

7. RESPONSIBILITIES OF POOL MEMBERS

7.1 To assist the Lead Authority in fulfilling their role, the responsibilities on individual Pool Members are:

- To make payments on time and in accordance with the schedule of payments.
- To pay amounts due to the Lead Authority in respect of contributions to the risk reserve and the strategic growth and resilience fund.
- To provide accurate and timely information to the Lead Authority to enable all formal Pool returns to central government to be completed.
- To inform the Lead Authority, as soon as is practical, of any intelligence that may impact on the resources of the Pool either in the current year or in future years.
- To provide such information as the Chief Finance Officers agree is reasonable and necessary to monitor/forecast the Pool's resources within the timescales agreed.
- To provide such information as the Chief Finance Officers agree is reasonable and necessary for inclusion in the Pool's annual outturn report.

Lancashire Business Rates Pilot Pool

Memorandum of Understanding

- To provide accurate and timely information on the end of year financial performance of the business rates collection fund to enable the Lead Authority to calculate the end of year accounting entries needed.

8. KEY PRINCIPLES OF THE POOL

8.1 The collection of business rates will continue to be the responsibility of each billing authority.

8.2 The tier splits for the Pilot Pool will be as follows:

Districts	56%
County Council	17.5%
Unitaries	73.5%
Fire	1.5%

8.3 Each Pool member will retain 70% of their additional growth in order to promote local economic growth and to build resilience to improve their financial sustainability.

8.4 At the end of the financial year, each Pool member also undertakes to pay to the Lead Authority a proportion of their additional growth as follows:

- 5% to be set aside in a risk resilience reserve to mitigate against losses in business rate income.
- A further 25% to be set aside in a Lancashire wide fund to be used to target strategic economic growth and improve financial sustainability

8.5 If a Pool member experiences a loss which is over and above the amount that they would have lost if they had not joined this Pilot Pool, then this loss will be claimable against the resilience reserve.

Risk Resilience Reserve

8.6 Claims against the resilience reserve will be aggregated by the Lead Authority and settled pro-rata to the amount available.

8.7 Any balance on the reserve will be returned to the contributing Pool members pro-rata to their contributions.

8.8 If there are no claims against the risk resilience reserve the contributions will be returned to the contributing Pool members.

Strategic Economic Growth and Financial Sustainability Fund

8.9 At the end of the financial year the Lead Authority will inform both the Governing Body and the Executive Body of the funds available in the Strategic Economic Growth and Financial Sustainability fund.

Lancashire Business Rates Pilot Pool Memorandum of Understanding

8.10 The Executive body will invite and collate bids against this fund from Pool Members for submission to the Governing Body.

8.11 Following this the Governing Body will make decisions on the allocation of the funds available.

9. STATUS OF THIS MOU

9.1 The Pool Members agree that this shall be a binding contractual relationship and mutual commitment between them created by this MoU and shall from the date hereof be construed accordingly.

Briefing Note for: Lancashire Leaders meeting on 1 August 2019
 Prepared by: Jane Pearson (on behalf of Lancs BR Pool Executive Body)
 Subject: Advance release of £400k to fund work on Greater Lancashire Plan
 Date: 30 July 2019

1. The Lancashire BR Pool Executive Body met on 14 June 2019 and 26 July 2019.
2. They explored how £400k could be released from the Strategic Economic Growth and Financial Sustainability Fund (SEGFSF) in this financial year to fund work on the Greater Lancashire Plan i.e. prior to the BR growth income being realised and available in this fund.
3. The Executive Body considered 2 options:
 - Option 1 - That the advance funding is provided by one authority, or;
 - Option 2 - That the advance funding is provided by pool members in proportion to their anticipated contribution to the fund based on NNDR1's.
4. The Executive Body members present were minded to agree Option 2 and, subject to the views of those authorities not present, would be recommending this option to the next Governing Body meeting.
5. The table below shows the initial contribution which would be required from each pool member in the final column:

	Contribution to SEGFSF £	All to underwrite pro rata to expected contribution to SEGFSF £
Blackburn with Darwen	445,648	65,669
Blackpool	0	0
Burnley	236,219	34,808
Chorley	177,840	26,206
Fylde	137,497	20,261
Hyndburn	26,500	3,905
Lancashire	773,067	113,916
Lancashire Fire Authority	53,363	7,863
<i>Lancaster</i>	<i>0</i>	<i>0</i>
Pendle	69,242	10,203
Preston	38,913	5,734
Ribble Valley	147,776	21,776
Rosendale	94,801	13,969
South Ribble	244,386	36,012
West Lancashire	120,961	17,824
Wyre	148,302	21,853
	2,714,515	400,000

6. They will also recommend that there is an adjustment carried out at year end following production of NNDR3's when actual outturn is known.
7. A full report from the Executive Body will be submitted to the next Governing Body meeting.



Report of:	Meeting	Date
Councillor Henderson, Leader of the Council and Garry Payne, Chief Executive	Council	3 October 2019

Climate Change Policy Group

1. Purpose of report

1.1 To enable a new Policy Group to be established.

2. Outcomes

2.1 More effective consideration of climate change initiatives.

3. Recommendations

3.1 That a Climate Change Policy Group be established with the Terms of Reference set out in paragraph 5.1 below.

3.2 That 9 Conservative Councillors, 2 Labour Councillors and 1 UKIP Councillor, including at least 1 member each from Fleetwood, Thornton, Cleveleys, Poulton-le-Fylde, Rural East and Rural West areas of the Borough, be appointed as members of the Policy Group for the remainder of the 2019/20 Municipal year.

3.3 That, an initial meeting of the new group be held on a date to be arranged in October or November 2019 and that further meetings then be arranged, probably in January and March 2020.

4. Background

4.1 On 11 July 2019 the Council committed to:

- Make the Council's activities net-zero carbon by 2050;
- Achieve 100% clean energy across the council's full range of functions by 2050;

- Ensure that all strategic decisions, budgets and approaches to planning decisions are in line with a shift to zero carbon by 2050 as far as Planning Laws allow it;
- Support and work with all other relevant agencies towards making the entire Wyre area zero carbon within the same timescale;
- Ensure the council take responsibility for reducing, as rapidly as possible, the carbon emissions resulting from the council's activities, ensuring that any recommendations are fully costed and that the Executive and Scrutiny functions review council activities taking account of production and consumption emissions and produce an action plan within 12 months, together with budget actions and a measured baseline;
- Where necessary officer reports to Cabinet and Full Council contain impact assessments on Climate Change, including presenting alternative approaches which reduce carbon emissions where possible;
- Continue its already agreed policy to report to the Overview and Scrutiny Committee its progress towards a zero carbon emissions target;
- Work with, influence and inspire partners across Wyre, Lancashire and the North West to help deliver this goal through all relevant strategies, plans and shared resources by developing a series of meetings, events and partner workshops;
- Request that the Council and partners, take steps to proactively include young people in the process, ensuring that they have a voice in shaping the future;
- Continue its policy of having officers and departmental groups work on a climate change action plan which will report back to Council on a regular basis as to its progress towards a target of zero emissions by 2050;
- Request an annual investment report from our pensions administrators Lancashire County Council (LCC) on the level of investment in the fossil fuel industry, such report to go to Cabinet who will make any appropriate observations thereon reflecting our zero carbon emissions target of 2050;
- Ensuring that all reports in preparation for the 2020/2021 budget cycle and investment strategy will take into account the financial implications of the actions the council will take to address this emergency;
- Request the UK Government to provide the powers, resources and help with funding to make this possible, and ask local MPs to do likewise;

- Continue to consider other actions within the Council's remit that could be implemented, including (but not restricted to): renewable energy generation and storage, providing electric vehicle infrastructure and encouraging alternatives to private car use, increasing the efficiency of all buildings, including housing in particular to address fuel poverty; proactively using local planning powers to accelerate the delivery of net zero carbon new developments and communities, coordinating a series of information and training events to raise awareness and share good practice;
- The council should if possible not allow its land to be used for anything that would result in the council not meeting the target of net zero emissions by 2050; and
- Monitor the advice of the Local Government Association, (and where possible implement) as to what steps can be taken quickly to have the greatest possible impact on air quality, a modal shift away from private cars, increased take up on public transport, and ensure that every aspect of the council's activities are sighted on the need to preserve Wyre's ecological and environmental heritage.
- Use trees to offset carbon emissions arising from the council's activities and therefore to instruct our officers to report back on costings for the planting of trees and the maintenance of woodlands in the Borough, which is a matter of urgency because we need to start planting trees now.

5. Key issues and proposals

5.1 The Climate Change Policy Group will not have any delegated decision making powers. Its functions will be:

- To assist officers in the development of the Climate Change Action Plan.
- To make recommendations to the Cabinet on issues relating to climate change.
- To monitor and review progress on the development and implementation of measures to alleviate the impact of climate change, referred to in the motion approved by the Council on 11 July 2019.
- To report annually to Full Council.

5.2 As the proposed Policy Group is not being established as a formal Committee or Sub-Committee its' composition does not have to comply with the statutory political balance requirements set out in Section 15 of the Local Government and Housing Act 1989. However, the Council's usual convention is to voluntarily agree to appoint members to the Group

in the same proportion as the make-up of the Council overall. It is therefore proposed that the Policy Group will comprise of 12 members (9 Conservative, 2 Labour and 1 UKIP).

Financial and legal implications	
Finance	There are no immediate financial implications arising from this report. Some of the issues to be considered by the Climate Change Policy Group may have financial implications. These will need to be considered as proposals are worked-up and will be subject to the normal approval process.
Legal	The arrangements for the establishment of the Climate Change Policy Group comply with the requirements of the law and the Council's Constitution.

Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

risks/implications	✓ / x
community safety	x
equality and diversity	x
sustainability	✓
health and safety	x

risks/implications	✓ / x
asset management	✓
climate change	✓
ICT	x
data protection	x

Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

report author	telephone no.	email	date
Roy Saunders	01253 887481	Roy.saunders@wyre.gov.uk	11/9/2019

List of background papers:		
name of document	date	where available for inspection
None	-	-

List of appendices:

None.

This page is intentionally left blank



Report of:	Meeting	Date
Councillor Henderson, Leader of the Council and Mark Billington, Service Director People and Places	Council	3 October 2019

Single Use Plastics Policy

1. Purpose of report

- 1.1 To seek approval for the implementation of a single use plastics policy for the council (Appendix 1).

2. Outcomes

- 2.1 A reduction in the council's reliance on single use plastics.
- 2.2 Improved recycling of materials purchased by the council to reduce the amount of waste going to landfill.
- 2.3 Collaboration with our partners to respond to climate change issues.

3. Recommendations

- 3.1 That the council encourages officers to ensure that single-use plastics are phased out or reduced across all council locations.
- 3.2 That where possible improved recycling at council facilities be introduced regarding plastics and other materials.
- 3.3 Event organisers be required to reduce or eliminate single-use plastics and provide improved recycling opportunities at events held on council land.
- 3.4 Encourage strategic partners to adopt single use plastic policies.
- 3.5 Share best practice and information about plastic free initiatives, to residents, businesses and visitors through the council's communication channels.

- 3.6 That the council joins forces with external organisations who champion cleaner greener environments.
- 3.7 Communicate the importance of protecting our urban, rural and marine environments, and support and promote positive initiatives, campaigns and actions for reducing plastic waste
- 3.8 Continue to support communities, beach cleans and litter-pick initiatives to ensure our parks, beaches and open spaces are free from plastic litter.

4. Background

- 4.1 Single Use Plastics (disposable plastics) are intended to be used only once or a few times before they are disposed of.
- 4.2 It is estimated that the amount of plastic waste generated annually within the UK is around 5 million tonnes. This is having a catastrophic effect on the environment, particularly our marine environment as most plastics do not biodegrade but photodegrade. This means that they slowly break down, often over hundreds of years, into small fragments known as microplastics.

5. Key issues and proposals

- 5.1 On 11 July 2019 Council declared a Climate Change Emergency and as such is committed to reducing its impacts on the Environment through its activities.
- 5.2 An audit of the council’s reliance on single use plastics is currently being undertaken, led by a cross-directorate working group, to help establish the level of use and early options for reduction.
- 5.3 Progress in the reduction of Single Use Plastics to be monitored as part of the work under taken by the Climate Change Policy Group.

Financial and legal implications	
Finance	There are no immediate financial implications as a result of the adoption of a Single Use Plastics Policy. As the policy evolves and alternative products are sourced there may be financial implications which will need to be considered as part of the process for reducing single use plastics.
Legal	There are no current legal implications regarding the adoption of the Single Use Plastics Policy.

Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

risks/implications	✓ / x
community safety	x
equality and diversity	x
sustainability	✓
health and safety	x

risks/implications	✓ / x
asset management	x
climate change	✓
ICT	x
data protection	x

Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

report author	telephone no.	email	date
Mark Billington	01253 887456	mark.billington@wyre.gov.uk	12/09/2019

List of background papers:		
name of document	date	where available for inspection
None		

List of appendices

Appendix 1 - Single Use Plastics Policy

SINGLE USE PLASTIC POLICY

Introduction

The amount of plastic waste generated annually in the UK is estimated to be nearly 5 million tonnes, which has a catastrophic effect on our environment, particularly our marine environment. Most plastics do not biodegrade, but instead photodegrade, meaning that they slowly break down, often over hundreds of years, into small fragments known as microplastics. If plastic products are made to last, are reused again and again, and then recycled at the end of their usefulness, they can be a sustainable option. The problem unfortunately is how prolific the everyday use of single-use plastic items has become. Wyre Council wants to help address the problem by reviewing its use of single use plastics leading to the reduction and eventual elimination of their use.

What are single-use plastics?

Also often referred to as disposable plastics, single use plastics are intended to be used only once or a few times before they are thrown away or recycled. This includes plastic packaging, grocery bags, plastic drinks bottles, body buffs, containers, straws, cups, dispensing containers for cleaning fluids, disposable items and materials used for packaging and marketing use.

Our policy

The issue of single-use plastics and how to reduce, reuse and recycle will be very much a part of the Authority's work going forward and we will start by looking at our own business first. The ultimate goal is to achieve a single use plastic-free organisation across our workforce, operations and assets.

Wyre council commits to:

- Engage with staff to ensure that single-use plastics are phased out across council locations;
- That where possible improved recycling at council facilities be introduced regarding plastics and other materials;
- Work with event organisers to reduce single-use plastics and provide improved recycling opportunities at events held on council land;
- Use government legislation that regulates against the use of single use plastics to support our efforts;
- Work with our supply chain to raise awareness and minimise the use of single-use plastics in service provision and seek sustainable alternatives;
- Where single use plastic is unavoidable, encourage the use of recycled plastics and pursue pioneering recycling opportunities;
- Encourage strategic partners to adopt single use plastic policies;
- Share best practice and information about plastic free initiatives, to residents, businesses, visitors and beyond, through the council's communication channels;
- Join forces with external organisations who champion cleaner, greener environments;
- Communicate the importance of protecting our urban, rural and marine environments, and support and promote positive initiatives, campaigns and actions for reducing plastic waste; and
- Continue to support communities, beach cleans and litter-pick initiatives to ensure our parks, beaches and open spaces are free from plastic litter.



Report of:	Meeting	Date
Councillor David Henderson Leader of the Council and Garry Payne, Chief Executive	Council	3 October 2019

Corporate Management Team Restructure
--

1. Purpose of report

- 1.1 To seek Council's approval to a revised Corporate Management Team structure.

2. Outcomes

- 2.1 An effective consolidated Corporate Management Team structure with a capacity and skill set ensuring delivery of the Council's Business Plan and stability of the organisation through effective succession planning.
- 2.2 High performing services with good customer satisfaction levels.
- 2.3 Effective leadership and management of Council services.

3. Recommendations

- 3.1 That from the 1 December 2019, under the existing post of Chief Executive, a revised Corporate Management Team structure be implemented to include three Corporate Directors.
- 3.2 That the following Corporate Director salary levels be approved:

£62,000 – 72,000 (£62,000/67,000/72,000).
- 3.3 That the three existing Service Directors and Head of Finance/Section 151 Officer be ring-fenced for a role as a Corporate Director and be interviewed by the Senior Officer Appointments Committee. Once interviews have been completed the Senior Officer Appointments Committee will make a recommendation to full Council.

- 3.4** The unsuccessful applicant will either take up a role or continue in the role of Head of Service. If the unsuccessful applicant is a current Service Director salary protection would apply for 18 months in accordance with our adopted Policy. As a result of this restructure there will be no compulsory redundancies. However, should any unsuccessful candidate request voluntary redundancy that would only be agreed if the request met our Redundancy Policy, including a two year payback.
- 3.5** That in the event of an internal appointment/s not being made a further report will be brought back before full Council identifying options.

4. Background

- 4.1** The Council currently has a Corporate Management Team comprising a Chief Executive, three Service Directors and the Head of Finance/Section 151 Officer.
- 4.2** The current Senior Officer structure and Service Director remuneration package was approved by full Council in June 2015 (current Service Director salary levels, taking into account recent pay award, is £61,026 to £64,740) and the structure was partially implemented in April 2016 and then fully implemented in July 2016.
- 4.3** Since July 2016 the Service Directors and Head of Finance/Section 151 Officer have undertaken a series of staffing and operational reviews which has resulted in significant savings. At the same time new arrangements have been developed to strengthen teams and support Heads of Service and third tier managers in their management, supervisory, operational and delivery roles. Development of leadership skills and collaborative working across and outside of the council is now well embedded.
- 4.4** Over the past three years a number of significant milestones have been achieved including adoption of a new Local Plan, securing Enterprise Zone Status for the Hillhouse International Business Park; a revised and strengthened Business Plan; we have adopted and embedded a vision that focuses on commercial opportunities and promoted and embedded a business like collaborative culture; made significant investment into our digital transformation of service provision and we have developed and will continue to develop strong and effective relationships with other public sector service providers to ensure we have a strong foundation so that we can continue to deliver exceptional services to our residents, businesses and visitors.
- 4.5** In November 2017, under powers delegated to the Chief Executive and following a benchmarking exercise the special responsibility allowance for the role of Section 151 Officer was increased to £5,500 which is also subject to any agreed annual pay award. The total salary of the Head of Finance/Section 151 Officer (including special responsibility allowance) is currently £56,938.

- 4.6** The Head of Finance does, however, undertake an active and formal role in strategic meetings including Corporate Management Team and Management Board meetings, adding value to the process. This aligns with the Chartered Institute of Public Finance and Accountancy's Statement on the Role of the Chief Financial Officer in Local Government. It is thus only right and proper that the Head of Finance/Section 151 be afforded the opportunity to be considered for a role as a Corporate Director.
- 4.7** Following the last Corporate Management Team re-structure in 2016 collaboration has been championed and embedded within the organisation by the Chief Executive, three Service Directors and Head of Finance/Section 151 Officer and as a result positive benefits have arisen, including cementing a 'can do attitude and collaborative culture', increased external funding for a number of projects and services has been secured including the Better Care Fund, major projects including parks and open spaces, increased rental income, increased satisfaction levels, transformation of services, increased customer and community engagement and improvements in the health and wellbeing of our residents and businesses. Collaboration at a strategic level requires significant commitment and resources including time which results in increased pressure. As we move forward as an organisation continuing and increasing collaborative working, managing our finances, generating income and continuing to secure external funding will be critical, particularly at a strategic level.
- 4.8** On 7 March 2019 full Council approved a new Business Plan and the Budget and therefore Members will be aware that we are in a strong and stable financial position and have a deliverable Business Plan.
- 4.9** The proposed restructure to form a consolidated Corporate Management Team, with a greater emphasis on strategic working, will ensure that we are best placed and have the capacity and skill set to maximise the opportunities of collaborative working particularly at a strategic level. The proposed revised Corporate Management Team structure will ensure we continue to deliver our corporate priorities and in particular the significant projects and opportunities in the Business Plan but remuneration levels need to be at a level that is reflective of revised roles and responsibilities.
- 4.10** In order to ensure the organisation retains stability and a 'can do culture' should Members agree to the revised Corporate Management Team the Chief Executive will develop and implement a detailed succession plan, including a structured mentoring and training programme for the Corporate Directors. Effective, proactive succession planning will ensure we are well prepared to deal with change, provide employees with opportunities and successful succession planning will build strength in the organisation.

- 4.11** Analysis of other Lancashire District Council Senior Officer (Corporate Director/Director) salary levels (as at April 2019) has revealed a wide salary range for example Fylde £67,408; Preston £77,292; Ribble Valley £85,349 (plus 7.5% contribution to lease car); South Ribble £86,700 (plus £1,239 essential car user allowance) and Lancaster £89,760.
- 4.12** The number of Senior Officers (including the Chief Executive) that make up the Senior Management Team in other Lancashire District Councils varies but taking into account the remuneration levels and responsibilities of Senior Officers in other Lancashire District Councils and the varied Senior Management Team Structures the remuneration levels and Senior Management Team Structure proposed in this report are considered the most appropriate for Wyre.
- 4.13** The proposed Corporate Management Team re-structure has been devised with the support and advice of North West Employers (NWE) and should Members approve this report NWE will continue to play a role providing independent advice and support until the process is completed.

5. Key issues and proposals

- 5.1** The Chief Executive currently manages three Service Directors, Head of Finance/Section 151 Officer and the Head of Planning Services. It is proposed that under a new consolidated Corporate Management Team structure the Chief Executive will manage three Corporate Directors and Corporate Directors will, in turn, be responsible for additional managerial responsibilities to be decided on a fair and equal basis.
- 5.2** As stated in this report four members of staff are affected by the proposed Corporate Management Team restructure and Council Policy is to undertake a 30 day consultation period. Taking into account holiday commitments the consultation period was extended and ran from 1 July to 16 August and during this time the Chief Executive met formally with all four individuals on three occasions each.
- 5.3** The consultation process gave the four affected members of staff the opportunity to discuss and comment on the proposed restructure and a deadline of 23 August was set for the four members of staff to express in writing, to the Chief Executive, an interest in a role as a Corporate Director.
- 5.4** All four members of staff affected by this proposed restructure have stated they wish to be considered for a role as a Corporate Director and subject to full Council approval the Senior Appointments Committee will be convened and interviews carried out on Monday 4 November 2019 with a recommendation to be made to the meeting of full Council on 14 November and the new structure implemented from 1 December 2019.

Financial and legal implications	
Finance	Should the three existing Service Directors be appointed to Corporate Director posts the cost of implementing the proposed revised and strengthened Corporate Management Team structure will be nil. Other appointment permutations would, after 18 months, result in savings which will be declared after 18 months.
Legal	There are no legal issues arising from this report.

Other risks/implications: checklist

If there are significant implications arising from this report on any issues marked with a ✓ below, the report author will have consulted with the appropriate specialist officers on those implications and addressed them in the body of the report. There are no significant implications arising directly from this report, for those issues marked with a x.

risks/implications	✓ / x
community safety	x
equality and diversity	x
sustainability	x
health and safety	x

risks/implications	✓ / x
asset management	x
climate change	x
ICT	x
data protection	x

Processing Personal Data

In addition to considering data protection along with the other risks/ implications, the report author will need to decide if a 'privacy impact assessment (PIA)' is also required. If the decision(s) recommended in this report will result in the collection and processing of personal data for the first time (i.e. purchase of a new system, a new working arrangement with a third party) a PIA will need to have been completed and signed off by Data Protection Officer before the decision is taken in compliance with the Data Protection Act 2018.

report author	telephone no.	email	date
Garry Payne	01253 887500	Garry.Payne@wyre.gov.uk	02/09/2019
List of background papers:			
name of document	date	where available for inspection	
None			

List of appendices

None

This page is intentionally left blank